

Report to the Council of The Corporation of the City of London

To: The Council of The Corporation of the City of London

From: Kelly Scherr, P. Eng., MBA, FEC, Deputy City Manager,
Environment and Infrastructure

Subject: Expropriation of Land to Facilitate Placing Certificate of
Requirement of Title - Condition of Amended ECA for Expanded
W12A Landfill – Report 3

Date: April 28, 2026

Recommendation

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, with the concurrence of the Director, Environment & Waste Management, on the advice of the Director, Realty Services, with respect to the expropriation of lands as may be required to comply with Condition 18 of the Amended Environmental Compliance Approval (ECA) for the Expanded W12A Landfill, and that the following actions be taken:

- a) the proposed bylaw attached as Appendix “A” being “A by-law to expropriate lands in the City of London, in the County of Middlesex, the Expanded W12A Landfill Project: **BE INTRODUCED** at the Municipal Council meeting to be held on April 28, 2026;
- b) the Civic Administration **BE DIRECTED** to take all necessary steps to prepare a plan or plans showing the Expropriated Lands and to register such plan or plans in the appropriate registry or land titles office, pursuant to the *Expropriations Act, R.S.O. 1990, c. E.26*, within three (3) months of the Approving Authority granting approval of the said expropriation;
- c) the Mayor and City Clerk **BE AUTHORIZED** to sign on behalf of the Expropriating Authority, the plan or plans as signed by an Ontario Land Surveyor showing the Expropriated Lands; and
- d) the City Clerk **BE AUTHORIZED AND DIRECTED** to execute and serve the notices of expropriation required by the *Expropriations Act, R.S.O. 1990, c. E.26* and such notices of possession that may be required to obtain possession of the Expropriated Lands.

Executive Summary

The purpose of this report is to seek Municipal Council approval for the expropriation of a small parcel of land required by The Corporation of the City of London to comply with Condition 18 of the Amended ECA for the Expanded W12A Landfill.

This administrative title cleanup involves a single nominal parcel (Part 3 on Plan 33R-1297) that must be acquired to enable registration of the required Certificate of Requirement of Title. Efforts to locate heirs for a voluntary transfer were pursued as a priority; one heir was identified but lacks capacity to act on behalf of the estate. As such, expropriation is the last resort to ensure compliance with the ECA.

Linkage to the Corporate Strategic Plan

The following report supports the City of London's 2023-2027 Strategic Plan through the Climate Action and Sustainable Growth pillar, particularly Outcome 1: London has a strong and healthy environment (Goal 1.1: Moving towards a circular economy by reducing waste and diverting materials from landfill) and Outcome 3: London's infrastructure and systems are built, maintained, and operated to meet long-term community needs (Goal 3.2: Sustainable infrastructure development with a focus on environmental sustainability and climate resilience). By ensuring regulatory compliance with the Amended ECA for the Expanded W12A Landfill, this administrative title cleanup facilitates effective waste management, promotes a circular economy, and supports environmental protection for sustainable growth in London.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

- Corporate Services Committee – January 12, 2026 - Expropriation of Land to Facilitate Placing Certificate of Requirement of Title - Condition of Amended ECA for Expanded W12A Landfill
- Civic Works Committee – January 11, 2022 - Environmental Assessment Study Report (EASR) – Environmental Assessment of the Proposed W12A Landfill Expansion

2.0 Discussion and Considerations

2.1 Project Background

The Expanded W12A Landfill is a key waste management facility supporting the City's long-term sustainability goals. The project received an Amended ECA from the Ministry of the Environment, Conservation and Parks (MECP), which includes Condition 18 requiring the registration of a Certificate of Requirement of Title on the lands comprising the site boundary.

A title search confirms that the City does not own the portion described as PIN 08205-0005 (LT), being Part 3 on Plan 33R-1297. The parcel was never transferred to the City and has remained in the estate of Stanley Paul Johnston since the original transfer date in 1962. The registered owner is believed to be deceased. Efforts to secure a voluntary transfer through identified heirs were unsuccessful, as the heir lacks the legal capacity to act on behalf of the estate. To ensure timely compliance with the ECA, expropriation is recommended as the appropriate next step. This is the first of three reports addressing this administrative title cleanup.

2.2 Property Details

The required parcel represents a nominal area necessary to complete the administrative title cleanup. Realty Services conducted a comprehensive title search and review, confirming that the parcel is registered to a deceased owner. One heir was identified; however, she lacks the legal capacity to act on behalf of the estate. As efforts to secure a voluntary transfer have been unsuccessful, expropriation will proceed to ensure title correction and compliance with regulatory requirements. A copy of the title search is available from Realty Services.

