COUNCIL PROCEEDINGS
NINTH MEETING
March 30, 2009

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 Controller Hume and Councillors Armstrong and MacDonald.

Her Worship the Mayor presents a certificate for "London's Featured Community Organization" to Eugene Kirk, President of the Seniors Advisory Council, Kathy Kosatchenko, Manager of Recreation (Seniors, Children and Youth), Don Donner, Executive Director and Theresa Mikula, President of the Club Board of Directors of The Horton Street Seniors' Centre.

Geoff Faul of the Lambeth Bi-Centennial Committee presents Her Worship the Mayor and Councillor Eagle with a Lambeth Historical Commemorative Calendar.

Her Worship the Mayor and Michelle Edwards, Vice Chair of the London Diversity & Race Relations Advisory Committee, present the 2009 City of London Race Relations Recognition Awards to:

- Sciencetech Inc.  
  (Business & Labour Category)
- WIL Employment Connections  
  (Education & Training Category)
- ChildReach  
  (Social & Community Services Category)
- The City of London Human Resources Division  
  (The Corporation of the City of London, its Departments, Advisory Committees, City Boards and Commissions Category)

DISCLOSURES OF PECUNIARY INTEREST

133. Councillor Caranci discloses a pecuniary interest in clause 1 of the 8th Report of the Planning Committee having to do with property located at 2118 Richmond Street by indicating that a family member is a party to the associated application.

134. Councillor Bryant discloses a pecuniary interest in clause 1 of the 6th Report of the Community and Protective Services Committee having to do with an agreement with the South West Local Health Integration Network and in clause 2 of the 6th Report of the Community and Protective Services Committee having to do with a Task Force to study service needs and gaps for aging Londoners by indicating that her spouse sits on the Board of Directors of the Local Health Integration Network.

135. Councillor Branscombe discloses a pecuniary interest in those matters contained in the 13th Report of the Committee of the Whole having to do with the Skyway Industrial Park, the London International Airport and the Soccer Dome by indicating that her spouse owns and operates a business adjacent to these properties.

136. Councillor Baechler discloses a pecuniary interest in clause 7 of the 8th Report of the Planning Committee, having to do with property located at 1890-2090 Hyde Park Road, 1491, 1509, 1510, 1540 and 1640 Fanshawe Park Road West, 2034 Mallard Road, Parts of 1525, 1557, 1579 and 1635 Fanshawe Park Road West and Part of 1615 North Routledge Park by indicating that she owns a business operating adjacent to the subject.
properties. Councillor Baechler further discloses a pecuniary interest in Bill No. 171 having to do with property located at 1992 Fanshawe Park Road West by indicating that she owns a business operating adjacent to the subject property.

137. Councillor Eagle discloses a pecuniary interest in clause 5 of the 10th Report of the Board of Control having to do with the Kilworth Bridge by indicating that the bridge is in close proximity to the church where she serves as Minister.

138. Councillor Winninger discloses a pecuniary interest in clause 1 of the 9th Report of the Planning Committee having to do with rental residential licensing by indicating that he is a small landlord.

139. Deputy Mayor Gosnell discloses a pecuniary interest in clause 7 of the 8th Report of the Planning Committee, having to do with property located at 1890-2090 Hyde Park Road, 1491, 1509, 1510, 1540 and 1640 Fanshawe Park Road West, 2034 Mallard Road, Parts of 1525, 1557, 1579 and 1635 Fanshawe Park Road West and Part of 1615 North Routledge Park by indicating that he has a client with an interest in the subject properties. Deputy Mayor Gosnell further discloses a pecuniary interest in Bill 171 having to do with property located at 1992 Fanshawe Park Road West by indicating that he has a client with an interest in the subject property.

MINUTES

140. Councillor Miller moves, seconded by Councillor Baechler, that the Minutes of the Eighth Meeting held on March 9, 2009 be adopted. CARRIED

CONFIDENTIAL MATTERS TO BE CONSIDERED IN PUBLIC

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

COMMUNICATIONS

142. The Chair directs that the actions suggested by the City Clerk with respect to Communication No.'s 1 to 5, inclusive, as identified on the Orders of the Day and on the Added Communications be taken.

ADDED REPORTS

143. The City Clerk submits the 13th Report of the Committee of the Whole as part of the Added Communications.

REPORTS

144. Controller Barber moves, seconded by Councillor Branscombe, that pursuant to section 7.3 of the Council Procedure By-law, the order of business be changed to permit consideration of clause 1 of the 9th Report of the Planning Committee at the present time. CARRIED

9TH REPORT OF THE PLANNING COMMITTEE

145. Councillor Branscombe presents the 9th Report of the Planning Committee.

Councillor Branscombe moves, seconded by Councillor Orser, that parts (a), (c) and (d) of clause 1 be referred back to staff with the clause to now read as follows:

"That the following actions be taken with respect to a hybrid city-wide rental residential licensing/targeted area property standards enforcement program:

(a) the attached revised by-law (Appendix "A") to provide for the licensing and regulation of residential rental units in the City of London for buildings
containing less than 7 residential units BE REFERRED to the Civic Administration to:

(i) review and report back on the comments received at the Public Participation Meeting held on March 24, 2009 with respect to this matter;

(ii) report back with an implementation plan for the by-law;

(b) the Municipal Council BE ADVISED that a targeted area property standards enforcement program focusing on addressing substandard housing conditions in areas of the City with a high propensity for deficient housing conditions will be implemented in June 2009."

Councillor Caranci moves, seconded by Councillor Miller, that the proposed amendment to clause 1 be further amended by adding thereto a new part (c) as follows:

"(c) the Civic Administration BE REQUESTED to provide a status report on the outcome of the targeted area property standards enforcement program noted in (b), above, to evaluate how effective this program is in addressing substandard housing conditions in areas of the City with a high propensity for deficient housing conditions."

The motion to adopt parts (b) and (c) is put and CARRIED.

The motion to adopt part (a) relating to the referral of certain matters to the Civic Administration is put and CARRIED on a recorded vote, the Members voting as follows:

YEAS: Mayor DeCicco-Best, Deputy Mayor Gosnell, Controller Barber and Councillors Usher, Orser, Lonc, Eagle, Baechler, Branscombe, Bryant and Hubert. (11)

NAYS: Controller Polhill and Councillors Van Meerbergen, Miller and Caranci. (4)

Clause 1, as amended, reads as follows:

1. That the following actions be taken with respect to a hybrid city-wide rental residential licensing/targeted area property standards enforcement program:

(a) the attached revised by-law (Appendix "A") to provide for the licensing and regulation of residential rental units in the City of London for buildings containing less than 7 residential units BE REFERRED to the Civic Administration to:

(i) review and report back on the comments received at the Public Participation Meeting held on March 24, 2009 with respect to this matter;

(ii) report back with an implementation plan for the by-law;

(b) the Municipal Council BE ADVISED that a targeted area property standards enforcement program focusing on addressing substandard housing conditions in areas of the City with a high propensity for deficient housing conditions will be implemented in June 2009; and

(c) the Civic Administration BE REQUESTED to provide a status report on the outcome of the targeted area property standards enforcement program noted in (b), above, to evaluate how effective this program is in addressing substandard housing conditions in areas of the City with a high propensity for deficient housing conditions;

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. Hoffer, representing the London Property Management Association (LPMA), 102-460 Berkshire Drive – expressing opposition to the proposed by-law as it is simply an unjustifiable tax to be applied to over 12,000 units which will surely increase in the future, and which subjects tenants to forced entry and discrimination; noting that the LPMA has participated in this process for over a
year and that the rationale for the review of this matter has changed from a focus on student housing, to a new tenant tax addressing property standards, which could be dealt with through existing by-laws rather than granting new powers to by-law enforcement officers that exceed those of the London Police Service.

- B. de Groot, Executive Director, Ontario Fair Property Tax Coalition, Box 50004 London -- expressing concern that this by-law amounts to an additional tax in a system where existing services have not kept pace with property tax increases, and which will have to be borne by the tenants eventually; noting that the existing system for by-law enforcement and complaints could be better utilized through changes such as charging a fee for the lodging of complaints; further noting the by-law may be in conflict with the Residential Tenancy Act, that the by-law effects a double standard as it only applies to rental properties, and that the question as to whether it should be enacted should be part of the 2010 Municipal election ballot.

- D. Pellarin, 1019 Waterloo Street -- expressing support for the proposed by-law as he is both a landlord and a resident in an area that has seen a great deal of strain put on the system by over-intensification; noting that he would be happy to pay $30 per year to ensure that his tenants are safely housed; further noting that many tenants are too intimidated to lodge complaints and that inspections by by-law enforcement officers will eliminate fear tactics by some landlords, who may be the same landlords that are opposed to bringing their units up to acceptable safety standards, and that profits should not be at the expense of quality of life for tenants.

- A. Clarke, 931 Griffith Street -- noting that since this fee will be paid to the City for services rendered it is still a tax, that the by-law is discriminatory if the by-law does not support safe housing for all Londoners; further noting that this by-law amounts to an additional tax in a system where existing services have not kept pace with property tax increases; and which will have to be borne by the tenants eventually; noting that the City only needs to put existing revenue into its existing system in order to deal with its concerns.

- M. Huard, 110 Cherryhill Blvd. -- expressing opposition to the by-law as it does not apply to all types of units, that it is discriminatory, an invasion of privacy and supports the creation of additional bureaucracy that will cost even more money and gives too much power to by-law enforcement officers.

- K. Walker, 434 Third Street -- expressing opposition to the by-law as it will decrease profit margins and hurt low income residents with fees that will only increase in time; noting that it also implies that tenants are not smart enough to know when repairs are necessary, and indicating the government does not need to become involved in this type of situation.

- S. Trosow, Chair, London Housing Advisory Committee (LHAC) -- expressing general support for the proposed by-law on behalf of the LHAC as outlined in the attached submission which also identifies relevant census data, and photographs of local properties that appear to be duplexes with many separate mailboxes, and requesting that amendments be made to the proposed by-law including a change to the threshold from units to storeys and to also increase the number, that an exemption form should be completed and filed to allow for any exemptions, and that should notice of inspection or infraction be given to a landlord, notice also be given to the tenants and neighbours to make everyone aware that a revocation of licence is possible.

- W. Gidney, 551 St. George Street -- noting that as a resident and landlord in the area surrounding the University of Western Ontario for over 40 years, he supports a by-law that will assist to ensure safe standards for everyone, but noting it should apply to all rental houses.

- H. Katz, 773 Franklinway Crescent - representing ESAM Group and expressing opposition to this by-law; noting that there will likely be 200-300 violators and 12,500 other units that will have to suffer for their violations; noting that his tenants are present of their own accord and will make up their own minds, but as a landlord, he is opposed to this by-law.
• G. Matthews, representing the University of Western Ontario and Fanshawe College - expressing support for the proposed by-law on their behalf as it is a reasonable approach to the issue, and providing the attached letters of support from B. Hull, Vice-President, Administration, Fanshawe College, and G. Kulczycki, Vice-President, Resources and Operations, University of Western Ontario.

• C. Gibbs, 396 Queens Avenue – noting that other major cities have refused similar by-laws and that the City of London should also refuse one.

• W. Veitch, representing Norquay Developments Limited, 100 Wellington Road – expressing hope that Councillors are listening to the constituents that have contacted them with respect to this matter; noting that the tools that can be used by the City currently are not being utilized and that existing by-laws simply need to be enforced to deal with the issues at hand, and expressing opposition to the fee, which is a tax.

• I. Kasuriak, 390 Princess Avenue – expressing opposition to the proposed by-law as it is a tax that is not required; noting there is a rental tribunal that exists to deal with these matters and expressing concern it does not apply to high-rise buildings as well.

• R. Moretti, 281 Regent Street – commending the Planning Committee for undertaking this challenge and noting the proposed by-law seems to be a balanced, reasonable approach that will be particularly useful in communities where there have been problems with irresponsible and absentee landlords.

• E. Smuck, 928 Western Road – expressing concern that the proposed by-law does not treat owner occupied sub-standard housing with the same degree of concern for safety that is being applied to rental units, and that the targeting needs to be reviewed for purposes of equality, that the powers of entry by-law enforcement officers will be problematic and quoting from the attached document entitled, "If it Were Litigated – a Factum Against Landlord Licensing".

• A. Drewlo, Drewlo Holdings Inc., 10679 Glendon Road – expressing opposition to the proposed by-law as it doesn’t serve a purpose and is not needed; noting that it is simply a tax and that the City has the resources and staff available in other areas to deal with all concerns raised, that the proposed fee will certainly increase in the future, and expressing concern that the powers being given to by-law enforcement officers seems excessive.

• D. Dimitrié, 705-752 Kipps Lane representing the Kipps Lane Community Association - expressing general support for the proposed by-law as it will assist in managing difficulties faced by low income earners as a result of absentee or poor landlords, but expressing concern that the tenants in high-rise buildings vastly outnumber the tenants of the structures being targeted by the by-law, that complaints made to the City do seem to take a very long time to be dealt with, and that improvements recommended to that complaint structure have not yet been implemented, though they were requested to be in 2005, at a Community and Protective Services Committee meeting.

• J. Kuderman, 287 Oak Avenue, Strathroy – expressing concern that landlords are not adequately protected from bad tenants, and that this by-law will not assist the situation.

• G. Lightfoot, Old Masonville Ratepayers Association – submitting the attached communication expressing support for the proposed by-law to improve public safety, and requesting that all rental units, in all areas of the City be covered by the by-law, that random spot checks be implemented, and that a phase-in period for the by-law be a maximum of three to five years. Also submitting the attached letter from S. Bentley, Dr. D.M.R. Bentley, 34 Mayfair Drive, S. Harmer, 27 Mayfair Drive and A. Dicketts, 40 Mayfair Drive.

• J. Schiemmer, Executive Director, Neighbourhood and Legal Services, London and Middlesex – expressing support for the by-law as it provides additional resources to assist to tenants deal with landlord issues; noting that this is not a "tax" that can be passed on to the tenants and that their service would assist with that defence, that the notices provided to many tenants by their landlords are full of misinformation and that the by-law is being misrepresented; further noting this will not be a profit-generating operation for the City, it is only a method to deal with bad landlords.

• E. DiTrollo, 14 St. George Street – noting that as a parent of a student who rents in the City, he is encouraged by this by-law as it indicates safety standards are important in this community; noting that the parents of the other approximate 30-40,000 students in the City would likely agree.

• J. Samlal, 45-1460 Limberlost Drive – noting that in these tough economic times, an additional tax on a rental property, which is an investment for people, will only
encourage them to make that investment in another community instead, and expressing opposition to the proposed by-law.

- A. Sahib, 740 Proudfoot Lane – noting that as a small landlord, he has had to evict tenants for illegal activities and that as the landlord, he is penalized for the damages that tenant have inflicted on his property while they had the legal right to remain in the rental unit, and noting that there is limited protection for landlords.

- R. DeGroot, Box 50004 London – noting that the City of London's property taxes are 85% higher than those of the City of Toronto, and that this proposed by-law will amount to an additional tax for the owners of the buildings; further noting that if he spent less on property taxes, he could spend additional money on his rental properties.

- D. Taylor, 510-1235 Huron Street – expressing thanks to his landlord for providing a flawed notice that gave him an opportunity to come to the meeting to understand the actual proposal, and noting that his landlord always takes care of his properties and has not raised rent in four years, and that the bad landlords need to be penalized, not all of them.

- W. Arnold, 306 Kiwanis Park Drive – noting that landlords and tenants alike are at their limits for increases of any kind and that taxes are always passed on to tenants in some format; further noting that no additional bureaucracy is needed within the City of London.

- S. Lecce, University of Western Ontario Students' Council – expressing appreciation to all of the good landlords present, and to the London Housing Advisory Committee for all their comments; noting the UWO Students Council supports a proactive approach to increase safety, and would encourage the licences to be posted with contact information, and further noting that $30 per unit seems to be a reasonable fee to pay for safety.

- M. Kingston, University of Western Ontario Students' Council – noting that there should be some sort of protection, or alternate housing arrangement for those tenants who are forced to relocate for periods of time should a property be considered not up to code and not fit for habitation, and further noting that it will be important to monitor the licensing process to prevent an “underground” rental system.

- R. Ravbar, 1635 Hillside Drive – expressing concern that he has had many issues with respect to the conduct of tenants, and wondering if a by-law exists to monitor tenant conduct as well.

- A. Kaplansky, 599 Maitland Street – expressing concern with respect to the amount of money being spent by the City of London on court and legal fees with no successful outcome, and noting that further action is not required, only the enforcement of existing by-laws.

- E. Simms, Willard Crescent – expressing opposition to the proposed by-law; noting that licensing is not required for targeted inspections, that notices could be sent out for work required within the current system, that the $30 spent on each unit's fee will result in $30 less spent on improvements for each unit; further noting that the fee will certainly increase in the future.

- S. Palmer, 57 Parliament Crescent – expressing opposition to the proposed by-law as there are other ways to deal with what amounts to student housing issues; noting that there is a healthy vacancy rate in London that allows for tenants to leave rental properties that are not property maintained, that she has not met any tenants in 20 years that were hesitant to ask for repairs to be made; further noting this is not the type of economy into which the municipality should be introducing more fees.

