

Council Minutes

15th Meeting of City Council
November 8, 2022, 4:00 PM

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

Also Present: L. Livingstone, A. Barbon, S. Corman, C. Crossman, J. Davison, K. Dickins, C. Grimes, J. Johnston, S. Mathers, M. Schulthess, C. Smith, K. Van Lammeren, B. Westlake-Power.

Remote Attendance: B. Card and B. Warner.

The meeting is called to order at 4:05 PM; it being noted that the following member was in remote attendance: Councillor S. Turner.

1. Disclosures of Pecuniary Interest

Councillor S. Hillier discloses a pecuniary interest in Item 5 (clause 5.1) of the 12th Report of the Community and Protective Services Committee, having to do with the Deferred Matters List, specifically related to item number 1 on the list, by indicating that his family hosts a five-day event.

Councillor J. Helmer discloses a pecuniary interest in Item 4 (clause 2.3) of the 12th Report of the Community and Protective Services Committee, having to do with Former River Road Golf Course - Plans for Ownership and Municipal Use, by indicating that his family member is employed by a golf course.

2. Recognitions

None.

3. Review of Confidential Matters to be Considered in Public

None.

4. Council, In Closed Session

Motion made by: S. Hillier

Seconded by: P. Van Meerbergen

That Council rise and go into Council, In Closed Session, for the purpose of considering the following:

4.1 Solicitor-Client Privileged Advice

A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, regarding a complaint made by Derek Satnik, Vice President of Technology, EVE Park London LP under Part IV of By-law C.P.-1496-244, as amended, the Development Charges By-law, in respect of the development charge imposed by The Corporation of the City of London in connection with development on the land known as 2050 Linkway Boulevard; Clerk's Note - this confidential session was held while the Corporate Services Committee convened as the Hearing Tribunal. (6.1/14/CSC)

4.2 Personal Matter/Identifiable Individual

A matter pertaining to personal matters about identifiable individuals with respect to the 2023 Mayor's New Year's Honour List. (Clerk's Note: The confidential report will be provided at the Council meeting.) (6.1/15/SPPC)

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, 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

Motion Passed (15 to 0)

The Council convenes In Closed Session, from 4:13 PM to 4:16 PM.

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

5.1 14th Meeting held on October 17, 2022

Motion made by: P. Van Meerbergen

Seconded by: J. Helmer

That the Minutes of the 14th Meeting held on October 17, 2022, BE APPROVED.

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, 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

Motion Passed (15 to 0)

6. Communications and Petitions

None.

7. Motions of Which Notice is Given

None.

8. Reports

8.1 12th Report of the Community and Protective Services Committee

Motion made by: M. Cassidy

That the 12th Report of the Community and Protective Services Committee BE APPROVED, excluding Item 5 (clause 5.1).

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, 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

Motion Passed (15 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: M. Cassidy

That it BE NOTED that Councillor S. Hillier disclosed a pecuniary interest in clause 5.1 of this Report, having to do with the Deferred Matters List, specifically item number 1 on the list, by indicating that his family hosts a five-day event.

Motion Passed

2. (2.1) Update on the Roadmap to 3,000 Affordable Units

Motion made by: M. Cassidy

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, the staff report, dated November 1, 2022, with respect to an update on the Roadmap to 3,000 Affordable Units, BE RECEIVED. (2022-D04)

Motion Passed

3. (2.2) 2022 Annual Emergency Management Program Update
(Relates to Bill No. 384)

Motion made by: M. Cassidy

That, on the recommendation of the Deputy City Manager, Enterprise Supports, the following actions be taken with respect to the staff report, dated November 1, 2022, related to the 2022 Annual Emergency Management Program Update:

a) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on November 8, 2022 to:

i) repeal and replace Schedule “A”, being the City of London Emergency Response Plan, as appended to the above-noted staff report; and,

ii) repeal By-law No. A.-7657(d)-367; and,

b) the above-noted staff report BE RECEIVED. (2022-P03)

