COUNCIL PROCEEDINGS  
FOURTEENTH MEETING  

June 29, 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 Councillors Orser and Van Meerbergen.

In recognition of Canada Day, those in attendance join in the singing of “Oh Canada”.

Councillor Van Meerbergen enters the meeting at 5:01 p.m.

DISCLOSURES OF PECUNIARY INTEREST

243. Deputy Mayor Gosnell discloses a pecuniary interest in clause 19 of the 18th Report of the Board of Control, clause 1 of the 19th Report of the Board of Control and the associated Bill No. 293, all having to do with the 2009 Development Charges By-law, by indicating that he has clients who would be impacted by the development charges.

244. Controller Polhill discloses a pecuniary interest in clause 9 of the 18th Report of the Board of Control and with clause 2 of the Confidential Appendix to the 18th Report of the Board of Control, both having to do with the Hale Street/Trafalgar Street Grade Separation Project by indicating that the project may have an impact on his son’s properties.

245. Councillor Branscombe discloses a pecuniary interest in clause 5 of the 13th Report of the Environment and Transportation Committee having to do with Skyway Industrial Park, Phase 2, with part (a) of clause 2 of the 18th Report of the Board of Control, and with part (a) of clause 2 of the 19th Report of the Board of Control having to do with the Greater London International Airport, by indicating that her husband owns and operates a business in close proximity to the subject properties.

246. Councillor Miller discloses a pecuniary interest in clause 20 of the 16th Report of the Planning Committee having to do with property located at 300 Marconi Gate by indicating that her company has been signed to represent a condominium development in Grand Bend, whose proponent is also the proponent for the subject property.

247. Councillor Bryant discloses a pecuniary interest in clauses 3 and 12 of the 11th Report of the Community and Protective Services Committee, both having to do with the Dearness Home, by indicating that her spouse sits on the Board of Directors for the Local Health Integration Network, which is associated with funding for the Dearness Home.

248. Councillor Hubert discloses a pecuniary interest in clause 14 of the 18th Report of the Board of Control having to do with the leasing of property from Farhi Holdings Corporation, by indicating that he is the Executive Director of a social service agency that leases property from Farhi Holdings Corporation.

249. Mayor DeCicco-Best discloses a pecuniary interest in clause 14 of the 18th Report of the Board of Control having to do with the leasing of property from Farhi Holdings Corporation, by indicating that her husband leases space from Farhi Holdings Corporation.

250. Councillor Eagle discloses a pecuniary interest in clause 20 of the 18th Report of the Board of Control having to do with property located at 485 Windermere Road by indicating that the property owner has made donations to the outreach ministry she is associated with. Councillor Eagle further discloses a pecuniary interest in clause 1 of
the 16th Report of the Planning Committee having to do with property owned by Drewlo Holdings Inc., by indicating that a family member is employed by Drewlo Holdings Inc.

MINUTES

251. Councillor Baechler moves, seconded by Councillor MacDonald, that the Minutes of the Thirteenth Meeting held on June 15, 2009, be adopted.

Councillor Baechler moves, seconded by Councillor Miller, that Minute No. 231, page 10, clause 17, be amended in line 3 by deleting therefrom the amount of 1.9% and by substituting therefor the amount of 2.0%; in line 5 by deleting therefrom the amount of 2.6% and by substituting therefor the amount of 2.7% and in line 6 by deleting therefrom the amount of $11.4 million and by substituting therefor the amount of $10.6 million. CARRIED

The motion to adopt the Minutes of the Thirteenth Meeting held on June 15, 2009, as amended, is put and CARRIED.

CONFIDENTIAL MATTERS TO BE CONSIDERED IN PUBLIC

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

COMMUNICATIONS

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

ADDED REPORTS

254. The Acting City Clerk submits the 19th Report of the Board of Control. (See Report attached.)

REPORTS

18TH REPORT OF THE BOARD OF CONTROL

255. Controller Polhill presents the 18th Report of the Board of Control.

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

1. 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. ES2692), namely:

(a) the bid submitted by Insituform Technologies Limited, 3 Burford Road, Hamilton, BE INCREASED from $4,360,385 to $6,360,385 (excluding GST);

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

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

It being recognized that this project would not have been undertaken without the stimulus funding for this project having been provided through contributions of both the Canadian Federal Government and the Ontario Provincial Government; it being noted that the extension of this contract award is in compliance with the Corporation's purchasing by-law and policy which is a requirement of senior government funding. (W10-00)

2. That, on the recommendation of the Director, Wastewater and Treatment, the following actions be taken with respect to the purchase of equipment to complete Cured In Place Pipe (CIPP) service throughout the city, namely:

(a) the Civic Administration BE AUTHORIZED to enter into negotiations with LMK
Enterprises Inc., 1779 Chessie Lane, Ottawa, Illinois;

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

(c) the approval given herein BE CONDITIONAL upon the Corporation negotiating satisfactory prices, terms and conditions with LMK Enterprises Inc., to the satisfaction of the Acting City Treasurer; and

(d) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order relating to the subject matter of this approval. (W10-00)

3. That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to increasing the contract value for the 2009 Arterial Road Rehabilitation Contract (A) (Project No. TS1445), namely:

(a) the value of the contract awarded to TCG Asphalt and Construction Inc. for the 2009 Arterial Road Rehabilitation Contract (A) BE INCREASED from $7,481,161.70 to $9,538,799.08 (exclusive of GST) to complete additional pavement sections included in the Infrastructure Stimulus Funding program; and

(b) the financing for this increase BE APPROVED in accordance with the Sources of Financing Report attached hereto as Appendix A;

it being recognized that this work would not have been undertaken without the stimulus funding for this project having been provided through contributions of both the Canadian Federal Government and the Ontario Provincial Government; it being noted that the award of the extension of this contract is in compliance with the Corporation’s Purchasing By-law and policy;

it being noted that there are no additional annual operating costs to the Environmental and Engineering Services Department budget in 2010 and subsequent years associated with approval of this contract change. (SOB-00)

4. That, on the recommendation of the Director, Environmental Programs & Solid Waste, the following actions be taken with respect to the relocation and expansion of the Oxford Street Community EnviroDepot (Project Nos. SW6043 & ES6055), namely:

(a) the bid submitted by Classic Excavating Inc., 256 Hamilton Crescent, Dorchester, at its tendered price of $833,112.86 (excluding GST), BE ACCEPTED; it being pointed out that the bid submitted by Classic Excavating Inc. was the lowest of six (6) 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 relating to this matter (Tender 08-51). (W11-00)

5. That, on the recommendation of the General Manager of Environmental and Engineering Services & City Engineer, the following actions be taken with respect to the works as contemplated and outlined in RFP 09-02 – Community EnviroDepots and Yard Materials Management Program, namely:

(a) the proposal submitted by TRY Recycling Inc., 111 Waterloo Street Suite 610, London, for the provision of service with respect to the operation of Community EnviroDepots and the Yard Materials Management Program, at its proposed annual fee of $950,513.30, to be adjusted annually for inflation by the Consumer Price Index for a five (5) year term, with two (2) possible one (1) year extensions, BE ACCEPTED; it being noted that the proposed annual fee is based on a lump sum fee for operations management of the Community EnviroDepots and estimated quantities of Yard Materials to be managed;

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

(c) the approval given herein BE CONDITIONAL upon the Corporation entering into
a formal agreement or issuing a purchase order or contract record relating to
this matter (RFP 09-02). (W11-00)

6. That, on the recommendation of the General Manager of Environmental
and Engineering Services & City Engineer, the following actions be taken with respect
to the change in scope of work for the Consulting Engineering for the Arva Water
Pumping Station (WPS) Electrical Upgrades – Phase Two (Project No. EW3526),
namely:

(a) additional costs for MVA Engineering Group Limited, 246 Waterloo Street,
London, BE APPROVED, at a cost of $33,000 (excluding GST), in accordance
with Council Policy 7(9A), Clause (b) and Clause (f); and

(b) the financing for this increase BE APPROVED as set out in the Sources of
Financing Report attached hereto as Appendix “A”. (A03-00)

7. 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 various chemicals for the pollution control plants, namely:

(c) the bids submitted as set out below, at the tendered prices shown (applicable
taxes extra) for up to a two (2) year period, BE ACCEPTED:

<table>
<thead>
<tr>
<th>SUPPLIER</th>
<th>ITEM</th>
<th>TENDERED PRICE SUBMITTED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brenntage Canada</td>
<td>Liquid Chlorine 68 Kg. Cylinders</td>
<td>$1.30/ kg.</td>
</tr>
<tr>
<td>General Chemical Performance</td>
<td>Liquid Aluminium Sulphate 12 Dry</td>
<td>$407.00/m.t.</td>
</tr>
<tr>
<td>Products Ltd.</td>
<td>Metric Tonne Loads</td>
<td>$407.00/m.t.</td>
</tr>
<tr>
<td>Brenntage Canada</td>
<td>Sodium Hypochlorite – 12% Trade 20</td>
<td>$13.00/per pail</td>
</tr>
<tr>
<td>Control Chem Canada Ltd.</td>
<td>Hydrofluorosilicic Acid Price per</td>
<td>$1.03/per kg.</td>
</tr>
<tr>
<td>Kemira Water Solutions Canada</td>
<td>Ferric Chloride Price per kg.</td>
<td>$2.573 per kg. fe.</td>
</tr>
<tr>
<td>Chemco Inc.</td>
<td>Ferric Sulfate Price per kg.</td>
<td>$1.943 kg. fe.</td>
</tr>
<tr>
<td>Anchem Sales</td>
<td>Citric Acid Price per kg.</td>
<td>$1.54/per kg.</td>
</tr>
</tbody>
</table>

(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
formal contracts or issuing purchase orders relating to these matters (Tender
09-61). (W06-00)
8. 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 Southeast Reservoir and Pumping Station (Project No. EW3614), namely:

(a) the bid submitted by McKay-Cocker Construction Limited, 1665 Oxford Street East, London, at its tendered price of $45,417,142.86 (excluding GST), BE ACCEPTED; it being pointed out that the bid submitted by McKay-Cocker Construction Limited was the lowest of four (4) 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 $2,525,658.30 (excluding GST), 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; it being noted that this firm completed the engineering design;

(c) future additional annual operating costs of $260,000 BE RECOGNIZED as a result of this project being commissioned in 2011; it being noted that these costs will be considered and accommodated within future Water Operations and Parks and Recreation Operations operating budgets, estimated to be $250,000 and $10,000 respectively;

(d) the financing for this project 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 this project;

(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 this project (Tender 09-50); and

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

it being recognized that funding for this project has been provided through contributions by both the Canadian Federal Government and the Ontario Provincial Government under the Building Canada Fund and HELP Clean Water initiative and that the tendering process and contract award are compliant with the Corporation’s policies and procedures as required in the Contribution Agreement(s) for senior government funding. (WO7-00)

Deputy Mayor Gosnell moves that clause 9 be adopted.

Councillor Armstrong moves, seconded by Deputy Mayor Gosnell, that clause 9 be amended by adding a new part (d) as follows:

"(d) the Civic Administration BE DIRECTED to report back at the next meeting of the Environment and Transportation Committee (ETC) with respect to the inclusion of a sound barrier as part of the proposed project, what the railway construction standard associated with a sound barrier is, as well as how matters related to public safety will be addressed;" CARRIED

Councillor Eagle moves, seconded by Councillor Baechler, that pursuant to section 9.6 of the Council Procedure By-law, Councillor Winninger be permitted to speak longer than 5 minutes with respect to the Hale/Trafalgar Grade Separation project. CARRIED.

Councillor Branscombe moves, seconded by Councillor Baechler, that pursuant to section 9.6 of the Council Procedure By-law, Councillor Usher be permitted to speak longer than 5 minutes with respect to the Hale/Trafalgar Grade Separation project. CARRIED.
Councillor Bryant moves, seconded by Deputy Mayor Gosnell, that clause 9 be amended by adding a new part (e) as follows:

"(e) the Civic Administration BE DIRECTED to report back at a future meeting of the ETC with respect to the incorporation of space within the project in order to accommodate future transportation requirements and enhancements, such as high speed rail;" CARRIED

Councillor Bryant moves, seconded by Councillor Branscombe, that clause 9 be amended by adding a new part (f) as follows:

"(f) the Civic Administration BE DIRECTED to ensure that urban design is taken into consideration in the development of the proposed project;" CARRIED

Councillor Miller moves, seconded by Councillor Baechler, that clause 9 be amended by adding thereto at the end, the following:

"(g) should the submitted tender prices for Project No. 3.10 come in beyond the current project estimates, CN BE REQUESTED to contribute additional funds, at the agreed apportioned ratio of 50% of the municipal contribution, in order for the project to proceed;"

Councillor Usher moves, seconded by Councillor Winninger, that pursuant to section 9.6 of the Council Procedure By-law, Councillor Eagle be permitted to speak longer than 5 minutes with respect to the Hale/Trafalgar Grade Separation project. CARRIED.

The motion to amend clause 9 by adding a new part (g) is put and LOST on a recorded vote, the Members voting as follows:

YEAS: Controller Barber, Councillors Winninger, Usher, Eagle, Baechler and Branscombe. (6)

NAYS: Mayor DeCicco-Best, Deputy Mayor Gosnell, Controller Hume and Councillors Van Meerbergen, MacDonald, Armstrong, Lonc, Miller, Bryant, Caranci and Hubert. (11)

The motion to adopt clause 9, as amended, is put and CARRIED on a recorded vote, the Members voting as follows:

YEAS: Mayor DeCicco-Best, Deputy Mayor Gosnell, Controller Hume and Councillors Van Meerbergen, MacDonald, Armstrong, Usher, Lonc, Miller, Bryant, Caranci and Hubert. (12)

NAYS: Controller Barber and Councillors Winninger, Eagle, Baechler and Branscombe. (5)

Clause 9, as amended, reads as follows:

9. That, on the recommendation of the General Manager of Environmental and Engineering Services & City Engineer, the following actions be taken with respect to funding arrangements with CN for the Hale/Trafalgar Grade Separation project, namely:

(a) the basis for cost sharing, being equal CN-City shares of the estimated net project cost after senior government funding, BE APPROVED; it being noted that this amounts to a CN contribution of $1,975,000 for Phase 2 of the project;

(b) based on the cost sharing proposed, staff BE DIRECTED to proceed with the Hale/Trafalgar Grade Separation (Project No. 3.10) in order to meet the timelines of the Infrastructure Stimulus Funding initiative;
(c) the Civic Administration BE DIRECTED to provide Municipal Council with a revised agreement for approval

(d) the Civic Administration BE DIRECTED to report back at the next meeting of the Environment and Transportation Committee (ETC) with respect to the inclusion of a sound barrier as part of the proposed project, what the railway construction standard associated with a sound barrier is, as well as how matters related to public safety will be addressed;

(e) the Civic Administration BE DIRECTED to report back at a future meeting of the ETC with respect to the incorporation of space within the project in order to accommodate future transportation requirements and enhancements, such as high speed rail; and,

(f) the Civic Administration BE DIRECTED to ensure that urban design is taken into consideration in the development of the proposed project;

it being noted that the City Solicitor was requested to review and report back at a future meeting of the Board of Control with respect to the potential for adding a requirement that Londoners be hired to complete the work associated with the economic stimulus projects. (S05-00)

Controller Polhill moves that clauses 10 to 18, inclusive, be adopted. CARRIED.

Pursuant to section 17.2 of the Council Procedure By-law, Councillor Hubert calls for a separate vote on clause 14.

The motion to adopt clauses 10 to 18, exclusive of clause 14, is put and CARRIED.

At 6:06 p.m. Her Worship the Mayor places Deputy Mayor Gosnell in the Chair, and removes herself from the Council Board.

The motion to adopt clause 14 is put and CARRIED.

At 6:07 p.m. Her Worship the Mayor resumes the Chair, and Deputy Mayor Gosnell takes a seat at the Council Board.