- G. Warren, 16-624 William Street – representing the Social Justice Coalition of London and Ontario; noting he also sits on the Board of the Unity Project – expressing general support for the proposed by-law as it will provide a useful tool to protect tenants, that tenant laws may be effective already, but that tenants don't necessarily know their rights, that vacancies may exist, but not for affordable housing, that a registry of rental units and landlords could be useful, and further noting that the landlords opposed to the proposed by-law are those that are reluctant to make necessary repairs.

- M. Blosh, 43 Mayfair Drive – expressing concern with respect to the proposed by-law covering only 4 units or less as many landlords will play games with the number of units to avoid licensing, and expressing concern with a number of negative incidents involving her own property following a recent public meeting on this same matter.

- M. Byes, Cherryhill Circle – expressing concern that the senior tenants in many buildings will end up paying for things that are out of both their control and the
control of their landlords, and that it is not a fair situation.

- B. Parker, representing Sifton Properties Limited – expressing opposition to the proposed by-law as property management is already one of the most regulated businesses in existence; noting that they are aware there are landlords that do neglect their properties, but that they are the minority and are not representative of the industry as a whole; further noting this approach is unrealistic and will require additional resources and revenues in the future.

- T. Whitehead, 690 Wonderland Road South – indicating that the notice he received from his landlord was very one-sided, and encouraging Planning Committee members to strike a balance with respect to this matter.

- R. Sexsmith, 120-1231 Sanford Street – expressing support for the proposed by-law as there is a constant inability for tenants to be protected; noting that there is room for some improvements to the by-law but that there has been good dialogue to date.

- L. Ornau, 1223 Richmond Street – expressing concern that landlords will find a way to pass this fee on to tenants, and that tenants will not know their rights; noting that the number of units being used as a threshold could be problematic, and providing a petition (on file the City Clerk's Office) that provides the names of approximately 96 residents in her building that share this concern.

- B. Zhang, 258 Brunswick Crescent – expressing opposition to the proposed by-law as it does not seem necessary; noting that he, as a landlord, has to bear legal expenses for problems caused by bad tenants, but that the tenant has access to free legal services.

- D. Nicolson, 29 Haliburton Crescent – indicating that he came to listen to information and has heard many mixed views, as well as intense lobbying; but noting that as a volunteer with an organization that assists street youth, it seems to be those most at a disadvantage that are living in unsafe housing as they may not complain about living conditions for fear they will be back out on the street, and if this by-law offers some protection for this group of tenants, it is a worthwhile by-law to pass;

It being noted the Planning Committee received and noted written communications with respect to this matter from the following:

- R. J. Stainthorpe, 275 Paardeberg Crescent
- R. Izawa, President, London Property Management Association
- D. Cornell, by email
- J. Timmermans, 287 Oak Avenue, Strathroy
- S. Trosow, Chair, London Housing Advisory Committee
- G. Thompson, President, Old East Village Community Association
- S. Turner, Chair, Urban League of London
- S. Trosow on behalf of M. Dale (2009-P10-00)

## 10TH REPORT OF THE BOARD OF CONTROL

### 146. Controller Barber presents the 10th Report of the Board of Control.

Controller Barber moves that clauses 1 to 19, inclusive, be adopted.

The motion to adopt clauses 1 to 19, excluding clause 5 is put and CARRIED.

The motion to adopt clause 5 is put and CARRIED.

Clauses 1 to 19, inclusive, read as follows:

1. That, on the recommendation of the General Manager of Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the supply and delivery of waterworks materials (Project No. EW3832), namely:
   
   (a) the bid submitted by Emco Corporation, 944 Leathorne Street, London, at its tendered unit prices (all taxes extra), for a period of two years, BE ACCEPTED; it being pointed out that Emco submitted the lowest overall bid;
(b) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report attached hereto as Appendix "A";

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

(d) the approval given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order or contract record relating to this matter (Tender 09-09). (W13-00)

2. That, on the recommendation of the General Manager of Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the 2009 Infrastructure Life Cycle Renewal Program, Ridout Street South, Phase 3 (Project Nos. EW3675/EW3786/ ES2413/TS1445), namely:

(a) the bid submitted by Blue-Con Inc., 1915 Crumlin Sideroad, London, at its submitted tendered price of $2,362,763.64 (excluding GST), **BE ACCEPTED**; it being pointed out that the bid submitted by Blue-Con Inc. was the lowest of ten (10) bids received and meets the City's specifications and requirements in all areas;

(b) Archibald, Gray & McKay Engineering Ltd. **BE AUTHORIZED** to carry out the resident inspection and contract administration for the said project in accordance with the estimate, on file, at an upset amount of $236,071.00 (excluding GST), noting that this firm completed the engineering design, based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers; in accordance with "Schedule D: Appointment of Consulting Services Policy" of Council Policy By-law A-6151-17;

(c) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report attached hereto as Appendix "A";

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

(e) the approval given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied at the work to be done relating to this project (Tender 09-27); and

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

It being noted that there are no anticipated additional annual operating costs to the Environmental and Engineering Services budget in 2010 and subsequent years associated with approval of this tender. (W13-00)

3. That, on the recommendation of the General Manager of Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the 2009 Infrastructure Life Cycle Renewal Program, Contract #1 – King Street & Tecumseh Avenue East (Project Nos. EW3763, EW3764, EW3786, ES2413, TS1445, TS1737 & TS4065), namely:

(a) the bid submitted by L-82 Construction Ltd., 2070 Huron Street, Suite A, London, at its submitted tendered price of $1,760,661.24 (excluding GST) **BE ACCEPTED**; it being pointed out that the bid submitted by L-82 Construction was the lowest of eight (8) bids received and meets the City's specifications and requirements in all areas;

(b) Delcan Corporation **BE AUTHORIZED** to carry out the resident inspection and contract administration for the said project in accordance with the estimate, on file, at an upset amount of $150,553.70 (excluding GST), noting that this firm completed the engineering design, based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers; and in accordance with "Schedule D: Appointment of Consulting Services Policy" of Council Policy By-law A-6151-17;

(c) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report attached hereto as Appendix "A";
(d) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this project;

(e) the approval given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to this project (Tender 09-30); and

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

It being noted that there is no anticipated additional annual operating costs to the Environmental and Engineering Services budget in 2010 and subsequent years associated with approval of this tender. (W10-00)

4. That, on the recommendation of the General Manager of Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the supply and delivery of positive displacement cold water meters with ERTs attached, namely:

(a) the bid submitted by Elster Metering, 101-1100 Walker's Line, Burlington, for a two year period, at its total tendered annual price of $1,324,436.40 (PST included, GST extra), **BE ACCEPTED**; it being pointed out that the bid submitted by Elster Metering was the lowest of five (5) 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 for the material to be supplied and the work to be done relating to this project (Tender 09-34). (W13-00)

5. That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to the contract for the Kilworth Bridge Rehabilitation (Project No. TS1761), namely:

(a) the bid submitted by Hayman Construction Inc., 636 Wellington Street, London, at its submitted tendered price of $926,216.08 (excluding GST), **BE ACCEPTED**; it being noted that the bid submitted by Hayman Construction Inc. was the lowest of seven (7) bids received and meets the City's specifications and requirements in all areas; it being further noted that there is no anticipated additional annual operating costs to the Environmental and Engineering Services budget in 2010 and subsequent years associated with approval of this tender;

(b) AECOM **BE AUTHORIZED** to carry out the resident inspection and contract administration for the said project in accordance with the estimate, on file, at an upset amount of $147,840 (excluding GST), noting that this firm completed the engineering design, based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers and in accordance with Schedule "D: Appointment of Consulting Services Policy" of Council Policy By-law A-6151-17;

(c) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report attached hereto as Appendix "A";

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

(e) the approval given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to this project (Tender 09-02); and

(f) the Mayor and the City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations. (S08-00)

6. That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to the Oxford Street Reconstruction, Contracts 8A and 8B (Project Nos. ES2413/EW3766/TS1445/TS1762/TS4065), namely:
(a) the bid submitted by Ingerwood Construction Ltd., 445 Springbank Avenue South, Woodstock, at its submitted tendered price of $1,926,979.14 (excluding GST), for the 2009 Infrastructure Life Cycle Renewal Program – Contract 8A, BE ACCEPTED; it being pointed out that the bid submitted by Ingerwood Construction Ltd. was the lowest of eight (8) bids received and meets the City's specifications and requirements in all areas;

(b) the bid submitted by Hayman Construction Inc., 636 Wellington Street, London, at its submitted tendered price of $3,635,890.00 (excluding GST), for the 2009 Infrastructure Life Cycle Renewal Program – Contract 8B, BE ACCEPTED; it being pointed out that the bid submitted by Hayman Construction Inc. was the lowest of three (3) bids received and meets the City's specifications and requirements in all areas;

(c) AECOM BE AUTHORIZED to carry out the resident inspection and contract administration for the said project in accordance with the estimate, on file, at an upset amount of $458,673.60 (excluding GST), noting that this firm completed the engineering design, based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers; in accordance with Schedule "D: Appointment of Consulting Services Policy" of Council Policy By-law A-6151-17;

(d) the financing for these projects BE APPROVED as set out in the Sources of Financing Report attached hereto as Appendix "A";

(e) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with these projects;

(f) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to these projects (Tenders 09-12 & 09-13); and

(g) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations;

It being noted that there is no anticipated additional annual operating costs to the Environmental and Engineering Services budget in 2010 and subsequent years associated with approval of this tender. (S08-00)

7. That, on the recommendation of the Director of Roads and Transportation, the following actions be taken with respect to the rental of general equipment with operators, namely:

(a) the bids submitted by the companies listed on the attached Appendix "A", BE ACCEPTED at their tendered prices for a two (2) year period;

(b) a call-in list BE ESTABLISHED in accordance with the criteria outlined in the background report attached hereto;

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

(d) 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 09-26). (V06-00)

8. That, on the recommendation of the Director of Roads and Transportation, the following actions be taken with respect to the supply of hot mix asphalt for road maintenance and repair, namely.

(a) the bid submitted by TCG Asphalt & Construction Incorporated, P.O. Box 169, 2200 Jetstream Road, London, at its tendered price of $987,559.56 (inclusive of PST and exclusive of GST), BE ACCEPTED; it being noted that the bid submitted by TCG Asphalt & Construction Incorporated was the lowest of three (3) 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 service contract; and
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 09-35). (S08-00)

9. That, on the recommendation of the Director of Roads and Transportation,
the following actions be taken with respect to the supply and delivery of traffic paint,
namely:

(a) the bid submitted by Sherwin Williams, 11-515 Wellington Road South, London,
at its total tendered price of $153,865.34 (PST included, GST extra), BE
ACCEPTED; it being pointed out that Sherwin Williams submitted the lowest of
the two (2) bids received and meets the City's terms and conditions in all areas;

(b) the Civic Administration BE AUTHORIZED to undertake all the administrative
acts that are necessary in connection with this matter; 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 09-22). (S08-00)

10. That, on the recommendation of the Director of Roads and Transportation,
the following actions be taken with respect to construction survey and design services for
annual road work contracts (Project Nos. TS3013 & TS3036), namely.

(a) the bid submitted by Robert A. Hughes (London) Ltd., 7073 Longwoods Road,
London, at its tendered price of $123,690.00 (exclusive of GST), BE ACCEPTED;
it being noted that the bid submitted by Robert A. Hughes (London) Ltd. was the
lowest of the two (2) bids received and meets the City's requirements in all areas;

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

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

(d) 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 09-38). (D27-00)

11. That, on the recommendation of the Director, Wastewater and Treat-
ment, the following actions be taken with respect to the Mamelon Street Reconstruction (Project
Nos. ES3055/EW3612), namely:

(a) the bid submitted by L-82 Construction Ltd., 2070 Huron Street, Suite A, London,
at its tendered price of $911,788.04 (excluding GST), BE ACCEPTED; it being
pointed out that the bid submitted by L-82 Construction Limited was the lowest of
sixteen (16) bids received and meets the City's specifications and requirements in
all areas;

(b) AECOM BE AUTHORIZED to carry out the resident inspection and contract
administration for the said project in accordance with the estimate, on file, at an
upset amount of $101,475.00 (excluding G.S.T.), noting that this firm completed
the engineering design, based upon the Fee Guideline for Professional
Engineering Services, 2006, recommended by the Ontario Society of Professional
Engineers; and in accordance with: Schedule "D" Appointment of Consulting
Services Policy" of Council Policy By-law A-6151-17;

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

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

(e) the approval given herein BE CONDITIONAL upon the Corporation entering into
a formal contract or issuing a purchase order for the material to be supplied and
the work to be done relating to this project (Tender 09-10); and

(f) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other
documents, if required, to give effect to these recommendations;
12. That, on the recommendation of the Director, Wastewater and Treatment, the following actions be taken with respect to the supply and installation of sewer liners – Cured in Place Pipe (CIPP) (Project No. ES2691 & ES2692), namely:

(a) the bid submitted by Instiform Technologies Limited, 3 Burford Road, Hamilton, at its price of $4,360,385 (excluding GST), **BE ACCEPTED**;

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

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

(d) 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 09-19). (W10-00)

13. That, on the recommendation of the Director, Wastewater and Treatment, the following actions be taken with respect to the supply and lay of hot mix asphalt (Project Nos. TS3013/TS3012/TS1443/RC22200/TS6210), namely:

(a) the bid submitted by TCG Asphalt & Construction Inc., at its tendered price of $4,550,843.75 (exclusive of GST), **BE ACCEPTED**; it being noted that the bid submitted by TCG Asphalt & Construction Inc. was the lowest of three (3) bids received and meets the City's specifications and requirements in all areas;

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

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

(d) the approval given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to this project (Tender 09-28). (S08-00)

14. That, on the recommendation of the Director, Wastewater and Treatment, the following actions be taken with respect to the replacement of sidewalks, curb and gutter (Project Nos. TS3036/TS3035/TS3013/TS6210/ EW3832), namely:

(a) the bid submitted by Ro-Buck Contracting Limited, 2326 Fanshawe Park Road East, London, at its tendered price of $1,889,320.50 (exclusive of GST), **BE ACCEPTED**; it being noted that the bid submitted by Ro-Buck Contracting Limited was the lowest of five (5) bids received and meets the City's specifications and requirements in all areas;

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

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

(d) the approval given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to this project (Tender 09-29). (S08-00)

15. That, on the recommendation of the Director of Fleet Facilities & Departmental Resources, the following actions be taken with respect to the Glen Cairn Arena Roof Replacement (Project No. RC2112), namely:

(a) the bid submitted by Smith-peat Roofing and Sheet Metal Ltd., 152 Thames Road West, Exeter, at its tendered price of $385,000.00 (GST excluded), **BE ACCEPTED**; it being pointed out that the bid submitted by Smith-peat Roofing and Sheet Metal Ltd. was the lowest of ten (10) bids received and meets the City's specifications and requirements in all areas;
the financing for this project **BE APPROVED** as set out in the Sources of Financing Report **attached** hereto as Appendix "A";

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

(d) the approval given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order relating to this matter (Tender 09-32). (A09-01)

16. That, on the recommendation of the Director of Fleet, Facilities and Departmental Resources, the following actions be taken with respect to the supply and delivery of turf equipment (Project Nos. ME2009 & ME2109), namely:

(a) the bids submitted by the following companies for the purchase of various turf equipment, at the noted prices, **BE ACCEPTED**; it being pointed out that the lowest bid for all types of equipment is being recommended:

Hyde Park Equipment  
2034 Mallard Rd.,  
London, ON N6H 5L8

Eight (8) Rear Discharge Mowers – $106,272 (PST included, GST extra)

Turf Care Products Canada,  
200 Pony Drive,  
Newmarket, ON L3Y 7B6

Three (3) Greens Mowers - $76,366.80 (PST included, GST extra)  
One (1) Tee Mower - $26,298 (PST included, GST extra)  
Three (3) Sports Field Mowers - $109,215 (PST included, GST extra)

Huron Tractor  
21550 Hyde Park Road,  
Arva, ON N0M 1C0

One (1) Winged Rotary Mower - $40,404.96 (PST included, GST extra);

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

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

(d) 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 09-33). (V07-00)

17. That, on the recommendation of the Director of Fleet, Facilities and Departmental Resources, and with the concurrence of the Manager, Financial Services & Acting Deputy City Treasurer, the following actions be taken with respect to uniformed security guard services, namely:

(a) the contract with Securitas Canada, 420-285 King Street, London, **BE EXTENDED** for an additional one (1) year at an estimated cost of $255,000 (GST extra);

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

(c) the approval given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order relating to this matter. (P12-00)

18. That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the supply, delivery and planting of 2009 Spring street trees (Project Nos. PD1234 & TS3013), namely:

(a) the bid submitted by Ebert’s Tree Farm, 882984 Road 88 - R.R. # 4 Thamesford,
at an estimated contract price of $267,275 (GST extra), **BE ACCEPTED**; it being noted that Ebert’s Tree Farm submitted the lowest bid of seven (7) bids received;

