COUNCIL PROCEEDINGS
TENTH MEETING

May 9, 2011

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.

His Worship the Mayor presents a plaque for "London's Featured Company" to Jeff Young, President and CEO and Jeff Hack, CTO representing iLOOKABOUT.

His Worship the Mayor presents a certificate for "London's Featured Community Organization" to David Crockett, Board Chair, Ian Greasley, Board Member, Julie Ryan, Executive Director and Katie Van Den Berg, Special Projects Coordinator, of ReForest London.

Councillor Harold Usher and representatives from Scouts Canada, 80th Westmount Beavers, 80th Westmount Cubs, 80th Westmount Scouts and 1st Medical Venturers present the Mayor with a shovel to commemorate a recent Scout Trees Canada planting of 1,000 trees on Jalna Boulevard.

DISCLOSURES OF PECUNIARY INTEREST

162. Councillor White discloses a pecuniary interest in clause 14 of the 12th Report of the Built and Natural Environment Committee having to do with Accessible Pedestrian Signals (APS) by indicating that she owns property on Coronation Street, which is listed as a proposed APS location for 2011.

MINUTES

163. Councillor Baechler moves, seconded by Councillor Orser, that the Minutes of the Ninth Meeting held on April 18, 2011 be adopted. CARRIED

CONFIDENTIAL MATTERS TO BE CONSIDERED IN PUBLIC

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

COMMUNICATIONS

165. The Chair directs that the actions suggested by the City Clerk with respect to Communication No.'s 1 to 3, as identified on the Council Agenda and on the Added Communications be taken.

ADDED REPORTS

166. The City Clerk submits the 13th Report of the Finance and Administration Committee. (See Report attached.)
REPORTS

12TH REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

Councillor Bryant presents the 12th Report of the Finance and Administration Committee.

Councillor Bryant moves that clauses 1 to 5, inclusive, be adopted. CARRIED

Clauses 1 to 5 read as follows:

1. That, on the recommendation of the Director of Land Use Planning and City Planner, with the concurrence of the Director, Financial Planning and Policy, the following actions regarding the funding request of the Argyle Business Association be taken:

   (a) the attached Business Plan of the Argyle Business Association BE RECEIVED; it being noted that the Plan has been reviewed by staff and found to be reasonable; and

   (b) the one-time start-up funding request for $50,000 BE FUNDED from the Operating Budget Contingency Reserve; it being noted that this one-time funding will be used by the Argyle Business Association in their efforts to establish a formal, self-sustaining Business Improvement Area in 2012. (2011-F12-00)

2. That, on the recommendation of the City Clerk, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on May 9, 2011 for the purpose of implementing a policy that provides for a review of ward boundaries during each Council term to ensure they remain appropriate for the upcoming term. (2011-G08-00)

3. That, on the recommendation of the Managing Director - Corporate Assets, on the advice of the Manager of Realty Services, the following actions be taken with respect to the offer submitted by Dancor Forest City Inc. to purchase approximately 6.35 acres of land located on the north-west corner of Commerce Road and Global Drive, described as Part 2 of Reference Plan 33R-15212 and as outlined on the sketch as Schedule "C" to this report:

   (a) the offer submitted by Dancor Forest City Inc., to purchase the land noted above in the amount of $412,750, reflecting a price of $65,000 per acre, BE ACCEPTED subject to the preparation of a reference plan showing Parcel 1 (2.35 acres) and Parcel 2 (4.0 acres) for the purpose of constructing two separate facilities; and

   (b) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on May 9, 2011, to approve this transaction and to authorize the Mayor and City Clerk to execute the Agreement of Purchase and Sale. (2011-L15-02)

4. That, on the recommendation of the Director of Intergovernmental and Community Liaison, a City of London sponsorship contribution of $3,750 to the Southwest Economic Alliance (SWEA) Assembly 2011 BE APPROVED; it being noted that this expenditure can be accommodated within the Chief Administrative Officer's Strategic Initiatives Fund, and that the London Economic Development Corporation (LED) is providing an additional $3,750 for a "Presenting Partner" sponsorship status. (2011-M18-00)

5. That on the recommendation of the Director of Water and City Engineer, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on May 9, 2011 to delegate administrative authority under the Motor Vehicle Dealers' Act to the Manager of Fleet Planning. (2011-V00-00)

Councillor Bryant moves that clauses 6 to 10, inclusive, be adopted. CARRIED

Clauses 6 to 10 read as follows:
6. That, on the recommendation of the City Treasurer, Chief Financial Officer, the attached by-law to levy education tax rates for 2011 (Appendix "A") BE INTRODUCED at the Council meeting of May 9, 2011. (2011-F10-00)

7. That, on the recommendation of the Governance Working Group (GWG), the Civic Administration BE DIRECTED to take the following actions with respect to proposed revisions to the Standing Committee structure for the City of London:

(a) further refine the proposed Standing Committee structure to ensure that matters dealing with environmentally sensitive areas be referred to the proposed Planning Approvals & Environment Committee; and

(b) develop a draft meeting schedule of the proposed Standing Committee structure to be presented at the next meeting of the Governance Working Group;

(c) report back to the Governance Working Group (GWG) related to potential alternative title options for the Committee of the Whole;

It being noted the GWG received a presentation from the Chief Administrative Officer with respect to this matter;

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

- Anita Caveney, Past President and member of the Conservation Committee – requesting that Parks Planning and Infrastructure be placed under the proposed Community and Neighbourhood Services Committee, with the Ecologist Planner reporting through the proposed Planning, Approvals and Environment Committee, as set out in communication 2(c) of the Agenda.
- Sandy Levin, 59 Longbow Road – requesting that the Ecologist Planner position report through the proposed Planning Approvals and Environment Committee, as set out in communication 2(b) of the Agenda.
- David Wake, 597 Kildare Road – requesting that the Ecologist Planner position report through the proposed Planning Approvals and Environment Committee, as set out in communication 2(e) of the Agenda.
- Dean Sheppard, 31 Beaconsfield Avenue, Chair, Environment, Ecological Planning Advisory Committee – requesting that natural heritage planning report through the proposed Planning Approvals and Environment Committee, as set out in communication 2(f) of the Agenda.
- Scott Courtice, 322 Tecumseh Avenue East, member of the former Governance Task Force – expressing support of the proposed Standing Committee structure indicating that it is a refinement of the recommendations of the Governance Task Force.
- Robert Sexsmith, 1231 Sanford Street, member of the former Governance Task Force – expressing a desire to include a refinement to reporting structure between the proposed Standing Committees and Advisory Committees and the need to ensure that adequate staff resources are provided to the all Committees.
- Carol Agocs, 1454 Sprucedale Avenue – requesting further refinement of the proposed Standing Committee structure to ensure that London's natural heritage is valued and preserved and to recognize that arts and culture are essential components of a liveable community as set out in the attached submission.
- Rod Morley, 1291 Rideau Gate – indicating that improvements to the City's methods of communicating with the public require improvements. Mr. Morley also suggested that an education campaign regarding municipal government be launched by the City two years prior to a Municipal Election.
- Gina Barber, 375 Glenrose Drive, member of the former Governance Task Force – indicating improved methods of engaging the public regarding this matter is required as there was little notice given and little in the way of information provided.
- Maureen Temme, 66 Palmer Street – expressing concern related to difficulty in reading the information provided in the presentation and the lack of information provided to the public to participate in this process. Ms. Temme also expressed dissatisfaction with the information contained on the City's website; and indicated that the proposed meeting schedule would lead to significant delays in dealing with matters.
- Deb Peckham, 9 Magee Street – expressed concern with the number of
Standing Committees being proposed and the ability for Members of Council and the public to participate in the number of meetings that will be held.

- A member of the public indicated concern with the method by which the City of London communicates with the student population and the need for the City to adapt to other means of engagement with the younger population.
- J. Cushing – requesting that matters having to do with Environmentally Significant Areas report through the proposed Planning Approvals and Environment Committee, as set out in communication 2(d) of the Agenda.
- T. McClenaghan – requesting that matters related to Environmentally Significant Areas report through the proposed Planning Approvals and Environment Committee, as set out communication 2(g) of the Agenda.
- S. Turner, Urban League of London – requesting that consideration be given to ensuring that meetings are not held concurrently, expressing concern with the proposal to reduce the frequency of council and committee meetings, moving parks planning and transportation planning away from the committee dealing with planning matters and maintaining the role of the environment in the planning process, as set out in added communication 3(a) of the Agenda.
- C. Richardson, Friends of Meadowlily Woods Neighbourhood Association - requesting that the Ecologist Planner position report through the proposed Planning Approvals and Environment Committee, as set out in added communication 3(b) of the Agenda.

8. That clause 1 of the 4th Report of the Governance Working Group BE AMENDED to read as follows:

(a) the attached Proposed Governance Structure report from B. Winther BE APPROVED in principle, subject to the following amendments:

(i) the proposed “Public Works Committee” be changed to “Civic Works Committee”; and

(ii) the proposed “Planning, Environment & Approvals Committee” be changed to “Planning & Environment Committee”;

(b) the Civic Administration BE DIRECTED to refine the programs and services reporting to each standing committee, after further consultation with the civic departments, to provide clarity to the mandate of each standing committee, including consideration of potential alignment with the proposed new corporate service-based organizational structure;

(c) the Civic Administration BE DIRECTED to consult with the current advisory committees to seek their comments on their reporting relationship within the proposed standing committee structure and report back to the Governance Working Group (GWG) with respect to the results of this consultation;

(d) the Civic Administration BE DIRECTED to consult with the Boards and Commissions, to seek their input with respect to the proposed standing committee structure and report back to the Governance Working Group (GWG) with respect to the results of this consultation;

(e) the Civic Administration BE DIRECTED to make arrangements to hold a public participation meeting before the Governance Working Group, following the completion of the consultation outlined in (c) and (d), above, in early to mid-June, to present the final draft of the proposed standing committee structure for public input, in order to refine a final recommendation to Council, for implementation in December 2011;

(f) the Civic Administration BE DIRECTED to further refine the attached proposed standing committee meeting schedule, taking into consideration:

(i) consolidation of meeting days each week, preferably Mondays and Tuesdays, to minimize conflict with the meeting dates of local boards and commissions;

(ii) the need to hold Council meetings more than once a month and whether those meetings should be held on Mondays or Tuesdays;
(iii) the possibility of holding standing committee meetings only in the month of August, rather in both July and August; and

(iv) scheduling most meetings late in the day, at a consistent time;

(g) the Civic Administration **BE DIRECTED** to advise as to how a “legal lead” might fit into the proposed standing committee structure;

(h) the Civic Administration **BE DIRECTED** to report back to the GWG in May 2011 in order to proceed with a final recommendation for the proposed standing committee structure;

It being noted that GWG received the attached presentation from B. Winther, Winther Consulting Services and the attached presentation from C. Saunders, City Clerk, with respect to this matter.

9. That, in response to the request of the London Police Services Board, **NO CHANGE BE MADE** to the stipend paid to the London Police Services Board Members that took effect January 1, 2011; it being noted that the Finance and Administration Committee received a communication dated April 15, 2011 from M. Deeb, Chair, London Police Services Board with respect to this matter. (2011-G00-00)

10. That consideration of the proposed by-law to approve an agreement with the Fanshawe College of Applied Arts and Technology to facilitate the development of a Fanshawe College campus in Downtown London, and to authorize the Mayor and the City Clerk to execute the agreement, **BE DEFERRED** to a special meeting of the Finance and Administration Committee (FAC) to be held at 3:30 p.m. on Monday, May 9, 2011, in order to allow the Members additional time to review the associated documentation; and the Deputy City Clerk **BE REQUESTED** to advise all Council Members of the special meeting; it being noted that the FAC heard a verbal presentation from the Chief Administrative Officer and the City Treasurer and Chief Financial Officer and received the attached presentation from the Director of Land Use Planning and City Planner, with respect to this matter. (2011-C08-00)

The Chair directs that clauses 11 to 15, inclusive, of Section II be noted. Clauses 11 to 15 read as follows:

11. That the Finance and Administration Committee received and noted an information report from the Director of Intergovernmental and Community Liaison with respect to 2011 Federal Election Candidate Questionnaire responses. (2011-G08-00)

12. That the Finance and Administration Committee received and noted a communication from D. Pratt, The London Potters Guild, Chair, Seize the Clay Campaign with respect to an update on the activities of the London Clay Art Centre, London Potters Guild. (2011-F12-00)

13. That the Finance and Administration Committee (FAC) received and noted clauses 2 and 3 of the 3rd Report of the Governance Working Group (GWG) from its meeting held on April 5, 2011; it being noted that the FAC heard a verbal delegation from Councillor Hubert, Chair, GWG, with respect to this matter. (See Report attached.)

14. That the Finance and Administration Committee (FAC) received and noted clauses 2 through 7, inclusive, of the 4th Report of the Governance Working Group (GWG) from its meeting held on April 20, 2011; it being noted the FAC heard a verbal delegation from Councillor Hubert, Chair, GWG, with respect to this matter. (See Report attached.)

15. That the Finance and Administration Committee (FAC) passed the following resolution prior to moving in camera from 10:40 a.m. to 11:08 a.m. and from 11:52 a.m. to 1:04 p.m.:

That the Finance and Administration Committee move in camera to consider the following matters:

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

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

(c) A matter pertaining to instructions and directions to officers and employees of the
Corporation pertaining to a proposed disposition of land; advice that is subject to
solicitor-client privilege, including communications necessary for that purpose;
reports or advice or recommendations of officers and employees of the
Corporation pertaining to a proposed disposition of land; financial information
supplied in confidence pertaining to the proposed disposition 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 disposition that belongs to the Corporation that has monetary value or
potential monetary value; information concerning the proposed disposition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed disposition 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 disposition.

(d) A matter pertaining to proposed or pending acquisition of land by the municipality
in connection with the Springbank Drive road widening project and related
expropriations; litigation or potential litigation with respect to the expropriation of
temporary easement on a property located at 335 Springbank Drive, including
matters before administrative tribunals, affecting the municipality or local board;
advice that is subject to solicitor-client privilege, including communications
necessary for that purpose, in connection with the expropriation of temporary
easement on a property located at 335 Springbank Drive; and directions and instructions to officers and employees or agents of the municipality regarding settlement negotiations and conduct of litigation in connection with the expropriation of a temporary easement on a property located at 335 Springbank Drive.

(e) A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose with respect to the decommisioning of City-owned lands known as the South Street Campus currently leased and occupied by London Health Sciences Centre.

(f) A matter pertaining to litigation in the Superior Court of Justice, Court File No. 61809, The Corporation of the City of London v. Hatch Ltd. et al. or potential litigation affecting the municipality and arising out of the Springbank Dam Rehabilitation Project; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

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

(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 advice which is the subject of solicitor client privilege.

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

The FAC is submitting a confidential report to the Municipal Council regarding this matter. (See Confidential Appendix to the 12th Report of Finance and Administration Committee enclosed for Council Members only.)