Clauses 10 to 18, inclusive, read as follows:

10. That, on the recommendation of the General Manager of Community Services and the Director, Fleet, Facilities & Departmental Resources, the following actions be taken with respect to the Labatt Memorial Park Grandstand Soffits (Project No. RC2604), namely:

(a) the bid submitted by Elgin Contracting and Restoration Ltd, 100 Ross Street, St. Thomas, at its tendered price of $93,000 (GST excluded) BE ACCEPTED; it being pointed out that the bid submitted by Elgin Contracting and Restoration Ltd. 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", it being noted that there is no increase or decrease in the annual operating costs of this facility as a result of this work;

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

(d) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the contractor for the work (Tender 09-55). (A09-07)
11. 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 Payment Card Industry Data Security Standards (PCI DSS), namely:

(a) the Civic Administration **BE AUTHORIZED** to accept the terms and conditions negotiated with VeriSign Inc., 487 E. Middlefield Road, Mountain View, CA USA, with respect to Insurance and Indemnification, at a fee of $49,975 US Funds;

(b) the Mayor and the Acting City Clerk **BE AUTHORIZED** to sign the Statement of Work with VeriSign Inc.; and

(c) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this project. (I03-00)

12. 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:

(a) the offer submitted by Habitat for Humanity London Inc. to purchase the City-owned land municipally known as 178 Springbank Drive, identified as, Part of Lots 9 and 10, Block E, Registered Plan 376(4th) designated as Part 45 on Plan 33R-14585 and containing an area of approximately 4,500 square feet, for the sum of $105,000, **BE ACCEPTED**, subject to the following conditions:

(i) Habitat for Humanity Board of Director's approval and due diligence inquiries and inspections to be carried out; and

(ii) Habitat for Humanity agreeing to enter into an encroachment agreement with the City of London to maintain the existing front steps on City of London property;

(b) the **attached** by-law **BE INTRODUCED** at the Municipal Council meeting on June 29, 2009 to approve the Agreement of Purchase and Sale for 178 Springbank Drive and to authorize the Mayor and the Acting City Clerk to execute the agreement. (L15-01)

13. 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, the offer submitted by Laura Owen and Timothy Owen In Trust to purchase the City-owned vacant land municipally known as 316-322 Springbank Drive, identified as Part Lots 3 and 4, Block R, Registered Plan 376(4th), designated as Part 15, Plan ER-220547, Lot 5 and Part of Lots 4 and 6, Block R, Registered Plan 376(4th), designated as Part 13, Plan ER-220547 and containing an area of approximately 24,393 square feet, for the sum of $185,000, **BE ACCEPTED**, and the **attached** by-law **BE INTRODUCED** at the Municipal Council meeting on June 29, 2009 to approve the Agreement of Purchase and Sale for 316-322 Springbank Drive and to authorize the Mayor and the Acting City Clerk to execute the agreement. (L15-01)

14. 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, with the concurrence of the General Manager of Planning and Development and the Manager of Purchasing and Supply, the proposal submitted by Farhi Holdings Corporation to lease to the City for a 5 (five) year term approximately 2,917 square feet of office space in the property municipally known as 383 Richmond Street, located on the northwest corner of Richmond Street and King Street, for an initial base net rent of $8.45 per square foot of rentable area of $8.45, escalating to $9.95 by the 3rd year, with the rentable area restricted to 2,795 square feet, which equates to $23,618 per annum net rent in the first year, **BE ACCEPTED**, subject to the following conditions:

(a) the Civic Administration negotiating a lease with Farhi Holdings Corporation in a form satisfactory to the General Manager of Finance and Corporate Services and Acting City Treasurer, and the City Solicitor, including the following terms:

(i) the Landlord delivers a useable area of at least 2,917 sq. ft. contiguous space on the 11th floor and the rentable area upon which rent is charged is no greater than 2,795 sq. ft.;

(ii) the Landlord gives the Tenant a Right of First Refusal on any space in the building available now or in the future;
the rent includes 2 underground parking spaces in the Covent Garden Market parking garage. Any additional parking spaces required by the City will be provided at a rate 15% below the market rate;

the Landlord makes ready the space for occupancy on a Turnkey basis as of September 1, 2009;

the Landlord will allow the first month of occupancy to be base rent free;

the Landlord will provide the space on a Turnkey basis, with tenant improvements constructed in accordance with the City's floor plan and finishing requirements detailed in the RFP, including the City-owned fibre optics connection. The Landlord will install one additional barrier free washroom that meets FADS requirements in the common area of the 11th floor;

the Landlord will not levy on the Tenant an after hours charge for HVAC; and

the Landlord will give to the Tenant two 5 year options to renew the lease on the same terms and conditions as outlined in the lease with rent to be negotiated, but in no event will the base rent rate for the first year of a renewal period be greater than that of the previous year of the term;

(b) the Civic Administration BE DIRECTED to finalize a lease agreement to be reviewed by the City Solicitor's Office; and

(c) a by-law BE INTRODUCED at a future Council meeting to approve this lease and to authorize the Mayor and the Acting City Clerk to execute the Lease Agreement;

it being noted that the one time cost of moving and furniture can be accommodated in the 2009 operating budget, and the ongoing lease cost will be paid as part of operating budget transfers associated with the creation of the Development Approvals Business Unit. (A13-00)

15. That, on the recommendation of the General Manager of Finance and Corporate Services and Acting City Treasurer, the attached proposed by-law (Schedule "A") BE INTRODUCED at the Municipal Council meeting on June 29, 2009 under section 216 of the Municipal Act, 2001, to permit the London Transit Commission to acquire real property. (S10-00)

16. That, on the recommendation of the General Manager of Finance and Corporate Services and Acting City Treasurer, savings from positions vacated since May 25, 2009 BE CONTRIBUTED to the appropriate vacancy management reserve that has been established for each rate supported fund; it being noted that the purpose of these funds is to provide a one time funding source as recommended by the Corporate Management Team; it being further noted that the Corporation has realized total corporate savings to date in 2009 of $503,813 ($392,703 - general; $81,302 - wastewater; and $29,608 - water). During the same period in 2008, total corporate savings were $539,642 ($482,758 - general; $44,745 - wastewater; $12,139 - water). (G03-00)

17. 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 Infrastructure Stimulus Funding:

(a) capital expenditures in the amount of $30,329,010 for the municipal portion of the projects listed in the attached Table 1 BE APPROVED; it being noted that these projects were approved for $32.3 million of Infrastructure Stimulus Funding from each of the Federal and Provincial governments in response to the City of London's funding application;

(b) the Civic Administration BE DIRECTED to bring forward recommended sources of financing for the municipal portion of each of the projects listed in the attached Table 1 as each project is advanced; it being noted that approximately $4,000,000 from the Vacancy Management Reserve will be used to fund these
the Civic Administration **BE AUTHORIZED** to prepare any necessary by-laws regarding the projects listed in the attached Table 1. (G10-00)

18. That, on the recommendation of the Manager, Financial Services and Acting Deputy City Treasurer, the taxes on the blocks of land described in the attached Schedules **BE APPORTIONED** as indicated on the Schedules pursuant to Section 356 of the *Municipal Act, 2001*; it being noted that at the public hearing associated with this matter there were no members of the public in attendance to speak to these matters before the Board of Control. (F16-00)

Controller Polhill moves that clauses 20 to 24, inclusive, be adopted.

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

Councillor Bryant moves, seconded by Deputy Mayor Gosnell, that clause 23 be amended by adding a new part (c), as follows:

"(c) the Civic Administration **BE REQUESTED** to report back at a future meeting of the Board of Control with respect to the feasibility of implementing a surcharge on all Centennial Hall event tickets to be applied towards the future replacement of the facility;" CARRIED

Councillor Winninger moves, seconded by Councillor Baechler, that clause 20 be amended by deleting therefrom in the fourth line the word "*Statues*" and by substituting therefor the word "*Statutes*". CARRIED

Councillor Miller moves, seconded by Councillor Baechler, 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 19th Report of the Board of Control at this time. CARRIED

At 6:15 p.m. Deputy Mayor Gosnell leaves the Council Board.

**19TH REPORT OF THE BOARD OF CONTROL**

256. Controller Hume presents the 19th Report of the Board of Control.

At 6:15 p.m. Her Worship the Mayor places Councillor Hubert in the Chair and takes a seat at the Council Board.

Controller Hume moves that Clause 1 be adopted.

At 6:23 p.m. Her Worship the Mayor resumes the Chair, and Councillor Hubert takes a seat at the Council Board.

Councillor Caranci moves, seconded by Councillor Van Meerbergen, that clause 1 be amended in the second last line, by adding the words "fifty percent (50%) of" after the words "a deferral of", and further amended by adding thereto at the end the words "and the remaining fifty percent (50%) of the previously proposed Residential Development Charge rate increases until June 1, 2010."

The motion is LOST on a recorded vote, the Members voting as follows:

**YEAS:** Controllers Polhill and Hume, and Councillors Van Meerbergen, MacDonald, Miller, Caranci, and Hubert. (7)

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

The motion to adopt clause 1 of the 19th Report of Board of Control is put and CARRIED on a recorded vote, the Members voting as follows:
YEAS: Mayor DeCicco-Best, Controllers Barber and Hume, and Councillors Van Meerbergen, MacDonald, Armstrong, Winninger, Usher, Lonc, Eagle, Baechler, Branscombe, Miller, Bryant and Hubert. (15)

NAYS: Controller Polhill and Councillor Caranci. (2)

Clause 1 reads as follows:

That, having conducted a statutory public meeting under the Development Charges Act on May 13, 2009 and having further considered the matter at the Board of Control meeting of June 24, 2009, and having considered the need for a further public meeting and determined that another public meeting is not necessary and pursuant to the direction of the Board of Control on June 24, 2009, the revised by-law was introduced at the Municipal Council meeting on June 29, 2009; it being noted that the proposed by-law would come into force on August 4, 2009, concurrent with the repeal of By-law C.P.-1440-167, as amended, (being the City of London's current Development Charges By-law); it being further noted that, in addition to the comments contained in the Development Charges reports tabled on May 13, 2009 and June 24, 2009, the new by-law incorporates a deferral of previously proposed Residential Development Charge rate increases until January 1, 2010.

18TH REPORT OF THE BOARD OF CONTROL (continued)

257. Controller Polhill moves that clause 19 be adopted. CARRIED

Clause 19 reads as follows:

That the following actions be taken with respect to the 2009 Development Charges By-law:

(a) the capital projects listed in the rate calculations contained in Appendices "B" through "N" of the 2009 Development Charges Background Study – April, 2009 BE APPROVED; noting that it is Council’s intention to meet those needs, subject to ongoing reviews through service planning studies and the capital budgeting process;

(b) the Development Charges Background Study dated April, 2009 BE RECEIVED AND APPROVED;

(c) having conducted a statutory public meeting under the Development Charges Act on May 13, 2009, and having further considered the matter at the Board of Control meeting of June 24, 2009, and having considered the need for a further public meeting and determined that another public meeting is not necessary, the Civic Administration BE DIRECTED to bring forward a revised, proposed by-law for introduction at the Municipal Council meeting on June 29, 2009 which incorporates a deferral of previously-proposed Residential DC rate increases until January 1, 2010; it being noted that the proposed by-law would come into force on August 4, 2009, concurrent with the repeal of By-law C.P.-1440-167, as amended, (being the City of London’s current Development Charges By-law); it being further noted that the revised proposed by-law also incorporates the comments contained in the DC reports tabled on May 13, 2009 and June 24, 2009;

(d) Civic Administration BE DIRECTED to undertake the following in the months to come:

(i) consistent with the recommendations of the Blue Ribbon Panel (2006), and under the direction of the Director of Development Finance, a program of monitoring development charge revenues and growth costs (including claimable works) BE ESTABLISHED with the intention of reporting to Council, significant variances that might impact DC rate levels;

(ii) that in the interest of maintaining a consistent approach to the UWRF funding particularly with respect to reducing the scope of cost shared works and requiring owner contributions towards the "local share" of works in Industrial subdivisions, Administration BE DIRECTED to bring forward a report for the consideration of Council on the future operation of the City’s Industrial Oversizing Reserve Fund;
(iii) with respect to development interests who wish to accelerate financing of growth projects as contained in the City’s capital budget, that Administration BE DIRECTED to undertake a process to develop an appropriate policy and consult with stakeholders, and report to Council the results of that process in the coming year;

(e) Civic Administration BE DIRECTED to meet with LDI and Pacific and Western to review issues related to payout for existing works and works under construction in the Urban Works Reserve Fund and report back to Council at a future date, noting this may result in an increase in the DC rates to accelerate payments; and

(f) Civic Administration BE DIRECTED to meet with LDI to develop alternative rules to apply demolition credits to qualifying brownfield sites and report back to Council at a future date;

it being noted that the Board of Control also received the attached communication dated June 23, 2009 from J. Sennema, Manager Land Planning, Z Group and the attached communication and presentation from P. Masschelein, Vice President, Neighbourhood Opportunities, Sifton Properties Limited, as well as the attached presentations from M. Carson, London St. Thomas Association of Realtors (representing the Keep London Growing Coalition), G. McGinn-McTeer, the Urban League of London, C. DiNardo, President, London Home Builders’ Association, and S. Janes, President, London Development Institute.

Councillor Miller moves, seconded by Councillor Hubert, that Council recess. CARRIED

The Council recesses at 7:16 p.m. and reconvenes at 8:00 p.m. with Mayor DeCicco-Best in the Chair and all Members present except Councillors Armstrong, Bryant, Caranci, MacDonald, Orser and Van Meerbergen.

Councillor Armstrong enters the meeting at 8:01 p.m.

Councillors Bryant, Caranci, MacDonald and Van Meerbergen enter the meeting at 8:02 p.m.

Councillor Eagle moves, seconded by Councillor Branscombe, that clause 23 be amended by replacing part (a) with the following:

“(a) the Civic Administration BE REQUESTED to prepare a contract for a one-year extension of the existing contract with Don Jones Management; and“. LOST on a recorded vote, the Members voting as follows:

YEAS: Controllers Barber and Hume, and Councillors Armstrong, Winninger, Eagle, Baechler, Branscombe and Bryant. (8)

NAYS: Mayor DeCicco-Best, Deputy Mayor Gosnell, Controller Polhill, and Councillors Van Meerbergen, MacDonald, Usher, Lonc, Miller, Caranci and Hubert. (10)

The motion to adopt clause 20, as amended, is put and CARRIED.

The motion to adopt clauses 21, 22 and 24 is put and CARRIED.

The motion to adopt clause 23 (a) is put and CARRIED.

The motion to adopt the balance of clause 23, as amended, is put and CARRIED.

Clauses 20, as amended, 21 and 22, clause 23, as amended, and clause 24 read as follows:

20. That the City Solicitor BE REQUESTED to bring forward a draft proposed by-law to exempt the property located at 485 Windermere Road from municipal taxation, in accordance with "An Act Respecting The Sisters of St. Joseph of the Diocese of London, in Ontario, Chapter P6, Statutes of Ontario 2009, for introduction at the Municipal Council meeting to be held on June 29, 2009. (F16-00)
21. That James Reffle BE APPOINTED to the Trees and Forests Advisory Committee (TFAC) as the Middlesex-London Health Unit representative for the term ending November 30, 2010. (G03-00)

22. That the Pride London Festival to take place July 16 to 26, 2009 BE DESIGNATED as a Municipally Significant Event in the City of London.

23. That the following actions be taken with respect to the contract for the operation of Centennial Hall:
   (a) the Civic Administration BE REQUESTED to prepare a contract for a two-year extension of the existing contract with Don Jones Management, with an additional option for a further one-year extension;
   (b) the Civic Administration BE REQUESTED to report back on what a review of the operation of Centennial Hall might involve, including the possible format for a future RFP for the operation of Centennial Hall; and,
   (c) the Civic Administration BE REQUESTED to report back at a future meeting of the Board of Control with respect to the feasibility of implementing a surcharge on all Centennial Hall event tickets to be applied towards the future replacement of the facility;

it being noted that the Board of Control (BC) received a communication dated June 11, 2009 from Don Jones, Don Jones Management, with respect to this matter. (L16-01)

24. That the Grand Theatre BE REQUESTED to change the frequency of its operational updates from quarterly to semi-annually and BE CONGRATULATED on its efforts and success in achieving a surplus position; it being noted that the Board of Control (BC) received an update from D. Harvey, Executive Director, and S. Ferley, Artistic Director, with respect to the business activities of The Grand Theatre.