Location map and legal description of the required property are included as Schedule A.

3.0 Financial Implications and Considerations

3.1 Compensation for Land Acquisition

There is budget available for land acquisition costs relating to this administrative title cleanup.

Conclusion

Compliance with ECA Condition 18 is required to support operations at the Expanded W12A Landfill. Acquisition of this parcel must be secured to register the Certificate of Requirement of Title.

Commencement of the expropriation process is recommended at this time to ensure regulatory timelines are achieved, as prior efforts to locate heirs for a voluntary resolution were unsuccessful due to the identified heir's lack of capacity.

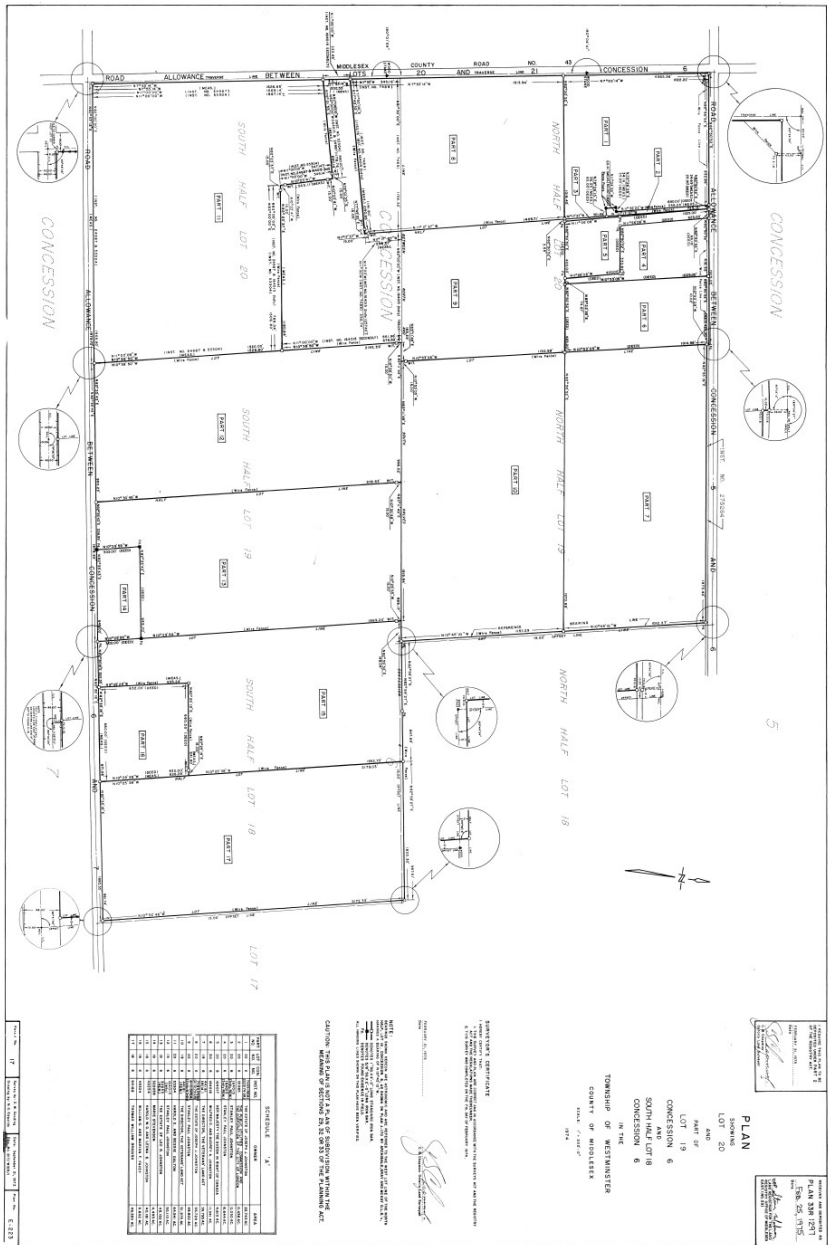
Prepared by: John Turedi, Property Appraiser, Realty Services