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

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

(d) the approval given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order relating to this matter (Tender 09-39). (E05-00)

19. That, on the recommendation of the General Manager of Planning and Development, in accordance with Purchasing By-law A-20, the following actions be taken with respect to playground equipment suppliers for 2009:

(a) the Civic Administration **BE AUTHORIZED** to proceed with direct negotiations with three (3) different playground equipment suppliers (ABC Recreation, Active Playground Equipment and Play Power Canada Inc.) as the approved suppliers of playground equipment for 2009; it being noted that neighbourhood park projects this year are all different in scope and the total approximate value of this arrangement is $70,000;

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

(c) the approval given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order relating to this matter. (E06-00)

Controller Barber moves that clauses 20 to 24, inclusive, be adopted. **CARRIED**

Clauses 20 to 24 read as follows:

20. That, on the recommendation of the General Manager of Finance and Corporate Services and Acting City Treasurer, the **attached** proposed by-law (Appendix “A”) **BE INTRODUCED** at the Municipal Council meeting on March 30, 2009 for the purpose of amending Council Policy 28(2), being the Council Members’ Expense Account Policy, to reflect the current annual expense allocation presently provided to Council Members. (F07-00)

21. That the following actions be taken:

(a) in accordance with Section 284 of the Municipal Act, 2001 the **attached** 2008 Statement of Remuneration and Expenses for Elected and Appointed Officials **BE RECEIVED** for information; and

(b) in accordance with the City Council Travel and Expenses Policy, the **attached** 2008 Statement of Travel Expenses for Senior Administrative Staff **BE RECEIVED** for Information. (F07-00)

22. That, on the recommendation of the General Manager of Finance and Corporate Services and Acting City Treasurer, on the advice of the Manager of Realty Services, and with the concurrence of the Fire Chief, the Civic Administration **BE AUTHORIZED** to proceed with the disposal of the City-owned property at 1805 Trafalgar Street, to be sold in accordance with City Policy. (L15-01)

23. 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 property taxation for 2009:

(a) a by-law be enacted prior to April 30, 2009, in accordance with sub-sections 308(4) and 308.1(4) of the Municipal Act, 2001, to set tax ratios in the multi-residential, pipeline and farm property classes as indicated on the **attached** Schedule G and such proposed by-law (**attached** as Appendix A) **BE INTRODUCED** at a future Municipal Council meeting after the Province has issued the appropriate regulations;
(b) a by-law be enacted prior to April 30, 2009, in accordance with sub-section 308(4) of the Municipal Act, 2001, to set tax ratios in the commercial and industrial property class as indicated on the attached Schedule G; so that tax ratios for these classes are maintained at Provincial thresholds/averages and such proposed by-law (attached as Appendix A) BE INTRODUCED at a future Municipal Council meeting after the Province has issued the appropriate regulations;

(c) a by-law be enacted to fully utilize new options available in 2009 to exclude properties in capped property classes which have reached current value assessment tax levels or higher in 2008 from being capped again in 2009 and future years and such proposed by-law BE PREPARED for introduction at a future Municipal Council meeting after the Province has issued the appropriate regulations;

(d) a by-law be enacted, in accordance with Section 330 of the Municipal Act, 2001, to claw back a portion of tax decreases in each of the commercial, industrial, and multi-residential classes sufficient to fully finance the capping of increases as required under Section 329 of the Municipal Act, 2001 and such proposed by-law (attached as Appendix B) BE INTRODUCED at the Municipal Council meeting on March 30, 2009;

(e) a by-law be enacted prior to April 30, 2009, in accordance with Section 329.1 of the Municipal Act, 2001, for 2009 to adopt the same capping formulae for the commercial, industrial and multi-residential property classes as was applicable in 2008 and such proposed by-law (attached as Appendix C) BE INTRODUCED at the Municipal Council meeting on March 30, 2009;

(f) a phase-in program for tax changes resulting from the reassessment of properties in the residential, farmland, and managed forests property classes in accordance with Section 318 of the Municipal Act, 2001 NOT BE ADOPTED;

(g) a by-law be enacted, in accordance with Section 326 of the Municipal Act, 2001, to transfer the existing transit area rate to the general rate over a four-year period beginning in 2009 with the transfer fully implemented in 2012 and to repeal the existing transit By-law A-6171-52 and such proposed by-law (attached as Appendix D) BE INTRODUCED at the Municipal Council meeting on March 30, 2009; and

(h) the Civic Administration BE REQUESTED to provide an update on the Condominium Conversion Study. (F16-00)

24. That, on the recommendation of the Director, Corporate Management Support, the attached letter to the Minister of Community and Social Services (Appendix A) regarding the Final Proposed Transportation Accessibility Standard BE APPROVED for submission. (C02-00)
Councillor Usher moves, seconded by Councillor Baechler, that clause 28 be further amended by adding an additional part to request the Civic Administration to report back on a process for benchmarking and monitoring the success of the workplace diversity and inclusiveness initiatives. CARRIED

Councillor Usher moves, seconded by Councillor Baechler, that clause 28 be further amended by adding an additional part to request the Chief Administrative Officer to report back at a future meeting of the Board of Control with respect to any amendments that may be necessary to Council Policy 16(30) - City of London Race Relations Policy and Council Policy 16(31) - Diversity Policy for the City of London arising from the workplace diversity and inclusiveness initiatives. CARRIED

Councillor Hubert moves, seconded by Councillor Baechler, that clause 28 be further amended in line 5 by adding thereto after the word “celebrating” the words “and enhancing”. CARRIED

Controller Polhill moves, seconded by Councillor Eagle, that clause 29 be amended by adding thereto a new part (c) as follows:

“(c) the MLHU BE REQUESTED to report back to the Board of Control with respect to the details of the public education program to be undertaken in relation to the food premises inspection disclosure system.” CARRIED

The motion to adopt clause 26, clause 28, as amended, clause 29, as amended and clauses 30 to 33, inclusive, is put and CARRIED.

The motion to adopt clause 27 is put and CARRIED.

Clauses 26 and 27, clause 28, as amended, clause 29, as amended and clauses 30 to 33, all inclusive, read as follows:

26. That, on the recommendation of the Director of Intergovernmental and Community Liaison, the attached proposed by-law (Appendix A) BE INTRODUCED at the Municipal Council meeting on March 30, 2009:

(a) to approve the agreement with Her Majesty the Queen in Right of Ontario, as represented by the Minister of Citizenship and Immigration, to obtain funding of $20,000 for marketing funding for the London and Middlesex Immigration Portal; and

(b) to authorize the Mayor and the City Clerk to execute the Agreement in (a), above. (C14-00)

27. That, on the recommendation of the London Police Services Board, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on March 30, 2009 to authorize the Mayor and the City Clerk to execute an agreement with the Minister of Community Safety and Correctional Services with respect to the contractual agreement and schedules in relation to the Police Officers’ Recruitment Fund. (P11-00)

28. That the following actions be taken with respect to the information received from the Chief Administrative Officer about the City of London’s Workplace Diversity Initiatives:

(a) a Diversity Task Force, lead by the City of London and comprised of representatives of the City of London, the London Diversity and Race Relations Advisory Committee and members of the City’s Boards and Commissions BE ESTABLISHED in order to further advance initiatives aimed at recognizing, celebrating and enhancing diversity and inclusiveness throughout the organization;

(b) the Civic Administration BE REQUESTED to report back on a process for benchmarking and monitoring the success of the workplace diversity and inclusiveness initiatives; and

(c) the Chief Administrative Officer BE REQUESTED to report back at a future meeting of the Board of Control with respect to any amendments that may be necessary to Council Policy 16(30) - City of London Race Relations Policy and...
29. That the following actions be taken with respect to a request from the Middlesex-London Health Unit (MLHU) for consideration of amendments to By-law L-6, the Business Licensing By-law, in order for the MLHU to move forward with the implementation of a colour-coded food premises inspection disclosure system and to include provisions for mandatory food handler training certification:

(a) the above-noted request BE SUPPORTED;

(b) the Civic Administration BE REQUESTED to report back at a future meeting of the Board of Control (BC) with respect to a proposed by-law to effect the implementation of a colour-coded food premises inspection disclosure system and provide for mandatory food handler training certification; and

(c) the MLHU BE REQUESTED to report back to the Board of Control with respect to the details of the public education program to be undertaken in relation to the food premises inspection disclosure system;

it being noted that the BC received a communication and heard a verbal presentation from the Medical Officer of Health and CEO, Middlesex-London Health Unit, and the Director, Environmental Health and Chronic Disease Prevention with respect to this matter. (P10-00)

30. That, on the recommendation of the Director, Corporate Management Support, the general insurance program negotiated on behalf of the City and seven Boards (i.e. City, Covent Garden Market Corporation, London Convention Centre Corporation, London Police Services Board, London Public Library Board, Museum London, Tourism London and the Middlesex-London Health Unit) at a total annual premium of $1,485,717.20, inclusive of provincial sales tax, BE RENEWED, it being noted that the Board of Control received the attached presentation from Linda Boyle, Executive Director, OMEX with respect to the services of OMEX. (L10-00)

31. That, on the recommendation of the London Convention Centre (LCC) Board of Directors, the following actions be taken with respect to the LCC's 2008 operating surplus:

(a) $263,952 or 80% of the LCC 2008 operational surplus BE TRANSFERRED to the LCC Capital Reserve held by the City of London; it being noted that for 2008 the total capital contribution would include $41,135 for the parking repayment which has already been transferred, $490,000 as included in the 2008 Budget, and additional surplus funds of $263,952 for a combined total of $795,087; it being further noted that additional funding will support the 25 year capital plan;

(b) a Special Project Reserve BE ESTABLISHED to be held by the LCC; it being noted that this Reserve would be used to enhance the guest experience through the introduction of one-time opportunities and/or enhancements for the LCC for technical innovation, art/artisan projects, one-time on site facility marketing opportunities or unique partnerships which would augment the LCC guest experience; and

(c) a one time transfer of $65,988 or 20% from the 2008 LCC operational surplus to establish the new Special Project Reserve noted in (b), above, BE APPROVED. (F05-00)

32. That the following actions be taken with respect to Eldon House:

(a) appreciating the planning time required for appropriate 175th anniversary celebrations to launch in September 2009, when the Harris family first moved into Eldon House, Museum London BE REQUESTED to:

(i) immediately convene an Eldon House 175th Anniversary Celebrations
Committee to include historical interpreters and representatives from the Culture Office, Heritage Planning, London Heritage Council, Tourism London and the Mayor's Office, to undertake the necessary preparation;

(ii) provide a status report on the 175th Anniversary celebrations to the Board of Control (BC) at its meeting on April 29, 2009; and

(b) Museum London BE REQUESTED to provide a formal report concerning Eldon House, with details as to its history, governance, budget, staff conservation, programming, promotional responsibilities and contractual agreements, to the BC at its meeting on April 29, 2009;

It being noted that the BC received a presentation from B Meehan, Director, Museum London, with respect to Eldon House and its 175th Anniversary.

33. That Councillor R. Caranci BE NOMINATED to the 2009/2010 Federation of Canadian Municipalities (FCM) National Board of Directors. (A02-02) (See attached.)
comes forward.

42. That the Board of Control (BC) passed the following resolution prior to moving in camera from 11:57 a.m. to 12:03 p.m.:

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

(a) a matter pertaining to litigation or potential litigation affecting the municipality, personal matters about an identifiable individual and information whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation;

(b) a matter pertaining to advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations relating to one of the Corporation's associations or unions and advice which is the subject of solicitor client privilege;

and that the BC is submitting a confidential report to the Municipal Council regarding these matters. (See Confidential Appendix to the 10th Report of the Board of Control enclosed for Council Members only.)

6TH REPORT OF THE COMMUNITY AND PROTECTIVE SERVICES COMMITTEE

147. Councillor Usher presents the 6th Report of the Community and Protective Services Committee.

Councillor Usher moves that clauses 1 to 4, inclusive, be adopted.

Councillor Miller moves, seconded by Councillor Usher, that clause 4 be amended to provide for a report back to the Environment and Transportation Committee, rather than the Community Safety and Crime Prevention Advisory Committee, with a copy of that report to also be provided to the Community Safety and Crime Prevention Advisory Committee. CARRIED

Pursuant to section 17.2 of the Council Procedure By-law, Councillor Bryant calls for a separate vote on clauses 1 and 2.

Councillor Hubert moves, seconded by Councillor Miller, that clause 4 be further amended to request that the report back to the Environment and Transportation Committee include statistical information pertaining to the number of offences, as well as the related accident reports and that a member of the London Police Service also be requested to be in attendance when this report comes forward to the ETC. CARRIED

The motion to adopt clauses 1 and 2 is put and CARRIED.

The motion to adopt clause 3 and clause 4, as amended, is put and CARRIED.

Clauses 1 to 3 and clause 4, as amended, read as follows:

1. That, on the recommendation of the General Manager of Community Services, the proposed by-law (Appendix 'A') BE INTRODUCED at the Municipal Council meeting being held March 30, 2009 to:

(a) approve the Multi-Sector Accountability Agreement (M-SAA) between The Corporation of the City of London and the South West Local Health Integration Network (SW-LHIN) to provide for funding for fiscal 2009-2010 and for fiscal 2010-11 for the delivery of the Dearness Adult Day Program and Homemaking and Ancillary Services Program; and

(b) authorize the Mayor and City Clerk to execute the Agreement in (a), above. (2009-C11-00)
2. That clauses 1 and 2 of the 2nd Report of the Community Advisory Committee on Dearness Services BE DELETED and BE REPLACED with the following new clause 1 and that clause 3 of the 2nd Report of the Community Advisory Committee on Dearness Services BE RENUMBERED accordingly.

"That the following actions be taken relative to the formation of a special Task Force to study service needs and gaps for aging Londoners – pre-placement in long term care:

(a) the attached, revised, Terms of Reference for the Task Force (Appendix 'A') BE APPROVED;
(b) the Task Force BE COMPOSED of up to five citizen members and four representatives from the allied service sector;
(c) the City Clerk BE DIRECTED to advertise for volunteer citizens to serve on the Task Force with the qualifications to include a detailed understanding of the current long term care and community care environments;
(d) the attached research questions emanating from the Task Force Mandate, noted in (a) above, BE APPROVED;
(e) the General Manager of Community Services BE AUTHORIZED to establish a budget of up to $50,000 for this study, with the funding source being the Consolidated Verification Process Reserve Fund; it being noted that notwithstanding the existing funding source, that Civic Administration BE DIRECTED to further examine additional funding source opportunities and partnerships;
(f) the General Manager of Community Services BE DELEGATED the authority to negotiate a partnership arrangement with the Faculty of Health Sciences, University of Western Ontario, to provide research leadership and support for this work;
(g) the Community Advisory Committee on Dearness Services (CACDS) BE WOUND DOWN as a result of the above actions, immediately upon Council approval of this recommendation; and
(h) the Chair and members of the CACDS BE THANKED for their service";

It being noted that the Community and Protective Services Committee (CPSC) received a verbal delegation from W. Chmiel, Chair, Community Advisory Committee on Dearness Services, and Dr. A. Salmoni, University of Western Ontario, Faculty of Health Sciences, with respect to this matter. (2009-G02-00)

3. That, on the recommendation of the City Clerk, and pursuant to section 21.1 of the Statutory Powers Procedure Act, the City Clerk BE DIRECTED to correct a typographical error in the decision of the Vital Services Appeal Committee and resolution of Council relating to 218 Horton Street East by inserting in the first line the correct appellant's name "Aldo Scarpelli, Scarpelli Building Consultants" and deleting the incorrect name "2045409 Ontario Ltd.". (2009-P07-02)

4. That, notwithstanding the recommendation of the Community Safety and Crime Prevention Advisory Committee (CSCP), the London Police Services Board BE REQUESTED to have its Administration report back at a future meeting of the Environment and Transportation Committee (ETC), with a copy of the aforementioned report being copied to the CSCP, with respect to a public safety education campaign and enforcement blitz concerning driving through red lights, such report to include statistical information pertaining to the number of offences, as well as the related accident reports; it being noted that a member of the London Police Service was requested to be in attendance when this report comes forward to the ETC.

The Chair directs that clauses 5 to 18, inclusive, of Section II be noted. Clauses 5 to 18 read as follows:

5. That the Community and Protective Services Committee (CPSC) received a verbal delegation and the attached presentation with respect to the design of new Community Centre for North London from the following: A. Frontini, Partner;
That the Community and Protective Services Committee (CPSC) received and noted a copy of the “Dearness Home Community Newsletter” for the month of March 2009. (2009-C10-00)

That the Community and Protective Services Committee (CPSC) received and noted the 3rd Report of the Council Housing Leadership Committee from its meeting held on February 19, 2009. (See Report attached.)

That the Community and Protective Services Committee (CPSC) received and noted the 5th Report of the London Diversity and Race Relations Advisory Committee from its meeting held on March 12, 2009. (See Report attached.)

