



Council Minutes

13th Meeting of City Council
September 27, 2022, 4:00 PM

Present: Mayor E. Holder, M. van Holst, S. Lewis, J. Helmer, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Peloza, J. Fyfe-Millar, S. Hillier

Absent: M. Salih

Also Present: A. Job, M. Schulthess

L. Livingstone, A. Barbon, G. Barrett, B. Card, S. Corman, J. Davison, K. Dickens, T. Fowler, S. Mathers, R. Morris, K. Scherr, C. Smith, B. Westlake-Power

The meeting is called to order at 4:00 PM; it being noted that the following members were in remote attendance, Councillors M. Salih, J. Helmer,

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests are disclosed.

2. Recognitions

None.

3. Review of Confidential Matters to be Considered in Public

None.

4. Council, In Closed Session

None.

5. Confirmation and Signing of the Minutes of the Previous Meeting(s)

5.1 12th Meeting held on September 6, 2022

Motion made by: P. Van Meerbergen

Seconded by: M. Cassidy

That the Minutes of the 12th Meeting BE APPROVED.

Yeas: (14): Mayor E. Holder, M. van Holst, S. Lewis, J. Helmer, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Peloza, J. Fyfe-Millar, and S. Hillier

Absent: (1): M. Salih

Motion Passed (14 to 0)

6. Communications and Petitions

6.1 1407-1427 Hyde Park Road (OZ-9438)

Motion made by: S. Hillier
Seconded by: J. Fyfe-Millar

That the communication from A. Soufan, President, York Developments, with respect to 1407-1427 Hyde Park Road BE RECEIVED, and BE REFERRED to Item #4 (3.2) of the 15th Report of the Planning and Environment Committee for consideration.

Yeas: (14): Mayor E. Holder, M. van Holst, S. Lewis, J. Helmer, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Peloza, J. Fyfe-Millar, and S. Hillier

Absent: (1): M. Salih

Motion Passed (14 to 0)

6.2 (ADDED) Harris Park Erosion Control Structure Replacement (RFP22-097)

At 4:14 PM, Mayor E. Holder places Councillor J. Morgan in the Chair.

At 4:16 PM, Mayor E. Holder resumes the Chair.

Motion made by: J. Fyfe-Millar
Seconded by: M. Hamou

That no action BE TAKEN with respect to the communication from AM. Valastro, with respect to Item #5 (2.5) of the 12th Report of the Civic Works Committee.

Yeas: (11): Mayor E. Holder, M. van Holst, S. Lewis, M. Cassidy, M. Hamou, S. Lehman, P. Van Meerbergen, S. Turner, E. Peloza, J. Fyfe-Millar, and S. Hillier

Nays: (3): J. Helmer, J. Morgan, and A. Hopkins

Absent: (1): M. Salih

Motion Passed (11 to 3)

7. Motions of Which Notice is Given

None.

8. Reports

8.1 15th Report of the Planning and Environment Committee

Motion made by: A. Hopkins

That the 15th Report of the Planning and Environment Committee BE APPROVED.

Yeas: (14): Mayor E. Holder, M. van Holst, S. Lewis, J. Helmer, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Peloza, J. Fyfe-Millar, and S. Hillier

Absent: (1): M. Salih

Motion Passed (14 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: A. Hopkins

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.1) Building Division Monthly Report - July 2022

Motion made by: A. Hopkins

That the Building Division Monthly report for July, 2022 BE RECEIVED for information. (2022-A23)

Motion Passed

3. (3.1) 4680 Wellington Road South (TZ-9509) (Relates to Bill No. 360)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, based on the application by 761030 Ontario Limited, relating to the property located at 4680 Wellington Road South, the proposed by-law appended to the staff report dated September 12, 2022 as Appendix 'A' BE INTRODUCED at the Municipal Council meeting to be held on September 27, 2022, to amend Zoning By-law Z.-1, (in conformity with the Official Plan), by extending the Temporary Use (T-74) Zone for a period not exceeding three (3) years;

it being noted that no individuals spoke at the public participation meeting associated with this matter;

it being further noted that the Municipal Council approves this application for the following reasons:

- the recommended amendment is consistent with the Provincial Policy Statement, 2020;
- the recommended amendment conforms to the in-force policies of The London Plan and the Future Industrial Growth Designation policies;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan and the Open Space Designation policies; and,
- the recommended temporary use provides an appropriate interim land use until such time as the subject lands and surrounding area develop for their intended land uses. The recommended use is not intended to continue on a permanent basis. (2022-D14)