Councillor Hubert moves, seconded by Deputy Mayor Gosnell, that pursuant to section 17.4 of the Council Procedure By-law be given for discussion and debate and the making of a substantive motion with respect to clause 28 of the 18th Report of the Board of Control. CARRIED.

Controller Polhill moves, seconded by Deputy Mayor Gosnell, that the following new clause 24A be adopted:

"That the Mayor BE REQUESTED to provide a further update at the next meeting of the Municipal Council with respect to how the unused Ambassador London funds might be applied towards economic development initiatives." CARRIED

Clause 24A reads as follows:

24A. That the Mayor BE REQUESTED to provide a further update at the next meeting of the Municipal Council with respect to how the unused Ambassador London funds might be applied towards economic development initiatives.

The Chair directs that clauses 25 to 38, inclusive, of Section II be noted. Clauses 25 to 38 read as follows:

25. That the Board of Control received and noted an information report from the General Manager of Finance and Corporate Services and Acting City Treasurer with respect to the status of the Purchasing By-law and Purchasing and Materials Management Policy update. The General Manager of Finance and Corporate Services and Acting City Treasurer was requested to also take into consideration previous submissions from the London District Labour Council and CAW Local 27 with respect to "buying Canadian" as additional sources in updating the above documents. (F05-00)

26. That the Board of Control (BC) received the attached overview of "City of London Capital Budgets and Infrastructure Funding", as well as the attached document entitled "London's future prosperity - The International Air Freight Opportunity" and heard verbal presentations from the Chief Administrative Officer, the Director of Wastewater and Treatment and the President & CEO, London Economic Development.
That the Board of Control received and noted a copy of a communication dated June 8, 2009 to the Mayor from Donald K. Johnson, C.M., requesting support for the elimination of capital gains tax on gifts of private company shares and real estate.

That the Board of Control deferred consideration of an information report from the Chief Administrative Officer with respect to an update on civic administration space requirements, to its next meeting. (AO9-07)

The Board of Control (BC) received a communication from Ted Zurbrigg resigning his appointment to the Environmental and Ecological Planning Advisory Committee (EEPAC). The BC accepted the resignation with regret and asked the Mayor to forward a letter of appreciation to Mr. Zurbrigg. The BC also asked the Acting City Clerk to take the necessary steps to fill the vacancy. (G03-00)

That the Board of Control (BC) received a copy of a communication dated May 28, 2009, to the Mayor, from Mayor Stephen Mandel, City of Edmonton, requesting support for Edmonton’s bid for EXPO 2017. The BC referred the communication to the General Manager of Community Services and the General Manager of Tourism London to advise of the appropriate action to be taken by the City of London in response to the request. (M09-00)
34. That the Board of Control (BC) received a presentation from J. Young, President and CEO, iLOOKABOUT, with respect to its pilot project with the City of London. The matter of next steps with respect to the pilot project was referred to the Civic Administration for report back during the 2010 Budget process and the Chief Administrative Office was requested to explore the possibility of extending the present pilot project through to the 2010 Budget process.

(Secretary's Note: A copy of an information package on iLOOKABOUT is available in the City Clerk's Office for viewing.)

35. That Controller Polhill disclosed a pecuniary interest in clause 9 of this Report and in clause 2 of the Confidential Appendix to this Report having to do with the Hale/Trafalgar overpass by indicating that the project may have an impact on his son's properties.

36. That Deputy Mayor Gosnell disclosed a pecuniary interest in clause 19 of this Report having to do with the proposed 2009 Development Charges By-law by indicating that he has a client who would be impacted by the development charges and he is unable disentangle the various components of this matter, including the associated additional communications, thereby making this disclosure necessary.

37. That Mayor DeCicco-Best disclosed a pecuniary interest in clause 14 of this Report having to do with the lease of property from Farhi Holdings Inc. by indicating that her spouse leases space from Farhi Holdings Inc.

38. That the Board of Control (BC) passed the following resolution prior to moving in camera from 10:49 a.m. to 11:13 a.m. and from 4:08 p.m. to 4:15 p.m.:

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

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

(b) a matter pertaining to litigation or potential litigation affecting the municipality and to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, regarding a Notice of Appeal to the Office of the Mining and Lands Commissioner pursuant to subsection 27(8) of the Conservation Authorities Act regarding the new administration building capital levy imposed by The Upper Thames River Conservation Authority and a request for a review filed with the Ontario Municipal Board under subsection 25(2) of the Conservation Authorities Act for the apportionment by the Upper Thames River Conservation Authority for a new administration building;

(c) a matter pertaining to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality and advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

(d) a matter pertaining to personal matters involving an identifiable individual who is a municipal employee with respect to an employment related matter;
a matter pertaining to personal matters involving an identifiable individual with respect to an employment related matter;

(f) a matter pertaining to advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations and personal matters relating to identifiable individuals who are municipal employees;

(g) a matter pertaining to litigation or potential litigation with respect to property located at 1156 Dundas Street East and an application commenced in the Ontario Superior Court of Justice (Commercial List-Toronto) under Court File No. 06-CL-6820, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and for the purpose of giving directions or instructions to officers, employees or agents of the municipality;

(h) 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 that the BC is submitting a confidential report to the Municipal Council regarding this matter. (See Confidential Appendix to the 18th Report of the Board of Control enclosed for Council Members only.)

19TH REPORT OF THE BOARD OF CONTROL (continued)

258. Controller Polhill moves that clause 2 be adopted.

Pursuant to section 17.2 of the Council Procedure By-law, Councillor Branscombe calls for a separate vote on part (a) of Clause 2.

At 8:24 p.m. Her Worship the Mayor places Deputy Mayor Gosnell in the Chair and takes a seat at the Council Board.

At 8:30 p.m. Her Worship the Mayor resumes the Chair and Deputy Mayor Gosnell takes a seat at the Council Board.

Controller Barber moves, seconded by Controller Polhill, that part (a) be amended in the second line by deleting therefrom the word "a" and by substituting therefor the word "one": CARRIED

Councillor Baechler moves, seconded by Councillor Eagle, that clause 2 be amended by adding a new part (e), as follows:

"(e) the Civic Administration BE REQUESTED to report back at a future meeting of the Board of Control with respect to the identification of key first principles in order to ensure the success of the City of London's business plan for economic prosperity": CARRIED

Councillor Eagle moves, seconded by Councillor Bryant, that part (a) be further amended by adding thereat at the end of part (a) the words "it being noted that potential funding is defined as federal, provincial, private or non-municipal contributions and municipal, if necessary": CARRIED

The motion to adopt clause 2(a), as amended, is put and CARRIED.

The motion to adopt the remainder of clause 2 is put and CARRIED.

Clause 2, as amended, reads as follows:

2. That the following actions be taken with respect to the development of a business plan for economic prosperity:

(a) the Greater London International Airport initiative relative to international air freight BE ENDORSED as one priority of the Municipal Council and the Civic
Administration BE DIRECTED to immediately pursue potential sources of funding for this initiative; it being noted that potential funding is defined as federal, provincial, private or non-municipal contributions and municipal, if necessary;

(b) the Short-Term Gateway Priorities (1 – 5 years), as detailed on page 16 of the attached presentation, BE ENDORSED;

c) the Civic Administration BE DIRECTED to further investigate the strategic sectors, as detailed on page 7 of the attached presentation, and further discussion with respect to strategic sectors BE HELD at an economic development summit;

(d) the London Economic Development Corporation BE REQUESTED to update its matrix to include benchmarking tools that provide a focus on how this community is doing, employment statistics, an identification of obstacles facing the community and what areas need additional focus in order to facilitate economic prosperity; and,

(e) the Civic Administration BE REQUESTED to report back at a future meeting of the Board of Control with respect to the identification of key first principles in order to ensure the success of the City of London's business plan for economic prosperity;

it being noted that the Board of Control (BC) received the attached overview of "City of London Capital Budgets and Infrastructure Funding", as well as the attached document entitled "London's future prosperity – The International Air Freight Opportunity" and heard verbal presentations from the Chief Administrative Officer, the Director of Wastewater and Treatment and the President & CEO, London Economic Development Corporation, with respect to this matter.

Councillor Baechler moves, seconded by Councillor MacDonald, that pursuant to section 7.3 of the Council Procedure By-law, the order of business be changed to permit consideration of clause 15 of the 13th Report of the Environment and Transportation Committee at this time. CARRIED.

13TH REPORT OF THE ENVIRONMENT AND TRANSPORTATION COMMITTEE


Councillor Hubert moves that clause 15 be adopted.

Councillor Hubert moves, seconded by Councillor Bryant, that clause 15 be amended by adding a new part (c) as follows:

"(c) the attached revised proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on June 29, 2009, to provide for the control of the idling of vehicles; It being noted that the revised proposed by-law incorporates a two (2) consecutive minute time limit in sections 3.1 and 3.2, as well as an amended part 3.2 (l) which reads "Motor Vehicles on days when the ambient outside temperature is more than 27 degrees Celsius (27'C) or less than five degrees Celsius (5'C)."

At 9:16 p.m. Her Worship the Mayor places Deputy Mayor Gosnell in the Chair and takes a seat at the Council Board.

Mayor DeCicco-Best moves, seconded by Controller Polhill, that the motion to add a new part (c) be amended to reflect a three (3) consecutive minute time limit in sections 3.1 and 3.2 of the proposed by-law.

At 9:47 p.m. Her Worship the Mayor resumes the Chair, and Deputy Mayor Gosnell takes a seat at the Council Board.
The motion to amend the proposed new part (c) to reflect a three (3) minute consecutive time limit is put and LOST on a recorded vote, the Members voting as follows:

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

NAYS: Deputy Mayor Gosnell, Controller Barber, and Councillors Van Meerbergen, Armstrong, Winninger, Usher, Lonc, Eagle, Baechler, Branscombe, Bryant and Hubert. (12)

The motion to add a new part (c) to reflect a two (2) consecutive minute time limit in parts 3.1 and 3.2 and amend part 3.2 (j) of the proposed by-law is put and CARRIED on a recorded vote, the Members voting as follows:

YEAS: Mayor DeCicco-Best, Controller Barber, and Councillors Armstrong, Winninger, Usher, Lonc, Eagle, Baechler, Branscombe, Bryant, Caranci and Hubert. (12)

NAYS: Deputy Mayor Gosnell, Controllers Polhill and Hume, and Councillors Van Meerbergen, MacDonald, and Miller. (6)

The motion to adopt parts (a) and (b) of clause 15 is put and CARRIED.

Pursuant to section 17.2 of the Council Procedure By-law, Councillor Miller calls for a separate vote with respect to part (j), as amended, and part (o) of section 3.2 of the proposed Idling By-law.

The motion with respect to the proposed Idling By-law, except part (j), as amended, and part (o) of section 3.2 is put and CARRIED.

The motion with respect to part (j), as amended, and part (o) of section 3.2 of the proposed Idling By-law is put and CARRIED.

The motion to adopt the new part (c) of clause 15 is put and CARRIED.

Clause 15, as amended, reads as follows:

15. That the following actions be taken with respect to the proposed amendments to the Idling Control By-law:

(a) the Civic Administration BE ASKED to review and report back at the July 20, 2009 Environment and Transportation Committee meeting with respect to the possible display of a decal, similar to the accessible parking permit, to allow people with a doctor’s certificate to be exempt from the Idling Control By-law;

(b) the matter of whether or not there will be consistency in the Idling Control By-laws of municipalities BE DISCUSSED at the next Board of Control meetings with the area Members of Parliament and the area Members of Provincial Parliament; and,

(c) the attached revised proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on June 29, 2009, to provide for the control of the idling of vehicles; it being noted that the revised proposed by-law incorporates a two (2) consecutive minute time limit in sections 3.1 and 3.2, as well as an amended part 3.2 (j) which reads “Motor Vehicles on days when the ambient outside temperature is more than 27 degrees Celsius (27°C) or less than five degrees Celsius (5°C);

it being also noted that the ETC heard a verbal presentation from J. Stanford, Director of Environmental Programs & Solid Waste, and received written communications from the following individuals with respect to this matter:

* a Municipal Council resolution adopted at its meeting held on May 25, 2009;
* communications dated June 1 and 15, 2009, from K. and K. Lomack, 25 Beattie Avenue;
* a communication dated June 1, 2009 from T. Rutten, #25 – 589 Talbot Street;
a communication dated June 18, 2009 from D. Bonnenfant, Community Health Research Unit, University of Ottawa; and

a communication dated June 22, 2009 from J. Reffle, Director, Environmental Health & Chronic Disease Prevention Services, Middlesex-London Health Unit;

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

- K. Lomack, 25 Beattie Avenue – see attached communication;
- J. Reffle, Director of Environmental Health & Chronic Disease Prevention Services, Middlesex-London Health Unit – expressing support for the Staff recommendation of allowing idling of vehicles for 1 minute; advising that emissions from vehicles lead to smog and causes asthma and other diseases; noting that the young and the old are the most susceptible; advising that people can take steps, both as individuals and as groups, to make a difference; indicating that education and promotion are key factors in managing the reduction of idling of vehicles; and advising that work needs to be done with the London Transit Commission and tour buses;
- C. Morningstar, 69 Trefethen Street and Chair, Advisory Committee on the Environment – see attached presentation;
- K. Sawchuk, Council of Canadians, London Chapter – expressing support for the Staff recommendation and Advisory Committee on the Environment recommendations with respect to actions to be taken during smog days, such as the banning of idling of vehicles, free or reduced rates for transit, the banning of gas lawnmowers; indicating that Toronto only allows vehicles to idle for 10 seconds; and advising that the temperature exemptions allow cars to idle on days when smog is the worst;
- S. O’Neil, Post Carbon London (PCL) – advising that PCL supports the Staff recommendation; indicating that the one minute time limit should be the maximum, not the minimum; indicating that PCL would like to see the limit reduced; advising that it sends the wrong message when you allow idling for more than one minute; advising that CO₂ emissions are high and this causes respiratory illnesses; indicating that this is a lazy waste of valuable resources; indicating that trees are dying due to ground level ozones and CO₂ levels; and advising that he rarely meets people that admit to idling more than three minutes;
- K. Able, 5 Pine Valley Drive – advising that he is glad to hear about the public health issues; advising that his wife has multiple sclerosis and they keep everything at 21°C to assist her; expressing support for the exemptions; asking that people with health concerns be given a sign to put in the vehicle window, like a handicapped sign, to allow the vehicle to idle for an extended period of time;
- B. Frampton, 308 – 90 Highview Avenue East – advising that idling represents 2% of vehicle emissions and is only one factor affecting air quality; advising that a major factor is the air coming from the Ohio Valley; expressing surprise at the amount of public resources being wasted for the study of this by-law;
- T. Rutten, 25 – 559 Talbot Street – advising that Council needs to give serious teeth to the by-law; advising that people have developed poor driving habits over time; and that people are reminded that air quality matters when you give serious teeth to by-laws;
- K. Freeman, 153 – 190 Hamilton Road – advising that drive-thrus and doughnut shops should be included in this by-law;
- D. Durnin, 142 Poplar Grove – indicating that all anti-idling by-laws should be removed; advising that all previous presentations followed the "propaganda" campaign; enquiring as to whether or not Council going to charge the public $50 for doing what they want with their vehicle?; advising that you are taking away someone’s freedom; advising that people are driving their own vehicles, using their own gas; using their air conditioning and it is not rational to penalize a person when there is no benefit; indicating that the City is going to waste a lot of money to advertise the by-law; indicating that the money should be spent on something of value;
- R. Richmond, 50 Dolton Street – advising that he is a parent with three small children; advising that it takes a lot of time to put a child in a car seat; asking everyone to imagine putting a child in a car seat when the temperature is 35°C and you can't run the air conditioning; indicating that this is a frivolous waste of tax payer money and that the money could be better spent filling pot holes; recommending that both new proposed by-laws be defeated and removal of the
existing by-law;

N. Javor, Vice President of Corporate Affairs, Tim Hortons – expressing support for a public education campaign; advising that cars in drive thrus are not in a single location for a long period of time; indicating that the banning of drive thrus will not improve air quality; indicating that Tim Hortons is planning to discuss with CAA the implementation of a message relating to best driving practices as they would like to have a consistent message; advising that a consistent education program will have an impact; indicating that it is in Tim Hortons' best interest to serve more people in the fastest time possible; advising that they are looking into recycling their coffee cups for compost; expressing support for the city staff initiatives; and indicating that Tim Hortons will continue to work city staff; and

D. Szoller, 400 Wilkins Street – see attached presentation. (2009-E02-01)

16TH REPORT OF THE PLANNING COMMITTEE


At 10:10 p.m. Her Worship the Mayor places Councillor Hubert in the Chair and removes herself from the Council Board.