That the Community and Protective Services Committee (CPSC) received and noted the 4th Report of the Accessibility Advisory Committee from its meeting held on February 26, 2009. (See Report attached.)

That the Community and Protective Services Committee (CPSC) received and noted the 2nd Report of the London Housing Advisory Committee from its meeting held on March 11, 2009. (See Report attached.)

That the Community and Protective Services Committee (CPSC) reviewed and received a Municipal Council resolution adopted at its meeting held on February 25, 2009 with respect to 2009 Capital Budget Life Cycle Renewal Projects.

That the Community and Protective Services Committee (CPSC) reviewed and received a Municipal Council resolution adopted at its meeting held on February 25, 2009 with respect to 2009 Operating Budget for the non-regulated portion of the Community Services Department.

That the Community and Protective Services Committee (CPSC) reviewed and received a Municipal Council resolution adopted at its meeting held on March 9, 2009 with respect to the placement of the Guy Lombardo Tempo VII Speed Boat in a secure area of the lobby at the London Convention Centre.

That the Community and Protective Services Committee (CPSC) reviewed and received an information report from the General Manager of Community Services with respect to the Homelessness Partnering Strategy – allocation of funds. (2009-C10-00)

That the Community and Protective Services Committee (CPSC) reviewed and received an information report from the General Manager of Community Services with respect to an overview of housing support services specifically relating to the Rent Bank and THAW programs, as well as an e-mail from Councillor S.E. Eagle with respect to provincial funding announcements and the poverty reduction strategy; it being noted that the General Manager of Community Services and the Director, Housing Division, will be providing a report at the next CPSC meeting with respect to these initiatives and the Provincial Budget as presented. (2009-C03-00)

That the Community and Protective Services Committee (CPSC) reviewed and received an information report from the General Manager of Community Services with respect to the consolidated Homelessness Prevention Program (CHPP) – 2006 Status Report. (2009-C10-00)

That the Community and Protective Services Committee (CPSC) received and noted clauses 2 to 9, inclusive, of the 2nd Report of the Community Safety and Crime Prevention Advisory Committee from its meeting held on February 26, 2009. (See Report attached.)

That the Community and Protective Services Committee (CPSC) received and noted clause 2 (previously numbered clause 3) of the 2nd Report of the Community Advisory Committee on Dearness Services from its meeting held on February 19, 2009. (See Report attached.)
2. With respect to the requirement for a speaker to publicly provide their name and address during an oral submission at public participation meetings; it being noted that many individuals have expressed a concern on different occasions that they are not comfortable providing this information in a public forum, and to provide a report back to a future meeting of the Planning Committee.

8TH REPORT OF THE PLANNING COMMITTEE

149. Councillor Branscombe presents the 8th Report of the Planning Committee.

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

The motion to adopt clause 1 is put and CARRIED on a recorded vote, the Members voting as follows:

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

NAYS: Deputy Mayor Gosnell, Controller Polhill and Councillors Van Meerbergen, Orser and Miller. (5)

The motion to adopt clauses 2 to 6, inclusive is put and CARRIED.

Clauses 1 to 6, inclusive, read as follows:

1. That, on the recommendation of the General Manager of Planning and Development, in response to the letter of appeal to the Ontario Municipal Board, dated February 13, 2009 and submitted by Barry Card on behalf of Mary Tyrell, 1689257 Ontario Limited and Solco Properties Limited relating to Council’s refusal of the Official Plan and Zoning By-law No. Z-1 amendment concerning 2118 Richmond Street, the Ontario Municipal Board BE ADVISED that the Municipal Council has reviewed its decision relating to this matter and sees no reason to alter it based on the following; the proposed Official Plan amendment was inconsistent with the Uplands North Area Plan, there are sufficient commercial lands planned for within the area, potential traffic impacts on the adjacent neighbourhood, and the property was more appropriate for medium-density residential uses; and, that the City Solicitor shall represent Council’s interests in these matters and BE DIRECTED to retain outside expert witnesses in support of Council’s position. (2009-D11-06)

2. That, on the recommendation of the General Manager of Planning and Development, in response to the letter of appeal to the Ontario Municipal Board, dated February 18, 2009 and submitted by Alan Patton, on behalf of McIver Holdings Inc., relating to consent application B.001/09 and minor variance application A.005/09 concerning 137 Huron Street, the Ontario Municipal Board BE ADVISED that the Municipal Council supports the decision of the Consent Authority and the Committee of Adjustment to refuse the consent and minor variances, and that the City Solicitor and the General Manager of Planning and Development BE DIRECTED to provide legal and planning representation at the Ontario Municipal Board Hearing to support the decision of the Municipal Council. (2009-D09-00/D16-00)

3. That, on the recommendation of the General Manager of Planning and Development, in response to the letter of appeal to the Ontario Municipal Board, dated February 11, 2009 and submitted by Douglas Gagel, on behalf of Judith Vandyk, relating to consent application B.003/09 concerning 137 Commissioners Road East, the Ontario Municipal Board BE ADVISED that the Municipal Council supports the Decision of the Consent Authority to refuse the consent, and that the City Solicitor and the General Manager of Planning and Development BE DIRECTED to provide legal and planning representation at the Ontario Municipal Board Hearing to support the decision of the Municipal Council; it being noted the Planning Committee heard a delegation and
received a written submission dated March 17, 2009 from D. Gagel, Delcan, representing the appellant, J. Vandyk and requesting that Planning Staff be given direction to enter into mediation with the appellant with respect to this matter. (2009-D09-00)

4. That, on the recommendation of the General Manager of Planning and Development, in response to three letters of appeal to the Ontario Municipal Board, dated February 18, 2009 submitted by Patton Cormier and Associates acting for Speyside East Corporation, and dated February 19, 2009, submitted by Catherine Melo and by Peter Whatmore relating to Official Plan and Zoning By-law No. Z-1 amendments concerning 952 Southdale Road West, the Ontario Municipal Board BE ADVISED that the Municipal Council has reviewed its decision relating to this matter and sees no reason to alter it, and that the City Solicitor shall represent Council's interests in these matters and BE DIRECTED to retain outside expert witnesses in support of Council's position. (2009-D11-06)

5. That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the Official Plan Five-Year Review:

(a) the attached proposed modifications BE FORWARDED to the Ministry of Municipal Affairs and Housing with the request that they be considered as modifications to be identified by the Approval Authority, pursuant to Section 17(34) of the Planning Act;

(b) a public participation meeting BE SCHEDULED at the Planning Committee after the Ministry of Municipal Affairs and Housing has provided a draft decision on Official Plan Amendment No. 438 to the City, to receive and consider public input on the proposed modifications; and

(c) following the consideration of public input, the Municipal Council's recommendations on the proposed modifications BE SUBMITTED to the Ministry of Municipal Affairs and Housing. (2009-D18-00)

6. That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the property located at 1663 Richmond Street:

(a) the report from the General Manager of Planning and Development dated March 23, 2009 relating to this property BE RECEIVED;

(b) staff BE DIRECTED to initiate the rezoning of the west portion of the property, that being the same area as was previously zoned under the CP952-41 Zoning By-law, to an open space zone; and

(c) staff BE DIRECTED to take steps to review the potential land transfer to the City and report to a future meeting of the Board of Control; it being noted that a letter of thanks is to be sent to TD Canada Trust for their willingness to cooperate with all parties with respect to this matter. (2009-D11-07)

At 6:27 p.m., Her Worship the Mayor recognizes Dr. Paul Davenport, President of The University of Western Ontario who will complete 15 years of service as President of The University of Western Ontario on June 30, 2009.

At 6:30 p.m. in recognition of the community contributions made by students attending London's post-secondary educational institutions, Her Worship the Mayor and Members of Council welcome and recognize representatives of the Students' Councils from the University of Western Ontario, Huron University College, Brescia University College, King's University College and Fanshawe College.

University Students' Council, University of Western Ontario

Stephen Lecce President
Emily Rowe President-Elect
Huron University College Students' Council
Dan Moulton President
Yasmeen Tonnos President-Elect
Brescia University College Students' Council
Kate Bryant President
Stacey Hall President-Elect

King's University College Students' Council
Bennett Brown President
Patrick Searle President-Elect

Fanshawe Student Union
Jonathan Hillis President (represented by R. McGarry, Outgoing-VP, Internal Affairs)
Jabari Cooper President-Elect

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

The Council recesses at 6:35 p.m. and reconvenes at 7:32 p.m. with Mayor DeCicco-Best in the Chair and all Members present except Deputy Mayor Gosnell and Councillors Armstrong, MacDonald and Miller.

8TH REPORT OF THE PLANNING COMMITTEE (continued)

150. Councillor Branscombe moves that clause 7 be adopted. CARRIED

Clause 7 reads as follows:

7. That, on the recommendation of the General Manager of Planning and Development, in response to the letter of appeal to the Ontario Municipal Board, dated February 17, 2009 and submitted by Peter Stavrou relating to a decision to amend the Official Plan concerning lands located at 1491, 1509, 1510, 1540, 1640 Fanshawe Park Road West, 2034 Mallard Road, Parts of 1525, 1557, 1579, 1635 Fanshawe Park Road West, and Part of 1615 North Routledge Park the Ontario Municipal Board BE ADVISED that the Municipal Council has reviewed its decision relating to this matter and sees no reason to alter it.

Councillor Branscombe moves that clauses 8 to 14 be adopted.

Councillor Branscombe moves that clause 8 be amended by adding the attached map to the proposed by-law, which originally inadvertently omitted the map. CARRIED

Clause 8, as amended, and clauses 9 to 14, inclusive, read as follows:

8. That, on the recommendation of the General Manager of Planning and Development, based on the application of TKFV Holdings Ltd. relating to the property located at 3836 Colonel Talbot Road, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on March 30, 2009; it being noted that this by-law follows the Municipal Council resolution of February 5, 2007 to approve the zoning by-law amendment application to extend the temporary use of the land for a building or contracting establishment for a period of three (3) years, as the original by-law was withheld from three readings until such time as an outstanding Property Standards Violation was addressed; it being further noted that since the revisions to the proposed by-law are of a minor technical nature, as provided by section 34(17) of the Planning Act, no further notice is required. (2009-D11-07)

9. That, on the recommendation of the General Manager of Planning and Development and the General Manager of Environmental & Engineering Services & City Engineer, the following actions be taken with respect to the Green Energy and Green Economy Act, 2009 (Bill 150):

(a) the attached comments and questions BE ENDORSED by the Municipal Council and submitted to the Ontario Ministry of Energy for consideration, noting particularly, efforts to remove constraints to expand capacity and access to the transmission grid;
(b) the Ontario Ministry of Energy BE REQUESTED to further consult with municipalities with respect to the comments and questions noted in part (a) above, and to consider the need for possible changes that will address the City’s questions and comments, prior to enacting the legislation; and

(c) the Civic Administration BE ASKED to request a time for the City of London to make an oral presentation to the Standing Committee on General Government at its public hearings to consider Bill 150, Green Energy and Green Economy Act, 2009, scheduled to be held in London during the week of April 13, 2009 and to include in the oral presentation the issues relating to accountability, queuing, and “rights to connect”;

It being noted that such requests must be made to the Standing Committee Clerk by March 27, 2009; it being further noted that this request shall be confirmed after the Municipal Council meeting to be held on March 30, 2009;

It being also noted that the comments and questions identified at the Planning Committee will be forwarded to the Province in draft form prior to the March 26, 2009 deadline posted on the Environmental Bill of Rights (EBR), and a formal resolution will be provided following the Municipal Council meeting on March 30, 2009. (2009-E02-00)

10. That, on the recommendation of the London Advisory Committee on Heritage (LACH) and the General Manager of Planning and Development, with the advice of the Heritage Planner, the Heritage Alteration Permit Application of G. Hauser requesting permission for an alteration to the designated heritage property located at 740 Queens Avenue BE APPROVED; SUBJECT TO the replacement windows being similar in appearance to the existing windows; it being noted that the Heritage Planner has reviewed the proposed alterations and repairs and has advised that the impact of such alteration on the heritage features of the property identified in the reasons for designation is negligible and the proposed changes will encourage an adaptive reuse of the building; it being pointed out that the LACH heard verbal presentations from G. Hauser and V. Nadeau with respect to this matter.

11. That, on the recommendation of the London Advisory Committee on Heritage (LACH) and the General Manager of Planning and Development, with the advice of the Heritage Planner, Phases 1 and 2 of the Heritage Alteration Permit Application of 902873 Ontario Ltd. requesting permission for an alteration to the designated heritage property located at 566 Dundas Street BE APPROVED; it being noted that the Heritage Planner has reviewed the proposed alterations and repairs and has advised that the impact of such alteration on the heritage features of the property identified in the reasons for designation is negligible and the proposed changes will encourage an adaptive reuse of the building; it being pointed out that the LACH heard verbal presentations from T. Byrd, B. Byrd and J. Loundsbury, Western Ontario Therapeutic Community.

12. That, on the recommendation of the London Advisory Committee on Heritage and the General Manager of Planning and Development, with the advice of the Heritage Planner, the Heritage Alteration Permit Application of S. and F. Makin requesting permission for an alteration to the designated heritage property located at 247 Base Line Road East BE APPROVED; SUBJECT TO the replacement windows not having mullions; it being noted that the Heritage Planner has reviewed the proposed alterations and repairs and has advised that the impact of such alteration on the heritage features of the property identified in the reasons for designation is negligible and the proposed changes will encourage an adaptive reuse of the building.

13. That, on the recommendation of the General Manager of Planning and Development, based on the application of Ronald and Gwen Shantz relating to the property located at 1992 Fanshawe Park Road West, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on March 30, 2009 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to extend the temporary use to permit a golf driving range until October 3, 2010;

It being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter. (2009-D11-07)

14. That, on the recommendation of the General Manager of Planning and Development, the application of Cachet Reid Heritage Homes for a variance from the regulations of the Sign and Canopy By-law at 1550 Highbury Avenue North to permit the
Councillor Branscombe moves that clauses 15 to 18, inclusive, be adopted.

Deputy Mayor Gosnelli enters the meeting at 7:39 p.m.

Councillor Winniger moves, seconded by Councillor Caranci, that clause 15 be amended so that notwithstanding the foregoing, or section 4.32 of Zoning By-law No. Z-1, as amended, MDS 1 shall apply to the development of 122 Baseline Road West until such time as the livestock facility at 127 Centre Street is discontinued.

Controller Hume moves, seconded by Councillor Hubert, that clause 15 be referred back to Planning Committee for further clarification of the recommendation. CARRIED

Clause 15, as referred, reads as follows:

15. That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the application by the City of London relating to an amendment to Section 4.32 of Zoning By-law No. Z-1 concerning Minimum Distance Separation regulations:

(a) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on March 30 2009, to amend Zoning By-law No. Z-1, in conformity with the Official Plan, to amend Section 4.32, Minimum Distance Separation, of the City of London Z-1 Zoning By-law by deleting the following clause:

"The MDS regulations also apply to existing lots of record."

and replacing with the following clause:

"The MDS I regulations will apply to development proposed through building permit on existing lots of record only in the following Zone variations: Agricultural (AG) Zone, Rural Settlement Commercial (RRC) Zone or Urban Reserve (UR) Zone. The MDS II regulations shall apply to all lots of record."; and

(b) staff **BE REQUESTED** to provide a report at a future meeting of the Planning Committee with respect to a strategy to manage any concerns arising from the future development of the city-owned property located adjacent to 127 Centre Street, where a livestock operation currently exists; it being noted that the MDS regulations do not apply to this existing operation;

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

- S. Ross, Patton, Cormier and Associates – representing R. DePauw who has owned and operated a legal, deemed to conform livestock operation located at 127 Centre Street since 1988, and expressing concern that the revised MDS regulations will be applied to his client's property located on Baseline Road, adjacent to his property, be developed in the future; it being noted that the City is aware of this legal use and that the proposed amendments appear to be targeting his client's property; it being further noted that the Zoning By-law amendment should be coupled with an Official Plan amendment, if passed, to bring it into conformity with the Official Plan, and should exempt his client's property. (2009-D11-02)

Councillor Branscombe moves that clauses 16 to 18, inclusive, be adopted. CARRIED

Clauses 16 to 18, inclusive, read as follows:

16. That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the application of Harry L. Hermann relating to the property located at 2051 to 2081 Dundas Street:
(a) the report from the General Manager of Planning and Development dated March 23, 2009 **BE RECEIVED** for information:

(b) the request to amend the Official Plan to extend the Highway Service Commercial designation to the south **BE REFUSED**;

   It being noted that the reason for refusal is that a special policy is required, to permit the requested self-storage establishment within the Highway Service Commercial designation;

(c) the proposed by-law attached hereo as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on March 30, 2009 to amend the Official Plan to extend the Highway Service Commercial designation at 2051 to 2055 Dundas Street to the south and add a special policy to Section 4.6.7 – Specific Service Commercial Areas, to permit a self storage establishment at 2051 – 2061 Dundas Street;

   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 the Planning Committee;

