

# Agenda Including Addeds

## Civic Works Committee

The 12th Meeting of the Civic Works Committee

August 15, 2023

12:00 PM

Council Chambers - Please check the City website for additional meeting detail information. Meetings can be viewed via live-streaming on YouTube and the City Website.

The City of London is situated on the traditional lands of the Anishinaabek (AUh-nish-in-ah-bek), Haudenosaunee (Ho-den-no-show-nee), Lūnaapéewak (Len-ah-pay-wuk) and Attawandaron (Add-a-won-da-run).

We honour and respect the history, languages and culture of the diverse Indigenous people who call this territory home. The City of London is currently home to many First Nations, Métis and Inuit today.

As representatives of the people of the City of London, we are grateful to have the opportunity to work and live in this territory.

Members

Councillors C. Rahman (Chair), H. McAlister, P. Cuddy, S. Trosow, P. Van Meerbergen, Mayor J. Morgan

The City of London is committed to making every effort to provide alternate formats and communication supports for meetings upon request. To make a request specific to this meeting, please contact [CWC@london.ca](mailto:CWC@london.ca) or 519-661-2489 ext. 2425.

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# Integrated Transportation Community Advisory Committee

## Report

The 8th Meeting of the Integrated Transportation Community Advisory Committee  
July 19, 2023

Attendance PRESENT: T. Khan (Chair), R. Buchal, E. Eady, D. Foster, A. Husain, V. Lubrano III, M. Malekzadeh, A. Santiago and J. Vareka; K. Mason (Committee Clerk)

ABSENT: T. Kerr, S. Leitch and D. Luthra

ALSO PRESENT: S. Corman, J. Dann, D. MacRae, J. Michaud and J. Stanford

The meeting was called to order at 3:02 PM.

### 1. Call to Order

#### 1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

### 2. Scheduled Items

None.

### 3. Consent

#### 3.1 7th Report of the Integrated Transportation Community Advisory Committee

That it BE NOTED that the 7th Report of the Integrated Transportation Community Advisory Committee, from its meeting held on June 21, 2023, was received.

#### 3.2 Notice of Planning Application - Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments - 465 Sunningdale Road West

That it BE NOTED that the Notice of Planning Application, dated June 28, 2023, from L. Mottram, Senior Planner, with respect to Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments related to the property located at 465 Sunningdale Road West, was received.

#### 3.3 Public Meeting Notice - Zoning By-law Amendment - 599-601 Richmond Street

That it BE NOTED that the Public Meeting Notice, dated June 28, 2023, from N. Pasato, Senior Planner, with respect to a Zoning By-law Amendment related to the properties located at 599-601 Richmond Street, was received.

#### 3.4 Public Meeting Notice - Zoning By-law Amendment - 165-167 Egerton Street

That it BE NOTED that the Public Meeting Notice, dated June 28, 2023, from C. Maton, Senior Planner, with respect to a Zoning By-law Amendment related to the properties located at 165-167 Egerton Street, was received.

**4. Sub-Committees and Working Groups**

4.1 Environment and Transit Sub-Committee Report

That the Environment and Transit Sub-Committee Report, as appended to the Agenda, BE DEFERRED to the next Integrated Transportation Community Advisory Committee meeting.

4.2 Vision Zero Sub-Committee Report

That it BE NOTED that the Vision Zero Sub-Committee Report, as appended to the Agenda, was received.

**5. Items for Discussion**

5.1 Review of the Neighbourhood Connectivity Plan Pilot Program

That it BE NOTED that the Integrated Transportation Community Advisory Committee held a general discussion with respect to the review of the Neighbourhood Connectivity Plan Pilot Program.

**6. Adjournment**

The meeting adjourned at 4:02 PM.