11TH REPORT OF THE BUILT AND NATURAL ENVIRONMENT COMMITTEE

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

Councillor Hubert moves, seconded by Councillor Swan, that clause 6 be amended by adding a new part (c) as follows:

(c) the Executive Director, Planning, Environmental and Engineering Services BE REQUESTED to undertake a review of the Waste Discharge By-law with a view to including a provision to enable institutions to obtain a grant for fees and charges imposed under the by-law in certain circumstance.” CARRIED

Councillor Hubert moves, seconded by Councillor Branscombe that clause 6(a) be amended by reducing the discretionary grant by 50% to $67,741.22. LOST on a recorded vote, the Members voting as follows:

YEAS: Councillors Branscombe, Hubert, Henderson and Van Meerbergen. (4)

NAYS: Mayor Fontana and Councillors Polhill, Armstrong, Swan, Orser, Baechler, M. Brown, D. Brown, Usher, Bryant and White. (11)

The motion to adopt clauses 1 to 5, clause 6, as amended, and clauses 7 to 10, is put and CARRIED. Clauses 1 to 5, clause 6, as amended, and clauses 7 to 10 read as follows:

11TH REPORT OF THE BUILT AND NATURAL ENVIRONMENT COMMITTEE

Councillor Polhill presents the 11th Report of the Built and Natural Environment Committee.

Councillor Hubert moves, seconded by Councillor Swan, that clause 6 be amended by adding a new part (c) as follows:

(c) the Executive Director, Planning, Environmental and Engineering Services BE REQUESTED to undertake a review of the Waste Discharge By-law with a view to including a provision to enable institutions to obtain a grant for fees and charges imposed under the by-law in certain circumstance.” CARRIED

Councillor Hubert moves, seconded by Councillor Branscombe that clause 6(a) be amended by reducing the discretionary grant by 50% to $67,741.22. LOST on a recorded vote, the Members voting as follows:

YEAS: Councillors Branscombe, Hubert, Henderson and Van Meerbergen. (4)

NAYS: Mayor Fontana and Councillors Polhill, Armstrong, Swan, Orser, Baechler, M. Brown, D. Brown, Usher, Bryant and White. (11)

The motion to adopt clauses 1 to 5, clause 6, as amended, and clauses 7 to 10, is put and CARRIED. Clauses 1 to 5, clause 6, as amended, and clauses 7 to 10 read as follows:
1. That, on the recommendation of the Director, Water & City Engineer, Environmental & Engineering Services, the following actions be taken with respect to the award of the contract for the 2011 Watermain Cleaning and Structural Lining Program (EW3563-11):

(a) the bid submitted by Fer-Pal Construction Ltd. 169 Fenmar Drive, North York, Ontario, at its tendered price of $2,527,821.00, excluding HST, for the above-noted program **BE ACCEPTED**; it being pointed out that the bid submitted by Fer-Pal Construction Ltd. was the lowest of three bids received and meets the City's specifications and requirements in all areas; it being noted that this is the first year of a three-year contract, where the City has the sole discretion to renew the contract for two additional years based on price and performance; financing report & hereto as Appendix "A"; acts that are necessary in connection with this project; 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 11-16); and the Mayor and City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations; it being further noted that there are no anticipated additional annual operating costs to the Environmental and Engineering Services budget in 2011 and subsequent years associated with approval of this project. It is anticipated that this project will provide a savings to Water Operations by decreasing the amount of maintenance required on these newly lined sections of watermain. Operations will then be able to focus their resources on distribution system challenges including watermain flushing and lead service replacements elsewhere in the City. (2011-W13-00)

2. That, on the recommendation of the Director, Water & City Engineer, Environmental & Engineering Services, the following actions be taken with respect to the award of the contract for the Western Road Watermain Replacement Project (EW3765-11):

(a) the bid submitted by Ingerwood Construction Ltd. P.O. Box 1595, 445 Springbank Avenue South, Woodstock, Ontario, at its corrected tendered price of $881,319.65, excluding HST, for the above-noted project **BE ACCEPTED**; it being pointed out that the bid submitted by Ingerwood Construction Ltd. was the lowest of six bids received and meets the City's specifications and requirements in all areas;
(b) AECOM Canada Ltd., 410 - 250 York Street, Citi Plaza, London, Ontario, N6A 6K2, **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 $82,632.00, excluding HST, based upon the Fee Guideline for Professional Engineering Services, recommended by the Ontario Society of Professional Engineers; and in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy; it being noted that this firm completed the engineering design;
(c) minor future, additional annual operating costs of $500.00 **BE RECOGNIZED** as a result of this project noting that these costs are as a result of new infrastructure installation and will be considered and accommodated within future Water operating budgets;
(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
3. That, on the recommendation of the Director, Wastewater and Treatment, Environmental and Engineering Services, the following actions be taken with respect to the award of contracts for the 2011 Lifecycle Renewal Program, Horton Street Reconstruction Project – Phase I (ES2414-11, EW3787-11, TS1446-11, TS4067-11, TS5123-11, GG1043):

(a) the bid submitted by Tri-Con Excavating Incorporated, 113-4023 Meadowbrook Drive, London, ON, N6L 1E7, at its corrected tendered price of $1,985,317.00, excluding HST, for the above-noted project BE ACCEPTED; it being pointed out that the bid submitted by Tri-Con Excavating Incorporated was the lowest of six (6) bids received and meets the City's specifications and requirements in all areas;

(b) Archibald, Gray & McKay Engineering Limited, 3514 White Oak Road, London ON, N6E 229, 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 $198,000.00 (excluding H.S.T.), based upon the Fee Guideline for Professional Engineering Services, recommended by the Ontario Society of Professional Engineers; and in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy; it being noted that this firm completed the engineering design;

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

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

(e) the approval given herein BE CONDITIONAL upon the Corporation entering into, a formal contract, or issuing a purchase order, for the material to be supplied and the work to be done relating to this project (Tender 11-30); and

(f) the Mayor and City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2011-A03-00)

4. That, on the recommendation of the Director, Wastewater and Treatment, Environmental & Engineering Services, the following actions be taken with respect to the award of contracts for the 2011 Lifecycle Renewal Program, Contract #3: King Edward Road East Reconstruction Project (ES2414-11, EW3765-11, TS3014-11, TS3037-11, TS5123):

(a) the bid submitted by Tri-Con Excavating Inc., 113 – 4023 Meadowbrook Drive, London ON, N6L 1E7, at its tendered price of $2,687,090.40, excluding HST, for the above-noted Project BE ACCEPTED; it being pointed out that the bid submitted by Tri-Con Excavating Inc. was the lowest of nine bids received and meets the City's specifications and requirements in all areas;

(b) Spriet Associates, 155 York Street, London ON, N6A 1A8, 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 $207,570.00 (excluding H.S.T.), based upon the Fee Guideline for Professional Engineering Services, recommended by the Ontario Society of Professional Engineers; and in accordance with Section 15.2 (g) of the City of London’s Procurement of Goods and Services Policy; it being noted that this firm completed the engineering design; noting that this firm completed the engineering design;

(c) minor future additional annual operating costs of $100.00 BE RECOGNIZED as a result of this project noting that these costs are as a result of new infrastructure installation and will be considered and accommodated within future Wastewater & Treatment operating budgets;

(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 11-23); and

(g) the Mayor and City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2011-A03-00)

5. That, on the recommendation of the Director of Wastewater and Treatment, Environmental & Engineering Services, the following actions be taken with respect to the appointment of a consultant for extension of consulting services for the 2011 Infrastructure Lifecycle Renewal Program Contract #2, Stanley Street Reconstruction (ES2414-11):

(a) Dillon Consulting Limited, 130 Dufferin Avenue, Suite 1400, London, ON N6A 5R2, BE APPOINTED Consulting Engineers for extension of consulting services for the above-noted project in the amount of $134,310.00 to a revised total of $342,980.00, excluding HST, based upon the Fee Guideline for Professional Engineering Services, recommended by the Ontario Society of Professional Engineers; and in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy;

(b) the financing for the project BE APPROVED in accordance with 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 Mayor and City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2011-W00-00)

6. That the following actions be taken with respect to a discretionary grant to the London Health Sciences Centre relating to the recently levied surcharge for high solids in their sewage effluent:

(a) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on May 9, 2011 to approve a discretionary grant to the London Health Sciences Centre, in the maximum amount of $139,482.44, subject to London Health Sciences Centre paying to the City of London all outstanding fees and charges under the Waste Discharge By-law;

(b) the Executive Director, Planning, Environmental and Engineering Services BE AUTHORIZED to take any and all administrative acts that are necessary to issue the discretionary grant noted in part (a) above; and

(c) the Executive Director, Planning, Environmental and Engineering Services BE REQUESTED to undertake a review of the Waste Discharge By-law with a view to including a provision to enable institutions to obtain a grant for fees and charges imposed under the by-law in certain circumstance.

It being noted the Built and Natural Environment Committee heard a delegation from P. Renaud, Director, Engineering Services, London Health Sciences Centre (LHSC) indicating that the LHSC has taken steps to address the matter of high solids in their sewage effluent on a go-forward basis. (2011-A09-07)

7. That, in response to a delegation from C. Baker, M. Druzzc, Q. Cuillion, K. Koltun and R. Elabed representing the Jags for Justice at John Paul II Catholic Secondary School in relation to suggestions to improve street safety in the Cheapside community, the Civic Administration BE REQUESTED to review the following suggestions made by the Jags for Justice, and to report back at a future meeting of the Built and Natural Environment Committee (BNEC):

(a) the installation of a sidewalk link along the south side of Cheapside Avenue between McNay Street and Highbury Avenue; and

(b) the installation of a continuous bicycle pathway in this area; and
It being noted the BNEC received and noted a communication addressed to Councillor S. Orser from the Jags Social Justice Group with respect to this matter.

8. That the following actions be taken with respect to the application of Needham Funeral Service relating to the property located at 520 Dundas Street and 513 Queens Avenue:

(a) the application BE REFERRED to the May 2, 2011 meeting of the Built and Natural Environment Committee to allow for minor technical amendments to be prepared for the proposed by-law; and

(b) pursuant to Section 34(17) of the Planning Act, as determined by the Municipal Council, no further notice BE GIVEN in respect of the proposed by-law;

it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter. (2011-D11-05)

9. That, on the recommendation of the Director, Land Use Planning and City Planner, with the advice of the Heritage Planner, the house located on the site of 1170 Wilton Grove Road NOT BE DESIGNATED under Section 29 of the Ontario Heritage Act; it being noted that an application has been received for its demolition; it being also noted that the London Advisory Committee on Heritage has considered this matter at its meeting on April 13, 2011, and that it is also recommended that, in the event of the demolition of this structure, heritage features worth preserving be retained and reused;

it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter. (2011-D10-00)

10. That, on the recommendation of the Director, Land Use Planning and City Planner, the report concerning public feedback on the alternative land use and servicing options, and associated draft background studies for the Meadowlilly Secondary Plan RECEIVED for information;

it being noted that the Civic Administration and the City’s Consulting Team will continue to receive public and agency comments up to April 29, 2011 and that the comments will be considered in the preparation of the preferred land use plan and servicing options, the sanitary servicing EA and stormwater servicing EA, and the secondary plan report;

it being further noted that Planning staff will report back to the Built and Natural Environment Committee, in June 2011, with a status update or with a draft preferred land use plan, servicing option, Class EA documents, and secondary plan;

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

- D. Stolarski, 11 Kintail Crescent, President, Friends of Meadowlilly Woods - requesting that the Meadowlilly area be preserved and that the natural and cultural heritage of the area be enhanced through use of a community centre or an environmental interpretive centre.
- A. Stolarski, 1140 Pondview Drive, Friends of Meadowlilly Woods - noting that this area is a showcase, and that consideration of a community centre at this location would be an ideal fit.
- C. Richardson, 2-1200 Riverside Drive, Friends of Meadowlilly Woods - noting that a community use would be the best land designation for this area based on the reasons outlined in the attached communication dated April 20, 2011.
- G. Smith, 141 Meadowlilly Road, Friends of Meadowlilly Woods - expressing the Friends thanks to staff for their work to date, and providing the attached presentation outlining the rationale for their preference for Option 1 of the preferred land use concepts; noting this option will best preserve this natural and cultural jewel of southeast London.
- K. Risler, 5-192 Elmwood Avenue East - expressing concerns as outlined in the attached communication with respect to the lack of explanation and assessment.
of the various development options presented, and noting that brownfield redevelopment in the surrounding area should take precedent over the development of this area.

- G. Mulder, 932.5 Lorne Avenue – expressing concerns with respect to potential loss of the woodland and the loss of direction with the area plan; noting that more big box development is not desirable and that more natural areas are needed in London.

- J. Cuthbert, 31 Piers Crescent – expressing support for the preservation of Meadowlily Woods as it is home to many species of endangered wildlife and vegetation, as outlined in the attached communication.

- J. Nelson, 3032 Doon Drive – noting he once lived in the area of Meadowlily Woods and appreciates its importance as a natural area; further noting that once the trees are gone, they are gone.

- C. Agocs, 1454 Sprucedale Avenue – expressing support for the preservation of Meadowlily's rich natural heritage, as outline in the attached communication.

- M. Hinton, 691 Colborne Street – noting that unnecessary development in outlying areas only serves to further erode the downtown area.

- D. Wallace, 196 Elworthy Avenue – noting that people have an emotional connection to this special area, that can't be quantified through charts and slides.

- M. Parrott, 96 Wilson Avenue – noting that Option 1 of the preferred land use plans would have the lowest impact; further noting that a sustainable, unique development does not describe a big box proposal.

- M. Graham, 1047 Aldersbrook Road – noting she would support an environmental heritage centre, that this is an opportunity to bring back many endangered species in the area, and that the scrub thicket is also important habitat for wildlife.

- Resident, 618 Talbot Street – noting that their hydro bills contained a flyer indicating residents could purchase trees to re-green the City, and commenting that it is not the citizens' fault that so many natural areas are being removed.

- S. Plewes, 652 Elias Street – requesting preservation of the Meadowlily area as there are very few sites left like it.

- K. Slezak, 18 Goodman Avenue – noting that there is already easy access to stores such as Wal-Mart in the City.

- J. Cordiner, 373 Byron Blvd. – inquiring as to how many members of the Committee had visited Meadowlily Woods.

- M. Kerr, 162 Elworthy Avenue – indicating this is a special area for both animals and people which needs to be protected.

- S. Wilcox, 138 Vauxhall – noting that as an artist he is inspired by the Meadowlily area, and inquiring as to why a Wal-Mart on this site would even be an option.

- R. Cousins, 44 The Ridgeway – indicating that he is also an artist inspired by the natural beauty of the City, but that his inspiration is unfortunately more recently coming from the destruction of the beauty instead.

- K. Kunut, 374 Simcoe Street – noting he moved to London rather than Windsor because of our extensive parks, not big box stores.

- T. Mc Clenaghan, 220 Baseline Road East – noting he is impressed with the number of people expressing their concerns about quality of life and that Meadowlily Woods is an incredible tract of land; further noting should the groundwater flow be disrupted on the adjacent site, the deep roots of mature trees will be negatively impacted resulting in significant tree loss.

- J. White, 307 Burlington Crescent – noting that his family moved to London from Toronto when he was a child as the air quality in London was better, however with so much tree loss that may no longer be the case; further noting the City of London does not have a good reputation in the Province for being environmentally sustainable.

- R. Morley, 1291 Rideau Gate – noting that the job numbers attached to the various models for development seems very subjective and should be reviewed.

- C. DeBoer, 1821 Royal Crescent – noting that as a retired school teacher she would often take her pupils to Meadowlily Woods to experience the wonder of the woods, and questioning why we would pave over such a site.