Councillor Branscombe moves that clause 1 be adopted. CARRIED

Clause 1 reads as follows:

1. That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the request from Drewlo Holdings Inc. for the property located at 1128 Fanshawe Park Road West:

(a) the Approval Authority BE REQUESTED to approve the request for a three (3) year extension of the draft plan of subdivision approval for the draft plan of subdivision, as submitted by Drewlo Holdings Inc. (File No. 39T-02509), prepared by Whitney Engineering Inc. (Drawing No. draftplan3.DWG, dated March 11, 2002 and revised April 2003) and certified by Bruce Baker, O.L.S., as red-line amended, which shows a total of 10 single detached residential blocks, five (5) multi-family residential blocks, one (1) walkway block, and several reserve blocks served by a westerly extension of Blackacres Boulevard and two (2) new internal roads SUBJECT TO the conditions contained in the attached Appendix "39T-02509";

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

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<th>Fund</th>
<th>Estimated Revenue</th>
<th>Estimated Claims</th>
<th>Net Impact</th>
<th>Estimated Year Of Payment</th>
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- 21 -

**Urban Works Reserve Fund**

**Owners New Costs**

**Owners Total Cost of Development**

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

**NOTE:**

1) **Estimated Revenues are calculated using current rates. Claims are calculated under the new cost sharing framework and using one of 2 alternative methods for cost sharing under consideration. Estimated claims from the Urban Works Reserve Fund will be in accordance with the new cost sharing framework approved by Council in principle on January 9, 2008.**

2) **Estimates are based on information provided by the applicant and amended as per the draft rules. They do not constitute any commitments on behalf of the City of London. Actual claims will be determined in conjunction with the subdivision agreement and the by-laws. Actual revenues are determined in conjunction with building permits and the by-laws at that time.**

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

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**NOTE:**

1) **Estimates are calculated using current rates and the information is reported in accordance with the development charges and urban works fund by-law (ie. C.P. - 1440-167), and any amendments thereto. Any claim payment from the urban works reserve fund will be in accordance with by-law no. C.P.-1440-167 and as approved by the city engineer.**

2) **Estimates are based on information provided by the applicant and are provided for information purposes only. They do not constitute any commitments on behalf of the City of London. Actual claims will be determined in conjunction with the subdivision agreement and the by-laws. Actual revenues are determined in conjunction with building permits and the by-laws at that time.**

3) **The owner should take note that there are currently significant delays in payment**
4) THE ABOVE CLAIMS/REVENUES ARE BASED ON ESTIMATES USING CURRENT UWRF RULES. FURTHER ESTIMATED CLAIMS/REVENUES BASED ON ANTICIPATED FUTURE RULES MAY VARY SUBSTANTIALLY; it being noted that the revenue/claims information for the various funds was based on the entire draft plan due to the fact that at the time this draft approval request was liaised none of the plan was registered. Since that time, the subdivision agreement for Phase 1 has been registered. Therefore there will be some overlap between the draft plan revenue/claims and subdivision agreement revenue/claims for these lands. (2009-D26-02)

Councillor Branscombe moves that clauses 2 to 5, inclusive, be adopted.

Councillor Branscombe moves, seconded by Councillor Baechler, that clause 2 be amended in part (b) by adding thereto after the words "Advisory Committees" the words ", and the Urban League of London,". CARRIED

The motion to adopt clause 2, as amended, and clauses 3 to 5, inclusive, is put and CARRIED.

Clauses 2, as amended, and clauses 3 to 5 read as follows:

2. That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to proposed amendments to the Site Plan Control By-law:

(a) the report dated June 22, 2009 from the General Manager of Planning and Development BE RECEIVED for information; and

(b) staff BE DIRECTED to circulate the report to industry organizations and the appropriate Advisory Committees, and the Urban League of London, for comment, and to schedule a public participation meeting of the Planning Committee to review the proposed amendments on tree preservation and lighting. (2009-D25-00)

3. That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the report relating to new standards for private street signs and the Council approved street naming guidelines:

(a) the report dated June 22, 2009 BE RECEIVED for information purposes; and

(b) the proposed by-law attached hereto as Appendix "A" BE INTRODUCED at the Municipal Council meeting on June 29, 2009 to amend the Council Approved Street Naming Guidelines (1994) to provide future guidance for private street signage. (2009-D17-00)

4. That the request dated January 28, 2009 by Mr. Charles Miller of Canadian Commercial Development Corp. to have the City assume services in the Fawn Court Subdivision BE REFERRED back to staff to allow for discussions to continue between Mr. Miller and the adjacent subdivision developer, Drewlo Holdings Inc.; it being noted the Planning Committee (PC) heard a delegation from J. Davis, Jack E. Davis Holdings Ltd. representing C. Miller, requesting this matter be referred back to staff so that discussions may continue between themselves and the adjacent developer, Drewlo Holdings Inc.; it being further noted the PC heard a delegation from G. Bikas, Drewlo Holdings Inc., expressing support for the referral back to staff. (2009-D26-02)

5. That, on the recommendation of the General Manager of Planning and Development, the following actions be taken based on the application of Foxhollow Developments Inc. relating to the property located at 1976-2100 Denvieuw Avenue:

(a) the attached proposed by-law BE INTRODUCED at a future meeting of the Municipal Council to amend Zoning By-law No. 2.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R6/R7 (h. h-54 R6-5/R7 H12 D50) Zone and a Holding R5/R6/R7 (h. R5-3/R6-5/R7 H12 D50) Zone to a Residential R6/R7(R6-5/R7 H12 D50) Zone and a Residential R5/R6/R7 (R5-3/R6-5/R7 H12 D50) Zone to remove the
holding provision; and

(b) three readings of the recommended Zoning By-law noted in part (a) above BE WITHHELD until the development agreement has been signed. (2009-D11-03)

Councillor Branscombe moves that clauses 6 to 16, inclusive, be adopted. CARRIED.

Clauses 6 to 16, inclusive, read as follows:

6. That on the recommendation of the General Manager of Planning and Development, the report relating to the Queen’s Park Master Plan BE RECEIVED; it being noted the Planning Committee received and noted communications with respect to this matter from the following:
   • G. Thompson, President, Old East Village Community Association;
   • K. Keane, Chair, Old East Village BIA; and
   • H. Mitchell, CEO, Western Fair Association. (2009-D07-00)

7. That, on the recommendation of the General Manager of Planning and Development, on the advice of the Heritage Planner, the report relating to the consideration of the demolition or designation of the building located at 129-131 Wellington Street BE RECEIVED for information. (2009-D10-00)

8. That the following actions be taken with respect to the report from the General Manager of Planning and Development relating to affordable housing, rental demolitions, condominium conversions and affordability calculations in the City of London:
   (a) the report dated June 22, 2009 BE RECEIVED for information; and
   (b) staff BE REQUESTED to provide a copy of the Ontario Municipal Board decision relating to a condominium conversion in the City of Brantford, as well as a document prepared by the City of St. Thomas with respect to affordable housing targets and condominium conversion policy, as referenced in the report noted in part (a) above, in advance of the forthcoming report from staff relating to Official Plan amendments concerning housing policies. (2009-C03-00)

9. That, on the advice of the General Manager of Planning and Development, the funding applications under the City’s various Targeted Incentive Zone Programs for 204 and 206 Dundas Street BE PROCESSED to recognize two discrete buildings. (2009-A13-00)

10. That, on the recommendation of the London Advisory Committee on Heritage, the following actions be taken with respect to the Ontario Heritage Trust 2009 Heritage Community Recognition Program:
   (a) Mr. F. Armstrong BE NOMINATED for the Lieutenant Governor’s Award for Lifetime Achievement; it being noted that A. McKillop and D. Brock will submit the nomination details for Mr. Armstrong under separate cover; and
   (b) the nomination, noted in (a) above, BE ENDORSED by the Mayor;

it being also noted that the London Advisory Committee on Heritage (LACH) indicated that existing LACH members should not be nominated for Ontario Heritage Trust Awards.

11. 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 St. Joseph’s Health Care requesting permission for an alteration to the designated heritage property located at 859 Wellington Street BE APPROVED; it being noted that the Heritage Planner has reviewed the proposed alteration and has advised that the impact of such alteration on the heritage features of the property identified in the reasons for designation is negligible;

it being pointed out that there were no oral submissions at the public participation meeting held in connection with this matter. (2009-D13-00)
12. That, on the recommendation of the London Advisory Committee on Heritage, notice of the Municipal Council's intention to designate the property located at 205 Victoria Street to be of cultural heritage value or interest BE GIVEN for the reasons under the provisions of subsection 28(3) of the Ontario Heritage Act, R.S.O. 1990, c. O.18; it being pointed out that the owner of the subject property, D. Calore, has concurred in the above recommendation on the understanding that the land to be included in the designation will be as shown on the assessment roll.

13. That no action be taken with respect to clause 4 of the 7th Report of the London Advisory Committee on Heritage relating to the demolition application of 2115 Willson Grove Road; it being noted the Planning Committee’s actions with respect to this matter are noted in clause 17 of this Report.

14. That the Chair of the Planning Committee BE REQUESTED to speak directly with the General Manager of Finance and Corporate Services & Acting City Treasurer with respect to the establishment of a City of London Archive; it being noted the London Advisory Committee on Heritage has requested information as to when the Archive may be implemented.

15. That, on the recommendation of the General Manager of Planning and Development, the following actions be taken based on the application of 843421 Ontario Inc. Nickel & Dime Investments Inc. relating to the property located at 540 First Street:

(a) the BE INTRODUCED at the Municipal Council meeting on June 29, 2009 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands FROM a Light Industrial (LII) Zone which permits a broad range of light industrial uses TO a Holding Light Industrial Special Provision (h--LII( )) Zone to permit a transportation terminal in addition to the existing permitted uses with a special provision to prohibit development including outdoor storage, parking driveways, etc. within 17 metres of any lot line that abuts a residential zone; and

(b) the Civic Administration BE DIRECTED to arrange a public participation meeting of the Planning Committee for consideration of the site plan required for this development;

It being noted that the holding provision shall not be removed and existing and or future buildings shall not be expanded until a public participation meeting for site plan approval is held, and which will address, among other items, issues of access, on-site parking, outdoor storage, buffering and screening;

It being further noted that pursuant to Section 34(17) of the Planning Act, it has been determined that no further notice of the proposed by-law is required;

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

- H. Froussios, representing the applicant and expressing support for the staff recommendation. (2009-D11-02)

16. That the following actions be taken with respect to the application submitted by the Governing Council of the Salvation Army with respect to an application for a demolition permit to demolish the building located at 249-255 Wellington Street, which also includes 264-270 Horton Street East:

(a) a demolition permit BE ISSUED to the Governing Council of the Salvation Army to demolish the building located at 249-255 Wellington Street;

(b) the Civic Administration BE DIRECTED to prepare a By-law for the revocation of the delegated Approval Authority for Site Plan Approval insofar as it applies to the property located at 249-255 Wellington Street for introduction at a future meeting of the Municipal Council;

(c) the Civic Administration BE DIRECTED to arrange a public participation meeting of the Planning Committee for the consideration of the site plan required for the future development of this site;

(d) the site plan required for this development BE FORWARDED to the Urban Design Peer Review Panel for their review and comment; and
the information report from the General Manager of Planning and Development with respect to the heritage attributes of the building located at 249-255 Wellington Street BE RECEIVED;

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

- J. Sheffield, Governing Council of the Salvation Army – representing the applicant and expressing support for the issuance of a demolition application for this property;

it being noted the Planning Committee received and noted a communication from D. A. Soufan with respect to this matter. (2009-D10-00)

Councillor Branscombe moves that clauses 17 to 19, inclusive, be adopted. CARRIED

Clauses 17 to 19 read as follows:

17. That the following actions be taken with respect to the demolition application by Bruynland Farm Inc. relating to a farmhouse on the property located at 2115 Wilton Grove Road:

(a) the Civic Administration BE REQUESTED to work with the owner of the subject property with respect to the possible severance of the site where the farmhouse is located from the surrounding parcel;

(b) should the above noted discussions with the property owner not result in agreement with respect to the severance of the site by July 20, 2009, notice of the Municipal Council's intention to designate the property located at 2115 Wilton Grove Road to be of cultural heritage value or interest BE GIVEN for the attached reasons under the provisions of subsection 28(5) of the Ontario Heritage Act, R.S.O. 1990 c.0.18; it being noted the London Advisory Committee on Heritage has concurred with the reasons prepared; and

(c) the Civic Administration BE REQUESTED to provide concerns raised by the applicant with respect to the adjacent farm operation located at 3700 Old Victoria Road to the Ministry of the Environment for their review;

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

- A. Grainger, representing A. Bruyn, owner of the property, and indicating the demolition of the building is being requested in order to restore the land to agricultural use; noting that they have concerns with respect to the severance of the property given the likelihood of well contamination from practices by the adjacent farm operation located at 3700 Old Victoria Road which have not been rectified to date, and which are adversely affecting the residence on the property; further noting there are concerns with respect to the extensive costs that would be involved in restoring the home to a liveable state, but that they would be agreeable to salvaging as many of the heritage features of the structure as possible. (2009-D10-00)

18. That, on the recommendation of the General Manager of Planning and Development, the revised Terms of Reference, attached hereto as Appendix "B", for the London Psychiatric Hospital Lands Area Plan, BE APPROVED;

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

- C. Wiebe, MHB Planning – representing the landowner, the Ontario Realty Corporation and expressing thanks to staff for their work on the Area Plan to date, and noting this is an exciting area where there can be a mix of land uses and innovative ideas drawn upon from various other North American cities, further noting that the development will be sensitive to and respectful of the designated heritage and cultural heritage features of the site.

- B. Malpass and Mr. Jackson – representing the Fairmont Lawn Bowling Club located at 1414 Dundas Street and noting they were not involved in previous
community meetings held by the Ontario Realty Corporation with respect to plans for future development of the site, but that as close neighbours they are very interested in being engaged in the current Area Plan.

- B. Sexsmith – representing the London Housing Advisory Committee and requesting that they be part of the discussions surrounding the Area Plan; noting that they are concerned this is a developer-led Plan and that it should be an area where there is a mix of housing available for low, medium and moderate incomes as there are enough expensive houses in the City already, further noting that this area was previously named Pottersburg, was outside of the City of London, and has historical significance, that the soccer fields on this site were developed over agricultural fields once used to supply the London Psychiatric Hospital with all its food requirements, and also noting that the Department of Defence owns a portion of these lands on which it stores military equipment, which could be problematic.

- S. Trosow, Chair, London Housing Advisory Committee (LHAC) – noting the LHAC has previously submitted information relating to the provision for more affordable housing through amendments to the City's Official Plan, and that this site presents opportunities for a mix of different types of housing; further noting that there should be actual goals and criteria developed for any affordable housing component within the Area Plan during these preliminary steps, and requesting the LHAC be involved in any Working Groups formed in this regard.