## Report to Civic Works Committee

**To:** Chair and Members  
Civic Works Committee  
**From:** Kelly Scherr, P.Eng., MBA, FEC  
Deputy City Manager, Environment & Infrastructure  
**Subject:** By-Law Update: Vital Services By-Law (PH-6)  
**Date:** August 15, 2023

## Recommendation

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions **BE TAKEN** with respect to the Vital Services By-Law (PH-6):

- a) The proposed by-law amendment attached hereto as Appendix 'A' **BE INTRODUCED** at the Municipal Council Meeting on August 29, 2023, to amend the existing Vital Services By-law (PH-6); and
- b) The Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this proposed by-law amendment.

## Executive Summary

The Vital Services By-law (PH-6) is an important City by-law that has been enacted to protect tenants who have utilities and/or services included in their existing lease in the event a landlord ceases payment on a vital service.

This by-law allows the City to make the outstanding payment owed to the vital service provider in order to restore the vital service and apply the payment amount to the tax roll. This report has been prepared to address outdated references as well as minor language updates to ensure the execution and interpretation best represent the spirit of the by-law.

## Linkage to the Corporate Strategic Plan

Housing and Homelessness

- 2.2c. Improved quality and safety in social housing – Increase responsiveness to tenant complaints and feedback about housing conditions

Well-Run City

- 2.4b. London's finances are maintained in a transparent, sustainable, and well-planned manner, incorporating intergenerational equity, affordability and environmental, social and governance considerations – Review, update and implement the City's strategic financial principles, policies, and practices.

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter.

None.

### 2.0 Discussion and Considerations

#### 2.1 Background

The Vital Services By-Law is in place to protect tenants with utilities included as a part

of their rent in a lease agreement. Vital services include electricity, gas, water, and heat. Under the provided conditions, should a landlord default on payment to the vital service supplier and the vital service supplier issues a disconnection notice in order to collect arrears, the Vital Services By-Law can be invoked. Under the by-law, the City agrees to pay the outstanding arrears to the vital service supplier in order to resume service to the tenant to ensure tenants are receiving the vital service. The outstanding arrears are then issued on the tax roll of the property to ensure payment.

Generally, the Vital Services By-Law is successful in the restoration of the service and the collection of the arrears from the landlord. During a recent hearing, however, it became evident that there were multiple possible interpretations of the language that was used in the by-law. The Hearings Officer for a recent appeals claim noted that this process is not intended to function as a collection agent for outstanding arrears, but that is, in actuality, the intent of the program as it is the only mechanism to both ensure a tenant receives the vital service and the landlord pays their arrears when the normal collections process – disconnection of the vital service – is not possible.

The purpose of this report and the update to the existing by-law is to ensure that the language used accurately represents the intent of the by-law.

## **2.2 Discussion**

The following sections provide more in-depth discussion around the proposed changes to the Vital Services By-law (PH-6). Appendix 'A' contains the proposed text changes.

### **By-law Section 4.2 Notice – 15 days before cessation of service**

The existing language in the by-law does not define who is responsible for the issuance of disconnection notice for a vital service. Clearly stating the vital service supplier is to give the notice to both the City Clerk and the landlord removes potential for error or miscommunication. Additionally, contact information for both the service supplier and the individual authorized by the supplier to receive a direction to restore service has been updated to require an email address. This increases the ability for the landlord to contact and rectify required payments.

### **By-law Section 5.4 Lien**

The existing wording under this section allows for interpretation of the owed amount as it does not explicitly include the payment of arrears to reinstate the service. The intent of the by-law was to ensure the amount of the lien is the payment amount required to re-establish services, which is the amount outstanding on the account at the time a 15-day service cessation notice is issued. Language updates to Section 5.4 clarify the definition of the amount the City pays on behalf of the landlord, and in turn, the amounts issued on the respective tax roll, ensuring the intent of the by-law is met.

### **Minor Language Adjustments**

Throughout the by-law there are proposed changes that update the by-law with the current and relevant agreements, organizations and Acts as applicable. This includes the update of the included vital service providers, as well as the titles of the most recent versions of the referenced Acts.