(d) the request to amend Zoning By-law No. Z.-1 to amend the zoning of the subject property **FROM** a Restricted Office/Highway Service Commercial/Neighbourhood Facility (RO2/HS/NF1) Zone, a Restricted Office/Highway Service Commercial/Neighbourhood Facility/Temporary Use (RO2/HS/NF1/T-10) Zone and a Residential R1 (R1-4) Zone, which permits clinics; medical/dental offices and laboratories; offices; a range of commercial uses catering to the needs of the travelling public including such uses as restricted automotive uses, convenience stores, financial institutions, personal service establishments and restaurants; schools; community centres; day care centres; libraries; fire stations; private clubs and police stations; and single detached dwellings, **TO** a Restricted Office/Highway Service Commercial/Restricted Service Commercial Special Provision/Neighbourhood Facility (RO2/HS/RSC5/ )/NF1 Zone, a Restricted Office/Highway Service Commercial/Restricted Service Commercial Special Provision/Neighbourhood Facility/Temporary Use (RO2/HS/RSC5( )/NF1/T-10) Zone, and a Residential R1 Special Provision (R1-4( )) Zone **BE REFUSED**;

   it being noted that the reasons for refusal are that the majority of the uses in the RSC5 Zone are inappropriate uses for the area, special provisions for Highway Service Commercial (HS) Zone are required, and holding provisions for the establishment of the commercial and residential uses are required; and

(e) the proposed by-law attached hereo as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on March 30, 2009 to amend Zoning By-law No. Z.-1 (in conformity with the Official Plan, as amended in part (c) above) to change the zoning of the subject property **FROM** a Restricted Office/Highway Service Commercial/Neighbourhood Facility (RO2/HS/NF1) Zone, a Restricted Office/Highway Service Commercial/Neighbourhood Facility/Temporary Use (RO2/HS/NF1/T-10) Zone and a Residential R1 (R1-4) Zone, **TO**:

   (i) on the north portion of the site, a Holding Restricted Office/Highway Service Commercial Special Provision/Neighbourhood Facility (h-80-h-88 RO2/HS )/NF1 Zone to permit clinics and office uses, a broad range of highway service commercial uses including restaurants and self-storage establishments, and neighbourhood facility uses with special provisions to impose a maximum front yard depth; permit a reduced interior side and rear yard depth of 1.0 m (3.28 ft) and limit the height for a self-storage establishment; reduce the interior side yard to 3.0 m (9.84 ft) for other uses; and require a minimum building length along Dundas Street related to the lot frontage;

   (ii) on the middle portion of the site, a Holding Restricted Office/Highway Service Commercial Special Provision/ Neighbourhood Facility (h-80-h-88 RO2/HS )/NF1 Zone to permit clinics and office uses, a limited range of highway service commercial uses including self storage
establishments, and neighbourhood facility uses with special provisions to permit a reduced interior side and rear yard depth of 1.0 m (3.28 ft) and limit the height for a self storage establishment; and

(iii) on the south portion of the site, a Holding Residential R1 Special Provision (h.R1-4( )) Zone to permit single detached dwellings on a lot with a minimum frontage of 12.0 metres (39.37 ft) and a minimum lot area of 360 square metres (3,875.13 sq. ft.), with a minimum front yard setback for the main building of 3.5 metres (11.48 feet);

it being noted that the holding provisions will deal with the following issues prior to the development of the site: h – a subdivision agreement for the development of the lands; h-80 – municipal services to be available to the site, in particular requiring a sanitary sewer capacity analysis; and 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 Appendix “C” with exceptions as noted below, and will maintain or implement the following urban design components:

Components to be maintained:
- buildings located close to the street and building projections employed along Dundas Street to create a street edge and sense of enclosure for the site and minimize the appearance of parking areas;
- parking areas located to the side and rear of the buildings;
- an architectural height element at the north east corner of the self storage facility;
- rooflines that are compatible with the surrounding residential environment;
- the use of architectural features, height variations, a variety of building materials, canopies and the use of colour and fenestration on the front commercial pad to create a walkable pedestrian environment.

Exceptions to the concept plans and elevations/areas for further work include:
- the use of a diversity of material types and fenestration at and near the front of the self-storage establishment to break up the visual bulk along the pedestrian environment;
- upgrade of the south elevation of the self-storage facility along the future cul-de-sac and a height element integrated into the built form at the head of the cul-de-sac;
- the use of a diverse selection of building materials, architectural features and a building design quality that is appropriate for the residential uses that abut the west, south and east facades of the proposed self-storage facility;
- the use of appropriate fencing and landscaping on and abutting the west, south and east property lines to further mitigate the visual impacts of the commercial building mass on the abutting residential uses;
- creating a hard edge along the Dundas Street frontage which should also include a landscape element, to shield the parking from the pedestrian environment;
- the use of architectural features, height variations, building materials, colour and fenestration as appropriate to ensure that the east and west elevations of the front commercial pad are appealing to the street/pedestrian realm;

it being further noted that the project may be eligible for claims to the City for the proposed work on Dundas Street to service these lands, and that significant claims for this project would be of concern and are not accounted for in any budgets;

(f) 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, on the same date as the removal of the holding provision for urban design is to be considered; and
17. That a demolition permit BE ISSUED to the Bank of Montreal to demolish the building located at 15 Sterling Street. (2009-D10-00)

18. That a demolition permit BE ISSUED to H. Silcox to demolish the building located at 178 Horton Street East. (2009-D10-00)

Controller Polhill moves, seconded by Councillor Caranci, that pursuant to section 17.4 of the Council Procedure By-law leave be given for discussion and debate and the making of a substantive motion with respect to clause 23. CARRIED

Controller Polhill moves, seconded by Councillor Caranci, that clause 23 be amended by adding thereto at the end the words "The Municipal Council subsequently referred this application, as originally submitted, to the General Manager of Planning and Development to undertake the next steps in processing the application." CARRIED

The Chair directs that clauses 19 to 22, clause 23, as amended, and clause 24, inclusive, of Section II be noted. Clauses 19 to 22, clause 23, as amended, and clause 24, inclusive, read as follows:

19. That the Planning Committee heard a verbal delegation from Michael Tomazincic, Planner with respect to the process followed relating to the circulation of notice of planning applications to various agencies and committees.

20. That, the Planning Committee received and noted the report relating to 2007 and 2008 activity under the Brownfield Incentives Community Improvement Program (CIP) and further noted that a report will be brought back to the Planning Committee later this year with recommended amendments to provide for improved clarity in program eligibility requirements and administration of the CIP. (2009-D07-00)

21. That the Planning Committee received and noted an information report from the Director of Building Controls with respect to the Annual Report on building permit fees. (2009-D06-00)

22. That the Planning Committee received and noted clauses 4 through 17, inclusive, of the 4th Report of the London Advisory Committee on Heritage from its meeting held on March 11, 2009. (See Report attached.)

23. That the application submitted by Perry Sempecos/1749261 Ontario Limited relating to the properties located at 211, 215, 219 and 227 Fanshawe Park Road West was withdrawn at the request of the applicant given the substantive change in the nature of the application; it being noted that should a new application be submitted, it will only be subject to fees necessary to cover costs incurred by the Planning Division during their review process. The Municipal Council subsequently referred this application, as originally submitted, to the General Manager of Planning and Development to undertake the next steps in processing the application. (2009-D11-07)

24. That the Planning Committee (PC) received an enquiry from Councillor S. Orser with respect to the condition of the rear fencing located at 167 Walmar Gardens and the resultant safety concerns of the neighbourhood residents. The PC asked the Director of Building Controls and the Division Manager, Development Services to respond directly to Councillor Orser.

7TH REPORT OF THE
ENVIRONMENT AND TRANSPORTATION COMMITTEE

151. Councillor Hubert presents the 7th Report of the Environment and Transportation Committee.
Councillor Hubert moves that clauses 1 to 8, inclusive, be adopted.
Councillor Bryant moves, seconded by Councillor Hubert, that clause 7 be amended in line 3 of part (a) by adding thereto after the words "tax funding" the words "from both the Federal and Provincial Governments". CARRIED

The motion to adopt clauses 1 to 6, clause 7, as amended, and clause 8, is put and CARRIED

Clauses 1 to 6, clause 7, as amended, and clause 8 read as follows:

1. That, on the recommendation of the Director of Roads and Transportation, the proposed enhancements to rehabilitation works on the Norman Bradford Bridge, estimated to cost $145,000 BE ENDORSED. (2009-S08-00)

2. That, on the recommendation of the Director of Environmental Programs and Solid Waste, the following actions be taken with respect to the Ontario Transportation Demand Management (TDM) Municipal Grant Program:
   (a) the attached proposed by-law (Appendix 'A') BE INTRODUCED at the Municipal Council meeting to be held on March 30, 2009 to:
      (i) approve the attached agreement with the Ontario Ministry of Transportation for the Ontario Transportation Demand Management Municipal Grant Program; and,
      (ii) authorize the Mayor and the Acting City Treasurer to execute the Agreement in (a) above; and,
   (b) the overview details on London's demonstration project called "Travel Wise Community – Moving TDM Forward" BE RECEIVED for information. (2009-S10-00)

3. That the following actions be taken with respect to amendments to the Parking and Traffic By-law (P.S.-111) to address traffic safety, operations and parking concerns for Creekbend Place, Cornelius Court, Eaglestrace Drive, Wallingford Avenue, Guildwood Boulevard, Mangold Street, North Vernon Avenue, Princess Avenue, Teresa Street and Wortley Road:
   (a) the attached proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on March 30, 2009 for the purpose of amending the Traffic and Parking By-law (P.S. 111); and
   (b) the residents and businesses on Wortley Road BE GIVEN advance notice of the impending elimination of parking on the west side of Wortley Road between Briscoe Street and Base Line Road East. (2009-S09-00)

4. That, on the recommendation of the Managing Director of Development Approvals, and further to clause 4 of the 4th Report of the Environment and Transportation Committee adopted by Municipal Council at their meeting held on February 23, 2009, a By-law BE INTRODUCED at the Municipal Council meeting to be held on March 30, 2009 to close part of the original road allowance between Lots 20 and 21 in Concession 3 of the geographic Township of Westminster, now in the City of London, designated as Part 2 on Reference Plan 33R-17401. (2009-S06-00)

5. That, on the recommendation of the General Manager of Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the Environmental Assessment / Preliminary Design Report for the Wellington Road Storm and Sanitary Servicing Master Plan:
   (a) the Environmental Assessment / Preliminary Design Report for the Wellington Road Storm and Sanitary Servicing Master Plan BE ACCEPTED;
   (b) the Report from the General Manager of Environmental and Engineering Services & City Engineer dated March 23, 2009 BE RECEIVED and serve as the required Public Information Centre for the completion of the Master Plan portion of this project;
   (c) the Master Plan Study Report BE PLACED on public record for a 30-day review period after comments from the Public Information Center are received and filed; and
(d) a Notice of Completion BE FILED with the City Clerk after the Master Plan Study Report public review period noted in part (c) is completed;

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

- C. Morningstar, 69 Trevithen Street – inquiring as to where and when the construction will start;

it being also noted that the Environment and Transportation Committee heard verbal presentations from R. Hueston, Dillon Consulting Limited, the Director of Wastewater and Treatment and the Division Manager of Wastewater & Drainage Engineering, with respect to this matter. (2009-W10-00)

6. That, notwithstanding the recommendation of the Advisory Committee on the Environment (ACE), the ACE BE ASKED to provide further information with respect to its request to have the Fawnsfoot Mussel added to the List of Wildlife Species at Risk to a future meeting of the Environment and Transportation Committee; it being noted that the ETC heard a verbal presentation from C. Morningstar, Chair, ACE, with respect to this matter.

7. That, notwithstanding the recommendation of the Advisory Committee on the Environment, the following actions be taken with respect to City of London Gas Tax revenues:

(a) the Civic Administration BE ASKED to provide the Advisory Committee on the Environment with the amount of gas tax funding that the City of London receives and the projects that the gas tax funding from both the Federal and Provincial Governments is allocated to; and

(b) the Civic Administration BE ASKED to identify the amount of gas tax funding that the City of London receives and the projects that the gas tax funding is allocated to as part of the budget communication strategy including the overview document distributed to households;

it being noted that the ETC heard a verbal presentation from C. Morningstar, Chair, ACE, with respect to this matter.

8. That, notwithstanding the recommendation of the Advisory Committee on the Environment (ACE) to amend the ACE’s Terms of Reference, the Chair of the Environment and Transportation Committee (ETC) BE REQUESTED to meet with the ACE membership to discuss the ACE Terms of Reference, including its composition, and projects the ETC would like the ACE to undertake; it being noted that the ETC heard a verbal presentation from C. Morningstar, Chair, ACE, with respect to this matter.

Councillor Hubert moves that clauses 9 to 11 be adopted.

Councillor Hubert moves, seconded by Councillor Bryant, that clause 10 be amended to read as follows:

"That, on the recommendation of the Trees and Forests Advisory Committee, the following action be taken with respect to the Emerald Ash Borer:

(a) the Civic Administration BE ASKED to develop a strategy to evaluate and monitor the health of the forest in the City of London with respect to the Emerald Ash Borer; it being noted that the Canadian Food Inspection Agency (CFIA) is no longer monitoring the Emerald Ash Borer in London; and

and on the recommendation of the Environment and Transportation Committee, the following additional actions be taken with respect to this matter:

(b) the Mayor BE ASKED to send a letter to the CFIA asking for its support in dealing with the Emerald Ash Borer and strongly indicating the City’s disappointment with the recent CFIA actions to reduce monitoring activities and related resources in London;

(c) the Mayor BE ASKED to send letters to the Association of Municipalities of Ontario and the Federation of Canadian Municipalities asking for their support in lobbying the CFIA for continued assistance with respect to
monitoring and related resources;

(d) the Civic Administration **BE ASKED** to report back to the Environment and Transportation Committee upon receiving the final decision of the CFIA and include an update on impact on municipal funding and potential reallocation of expenditures for 2009 as well as requirements necessary as part of a long-term Emerald Ash Borer Strategy; and

(e) the Civic Administration **BE ASKED** to develop a communications strategy to advise the public how ash trees located on private property will now be handled, subject to the final decision from CFIA; and

it being noted that verbal presentations were heard from B. Gilmore, Chair, Trees and Forests Advisory Committee, D. Sheppard, Member, Trees and Forests Advisory Committee, the General Manager of Environmental and Engineering Services & City Engineer, the Director of Environmental Programs & Solid Waste and the Urban Forester, with respect to this matter." CARRIED

Controller Hume moves, seconded by Councillor Hubert, that clause 11 be amended by adding thereto a new part (e) as follows:

"(e) the Civic Administration **BE REQUESTED** to liaise with arts programs at the elementary and secondary school levels, for the purpose of seeking student input on a proposed logo, choice of water bottle and tag line;" CARRIED

Councillor Bryant moves, seconded by Councillor Hubert, that clause 11 be further amended in part (a) to note that this is a one-time purchase with a 10,000 unit limit. LOST

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

The motion to adopt clause 11, as amended, is put and CARRIED on a recorded vote, the Members voting as follows:

YEAS: Mayor DeCicco-Best, Controller Barber, Controller Hume and Councillors Winninger, Eagle, Baechler, Branscombe, Bryant, Caranci and Hubert. (10)

NAYS: Deputy Mayor Gosnell, Controller Polhill and Councillors Van Meerbergen, Usher, Orser and Lonc. (6)

Clause 9, clause 10, as amended, and clause 11, as amended, read as follows:

9. That, on the recommendation of the Trees and Forests Advisory Committee, the following actions be taken with respect to Tree Protection Standards:

(a) the Civic Administration **BE ASKED** to report back to a future meeting of the Environment and Transportation Committee (ETC) on an implementation plan for the following:

(i) following the review of existing and potential policies, a single stand-alone document be created to consolidate the current City sources of tree protection standards, with the goal to provide greater tree protection;

(ii) the attached communication from D. Sheppard, with respect to the consolidation of the City of London Tree Protection Standards be forwarded to the Civic Administration for their consideration in the creation of (a) above;

(iii) the new draft Tree Protection Standards be reviewed by the Trees and Forests Advisory Committee (TFAC) prior to publication; and,

(iv) the Civic Administration be asked to have the new revised Tree Protection Standards available for the review of the Design Standards, scheduled to be done in October 2009; and
(b) the Civic Administration **BE DIRECTED** to identify sources of funding to allow for the hiring of a summer student to assist with the projects noted in part (a); it being noted that verbal presentations were heard from B. Gilmore, Chair, Trees and Forests Advisory Committee, D. Sheppard, Member, Trees and Forests Advisory Committee, the General Manager of Environmental and Engineering Services & City Engineer, the Director of Environmental Programs & Solid Waste and the Urban Forester with respect to this matter.