(2009-D11-09)

19. That, on the recommendation of the General Manager of Planning and Development, based on the application of Andy Marshall relating to the property located at 1875 Wharncliffe Road South, the proposed by-law BE INTRODUCED at the Municipal Council meeting on June 29, 2009 to amend Zoning By-law No. Z-1, in conformity with the Official Plan, to extend the Temporary (T-52) Zone to permit a golf driving range and accessory uses, including a 140 m² golf pro shop and a 93 m² golf training facility within an existing building, for a further three (3) year period; it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter. (2009-D11-05)

Councillor Branscombe moves that clause 20 be adopted. CARRIED.

Clause 20 reads as follows:

20. That, on the recommendation of the General Manager of Planning and Development, the report relating to the property located at 300 Marconi Gate and the review of the site plan process BE RECEIVED; it being noted the Planning Committee heard a delegation from J. Matthews, owner of property, noting that he is working closely with staff to implement the conditions of site plan and that judgement with respect to the development may have been made prematurely given that it is not yet complete; further noting he intends to own the property for the long term and will be part of the neighbourhood. (2009-D25-00)

Councillor Branscombe moves that clauses 21 to 31, inclusive, be adopted. CARRIED

Clauses 21 to 31 read as follows:

21. That, on the recommendation of the General Manager of Planning and Development, the report with respect to the application of Peter Sergautis relating to the property located at 660 Sunningdale Road East, located on the northwest corner of Sunningdale Road East and Adelaide Street North (legally described as all of the South Half of Lot 13, Concession 6, (geographic Township of London) BE RECEIVED for information purposes; it being noted the Planning Committee heard a delegation from P. Sergautis expressing his concerns with respect to the application process and requirements for this property, as outlined in his communication dated June 22, 2009 and, included in the Planning Committee Added Agenda, relating to environmental issues, the northwest woodlot, roads and rear lanes, servicing, and the application of the Urban Works Reserve Policy. (2009-D11-07)

22. That, notwithstanding the recommendation of the General Manager of Planning and Development, the application of 911605 Ontario Limited relating to the property located at 1811 and 1817 Commissioners Road East, (Part Lot 10, Concession
it being pointed out that at the public participation meeting associated with this matter, the following individuals made an oral submission in connection therewith:

- L. Kirkness, Kirkness Consulting Inc. – representing the applicants and noting that while they had originally brought forward a proposal for a number of land designations for the site on the basis that Z Group would be proceeding with a draft plan of subdivision on adjacent lands, Z Group is not moving forward at this time so they are only requesting 2 severances on their property in order to settle estate issues, which would not in any way impede future long term development in the area, particularly since the existing access is in the ideal location for access to any future development on the site; further noting they are requesting relief or exemption from fees charged by the Upper Thames River Conservation Authority for the review of this application.

- G. M. Glanville, Mackenzie Lake Lawyers Ltd. - representing the applicants and noting that a severance of at least one of the parcels would have a positive impact on the settlement of estate issues, and providing the attached communication dated June 22, 2009 noting there had been no official request by the applicants to reduce the scope of the application. (2009-D11-05)

23. That a demolition permit **BE ISSUED** to J. Di Pietro to demolish the building located at 4730 Avenue Road. (2009-D10-00)

24. That a demolition permit **BE ISSUED** to D. Pantelis to demolish the residential building located at 1518 Ryersie Road. (2009-D10-00)

25. That a demolition permit **BE ISSUED** to Rez Properties Inc. to demolish the residential building located at 1438 Highbury Avenue North. (2009-D10-00)

26. That a demolition permit **BE ISSUED** to East Village Holdings Limited to demolish the buildings located at 372 Lyle Street and 748 King Street. (2009-D10-00)

27. That a demolition permit **BE ISSUED** to East Village Holdings Limited to demolish the buildings located at 725 Dundas Street, 729 Dundas Street, 387/389 Hewitt Street and 391 Hewitt Street. (2009-D10-00)

28. That the Civic Administration **BE REQUESTED** to provide a status report at a future meeting of the Planning Committee with respect to a previous commitment made by the Forest City Community Church to create a naturalized corridor between their property located at 3924 Colonel Talbot Road and the adjacent woodlots.

29. That the Civic Administration **BE REQUESTED** to report back at a future meeting of the Planning Committee with respect to determining whether there is an ability for street tree planting to proceed in the Uplands Crossing Subdivision, Plan 33M-444, prior to the assumption of the remainder of lands by the City, and to also review concerns relating to the ongoing overland flow issues in this area, which is negatively impacting residents in the Garibaldi Avenue and Blackwater Road area.

30. That the Acting City Clerk **BE REQUESTED** to review the current process utilized to book committee rooms at City Hall in order to ensure that planning consultants are not using City Hall facilities to hold community meetings for the public’s review of their clients’ planning applications, and to report back at a future meeting of the Planning Committee; it being noted there is some confusion in the community when these types of meetings are held at City Hall as they are perceived to be the official statutory meetings.

31. That the monthly report of the Building Division for May 2009 **BE NOTED AND FILED**. (2009-D06-00)

Councillor Armstrong moves, seconded by Councillor Eagle, that leave be given for discussion with respect to the adopted clause 20 of the 16th Report of the Planning Committee. CARRIED.
At 10:21 p.m. Her Worship the Mayor resumes the Chair, and Councillor Hubert takes a seat at the Council Board.

The Chair directs that clauses 32 to 34, inclusive, of Section II be noted. Clauses 32 to 34 read as follows:

32. That the Planning Committee received and noted clauses 6 through 19, inclusive, of the 7th Report of the London Advisory Committee on Heritage from its meeting held on June 10, 2009; it being noted clause 9(b) was amended by changing the time for the plaquing ceremony for Broughdale Hall to 10:00 a.m. from 10:30 a.m.; it being further noted the PC heard a verbal delegation from G. Goodlet, Chair, LACH, with respect to this Report. (See Report attached.)

33. That Councillor J. L. Baechler enquired about the continuing sediment runoff from the property located at 1970 Richmond Street that is having an adverse impact on the neighbouring residents east of this property on Northcrest Drive. The Manager of Site Plan Approvals was asked to communicate with the property owner about resolving this issue as soon as possible and to keep Councillor Baechler apprised of the situation.

34. That Councillor S. Eagle disclosed a pecuniary interest in clauses 1 and 4 of this Report by indicating that a member of her family is employed by Drewlo Holdings Inc.

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

261. Pursuant to section 17.2 of the Council Procedure By-law, Councillor Branscombe calls for a separate vote on clause 5.

The motion to adopt clauses 1 to 8, exclusive of clause 5, is put and CARRIED.

The motion to adopt clause 5 is put and CARRIED.

Clauses 1 to 8 read as follows:

1. That, on the recommendation of the General Manager of Environmental Services & City Engineer, the following actions be taken with respect to the final work program and budget for the London 2030 Transportation Master Plan:

   (a) the inclusion of technical and public consultation enhancements in the final work program BE APPROVED;

   (b) a revised total budget in the amount of $663,099, excluding GST, BE APPROVED;

   (c) an increase in the AECOM consulting assignment from $449,999, excluding GST, to $578,099 excluding GST, and inclusive of a contingency BE APPROVED; and

   (d) the revised financing for the project BE APPROVED as set out in the "Sources of Financing Report" attached hereto as Appendix 'B';

it being noted that the Environment and Transportation Committee heard verbal presentations from the General Manager of Environmental and Engineering Services & City Engineer, the Director of Roads and Transportation, the Director of Wastewater & Treatment and the Division Manager, Transportation Engineering, with respect to this matter.
3. That, on the recommendation of the Director of Roads & Transportation, the following actions be taken with respect to the appointment of consulting engineers for the Hyde Park Road, Sarnia Road, and Sunningdale Road Environmental Assessment Studies:

(a) the following Consulting Engineering firms BE APPOINTED for the said projects, in the amounts identified, in accordance with Schedule “D” Appointment of Consulting Services Policy of Council Policy By-law A-6151-17:

(i) Hyde Park Road (Project TS 1477) - IBI Group, 350 Oxford Street West, Suite 203, London ON, N6H 1T3, in the amount of $313,038.00, exclusive of GST;

(ii) Sarnia Road (Project TS 1484) - Dillon Consulting Ltd., 130 Dufferin Avenue, Suite 1400, London ON, N6A 5R2, in the amount of $139,975.00, exclusive of GST; and

(iii) Sunningdale Road (Project TS 1496) - AECOM Canada Ltd., 285 King Street, Suite 300, London ON, N6B 3M6, in the amount of $310,967.80, exclusive of GST;

(b) the financing for these projects identified in (a) above, BE APPROVED in accordance with the “Source of Financing Report” attached hereto as Appendix “A”;

(c) the consulting fees for the projects identified in (a) above, BE IN ACCORDANCE with the estimates on file, which is based upon the Fee Guideline for Professional Engineering Services 2006, recommended by the Ontario Society of Professional Engineers;

(d) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract with each Consultant for their respective project. (2009-A03-00)

4. That, on the recommendation of the Director of Wastewater and Treatment, the following actions be taken with respect to the appointment of a consultant for pre-design and detailed design of an effluent pumping station for the Pottersburg Pollution Control Plant, (Capital Project ES5164):

(a) AECOM Canada Ltd., 285 King Street, Suite 300, London, ON, N6B 3M6 BE APPOINTED Consulting Engineers for the pre-design and detailed design of an effluent pumping station for the Pottersburg Pollution Control Plant in the amount of $116,215.00, excluding GST, in accordance with Schedule “D” of Council Policy By-law A-6151-17;

(b) the financing for the project BE APPROVED in accordance with the “Sources of Financing Report” attached hereto as Appendix “A”;

(c) the consulting fees for the project, identified in (a) above, BE IN ACCORDANCE with the estimate on file, which is based upon the Fee Guideline for Professional Engineering Services 2006, recommended by the Ontario Society of Professional Engineers;

(d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work. (2009-A03-00)

5. That, on the recommendation of the Director of Wastewater and Treatment, the following actions be taken with respect to the appointment of a consultant for the pre-design of Skyway Industrial Park, Phase 2 (ID1265-1209):

(a) IBI Group, 350 Oxford Street West, Suite 205, London, Ontario, N6H 1T3, BE APPOINTED Consulting Engineers for the pre-design of the Skyway Industrial Park, Phase 2, in the amount of $109,120, excluding GST, in accordance with Schedule “D” of Council By-law A-6151-17;

(b) the financing for the project BE APPROVED in accordance with the “Sources of Financing Report” attached hereto as Appendix “A”;

(c) the consulting fees for the project, identified in (a) above, BE IN ACCORDANCE with the estimate on file, which is based upon the Fee Guideline for Professional Engineering Services 2006, recommended by the Ontario Society of Professional Engineers;
(d) the approvals given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract with the consultant for the work; and,

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

It being recognized that this project would not be undertaken without the stimulus funding for this project having been provided through contributions of both the Canadian Federal Government and the Ontario Provincial Government and that the award of the extension of this contract award is in compliance with the Corporation’s Purchasing By-law and Policy; and,

It being noted that there are no anticipated additional annual operating costs to the Environmental and Engineering Services budget in 2010 or subsequent years, associated with the approval of this contract.

6. That, on the recommendation of the Director of Wastewater and Treatment, the following actions be taken with respect to the appointment of a consultant for the pre-design of Innovation Park, Phase 3 (ID-1168-1239):

(a) AECOM, 285 King Street, Suite 300, London, Ontario, N6B 3M6, **BE APPOINTED** Consulting Engineers for the pre-design of Innovation Park, Phase 3, in the amount of $214,324, excluding GST, in accordance with Schedule “D” of Council By-law A-6151-17;

(b) the financing for the project **BE APPROVED** in accordance with the “Sources of Financing Report” attached hereto as Appendix “A”;

(c) the consulting fees for the project, identified in (a) above, **BE IN ACCORDANCE** with the estimate on file, which is based upon the Fee Guideline for Professional Engineering Services 2006, recommended by the Ontario Society of Professional Engineers;

(d) the approvals given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract with the consultant for the work; and,

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

It being recognized that this project would not be undertaken without the stimulus funding for this project having been provided through contributions of both the Canadian Federal Government and the Ontario Provincial Government and that the award of the extension of this contract award is in compliance with the Corporation’s Purchasing By-law and Policy; and,

It being noted that there are no anticipated additional annual operating costs to the Environmental and Engineering Services budget in 2010 or subsequent years, associated with the approval of this contract.

7. That, on the recommendation of the Director of Wastewater and Treatment, the following actions be taken with respect to the appointment of a consultant for the White Oak Road South Trunk Sanitary Sewer (ES 5246):

(a) Spriet Associates **BE APPOINTED** Consulting Engineers for the White Oak Road South Trunk Sanitary Sewer Project in the amount of $174,130.00, excluding GST, in accordance with Schedule “D” of Council Policy By-law A-6151-17;

(b) the financing for the project **BE APPROVED** in accordance with the “Sources of Financing Report” attached hereto as Appendix “A”;

(c) the consulting fees for the project, identified in (a), above, **BE IN ACCORDANCE** with the estimate on file, which is based upon the Fee Guideline for Professional Engineering Services 2006, recommended by the Ontario Society of Professional Engineers; and

(d) the approvals given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract with the consultant for the work. (2009-A03-00)

8. That, on the recommendation of the Director of Wastewater and
Treatment, the following actions be taken with respect to the appointment of a consulting engineer for the fourth phase of the inspection of trunk sewers (Capital Project ES3067):

(a) Andrews Infrastructure, 222 Laurier Avenue East, 2nd Floor, Suite 200, Ottawa, Ontario, K1N 6P2, BE APPOINTED Consulting Engineers for the inspection, supervision, and preparation of an engineering report for the Trunk Sewer Inspection in the amount of $106,579.00, including contingency, exclusive of GST; in accordance with Schedule “D” of Council Policy By-law A-6151-17;

(b) the financing for the project BE APPROVED in accordance with the “Sources of Financing Report” attached hereto as Appendix A;

(c) the consulting fees for the project, identified in (a) above, BE IN ACCORDANCE with the estimate on file, which is based upon the Fee Guideline for Professional Engineering Services 2006, recommended by the Ontario Society of Professional Engineers; and

(d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work. (2009-A03-00)

Councillor Bryant moves that clauses 9 to 14, inclusive, be adopted. CARRIED

Clauses 9 to 14 read as follows:

9. That, on the recommendation of the Director of Wastewater and Treatment, the following actions be taken with respect to the appointment of a consultant for the Functional and Detailed Design for the Hyde Park Stormwater Management Facility 1B1 (ES3018):

(a) AECOM 285 King Street, Suite 300 London, Ontario, Canada, N6B 3M6 BE APPOINTED Consulting Engineers for the design and supervision of the Hyde Park Stormwater Management Facility 1B1, in the amount of $121,019, excluding GST, in accordance with Schedule “D” of Council Policy By-law A-6151-17;

(b) the financing for the project BE APPROVED in accordance with the “Sources of Financing Report” attached hereto as Appendix A;

(c) the consulting fees for the project, identified in (a) above, BE IN ACCORDANCE with the estimate on file, which is based upon the Fee Guideline for Professional Engineering Services 2006, recommended by the Ontario Society of Professional Engineers; and

(d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work. (2009-A03-00)

10. That, on the recommendation of the Director of Wastewater and Treatment, the following actions be taken with respect to the appointment of a consultant for a Municipal Class Environmental Assessment (EA) Study for Green Valley Storm/Drainage and Stormwater Management (SWM) Remediation Works (ES2462):

(a) Delcan Corporation (Consultant) 1223 Michael Street Suite 100 Ottawa, Ontario, Canada, K1J 7T2 BE APPOINTED Consulting Engineers for the design and supervision of the Green Valley Storm/Drainage and Stormwater Management (SWM) Remediation Works, in the amount of $155,000, excluding GST, in accordance with Schedule “D” of Council Policy By-law A-6151-17;

(b) the financing for the project BE APPROVED in accordance with the “Sources of Financing Report” attached hereto as Appendix “A”;

(c) the consulting fees for the project, identified in (a) above, BE IN ACCORDANCE with the estimate on file, which is based upon the Fee Guideline for Professional Engineering Services 2006, recommended by the Ontario Society of Professional Engineers;

(d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work. (2009-A03-00)
11. That, on the recommendation of the Advisory Committee on the Environment (ACE), the following actions be taken with respect to the Terms of Reference for the ACE:

(a) the composition of Voting Members BE INCREASED from ten to thirteen through additional members-at-large positions;

(b) the Voting Member position of a representative of the University of Western Ontario with expertise in the environmental field BE DELETED; it being noted this position is currently vacant; and

(c) the Non-Voting Resource Group BE AMENDED to include a representative from the Institute of Catastrophic Loss at the University of Western Ontario (UWO) and a representative from the UWO Biotron;

it being noted the Environment and Transportation Committee (ETC) previously received this recommendation at its meeting held on March 23, 2009 and took no action pending a meeting between the Chair of ETC and the ACE; it being further noted this meeting took place on May 13, 2009.