Motion Passed

4. (3.2) 1407-1427 Hyde Park Road (OZ-9438)

Motion made by: A. Hopkins

That the application by York Developments, relating to the properties located at 1407-1427 Hyde Park Road BE REFERRED back to the Civic Administration for further discussions with the

applicant to address the outstanding concerns and to report back at a future meeting of the Planning and Environment Committee; it being noted that the referral is at the request of the applicant;

it being noted that the Planning and Environment Committee received the staff presentation appended to the Added Agenda, with respect to these matters;

it being pointed out that the following individual made a verbal presentation at the public participation meeting held in conjunction with this matter:

- S. Allen, MHBC Planning, on behalf of the applicant. (2022-D08)

Motion Passed

5. (5.1) Deferred Matters List

Motion made by: A. Hopkins

That the Deputy City Manager, Planning and Economic Development BE DIRECTED to update the Deferred Matters List to remove any items that have been addressed by the Civic Administration. (2022-D19)

Motion Passed

8.2 13th Report of the Strategic Priorities and Policy Committee

Motion made by: J. Morgan

That the 13th Report of the Strategic Priorities and Policy Committee, BE APPROVED.

Yeas: (14): Mayor E. Holder, M. van Holst, S. Lewis, J. Helmer, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Peloza, J. Fyfe-Millar, and S. Hillier

Absent: (1): M. Salih

Motion Passed (14 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: J. Morgan

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.2) Amendment to Delivery Date of the City of Music Conference and Events Business Case and the London City of Music Expo Business Case

Motion made by: J. Morgan

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, the information report dated September 20, 2022, with respect to the 'Amendment to Delivery

Date of the City of Music Conference and Events Business Case, and the City of Music Expo Business Case' BE RECEIVED.

Motion Passed

3. (2.3) COVID-19 Ongoing Impacts on City of London Operations and Services

Motion made by: J. Morgan

That, on the recommendation of the City Manager, the staff report dated September 20, 2022, entitled "Covid-19 – Ongoing Impacts on City of London Operations and Services" BE RECEIVED for information.

Motion Passed

4. (2.4) 2022 Mid-Year Operating Budget Monitoring Report

Motion made by: J. Morgan

That, on the recommendation of the Deputy City Manager, Finance Supports, the following actions be taken with respect to the 2022 Mid-Year Operating Budget Monitoring Report:

a) the 2022 Operating Budget Mid-Year Monitoring Report for the Property Tax Supported Budget, Water Budget, and Wastewater and Treatment Budget BE RECEIVED for information. An overview of the net corporate projections are outlined below, noting that the year-end positions could fluctuate based on factors beyond the control of the Civic Administration:

- i) Property Tax Supported Budget projected surplus of \$8.6 million;
- ii) Water Rate Supported Budget projected surplus of \$3.8 million;
- iii) Wastewater and Treatment Rate Supported Budget projected surplus of \$1.6 million;

it being noted that Property Tax, Water, and Wastewater & Treatment Budget surplus will be allocated in accordance with the Council Approved Surplus/Deficit Policy;

b) the presentation providing an overview of 2022 Mid-Year Budget Monitoring (as appended to the staff report dated September 20, 2022 as Appendix C) BE RECEIVED for information.

Motion Passed

5. (2.5) 2022 Mid-Year Capital Budget Monitoring Report

Motion made by: J. Morgan

That, on the recommendation of the Deputy City Manager, Finance Supports, the following actions be taken with respect to the 2022 Mid-Year Capital Budget Monitoring Report, dated September 20, 2022:

- a) the 2022 Mid-Year Capital Budget Monitoring Report BE RECEIVED for information; it being noted that the life-to-date capital budget represents \$2.8 billion with \$1.8 billion committed and \$1.0 billion uncommitted; it being further noted that the City Treasurer, or designate, will undertake the housekeeping budget adjustments identified in the above-noted report, in accordance with the Multi-Year Budget Council Policy;
- b) the status updates of active 2019 life-to-date capital budgets (2019 and prior) having no future budget requests, as appended to the staff report dated September 20, 2022 as Appendix “B”, BE RECEIVED for information;
- c) the following actions be taken with respect to the completed capital projects identified in Appendix “C” appended to the above-noted staff report, which have a total of \$2.0 million of net surplus funding:
 - i) the capital projects included in Appendix “C” BE CLOSED; and,
 - ii) the following actions be taken with respect to the funding associated with the capital projects approved for closure in c) i), above:

Rate Supported

- A) pay-as-you-go funding of \$3 thousand BE TRANSFERRED from capital receipts;
- B) uncommitted reserve fund drawdowns of \$1.47 million BE RELEASED back into the reserve funds which originally funded the projects;

Non-Rate Supported

- C) uncommitted reserve fund drawdowns of \$43 thousand BE TRANSFERRED from Non-Rate Supported Reserve Funds;
- D) other net non-rate supported funding sources of \$567 thousand BE ADJUSTED in order to facilitate project closings.

Motion Passed

- 6. (2.6) Amendment - Terms of Reference - Committee of Management for the Dearness Home (Relates to Bill No. 357)

Motion made by: J. Morgan

That, on the recommendation of the City Clerk, the proposed by-law as appended to the staff report dated September 20, 2022 Appendix “A”, being “A By-law to amend By-law A.-6582-255 being a by-law to establish a Committee of Management for the Dearness Home and to update the Terms of Reference”, BE INTRODUCED at the Municipal Council Meeting to be held on September 27, 2022.

Motion Passed

- 7. (2.7) 4th Report of the Diversity, Inclusion and Anti-Oppression Community Advisory Committee

Motion made by: J. Morgan

That the 4th Report of the Diversity, Inclusion and Anti-Oppression Community Advisory Committee from its meeting held on September 8, 2022 BE RECEIVED.

Motion Passed

8. (2.8) Municipal Accommodation Tax - Tourism London Annual Report

Motion made by: J. Morgan

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, Tourism's London annual report on the expenditure of Municipal Accommodation Tax revenues BE RECEIVED for information.

Motion Passed

9. (2.1) Actions Implementing London's UNESCO Designation as Canada's 'City of Music'

Motion made by: J. Morgan

That, on the recommendation of the Deputy City Manager, Planning and Economic Development the following actions be taken with respect to London's UNESCO designation as Canada's 'City of Music':

- a) the area previously identified in the Music, Entertainment and Culture District Strategy as the Downtown/Old East Village District BE REDESIGNATED as the Core Area Entertainment District;
- b) the Civic Administration BE DIRECTED to
 - i) proceed with the actions required to include the UNESCO City of Music messaging on new City of London gateway roadside signage, City Hall and Centennial Hall, the Victoria Park Bandshell and;
 - ii) work with our partners at RBC Place and Budweiser Gardens for inclusion of the messaging on building signage;
- c) the Civic Administration BE DIRECTED to report back at a future date with a proposed governance structure and detailed four-year action plan to implement London's UNESCO 'City of Music' designation over time and within existing budgets or in association with the next 4-year multi-year budget.

Motion Passed

10. (4.1) Anti-Racism and Anti-Oppression Framework

Motion made by: J. Morgan

That, on the recommendation of the City Manager, the following actions be taken with respect to the new Anti-Racism and Anti-Oppression Framework:

- a) the above-noted Framework, as outlined in the staff report dated September 20, 2022, BE ENDORSED; and,
- b) the Civic Administration BE DIRECTED to undertake the necessary steps to implement the Framework.

Motion Passed

11. (4.2) Hyde Park Business Improvement Association

Motion made by: J. Morgan

That the following actions be taken with respect to the Hyde Park Business Improvement Association:

a) the resignation of Jean Coles from the Hyde Park Business Improvement Association BE ACCEPTED; and,

b) Vicki Balazs, Jaydancinc Inc. and Kelsey Watkinson, Curley Brewing Company BE APPOINTED to the Hyde Park Business Improvement Association for the term ending November 14, 2022;

it being noted that the Strategic Priorities and Policy Committee received communications from D. Szpakowski, General Manager/CEO, Hyde Park Business Improvement Association with respect to this matter.

Motion Passed

8.3 12th Report of the Civic Works Committee

Motion made by: E. Pelosa

That the 12th Report of the Civic Works Committee, BE APPROVED, excluding Item 8 (2.3).

Yeas: (14): Mayor E. Holder, M. van Holst, S. Lewis, J. Helmer, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelosa, J. Fyfe-Millar, and S. Hillier

Absent: (1): M. Salih

Motion Passed (14 to 0)

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. (2.1) 3rd Report of Integrated Transportation Community Advisory Committee

Motion made by: E. Pelosa

That the 3rd Report of the Integrated Transportation Community Advisory Committee, from its meeting held on August 17, 2022, BE RECEIVED.