10. That, on the recommendation of the Trees and Forests Advisory Committee, the following action be taken with respect to the Emerald Ash Borer:

(a) the Civic Administration **BE ASKED** to develop a strategy to evaluate and monitor the health of the forest in the City of London with respect to the Emerald Ash Borer; it being noted that the Canadian Food Inspection Agency (CFIA) is no longer monitoring the Emerald Ash Borer in London;

and on the recommendation of the Environment and Transportation Committee, the following additional actions be taken with respect to this matter:

(b) the Mayor **BE ASKED** to send a letter to the CFIA asking for its support in dealing with the Emerald Ash Borer and strongly indicating the City's disappointment with the recent CFIA actions to reduce monitoring activities and related resources in London;

(c) the Mayor **BE ASKED** to send letters to the Association of Municipalities of Ontario and the Federation of Canadian Municipalities asking for their support in lobbying the CFIA for continued assistance with respect to monitoring and related resources;

(d) the Civic Administration **BE ASKED** to report back to the Environment and Transportation Committee upon receiving the final decision of the CFIA and include an update on impact on municipal funding and potential reallocation of expenditures for 2009 as well as requirements necessary as part of a long-term Emerald Ash Borer Strategy; and

(f) the Civic Administration **BE ASKED** to develop a communications strategy to advise the public how ash trees located on private property will now be handled, subject to the final decision from CFIA; and

It being noted that verbal presentations were heard from B. Gilmore, Chair, Trees and Forests Advisory Committee, D. Sheppard, Member, Trees and Forests Advisory Committee, the General Manager of Environmental and Engineering Services & City Engineer, the Director of Environmental Programs & Solid Waste and the Urban Forester, with respect to this matter.

11. That, on the recommendation of the General Manager of Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the Municipal Drinking Water Awareness Plan, Phase 1: Multi-Use Refillable Water Bottles:

(a) the Civic Administration **BE AUTHORIZED** to develop Phase 1 of the Municipal Drinking Water Awareness Plan and purchase between 10,000 and 25,000 multi-use bottles branded with the logo "Tap into London's water and make a world of difference",

(b) a portion of the proceeds of the sale of the bottles **BE USED** to support water and sanitation initiatives for the less fortunate;

(c) items (a) and (b) **BE UNDERTAKEN** at no net cost to the water ratepayer;

(d) the Civic Administration **BE ADVISED** that the Environment and Transportation Committee appreciates its diligence in bringing this matter forward; and

(e) the Civic Administration **BE REQUESTED** to liaise with arts programs at the elementary and secondary school levels, for the purpose of seeking student input on a proposed logo, choice of water bottle and tag line;
12. That the Environment and Transportation Committee received and noted the 4th Report of the Transportation Advisory Committee from its meeting held on March 3, 2009. (See Report attached.)

13. That the Environment and Transportation Committee received and noted the 3rd Report of the Animal Welfare Advisory Committee from its meeting held on February 24, 2009. (See Report attached.)

14. That the Environment and Transportation Committee received and noted a Municipal Council resolution adopted at its meeting held on February 25, 2009 with respect to the 2009 Capital Budget Life Cycle Renewal Projects.

15. That the Environment and Transportation Committee received and noted a Municipal Council resolution adopted at its meeting held on February 25, 2009 with respect to the 2009 Operating Budget for the Environmental and Engineering Services Department.

16. That the Environment and Transportation Committee received and noted a Municipal Council resolution adopted at its meeting held on February 25, 2009 with respect to the IPM Strategy as it relates to the gypsy moth infestation.

18. That the Environment and Transportation Committee (ETC) reviewed and received an information report from the Director of Roads and Transportation with respect to the 2009 Annual Warranted Sidewalk Program (TS1164). (2009-S08-00)

19. That the Environment and Transportation Committee (ETC) received a communication dated March 16, 2009 from Councillor J. P. Bryant with respect to parking issues at the railway station on York Street. The ETC asked the Civic Administration to review short-term parking on York Street in front of the railway station for the public and taxicab drivers and report back to a future meeting of the ETC; it being noted that some lanes are considered excessively wide;

It being also noted that verbal presentations were heard from Councillor J. P. Bryant, M. Hassan, 235 Grey Street and G. Gold, 452 Old Wonderland Road, with respect to this matter. (2009-S04-00)
That the Environment and Transportation Committee (ETC) recessed and convened as the Committee of Appeals to hear an appeal with respect to the Notice to Muzzle a Dog issued to E. Beachey, 849 Lorne Avenue. Pursuant to City of London By-law PH-4, a decision was made to uphold the muzzle order on Tyka; it being noted that Tyka does not need to be microchipped and does not need to be muzzled in off-leash dog parks. The Committee of Appeals upheld the muzzle order on Shiloh and asked its Committee Secretary to provide Mr. Beachey with Section 3 of City of London By-law PH-4; it being noted that the Committee of Appeals also heard a verbal presentation and received a communication dated March 16, 2009 from K. Blackport, 849 Lorne Avenue with respect to the dog muzzle appeals. (2009-P04-00)

That the Environment and Transportation Committee (ETC) recessed and convened as the Committee of Appeals to hear an appeal with respect to the Notice to Muzzle a Dog issued to B. Spicer, 812 Berkshire Drive. Pursuant to City of London By-law PH-4, a decision was made to uphold the Muzzle Order. (2009-P04-00)

That the Environment and Transportation Committee (ETC) received the attached document which summarizes the rationale for the prioritization of recommendations by the Advisory Committee on the Environment (ACE) relating to raising the City of London's environmental profile; it being noted that the ETC heard a verbal presentation from C. Morningstar, Chair, ACE, with respect to this matter.

That the Environment and Transportation Committee received and noted clauses 5 to 18 of the 4th Report of the Advisory Committee on the Environment from its meeting held on March 4, 2009. (See Report attached.)

That the Environment and Transportation Committee received and noted clauses 3 to 8 of the 2nd Report of the Trees and Forests Advisory Committee from its meeting held on February 25, 2009. (See Report attached.)

That the Environment and Transportation Committee reviewed and received an information report from the General Manager of Environmental and Engineering Services and City Engineer with respect to the City of London 2008 Compliance Report for the Water Supply and Distribution System; it being noted that verbal presentations were heard from the General Manager of Environmental and Engineering Services and City Engineer and the Division Manager of Water and Sewer Operations, with respect to this matter. The Municipal Council subsequently acknowledged receipt of the 2008 Compliance Report; it being noted that an overview of the results were presented and discussed at the Environment and Transportation Committee meeting held on March 23, 2009. (2009-W13-00)

That the Environment and Transportation Committee (ETC) asked the Division Manager of Parking and Traffic Signals, the London Police Services and the London Downtown Business Association to report back to the ETC quickly with respect to the advantages and disadvantages of increasing taxicab zones in the City, as was previously requested by the ETC at its meeting held on August 11, 2008.

That the Environment and Transportation Committee (ETC) received an enquiry from Councillor Miller with respect to whether or not business owners can naturalize the boulevard in front of their properties. The ETC asked the General Manager of Environmental and Engineering Services & City Engineer to report back with respect to this matter.

That the Environment and Transportation Committee (ETC) received an enquiry from Councillor Miller with respect to Advisory Committee members attending hearings and public meetings, on behalf of the Advisory Committee, without the prior approval of the Advisory Committee. The ETC asked the City Clerk to review this matter and report back on how to address a situation if it does occur and how to prevent the situation from happening.
Clause 17, as deferred to the next meeting of the Municipal Council pending clarification with respect to the dispensation of the matter at the Environment and Transportation Committee, reads as follows:

17. That the Environment and Transportation Committee (ETC) received an information report from the Director of Roads and Transportation and communications dated March 21 and March 5, 2009 from J. Carthew, 1341 Ernest Avenue and M. Graham, Disability Action Group, with respect to snow removal and winter maintenance budget monitoring; it being noted that the ETC heard verbal presentations from the Director of Environmental Programs & Solid Waste and the Division Manager of Parks and Recreation Operations, with respect to this matter. (2009-S08-00)

1ST REPORT OF THE AUDIT COMMITTEE

152. Councillor Hubert presents the 1st Report of the Audit Committee.

Councillor Hubert moves that clause 1 be adopted. CARRIED Clause 1 reads as follows:

1. 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 City of London external audit contract:

   (a) the proposal to extend the contract of KPMG LLP 1400-140 Fullarton Street, London, ON N6A 5P2, to perform external auditor services for one additional year, ending with the 2009 Financial Statement audit and Audit Committee meeting presenting the Financial Statements 
   BE APPROVED; and

   (b) the approval noted in (a) above BE CONDITIONAL upon the Corporation entering into a formal contract.

The Chair directs that clauses 2 to 9, inclusive, of Section II be noted. Clauses 2 to 9 read as follows:

2. That the Audit Committee elected Councillor P. Hubert as its Chair and Controller W. J. Polhill as its Vice Chair for the term ending November 30, 2009.

3. That the Audit Committee received and noted the 1st Report of the Audit Committee from its meeting held on May 28, 2008.

4. That the Audit Committee (AC) deferred full consideration of a report from the Director, Corporate Management Support, with respect to strategies to strengthen the internal audit approach, to a future meeting of the Audit Committee in early May to which the Members of the Services Review Committee will be invited, in order to discuss and identify additional opportunities pertaining to this matter; it being noted that the AC reviewed and received a Municipal Council resolution adopted at its meeting held on December 1, 2008 with respect to this matter.

5. That the Audit Committee received the attached presentation from KPMG with respect to the 2008 Audit Plan.

6. That the Audit Committee reviewed and received an information report dated March 11, 2009 from the Manager, Financial Services and Acting Deputy City Treasurer, with respect to an update on the Tangible Capital Assets Project; it being noted that the new standards require tangible capital assets to be recorded in the City’s audited financial statements and that progress has been made with respect to this matter.

7. That the Audit Committee (AC) reviewed and received an information report from the Director, Corporate Management Support, with respect to the Management Support and Audit Services 2008 Work Summary Report; it being noted that quantification of recommendations with respect to risk reduction, service enhancement, monetary implications etc. was suggested by the AC.

8. That the Audit Committee reviewed and received an information report from the Director, Corporate Management Support, with respect to a Risk-based Work...
Plan and the Work Plan for 2009-2010; it being noted that the Work Plan development is currently being held in abeyance pending the consideration of the strategies to strengthen the Internal Audit approach.

9. That the Audit Committee passed the following resolution prior to moving in camera from 9:27 a.m. to 9:41 a.m.:

"That the Audit Committee move in camera to consider matters pertaining to security of the information systems of the City of London and security in relation to Storybook Gardens."

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

11TH REPORT OF THE COMMITTEE OF THE WHOLE

Controller Barber presents the 11th Report of the Committee of the Whole.

Controller Barber moves that clauses 1 to 22, inclusive, be adopted.

The motion to adopt clause 1 is put and CARRIED on a recorded vote, the Members voting as follows:

YEAS: Mayor DeCicco-Best, Controllers Barber and Hume and Councillors Winninger, Usher, Orser, Lonc, Eagle, Baechler, Branscombe, Bryant and Hubert. (12)

NAYS: Deputy Mayor Gosnell, Controller Polhill and Councillors Van Meerbergen and Caranci. (4)

The motion to adopt clauses 2 to 22, inclusive, is put and CARRIED.

Clauses 1 to 22 read as follows:

1. That the following actions be taken with respect to the Board of Control, the composition of the Municipal Council and ward boundaries:

(a) the City Clerk BE DIRECTED to prepare a draft by-law, in accordance with subsection 64(2) of the Municipal Act, R.S.O. 1990 c. M.45 providing that the City shall not have a Board of Control;

(b) the City Clerk BE DIRECTED to prepare a draft by-law in accordance with section 217 of the Municipal Act, 2001 changing the composition of the council as follows:

(i) there shall be 15 members of council one of whom shall be the head of council;

(ii) the members of council shall be elected in accordance with the Municipal Elections Act, 1996;

(iii) the head of council shall be elected by general vote; and

(iv) the members of council shall be elected by 14 wards and each of the 14 wards shall be represented by one councillor;

(c) the City Clerk BE DIRECTED to prepare a draft by-law in accordance with section 222 of the Municipal Act, 2001 redividing the municipality into 14 wards in accordance with the revised map being Option #3 as recommended in the Final Report of the Governance Task Force, with a minor adjustment to move the small area bounded by North Street, Byron Baseline Road and Commissioners Road West from Ward 10 into Ward 9;

(d) the draft by-laws noted in parts (a) (b) and (c) BE CONSIDERED at a public participation meeting before the Committee of the Whole to be held in late April or early May, 2009 in accordance with the Public Notice Policy as set out in By-
law A-6151-17 Schedule "E";

(e) the public participation meeting noted in part (d) BE HELD at a location other than London City Hall subject to the provision of public notice of the change in venue in accordance with section 2.8 of the Council Procedure By-law A-22; it being noted that the change in venue is required for the public participation meeting to ensure that sufficient space is available for all members of the public who may wish to attend and constitutes an extraordinary circumstance.

2. That the City Clerk BE REQUESTED to prepare a draft policy for consideration at a future Committee of the Whole meeting which would provide for a review of ward boundaries during each Council term to ensure they remain appropriate for the upcoming term.

3. That the necessary steps BE TAKEN to implement a process, commencing with the December 1, 2010 Council term, whereby at the commencement of each new Council term, the incoming Council shall elect three of its Members to act in the place of the head of council, on a rotating basis, to preside at meetings regulated by the municipality’s procedure by-law when the Mayor is absent or refuses to act or the office is vacant, and while so acting have all the powers and duties of the head of council, in accordance with section 242 of the Municipal Act, 2001.

4. That the following actions be taken with respect to the Standing Committee structure and mandates:

(a) the necessary steps BE TAKEN to implement a Standing Committee model comprised of the "Built and Natural Environment Committee", the "Community and Neighbourhoods Committee" and the "Finance and Civic Administration Committee", plus the Committee of the Whole;

(b) the general areas of responsibility for the Committees noted in (a), above, BE ALLOCATED as follows:

**Built and Natural Environment Committee**

(i) urban and parks design, planning and development: principles, research and policy
(ii) official plan: policy and implementation
(iii) zoning
(iv) transportation design and policy (roads, transit, bicycle, pedestrian)
(v) downtown, neighbourhood, architectural, public art, and heritage
(vi) roadways: maintenance and services
(vii) sanitary sewage system, sewage treatment, drains, storm water management
(viii) water supply and distribution system
(ix) hydro
(x) parks, neighbourhood and recreational facilities

**Community and Neighbourhoods Committee**

(i) police services
(ii) fire services
(iii) emergency services and planning
(iv) social and community services including: Ontario Works, long term care, all housing (affordable housing, social housing, emergency shelters, etc.), children’s services, seniors’ services, day nurseries, etc.
(v) health services
(vi) education and training liaison and programs
(vii) parks and recreation: programming and services
(viii) multiculturalism and race relations
(ix) culture: policy and review of outcomes
(x) art galleries and programs and services
(xi) libraries
(xii) museums
(xiii) other City and community facilities and programs (e.g. Covent Garden Market, Tourism London, London Convention Centre, Western Fair, Centennial Hall)
(xiv) animal care and control

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(xv) by-law enforcement (property standards)
(xvi) natural environment stewardship (environmental quality, conservation, pest control, air quality, tree planting and forestry)
(xvii) corporate environmental and energy conservation programs
(xviii) solid waste management and environmental programs and services (garbage, recycling, composting)
(xix) public transit (LTC): services, maintenance
(xx) community and neighbourhood development

Finance and Civic Administration Committee:

(i) Chief Administrative Officer’s Department
- Corporate Management
- Economic Development
- Audit and Management Support Services
- Corporate Communications
- Legal Services
- Intergovernmental and Community Liaison

(ii) Finance and Corporate Services Department
- City Clerk’s Office
- Financial Planning and Policy
- Financial Operations
- Technology Services
- Realty Services
- Centennial Hall Liaison

(iii) Miscellaneous
- Tax Appeals
- Utilities and Communications – rates, franchises, utility services – extension to utility services – extension to other municipalities

(iv) Human Resources, Human Rights and Labour Relations

Committee of the Whole:

Annual Capital and Operating Budgets
Strategic Planning
Boundary Adjustments (annexations and amalgamations)
Appointment of Members and of Citizens to Boards, Committees, Commissions and other Bodies
Any matter not specifically assigned to the standing committees; and

(c) the Civic Administration BE REQUESTED to review all applicable by-laws to ensure that the Board of Control duties are appropriately reallocated.

5. That the following actions be taken with respect to the potential establishment of a Tenders Committee:

(a) the Civic Administration BE REQUESTED to review and report back to the Municipal Council on the establishment of a Tenders Committee consisting of the Chief Administrative Officer (CAO) and General Managers, or designates in the absence of the CAO and/or General Manager(s), to consider and award tenders within a defined threshold and within the approved budget for individual projects; and

(b) the Civic Administration BE REQUESTED to recommend any necessary changes to policies and by-laws required to effect the changes noted in (a), above, in the event a decision is made to proceed with a Tenders Committee;

It being noted that should a Tenders Committee be established, a procedure would need to be implemented to keep the Municipal Council informed of the tenders being issued and any tenders awarded; it being further noted that the Municipal Council should continue to approve any tenders over the approved budget.
6. That a process **BE ESTABLISHED** for a regular review of the Municipal Council's standing committee structure and the respective mandates of those standing committees, to ensure the standing committees' ongoing efficiency and effectiveness.