12. That, on the recommendation of the Director, Roads & Transportation, the following actions be taken with respect to the appointment of Consulting Engineers for Highbury Avenue over Thames River, North branch, (TS 1762-460) and Quebec Street over CP Rail (TS 1762-908) Bridge Rehabilitation projects:

(a) Dillon Consulting Limited, 130 Dufferin Avenue, Suite 1400, London, Ontario, N6A 5R2 BE APPOINTED Consulting Engineers for the Highbury Avenue over Thames River (North Branch) bridge rehabilitation in accordance with the estimate on file, at an upset amount of $170,610.00, excluding G.S.T., and in accordance with Schedule "D: Appointment of Consulting Services Policy" of Council Policy By-law A-6151-17; it being noted that this firm has provided a proposal for consulting engineering services based upon the Fee Guideline for Professional Engineering Services 2006, recommended by the Ontario Society of Professional Engineers;

(b) AECOM, 285 King Street, Suite 300, London, Ontario, N6B 3M6 BE APPOINTED Consulting Engineer for the Quebec Street over CP Rail bridge rehabilitation in accordance with the estimate, on file, at an upset amount of $160,859.00, excluding G.S.T., in accordance with Schedule "D: Appointment of Consulting Services Policy" of Council Policy By-law A-6151-17; it being noted that this firm has provided a proposal for consulting engineering services, based upon the Fee Guideline for Professional Engineering Services 2006, recommended by the Ontario Society of Professional Engineers;

(c) the financing for these projects BE APPROVED as set out in the Source of Financing Report attached hereto as Appendix 'A'; it being noted that both are approved Infrastructure Stimulus Funding projects;

(d) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work;

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

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

it being recognized that this work would not have been undertaken without the stimulus funding for this project having been provided through contributions of both the Canadian Federal Government and the Ontario Provincial Government, and that the award of the extension of this contract is in compliance with the Corporations Purchasing By-law and Policy; and,

it being noted that there are no additional annual operating costs to the Environmental and Engineering Services Department budget in 2010 and subsequent years associated with approval of these consultant appointments. (2009-A03-00)

13. That clause 2 of the 7th Report of the Advisory Committee on the
a public participation meeting BE HELD at the Environment and Transportation Committee meeting to be held on July 20, 2009 with respect to the potential phase-out of the use of plastic bags and the phase-in of the use of kraft paper bags to contain curbside yard materials by January 1, 2010; it being noted that during the first half of 2010 there will be additional short-term accommodation to assist residents that make an error;

(b) the discontinuation of the use of the TRY Recycling Inc. facility at 3544 Dingman Drive as a drop off location for yard materials for the City of London residents BE APPROVED; it being noted this will reduce processing costs to the City;

(c) the use of the TRY recycling facility at 3544 Dingman Drive as a transfer station for curbside collected yard materials BE AUTHORIZED; it being noted that the use of this facility will be limited to situations which reduce overall collection costs;

(d) the Civic Administration BE DIRECTED to prepare amendments to the Waste Management Fees & Charges By-law to remove the $1 per bag charge for leaves that are delivered to the Community EnviroDepots in the Fall for Council’s consideration;

(e) the Civic Administration BE REQUESTED to develop an enhanced communications strategy using the Waste Reduction & Conservation Calendar as a focal point for the potential changes to container type including increased information on home composting; and,

(f) the Civic Administration BE REQUESTED to review, and report back in the Fall of 2009, with respect to the frequency of yard material collection, alternatives to collection, and any potential budget implications;

The Chair directs that clauses 16 to 29, inclusive, of Section II be noted. Clauses 16 to 29 read as follows:

16. That the Environment and Transportation Committee received and noted the 7th Report of the Transportation Advisory Committee from its meeting held on June 2, 2009. (See Report attached.)

17. That the Environment and Transportation Committee received and noted the 5th Report of the Trees and Forests Advisory Committee from its meeting held on May 27, 2009. (See Report attached.)

18. That the Environment and Transportation Committee received and noted the 6th Report of the Animal Welfare Advisory Committee from its meeting held on May 26, 2009. (See Report attached.)

19. That the Environment and Transportation Committee reviewed and received a Municipal Council resolution, adopted at its meeting held on May 25, 2009, with respect to the annual delivery of the Corporate Energy Management Program Report.

20. That the Environment and Transportation Committee reviewed and received a Municipal Council resolution, adopted at its meeting held on May 25, 2009, with respect to traffic concerns relating to Derwent Road and Fanshawe Park Road West.
21. That the Environment and Transportation Committee heard a verbal presentation and reviewed and received an information report dated June 22, 2009 from the Division Manager of Wastewater and Treatment with respect to the 2008 wastewater treatment effluent and operation summary. (2009-W06-00)

22. That the Environment and Transportation Committee reviewed and received a communication dated June 1, 2009 from R. A. Fowler, Ontario Property and Environmental Rights Alliance, with respect to the species habitat regulations emerging from the Endangered Species Act (ESA), 2007. (2009-E03-00)

23. That the Environment and Transportation Committee (ETC) heard a verbal presentation and received a communication dated June 11, 2009 from H. Savehilaghi, President, London Taxi Association, and a communication dated June 22, 2009 from B. Rice, Division Manager, Checker Limousine, with respect to the requirement for the installation of security cameras in taxicabs and accessible taxicabs. The ETC referred the communications to the Acting City Clerk to report back with a comprehensive report related to taxicab/limousine issues, including the reasons that limousines were exempted from the requirement to install security cameras in their vehicles; it being noted the report is required as soon as possible, as the security cameras are to be installed in taxicabs by October, 2009. (2009-P10-02)

24. That the Environment and Transportation Committee heard a verbal presentation and reviewed and received a communication dated June 2, 2009 from L. Ducharme, General Manager, London Transit Commission, with respect to transit service to the Lambeth area. (2009-S10-00)

25. That the Environment and Transportation Committee (ETC) reviewed and received a communication dated June 2, 2009 from J. Baker, Department of Sociology, University of Toronto, with respect to a request to allow motorcycles and motor scooters to park for free at the curb and in city-owned parking lots; it being noted that the ETC heard verbal presentations from the Director of Roads and Transportation and the Division Manager of Parking and Traffic Signals with respect to this matter. (2009-S04-00)

26. That the Environment and Transportation Committee (ETC) received and noted clauses 3 to 9, inclusive, of the 7th Report of the Advisory Committee on the Environment (ACE) from its meeting held on June 3, 2009; it being noted that a verbal presentation was not heard from a representative of the ACE. (See Report attached.)

27. That the Environment and Transportation Committee received a communication dated June 13, 2009 from B. Scrinko, Co-Chair, Richmond Row Association, with respect to the Associations’ request for parking signs on Richmond Street. The ETC asked the Director of Roads and Transportation to report back, upon completion of the construction on Richmond Street, with possible locations and costs, for the placement of parking signs on Richmond Street.

28. That the Environment and Transportation Committee (ETC) heard a verbal presentation from Councillor W. J. Armstrong with respect to a recent accident on Veterans Memorial Parkway (VMP) and concerns about the width of the shoulders on VMP. The ETC asked Councillor Armstrong to advise the constituent of the discussion that was held at the ETC meeting.

29. That the Environment and Transportation Committee (ETC) received an enquiry from Councillor R. Caranci with respect to a discrepancy in water meter readings when the outside water meter has been replaced. The ETC asked the General Manager of Environmental and Engineering Services & City Engineer to report back with respect to this matter.

11TH REPORT OF THE
COMMUNITY AND PROTECTIVE SERVICES COMMITTEE

262. Councillor Usher presents the 11th Report of the Community and Protective Services Committee.

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

1. That, on the recommendation of the General Manager of Planning and Development, a by-law BE INTRODUCED at a future meeting of the Municipal Council, following receipt of the Service Manager Administration Agreement with respect to the 2009 Economic Action Plan Components of the Canada-Ontario Affordable Housing Program from the Province of Ontario, to approve the Service Manager Administration Agreement and to authorize the Mayor and the City Clerk to execute the said Agreement. (2009-C03-00)

2. That the following actions be taken with respect to the Task Force on Community Health and Mental Health Issues:
   (a) the Task Force terms of reference BE REVISED to reflect a total of eight citizen members, rather than five citizen members; and
   (b) subject to the approval of (a), above, the following applicants BE APPOINTED to the Task Force: Walter Chmiel, Brenda Elliot-Gibbs, Helen Martin, Kathy Peters, Gordon Rogerson, Margery Sherritt, Marvin Simner and John Walsh; and,

   It being noted that the CPSC reviewed and received an information report from the General Manager of Community Services with respect to this matter. (2009-G02-00)

3. That, on the recommendation of the General Manager of Community Services, on the advice of the Dearness Home Administrator, the following actions be taken with respect to the 2008-2009 Annual Reconciliation Reports for the Dearness Home – Adult Day Program:
   (a) the 2008-09 Annual Reconciliation Reports for the Dearness Home – Day Program (attached as Appendix A) BE APPROVED for submission to the Ministry of Health and Long-Term Care and the South West Local Health Integration Network as per legislation; and
   (b) the Mayor BE AUTHORIZED to sign the reports noted in (a), above;

   It being noted that:
   - the Program is funded by Provincial dollars and client fees;
   - the standard report form from MOHLTC does not recognize the primacy of City Council for the operation of the Dearness Home;
   - the Civic Administration has made manual edits to the form to accommodate a signature by the Mayor, upon approval by City Council. (2009-C11-00)

4. That, on the recommendation of the General Manager of Community Services, the following actions be taken with respect to the potential impacts of the direction of the Province of Ontario to implement a Harmonized Sales Tax (HST), effective July 1, 2010:
   (a) the Mayor BE REQUESTED to write to the Premier of Ontario to urge the Provincial Government to ensure that the following measures be included in the implementation of the HST:
      (i) exemption for children’s sport and recreation programs (under age 14);
      (ii) fully refundable sport and recreation tax credits for low income families;
      (iii) exemption for programs serving low income and/or disabled individuals; and,
      (iv) rebate programs for non-profit community and sport organizations that rent facilities and services, for the purpose of recreation;

      It being noted that failure to implement these measures will increase the cost of accessing local sport and recreation programs by $1M in London; it being further noted that many local sport groups are looking to the City to absorb these increased costs; and
(b) copies of the above-noted correspondence **BE SENT** to area MPPs, the Association of Municipalities of Ontario and Parks and Recreation Ontario. (2009-F16-00)

5. That, on the recommendation of the General Manager of Community Services, the following actions be taken with respect to the 2010 Torch Relay Grant Application:

(a) the **attached** proposed by-law (Appendix A) **BE INTRODUCED** at the Municipal Council meeting being held on June 29, 2009, to authorize the Mayor and Acting City Clerk to execute the Delegation of Signing Authority to authorize the Manager of Special Events and Community Rentals to execute the application, **attached** as Schedule A to the by-law; and

(b) the Manager of Special Events and Community Rentals **BE DIRECTED** to prepare an application to Her Majesty the Queen in Right of Canada (Department of Canadian Heritage) for a maximum grant of $15,000.00 to support the participation of the general public in the Olympic Torch Relay celebrations, including the documents attached to the by-law noted in (a) above, which includes a waiver form indemnifying and holding harmless the Crown, and to execute and submit the application and documents on behalf of The Corporation of the City of London. (2009-F12-00)

6. That, on the recommendation of the General Manager of Community Services, the following actions be taken with respect to the Wreckless Crew street closure request:

(a) Wreckless Crew Productions (WCP) **BE ADVISED** that, pursuant to the Streets By-law, WCP would have to seek the City Engineer’s approval to temporarily close vehicular traffic the portion of King Street between Clarence Street and Richmond Street to allow for the set up/tear down and execution of the event “Hip Hop the Block”;

(b) the City Engineer **BE ADVISED** that Council does not object to the closing of the street in (a), above, subject to any requirements of the City Engineer including, but not limited to, insurance, indemnification, waiver of liability, notification to surrounding properties, requiring continued access to abutting properties, and security;

(c) WCP **BE ADVISED** that, pursuant to the new Noise By-law PW-12, effective July 1, 2009, WCP may apply for a temporary noise permit from the Manager of By-law Enforcement for amplified noise up to 11 p.m.;

(d) any approvals pursuant to the Streets By-law or permits pursuant to the Noise By-law considered in accordance with items (a) or (c) above **BE CONSIDERED** on a one-year trial basis with respect to this event;

(e) the street closure request, noted in (a) above, **BE LIMITED** to hours exclusive of the regular hours of operation of existing retail businesses located on King Street, to allow traffic, parking and pedestrians to be unimpeded during regular retail hours of operation; and,

(f) WCP **BE REQUIRED** to hire off-duty City police officers for security, during the event;

it being noted that the Community and Protective Services Committee (CPSC) received the **attached** submission and verbal presentation from P. Caplan, Novacks, and received a verbal presentation from N. Andrews, Co-President/General Manager, Wreckless Crew Productions, with respect to this matter. (2009-S06-00)

7. That, on the recommendation of the General Manager of Community Services, the Mayor **BE REQUESTED** to forward a communication to the Honourable Jason Kenney, Minister of Citizenship and Immigration Canada, requesting that Local Immigration Partnership funding be immediately released to the municipalities;

it being noted that:

- Local Immigration Partnerships were developed between the Federal Ministry of Citizenship and Immigration Canada, the Provincial Ministry of Citizenship and Immigration and the Association of Municipalities of Ontario (AMO), for communities to develop a collaborative framework to facilitate the development and
implementation of sustainable local and regional solutions for successful integration of immigrants to Ontario;
- projects have been approved by Citizenship and Immigration Canada, contracts had been sent and then the funding process was halted; and
- our community is ready to move forward on the activities outlined in the partnership project proposal and requires the funding to continue the implementation of this important next step in supporting immigrants in our community. (2009-C14-00)

8. That the proposed by-law to amend By-law No. PR-2, "A by-law relating to the use, protection and regulation of public parks and recreation areas in the City of London", BE REFERRED to the Civic Administration, to report back at a future meeting of the Community and Protective Services Committee with respect to the following:

(a) additional clarification as to the measurement and/or frequency of the prohibited feeding in the proposed amendments to Sections 3.1 and 5.4 of By-law PR-2;
(b) clarification of the proposed restrictions relating to Environmentally Significant Areas and/or parks areas; and
(c) information related to programs and practices implemented in other municipalities;

it being noted that the Community and Protective Services Committee received a verbal report and video presentation from O. Katolyk, Manager of By-law Enforcement and received the submission from G. Lightfoot, 170 St. Bees Close, with respect to this matter. (2009-P04-00)

Councillor Armstrong moves that clause 9 be adopted. CARRIED

Clause 9 reads as follows:

9. That the request of the London Optimist Sport Centre for an amendment to the City funding commitment, in the amount of an additional $615,000, for the proposed London Optimist Sports Centre expansion BE REFERRED to Civic Administration to provide additional information at the next meeting of the Community and Protective Services Committee, scheduled for July 20, 2009, with respect to the following:

(a) clarification of outstanding planning issues and/or applications related to the subject site or neighbouring properties;
(b) the potential impact on future planning applications or development on neighbouring properties should the expanded facility proceed;
(c) identification of sources of financing for the additional request, if approved;
(d) additional information related to projected usage demand for an expanded facility, and the potential impacts on existing private facilities, if applicable; and,
(e) comment from the City Solicitor's Office related to the above-noted matters;

it being noted that the Community and Protective Services Committee received a verbal presentation from T. Partalas, President, London Optimist Sports Centre, A. Suffoletta, F. Benenati, A. Choy, London Optimist Sports Centre and J. Barbow, Contractor, and received an information report from the General Manager of Community Services with respect to this matter. (2009-F12-00)

Councillor Usher moves that clauses 10 and 11 be adopted. CARRIED

Clauses 10 and 11 read as follows:

10. That part (a), of clause 1, of the 4th Report of the London Housing Advisory Committee (LHAC) BE DELETED and the remainder of the clause remain as follows:

1. That the London Housing Advisory Committee BE ADVISED of all meetings
it being noted that the LHAC reviewed and received a Notice, including Draft Terms of Reference, dated May 5, 2009, from the General Manager of Planning and Development, with respect to an application submitted by the Ontario Realty Corporation (Government of Ontario) related to the London Psychiatric Hospital lands bounded by Oxford Street East, Highbury Avenue North, Dundas Street and existing development west of First Street and a communication from MHBC with respect to this matter;”

it being further noted that Draft Terms of Reference for the Area Plan were presented to the Planning Committee on June 22, 2009; it being also noted that B. Sexsmith, Member, LHAC, made a verbal presentation with respect to this matter.