Motion Passed

4. (2.3) Former River Road Golf Course - Plans for Ownership and Municipal Use

Motion made by: M. Cassidy

That, on the recommendation of the Deputy City Manager, Environmental and Infrastructure and the Deputy City Manager, Finance Supports, on the advice of the Director, Parks and Forestry and the Director, Realty Services, the staff report, dated November 1, 2022, with respect to Plans for Ownership and Municipal Use related to the Former River Road Golf Course, BE RECEIVED; it being noted that the communications, as appended to the Added Agenda, from Councillor M. van Holst, S. Watson, A. McGuigan and A. Johnson, with respect to this matter, were received. (2022-R05D)

Motion Passed

5. (5.1) Deferred Matters List

Motion made by: M. Cassidy

That the Deferred Matters List for the Community and Protective Services Committee, as at October 21, 2022, BE RECEIVED.

Motion made by: M. Cassidy

Motion that Item 1 of the Deferred Matters List BE APPROVED.

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

Recuse: (1): S. Hillier

Motion Passed (14 to 0)

Motion made by: M. Cassidy

Motion that the balance of the Deferred Matters List BE APPROVED.

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, 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

Motion Passed (15 to 0)

8.2 14th Report of the Corporate Services Committee

At 4:31 PM His Worship the Mayor places Councillor J. Morgan in the Chair.

At 4:32 PM, His Worship the Mayor resumes the Chair.

Motion made by: S. Lewis

That the 14th Report of the Corporate Services Committee BE APPROVED.

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

Absent: (1): P. Van Meerbergen

Motion Passed (14 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: S. Lewis

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.1) City of London's Credit Rating

Motion made by: S. Lewis

That, on the recommendation of the Deputy City Manager, Finance Supports, the City of London's Credit Rating Report, providing a summary of Moody's Investors Service Credit Opinion of the City of London, BE RECEIVED for information.

Motion Passed

3. (2.2) Pre-Authorized Tax Payment Plan By-law and Collection of Interim Property Taxes By-law (Relates to Bill No's. 385 and 386)

Motion made by: S. Lewis

That, on the recommendation of the Deputy City Manager, Finance Supports, the following actions be taken with respect to property taxation for 2023:

a) the by-law, as appended to the staff report dated October 31, 2022 as Appendix A, to amend by-law A-5505-497 “a by-law to authorize the implementation of a pre-authorized payment plan”, BE INTRODUCED at the Council meeting on November 8, 2022, to change the multiplier to determine the pre-authorized property tax payment from 1.030 to 1.0245, effective January 1, 2023; and

b) the by-law, as appended to the staff report dated October 31, 2022 as Appendix B, to amend by-law A-8 “a by-law to provide for the collection of property taxes”, BE INTRODUCED at the Council meeting on November 8, 2022, to change the calculation percent for the Interim Levy from 41.2% to 40.98%, effective January 1, 2023.

Motion Passed

4. (3.1) Development Charge Appeal - 2050 Linkway Boulevard

Motion made by: S. Lewis

That, after convening as a tribunal under section 26 of By-law C.P.-1551-337 to hear a complaint under section 20 of the Development Charges Act 1997, S.O. 1997, c. 27, by Derek Satnik, Vice President of Technology of EVE Park London LP, of the property located at 2050 Linkway Boulevard, regarding the development charges being appealed, for the incorrect DC rates used for the calculation of the charges on the subject property, as detailed in the ~~attached~~ Record of Proceeding, on the recommendation of the Tribunal, the complaint BE DISMISSED on the basis that the Tribunal finds that the amount of the development charge being applied were correctly determined and no error occurred in the application of the Development Charges By-law.

Motion Passed

8.3 14th Report of the Civic Works Committee

Motion made by: E. Pelosa

That the 14th Report of the Civic Works Committee BE APPROVED.