Additionally, there are minor housekeeping changes to by-law language related to the use of pronouns. These changes are intended to ensure all people are better represented and included in the by-law.

## **3.0 Financial Impact/Considerations**

There are no changes in financial risk to the City as a result of these updates.

## **Conclusion**

It is recommended that the attached by-law amendments, Appendix 'A,' be authorized and executed for the City of London. With the amendments, the Vital Services By-law (PH-6) will continue to protect tenants and ensure they receive the vital services they have paid for through their rent.

**Prepared by:** Aaron Rozentals, P. Eng., GDPA  
Division Manager, Water Engineering

**Submitted by:** Ashley M. Rammeloo, MMSc., P.Eng.  
Director, Water, Wastewater and Stormwater

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

cc: Audrey Kester – Water Demand Manager, Water Engineering  
Aynsley Hovius – Solicitor II, Legal Services  
Michael Schulthess – City Clerk, Legal Services  
Orest Katolyk – Director, Municipal Compliance

## Appendix A

Bill No. [    ]

By-law No. [    ]

A by-law to amend By-law No. PH-6, as amended, being “A by-law concerning the provision of vital services and the maintenance of suitable heat at leased or rented dwellings”.

WHEREAS section 216 of the *Residential Tenancies Act, 2006*, S.O. 2006, c. 17 permits the council of a local municipality to pass by-laws concerning the provision of adequate and suitable vital services to leased or rented dwelling units.

AND WHEREAS section 446(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25 provides that a municipality has the authority under this or any other Act or under a by-law under this or any other Act to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person’s expense,

AND WHEREAS section 446(2) provides that for the purposes of section 446(1) the municipality may enter upon land at any reasonable time.

AND WHEREAS Section 23.1 of the *Municipal Act, 2001* permits a municipality to delegate certain legislative and quasi-judicial powers.

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Section 1.1 of By-law No. PH-6 is amended by deleting and replacing the following definitions

**"Act"** means the *Residential Tenancies Act, 2006*, S.O. 2006, c. 17.

**"Supplier of a vital service"** means a person who carries on the business of or whose business includes supplying a vital service to an end user, and includes,

(a) in the case of electricity, London Hydro Inc.

(b) in the case of artificial and natural gas, Enbridge Gas Inc.

(c) in the case of municipal water, the City Engineer; and

(d) in the case of chilled water, hot water and steam, London – Enwave Energy Corporation.

2. Section 2.3 of By-law No. PH-6 is deleted and replaced by the following

### **2.3 Exception to by-law application**

Despite section 2.2, this by-law does not apply to a landlord in respect of a rented residential unit and a vital service to the extent that the tenant has as part of a tenancy agreement expressly agreed to obtain and maintain the supply of the vital service.

3. Section 4.2 of By-law No. PH-6 is deleted in its entirety and replaced by the following



#### **4.2 Notice - 15 days before cessation of service**

A notice of disconnection shall be given, in writing, by the supplier, to the City Clerk and to the landlord at least fifteen days before the supplier ceases to provide the vital service and shall contain the following:

- (a) the name, address, telephone number, and e-mail of the supplier.
- (b) the type of vital service being supplied.
- (c) the name, address, and telephone number of the landlord with whom the supplier has a contract for the supply of the vital service and the name of the registered owner if not the same name as the landlord.
- (d) the municipal address of the building at which the vital service is being supplied.
- (e) confirmation that at least one rented residential unit is occupied at the subject site.
- (f) the nature of the landlord's breach of contract with the supplier.
- (g) if the breach in clause (f) is nonpayment of charges for supply of the vital service, the amount of the unpaid charges, any interest and administration charges, and the amount of any disconnection and reconnection charges.
- (h) the date and time when the supplier will cease to provide the vital service; and
- (i) the name, address, telephone number, and e-mail of an individual authorized by the supplier to receive a direction made under section 4.3.
- (j) a reference to the Vital Services By-law and a statement that if the breach of contract is for nonpayment of charges for the supply of vital services, the City of London may act without further notice to pay to the supplier the outstanding charges and add the amount paid to the property owner's taxes in accordance with the provisions of the Vital Services By-law.