- Q. Lang, 1084 The Parkway – President, Thames Talbot Land Trust – noting that the Land Trust owns property on this site from the Bridge to Highbury Avenue, and that they have a legal responsibility to ensure those lands are protected in perpetuity; further noting that should development occur adjacent to these lands, there will be considerable threats from erosion, exotic species invasion and groundwater.

- M. Golf, 1318 Staffordsire Road – noting that their family purchased the subject
property along the roadway many years ago and that it is private land.

- H. Lokko, 135 Meadowlily Road South – noting that there is a strong social connection amongst the users of the natural area and that anything other than Option 1 would be detrimental to the area.

- K. McKeating, 329 Victoria Street – noting that any development so close to a natural area will create an adverse impact from run-off, litter and lighting; further noting that careful consideration should be given as to what type and how many jobs will actually be created from the proposed development.

- J. Buyze, 35 Glenroy Road – noting that Pond Mills Square is almost empty except for two stores and that there is no need for a big box development in this area.

- W. Stolarski, 1145 Pondview Road – presenting a video for the Committee with respect to Meadowlily Woods.

- Resident, 84 Golddale Crescent – noting that economic development is important to the community and that Wal-Mart also provides jobs in the City.

- J. MacDonald, 105 Cherryhill Crescent – inquiring as to what type of standards will be required for the developments, such as LEEDS.

- R. Delaney, 66 Piers Crescent – noting there are many vacant areas where redevelopment could take place and that there have already been too many natural areas lost in the City.

- Resident, 328 Horton Street East – noting that the type of jobs that could be created from this development are not those that will retain university and college students;

It being also pointed out that the following individuals submitted communications regarding this matter:

- S. Levin, 59 Longbow Road
- H. Stover, 12011 87th Avenue, Edmonton Alberta
- K.E. Risler, 5-192 Elmwood Avenue East
- S. Rawji, Commissioners Centres Limited
- R. Zelinka, Zelinka Priamo Ltd. representing Mr. and Mrs. R. Andrew
- 969743 Ontario Ltd. and A. Dziadura, 72 Ann Street
- M. Parrott, 96 Wilson Avenue B
- M. Saddy, E-mail
- S. Narwoczyk, E-mail
- C. Dakin, President, Environmental Science Association, University of Western Ontario
- N. Kanaan, E-mail
- J. Moore and A. Moore, E-mail
- J.M. Smith, E-mail
- P. Webber, 54 Chalet Court
- D. Heap, 85 Forward Avenue
- R. Ayres, E-mail
- K. King, 305-304 Oxford Street West
- F. Lane, E-mail
- D. Wake and W. Wake, 597 Kildare Road
- B. Wodin, E-mail
- R. Richardson and C. Richardson, E-mail
- M. Ormsby, 232-2025 Meadowgate Boulevard
- D. Stolarski, President, Friends of Meadowlilly Woods
- S. Brown, President, Stoneybook Heights/Uplands Residents Association
- G. Smith and S. High, 141 Meadowlilly Road South
- G. Thorn, Department of Biology, University of Western Ontario
- A. Caveney, Past President and Member of the Conservation Committee, Nature London
- I. Mathyssen, Member of Parliament for London-Fanshawe, NDP Critic for the Status of Women. (2011-D11-09)

The Chair directs that clauses 11 to 14, inclusive, of Section II be noted. Clauses 11 to 14 read as follows:

11. That the Built and Natural Environment Committee received and noted an
information report from the Director of Wastewater and Treatment, Environmental and Engineering Services, with respect to the revised sanitary servicing strategy for the Hyde Park Area. (2011-W10-01)

12. That the Built and Natural Environment Committee reviewed and received an information report from the Director of Land Use Planning and City Planner with respect to Methadone Clinic Uses in the City of London. (2011-C06-00/D11-00)

13. That the Built and Natural Environment Committee reviewed and received a communication from David Cottrill, President, Life Resources Centre Northeast London with respect to Safety Issues on Cheapside Street between Highbury Avenue and Adelaide Street (2011-S09-00)

14. That the Built and Natural Environment Committee reviewed and received a communication dated March 31, 2011 from Jona Thier, Executive Assistant to the President and Office Operations Manager of TrojanUV relating to parking concerns at 200 Aberdeen Drive, and asked staff to review the matter. (2011-S04-00)

13TH REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

169. Councillor Bryant presents the 13th Report of the Finance and Administration Committee.

Councillor Bryant moves that clause 1 be adopted.

Councillor Orser moves, seconded by Councillor D. Brown, that pursuant to section 9.6 of the Council Procedure By-law, Councillor Swan be permitted to speak longer than 5 minutes with respect to clause 1. CARRIED

Councillor Orser moves, seconded by Councillor Armstrong, that pursuant to section 9.6 of the Council Procedure By-law, Councillor White be permitted to speak longer than 5 minutes with respect to clause 1. CARRIED

At 6:40 p.m. Mayor Fontana places Councillor M. Brown in the Chair and takes a seat at the Council Board.

At 6:45 Mayor Fontana returns to the Chair and Councillor M. Brown takes his seat at the Council Board.

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

YEAS: Mayor Fontana and Councillors Polhill, Baechler, Branscombe, M. Brown, Hubert, Henderson, Usher, Bryant and White. (10)

NAYS: Councillors Armstrong, Swan, Orser, Van Meerbergen and D. Brown. (5)

Clause 1 reads as follows:

1. (1) That the following actions be taken with respect to the Fanshawe College of Applied Arts and Technology:

(a) the attached proposed by-law (Appendix A), with the following revisions, BE INTRODUCED at the Municipal Council meeting to be held on May 9, 2011 to approve an agreement with the Fanshawe College of Applied Arts and Technology to facilitate the development of a Fanshawe College campus in Downtown London and to authorize the Mayor and Clerk to sign the agreement:

(i) clause “H” of the agreement recitals amended in line 2 by deleting the word “contribution” and by replacing it with the words “cash flow under the Grants”;

(ii) clause 7(e) of the agreement amended in line 1 by deleting the words “amounts paid by the City to Fanshawe” and by replacing them with the words “cash flow”;

(b)
(b) the attached communication dated May 8, 2011 from D. Bedford, President, OPSEU Local 110 BE NOTED AND FILED;

It being noted that the Finance and Administration Committee heard verbal delegations from the Chief Administrative Officer, the City Treasurer and Chief Financial Officer, the City Planner and T. Corbett, Legal Counsel and received the attached information from the City Treasurer and Chief Financial Officer with respect to this matter. (2011-C08-00)

At 6:47 p.m., in recognition of the community contributions made by students attending London’s post-secondary educational institutions, His Worship the Mayor and Members of Council welcome and recognize Duncan Sutherland, President and Saidur Chowdhury, President Elect, of the Society of Graduate Students from the University of Western Ontario.

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

The Council recesses at 6:49 p.m. and reconvenes at 7:38 p.m. with Mayor Fontana in the Chair and all Members present.

12TH REPORT OF THE
BUILT AND NATURAL ENVIRONMENT COMMITTEE


Councillor Polhill moves that clauses 1 to 8, inclusive, be adopted.

Councillor Swan moves, seconded by Councillor Polhill, that clause 6 be amended to read as follows:

"That, on the recommendation of the Executive Director, Planning, Environmental and Engineering Services, the following actions be taken with respect to the revised Water Service Area Financial Plan for the City of London previously distributed to Members of Council and available for review in the City Clerk’s Office:

(a) the revised Water Service Area Financial Plan for the City of London BE APPROVED, as per the requirements of O.Reg. 453/07 of the Safe Drinking Water Act; it being noted that this Financial Plan is consistent with Council-approved financial policies and information provided through the 2011 Water Budget process; it being further noted that the Built and Natural Environment Committee received the attached presentation with respect to this matter from the Director of Water and City Engineer; and

(b) the Civic Administration BE DIRECTED to liaise with the Provincial Government with respect to what funding opportunities there might be with respect to shared infrastructure services." CARRIED

At 7:45 p.m. Mayor Fontana places Councillor Branscombe in the Chair and takes a seat at the Council Board.

The motion to adopt clauses 1 to 5, clause 6, as amended and clauses 7 and 8 is put and CARRIED.

Clauses 1 to 5, clause 6, as amended and clauses 7 and 8 read as follows:

1. That on the recommendation of the Executive Director, Planning & Environmental and Engineering Services, the following actions be taken with respect to the award of a contract for 2011 Arterial Road Rehabilitation Contract (TS1446-11):

(a) the bid submitted by Co-Co Paving Inc. 1865 Clarke Road, London, ON, N5X 3Z6, at its submitted tendered price of $4,967,981.60, excluding HST, for the 2011 Arterial Road Rehabilitation Contract, BE ACCEPTED, it being pointed out that the bid submitted by Co-Co Paving Inc. was the lowest of two (2) bids received and meets the City’s specifications and requirements in all
areas; and it being further noted that there is no anticipated additional operating costs to the Planning & Environmental and Engineering Services budget in 2012 and subsequent years associated with approval of this tender:

(b) the financing for this project BE APPROVED as set out in the Source 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;

(d) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to this project (Tender 11-28); and

(e) the Mayor and City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2011-S08-00)

2. That, on the recommendation of the Executive Director, Planning & Environmental and Engineering Services, the following actions be taken with respect to the rehabilitation of Oxford Street West and a portion of Gideon Drive (TS1446-11):

(a) the City's share of a County of Middlesex tender in the amount of $285,133.50, excluding HST, BE APPROVED, it being noted that the work is included in an approved City budget and the method of purchase is in accordance with the Procurement of Goods and Services Policy 14.4 (g), (h) and (i), covering purchases with another public body;

(b) the financing for this project BE APPROVED as set out in the Source of Financing Report attached hereto as Appendix 'A'; and

(c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project. (2011-S08-00)

3. That on the recommendation of the Executive Director, Planning & Environmental and Engineering Services, the following actions be taken with respect to the award of a contract for the Shore Bridge Rehabilitation and 2011 Bridge Deck Waterproofing & Repaving Project (TS1763-11):

(a) the bid submitted by Theo Vandenberk Construction, 15673 Fifteen Mile Road, R.R. # 2, Denfield, Ontario, NOM IPO, at its tendered price of $446,731.38, excluding HST, for the above-noted project BE ACCEPTED, it being noted that this bid was the lowest of seven (7) bids received and meets the City's specifications and requirements in all areas; and it being further noted that there is no anticipated additional operating costs to the Environmental and Engineering Services budget in 2012 and subsequent years associated with approval of this tender;

(b) the financing for this project BE APPROVED as set out in the Source 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;

(d) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to this project (Tender 11-25); 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 work would not have been undertaken without the financial support of the Investing in Ontario program and the Province of Ontario (2011-S08-00)

4. That on the recommendation of the Executive Director, Planning & Environmental and Engineering Services, the following actions be taken with respect to the appointment of a consultant for the design of the Oxford Street West Widening and Hyde Park Trunk Sanitary Sewer projects (TS1493 and ES2483):
Delcan Corporation **BE APPOINTED** as Consulting Engineers for the said project in the amount of $511,830.00, excluding HST, in accordance with Section 15.2 (g) of the Procurement of Goods and Services Policy;

the financing for this project **BE APPROVED** as set out in the Source of Financing Report attached hereto as Appendix ‘A’;

the consulting fees for the project **BE IN ACCORDANCE** with the estimate on file, which is based upon the Fee Guideline for Professional Engineering Services, recommended by the Ontario Society of Professional Engineers; and

the approval given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract with the consultant for the work. (2011-W10-01)

5. That, on the recommendation of the Executive Director of Planning & Environmental and Engineering Services, the following actions be taken with respect to the contract for the Wonderland Road Reconstruction and Widening (TS1158):

(a) the contract awarded to Bre-Ex Limited for the Wonderland Road Widening project, **BE INCREASED** by $830,000 to $10,908,200.40, excluding HST;

(b) the IBI Group engineering fees for design and supervision **BE INCREASED** by $45,000 to a total of $684,205.80, excluding HST; and

(c) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report attached hereto as Appendix “A”. (2011-S07-02)

6. That, on the recommendation of the Executive Director, Planning, Environmental and Engineering Services, the following actions be taken with respect to the revised Water Service Area Financial Plan for the City of London previously distributed to Members of Council and available for review in the City Clerk’s Office:

(a) the revised Water Service Area Financial Plan for the City of London **BE APPROVED**, as per the requirements of O.Reg. 453/07 of the Safe Drinking Water Act; it being noted that this Financial Plan is consistent with Council-approved financial policies and information provided through the 2011 Water Budget process; it being further noted that the Built and Natural Environment Committee received the attached presentation with respect to this matter from the Director of Water and City Engineer; and

(b) the Civic Administration **BE DIRECTED** to liaison with the Provincial Government with respect to what funding opportunities there might be with respect to shared infrastructure services. (2011-W13-00)

7. That, on the recommendation of the Director of Land Use Planning and City Planner, based on the application of Needham Funeral Service relating to the property located at 520 Dundas Street and 513 Queens Avenue the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on May 9, 2011 to amend Zoning By-law No. Z.-1, (in conformity to the Official Plan), to change the zoning of the subject lands on:

(a) 513 Queens Avenue **FROM** a Residential R3/Office Conversion (R3-1/OC5) Zone which permits residential and office uses and an Office Residential/Business District Commercial (OR.D250.H48/BDC) Zone which allows for a large range of commercial, office and residential uses **TO** a Residential R3 Special Provision/Office Conversion (R3-1(OC5)) Zone to allow a reduced rear yard setback of 1.16 metres and a minimum landscaped open space of 17%;

(b) the north part of 520 Dundas Street **FROM** a Residential R3/Office Conversion (R3-1/OC5) Zone which permits residential and office uses **TO** a Residential R3/Office Conversion Special Provision (R3-1(OC5)) Zone to allow a surface parking lot in association with the funeral home use;

(c) the south part of 520 Dundas Street **FROM** an Office Residential/Business District Commercial (OR.D250.H48/BDC) Zone which allows for a large range of commercial, office and residential uses including a funeral home **TO** an Office
it being noted that as a public participation meeting was held on April 20, 2011 and pursuant to Section 34(17) of the Planning Act, it has been determined that no further notice of the public meeting is required. (2011-DII-05)

8. That, on the recommendation of the Director of Development Planning and the Managing Director of Development Approvals, the following actions be taken with respect to the application of Sunningdale Developments Inc. & Sunningdale Golf & Country Club Ltd. relating to the property located at 2155 and 2253 Richmond Street:

(a) the Approval Authority BE ADVISED that the Municipal Council supports the Approval Authority granting a 3 year extension of the revised draft plan of residential subdivision, submitted by Sunningdale Developments Inc. & Sunningdale Golf & Country Club Ltd. (File No. 39T-04513) prepared by Stantec Consulting Ltd., certified by Jeremy C. E. Matthews O.L.S., File No. 39T-04513, drawing no. DP- 110126dwg as redline amended which shows a total of 138 single detached lots, one (1) single detached block, six (6) multi-family medium density residential blocks, two (2) multi-family high density residential blocks, one (1) commercial block, two (2) park blocks, three (3) open space blocks, three (3) stormwater management blocks, a road widening block and several reserve blocks, served by nine (9) new streets, SUBJECT TO the revised conditions contained in the attached Appendix "39T-04513"; and

(b) the applicant BE ADVISED that the Director of Development Finance has projected the following estimated costs and revenues information:

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<thead>
<tr>
<th>Estimated Claims - Developer Built</th>
<th>$769,000</th>
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<tbody>
<tr>
<td>Urban Works Reserve Fund - General</td>
<td>$1,751,000</td>
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<tr>
<td>Capital Expense</td>
<td>Nil</td>
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<tr>
<td>Other</td>
<td>Nil</td>
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<tr>
<td>Total</td>
<td>$2,520,000</td>
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<table>
<thead>
<tr>
<th>Estimated Revenues</th>
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</thead>
<tbody>
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<td>$1,998,337</td>
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<tr>
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<td>$12,953,635</td>
</tr>
</tbody>
</table>

NOTE:
1. Previous draft plan revenue was $2,842,355. The increased in Lot size has reduced the revenue to $2,307,323. A decrease of $535,032.
2. The revenues noted in this plan have no identified timeframe or schedule for contribution to reserves.
3. Estimated revenues are calculated using current rates for engineering services and the information is reported in accordance with the Development Charges and Urban Works Fund By-law (ie C.P.-1473-212), and any amendments thereto.
4. Estimated claims are based on information provided by the applicant.
5. The Owner should take note that there are currently significant delays in payment of claims from the Urban Works Reserve Fund. (2011-DII-07)

Mayor Fontana returns to the Chair at 7:49 p.m. and Councillor Branscombe takes her seat at the Council Board.