7. That the necessary steps **BE TAKEN** to implement a policy pertaining to the composition of standing committees which stipulates that:

(a) standing committees shall be comprised of Council Members only;
(b) the "Built and Natural Environment Committee" and the "Community and Neighbourhoods Committee" shall each be comprised of 5 Council Members;
(c) the "Finance and Civic Administration Committee" shall be comprised of the Mayor, as Chair, and 4 Members of Council; and
(d) each Member of Council shall sit on one of the three Standing Committees noted in (b) and (c), above.

8. That the necessary steps **BE TAKEN** to implement a policy pertaining to Standing Committee appointments which stipulates that:

(a) the appointment of standing committee chairs shall be based upon a recommendation of the Committee of the Whole for consideration and approval by the Municipal Council on an annual basis;
(b) standing committee vice chairs shall be elected by the members of the standing committee on which they serve; and
(c) Council Members shall be encouraged to serve on different standing committees through the course of their Council term.

9. That the matter of meeting schedules and media coverage of meetings **BE REFERRED** to the City Clerk to review and report back on meeting schedule alternatives in line with the approved committee structure and with a view to ensuring the avoidance of procedural and operational problems, such report to also include a summary of what other similar municipalities are doing with respect to their meeting schedules.

10. That the City Clerk **BE REQUESTED** to report back to the Municipal Council with the necessary amendments to the Council Procedure By-law to authorize the Finance and Civic Administration Committee, together with the Chairs of the Built and Natural Environment Committee and the Community and Neighbourhoods Committee, to act on behalf of the Municipal Council during July and August if the Council holds only one regular meeting during each of those months, subject to these committees comprising the approved Council standing committee model.

11. That the Civic Administration **BE REQUESTED** to liaise with the agencies, boards and commissions for the purpose of making appropriate changes in keeping with the following guiding principles the GTF has identified for appointments to those bodies:

(a) reducing or eliminating Councillor membership on agencies, boards and commissions, where appropriate;
(b) consideration of selecting the local ward councillor for representation on organizations within a particular ward;
(c) engaging more expertise from non-elected individuals, where appropriate;
(d) reducing gridlock during appointment time at the commencement of a new Council term;
(e) consideration of more frequent rotation of Council membership on agencies, boards and commissions to maximize the knowledge base, without compromising the need for a degree of continuity; and,
(f) consideration of more frequent rotation of citizen appointees to agencies, boards and commissions to maximize citizen engagement.
12. That subject to the approval of the 2010 Budget, one Administrative Assistant BE ADDED to the existing staff complement in the Councillors' Office as an interim measure to address Council Member support requirements, with a full review of support requirements to be undertaken once a new governance structure is in place.

13. That an independent panel, comprised of representatives of each of the London Chamber of Commerce, the Urban League of London, the London and District Labour Council, as well as two citizens-at-large, BE ESTABLISHED AND BE PROVIDED with the necessary research assistance and support to examine appropriate compensation for elected officials, in advance of the next Council term, and to identify a process for the regular review of Council compensation.

14. That with respect to the matter of conduct of Council Members in relation to their constituents, commencing in 2011 and subject to the necessary budget approvals:

(a) Council Members BE PROVIDED with up to $5,000 annually, specifically for the purpose of engaging with their constituents through such means as town halls, open houses, electronic communication, etc., and to report back to the Municipal Council, on a regular basis, with respect to matters arising from that constituent engagement; and,

(b) an appropriate policy BE DEVELOPED to restrict the use of funds earmarked for constituent engagement for partisan purposes.

15. That the following actions be taken with respect to Advisory Committees:

(a) a Striking Committee BE ESTABLISHED that would report directly to the Municipal Council (Council-Elect) to nominate appointments to advisory committees at the beginning of each new Council term;

(b) the Striking Committee noted in (a), above, BE COMPRISED of a Past Member of the London Diversity and Race Relations Advisory Committee, one representative to be nominated by each of the Pillar Non-Profit Network, the Urban League of London, the London and District Labour Council and the London Chamber of Commerce, as well as a retired Council Member, and two citizens-at-large to be selected by the outgoing Municipal Council;

(c) the City Clerk BE REQUESTED to report back on a recommended process which would provide for Advisory Committee terms to end just beyond a new Council term, to allow for the later appointment to those Advisory Committees, and to also report back with the necessary by-law amendments to accommodate this change in process;

(d) the existing Nominating Committee process BE AMENDED to delete a representative of the City Clerk's Office as a Voting Member on the Nominating Committee; it being noted that the Nominating Committee would continue to deal with those vacancies that arise during the course of a Council term; it being further noted that a representative of the City Clerk's Office would continue to provide the necessary administrative support for the Nominating Committee (e.g. scheduling meetings of the Nominating Committee, circulating applications for review by Nominating Committee members, producing the recommending reports);

(e) the matter of provision being made for Advisory Committees to be able to make recommendations directly to Standing Committees, other than those to which they report, and also directly to the Committee of the Whole, BE REFERRED to the City Clerk for report back on a recommended process; and,

(f) Advisory Committee reporting relationships BE REALIGNED within the new Standing Committee Structure.

16. That Controllers Barber and Polhill and Councillors Baechler, Caranci and Hubert BE REQUESTED to prioritize the following items for the consideration of the Board of Control; it being noted that implementation of any of the items would be subject to budget approval:

(a) the reduction of duplicate/unnecessary agenda content;
17. That the report dated March 10, 2009 from the General Manager of Environmental and Engineering Services and City Engineer relating to various infrastructure and resource improvements BE REFERRED to the Civic Administration for prioritization and phase-in, subject to budget approval.

18. That the City Clerk BE REQUESTED to report back on how to deal with “last minute” agenda items with a view to minimizing the volume of same.

19. That the following matters BE REFERRED to the Civic Administration, for prioritization and implementation subject to budget approval:

(a) implementation of electronic agendas and the re-formatting of agendas and reports so that they are easier to read; it being noted that the implementation of an electronic agenda system would require members of Council to bring their laptops to meetings;

(b) circulation of information reports on items which do not require a Council decision directly to members of Council for information, without the need for such items to be placed on Committee agendas; it being noted that the elimination of information reports from Committee agendas would facilitate enhanced emphasis on the items requiring decisions by the Municipal Council;

(c) implementation of a records management system which allows citizens to easily track the progression of a particular matter; and,

(d) establishment of a corporate standard to ensure reports and minutes are as concise and as easily understood as possible.

20. That the following actions be taken with respect to meeting rooms and systems:

(a) a new sound system BE INSTALLED in the Council Chambers, together with the associated system for the hearing-impaired at an estimated cost of $125,000 with the source of funding to be identified by the Civic Administration;

(b) new sound systems, together with the associated system for the hearing-impaired, BE INSTALLED in the balance of the public meeting rooms, SUBJECT TO identification of a source of financing/budget approval; and

(c) the following items BE REFERRED to the Civic Administration for report back with an implementation plan, which would include an identification of costs:

(i) implementation of electronic voting for all motions at Council meetings, with the votes of all members to be displayed on the screens in the Council Chambers;

(ii) implementation of a request to speak system which would eliminate the need for the Mayor or Chair to record who wishes to speak and would automatically maintain a speakers list; it being noted that a request to speak system should have the ability to time speakers, to ensure fairness and equity in speaking time;

(iii) installation of the necessary infrastructure for all members of Council, staff, the public and the media to utilize their laptops during Council meetings; it being noted that consideration should also be given to the provision of similar amenities in the Committee Rooms and throughout City Hall;

(iv) renovation of the Council Chambers so that members of Council are not required to sit with their backs to the public;

(v) implementation of a system to display the recommendations being considered by Council, and any proposed amendments to those
recommendations, on the screens in the Council Chambers;

(vi) update of the existing presentation systems in the Council Chambers and Committee Rooms so that they are more user friendly and accessible to all presenters at meetings; and

(vii) implementation of the necessary infrastructure to enable webcasting of all Council and Standing Committee meetings.

21. That the matter of municipal election campaign donations BE REFERRED to the Civic Administration for a report back, including a full costing, on the following:

(a) exercising the option under the Municipal Elections Act, to institute a municipal election campaign donations rebate program for individual residents;

(b) enacting a by-law which would require the electronic filing of campaign donation information by candidates;

(c) placing candidate campaign donation information on the City of London website for the information of the public; and,

(d) archiving candidate campaign information and retaining that information in perpetuity.

22. That the Civic Administration BE REQUESTED to undertake further investigation and action as it relates to strengthening citizen engagement in the policy development and decision making of the municipal government, guided by the principle of “inform, educate and involve”.

The Chair directs that clause 23 of Section II be noted. Clause 23 reads as follows:

23. That the Committee of the Whole reviewed and received the following communications:

(a) a letter dated January 22, 2009 from G. K. McRae, General Manager/CEO, Western Fair; and

(b) a letter dated November 23, 2008 from G. Fowler.

12TH REPORT OF THE COMMITTEE OF THE WHOLE

154. Deputy Mayor Gosnell presents the 12th Report of the Committee of the Whole.

Deputy Mayor Gosnell moves that clause 1 be adopted.

The motion to adopt clause 1, excluding part (a)(ii) is put and CARRIED.

The motion to adopt the balance of clause 1 is put and CARRIED.

Clause 1 reads as follows:

1. That the following actions be taken with respect to the City of London’s application for stimulus funding:

(a) the Civic Administration BE DIRECTED to report back to the Committee of the Whole (CW) with a proposed list of projects for stimulus funding that fall within the following parameters:

(i) a total project value that does not exceed an aggregate municipal investment (debt) of $40 Million, plus $7 Million from reserves;

(ii) recognition of the London International Airport as an important cornerstone for London and region;
(iii) recognition of the importance of locating the Southern Ontario Development Agency in London;

(v) creation of capacity for the future;

(v) environmental responsibility; and,

(vi) consistency with the priorities of local MPs and MPPs;

(b) the Civic Administration BE DIRECTED to report back to the CW with details of the various components of the proposed investment in the London International Airport including a business plan; economic impacts; how much cargo, flight instruction and other opportunities the investment might leverage; environmental assessment information, including impacts; and, green considerations;

(c) a meeting of the CW BE SCHEDULED for Friday, March 27, 2009, commencing at 12:00 noon for the purpose of finalizing the project list to comprise the City of London’s application for stimulus funding; and,

(d) additional outside projects NOT BE CONSIDERED for inclusion in the City of London’s application for stimulus funding;

it being noted that the CW reviewed and received the following communications with respect to this matter:

(a) an information report from the General Manager of Finance and Corporate Services and Acting City Treasurer;

(b) a communication entitled “London’s Economic Gateway: A Blueprint for Economic Prosperity” from the London Economic Development Corporation;

(c) a communication dated March 12, 2009 from the Keep London Growing Coalition;

(d) a communication dated March 12, 2009 from The Hon. Chris Bentley, MPP London West;

(e) a communication dated March 12, 2009 from T. Partalas, President, London Optimist Sports Centre;

(f) a communication dated March 12, 2009 from R. Sexsmith, 120-1231 Sandford Street;

(g) the attached submission from Controller G. Barber with respect to a framework for assessing green economic stimulus proposals; and,

(h) the attached communication from Goodwill Industries, Ontario Great Lakes, outlining a proposed project for stimulus funding;

it being further noted that the CW heard verbal presentations from the Chief Administrative Officer and the Director of Intergovernmental and Community Liaison, as well as heard the attached presentation from the General Manager of Finance and Corporate Services and Acting City Treasurer and the attached presentation from S. Baker, President and Chief Executive Officer, London International Airport.

The Chair directs that clauses 2 and 3 of Section II be noted. Clauses 2 and 3 read as follows:

2. That the Committee of the Whole (CW) passed the following resolution prior to moving in camera from 12:14 p.m. to 12:47 p.m.:

That the Committee of the Whole move in camera to consider a matter pertaining to personal matters about an identifiable individual who is a municipal employee;

and that the CW is submitting a confidential report to the Municipal Council regarding this matter. (See Confidential Appendix to the 12th Report of the Committee of the Whole enclosed for Council Members only.)
That Councillor Branscombe disclosed a pecuniary interest in clause 1 of this Report as it relates to Veterans Memorial Parkway and the London International Airport by indicating that her spouse owns 8 acres of property in the Skyway Industrial Park.

13TH REPORT OF THE COMMITTEE OF THE WHOLE

Deputy Mayor Gosnell presents the 13th Report of the Committee of the Whole.

Deputy Mayor Gosnell moves that clauses 1 and 2 be adopted. CARRIED Clauses 1 and 2 read as follows:

1. That the General Manager of Finance and Corporate Services and Acting City Treasurer BE DIRECTED to pursue the best possible rates for debt-supported projects being undertaken by The Corporation of the City of London.

2. That clause 1(d) of the 12th Report of the Committee of the Whole, from its meeting held on March 13, 2009, BE AMENDED by adding thereto at the end the words "with the exception of any projects that were considered and referred to discussions pertaining to Stimulus Funding during the 2009 Budget approval process".

Pursuant to section 17.2 of the Council Procedure By-law, Councillor Branscombe calls for a separate vote on part (c) as it relates to those projects in Table 3 pertaining to the Skyway Industrial Park.

Pursuant to section 17.2 of the Council Procedure By-law, Councillor Branscombe calls for a separate vote on part (d) as it relates to the project pertaining to Veterans Memorial Parkway.

Controller Polhill moves, seconded by Councillor Winninger, that part (e) be amended in line 1 by inserting the word "revised" after the word "attached" and by substituting the original Table 5 with the attached revised Table 5 to reflect the necessary changes to increase the 1/3 City Debt for Project No. 4.2 – East London Optimist Soccer Dome by $167,000 to $500,000 and by adding thereto at the end of part (e) the words "; it being also noted that the Civic Administration was requested to report back with respect to the East London Optimist Soccer Dome project and further amended in line 6 of part (e) by deleting therefrom the amount of $0.86 million and by substituting therefor the amount of $1.03 million.

Pursuant to section 17.2 of the Council Procedure By-law, Councillor Bryant calls for a separate vote on part (d) as it relates to Project No. 3.10 – Infrastructure Upgrades – Bridges- Hale Trafalgar Overpass.

The motion to amend part (e) in line 1 by inserting the word "revised" after the word "attached" and by substituting the original Table 5 with the attached revised Table 5 to reflect the necessary changes to increase the 1/3 City Debt for Project No. 4.2 – East London Optimist Soccer Dome by $167,000 to $500,000 and by adding thereto at the end of part (e) the words "; it being also noted that the Civic Administration was requested to report back with respect to the East London Optimist Soccer Dome project and further amended in line 6 of part (e) by deleting therefrom the amount of $0.86 million and by substituting therefor the amount of $1.03 million is put and CARRIED.

Councillor Van Meerbergen moves, seconded by Controller Hume, that clause 3(i) be amended in line 3 under "Build Canada Initiatives" by adding thereto after the words "this Region" the words ", including the Hwy. 401/Wonderland Road South interchange" and in line 4 under "Build Canada Initiatives" by adding thereto after the words "detailed analysis" the words "with the assistance of the Civic Administration". CARRIED

The motion to adopt part (a) of clause 3 is put and CARRIED.

The motion to adopt part (b) of clause 3 is put and CARRIED.

The motion to adopt part (c) of clause 3 as it relates to those projects in Table 3 pertaining to the Skyway Industrial Park is put and CARRIED.
The motion to adopt the balance of part (c) of clause 3 is put and CARRIED.

The motion to adopt part (d) of clause 3 as it relates to Project No. 3.10 - Infrastructure Upgrades – Bridge- Hale Trafalgar Overpass is put and CARRIED.

The motion to adopt part (d) of clause 3 as it relates to the project pertaining to Veterans Memorial Parkway is put and CARRIED.

The motion to adopt the balance of part (d) of clause 3 is put and CARRIED.

The motion to adopt part (e) of clause 3, as amended, as it relates to Project No. 4.2 - East London Optimist Soccer Dome is put and CARRIED.

The motion to adopt the balance of part (e), as amended, is put and CARRIED.

The motion to adopt the balance of clause 3, as amended, is put and CARRIED.

Deputy Mayor Gosnell moves that clauses 4 to 5, inclusive, be adopted. CARRIED

The Chair directs that clauses 7 and 8 of Section II be noted.