4. Section 5.1(d)(i) of the By-law is hereby deleted and replaced with the following

- (i) the vital services being provided are currently not adequate or suitable; or

5. Section 5.1(k) of the By-law is hereby deleted and replaced with the following

- (k) shall provide the Hearings Officer with sufficient information to enable the Hearings Officer to conduct a hearing described in Section 5.8 if an appeal is made from an interim certificate.

6. Section 5.2 of By-law No. PH-6 is deleted and replaced with the following

#### **5.2 Inspection of occupied unit**

Despite clauses 5.1(a) and (b), the Director or the person acting under their instructions shall not enter a place used as a rented residential unit, (a) unless consent has been obtained by the occupier of the unit after informing the occupier that they may refuse permission to enter the unit; or

- (b) unless the Director or the person acting under their instruction is authorized to do so by a warrant issued under the Provincial Offences Act.

7. Section 5.3 of By-law No. PH-6 is deleted and replaced with the following

### **5.3 Effect of rent paid**

A payment to the City of any or all the rent by a tenant pursuant to a direction by the Director shall be deemed not to constitute a default in the payment of rent due under a tenancy agreement or a default in the tenant's obligations for the purposes of the Act.

8. Section 5.4 of By-law No. PH-6 is deleted and replaced with the following

#### **5.4 Lien**

The City has a lien against the property at which the vital service is to be provided. The lien value is for the amount it spends for a vital service that it arranges to be provided at a rented residential unit under this by-law plus an administration fee of 10 percent of that amount against the property at which the vital service is provided. The amount The City spends for a vital service that it arranges to be provided at a rented residential unit under this by-law is to include all current and outstanding charges existing on the vital service account.

9. Section 5.8 of By-law No. PH-6 is deleted and replaced with the following

#### **5.8 Appeal**

(a) The affected owner, mortgagee or other encumbrancer may, within fifteen (15) days after the interim certificate is mailed, appeal the amount shown on it by requesting a hearing by a Hearings Officer. The request shall be made in writing and filed with the City Clerk. The request shall consist of a notice of appeal and must comply with the filing requirements as set out in Schedule 1 of the City's Hearings Officer By-law A.-6653-121 as amended.

(b) The power and authority to conduct hearings of appeals under this by-law are hereby delegated to the Hearings Office.

(c) The provisions of the City's Hearings Officer By-law A.-6653-121, as amended, apply to all hearings conducted by a Hearings Officer.

(d) The decision of the Hearings Officer shall be final.

10. Section 6.7 of By-law No. PH-6 is deleted and replaced with the following

#### **6.7 Hindering authorized acts - prohibited**

No person shall hinder, obstruct, or interfere with or attempt to hinder, obstruct, or interfere with the Director or with a person acting under instruction of the Director in the exercise of a power or performance of a duty under the Act or this by-law.

11. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on [insert date].

Josh Morgan  
Mayor

Michael Schulthess  
City Clerk

First Reading – insert date  
Second Reading – insert date  
Third Reading – insert date

## Report to Civic Works Committee

**To:** Chair and Members  
Civic Works Committee

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

**Subject:** Greenway and Adelaide Wastewater Treatment Plants Climate Change Resiliency Consulting Fees Value Increase

**Date:** August 15, 2023

## Recommendation

That, on the recommendation of the Deputy City Manager, Environment & Infrastructure, the following actions **BE TAKEN** with respect to the Greenway and Adelaide Wastewater Treatment Plants Climate Change Resiliency design project:

- a) The value of the engineering consulting fees for CIMA Canada Inc. **BE INCREASED** by \$949,759.80 including contingency but excluding HST, due to additional scope requests and project consolidation;
- 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 Mayor and City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations.
- d) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this project.