Councillor Polhill moves that clauses 9 to 16, inclusive, be adopted.

Councillor Armstrong moves, seconded by Councillor Polhill, that clause 10 be referred back to the Civic Administration to explore other renaming opportunities. CARRIED on a recorded vote, the Members voting as follows:

YEAS: Mayor Fontana and Councillors Polhill, Armstrong, Swan, Orser, M. Brown, Hubert, Henderson, Van Meerbergen, D. Brown, Bryant and White. (12)

NAYS: Councillors Baechler, Branscombe and Usher. (3)
Clause 10, as referred back to the Civic Administration to explore other renaming opportunities reads as follows:

10. That, on the recommendation of the Director of Development Planning, with the support expressed by the Municipal Addressing Advisory Group (MAAG), the following actions be taken with respect to the application by The Corporation of the City of London for a street renaming:

1. the stub portions of Hale and Trafalgar Streets which provide frontage to 316, 318, 320 and 322 Hale Street and 1402, 1404, 1406, 1408, 1410, 1412, 1414 and 1416 Trafalgar Street, BE RENAMED to Waddell Place effective June 1, 2011;

2. on approval of the street name change, the City Clerk BE REQUESTED to introduce the attached by-law at the Municipal Council meeting to be held on May 9, 2011 to rename the stub portions of Hale and Trafalgar Streets which provide frontage to 316, 318, 320 and 322 Hale Street and 1402, 1404, 1406, 1408, 1410, 1412, 1414 and 1416 Trafalgar Street to Waddell Place;

3. the Director of Development Planning BE DIRECTED to re-number the properties known municipally as 1402, 1404, 1406, 1408, 1410, 1412, 1414 and 1416 Trafalgar Street to numbers which complement the number sequence in existence on Hale Street and provide notice of the effective date and numbering posting requirements; and

4. pending the approval of the street renaming and confirmation of municipal number changes have been posted, The Corporation of the City of London BE DIRECTED to reimburse the affected property owners on the stub portions of Hale and Trafalgar Streets in the amount of $100.00 per address for the costs associated with the street renaming identified in part (a) above. (2011-D17-00)

The motion to adopt clause 9 and clauses 11 to 16, inclusive, is put and CARRIED.

Clause 9 and clauses 11 to 16, inclusive, read as follows:

9. That, on the recommendation of the Director of Development Planning, in response to the letter of appeal to the Ontario Municipal Board from Patton Cormier & Associates, dated March 23, 2011 relating to the Provisional Decision on Consent Application B.008/11 concerning property located at 109 Baseline Road East the following actions be taken:

(a) the Ontario Municipal Board BE ADVISED that Municipal Council supports the current wording of Condition No. 7 of the Provisional Consent Decision, which reads as follows:

"7. The applicant shall apply for site plan approval in accordance with section 3.2.3.5. of the Official Plan including a public site plan meeting. The site plan shall be submitted to the Development Planning Division and Site Plan approval must be in full force and effect prior to the issuance of certificate."

(b) the Ontario Municipal Board BE ADVISED that Municipal Council supports all other conditions included in the Provisional Consent Decision; and

(c) the City Solicitor BE DIRECTED to provide legal and planning representation at the Ontario Municipal Board hearing in support of the position of the Municipal Council. (2011-D09-00)

11. That, on the recommendation of the Acting Director of Roads and Transportation, the following actions be taken with respect to road surface treatments:

(a) the bid submitted by MSO Construction Limited, 175 Bethridge Road, Etobicoke, Ontario at the tendered unit prices attached as Appendix "B" BE ACCEPTED;

(b) the funding for this purchase BE APPROVED as set out in the Source of Financing Report attached hereto as Appendix "A";
20. That, on the recommendation of the Acting Director, Roads and Transportation, Environmental and Engineering Services, the following actions be taken with respect to the approval of additional engineering fees for the completion of a Municipal Class Environmental Assessment for Sarnia Road Improvements from Wonderland Road to Sleightholme Avenue (TS1484):

(a) the value of the Dillon Consulting assignment for the environmental assessment BE INCREASED by $40,775 to a revised total of $180,750, excluding HST, for the said project;

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

(c) the Civic Administration BE REQUESTED to work with Dillon Consulting to review and evaluate the option presented by residents to allow for left turns from and to Sarnia Road, at Leyton Crescent;

It being noted the Built and Natural Environment Committee heard a delegation and received and noted a communication dated May 1, 2011 from Dr. John and Donna Trevithick with respect to a request to defer this project and to publicly consider an option presented by them to Dillon to allow left turns into and out of Leyton Crescent to Sarnia Road. (2011-S08-00)

13. That, on the recommendation of the Acting Director, Roads & Transportation, the proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on May 9, 2011 for the purpose of amending the Traffic and Parking By-law (P.S. 111) to address traffic safety, operations and parking concerns on Bathurst Street, Inverness Avenue, Quebec Street and the Wickerson Road subdivision. (2011-S09-00)

14. That, on the recommendation of the Acting Director of Roads and Transportation, the following actions be taken with respect to accessible pedestrian signals:

(a) approval hereby BE GIVEN to enter into negotiations for the purchase of accessible pedestrian signals for a 3-year period with Tacel Ltd., 179 Bartley Dr., Unit B, Toronto, ON M4A 1E8 in accordance with the 'Procurement of Goods and Services Policy' Section 14.4 Single Source, Clauses (d) and (e);

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

(c) approval hereby given BE CONDITIONAL upon the Corporation negotiating satisfactory prices, terms and conditions with Tacel Ltd. to the satisfaction of the Acting Director of Roads and Transportation; and

(d) approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order relating to the subject matter of this approval. (2011-S09-00)

15. That, on the recommendation of the Director of Water and City Engineer, the following actions be taken with respect to the one (1) year extension of the contract for the supply and delivery of diesel, biodiesel fuel and gasoline:

(a) the option to renew with Suncor Energy Products Partnership, 2489 North Sheridan Way, Mississauga, Ontario, L5K 1A8, for the supply of Diesel, Biodiesel Fuel and Gasoline BE ACCEPTED;

(b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this contract, and
(c) the approval given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied;

It being noted the Civic Administration will report back with respect to whether a strategy such as advance notice of pricing changes could be undertaken in order to decrease future costs. (2011-W12-00)

16. That, on the recommendation of the Director of Water and City Engineer, Environmental And Engineering Services, the following actions be taken with respect to the award of contracts for the 2011 Lifecycle Renewal Program, Contract #6: Wavell Street Reconstruction Project (ES2414-11, EW3787-11, TS1446-11):

(a) the bid submitted by Omega Contractors Incorporated, 4104 Breck Ave, London ON, N6L 1B5, at its tendered price of $1,950,877.00, excluding H.S.T.) for the above-noted project **BE ACCEPTED**: it being pointed out that the bid submitted by Omega Contractors Incorporated was the lowest of six bids received and meets the City's specifications and requirements in all areas;

(b) IBI Group, 203-350 Oxford Street West, London ON, N6H 1T3, **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 $145,044.55, excluding HST, noting that this firm completed the engineering design, based upon the Fee Guideline for Professional Engineering Services, recommended by the Ontario Society of Professional Engineers; and in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy;

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

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

(e) the approval given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to this project (Tender 11-32); and

(f) the Mayor and City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations. (2011-A03-00)

Councillor Polhill moves that clauses 17 to 23, inclusive, be adopted. **CARRIED**

Clauses 17 to 23, inclusive, read as follows:

17. That, on the recommendation of the Director of Water City Engineer the following actions be taken with respect to the appointment of a Consultant for the Huron Street Watermain Replacement Class EA and Preliminary Design (EW3580):

(a) Stantec Consulting Ltd., 800-171 Queens Avenue London Ontario Canada N6A 5J7. **BE APPOINTED** Consulting Engineers for the Class EA and preliminary design of the above-noted project, in the amount of $155,185.00, including contingency, excluding H.S.T., in accordance with Section 15, Clause 15.2(g) of the Procurement of Goods and Services Policy; it being noted that upon the successful completion of the EA and preliminary design work, the City anticipates recommending the award of the detailed design portion of the project to this consultant;

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

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

(d) the Civic Administration **BE AUTHORIZED** to undertake all administrative acts that are necessary in connection with these projects. (2011-A03-00)

18. That, on the recommendation of the Director of Water and City Engineer, the following actions be taken with respect to the supply and delivery of inventory waterworks materials:
18. That, on the recommendation of the Director, Wastewater And Treatment, Planning, Environmental And Engineering Services the following actions be taken with respect to the award of contracts for the 2011 Lifecycle Renewal Program, Contract #8: First Street reconstruction Project (ES2414-11, EW3765-11, TS3014-11 and TS3037-11):

(a) the bid submitted by L82 Construction Ltd., 2070 Huron Street, Suite A, London ON, N5V 5A7, at its submitted tendered price of $2,643,501.10, excluding HST, for the above-noted project, BE ACCEPTED; it being pointed out that the bid submitted by L82 Construction Limited was the lowest of seven bids received and meets the City's specifications and requirements in all areas;

(b) minor future additional annual operating costs of $400.00 BE RECOGNIZED as a result of this project noting that these costs are as a result of new infrastructure installation and will be considered and accommodated within future Wastewater & Treatment operating budgets;

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

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

(e) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order or contract record for the material to be supplied relating to this project (Tender 11-31);

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

(g) the Civic Administration BE REQUESTED to determine whether there is any development charge eligibility component to this project and whether there are sidewalks and bicycle lanes anticipated for the immediate area and to report back at the meeting of the Municipal Council on May 9, 2011. (2011-A03-00)

19. That, on the recommendation of the Director, Wastewater And Treatment, Planning, Environmental And Engineering Services the following actions be taken with respect to the award of contracts for the 2011 Lifecycle Renewal Program, Contract #8: First Street reconstruction Project (ES2414-11, EW3765-11, TS3014-11 and TS3037-11):

(a) the tender submitted by Emco Corporation Waterworks, 944 Leathorne Street, London, ON N5Z 3M5 for the Supply and Delivery of Inventory Waterworks Materials at their submitted tendered unit prices, for a period of two years, excluding taxes BE ACCEPTED; it being pointed out that Emco submitted the lowest overall bid;

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

(c) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order or contract record for the material to be supplied. (2011-W13-00)

20. 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, T11-36:

(a) the tender submitted by Insituform Technologies Limited, 3 Burford Road, Hamilton, ON L8C 3C6 for the supply and installation of sewer liners at their price of $2,498,220.00 excluding HST, BE ACCEPTED, it being noted that Insituform Technologies Limited submitted the lowest bid and meets all the terms, conditions and specifications;

(b) the funding for this purchase BE APPROVED as set out in the Source of Financing Report attached hereto as Appendix ‘A’;

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

(d) the approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval. (2011-W10-00)
21. That, on the recommendation of the Director, Wastewater and Treatment, Planning, Environmental and Engineering Services, the following actions be taken with respect to the award of a contract for the Fox Hollow Development Area SWMF No. 2 Construction (ES3019):

(a) the bid submitted by J-AAR Excavating Ltd. at its tendered price of $1,253,057.25 excluding HST, for the above-noted project BE ACCEPTED; it being pointed out that the bid submitted by J-AAR Excavating Ltd. was the lowest of five (5) bids received and meets the City's specifications and requirements in all areas;

(b) the Stantec Consulting BE AUTHORIZED to carry out the Inspection and General Construction Administration for the Fox Hollow Development Area SWMF No. 2 construction in accordance with the estimated amount of $100,870.00 including contingency, excluding HST, based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers; and in accordance with Section 15.2 (g) of the Procurement of Goods and Services Policy;

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

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

(e) the approval given herein BE CONDITIONAL upon the Corporation receiving all lands required for the Fox Hollow Stormwater Management Facilities Nos. 1, 2, 3, Heard Drain and Fox Hollow trunk sanitary sewer from the various developers, receiving the Certificate of Approval required for the Fox Hollow Stormwater Management Facilities Nos. 1, 2, 3, Heard Drain from the MOE; and entering into a formal contract or issuing a purchase order relating to the material to be supplied and the work to be done relating to this project (Tender T11-40), and

(f) the Mayor and City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2011-W10-00)

22. That, on the recommendation of the Managing Director - Corporate Assets the following actions be taken with respect to electrical inspections services at various City facilities:

(a) approval hereby BE GIVEN to enter into annual negotiations for electrical inspections services at various City facilities, from the Electrical Safety Authority, 13-400 Sheldon Drive, Cambridge, ON N1T 2H9;

(b) subject to approval of part (a) above, the following pricing BE APPROVED as has been negotiated: 2011 - $105,221.36, 2012 - $108,333.75 and 2013 - $111,528.71;

(c) the approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval;

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

(e) due to the Sole Source of this service, it will BE INCLUDED on the exemption list in the Procurement Policy Schedule B - Goods and for Services not Subject to this Policy. (2011-A09-00)

23. That, on the recommendation of the Managing Director - Corporate Assets with the concurrence of the Deputy City Treasurer the following actions be taken:

(a) the proposals submitted by Norlon Builders London Limited, 151 York Street, London, ON N6A 1A8, to design-build storage buildings at the A. J. Tyler Operations Centre in the amount of $532,000.00, HST excluded, and the Exeter Road Operations Centre at a price of $379,000.00, HST excluded, BE ACCEPTED; it being pointed out that the proposals submitted by Norlon Builders London Limited were deemed to provide the best technical and financial value to the Corporation, meet the City's specifications and requirements in all areas and the award is in accordance with Section 12 of the Procurement of Goods and
Services Policy;