Motion Passed

3. (2.2) Bradley Avenue Extension - White Oak Road to Jalna Boulevard (West Leg)

Motion made by: E. Pelosa

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report, dated September 13, 2022, related to the Bradley Avenue Extension (White Oak Road to Jalna Boulevard (West Leg)) - Municipal Class Environmental Assessment Addendum and Notice of Addendum:

- a) the Municipal Class Environmental Assessment Addendum: Bradley Avenue Extension Executive Summary, as appended to the above-noted staff report, BE ACCEPTED;
- b) a Notice of Addendum BE FILED with the Municipal Clerk; and,
- c) the Municipal Class Environmental Assessment Addendum BE PLACED on public record for a 30-day review period.
(2022-T05)

Motion Passed

4. (2.4) Draft Connected and Automated Vehicle Plan

Motion made by: E. Pelosa

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report, dated September 13, 2022, related to the Connected and Automated Vehicle Plan:

- a) the draft Connected and Automated Vehicle Plan, as summarized in the Executive Summary, as appended to the above-noted staff report, BE RECEIVED;
- b) the Civic Administration BE DIRECTED to proceed with additional public and stakeholder engagement to further inform the document; and,
- c) the Civic Administration BE DIRECTED to prepare a final Connected and Automated Vehicle Plan for Council approval.
(2022-T10)

Motion Passed

5. (2.5) Harris Park Erosion Control Structure Replacement - RFP22-097

Motion made by: E. Pelosa

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report, dated September 13, 2022, related to RFP22-097 Harris Park Erosion Control Structure Replacement:

- a) Matrix Solutions Inc. BE APPOINTED Consulting Engineers to complete consulting services for the Harris Park Erosion Control Structure Replacement, with the estimate on file, at an upset amount of \$562,665 including 20% contingency (excluding HST), in accordance with Section 15.2(e) of the City of London's Procurement of Goods and Services Policy;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report, as appended to the above-noted staff report;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this work;
- d) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the project; and,

e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2022-E21)

Motion Passed

6. (2.7) Agreement - Thames River Experimental Stream Science Facility at Adelaide Pollution Control Plant (Relates to Bill No. 356)

Motion made by: E. Pelosa

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure the proposed by-law, as appended to the staff report, dated September 13, 2022, BE INTRODUCED at the Municipal Council meeting to be held on September 27, 2022, to:

a) authorize the Agreement, as appended to the above-noted by-law, being an Agreement between The Corporation of the City of London and the University of Waterloo for the use of space at the Adelaide Pollution Control Plant for a research experiment (termed a Mesocosm); and,

b) authorize the Mayor and the City Clerk to execute the above-noted Agreement. (2022-E03)

Motion Passed

7. (2.8) Closing Emerson Avenue Cul-de-sac (Relates to Bill No. 359)

Motion made by: E. Pelosa

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report, dated September 13, 2022, related to the Closing of the Emerson Avenue Cul-de-sac:

a) the closing of the Emerson Avenue cul-de-sac on Registered Plan 914 BE APPROVED; and,

b) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on September 27, 2022, to stop up and close the Emerson Avenue Cul-de-sac;

it being noted that any future conveyance of the close road allowance will be subject to the retention of a combined services easement for storm and sanitary sewers. (2022-T09)

Motion Passed

9. (2.6) Oxford Street West Improvements - Environmental Assessment Study

Motion made by: E. Pelosa

That the staff report, dated September 13, 2022, with respect to an Environmental Assessment Study related to the Oxford Street West Improvements, BE REFERRED back to the Civic Administration to determine how to proceed with the matter. (2022-E05)

Motion Passed

10. (5.1) Deferred Matters List

Motion made by: E. Pelosa

That the Civic Works Committee Deferred Matters List as at August 15, 2022, BE RECEIVED.