## Executive Summary

The purpose of this report is to seek approval to increase consulting fees to CIMA Canada Inc. for engineering services under the federal Disaster Mitigation and Adaptation Fund for the Greenway and Adelaide Wastewater Treatment Plant designs. The increased funds are requested to complete additional scope identified as necessary during the preliminary design phase and to consolidate other previously planned asset renewal capital works as a cost saving measure in the construction phase. All items relate to work being undertaken at the Adelaide Wastewater Treatment Plant.

The City of London secured the opportunity for federal funding through the Disaster Mitigation and Adaptation Fund for improvements to the resilience of the Greenway and Adelaide Wastewater Treatment Plants through flood protection. Two separate Municipal Class Environmental Assessments have been completed for the plants and the preferred flood protection measures have been identified. Building on these Environmental Assessments, preliminary design work has also been completed at each site. The final design will improve asset resilience, enhance treatment capabilities, and enhance the safety of plant staff during extreme wet weather events.

Additionally, the amount of wastewater being received at the Adelaide Wastewater Treatment Plant has increased significantly over the last five years and is approaching the plant's available treatment capacity. Previously a Consulting Engineer was retained to complete a preliminary and detailed design to refurbish Section 1 of the treatment plant to provide the required capacity. This is nearing a tender-ready state, but the timing of construction coincides with the timelines for the flood protection project, which provides an opportunity to consolidate the projects to reduce risk and save costs.

## Linkage to the Corporate Strategic Plan

This report supports the 2023-2027 Corporate Strategic Plan in the following areas:

- Build infrastructure to support future development and protect the environment;

- Improve London’s resiliency to respond to potential future challenges; and
- Conserve energy and increase actions to respond to climate change and severe weather.

## **Analysis**

### **1.0 Background Information**

#### **1.1 Previous Reports Related to this Matter**

Greenway and Adelaide Wastewater Treatment Plants Climate Change Resiliency Geotechnical Consultant Award. Civic Works Committee. April 12, 2023.

Greenway and Adelaide Wastewater Treatment Plants Climate Change Resiliency Detailed Design Consultant Award. Civic Works Committee. October 4, 2022.

Greenway WWTP Climate Change Resilience Class EA – Notice of Completion. Civic Works Committee. April 20, 2022.

Adelaide WWTP Climate Change Resilience Class EA – Notice of Completion. Civic Works Committee. April 20, 2022.

Disaster Mitigation and Adaptation Fund – Contribution Agreement. Civic Works Committee. March 29, 2022.

Greenway and Adelaide Wastewater Treatment Plants Climate Change Resiliency Class Environmental Assessment Consultant Award. Civic Works Committee. March 2, 2021.

Climate Emergency Action Plan – Update. Civic Works Committee. August 11, 2020.

Adelaide Wastewater Treatment Plant Upgrades Consultant Award. Civic Works Committee. May 26, 2020.

### **2.0 Discussion and Considerations**

#### **2.1 Project History – Adelaide WWTP Flood Protection**

A Request for Proposal was issued for the design and contract administration of flood protection measures at the Greenway and Adelaide Wastewater Treatment Plants which followed Municipal Class Environmental Assessment recommendations accepted in 2022. A competitive bidding process was initiated for services at each plant and both design contracts were approved by Council on October 18, 2022 for award to CIMA Canada Inc. at a price of \$1,003,068.00 for the Adelaide WWTP and \$1,101,145.10 for the Greenway WWTP. Both prices include contingency and cash allowances. Although similar in scope, for tracking purposes each site is considered a separate project.

During the preliminary design and value engineering discussions, several items outside the original scope were identified as beneficial to include within this design. These items generally advance capital renewal and upgrades that would have been completed in the near future and the City will benefit from capital cost savings realized by completing these items alongside work already in design. In addition, an opportunity to construct another previously planned project at Adelaide WWTP was pursued in order to save on contract administration costs and reduce overall risk to the City. Further discussion on each additional scope item is detailed in the following sections. All items have the support of City staff for the incorporation into the overall design.