(b) the price submitted by Norlon Builders London Limited, 151 York Street, London, ON N6A 1A8, in the amount of $532,000.00 to design-build the storage building at the A. J. Tyler Operations Centre BE INCREASED by up to $70,000.00, HST excluded, as an allowance to address demolition work and the disposal of additional contaminated materials the extent of which can only be determined through the design phase of the project: it being noted that expenditures against this allowance will be at the direction of Civic Administration;

c) the price submitted by Norlon Builders London Limited, 151 York Street, London, ON N6A 1A8, in the amount of $379,000.00 to design-build the storage building at the Exeter Road Operations Centre BE INCREASED by up to $60,000.00, HST excluded, as an allowance to address urban design requirements and unknown site conditions that could not be determined when the request for proposals was issued; it being noted that expenditures against this allowance will be at the direction of Civic Administration;

d) the proposal submitted by STM Construction Ltd., 361 Elgin Street, Brantford, ON N3S 7P5 to design-build a storage building at the Adelaide Operations Centre in the amount of $345,132.00, HST excluded, BE ACCEPTED; it being pointed out that the proposal submitted by STM Construction Ltd., was deemed to provide the best technical and financial value to the Corporation, meets the City's specifications and requirements in all areas and the award is in accordance with Section 12 of the Procurement of Goods and Services Policy;

e) the price submitted by STM Construction Ltd., 361 Elgin Street, Brantford, ON N3S 7P5, in the amount of $345,132.00 to design-build the storage building at the Adelaide Operations Centre BE INCREASED by up to $60,000.00, HST excluded, as an allowance to address urban design requirements and unknown site conditions that could not be determined when the request for proposals was issued; it being noted that expenditures against this allowance will be at the direction of Civic Administration;

(f) the proposal submitted by Agri-Urban Buildings Inc., 1123 North Street South, Dresden, ON NOP 1M0 to design-build a storage building at the Wolseley Garage Operations Centre at a price of $291,000.00, HST excluded, BE ACCEPTED; it being pointed out that the proposal submitted by Agri-Urban Buildings Inc., was deemed to provide the best technical and financial value to the Corporation, meets the City's specifications and requirements in all areas and the award is in accordance with Section 12 of the Procurement of Goods and Services Policy;

g) the price submitted by Agri-Urban Buildings Inc., 1123 North Street South, Dresden, ON NOP 1M0 in the amount of $291,000.00 to design-build a storage building at the Wolseley Garage Operations Centre BE INCREASED by up to $60,000.00, HST excluded, as an allowance to address urban design requirements and unknown site conditions that could not be determined when the request for proposals was issued; it being noted that expenditures against this allowance will be at the direction of Civic Administration;

(h) the financing for the above-noted project BE APPROVED as set out in the Sources of Financing Report attached hereto as Appendix “A”;

(i) the future annual operating costs of $25,000.00 BE CONSIDERED as a priority against available assessment growth in 2012 as a new initiative and growth funding commitment;

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

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

it being noted 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. (2011-A09-00)

Councillor Polhill moves that clauses 24 to 31, inclusive, be adopted. CARRIED

Clauses 24 to 31, inclusive, read as follows:
24. That, on the recommendation of the London Advisory Committee on Heritage and the Director of Land Use Planning and City Planner, with the advice of the Heritage Planner, the Heritage Alteration Permit Application of R. McDowell/J. McDowell requesting permission for a porch alteration to the designated heritage property located at 507 Princess Avenue BE APPROVED; it being noted that the Heritage Planner has reviewed the proposed restoration and has advised that the impact of such alteration on the heritage features of the property identified in the Reasons for Designation is positive.

25. That, on the recommendation of the London Advisory Committee on Heritage and the Director of Land Use Planning and City Planner, with the advice of the Heritage Planner, the Heritage Alteration Permit Application of the City of London requesting permission for a secondary storage structure on the site of the designated heritage property located at 650-652 Elizabeth Street BE APPROVED; it being noted that the approved location for this facility is that identified as the “preferred location” on the attached map; it being further noted that the Heritage Planner has reviewed the proposed new structure and has advised that the impact of such addition on the heritage features of the property identified in the Reasons for Designation is negligible.

26. That, on the recommendation of the Transportation Advisory Committee, the Civic Administration BE ENCOURAGED to seek additional, alternative funding to expand the Annual Warranted Sidewalk Program; it being noted that the Transportation Advisory Committee (TAC) expressed the importance of this Program and the need for additional funding to successfully complete the City’s growing list of requests for new sidewalks; it being further noted that the TAC reviewed and received an information report, dated March 28, 2011, from the General Manager of Environmental and Engineering Services Department and City Engineer, with respect to the 2011 Annual Warranted Sidewalk Program.

27. That, on the recommendation of the Director of Development Planning, the following actions be taken with respect to the site plan approval application of Peter and Corrie Drankowsky relating to the property located at 11 and 15 Logan Avenue

   (a) the Approval Authority BE ADVISED that at the public meeting of the Built and Natural Environment Committee held with respect to this matter, issues were raised by the applicant with respect to the process required for approval to permit one single family dwelling;

   (b) the Approval Authority BE ADVISED the Municipal Council supports the granting of approval of the attached site plan and elevations, as well as the waiving of security for building permits; and

   (c) the applicant BE ADVISED that the Director, Development Finance has projected the following claims and revenues information:

<table>
<thead>
<tr>
<th>Estimated Revenue</th>
<th>Estimated Claims</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban Works Reserve Fund</td>
<td>$3190.00</td>
</tr>
<tr>
<td>Other Reserve Funds (City Services &amp; Hydro)</td>
<td>$19029.00</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$22219.00</strong></td>
</tr>
</tbody>
</table>

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

   • P. Drankowsky, Applicant – expressing concern with respect to a process that requires a public site plan approval meeting for a single family home; noting that the plans have been modified to satisfy all requirements, that the neighbours understand this is not student housing, and asking that there be no need for a development agreement for this application, and further requesting that the requirement for this process of approval be suspended until such time as amendments are made to City policies to refine the process. (2011-D11-02)

28. That, on the recommendation of the Director of Development Planning and the Managing Director of the Development Approvals Business Unit the following actions be taken regarding a draft approval extension request for the Plan of Subdivision
application of Oliver and Associates relating to the property located at 3557 Col. Talbot Road:

(a) the Approval Authority BE ADVISED that Municipal Council supports an eighteen (18) month extension of draft approval for Phase 3 of draft approved plan 39T-00510 submitted by Oliver and Associates Realty Inc., prepared by Cumming Cockburn Limited, certified by R. H. Kruys, Ontario Land Surveyor, File No. 39T-00510, drawing no. DP2-1, dated February 3, 2004, as amended in red, which shows a total of 12 single detached dwelling lots, two low density residential blocks, one open space block and several reserve blocks, served by Clayton Walk and a southerly extension of Isaac Drive; and

(b) the Applicant BE ADVISED of the following claims and revenues information:

<table>
<thead>
<tr>
<th>Estimated Costs – Developer Built</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban Works Reserve Fund – General</td>
<td>Nil</td>
</tr>
<tr>
<td>Urban Works Reserve Fund - Stormwater</td>
<td>Nil</td>
</tr>
<tr>
<td>Management</td>
<td></td>
</tr>
<tr>
<td>Capital Expense</td>
<td>Nil</td>
</tr>
<tr>
<td>Other</td>
<td>Nil</td>
</tr>
<tr>
<td>Total</td>
<td>Nil</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Estimated Revenues</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>CSRF</td>
<td>$596,923</td>
</tr>
<tr>
<td>LWRF</td>
<td>$100,082</td>
</tr>
<tr>
<td>Total</td>
<td>$697,005</td>
</tr>
</tbody>
</table>

THE ESTIMATED REVENUES REPRESENT ONLY THE REMAINING PHASE WITHIN THE DRAFT PLAN OF SUBDIVISION 39T-00510. THERE WILL BE NO CLAIMS FOR THE REMAINING PHASE OF THIS DRAFT PLAN.

NOTE:
1. Estimated revenues are calculated using current rates for engineering services and the information is reported all in accordance with the Development Charges and Urban Works Fund By-law (ie C.P.-1473-212), and any amendments thereto.
2. Estimated claims are based on information provided by the applicant.

It being noted that the Built and Natural Environment Committee heard a delegation from W. Pol, IBI Group, representing the applicant and expressing support for the staff recommendation for an 18 month extension rather than a standard 3 year extension so long as reasonable response times are also provided by staff; that they are open to discussion of comments provided by Parks Planning and Design; noting that all conditions relating to the Upper Thames River Conservation Authority have been dealt with but that final sign-off has not been received. (2011-D26-04)

29. That on the recommendation of the Director of Development Planning, the following actions be taken with respect to the site plan approval application of 843421 Ontario Inc. relating to the property located at 540 First Street:

(a) the Approval Authority BE ADVISED that there were no issues raised at the public participation meeting of the Built and Natural Environment Committee with respect to the revised Site Plan and Landscape Plan for construction of an 826 sq. m accessory storage building; and

(b) the Approval Authority BE ADVISED that the Municipal Council supports the granting of approval of the attached site plan and landscape plans with the exception that the noise barrier be setback 0.3 m (1 ft) from the property line SUBJECT TO the approval of the site servicing and grading plans;

it being noted that no further changes to the October 5, 2011 Council resolution regarding this application are necessary;

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. Froussious, Zelinka Priamo Ltd. representing the applicant and expressing support for the staff recommendation. (2011-D11-06)
30. The Approval Authority BE ADVISED that there were no issues raised at the public participation meeting of the Built and Natural Environment Committee with respect to the application by Pemic Land Corporation relating to the property located at 1480 Riverbend Road for the proposed draft plan of residential subdivision (File No. 39T-10504) prepared by AECOM Canada Ltd. (Drawing No. DPI) dated September 2010 showing 29 single detached residential lots and 2 blocks for future residential development, served by two local streets; it being noted that draft plan approval of the proposed plan of subdivision is considered premature until the time period established by the subdivision agreement in which the London District Catholic School Board has to complete the transaction of purchase and sale of the subject lands has lapsed or the School Board waives its right to purchase the lands. If there is no transaction of purchase and sale, staff will bring forward a recommendation to approve a residential draft plan of subdivision together with conditions of draft approval; it being pointed out that at the public participation meeting associated with this matter, the following individual made an oral submission in connection therewith:

- C. Linton, Norquay Developments - representing the applicant and indicating there are minor implications with respect to the implementation of street names that will be dealt with. (2011-D11-06)

31. That the following actions be taken in response to the communication dated March 21, 2011 from Tim Brown, Ted Brown and Lynn Moir of the West Talbot Landowners Association with respect to a request for an amendment to the Urban Growth Boundary relating to their properties located west of Colonel Talbot Road, north of Pack Road and south of Southdale Road West:

(a) the above-noted request BE REFERRED to the Civic Administration to include in the next Official Plan Review Process; and

(b) the Civic Administration BE REQUESTED to provide a report at a future meeting of the Built and Natural Environment Committee with respect to the public process and associated timelines relating to the next Official Plan Review. (2011-P07-00)

The Chair directs that clauses 32 to 37, inclusive, of Section II be noted. Clauses 32 to 37, inclusive, read as follows:

32. That the Built and Natural Environment Committee reviewed and received an information report from J. Page, Solicitor II with respect to an Appeal to the Ontario Superior Court of Justice, Divisional Court, from an Ontario Municipal Board Decision Regarding By-law No. Z-1-091877. (2011-D14-00)

33. That the Built and Natural Environment Committee reviewed and received the monthly report from the Director of Building Controls relating to Building Activity and Inspector Workload for March 2011. (2011-D05-00)

34. That the Built and Natural Environment Committee reviewed and received clauses 3 through 21 of the 5th Report of the London Advisory Committee on Heritage (LACH) from its meeting held on April 13, 2011; it being noted that the BNEC heard a verbal delegation from J. O'Neil on behalf of the LACH with respect to this report. (See Report attached.)

35. That the Built and Natural Environment Committee reviewed and received clauses 2 through 10 of the 3rd Report of the Transportation Advisory Committee from its meeting held on April 5, 2011. (See Report attached.)

36. That Councillor S. White disclosed a pecuniary interest in clause 14 of this report relating to Accessible Pedestrian Signals (APS) by indicating that she owns property on Coronation Street which is listed as a proposed APS location for 2011. (See Report attached.)

37. That the Built and Natural Environment Committee (BNEC) passed the following resolution prior to moving in camera from 7:04 p.m. to 7:48 p.m.:

That the Built and Natural Environment Committee move in camera to consider the following:
Networks Limited to the Environmental Review Tribunal from an Order of the Director, Ministry of the Environment, Order No. DP-6548-7WJKV4, dated October 29, 2009 and a motion before the Ontario Superior Court of Justice, Court File No. 09-CL-7950; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with the appeals of Nortel Networks Technology Corporation and Nortel Networks Limited to the Environment Review Tribunal from an Order of the Director, Ministry of the Environment, Order No. DP-6548-7WJKV4, dated October 29, 2009 and a motion before the Ontario Superior Court of Justice, Court File No. 09-CL-7950; and for giving directions to officers, employees or agents of the municipality, local board or committee of either of them or persons retained by or under contract with the municipality or local board; and

(b) a matter which can be considered in a meeting closed to the public as the subject matter being considered pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, relating to the property located to the southwest of the intersection of Adelaide Street North and Sunningdale Road.

The BNEC is submitting a confidential report to the Municipal Council regarding this matter. (See Confidential Appendix to the 12th Report of the Built and Natural Environment Committee enclosed for Council Members only.)

10TH REPORT OF THE COMMUNITY AND NEIGHBOURHOODS COMMITTEE

171. Councillor Usher presents the 10th Report of the Community and Neighbourhoods Committee.

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

Councillor Swan leaves the meeting at 8:09 p.m.

Councillor D. Brown moves, seconded by Councillor Usher, that clause 3 be amended by adding a new part (d) as follows:

"(d) the Civic Administration BE REQUESTED to report back on a potential public education program related to composting." CARRIED

Councillor Swan enters the meeting at 8:18 p.m.

The motion to adopt clauses 1 and 2 and clause 3, as amended, is put and CARRIED.