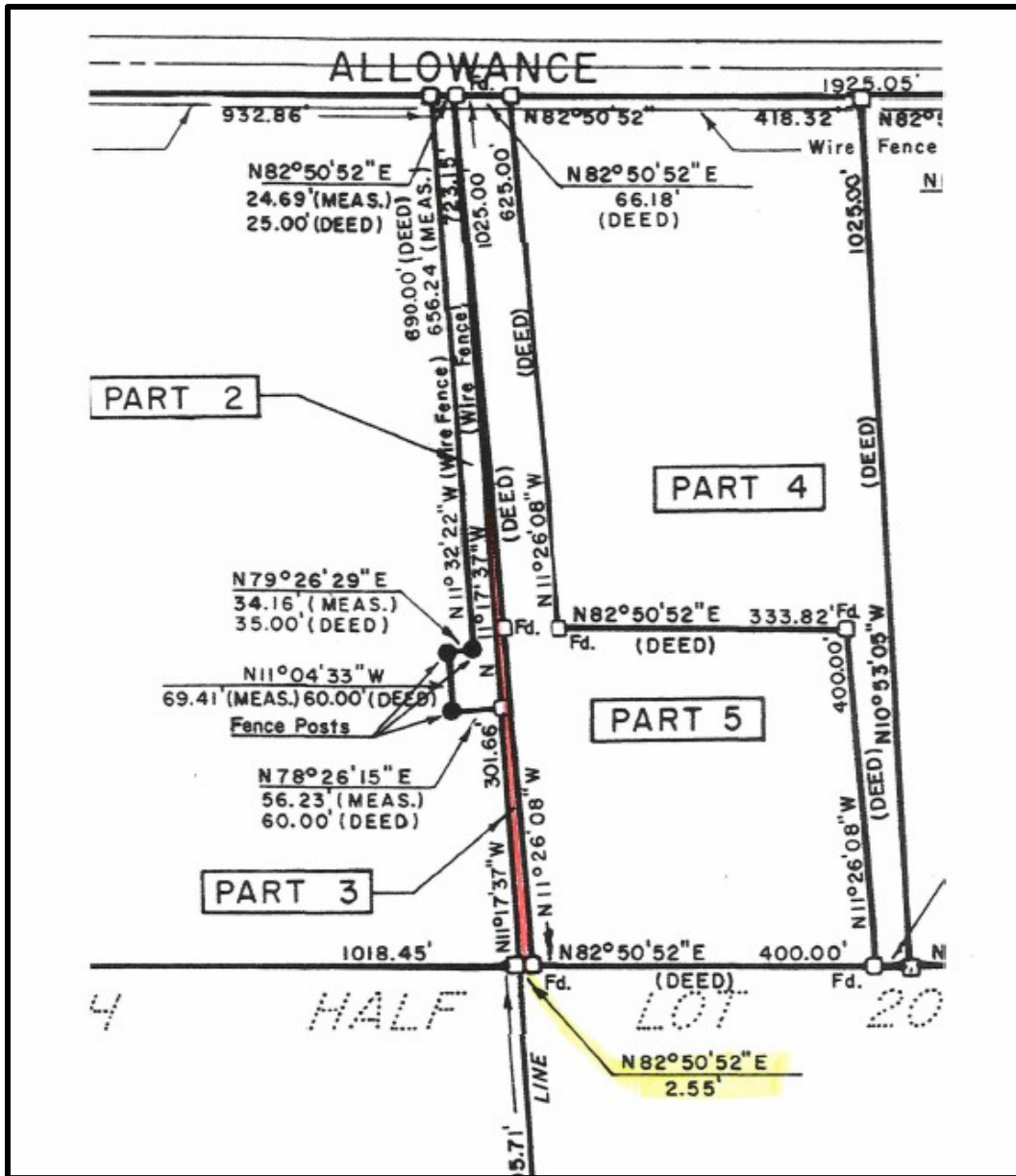
Submitted by: Bryan Baar, Director, Realty Services

Concurred by: Shawna Chambers, Director, Climate Change,
Environment & Waste Management, Environment and
Infrastructure

Recommended by: Kelly Scherr, P. Eng., MBA, FEC, Deputy City Manager,
Environment and Infrastructure