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

Absent: (1): P. Van Meerbergen

Motion Passed (14 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: E. Pelosa

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.1) Amendments to the Traffic and Parking By-Law (Relates to Bill No. 387)

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 November 1, 2022, BE INTRODUCED at the Municipal Council meeting to be held on November 8, 2022, to amend By-law PS-114 entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London". (2022-T02/T08)

Motion Passed

3. (2.2) 2023 Stormwater Management Remediation Project Consultant Award

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 November 1, 2022, related to the 2023 Stormwater Management Remediation Project Consultant Award:

- a) Matrix Solutions Inc. BE APPOINTED Consulting Engineers in the amount of \$106,880.00, including 10% contingency (excluding HST), in accordance with Section 15.2 (d) 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", 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 project;
- d) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract; 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-E03)

Motion Passed

4. (2.3) 2025 Transportation Development Charges Background Study Appointment of Consultant

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 November 1, 2022, related to the 2025 Transportation Development Charges Background Study Appointment of Consultant:

- a) IBI Group Professional Services (Canada) Inc. BE APPOINTED as the Consulting Engineer to complete the 2025

Transportation Development Charges Background Study, in the amount of \$251,207 (excluding HST), in accordance with their proposal and Section 15.2 (g) of the Procurement of Goods and Services Policy;

b) the financing for this assignment 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 assignment;

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

e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents including agreements, if required, to give effect to these recommendations. (2022-F21)

Motion Passed

5. (5.1) Deferred Matters List

Motion made by: E. Pelosa

That the Civic Works Committee Deferred Matters List as at October 21, 2022, BE RECEIVED.

Motion Passed

6. (5.2) Councillor M. van Holst - Roadway Improvements at Hamilton Road and Highbury Avenue

Motion made by: E. Pelosa

That, prior to the end of Q1 of 2023, the Civic Administration BE DIRECTED to report back to the Civic Works Committee with respect to options to advance the timing of improvements to the intersection of Hamilton Road and Highbury Avenue, along with potential measures to reduce the number of severe accidents in the interim; it being noted that the communication, as appended to the Added Agenda, from Councillor M. van Holst, with respect to this matter, was received. (2022-C09)

Motion Passed

9. Added Reports

9.2 15th Report of the Strategic Priorities and Policy Committee

Motion made by: J. Morgan

That the 15th Report of the Strategic Priorities and Policy Committee BE APPROVED.

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, 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

Motion Passed (15 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. (2.1) Inaugural Council Meeting

Motion made by: J. Morgan

That, pursuant to section 2.6 of the Council Procedure By-law, authorization BE GIVEN for the November 15, 2022 Inaugural Municipal Council Meeting for the 2022-2026 term to be held at RBC Place London, in order to provide sufficient capacity to permit members of the public to attend the meeting.

Motion Passed

3. (2.2) 6th Report of the Diversity, Inclusion and Anti-Oppression Community Advisory Committee

Motion made by: J. Morgan

That the 6th Report of the Diversity, Inclusion and Anti-Oppression Community Advisory Committee from its meeting held on October 6, 2022 BE RECEIVED.

Motion Passed

4. (4.1) 7th Report of the Diversity, Inclusion and Anti-Oppression Community Advisory Committee

Motion made by: J. Morgan

That the following actions be taken with respect to the 7th Report of the Diversity, Inclusion and Anti-Oppression Community Advisory Committee from its meeting held on October 17, 2022:

a) the following actions be taken with respect to the 2022 Diversity, Race Relations and Inclusivity Award (DRRIA):

i) the Jess Jones Recreation Therapy Inc. BE AWARDED the 2022 Diversity, Race Relations and Inclusivity Award, in the Small Business/Small Labour (49 or fewer employees/members);

ii) the Amazon Delivery Station BE AWARDED the 2022 Diversity, Race Relations and Inclusivity Award, in the Large Business/Large Labour (50 or more employees/members);