Clauses 1 and 2 and clause 3, as amended, read as follows:

1. That, on the recommendation of the Chief Administrative Officer, the by-law BE INTRODUCED at the Municipal Council meeting to be held on May 3, 2011 to:

   (a) adopt the Emergency Management Program, including the revised London Emergency Response Plan, as set out in Schedule “A” of the above-mentioned by-law; and,

   (b) repeal By-law A.-6529-163, passed by the Municipal Council on May 3, 2010; it being noted that the Community and Neighbourhoods Committee received the details of the activities scheduled for Emergency Preparedness Week, May 2-8, 2011 and a communication dated February 25, 2011 from T. Kontra, Acting Assistant Deputy Minister and Chief, Ministry of Community Safety and Correctional Services, with respect to Emergency Management and Civil Protection Act. (2011-P08-00)

2. That, on the recommendation of the Director, Environmental Programs &
Solid Waste, the following actions be taken with respect to the rental of equipment and operators at the W12A Landfill site:

(a) the tender submitted by J.B.L. Construction, A Division of 1644472 Ontario Ltd., 2969 Lakeshore Road, P.O. Box 429, Bright's Grove, ON N0N 1C0, in the amount of $1,127,550.00 annually, excluding HST, for a three (3) year period, with two (2), one (1) year extensions at the discretion of the City, **BE ACCEPTED**;

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

(c) the approval hereby given **BE CONDITIONAL** upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to this matter. (2011-W04-00)

3. That, on the recommendation of the Director, Environmental Programs & Solid Waste, the following actions be taken with respect to the Blue Box recycling program:

(a) the addition of the following materials to the Blue Box program **BE APPROVED**, it being noted that revenue from the sale of these materials will offset most, or all, of the recycling costs:

(i) spiral wound (cardboard) cans (e.g., frozen juice containers);

(ii) mixed rigid container plastics marked #3, #6 and #7 (e.g., yogurt containers, ketchup bottles); and,

(iii) Thermoform PET #1 plastic (e.g., clamshell containers);

(b) a public meeting **BE HELD** on June 14, 2011 to receive public and business input on the possible elimination of plastic bags as an approved recycling container (e.g., newspaper inside a grocery bag) from the City’s Blue Box program except for bags containing shredded paper;

(c) the Civic Administration **BE ASKED** to review, and report back to the Community and Neighbourhoods Committee in September, 2011, with respect to the following:

(i) a reduction in the number of garbage bags allowed to be placed at the curb; and,

(ii) a review of weekly garbage collection; and

(d) the Civic Administration **BE REQUESTED** to report back on a potential public education program related to composting;

it being noted that the Community and Neighbourhoods Committee received the attached presentation from the Director, Environmental Programs & Solid Waste, with respect to this matter. (2011-W08-00)

Councillor Usher moves that clauses 4 to 9, inclusive, be adopted. **CARRIED**

Clauses 4 to 9, inclusive, read as follows:

4. **That, on the recommendation of the Director of Social and Community Support Services, with the concurrence of the Executive Director of Community Services, the attached By-law BE INTRODUCED** at the Municipal Council meeting to be held on May 9, 2011 to:

(a) approve the Funding Agreement with Her Majesty the Queen in Right of Canada, as represented by the Federal Minister of Human Resources and Skills Development under the Homelessness Partnering Strategy; and,

(b) authorize the Mayor and the City Clerk to execute the Agreement in part (a),
That, on the recommendation of the Interim Administrator of the Dearness Home, with the concurrence of the Executive Director of Community Services, the attached By-Law BE INTRODUCED at the Municipal Council meeting to be held on May 9, 2011 to:

(a) approve the Multi-Sector Accountability Agreement (M-SAA) between The Corporation of the City of London and the South West Local Health Integration Network (SW-LHIN) to provide funding for the 2011-2014 fiscal periods for the delivery of the Dearness Adult Day Program and Homemaking Services Program; and

(b) authorize the Mayor and the City Clerk to execute the Agreement in (a), above. (2011-C11-00)

6. That, on the recommendation of the Director of Parks & Recreation, with the concurrence of the Executive Director of Community Services and the Deputy City Treasurer, the following actions be taken with respect to the provision of soft drink and juice products at the City's three municipal golf courses:

(a) the bid submitted by Pepsico Beverage Canada, 40 Enterprise Drive, London, Ontario N6N 1A7, for cold beverage vending at the various City of London facilities for a three (3) year period, with an option to renew the contract for two additional one year periods BE ACCEPTED; it being noted that Pepsico Beverage Canada offered the City the highest revenue return and meets the terms, conditions and specifications in all areas;

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

(c) approvals hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order related to this matter. (2011-A09-00)

7. That, on the recommendation of the Director of Municipal Housing, with the concurrence of the Executive Director of Community Services, the following actions be taken with respect to the London and Middlesex Housing Corporation:

(a) the operation London and Middlesex Housing Corporation (LMHC) BE CONTINUED at arm's length from the Service Manager, with the understanding that a new relationship and clarification of roles will be developed between the LMHC and the City of London, as Service Manager and sole shareholder;

(b) the Civic Administration BE DIRECTED to negotiate a shareholder direction and accountability rules with the LMHC, which will include a formalized relationship between the LMHC and the City of London through the Community Services Department, with the City-lead being the Director of Municipal Housing and the resulting documents to be presented to the Committee of the Whole at its meeting of June 20, 2011, for consideration and recommendation for Council approval; and,

(c) a regular reporting relationship BE ESTABLISHED between the LMHC and the Community & Neighbourhoods Committee. (2011-C03-00)

8. That, on the recommendation of the Fire Chief, with the support of the President of the London Professional Fire Fighters Association (LPFFA) and with the concurrence of the Executive Director of Community Services, the following actions be taken with respect to the construction of a fire fighters memorial at the London Fire Department headquarters:

(a) the construction of a Fire Fighters Memorial at the London Fire Department Headquarters (Station 1) BE APPROVED; it being noted that the City's funding for the project, with an upset limit of $25,000 can be accommodated within the 2011 Fire Department Operating Budget and that the LPFFA will match the City's contribution with a combination of cash, donations, and in-kind services; it being further noted that Parks Planning will undertake additional landscaping work associated with, but beyond the immediate scope of the Memorial, to a further upset limit of $25,000 with the source of funding being the Urban Civic Spaces
In order to complete construction of the Memorial in time for the 10th anniversary of the 9/11 tragedy, this project **BE DECLARED** exempt from the usual administration requirements of the City's Public Art Program; it being noted that the Memorial will be included in the City's inventory of Public Art; the London Fire Department Headquarters, also known as Station 1, **BE DEDICATED** as the London Fire Department Memorial Headquarters; the Civic Administration and the LPFFA **BE ENCOURAGED** to meet with the SOHO Community Association and other local stakeholders to advise them of the Memorial; the Civic Administration, in partnership with the LPFFA, **BE AUTHORIZED** to complete all necessary administrative actions as required in accordance with established city policies; and, the Civic Administration **BE ASKED** to report back to the Community and Neighbourhoods Committee with the location and design of the Memorial. (2011-P09-00)

9. That, on the recommendation of the Director of Intergovernmental and Community Liaison, the City of London **BE DECLARED** as a Compassionate City; it being noted that the Community and Neighbourhoods Committee received the attached communication from J. Nordemann, Founder, Canadians for Compassion. (2011-G13-00)

Councillor Usher moves that clauses 10 to 17 be adopted.

Councillor Henderson moves, seconded by Councillor Bryant, that a policy be implemented whereby for every tree that the City of London approves to be removed, two trees are planted in its place by the owner, at some location within the City.

Councillor Baechler moves, seconded by Councillor Armstrong, that Councillor Henderson's motion that a policy be implemented whereby for every tree that the City of London approves to be removed, two trees are planted in its place by the owner, at some location within the City be referred to staff for review and report back on how this might help London meet the 1 Million Tree Challenge. CARRIED

The motion to adopt clauses 10 to 16, and clause 17, as amended, is put and CARRIED.

Clauses 10 to 16 and clause 17, as amended, read as follows:

10. That, on the recommendation of the Advisory Committee on the Environment, the Civic Administration **BE REQUESTED** to outline the communications strategy being developed relating to the dissemination of information to the public in regard to information provided at the recent "City of London: Vulnerability of Infrastructure to Climate Change" workshop that was presented to City Staff and Elected Officials on February 4, 2011; it being noted that the Advisory Committee on the Environment (ACE) suggests this information should be shared with the general public as expeditiously as possible; it being further noted the ACE reviewed and received a report relating to this matter from C. Morningstar and J. Mahon, who also attended the workshop.

11. That, on the recommendation of the Council Housing Leadership Committee, with the concurrence of the General Manager of Community Services, on the advice of the Director of Municipal Housing, a grant **BE ALLOCATED** to the Habitat for Humanity London Inc. for their 2010 builds, as follows:

(a) $6,721.32 for the housing units at 181/183 Springbank Drive;
(b) $2,402.00 for the housing unit at 434 Egerton Street; and,
(c) $27,361.80 for the housing units at 438/442 Egerton Street;
that the attached Sources of Financing Report, outlines the total allocation of $36,485.12; it being further noted that the Council Housing Leadership Committee reviewed and received the attached report, dated April 12, 2011, from the General Manager of Community Services, with respect to this matter.

12. That, on the recommendation of the Town and Gown Committee, the following actions be taken with respect to welcoming the University of Western Ontario and Fanshawe College students back to the City of London in September 2011:

(a) the Civic Administration BE DIRECTED to determine the cost of purchasing large banners to welcome the students back to the City, as well as for advertisements in the University of Western Ontario’s Gazette and Western News publications; and,

(b) a Source of Financing BE IDENTIFIED to purchase the items noted in (a), above;

it being noted that the Town and Gown Committee reviewed and received a report from the City of Waterloo with respect to its 2009 Town and Gown Committee Report.

13. That, on the recommendation of the Town and Gown Committee, the Mayor BE ASKED to write a letter to the University of Western Ontario (UWO) to:

(a) address the concerns of the UWO residential neighbourhoods with respect the recent St. Patrick’s Day week-long activities, notably the noise levels and the large amounts of litter and broken glass left behind; and,

(b) return orientation week events to its previous version, with classes returning on Thursday and Friday, and the focus of events on academics;

it being noted that the Town and Gown Committee (TGC) heard a verbal delegation from S. Bentley, with respect to this matter.

14. That, on the recommendation of the Town and Gown Committee, the Civic Administration BE REQUESTED to coordinate with the University of Western Ontario and Fanshawe College to initiate a Clean and Green Campaign for post St. Patrick’s Day, and all other major holidays, for the Fanshawe and Broughdale communities.

15. That, on the recommendation of the Town and Gown Committee, Civic Administration BE ASKED to report at a future meeting of the Town and Gown Committee with respect to the ongoing extra costs to the municipality as a result of student activities, with the report to include, but not be limited to, matters such as additional Police presence to implement the various projects (Project LEARN), extra garbage pick-up, St. Patrick’s Day clean-up, Orientation Week and By-law Enforcement.

16. That, on the recommendation of the Director, Environmental Programs & Solid Waste and the City Treasurer, the following actions BE TAKEN with respect to the Blue Box recyclables processing contract:

(a) the extension of the Blue Box recyclables processing contract with Emterra Environmental Limited BE APPROVED for 1 (one) month, from June 1, 2011 until June 30, 2011, at an estimated net cost of $20,000 with an option to extend on a week by week basis at the City’s discretion; it being noted that funds have been identified in the Current Operating Budget for Solid Waste, due to the increase in recycling revenue;

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

(c) the approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order or contract record relating to the subject matter of this approval. (2011-W08-00)

17. That, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the One Million Trees Challenge, proposed by ReForest London:

(a) the Civic Administration BE DIRECTED to partner with ReForest London to launch and deliver the 1 Million Tree Challenge;
(b) the Civic Administration **BE DIRECTED** to continue to work with ReForest London and their partners in the planning and implementation of the Challenge over the next 3 years;

(c) the use of the City logo **BE APPROVED** for all promotional materials, including a link from the City's web page to ReForest London's, to further promote the Challenge;

(d) the Civic Administration **BE ASKED** to report back on the success of the Challenge over the proposed 3 year period, and the next steps which may be required to reach the ultimate 1 million tree goal; and

(e) the potential for implementing a policy whereby for every tree that the City of London approves to be removed, two trees are planted in its place by the owner, at some location within the City, **BE REFERRED** to staff for review and report back on how this might help London meet the 1 Million Tree Challenge;

It being noted that the launch and first year of the program does not require additional funding beyond those included in the 2011 budget and that any future proposals relating to the 1 Million Tree Challenge which may require additional funding will be brought to Council for consideration through the 2012 and 2013 budget process;

It being further noted that the Community and Neighbourhoods Committee heard verbal presentations from Councillor J. L. Baechler, D. Crockett, on behalf of ReForest London, J. M. Fleming, Director, Land Use Planning and City Planner, I. Listar, Urban Forester and K. Van Den Berg, on behalf of ReForest London, with respect to this matter. (2011-E05-00)

Councillor Usher moves that clauses 18 and 19 be adopted.

Councillor White moves, seconded by Councillor M. Brown, that clause 18 be amended by adding a new part (c) as follows:

“(c) the City Clerk **BE REQUESTED** to report back, in liaison with the City Solicitor's Office, on what steps might be taken to protect the identity of delegations appearing before a Council committee in those instances where release of their personal identity would pose a threat to their personal safety.” CARRIED

The motion to adopt clause 18, as amended, and clause 19 is put and CARRIED.

Clause 18, as amended, and clause 19 read as follows:

18. That the following actions be taken with respect to the Adult Live Entertainment Parlour licences for the properties located at 50 Piccadilly Street and 2010 Dundas Street:

(a) the attached, revised, By-law **BE INTRODUCED** at the Municipal Council meeting to be held on May 9, 2011, to revoke the Adult Live Entertainment Parlour license for 50 Piccadilly Street and to reduce the number of Adult Live Entertainment Parlour licenses within the City from 5 to 4;

(b) the Civic Administration **BE ASKED** to report back at the June 14, 2011 Community and Neighbourhoods Committee with respect to additional information related to the Adult Live Entertainment Parlour license for the property located at 2010 Dundas Street; and

(c) the City Clerk **BE REQUESTED** to report back, in liaison with the City Solicitor's Office, on what steps might be taken to protect the identity of delegations appearing before a Council committee in those instances where release of their personal identity would pose a threat to their personal safety.

It being noted that the CNC heard a presentation from the Manager of By-law Enforcement and J. Smout, Solicitor II, received an information report from the Director of Building Controls and Chief Building Official and a communication dated April 28,
2011 from C. Canejo, Owner, Royal Lancaster, with respect to this matter; it being pointed out that at the public participation meeting associated with this matter, the following individuals made an oral submission in connection therewith:

- A. Haidar, 129 Culver Crescent – advising that he is a member of the Argyle Community Association, expressing concern with respect to the live adult entertainment parlour located at 2010 Dundas Street; indicating that the economic impact is outweighed by the negative impact to the community and that there are safety concerns with this type of establishment;

- C. Canejo, Owner, Royal Lancaster – advising that he has always had an open relationship with the Ward Councillors, London Police and By-law Enforcement Officers; indicating that he has advised Councillor Armstrong of the events that he has held at his building; indicating that Councillor Armstrong tried to get him to sell his building to the City; advising that he spoke to Councillor Armstrong in January who asked if he wanted to sell the building, indicating that the city would like to install a pool beside the recreation centre; advising that the Police have been called to his establishment 63 times from January, 2007 to January, 2010; advising that he purchased the property in 2005; disputing the timeline that the Manager of By-law Enforcement had outlined; indicating that he has a 75-80% occupancy rate and a 396 patron licence and is one of the busier businesses in the area; indicating that there are 5 additional hotels in the area and that the Police have been called to the other hotels 30 to 50 times; indicating that, at some of the smaller bars, the Police have been called 25 to 30 times; indicating that he called the police when he witnessed a fight and it is now being used against him in the statistics being provided; advising that his licence fee was increased to $7,400 and that he challenged it in court and the fee was lowered; advising that the Police and Municipal Law Enforcement Officers are always welcome at his establishment; advising that he spent $1.4 million renovating his property; indicating that he took longer to reopen, as the City was reconstructing watermain and sewers on Dundas Street in front of his property and that the construction finished in October, 2010; advising that his property has been appraised at $4.3 million and that if he loses his licence his property is worth $2.3 to $2.5 million; and asking that the Council not dismiss this location;

- N. Bakoias, Manager, Royal Lancaster – advising that the bar has been closed for renovations and a change in management; indicating that Mr. Canejo asked him if the bar should reopen and he indicated no because of the construction on Dundas Street and the record snowfalls in November, 2010; advising that the bar was open August 14 and December 22 with adult entertainers on the stage; and advising that they employ the “tallest man in Canada” as a bouncer; and,