11. That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to Off-Reserve Aboriginal Housing:

(a) the following incentives with respect to proposed submissions to the Off-Reserve Aboriginal Housing Program BE APPROVED, conditional upon approval by the Ontario Aboriginal Housing Support Services Corporation and conditional upon Council approval of an associated Official Plan and Zoning By-law amendment application:

(i) At'cho Na Native Family Healing Services Inc. receive a municipal allocation of $15,000 per unit for twelve (12) AHP housing units for a total municipal allocation of $180,000, for the proposed project located at 219 St. George Street; and

(ii) London Native Inter-Tribal Housing Co-operative receive a municipal allocation of $15,000 per unit for twenty-nine (29) AHP housing units for a total municipal allocation of $435,000 plus the purchase/lease of City-owned land at 122 Baseline Road West for the proposed project located at 122 Baseline Road West;

(b) the projects noted in (a), above, BE APPROVED subject to the attached Source of Financing.

The Chair directs that clauses 12 to 24, inclusive, of Section II be noted. Clauses 12 to 24 read as follows:

12. That the Community and Protective Services Committee (CPSC) heard a verbal presentation from H.L. Usher, Chair, Dearness Home Committee of Management, with respect to the Dearness Home Compliance Report for the period of November 1, 2008 to April 30, 2009. The Chair noted the following actions had been taken by the Committee of Management, on the recommendation of the General Manager of Community Services, with the advice of the Dearness Home Administrator:

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

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

it being noted the CPSC recessed from 4:15 p.m. to 4:24 p.m. to convene as the Dearness Home Committee of Management. (2009-C11-00)

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

14. That the Community and Protective Services Committee (CPSC) received and noted the 5th Report of the Accessibility Advisory Committee from its meeting held on May 28, 2009. (See Report attached.)
15. That the Community and Protective Services Committee (CPSC) received and noted the 3rd Report of the Child Care Advisory Committee from its meeting held on May 27, 2009. (See Report attached.)

16. That the Community and Protective Services Committee (CPSC) received and noted the 5th Report of the Community Safety and Crime Prevention Advisory Committee from its meeting held on May 28, 2009. (See Report attached.)

17. That the Community and Protective Services Committee (CPSC) reviewed and received an information report from the General Manager of Community Services with respect to release procedures for summer day camps and neighbourhood playground programs. (2009-C18-00)

18. That the Community and Protective Services Committee (CPSC) reviewed and received written communications from the Ministry of Municipal Affairs and Housing as follows:

(a) a communication dated June 9, 2009 from J. Watson, Minister, with respect to the new social and affordable housing programs; and

(b) a communication dated June 16, 2009 from K. Blinkhorn, Assistant Deputy Minister, with respect to the confirmation of the Social Housing Renovation and Retrofit Program notional allocation. (2009-C03-00)

19. That the Community and Protective Services Committee (CPSC) received the attached presentation from J. Monteith, C. Tucker-Reid and S. Langlois, Monteith Brown Planning Consultants, as well as an information report from the General Manager of Community Services, with respect to the draft Parks and Recreation Strategic Master Plan; it being noted that a public participation meeting will be scheduled for the September 14, 2009 meeting of CPSC to receive input on the draft plan. (2009-E06-00)

20. That the Community and Protective Services Committee (CPSC) received and noted clauses 2 to 10, inclusive, of the 4th Report of the London Housing Advisory Committee from its meeting held on June 10, 2009. (See Report attached.)

21. That the Community and Protective Services Committee (CPSC) reviewed and received an information report from the General Manager of Community Services, General Manager of Planning and Development and General Manager of Environmental and Engineering Services and City Engineer with respect to the city-wide Stronger Neighbourhoods Strategy update and received the attached presentation from the Director of Neighbourhoods and Children's Services, Director of Environmental Programs and Solid Waste, Manager of Implementation and Manager of Land Use Planning Policy with respect to this matter; it being noted that C. Zolotar, C. Halford and B. Gow, Members, Resident Task Force, also advised the CPSC of the successes of the initiative to-date. (2009-D07-00)

22. 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 National Youth Week outcomes; it being noted that the CPSC received the attached presentation from S. Howlett and T. Chartrand, Co-Chairs, London Youth Council, with respect to this matter. (2009-C06-00)

23. 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 update on the status of the Thames Pool revitalization project.

24. That the Community and Protective Services Committee (CPSC) reviewed and received a communication, dated June 17, 2009, from the General Manager of Community Services with respect to the cessation of the agreement with the London Harm Reduction Coalition as it relates to the London CAREs initiative.
Councillor Branscombe presents the 5th Report of the Services Review Committee.

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

Councillor Branscombe moves, seconded by Councillor Baechler, that clause 9 be amended to read as follows:

"9. That the terms of reference for the Services Review Committee BE REVISED to include an additional three Council Members to serve as Alternate Members to the SRC, and the Acting City Clerk BE REQUESTED to canvass the Members of Council to see who might be interested in serving in this capacity." CARRIED

Clauses 1 to 8 and clause 9, as amended, read as follows:

1. That the Civic Administration BE REQUESTED to report back at a future meeting of the Services Review Committee (SRC) with respect to the availability of electronic records and digitized archived records to the public for a fee, as well as the experiences and the practices of other municipalities with respect to digitized records.

2. That the Civic Administration BE REQUESTED to report back at a future meeting of the Services Review Committee with respect to the enforcement options related to the condition of construction sites, subdivisions and other development areas (fill, sediment, debris and general appearance), particularly during extended breaks in construction activity.

3. That the Civic Administration BE REQUESTED to report back at a future meeting of the Services Review Committee with respect to the steps required (including resource allocation) to maintain pedestrian pathways throughout the year, to allow for year-round usage by bicycles and pedestrians.

4. That the Civic Administration BE REQUESTED to report back at a future meeting of the Services Review Committee with respect to an analysis of the access and utilization of parks and recreation programs and facility allocation based upon gender and other demographics, including the methodology for program development and promotion.

5. That the Civic Administration BE REQUESTED to report back to the Services Review Committee, as soon as possible, with respect to the resources required to complete the current reactive maintenance of mature trees, as a result of recent harsh weather conditions, and the re-implementation of the block tree maintenance program for young trees for the structural adjustments to assist in the prevention of future maintenance on the trees as they mature.

6. That the Civic Administration BE REQUESTED to report back at a future meeting of the Services Review Committee with respect to the advantages, disadvantages and feasibility of revising the service delivery model related to public housing, so that it is entirely within City’s services ("in-house"), including information with respect to the experience of other municipalities that have taken this approach.

7. That the Civic Administration BE REQUESTED to report back at a future meeting of the Services Review Committee with respect to available options for eliminating geographical concentrations of rent-g geared-to-income (RGI) units by relocating units throughout the City, including a projected timeframe and an identification of the required resources to achieve the above.

8. That the following actions be taken with respect to establishing a full service corporate communications function:

(a) the Director of Corporate Communications BE REQUESTED to report back at a future meeting of the Services Review Committee (SRC) with respect to a re-evaluation of the proposed organizational structure for Corporate Communications, including the ratio of management to non-management staff, and service measurables for the proposed structure,

(b) the proposed reinvestment of funds for the year 2010 BE REFERRED to the 2010
it being noted that the SRC received the attached presentation from E. Gamble, Director, Corporate Communications, and T. Johnson, Director, Corporate Management Support, with respect to the Corporate Communications function.

9. That the terms of reference for the Services Review Committee BE REVISED to include an additional three Council Members to serve as Alternate Members to the SRC, and the Acting City Clerk BE REQUESTED to canvass the Members of Council to see who might be interested in serving in this capacity;

it being noted that the current membership for the SRC is ten members, requiring six in attendance for quorum, and that attaining and maintaining quorum in meetings has been problematic; it being further noted that there will be several SRC meetings scheduled in the Fall of 2009 for the SRC so it is important to resolve the quorum issues as quickly as possible.

Councillor Branscombe moves that clause 12 be amended in part (b) by deleting the name and title “P. McNally, General Manager of Environmental and Engineering Services and City Engineer” and by substituting therefor the name and title “R. Panzer, General Manager of Planning and Development”. CARRIED.

The Chair directs that clauses 10, 11, 12, as amended, and clauses 13 to 20, inclusive, of Section II be noted. Clauses 10, 11, 12, as amended, and clauses 13 to 20, inclusive, read as follows:

<table>
<thead>
<tr>
<th>10.</th>
<th>That the Services Review Committee (SRC) received the attached presentations for the Culture Category from the following:</th>
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<tbody>
<tr>
<td>(a)</td>
<td>G. Roberts, Director of Finance, Museum London, and T. Johnson, Director – Corporate Management Support with respect to Museum London;</td>
</tr>
<tr>
<td>(b)</td>
<td>G. Barrett, Manager, Land Use Planning Policy with respect to Heritage; and</td>
</tr>
<tr>
<td>(c)</td>
<td>S. Hubbard-Krimmer, Chief Executive Officer, and B. Jessop, Director, Financial Services, London Public Library with respect to Library Services;</td>
</tr>
</tbody>
</table>

it being noted that the SRC held a general discussion with respect to measurable outcomes for services, partnerships, revenue streams and legislation affecting services in the Culture Category.

<table>
<thead>
<tr>
<th>11.</th>
<th>That the Services Review Committee (SRC) received the attached presentations related to Environmental Services, specifically Environmental Stewardship and Garbage, Recycling and Composting, from P. McNally, General Manager of Environmental &amp; Engineering Services and City Engineer and J. Stanford, Director – Environmental Programs &amp; Solid Waste;</th>
</tr>
</thead>
</table>

it being noted that the General Manager Environmental & Engineering Services and City Engineer was requested to report back to the Board of Control with respect to policies and suggestions to enhance and increase opportunities to leave cars at home and promote physical activity at City Hall; it being further noted that technological advances and implementation practices in other municipalities, related to environmental matters, were requested to be included in future business plans.

<table>
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<tr>
<th>12.</th>
<th>That the Services Review Committee (SRC) received the attached presentations related to Protective Services, from the following:</th>
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<tbody>
<tr>
<td>(a)</td>
<td>J. Stanford, Director – Environmental Programs &amp; Solid Waste with respect to Animal Services;</td>
</tr>
<tr>
<td>(b)</td>
<td>R. Panzer, General Manager of Planning and Development; and,</td>
</tr>
<tr>
<td>(c)</td>
<td>D. O’Brien, Division Manager, Corporate Security and Emergency Management, with respect to Emergency &amp; Security Management;</td>
</tr>
</tbody>
</table>
it being noted that the SRC held general discussions with respect to additional information to make available to the public on the City website, the Downtown Camera Program, improving communication to the public related to the City's emergency preparedness and how public policy decisions influence emergency response.

13. That the Services Review Committee (SRC) received a verbal presentation from P. McNally, General Manager of Environmental & Engineering Services and City Engineer, and D. Leckie, Director of Roads and Transportation, with respect to transportation services; it being noted that the SRC had recently received a comprehensive presentation with respect to this matter; it being pointed out that there are no new services being contemplated in this area, only consideration of opportunities for efficiencies within existing resources, and/or the reduction or elimination of services.

14. That the Services Review Committee (SRC) received the attached presentations for the Parks and Recreation Category from the following:
   (a) R.L. Fair, General Manager, Community Services, L. Livingstone, Director, Neighbourhood & Children Services and W. Coxhead, Director, Parks & Recreation, with respect to Neighbourhood and Recreation Services; and
   (b) D. Leckie, Director, Roads and Transportation, J. Parsons, Division Manager, Transportation and Roadside Maintenance and A. Macpherson, Manager, Parks Planning and Design, with respect to Parks & Urban Forestry;

it being noted that the SRC held a general discussion with respect to how the Parks & Urban Forestry function is "entangled" between three divisions, and that this service is currently undergoing a review by Management Support and Audit Services.

15. That the Services Review Committee (SRC) received the attached presentations for the Social & Health Services category:
   (a) L. Stevens, Director, Municipal Housing, with respect to Housing;
   (b) D. Bedard, Director Dearness Services, with respect to Long-term Care; and,
   (c) C. Howard, Director, Social & Community Support Services, with respect to Social Services;

it being noted that the SRC held general discussions related to the level of provincial funding for various programs, as well as the potential de-centralization of social services administration.

16. That the Services Review Committee (SRC) received the attached presentations for the Utilities Services category:
   (a) P. McNally, General Manager Environmental & Engineering Services and City Engineer, with respect to Water/Wastewater; and,
   (b) R. Standish, Director - Wastewater and Treatment, with respect to Sewage Treatment;

it being noted that the SRC discussed the relationship of the above-noted services, with respect to the Development Approvals Business Unit.

17. That the Services Review Committee (SRC) received the attached presentation from J. Kobarda, Fire Chief, D. Kitterman, Deputy Fire Chief and G. Francis, Manager II - Finance & Planning, Fire Services, with respect to Fire Services.

18. That the Services Review Committee (SRC) received a verbal report and the attached information from W.M. Faulkner, Chief of Police, I. Peer, Deputy Chief, and K. Darling, Director, Financial Services, London Police Service; it being noted that the Police Chief outlined a restructuring of the beat patrol aimed at increasing the number of officers "on the street", at nominal expense.

19. That the Services Review Committee (SRC) deferred consideration of Planning & Development Services to a future meeting.
20. That the Services Review Committee (SRC) requested the Committee Secretary to canvass the SRC Members for their availability in order to arrange a series of four meetings in September 2009, to complete additional service reviews in advance of the 2010 Budget process.

Councillor Miller moves, seconded by Councillor Baechler, that Council rise and go into Committee of the Whole, in camera, for the purpose of considering the following:

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

(b) a matter pertaining to litigation or potential litigation affecting the municipality and to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, regarding a Notice of Appeal to the Office of the Mining and Lands Commissioner pursuant to subsection 27(8) of the Conservation Authorities Act regarding the new administration building capital levy imposed by The Upper Thames River Conservation Authority and a request for a review filed with the Ontario Municipal Board under subsection 25(2) of the Conservation Authorities Act for the apportionment by the Upper Thames River Conservation Authority for a new administration building;

(c) a matter pertaining to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality and advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

(d) a matter pertaining to personal matters involving an identifiable individual who is a municipal employee with respect to an employment related matter;

(e) a matter pertaining to personal matters involving an identifiable individual with respect to an employment related matter;

(f) a matter pertaining to advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations and personal matters relating to identifiable individuals who are municipal employees;

(g) a matter pertaining to litigation or potential litigation with respect to property located at 1156 Dundas Street East and an application commenced in the Ontario Superior Court of Justice (Commercial List-Toronto) under Court File No. 06-CL-6620, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and for the purpose of giving directions or instructions to officers, employees or agents of the municipality;
(h) 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.

The Council rises and goes into the Committee of the Whole, in camera, at 10:31 p.m. with Deputy Mayor Gosnell in the Chair and all Members present except Controller Polhill and Councillor Orser.