iii) the ATN Access Inc. BE AWARDED the 2022 Diversity, Race Relations and Inclusivity Award, in the Social/Community Services (including Not-for-Profits) (49 or fewer employees/members);

iv) the London Airshow BE AWARDED the 2022 Diversity, Race Relations and Inclusivity Award, in the Social/Community Services/Not for Profit (50+ members) category; and,

v) the Awards and Recognition Sub-Committee report with respect to the 2022 DRRIA Recommendations BE RECEIVED; and,

b) clauses 1.1, 2.1 and 2.2 BE RECEIVED.

Motion Passed

9.1 14th Report of Council in Closed Session

Motion made by: S. Lehman

Seconded by: M. Cassidy

1. That progress was made with respect to items 4.1 and 4.2, as noted on the public agenda (6.1/14/CSC) and (6.1/15/SPPC).

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, 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

Motion Passed (15 to 0)

10. Deferred Matters

None.

11. Enquiries

None.

12. Emergent Motions

None.

13. By-laws

Motion made by: S. Lehman

Seconded by: S. Hillier

That Introduction and First Reading of Bill No.'s 383 to 390, inclusive, BE APPROVED.

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, 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

Motion Passed (15 to 0)

Motion made by: M. Hamou

Seconded by: J. Fyfe-Millar

That Second Reading of Bill No.'s 383 to 390, inclusive, BE APPROVED.

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, 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

Motion Passed (15 to 0)

Motion made by: J. Helmer

Seconded by: A. Hopkins

That Third Reading and Enactment of Bill No.'s 383 to 390, inclusive, BE APPROVED.

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, 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

Motion Passed (15 to 0)

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

Bill No. 383	By-law No. A.-8301-267 - A by-law to confirm the proceedings of the Council Meeting held on the 8th day of November, 2022. (City Clerk)
Bill No. 384	By-law No. A.-7657(e)-268 - A by-law to amend By-law No. A.-7657-4, as amended, being “A by-law to repeal By-law No. A.-7495-21 and to adopt an Emergency Management Program and Plan” in order to repeal and replace Schedule “A” to the by-law. (2.2a/12/CPSC)
Bill No. 385	By-law No. A.-5505(w)-269 - A by-law to amend By-law No. A.-5505-497 entitled, “A by-law to authorize the implementation of a pre-authorized tax payment plan for The Corporation of the City of London” by changing the multiplier to determine the pre-authorized property tax payment from 1.030 to 1.0245 effective January 1, 2023. (2.2a/14/CSC)
Bill No. 386	By-law No. A-8-22031 - A by-law to amend By-law No. A-8, as amended entitled “Property Tax Collection by-law” by changing the calculation percent for the Interim Levy from 41.2% to 40.98% effective January 1, 2023. (2.2b/14/CSC)
Bill No. 387	By-law No. PS-114-22005 - A by-law to amend By-law PS-114 entitled, “A by-law to regulate traffic and the parking of motor vehicles in the City of London.” (2.1/14/CWC)
Bill No. 388	By-law No. S.-6207-270 - A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Wonderland Road South, north of Viscount Road) (Chief Surveyor – for road dedication purposes pursuant to B.041/21)
Bill No. 389	By-law No. S.-6208-271 - A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to York Street, west of Ridout Street North; and as widening to Ridout Street North, north of York Street) (Chief Surveyor – for road dedication purposes pursuant to B.037/20)
Bill No. 390	By-law No. S.-6209-272 - A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Gainsborough Road, east of Hyde Park Road) (Chief Surveyor – for road dedication purposes pursuant to SPA20-068)

14. Adjournment

Motion made by: S. Lewis
Seconded by: S. Hillier

That the meeting BE ADJOURNED.

Motion Passed

The meeting adjourned at 6:10 PM.

Ed Holder, Mayor

Michael Schulthess, City Clerk