## **2.2 Project History – Adelaide WWTP Section 1 Restoration**

The Adelaide Wastewater Treatment Plant currently provides sanitary servicing for north and northeast London. It has a rated capacity of 36,400 m<sup>3</sup>/d, making it London's third-largest treatment plant. The majority of this capacity is through Section Two at the plant, and while Section One still forms part of the rated treatment capacity, it is older and requires upgrades to restore it to full treatment duty. Flows in the Adelaide sewershed have increased over the past five years as a result of increased wastewater from new development and unwanted water entering the sewer system. These flow increases mean that the treatment capacity of Section One will need to be fully restored in order to treat future flows. It is important that a plant has sufficient capacity both to comply with the plant's Provincial operating approval and to reduce the volume and frequency of wastewater by-passes to the Thames River.

In 2020, a Consultant was hired to provide the preliminary and detailed design services to restore Section One and allow the Section to return to service. The upgrades will include the removal of outdated and inoperable equipment, installation of a modern grit removal system, channel and piping modifications, new sludge pumps, new aeration equipment, and new settling tank equipment.

## **2.3 Adelaide WWTP Plant Electrical Upgrades**

Through the preliminary design process for the flood protection project, it was determined that the proposed upgrades would need to include a considerable amount of retrofitting to the plant's main electrical equipment, which itself is nearing its end of service life. While it is possible to construct the new equipment in such a way that the existing electrical equipment could be used, retrofitting the new equipment to the existing equipment would not be cost effective and could reduce its reliability. The aging equipment will require full replacement in the near future and sourcing compatible repair components is becoming difficult and more costly when compared to servicing newer equipment.

The new electrical system is also required to accommodate a standby generator. While the treatment plant currently utilizes independent dual feeds from the electrical grid to reduce the risk of plantwide power loss, a recent power failure demonstrated this to be an incomplete strategy at this location. The installation of a standby generator would allow the treatment plant to operate independent of the power grid during times of power failure in the area, thereby protecting both the treatment plant equipment and upstream sewer users from backups.

The total fee request for this additional scope is \$390,315.20, excluding H.S.T., and includes a 10% contingency.

## **2.4 Adelaide WWTP UV Channel Upgrades**

The Adelaide WWTP utilizes a UV disinfection system for the disinfection of all wastewater prior to discharging to the Thames River. This system is aging, has become inefficient compared to newer UV disinfection systems, and obtaining replacement parts and materials is becoming increasingly difficult as the manufacturer is no longer supporting the model. As such, City staff's long-term plan is to construct and install a new UV disinfection system which can meet the disinfection needs for current and future flows. Since the new effluent pumping station at Adelaide will be in close proximity to the existing UV system, it is proposed that the structural elements required to accommodate a new UV treatment system be constructed now. By combining the UV channel construction with the effluent pumping station construction, overall costs are expected to be reduced since both the effluent pumping station and UV channel require similar materials and trades in the same location to complete the construction, thus reducing contractor effort, overhead and contract administration efforts. Risks associated with future construction activity is also significantly reduced.

The total request for this additional scope is \$65,899.90, excluding H.S.T., and includes a 10% contingency.

## **2.5 Adelaide WWTP Effluent Water System Preliminary Review**

The existing effluent water system at Adelaide WWTP provides non-potable water for treatment processes and washdown facilities. The system is currently able to provide process water to all areas of the plant; however, it has been noted that certain areas of the plant receive insufficient pressures during periods of high demand. Plans for a new equalization storage tank for peak flow management are anticipated to create additional effluent water demand, and the system may prove to be inadequate. Accordingly, City staff are recommending a preliminary design review of the system to determine how to provide adequate flow and pressure to all areas of the treatment plant under future flow conditions. Once this review is completed, City staff can better assess how to plan and provide long-term effluent plant water to all areas of the treatment plant.