Schedule A - Reference Plan





SCHEDULE 'A'						
PART NO.	LOT NO.	CON. NO.	INST. NO.	OWNER	AREA	
1	20	6	7489 (REM.) (223174 GR.)	THE ESTATE OF JOSEPH J. JOHNSTON	22.745 AC.	
2	20	6	131385	THE PUBLIC UTILITIES COMMISSION AND THE CORPORATION OF THE CITY OF LONDON	0.438 AC.	
3	20	6	164015 (3rdly REM.)	STANLEY PAUL JOHNSTON	0.030 AC.	
4	20	6	164015 (3rdly REM.)	STANLEY PAUL JOHNSTON	6.644 AC.	
5	20	6	164017	HER MAJESTY THE QUEEN IN RIGHT OF CANADA	4.610 AC.	
6	20	6	164018	WILFRED G. AND AUDREY A. JOHNSTON	11.341 AC.	
7	19	6	44181 (REM.)	THE DIRECTOR, THE VETERANS' LAND ACT	39.795 AC.	
8	20	6	7489 (REM.) (223174 GR.)	THE ESTATE OF JOSEPH J. JOHNSTON	35.729 AC.	
9	20	6	164015 (REM.) (2ndly & 3rdly)	STANLEY PAUL JOHNSTON	49.800 AC.	
10	19	6	44181 (REM.)	THE DIRECTOR, THE VETERANS' LAND ACT	51.975 AC.	
11	20	6	53304	HAROLD E. AND BESSIE DALTON	64.541 AC.	
12	19	6	164015 (1stly)	STANLEY PAUL JOHNSTON	50.110 AC.	
13	19	6	30853 (REM.)	THE ESTATE OF LEO R. JOHNSTON	45.152 AC.	
14	19	6	322059	MARIE STEVENSON	4.493 AC.	
15	18	6	49254	HAROLD W. D. AND LEONA B. JOHNSTON	40.181 AC.	
16	18	6	49324	WILLIAM G. AND MARION F. FACEY	9.602 AC.	
17	18	6	94168	THOMAS WILLIAM BRADISH	49.350 AC.	

Schedule B

Fee Simple:

Part of Lot 20, Concession 6 in the City of London, County of Middlesex designated as Part 3 on Plan 33R-1297 being Part of PIN 08205-005(LT)

Appendix A

Bill No.

By-law No. L.S.P.-

A By-law to expropriate lands in the City of London, in the County of Middlesex to Facilitate Placing Certificate of Requirement of Title - Condition of Amended ECA for Expanded W12A Landfill

WHEREAS the Municipal Council of The Corporation of the City of London, as Approving Authority, pursuant to the *Expropriations Act, R.S.O. 1990, c. E.26*, as amended, at its meeting held on April 28, 2026, approved the expropriation of the lands and premises hereinafter described in attached Schedule "A" of this by-law:

AND WHEREAS the said Approving Authority has directed that its Certificate of Approval be issued in the prescribed form;

AND WHEREAS The Corporation of the City of London, as Expropriating Authority, at its meeting held on April 28, 2026, accepted the recommendation of Approving Authority;

BE IT THEREFORE ENACTED by the Municipal Council of The Corporation of the City of London, as follows:

1. The lands described in attached Schedule "A" of this bylaw be, and the same, are hereby expropriated pursuant to the *Expropriations Act, R.S.O. 1990, c. E. 26*, and the *Municipal Act, 2001*, as amended.
2. The appropriate municipal officials are authorized and directed to take all proper and necessary steps and proceedings including the employment of valuers, to settle by arbitration or otherwise, the amount of compensation to be paid in respect of the expropriation of the said lands, providing that the amount of compensation shall not be reached by agreement unless adopted and approved by the Municipal Council of The Corporation of the City of London.
3. The appropriate municipal officials are authorized and directed to prepare a plan or plans, as necessary, showing the lands to be expropriated for registration in the appropriate Registry of Land Titles Office, and the Mayor and the Clerk are authorized and directed to sign the plan of expropriation, all pursuant to the *Expropriations Act*.
4. The appropriate municipal officials are authorized and directed to execute and serve the Notice of Expropriation and the Notice of Possession pursuant to the *Expropriations Act*.
5. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on

Josh Morgan, Mayor

Michael Schulthess, City Clerk

First Reading – April 28, 2026
Second Reading - April 28, 2026
Third Reading – April 28, 2026

Schedule A

To By-law L.S.P.- _____

DESCRIPTION OF LANDS TO BE EXPROPRIATED TO Facilitate the Registration of a Certificate of Requirement on Title – Condition of the Amended ECA for the Expanded W12A Landfill

Fee Simple:

Part of Lot 20, Concession 6 in the City of London, County of Middlesex designated as Part 3 on Plan 33R-1297 being Part of PIN 08205-005(LT)