At 10:40 p.m. Controller Polhill enters the meeting.

At 10:47 p.m. Mayor DeCicco-Best, Councillor MacDonald and all staff except R.L. Fair, P. McNally, J. Barber, V. McAlea-Major, J.C. Purser, L.M. Rowe and B. Westlake-Power leave the meeting.

At 10:50 p.m. Mayor DeCicco-Best enters the meeting.

The Committee rises and Council resumes in regular session at 10:50 p.m. with Mayor DeCicco-Best in the Chair and all Members present except Councillors MacDonald and Orser.

20TH REPORT OF THE COMMITTEE OF THE WHOLE


264. I YOUR COMMITTEE OF THE WHOLE REPORTS:

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

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

(a) the offer from Jackson Land Corporation to sell to the City a portion of land fronting on the north side of Evans Boulevard, immediately west of the stormwater management facility and south of Meadowgate Park, having an area of approximately 2.7 hectares (6.77 acres), being Part of Block 58, Plan 33M-528, more particularly described as Part 2, on the Draft Reference Plan (to be deposited) No. C-1314 dated February 18, 2009 prepared by Callon and Dietz, for a consideration of $1,523,000, BE ACCEPTED, subject to the following condition:

(i) the City, within thirty (30) days from acceptance, to satisfy itself as to the soil and environmental conditions of the property;

(b) the Mayor and the Acting City Clerk BE AUTHORIZED to execute this offer to purchase land from Jackson Land Corporation, for the purpose of constructing a future community centre; and

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

2. That, as a procedural matter pursuant to Section 239 (6) of the Municipal Act, 2001, the following recommendation be forwarded to City Council for deliberation and a vote in public session:
That, on the recommendation of the General Manager of Finance and Corporate Services and Acting City Treasurer, on the advice of the Manager of Realty Services, the offer submitted by Fernanda Isabel Duarte, to sell to the City property municipally known as 270 Hale Street, located on the east side of Hale Street south of Trafalgar Street, being Lot 3, Plan 790, measuring approximately 50' X IRREG', for the Hale/Trafalgar/CN Rail Grade Separation Project, for the sum of $182,500, **BE ACCEPTED**, and that the Mayor and the Acting City Clerk **BE AUTHORIZED** to execute the Agreement of Purchase and Sale, subject to the following conditions:

(a) the City agreeing to pay the vendor's reasonable legal fees to close this transaction and purchase of the replacement residence up to a maximum of $1,200.00, subject to assessment;

(b) the City agreeing to pay a further sum of $2,500.00 representing full and final disturbance costs; and

(c) the vendor shall have permission to live at the subject premises at no additional rental fee until August 23, 2009, notwithstanding the closing date of the sale;

(d) the financing for this acquisition **BE APPROVED** as set out in the Sources of Financing Report attached hereto as Appendix "A".

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

That, on the recommendation of the City Solicitor, the following actions be taken:

(a) the **attached** Interim Minutes of Settlement between The Corporation of the City of London, the Municipality of Thames Centre and the Upper Thames River Conservation Authority **BE APPROVED**; and,

(b) the Mayor and the Acting City Clerk **BE AUTHORIZED** to execute the Interim Minutes of Settlement referred to in (a) above.

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Deputy Mayor Gosnell presents the 20th Report of the Committee of the Whole.

Deputy Mayor Gosnell moves, seconded by Councillor Usher, 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 clauses 1 to 3, inclusive, of the 20th Report of the Committee of the Whole. **CARRIED**

Deputy Mayor Gosnell moves, seconded by Controller Polhill, that the following recommendations be approved:

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

That, on the recommendation of the General Manager of Finance and Corporate Services and Acting City Treasurer, with the concurrence of the General Manager of Community Services, on the advice of the Manager of Realty Services, the following actions be taken:

(a) the offer from Jackson Land Corporation to sell to the City a portion of land fronting on the north side of Evans Boulevard, immediately west of the stormwater management facility and south of Meadowgate Park, having an area of approximately 2.7 hectares (6.77 acres), being Part of Block 58, Plan 33M-528, more particularly described as Part 2, on the Draft Reference Plan (to be deposited) No. C-1314 dated February 18, 2009 prepared by Callon and Dietz, for a consideration of $1,523,000, **BE ACCEPTED**, subject to the following condition:

(i) the City, within thirty (30) days from acceptance, to satisfy itself as to the soil and environmental conditions of the property;
(b) the Mayor and the Acting City Clerk **BE AUTHORIZED** to execute this offer to purchase land from Jackson Land Corporation, for the purpose of constructing a future community centre; and

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

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

That, on the recommendation of the General Manager of Finance and Corporate Services and Acting City Treasurer, on the advice of the Manager of Realty Services, the offer submitted by Fernanda Isabel Duarte, to sell to the City property municipally known as 270 Hale Street, located on the east side of Hale Street south of Trafalgar Street, being Lot 3, Plan 790, measuring approximately 50' X IRREG', for the Hale/Trafalgar/CN Rail Grade Separation Project, for the sum of $182,500, **BE ACCEPTED**, and that the Mayor and the Acting City Clerk **BE AUTHORIZED** to execute the Agreement of Purchase and Sale, subject to the following conditions:

(a) the City agreeing to pay the vendor's reasonable legal fees to close this transaction and purchase of the replacement residence up to a maximum of $1,200.00, subject to assessment;

(b) the City agreeing to pay a further sum of $2,500.00 representing full and final disturbance costs; and

(c) the vendor shall have permission to live at the subject premises at no additional rental fee until August 23, 2009, notwithstanding the closing date of the sale;

(d) the financing for this acquisition **BE APPROVED** as set out in the Sources of Financing Report attached hereto as Appendix "A".

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

That, on the recommendation of the City Solicitor, the following actions be taken:

(a) the **Interim Minutes of Settlement between The Corporation of the City of London, the Municipality of Thames Centre and the Upper Thames River Conservation Authority BE APPROVED**; and,

(b) the Mayor and the Acting City Clerk **BE AUTHORIZED** to execute the Interim Minutes of Settlement referred to in (a) above. **CARRIED**

**BY-LAWS**

265. Councillor Baechler moves, seconded by Councillor Usher, that the following Bill be introduced:

Bill No. 287
By-law No. A.-6380-209

A by-law to exempt the property at 485 Windermere Road in the City of London from taxes for municipal and school purposes. (20/18/BC)

CARRIED

First Reading:

Councillor Baechler moves, seconded by Councillor Hubert, that Bill No. 287 be read a first time. **CARRIED**

Second Reading:

Councillor Baechler moves, seconded by Councillor Branscombe, that Bill No. 287 be read a second time. **CARRIED**
Third Reading:
Councillor Usher moves, seconded by Councillor Branscombe, that Bill No. 287 be read a third time and be finally passed and enacted as a by-law of The Corporation of the City of London, namely:

Bill No. 287
By-law No. A.-6380-209
A by-law to exempt the property at 485 Windermere Road in the City of London from taxes for municipal and school purposes. (20/18/BC)
CARRIED

Councillor Baechler moves, seconded by Councillor Branscombe, that the following Bill be introduced:

Bill No. 293
By-law No. C.P.-1473-212
A by-law respecting Development Charges. (1/19/BC)
CARRIED

First Reading:
Councillor Baechler moves, seconded by Councillor Branscombe, that Bill No. 293 be read a first time. CARRIED

Second Reading:
Councillor Baechler moves, seconded by Councillor Branscombe, that Bill No. 293 be read a second time. CARRIED

Third Reading:
Councillor Usher moves, seconded by Councillor Baechler, that Bill No. 293 be read a third time and be finally passed and enacted as a by-law of The Corporation of the City of London, namely:

Bill No. 293
By-law No. C.P.-1473-212
A by-law respecting Development Charges. (1/19/BC)
CARRIED

Deputy Mayor Gosell moves, seconded by Councillor Hubert, that the following Bill be introduced:

Bill No. 291
By-law No. A.-6381-210
A by-law to authorize an Agreement of Purchase and Sale between The Corporation of the City of London and Fernanda Isabel Duarte, for the acquisition of property located at 270 Hale Street, for the Hale/Trafalgar/CN Rail Grade Separation Project, and to authorize the Mayor and Acting City Clerk to execute the Agreement. (2/20/CW)
CARRIED

First Reading:
Deputy Mayor Gosnell moves, seconded by Councillor Hubert, that Bill No. 291 be read a first time. CARRIED

Second Reading:
Councillor Hubert moves, seconded by Councillor Usher, that Bill No. 291 be read a second time. CARRIED

Third Reading:
Councillor Usher moves, seconded by Councillor Caranci, that Bill No. 291 be read a third time and be finally passed and enacted as a by-law of The Corporation of the City of London, namely:
Bill No. 291
By-law No. A.-6381-210
A by-law to authorize an Agreement of Purchase and Sale between The Corporation of the City of London and Fernanda Isabel Duarte, for the acquisition of property located at 270 Hale Street, for the Hale/Trafalgar/CN Rail Grade Separation Project, and to authorize the Mayor and Acting City Clerk to execute the Agreement. (2/20/CW)

CARRIED

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

Bill No. 274
By-law No. A.-6373-196
A by-law to confirm the proceedings of the Council Meeting held on the 29th day of June, 2009. (Acting City Clerk)

Bill No. 275
By-law No. S.-5208-197
A by-law to assume certain works and services in the City of London. (Lambeth Meadows Subdivision, Plan 33M-403) (General Manager of Environmental Services & City Engineer)

Bill No. 276
By-law No. S.-5209-198
A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (For the purpose of a public walkway for pedestrian use only, north of Blackwell Boulevard. (Chief Surveyor)

Bill No. 277
By-law No. S.-5210-199
A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (For the purpose of a public walkway for pedestrian use only, east of Sandybrook Drive) (Chief Surveyor)

Bill No. 278
By-law No. W.-2059-200
A by-law to authorize the Gordon Trunk Sewer Capacity Improvement Project. (Project No. ES2479) (2/16/BC)

Bill No. 279
By-law No. W.-2060-201
A by-law to authorize the 2008 Local Roadworks Project. (Project No. TS1252) (3/16/BC)

Bill No. 280
By-law No. W.-2061-202
A by-law to authorize the White Oak Remediation Works Project. (Project No. ES5235)

Bill No. 281
By-law No. A.-6374-203
A by-law to amend the Council Approved Street Naming Guidelines (1994) relating to the naming of streets. (3/16/PC)

Bill No. 282
By-law No. A.-6375-204
A by-law to appoint from among members of the Environment and Transportation Committee a Hearings Committee under Noise By-law PW-12. (1/13/ETC)

Bill No. 283
By-law No. A.-6376-205
A by-law to authorize the Manager of Special Events and Community Rentals to execute and submit an application for a grant to the Department of Canadian Heritage to support the Olympic Torch Relay community celebration. (5/11/CPSC)

Bill No. 284
By-law No. A.-6377-206
A by-law to continue the London Transit Commission. (15/18/BC)

Bill No. 285
By-law No. A.-6378-207
A by-law to authorize an Agreement of Purchase and Sale between The Corporation of the City of London and Habitat for Humanity London Inc, for the disposition of property located at 178 Springbank Drive, and to authorize the Mayor and Acting City Clerk to execute the Agreement. (12/18/BC)
Bill No. 286
By-law No. A.-6379-208
A by-law to authorize and Agreement of Purchase and Sale between The Corporation of the City of London and Tim Owen and Laura Owen In Trust, for the sale of the City owned vacant land located at 316-322 Springbank Drive, and to authorize the Mayor and Acting City Clerk to execute the Agreement of Purchase and Sale. (13/18/BC)

Bill No. 288
By-law No. Z.-1-091870
A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning for an area of land located at 1976-2100 Denview Avenue. (5/16/PC)

Bill No. 289
By-law No. Z.-1-091871
A by-law to amend By-law No. Z.-1 to rezone an area of land located at 540 First Street. (15/16/PC)

Bill No. 290
By-law No. Z.-1-091872
A by-law to amend By-law No. Z.-1 to extend the Temporary Use (T-52) for an area of land located at 1875 Wharncliffe Road South. (19/16/PC)

Bill No. 292
By-law No. A.-6382-211
A by-law to authorize an Agreement of Purchase and Sale between The Corporation of the City of London and Jackson Land Corporation for the acquisition of property located at Evans Boulevard, for the City Southeast Community Centre and to authorize the Mayor and Acting City Clerk to execute the Agreement. (1/20/CW)

Bill No. 294
By-law No. PH-15
A by-law to provide for the control of the idling of motor vehicles in the City of London. (15/13/ETC)

First Reading:
Councillor Eagle moves, seconded by Councillor Baechler, that Bill No.'s 274 to 286, inclusive, Bill No's 288 to 290, inclusive, and Bill No.'s 292 and 294 be read a first time. CARRIED

Second Reading:
Councillor Usher moves, seconded by Councillor Hubert, that Bill No.'s 274 to 286, inclusive, Bill No's 288 to 290, inclusive, and Bill No.'s 292 and 294 be read a second time. CARRIED

Third Reading:
Councillor Baechler moves, seconded by Councillor Lonc, that Bill No.'s 274 to 286, inclusive, Bill No's 288 to 290, inclusive, and Bill No.'s 292 and 294 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. 274
By-law No. A.-6373-196
A by-law to confirm the proceedings of the Council Meeting held on the 29th day of June, 2009. (Acting City Clerk)

Bill No. 275
By-law No. S.-5208-197
A by-law to assume certain works and services in the City of London. (Lambeth Meadows Subdivision, Plan 33M-403) (General Manager of Environmental Services & City Engineer)

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A by-law to authorize the Gordon Trunk Sewer Capacity Improvement Project. (Project No. ES2479) (2/16/BC)

Bill No. 280
By-law No. W.-2061-202
A by-law to authorize the White Oak Remediation Works Project. (Project No. ES9235)

Bill No. 281
By-law No. A.6374-203
A by-law to amend the Council Approved Street Naming Guidelines (1994) relating to the naming of streets. (3/16/PC)

Bill No. 282
By-law No. A.6375-204
A by-law to appoint from among members of the Environment and Transportation Committee a Hearings Committee under Noise By-law PW-12. (1/13/ETC)

Bill No. 283
By-law No. A.6376-205
A by-law to authorize the Manager of Special Events and Community Rentals to execute and submit an application for a grant to the Department of Canadian Heritage to support the Olympic Torch Relay community celebration. (5/11/CPSC)

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Bill No. 286
By-law No. A.6379-208
A by-law to authorize and Agreement of Purchase and Sale between The Corporation of the City of London and Tim Owen and Laura Owen In Trust, for the sale of the City owned vacant land located at 316-322 Springbank Drive, and to authorize the Mayor and Acting City Clerk to execute the Agreement of Purchase and Sale. (13/18/BC)

Bill No. 288
By-law No. Z.1-091870
A by-law to amend By-law No. Z.1 to remove the holding provision from the zoning for an area of land located at 1976-2100 Denview Avenue. (5/16/PC)

Bill No. 289
By-law No. Z.1-091871
A by-law to amend By-law No. Z.1 to rezone an area of land located at 540 First Street. (15/16/PC)

Bill No. 290
By-law No. Z.1-091872
A by-law to amend By-law No. Z.1 to extend the Temporary Use (T-52) for an area of land located at 1875 Wharncliffe Road South. 19/16/PC)

Bill No. 292
By-law No. A.6382-211
A by-law to authorize an Agreement of Purchase and Sale between The Corporation of the City of London and Jackson Land Corporation for the acquisition of property located at Evans Boulevard, for the City Southeast Community Centre and to authorize the Mayor and Acting City Clerk to execute the Agreement. (1/20/CW)

Bill No. 294
By-law No. PH-15
A by-law to provide for the control of the idling of motor vehicles in the City of London. (15/13/ETC)

CARRIED
ADJOURNMENT

266. Controller Polhill moves, seconded by Councillor Usher, that the Meeting adjourn.
CARRIED

The Meeting adjourns at 10:59 p.m.

Anne Marie DeCicco-Best, Mayor

Linda Rowe, Acting City Clerk