Motion Passed

8. (2.3) Windermere Road Improvements - Environmental Study Report

Motion made by: E. Pelosa

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report, dated September 13, 2022, related to the Windermere Road Improvements Municipal Class Schedule C Environmental Assessment:

- a) the Windermere Road Improvements Environmental Assessment Study BE ACCEPTED;
- b) a Notice of Study Completion for the project BE FILED with the Municipal Clerk; and,
- c) the Environmental Study Report BE PLACED on the public record for a 30-day review period;

it being noted that the project implementation timing will be reconsidered in the future Development Charges Background Study and multi-year budgeting processes due to the increased project cost estimate and a capital budget amendment will be brought forward with the 2023 Budget Update to identify only near-term pre-engineering funds to maintain project progress. (2022-T06)

Yeas: (14): Mayor E. Holder, M. van Holst, S. Lewis, J. Helmer, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelosa, J. Fyfe-Millar, and S. Hillier

Absent: (1): M. Salih

Motion Passed (14 to 0)

8.4 4th Report of the Audit Committee

Motion made by: J. Morgan

That the 4th Report of the Audit Committee BE APPROVED.

Yeas: (14): Mayor E. Holder, M. van Holst, S. Lewis, J. Helmer, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelosa, J. Fyfe-Millar, and S. Hillier

Absent: (1): M. Salih

Motion Passed (14 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: J. Morgan

That it BE NOTED that no Pecuniary interests were disclosed.

Motion Passed

2. (4.1) Internal Audit Follow Up Activities Dashboard

Motion made by: J. Morgan

That the communication from MNP, with respect to the internal audit follow up activities update dashboard, BE RECEIVED.

Motion Passed

9. Added Reports

None.

10. Deferred Matters

None.

11. Enquiries

Councillor M. van Holst enquires with respect to whether there may be a “municipal purpose” in allowing charitable groups to help house the homeless in temporary mobile shelters, and what can be done to facilitate this or what challenges it might pose. The Deputy City Manager, Planning and Economic Development provides a response, including the notation that the Civic Administration works with organizations wherever feasible.

12. Emergent Motions

None.

13. By-laws

Motion made by: P. Van Meerbergen

Seconded by: S. Hillier

That Introduction and First Reading of Bill No.’s 355 to 360, inclusive, BE APPROVED.

Yeas: (14): Mayor E. Holder, M. van Holst, S. Lewis, J. Helmer, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelosa, J. Fyfe-Millar, and S. Hillier

Absent: (1): M. Salih

Motion Passed (14 to 0)

Motion made by: J. Fyfe-Millar

Seconded by: S. Lehman

That Second Reading of Bill No.’s 355 to 360, inclusive, BE APPROVED.

Yeas: (14): Mayor E. Holder, M. van Holst, S. Lewis, J. Helmer, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, J. Fyfe-Millar, and S. Hillier

Absent: (1): M. Salih

Motion Passed (14 to 0)

Motion made by: M. Hamou
Seconded by: A. Hopkins

That Third Reading and Enactment of Bill No.'s 355 to 360, inclusive, BE APPROVED.

Yeas: (14): Mayor E. Holder, M. van Holst, S. Lewis, J. Helmer, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, J. Fyfe-Millar, and S. Hillier

Absent: (1): M. Salih

Motion Passed (14 to 0)

The following Bills are enacted as By-laws of The Corporation of the City of London:

Bill No. 355	By-law No. A.-8296-251 - A by-law to confirm the proceedings of the Council Meeting held on the 27th day of September, 2022. (City Clerk)
Bill No. 356	By-law No. A.-8297-252 - A by-law to authorize and approve an Agreement between The Corporation of the City of London and The University of Waterloo for the use of space at the Adelaide Pollution Control Plant for a research experiment (termed a Mesocosm) and to authorize the Mayor and the City Clerk to execute the Agreement. (2.7/12/CWC)
Bill No. 357	By-law No. A.-6582(b)-253 – A by-law to amend By-law No. A.-6582-255 being a by-law to establish a Committee of Management for the Dearness Home and to update the Terms of Reference. (2.6/13/SPPC)
Bill No. 358	By-law No. L.S.P.-3504-254 - A by-law to designate 514 Pall Mall Street to be of cultural heritage value or interest. (2.4/13/PEC)
Bill No. 359	By-law No. S.-6203-255 - A by-law to stop up and close the Emerson Avenue cul-de-sac. (2.8/12/CWC)
Bill No. 360	By-law No. Z.-1-223060 - A by-law to amend By-law No. Z.-1 to rezone a portion of an area of land located at 4680 Wellington Road South. (3.1/15/PEC)

14. Adjournment

Motion made by: A. Hopkins
Seconded by: S. Lewis

That the meeting BE ADJOURNED.

Motion Passed

The meeting adjourns at 4:54 PM.

Ed Holder, Mayor

Michael Schulthess, City Clerk