- S. Irwin, 3 -341 Hilton Avenue – advising that she is a single mom who works for the Hotel, located at 2010 Dundas Street, three times a week and that if the Hotel is closed she will be out of a job; if the bar is reopened, it will employ more people; indicating that the people are friendly, there are hardly any fights and her bosses are great to work for; expressing concern that the city wants to close the hotel; and expressing that she feels safer at the bar than she does in her own neighbourhood. (2011-P10-06)

19. (20) That the Municipal Council BE ASKED to support the OneRun, One Survivor, One Day, One Hundred Kilometers events; it being noted that the Community and Neighbourhoods Committee heard verbal presentations from T. Morgan, T. Carriere and L. Wainright and reviewed and received a communication from T. Morgan, with respect to this matter. (2011-C00-00)
Councillor Usher moves, seconded by Councillor Baechler, that clause 19A be amended to read as follows:

'That the following actions be taken with respect to Victoria Day and Canada Day fireworks displays:

(a) the Civic Administration BE AUTHORIZED to waive the fee for the display fireworks permit/inspection for the major fireworks celebrations held by the Fanshawe Optimist Club on Victoria Day, at the Fanshawe Conservation Area, and London Celebrates Canada on Canada Day, at the Forks of the Thames; and

(b) the Civic Administration BE REQUESTED to report back on the feasibility of waiving the fee for the display fireworks permit/inspection for other groups in future years.' CARRIED

The Chair directs that clauses 20 to 29, inclusive, of Section II be noted. Clauses 20 to 29 read as follows:

20. That the Community and Neighbourhoods Committee reviewed and received an information report from the Executive Director of Planning, Environmental and Engineering Services with respect to the Eastern Flowering Dogwood Environmental Registry. (2011-E03-00)

21. That the Community and Neighbourhoods Committee reviewed and received an information report from the Director of Neighbourhood and Children’s Services, with respect to the Strengthening Neighbourhoods Initiative: Argyle Strategy. (2011-C06-00)

22. That the Community and Neighbourhoods Committee reviewed and received an information report from the Director of Neighbourhood and Children's Services, with respect to the Strengthening Neighbourhoods Initiative: Youth Community Economic Development Framework. (2011-C06-00)

23. That the Community and Neighbourhoods Committee (CNC) reviewed and received a communication dated April 1, 2011 from J. Low, Board Chair, South West Local Health Integration Network (LHIN), with respect to the LHIN's appreciation to the CNC for receiving the LHIN presentation on March 29, 2011. (2011-C09-00)

24. That the Community and Neighbourhoods Committee reviewed and received clauses 2 to 8, inclusive, the 4th Report of the Advisory Committee on the Environment, from its meeting held on April 6, 2011. (See Report attached.)

25. That the Community and Neighbourhoods Committee reviewed and received clauses 2 to 7, inclusive, of the 2nd Report of the Council Housing Leadership Committee, from its meeting held on April 12, 2011. (See Report attached.)

26. That the Community and Neighbourhoods Committee reviewed and received clauses 5 to 13, inclusive, of the 2nd Report of the Town and Gown Committee, from its meeting held on April 14, 2011. (See Report attached.)

27. That the Community and Neighbourss Committee received the attached presentation from B. Williams, Chair, A. Langille, Co-Chair and C. Stewart, Project Manager, Employment Sector Council of London-Middlesex with respect to the status of the Employment Sector Council of London – Middlesex. (2011-C06-00)

28. That the Community and Neighbourhoods Committee (CNC) heard a verbal presentation and received a communication dated April 19, 2011 from Councillor Denise Brown with respect to her request to amend the heat cut-off date in By-law PH-6, the Vital Services By-law. The CNC referred the matter to the Civic Administration to review and report back to a future meeting of the CNC relating to:

(a) a potential revision of the date for heat cut-off from June 15 to May 31; and,

(b) potential language changes to the by-law that would retain the general intent for the provision of vital services, but allow some discretion when outside weather and temperatures warrant. (2011-G05-00)
29. That the Community and Neighbourhoods Committee (CNC) received a communication dated April 28, 2011 from Councillor S. Orser with respect to a request to demolish the buildings at the property located at 475 McCormick Boulevard. The CNC asked the Manager of By-law Enforcement to determine the cost of demolition and report back at a future meeting of the CNC.

**BY-LAWS**

172. **First Reading:**

Councillor Swan moves, seconded by Councillor Van Meerbergen, that Bill No.'s 196 to 217, inclusive, be read a first time. CARRIED

**Second Reading:**

Councillor D. Brown moves, seconded by Councillor S. Orser, that Bill No.'s 196 to 217, inclusive, be read a second time. CARRIED

**Third Reading:**

Councillor Usher moves, seconded by Councillor Baechler, that Bill No.'s 196 to 217, inclusive, be read a third time and be finally passed and enacted as by-laws of The Corporation of the City of London, namely:

| Bill No. 196 | By-law No. A.-6657-127 | A by-law to confirm the proceedings of the Council Meeting held on the 9th day of May, 2011. (City Clerk) |
| Bill No. 197 | By-law No. A.-5273-82 | A by-law to amend By-law No. A.-5273-82 entitled, "A by-law to appoint Municipal Law Enforcement Officers for the City of London." (Manager of By-law Enforcement) |
| Bill No. 198 | By-law No. A.-5709(f)-129 | A by-law to amend By-law No. A.-5709-40 entitled, "A by-law to appoint Municipal Law Enforcement Officers as Weed Inspectors in the City of London." (Manager of By-law Enforcement) |
| Bill No. 199 | By-law No. A.-5895(c)-130 | A by-law to amend By-law No. A.-5895-232 entitled, "A by-law to appoint Property Standards Officers." (Manager of By-law Enforcement) |
| Bill No. 200 | By-law No. A.-5896(l)-131 | A by-law to amend By-law No. A.-5896-233 entitled, "A by-law to appoint Municipal Law Enforcement Officers for the purpose of enforcing the by-laws of The Corporation of the City of London." (Manager of By-law Enforcement) |
| Bill No. 201 | By-law No. A.-6658-132 | A by-law to approve a discretionary grant to London Health Sciences Centre regarding High Strength Sewage Service Charges under the City of London's Waste Discharge By-law. (6/11/BNEC) |
| Bill No. 202 | By-law No. A.-6659-133 | A by-law to approve the Funding Agreement with her Majesty the Queen in Right of Canada, as represented by the federal Minister of Human Resources and Skills Development under the Homelessness Partnering Strategy; and to authorize the Mayor and the City Clerk to execute the Agreement. (4/10/CNC) |
| Bill No. 203 | By-law No. A.-6660-134 | A by-law to approve the 2011 Service Accountability Agreement between The Corporation of the City of London and the South West Local Health Integration Network, for funding for the Adult Day Program and Homemaking; and to authorize the Mayor and the City Clerk to execute such agreement. (5/10/CNC) |
Bill No. 204
By-law No. A.-6661-135
A by-law to repeal By-law A.-6529-163 and to adopt an emergency management program and plan. (1/10/CNC)

Bill No. 205
By-law No. A.-6662-136
A by-law to implement a new Council Policy to provide for the regular review of ward boundaries in the City of London. (2/12/FAC)

Bill No. 206
By-law No. A.-6663-137
A by-law to delegate to the City of London’s Manager of Fleet Planning certain duties of an Officer under the Motor Vehicle Dealers’ Act, 2002. (5/12/FAC)

Bill No. 207
By-law No. A.-6664-138
A by-law levying rates for 2011 for school purposes in the City of London. (6/12/FAC)

Bill No. 208
By-law No. A.-6665-139
A by-law to authorize an Agreement between The Corporation of the City of London and Dancor Forest City Inc., to authorize the Mayor and City Clerk to execute the agreement. (3/12/FAC)

Bill No. 209
By-law No. B.-92(e)-140
A by-law to amend By-law No. B.-92-16 entitled, “A by-law to appoint the Chief Building Official and Inspectors under the Building Code Act, 1992, as amended, for the purposes of enforcement of the said Act.” (Manager of By-law Enforcement)

Bill No. 210
By-law No. L-6-11019
A by-law to amend By-law L-6 entitled, “A by-law to provide for the licensing and regulation of various businesses.” (18/10/CNC)

Bill No. 211
By-law No. P.S.-111-11092
A by-law to amend By-law PS-111 entitled, “A by-law to regulate traffic and the parking of motor vehicles in the City of London.” (13/12/BNEC)

Bill No. 212
By-law No. S.-5339-141
A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (As widening to Commissioners Road West, west of Nottinghill Road) (Chief Surveyor)

Bill No. 213
By-law No. S.-5440-142
A by-law to permit Slavko Brkanovic & Stefica Brkanovic to maintain and use a boulevard parking area upon the road allowance for 81 Josephine Street, City of London. (City Clerk)

Bill No. 214
By-law No. S.-5441-143
A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (For purposes of a public walkway for pedestrian use only, west of Tynemouth Drive) (Chief Surveyor)

Bill No. 215
By-law No. W.-5292-144
A by-law to authorize the 2011 Road Rehabilitation - Local & Rural Project. (Project No. TS3014-11) (11/10/BNEC)

Bill No. 216
By-law No. W.-5293-145
A by-law to authorize the 2011 Road Rehab Project. (Project No. TS1446-11) (1/10/BNEC)

Bill No. 217
By-law No. Z.-1-112016
A by-law to amend By-law No. Z.-1 to rezone an area of land located at 513 Queens Avenue and 520 Dundas Street (7/12/BNEC)

CARRIED
Councillor Hubert moves, seconded by Councillor D. Brown, that the Council rise and go into Committee of the Whole, in camera, for the purpose of considering the following:

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

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

(c) A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed disposition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed disposition of land; financial information supplied in confidence pertaining to the proposed disposition 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 disposition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed disposition 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 disposition whose disclosure could reasonably be
expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed disposition 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 disposition;

(d) A matter pertaining to proposed or pending acquisition of land by the municipality in connection with the Springbank Drive road widening project and related expropriations; litigation or potential litigation with respect to the expropriation of temporary easement on a property located at 335 Springbank Drive, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with the expropriation of temporary easement on a property located at 335 Springbank Drive; and directions and instructions to officers and employees or agents of the municipality regarding settlement negotiations and conduct of litigation in connection with the expropriation of a temporary easement on a property located at 335 Springbank Drive;

(e) A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose with respect to the decommissioning of City-owned lands known as the South Street Campus currently leased and occupied by London Health Sciences Centre;

(f) A matter pertaining to litigation in the Superior Court of Justice, Court File No. 61809, The Corporation of the City of London v. Hatch Ltd. et al. or potential litigation affecting the municipality and arising out of the Springbank Dam Rehabilitation Project; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

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

(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 advice which is the subject of solicitor client privilege;

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

(j) A matter which can be considered in a meeting closed to the public as the subject matter being considered pertains to litigation or potential litigation with respect to the appeals of Nortel Networks Technology Corporation and Nortel Networks Limited to the Environmental Review Tribunal from an Order of the Director, Ministry of the Environment, Order No. DP-6548-7WJKV4, dated October 29, 2009 and a motion before the Ontario Superior Court of Justice, Court File No. 09-CL-7950; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with the appeals of Nortel Networks Technology Corporation and Nortel Networks Limited to the Environment Review Tribunal from an Order of the Director, Ministry of the Environment, Order No. DP-6548-7WJKV4, dated October 29, 2009, and a motion before the Ontario Superior Court of Justice, Court File No. 09-CL-7950; and for giving directions to officers, employees or agents of the municipality, local board or committee of
The Council rises and goes into the Committee of the Whole, in camera, at 8:50 p.m. with Mayor Fontana in the Chair and all Members present except Councillors Armstrong and Swan.

Councillor Swan enters the meeting at 9:24 p.m.

P. White and K. Lakhotia enter the meeting at 9:24 p.m.

The Committee rises and Council resumes in regular session at 9:31 p.m. with Mayor Fontana in the Chair and all Members present except Councillor Armstrong.

17TH REPORT OF THE COMMITTEE OF THE WHOLE


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, on the recommendation of the Managing Director - Corporate Assets, on the advice of the Manager of Realty Services, with the concurrence of the Executive Director, Planning, Environmental and Engineering Services, the Agreement of Purchase and Sale submitted by John C. Jackson, Linda Jackson, James R. Jackson and Margaret Brewer to sell to the City land municipally known as 5879 Wellington Road South, located on the west side of Wellington Road South between Scotland Drive and Manning Drive, further described as Part Lot 16, Concession 6, containing an area of approximately 89 acres, for buffering of the W12A landfill site, for the sum of $979,000.00, BE ACCEPTED, subject to the following conditions:

(a) the City agreeing to pay the Vendors’ reasonable legal fees, including fees for disbursements and applicable taxes, to complete this transaction, subject to assessment; and

(b) the established closing date of June 23, 2011 may be extended to a date which is ten (10) days following the issuance of a Certificate of Appointment of Estate Trustee with a Will in the Estate of Richard Jackson if such has not been issued ten (10) days prior to the scheduled closing date;

and that the financing for this acquisition BE APPROVED as set out in the Source of Financing Report attached hereto as Appendix "A". (2011-L15-02)

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 Managing Director - Corporate Assets, on the advice of the Manager Realty Services, and the concurrence of the Fire Chief, the following actions be taken to acquire lands to facilitate the relocation of Fire Station No. 7, noting the acquisition of both parcels is necessary:

(a) the offer submitted by the Forest City Columbus Club (also known as the Knights of Columbus) to sell to the City the property identified as 1295 Webster Street with an estimated area of approximately 0.63 acres, being Part of Lot 15, Plan 82, and part of Webster Street designated as Parts 2 and 3, Plan 33R-5494, for a consideration of $290,000 BE ACCEPTED subject to the general conditions noted in (c) below and subject to the following additional condition;
I. exclusion from the Property several fixtures in the existing assembly hall building on the lands;

(b) the offer submitted by the London District Catholic School Board to sell to the City the adjoining property identified as part of 1366 Huron Street with an estimated area of approximately 0.31 acres, being Part of Lot 15, Plan 82, for a consideration of $70,000, with both offers totaling $360,000 to purchase approximately 0.94 acres, BE ACCEPTED subject to the general conditions noted in (c) below and subject to the following additional condition:

i. the School Board adopting a resolution that the property is surplus to its needs and the satisfaction of all applicable regulations with respect to the sale of real property under the Education Act, including approval of the Board of Trustees of the Catholic School Board and the Ministry of Education for the transaction;

(c) both offers BE SUBJECT to the following general conditions:

i. the City satisfying itself in its sole and absolute discretion as to the soil and environmental condition of the Property within 45 days from the date of acceptance of the Agreement;

ii. the City agreeing to prepare and deposit on title, on or before closing and at its expense, a reference plan describing the Property;

iii. the City obtaining at its expense within one hundred eighty (180) days from the date of acceptance of the Agreement the appropriate amendments to the Official Plan and Zoning By-Law necessary to develop and use the acquired property for a Fire Station;

iv. the City obtaining a conditional Agreement of Purchase and Sale for the purchase of the adjoining lands and the removal of all conditions in the respective Agreement within one hundred eighty (180) days from the date of acceptance of the Offer by the City;

v. the City obtaining Site Plan approval at the City's own expense for the construction of a Fire Hall within one hundred eighty (180) days from the date of acceptance of the Offer by the City.