Clause 3, clause 4, as amended, and clauses 5 to 8, all inclusive, read as follows:

3. The following actions be taken with respect to fiscal stimulus funding from the Federal and Provincial Governments:

Infrastructure Stimulus Fund

(a) the projects detailed in the attached Table 1, which are funded from the property tax rates, BE SUBMITTED as priorities for The Corporation of the City of London for Infrastructure Stimulus Funding; it being noted that all of the projects are construction ready and will be completed by March 31, 2011; it being further noted that the City's contribution for the projects detailed in Table 1 is $20 million of the total construction value of $63.7 million;

(b) the projects detailed in the attached Table 2, which are funded from sewer rates, BE SUBMITTED as priorities for The Corporation of the City of London for Infrastructure Stimulus Funding; it being noted that all of the projects are construction ready and will be completed by March 31, 2011; it being further noted that the sewer rate contribution for the projects detailed in Table 2 is $7.3 million of the total construction value of $22 million;

(c) the projects detailed in the attached Table 3, which are economic development projects funded from the property tax rates and sewer and water rates, BE SUBMITTED as priorities for The Corporation of the City of London for Infrastructure Stimulus Funding; it being noted that support of Project No. 2.3 - London International Airport Capital Improvements Project is subject to a report back, as soon as possible, on the scope of and alternative servicing and financing for this project; it being noted that all of the projects are construction ready and can be completed by March 31, 2011;

(d) the projects detailed in the attached revised Table 4, which are funded from the property tax rates, BE SUBMITTED as priorities for The Corporation of the City of London for Infrastructure Stimulus Funding; it being noted that all of the projects are construction ready and can be completed by March 31, 2011; it being further noted that the original Table 4 was revised as follows:

(i) by deleting Project No. 3.3 Life Cycle Upgrades to Government Buildings and Property – London Regional Art Gallery and Historical Museum;

(ii) by increasing the Construction Value of Project No. 3.7 - Life Cycles Repairs to Roads to $5.3 million, and by proportionately increasing the amount of City Debt;

(iii) by deleting Project No. 3.8 - Infrastructure Upgrades – Road Widening – Wonderland Road and Project No. 3.9 - Infrastructure Upgrades – Road Widening – Oxford Street, as there is alternative
financing already in place for these Projects;

(iv) by increasing the Construction Value of Project No. 3.11 – Veterans Memorial Parkway – Enhancements (Beautification) by $350,000 in order to fully complete the work, and by proportionately increasing the amount of City Debt;

it being understood that approval of Project No. 3.10 is SUBJECT TO the General Manager of Environmental and Engineering Services and City Engineer ensuring that CN will be providing an acceptable share of funding for this Project and determining if the City of London can access a portion of the $72 million in funding being made available for improving railway safety;

Community Recreation and Facilities Stimulus Fund

e) the projects detailed in the attached revised Table 5, which are funded from property tax rates, BE SUBMITTED as priorities for The Corporation of the City of London for Community Recreation and Facilities Funding; it being noted that all of the projects are construction ready and can be completed by March 31, 2011; it being further noted that the City’s contribution for the projects detailed in Table 5 is $1.03 million of the total construction value of $5.1 million; it being also noted that the Civic Administration was requested to report back with respect to the East London Optimist Soccer Dome project;

Housing Initiatives Fund

f) the Federal and Provincial Governments BE ADVISED that the City of London is able to participate fully in the lifecycle repairs improvements to public and social housing through a combination of reserves and federal and provincial stimulus and that these works are construction ready for completion by March 31, 2012; it being noted that no additional City contribution will be required;

g) the Federal and Provincial Governments BE ADVISED that the City of London is in the process of identifying construction ready new social housing projects through an expression of interest process and will be able to participate in new affordable housing stimulus through the use of existing City reserve funds for projects to be completed by March 31, 2012;

Green Initiatives Fund

h) the Civic Administration BE REQUESTED to report back to the Board of Control and Council, following the release of the details of the Green Initiatives Fund, to determine if any of the projects listed in Tables 1 through 4 would qualify for funding under this program;

Build Canada Initiatives

i) consideration BE GIVEN by the Municipal Council to larger-scale strategic economic initiatives that could provide long-term economic benefit to this Region, including the Hwy. 401/Wonderland Road South interchange, and a priority list BE ESTABLISHED for undertaking detailed analysis with the assistance of the Civic Administration, a feasibility study, as well as continued discussions with the Federal and Provincial Governments, in order to establish a priority project(s); and

Municipal Infrastructure Loan Program

j) the Civic Administration BE AUTHORIZED to make an application to the Federal and Provincial Governments under the Municipal Infrastructure Loan Program for the City’s debt component for both property tax supported projects and sewer rate supported projects identified by the Municipal Council as priority projects for stimulus funding.

4. That the Civic Administration BE REQUESTED to report back to the Municipal Council with respect to a long-term economic strategy, in conjunction with the London Economic Development Corporation, the Southwest Economic Alliance and other relevant economic development organizations.
5. That the Civic Administration BE REQUESTED to report back to the Municipal Council with respect to the short-term and long-term job impacts of the projects being recommended for stimulus funding from the Federal and Provincial Governments.

6. That the Civic Administration BE REQUESTED to report back at a future meeting of the Committee of the Whole with respect to the following:

(a) how the City should adapt its long-term transportation, transit and land-use planning to take the best possible advantage of the high speed rail link; and

(b) infrastructure requirements for the high speed rail connection that the City would be responsible for; and

(c) an outline of the Urban Structural Plan which would show the other levels of government how the High Speed Rail, Bus Rapid Transit and Light Rail Transit would be integrated.

7. That the Committee of the Whole reviewed and received the following communications:

(a) an information report from the General Manager of Finance and Corporate Services and Acting City Treasurer with respect to the Greater London International Airport;

(b) an information report from the General Manager of Environmental and Engineering Services and City Engineer with respect to the sanitary conveyance and treatment capacities in the Greenway sewershed; and

(c) a communication dated March 23, 2009 from J. MacKinnon, President, London District Building & Construction Trades Council.

8. That Councillor Branscombe discloses a pecuniary interest in clause 3 of this Report as it relates to those projects having to do with the Skyway Industrial Park, the Soccer Dome and the London International Airport, by indicating that her spouse owns land and operates a business across the street from these properties.

Controller Polhill moves, seconded by Deputy Mayor Gosnell, that the Council rise and go into Committee of the Whole, in camera, for the purpose of considering the following:

(a) a matter pertaining to litigation or potential litigation affecting the municipality, personal matters about an identifiable individual and information whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation;

(b) a matter pertaining to advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations relating to one of the Corporation’s associations or unions and advice which is the subject of solicitor client privilege;

(c) matters pertaining to security of the information systems of the City of London and security in relation to Storybook Gardens; and

(d) a matter pertaining to personal matters about an identifiable individual who is a municipal employee. CARRIED

The Council rises and goes into the Committee of the Whole, in camera, at 9:34 p.m. with Deputy Mayor Gosnell in the Chair and all Members present except Councillors Armstrong, MacDonald and Miller.

The Committee rises and Council resumes in regular session at 9:40 p.m. with Mayor DeCicco-Best in the Chair and all Members present except Councillors Armstrong, MacDonald and Milier.
14TH REPORT OF THE COMMITTEE OF THE WHOLE


I YOUR COMMITTEE OF THE WHOLE REPORTS:

1. That the Committee of the Whole met, in camera, for the purpose of considering the following:

(a) a matter pertaining to litigation or potential litigation affecting the municipality, personal matters about an identifiable individual and information whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation;

(b) a matter pertaining to advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations relating to one of the Corporation's associations or unions and advice which is the subject of solicitor client privilege;

(c) matters pertaining to security of the information systems of the City of London and security in relation to Storybook Gardens; and

(d) a matter pertaining to personal matters about an identifiable individual who is a municipal employee. CARRIED

Deputy Mayor Gosnell presents the 14th Report of the Committee of the Whole.

The Chair directs that clause 1 of Section I be noted.

BY-LAWS

156. Councillor Hubert moves, seconded by Councillor Usher, that the following Bills be introduced:

Bill No. 157
By-law No. A.-6331-109 A by-law to establish percentages by which tax decreases are limited for 2009 in respect of properties in any property class subject to Part IX of the Municipal Act, 2001, as amended, in order to recover all revenues foregone as a result of the application of section 329 and section 329.1 of the Municipal Act, 2001, as amended, to other properties in the property class. (23/10/BC)

Bill No. 158
By-law No. A.-6332-110 A by-law to opt to use certain subsections of section 329.1 of the Municipal Act, 2001, as amended, in the calculation of taxes in the commercial, industrial, and multi-residential property classes. (23/10/BC)

Bill No. 159
By-law No. A.-6333-111 A by-law to identify Conventional Public Transit Services as a Special Service and to designate an area of the City in which residents and property owners receive an additional benefit from the Special Service, for the purposes of levying a special local municipality levy in the years 2009, 2010 and 2011. (23/10/BC)
Bill No. 160
By-law No. A.-6334-112
A By-law to approve the Letter of Agreement for an “Ontario Municipal Transportation Demand Management Grant” with Her Majesty the Queen in right of the Province of Ontario (Ministry of Transportation); and to authorize the Mayor and the Acting City Treasurer to execute the Agreement. (2/7/ETC)

Bill No. 161
By-law No. A.-6335-113
A by-law to approve a Service Accountability Agreement between The Corporation of the City of London and the South West Local Health Integration Network, for funding for the Adult Day Program and Homemaking; and to authorize the Mayor and the City Clerk to execute such agreement. (1/6/CPSC)

Bill No. 162
By-law No. A.-6336-114
A by-law to approve the Ontario Funding Agreement for Marketing Funding for the London and Middlesex County Immigration Portal with Her Majesty the Queen in Right of Ontario as represented by the Minister of Citizenship and Immigration; and to authorize the Mayor and the City Clerk to execute the Agreement. (26/10/BC)

Bill No. 163
By-law No. A.-6337-115
A by-law to amend Council Policy 28(2) being the Council Members' Expense Account Policy. (20/10/BC)

Bill No. 164
By-law No. DELETED

Bill No. 165
By-law No. A.-6339-117
A by-law to approve participation in the Police Officers Recruitment Fund and to authorize the Mayor and the City Clerk to execute the Agreement. (27/10/BC)

Bill No. 166
By-law No. DELETED

Bill No. 167
By-law No. C.P.-1284(pv)-118
A by-law to amend the Official Plan for the City of London, 1989. (relating to 2051-2061 Dundas Street) (16/8/PC)

Bill No. 168
By-law No. PS-111-09065
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.” (3/7/ETC)

Bill No. 169
By-law No. S.-5200-119
A by-law to stop up and close part of the original road allowance between Lots 20 and 21 in Concession 3 of the geographic Township of Westminster, now in the City of London, designated as Part 2 on Reference Plan 33R-17401. (4/7/ETC)

Bill No. 170
By-law No. Z.-1-091847
A by-law to amend By-law No. Z.-1 to rezone an area of land located at 3836 Colonel Talbot Road. (8/8/PC)

Bill No. 172
By-law No. DELETED

Bill No. 173
By-law No. Z.-1-091850
A by-law to amend By-law No. Z.-1 to rezone an area of land located at 2051-2061 Dundas Street. (18/8/PC)

CARRIED

First Reading:

Councillor Miller moves, seconded by Councillor Usher, that Bill No.'s 138 to 163, inclusive, Bill No. 165, Bill No.'s 167 to 170 and Bill No. 173, excluding Bill No.'s 164, 166, 171 and 172 be read a first time. CARRIED
Second Reading:

Councillor Branscombe moves, seconded by Councillor Usher, that Bill No.'s 138 to 163, inclusive, Bill No. 165, Bill No.'s 167 to 170 and Bill No. 173, excluding Bill No.'s 164, 166, 171 and 172 be read a second time. CARRIED

Third Reading:

Councillor Usher moves, seconded by Controller Polhill, that Bill No.'s 138 to 163, inclusive, Bill No. 165, Bill No.'s 167 to 170 and Bill No. 173, excluding Bill No.'s 164, 166, 171 and 172 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. 138 By-law No. A.-6329-90
A by-law to confirm the proceedings of the Council Meeting held on the 30th day of March, 2009. (City Clerk)

Bill No. 139 By-law No. A.-6330-91
A by-law to deputize assistants to the City Clerk. (City Clerk)

Bill No. 140 By-law No. L.S.P.-3403-92
A by-law to designate 458 Simcoe Street to be of historical and contextual value or interest. (2/3/PC)

Bill No. 141 By-law No. L.S.P.-3404-93
A by-law to designate 37 Wilson Avenue to be of historical and contextual value or interest. (7/2/PC)

Bill No. 142 By-law No. L.S.P.-3405-94
A by-law to designate 247 Epworth Avenue to be of historical and contextual value or interest. (3/3/PC)

Bill No. 143 By-law No. S.-5189-95
A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (For the purposes of a public walkway for pedestrian use only, east of Devon Road) (Chief Surveyor)

Bill No. 144 By-law No. S.-5190-96
A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (For the purposes of a public walkway for pedestrian use only, east of Morgan Avenue) (Chief Surveyor)

Bill No. 145 By-law No. S.-5191-97
A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (For the purposes of a public walkway for pedestrian use only, north of Reeves Avenue; and for the purposes of a public walkway for pedestrian use only, between Reeves Avenue and Lawson Road) (Chief Surveyor)

Bill No. 146 By-law No. S.-5192-98
A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (As part of Whisker Street, north of Chambers Avenue; and as widening to Chambers Avenue, west of Chambers Place) (Chief Surveyor)

Bill No. 147 By-law No. S.-5193-99
A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (As widening to Huron Street, east of Highbury Avenue North; and as widening to Highbury Avenue North, south of Huron Street) (Chief Surveyor)

Bill No. 148 By-law No. S.-5194-100
A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (As widening to White Oak Road, north of Exeter Road) (Chief Surveyor)

Bill No. 149 By-law No. S.-5195-101
A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (As widening to Murray Road, south of Longwoods Road) (Chief Surveyor)
Bill No. 150
By-law No. S.-5196-102  A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (As widening to Cromwell Street, at Richmond Street) (Chief Surveyor)

Bill No. 151
By-law No. S.-5197-103  A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (As widening to Crumlin Road, north of Page Street) (Chief Surveyor)

Bill No. 152
By-law No. S.-5198-104  A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (As widening to Huron Street, west of McNay Street) (Chief Surveyor)

Bill No. 153
By-law No. S.-5199-105  A by-law to assume certain works and services in the City of London. (Hunt Club West Subdivision, Plan 33M-485) (General Manager of Environmental & Engineering Services & City Engineer)

Bill No. 154
By-law No. W.-2046-106  A by-law to authorize the 2009 Recreation Facilities Project. (Project No. RC2200) (5/9/BC)

Bill No. 155
By-law No. W.-1694(d)-107  A by-law to amend By-law No. W.-1694-151 entitled, "A by-law to authorize the Operations Centres – Site Development (Project No. TS6210)" (2/9/BC)

Bill No. 156
By-law No. W.-2007(b)-108  A by-law to amend By-law No. W.-2007(a)-279 entitled, "A by-law to authorize the Incinerator Refurbishing & Replacement (Project No. ES5244)" (City Clerk)

Bill No. 157
By-law No. A.-6331-109  A by-law to establish percentages by which tax decreases are limited for 2009 in respect of properties in any property class subject to Part IX of the Municipal Act, 2001, as amended, in order to recover all revenues foregone as a result of the application of section 329 and section 329.1 of the Municipal Act, 2001, as amended, to other properties in the property class. (23/10/BC)

Bill No. 158
By-law No. A.-6332-110  A by-law to opt to use certain subsections of section 329.1 of the Municipal Act, 2001, as amended, in the calculation of taxes in the commercial, industrial, and multi-residential property classes. (23/10/BC)

Bill No. 159
By-law No. A.-6333-111  A by-law to identify Conventional Public Transit Services as a Special Service and to designate an area of the City in which residents and property owners receive an additional benefit from the Special Service, for the purposes of levying a special local municipality levy in the years 2009, 2010 and 2011. (23/10/BC)

Bill No. 160
By-law No. A.-6334-112  A By-law to approve the Letter of Agreement for an "Ontario Municipal Transportation Demand Management Grant" with Her Majesty the Queen in right of the Province of Ontario (Ministry of Transportation); and to authorize the Mayor and the Acting City Treasurer to execute the Agreement. (2/7/ETC)

Bill No. 161
By-law No. A.-6335-113  A by-law to approve a Service Accountability Agreement between The Corporation of the City of London and the South West Local Health Integration Network, for funding for the Adult Day Program and Homemaking; and to authorize the Mayor and the City Clerk to execute such agreement. (1/6/CPSC)
Councillor Usher moves, seconded by Controller Barber that the following Bill be introduced:

Bill No. 171
By-law No. Z.-1-091848
A by-law to amend By-law No. Z.-1 to extend the Temporary Use (T-45) for an area of land located at 1992 Fanshawe Park Road West. (13/8/PC)
CARRIED

First Reading:

Councillor Branscombe moves, seconded by Controller Barber, that Bill No. 171 be read a first time. CARRIED

Second Reading:

Councillor Eagle moves, seconded by Controller Barber, that Bill No. 171 be read a second time. CARRIED
Third Reading:

Councillor Usher moves, seconded by Controller Barber, that Bill No. 171 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.171
By-law No. Z.-1-091848

A by-law to amend By-law No. Z.-1 to extend the Temporary Use (T-45) for an area of land located at 1992 Fanshawe Park Road West. (13/8/PC)

ADJOURNMENT

157. Deputy Mayor Gosnell moves, seconded by Councillor Usher, that the Meeting adjourn. CARRIED

The Meeting adjourns at 9:45 p.m.

Anne Marie DeCicco-Best, Mayor

Kevin Bain, City Clerk