the financing for these acquisitions BE APPROVED as set out in the Source of Financing Report attached hereto as Appendix "A." (2011-L15-02)

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 Managing Director - Corporate Assets, on the advice of the Manager of Realty Services, the offer submitted by Dr. Oetker Canada Ltd., to purchase 66.251 acres, more or less subject to survey, on the south-west corner of Veteran's Memorial Parkway and Bradley Avenue, and being comprised of Block 3 and Part of Block 4, Plan 33M-627, as outlined on the sketch attached hereto as Schedule "C", at a purchase price of $3,510,176 (reflecting a blended price of $52,983 per acre) BE ACCEPTED, subject to the following conditions:

(a) approval of a Zoning By-Law minor variance application to permit a 45 meter height allowance for structures and a 12 meter set-back for all yard areas;

(b) the City shall permit a proposed building coverage of approximately 9 percent on Block 3 in place of 15 percent prescribed by Clause 5(2) of the present Industrial Land Sale Policy;

(c) removal of all trees and shrubs to the specifications acceptable to the purchaser;

(d) the City will provide water, storm and sanitary sewer services to single locations at the property line of the property nearest the source of the service within six (6) weeks of closing:
the City shall provide a foundation credit of $200,000 to the Purchaser, which amount shall be credited to the Purchaser upon closing of this transaction;

the City shall provide a landscaping, topsoil management and geological credit of $200,000 to the Purchaser, which amount shall be credited to the Purchaser upon closing of this transaction;

the City is prepared to abandon and relocate the sanitary sewer, currently located under the easement at the central portion of Block 3 and required to facilitate the construction of buildings on the land. The City will complete the decommissioning and abandonment of the sanitary sewer by no later than six (6) weeks after the closing date of the transaction. The City will complete the new sewer and relinquish the current easement by no later than six (6) months after the closing date of the transaction. The Purchaser will grant the necessary municipal services easements over the property;

the Purchaser shall be granted a 5-year option to purchase approximately 10 acres (referred to in the offer as the easterly part of Block 2, Plan 33M-627), retained by the City, at the price of $50,000 per acre;

for a period of 20 years from the expiry of the option, the Purchaser shall have first right of refusal on the approximately 10 acres of easterly part of Block 2, Plan 33M-627;

a restrictive covenant agreement will bind all lands within Phase 2 and 3 of Innovation Park and all lands owned by the City within a 500 meter radius around the outermost boundaries of the Purchased Property and which shall restrict or prohibit certain uses, developments and tenancies without the consent of the Purchaser;

the City will complete the transfer/purchase of land from Hydro One Networks of that portion of Nova Court road allowance as described as Part 1 on Reference Plan 33R-17634, including the passage of any By-Law necessary to dedicate the land as a public highway in order to provide road access to Block 4;

the City will provide to the Purchaser an additional Foundations and Soil Bearing Capacity warranty to a maximum of $200,000 for any additional or increased costs or expenses to implement the Purchaser's required footing and foundation system and building floor slab construction on soils unable to support a bearing pressure capacity of 200 kpa (4000 pounds per square foot);

should the Purchaser not commence construction on Block 3 lands within one year of closing, and if the City determines to exercise the Repurchase Option, the City will pay the Purchaser 100% of the original purchase of the Property; and

in the event the Purchaser exercises it's right to acquire the Option Lands (Part of Block 2), the City will agree to transfer the fee simple interest in a portion of Discovery Road and Nova Court shown hatched on a schedule "D" attached, on the same terms and conditions as the Option Lands, subject to all easements and rights of access of the City and third parties.

Councillor Hubert presents the 17th Report of the Committee of the Whole.

Councillor Hubert moves, seconded by Councillor Orser, 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 17th Report of the Committee of the Whole. CARRIED

Councillor Hubert moves, seconded by Councillor Orser, that the following recommendations be approved:

1. That, on the recommendation of the Managing Director - Corporate Assets, on the advice of the Manager of Realty Services, with the concurrence of the Executive Director, Planning, Environmental and Engineering Services, the Agreement of Purchase and Sale submitted by John C. Jackson, Linda Jackson, James R. Jackson and Margaret Brewer to sell to the City land municipally known as 5879 Wellington Road South, located on the west side of Wellington Road South between Scotland Drive and Manning Drive, further described as Part Lot 16, Concession 6, containing an area of
approximately 89 acres, for buffering of the W12A landfill site, for the sum of $979,000.00, BE ACCEPTED, subject to the following conditions:

(a) the City agreeing to pay the Vendors' reasonable legal fees, including fees for disbursements and applicable taxes, to complete this transaction, subject to assessment; and

(b) the established closing date of June 23, 2011 may be extended to a date which is ten (10) days following the issuance of a Certificate of Appointment of Estate Trustee with a Will in the Estate of Richard Jackson if such has not been issued ten (10) days prior to the scheduled closing date;

and that the financing for this acquisition BE APPROVED as set out in the Source of Financing Report attached hereto as Appendix "A". (2011-L15-02) CARRIED

2. That on the recommendation of the Managing Director - Corporate Assets, on the advice of the Manager Realty Services, and the concurrence of the Fire Chief, the following actions be taken to acquire lands to facilitate the relocation of Fire Station No. 7, noting the acquisition of both parcels is necessary:

(a) the offer submitted by the Forest City Columbus Club (also known as the Knights of Columbus) to sell to the City the property identified as 1295 Webster Street with an estimated area of approximately 0.63 acres, being Part of Lot 15, Plan 82, and part of Webster Street designated as Parts 2 and 3, Plan 33P-1494, for a consideration of $290,000 BE ACCEPTED subject to the general conditions noted in (c) below and subject to the following additional condition:

   i. exclusion from the Property several fixtures in the existing assembly hall building on the lands;

(b) the offer submitted by the London District Catholic School Board to sell to the City the adjoining property identified as part of 1366 Huron Street with an estimated area of approximately 0.31 acres, being Part of Lot 15, Plan 82, for a consideration of $70,000, with both offers totaling $360,000 to purchase approximately 0.94 acres, BE ACCEPTED subject to the general conditions noted in (c) below and subject to the following additional condition:

   i. the School Board adopting a resolution that the property is surplus to its needs and the satisfaction of all applicable regulations with respect to the sale of real property under the Education Act, including approval of the Board of Trustees of the Catholic School Board and the Ministry of Education for the transaction;

(c) both offers BE SUBJECT to the following general conditions:

   i. the City satisfying itself in its sole and absolute discretion as to the soil and environmental condition of the Property within 45 days from the date of acceptance of the Agreement;
   ii. the City agreeing to prepare and deposit on title, on or before closing and at its expense, a reference plan describing the Property;
   iii. the City obtaining at its expense within one hundred eighty (180) days from the date of acceptance of the Agreement the appropriate amendments to the Official Plan and Zoning By-Law necessary to develop and use the acquired property for a Fire Station;
   iv. the City obtaining a conditional Agreement of Purchase and Sale for the purchase of the adjoining lands and the removal of all conditions in the respective Agreement within one hundred eighty (180) days from the date of acceptance of the Offer by the City;
   v. the City obtaining Site Plan approval at the City's own expense for the construction of a Fire Hall within one hundred eighty (180) days from the date of acceptance of the Offer by the City.

the financing for these acquisitions BE APPROVED as set out in the Source of Financing Report attached hereto as Appendix "A". (2011-L15-02)
3. That, on the recommendation of the Managing Director - Corporate Assets, on the advice of the Manager of Realty Services, the offer submitted by Dr. Oetker Canada Ltd., to purchase 66.251 acres, more or less subject to survey, on the south-west corner of Veteran's Memorial Parkway and Bradley Avenue, and being comprised of Block 3 and Part of Block 4, Plan 33M-627, as outlined on the sketch attached hereto as Schedule "C", at a purchase price of $3,510,176 (reflecting a blended price of $52,983 per acre) BE ACCEPTED, subject to the following conditions:

(a) approval of a Zoning By-Law minor variance application to permit a 45 meter height allowance for structures and a 12 meter set-back for all yard areas;

(b) the City shall permit a proposed building coverage of approximately 9 percent on Block 3 in place of 15 percent prescribed by Clause 5(2) of the present Industrial Land Sale Policy;

(c) removal of all trees and shrubs to the specifications acceptable to the purchaser;

(d) the City will provide water, storm and sanitary sewer services to single locations at the property line of the property nearest the source of the service within six (6) weeks of closing;

(e) the City shall provide a foundation credit of $200,000 to the Purchaser, which amount shall be credited to the Purchaser upon closing of this transaction;

(f) the City shall provide a landscaping, topsoil management and geological credit of $200,000 to the Purchaser, which amount shall be credited to the Purchaser upon closing of this transaction;

(g) the City is prepared to abandon and relocate the sanitary sewer, currently located under the easement at the central portion of Block 3 and required to facilitate the construction of buildings on the land. The City will complete the decommissioning and abandonment of the sanitary sewer by no later than six (6) weeks after the closing date of the transaction. The City will complete the new sewer and relinquish the current easement by no later than six (6) months after the closing date of the transaction. The Purchaser will grant the necessary municipal services easements over the property;

(h) the Purchaser shall be granted a 5-year option to purchase approximately 10 acres (referred to in the offer as the easterly part of Block 2, Plan 33M-627), retained by the City, at the price of $50,000 per acre;

(i) for a period of 20 years from the expiry of the option, the Purchaser shall have first right of refusal on the approximately 10 acres of easterly part of Block 2, Plan 33M-627;

(j) a restrictive covenant agreement will bind all lands within Phase 2 and 3 of Innovation Park and all lands owned by the City within a 500 meter radius around the outermost boundaries of the Purchased Property and which shall restrict or prohibit certain uses, developments and tenancies without the consent of the Purchaser;

(k) the City will complete the transfer/purchase of land from Hydro One Networks of that portion of Nova Court road allowance as described as Part 1 on Reference Plan 33R-17634, including the passage of any By-Law necessary to dedicate the land as a public highway in order to provide road access to Block 4;

(l) the City will provide to the Purchaser an additional Foundations and Soil Bearing Capacity warranty to a maximum of $200,000 for any additional or increased costs or expenses to implement the Purchaser's required footing and foundation system and building floor slab construction on soils unable to support a bearing pressure capacity of 200 kpa (4000 pounds per square foot);

(m) should the Purchaser not commence construction on Block 3 lands within one year of closing, and if the City determines to exercise the Repurchase Option, the City will pay the Purchaser 100 % of the original purchase of the Property; and

(n) in the event the Purchaser exercises it's right to acquire the Option Lands (Part of Block 2), the City will agree to transfer the fee simple interest in a portion of
Discovery Road and Nova Court shown hatched on a schedule "D" attached, on the same terms and conditions as the Option Lands, subject to all easements and rights of access of the City and third parties. CARRIED

BY-LAWS (continued)

173. Councillor Hubert moves, seconded by Councillor D. Brown, that the following Bills be introduced:

Bill No. 218
By-law No. A.-6666-146
A By-law to authorize an Agreement of Purchase and Sale between The Corporation of the City of London and John C. Jackson, Linda Jackson, James R. Jackson and Margaret Brewer, for the acquisition of property located at 5879 Wellington Road South, for the W12A landfill site, and to authorize the Mayor and City Clerk to execute the Agreement. (1/17/CW)

Bill No. 219
By-law No. A.-6667-147
A By-law to authorize an Agreement between The Corporation of the City of London and Dr. Oetker Canada Ltd., to authorize the Mayor and City Clerk to execute the Agreement. (3/17/CW)

Bill No. 220
By-law No. A.-6668-148
A By-law to authorize an Agreement of Purchase and Sale between The Corporation of the City of London and the Forest City Columbus Club, for the acquisition of property located at 1295 Webster St., and an Agreement of Purchase and Sale between The Corporation of the City of London and the London District Catholic School Board for the acquisition of lands that are a part of 1366 Huron St., adjoining 1295 Webster St., and to authorize the Mayor and City Clerk to execute the Agreements. (2/17/CW)

Bill No. 221
By-law No. A.-6669-149
A by-law to approve and authorize the execution of an Agreement between Fanshawe College of Applied Arts and Technology and The Corporation of the city of London to facilitate the development of a Fanshawe College campus in Downtown London. (1/13/FAC)

CARRIED

First Reading:

Councillor Bryant moves, seconded by Councillor Baechler, that Bill No.'s 218 to 221, inclusive, be read a first time. CARRIED

Second Reading:

Councillor Henderson moves, seconded by Councillor Van Meerbergen, that Bill No.'s 218 to 221, inclusive, be read a second time. CARRIED

Third Reading:

Councillor Usher moves, seconded by Councillor D. Brown, that Bill No.'s 218 to 221, inclusive, be read a third time and be finally passed and enacted as by-laws of The Corporation of the City of London, namely:

Bill No. 218
By-law No. A.-6666-146
A By-law to authorize an Agreement of Purchase and Sale between The Corporation of the City of London and John C. Jackson, Linda Jackson, James R. Jackson and Margaret Brewer, for the acquisition of property located at 5879 Wellington Road South, for the W12A landfill site, and to authorize the Mayor and City Clerk to execute the Agreement. (1/17/CW)

Bill No. 219
By-law No. A.-6667-147
A By-law to authorize an Agreement between The Corporation of the City of London and Dr. Oetker Canada Ltd., to authorize the Mayor and City Clerk to execute the Agreement. (3/17/CW)
A By-law to authorize an Agreement of Purchase and Sale between The Corporation of the City of London and the Forest City Columbus Club, for the acquisition of property located at 1295 Webster St., and an Agreement of Purchase and Sale between The Corporation of the City of London and the London District Catholic School Board for the acquisition of lands that are a part of 1366 Huron St., adjoining 1295 Webster St., and to authorize the Mayor and City Clerk to execute the Agreements. (2/17/CW)

A by-law to approve and authorize the execution of an Agreement between Fanshawe College of Applied Arts and Technology and The Corporation of the city of London to facilitate the development of a Fanshawe College campus in Downtown London. (1/13/FAC)

CARRIED

ENQUIRIES

174. Councillor Baechler enquires about what the City is doing with respect to the draft Order of the Director, Ministry of the Environment, EBR Registry No. 011-3458.

Councillor Baechler moves, seconded by Councillor Hubert, that the Executive Director of Planning, Environmental & Engineering Services BE DIRECTED to submit comments on the draft Order of the Director, Ministry of the Environment, EBR Registry No. 011-3458. CARRIED

Councillor Baechler moves, seconded by Councillor Hubert, that the Executive Director of Planning, Environmental & Engineering Services also BE DIRECTED to provide a report on the strategy to be followed in respect of the draft Order of the Director, Ministry of the Environment, EBR Registry No. 011-3458 including evaluation and potential mitigation. CARRIED

Councillor Swan enquires about the possibility of the Municipal Council sending a letter of congratulations to the new local Members of Parliament.

Councillor Swan moves, seconded by Councillor D. Brown that the Civic Administration BE DIRECTED to draft a letter, for signature by all Members of Council, congratulating the local Members of Parliament for their recent election to office. CARRIED

ADJOURNMENT

175. Councillor Usher moves, seconded by Councillor D. Brown, that the Meeting adjourn. CARRIED

The Meeting adjourns at 9:40 p.m.

Joe Fontana, Mayor

Catharine Saunders, City Clerk