The total request for this additional scope is \$18,698.90, excluding H.S.T., and includes a 10% contingency.

## **2.6 Adelaide WWTP Section 1 Restoration Contract Administration**

As previously discussed, City staff procured the services of a Consulting Engineer to provide a detailed design for the restoration of Adelaide WWTP's Section 1. That project began in 2020 and the last remaining design deliverables are expected to be complete and tender ready in August 2023.

This project was originally intended to be a standalone design and construction project. However, the restoration of Section One and the flood protection projects will both have long construction durations and significant overlap if tendered separately. City staff are recommending that the Section One restoration project be incorporated into the overall flood protection construction contract and consolidating contract administration services to be provided by one consultant (CIMA Canada Inc.). By creating one larger construction project, the overall risk to the City is reduced by eliminating two separate contractor staging and construction areas, reducing complexity associated with the sequencing of upgrades between each project, and utilizing a single Contract Administrator and Contractor at the site. The reduction in duplicated services is an overall benefit to the City in both cost and coordination capacity.

The total request to incorporate the design and contract administration services into the flood protection contract is \$474,845.80, excluding H.S.T., and includes a 10% contingency. Staff note that if the projects were to remain separate, a Request for Proposal process would have been initiated to procure these services and this proposal aligns with the estimated cost.

## **3.0 Financial Impact/Considerations**

The detailed source of financing is included in Appendix A of this report. The additional engineering services scope can be funded from existing capital sources as shown.

## **Conclusion**

The Adelaide Flood Protection project is a significant undertaking with a high level of complexity that provides essential protection against climate change for the existing treatment facilities. Through the preliminary design and value engineering exercises, additional capital investments have been identified as strategic additions to the project which will result in an overall net reduction in engineering and construction efforts. Treatment capacity is also currently reduced at that treatment plant, restricting the wastewater servicing that can be provided for important growth areas in north-east London. The upgrades described in this report will provide the City with a more robust and resilient treatment facility and are in-line with the City's long-term operation of the Adelaide Wastewater Treatment Plant. By completing both the flood protection and Section One restoration projects concurrently, the overall cost and risk to the City is expected to be reduced. It is recommended that additional fees for CIMA Canada Inc. in

the total amount of \$949,759.80 plus HST be approved for this project to account for increased engineering design and contract administration services.

**Prepared by:** Kirby Oudekerk, MPA, P.Eng.  
Division Manager, Wastewater Treatment Operations

**Submitted by:** Ashley Rammeloo, MMSc., P. Eng.  
Director, Water, Wastewater and Stormwater

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

Appendix 'A' Source of Financing

cc: Steve Mollon, Senior Manager, Procurement and Supply  
Jason Davies, Manager III, Financial Planning and Policy  
Zeina Nsair, Financial Business Administrator, Finance and Corporate Services



**Appendix "A"**

#23168

August 15, 2023  
(Consulting Fee Increase)

Chair and Members  
Civic Works Committee

RE: Greenway and Adelaide Wastewater Treatment Plants Climate Change Resiliency Consulting Fees Value Increase  
(Subledger FS220002)

Capital Project ES5234 - Adelaide WWTP Flood Protection and Capacity Improvements to Reduce Sewage Bypasses

Capital Project ES3231 - DMAF Adelaide WWTP Flood Protection

CIMA Canada Inc. - \$949,759.80 (excluding HST)

**Finance Supports Report on the Sources of Financing:**

Finance Supports confirms that the cost of this project can be accommodated within the financing available for it in the Capital Budget and that, subject to the approval of the recommendation of the Deputy City Manager, Environment and Infrastructure, the detailed source of financing is:

<b>Estimated Expenditures</b>	<b>Approved Budget</b>	<b>Committed To Date</b>	<b>This Submission</b>	<b>Balance for Future Work</b>
<b>ES5234 - Adelaide WWTP Flood Protection and Capacity Improvements to Reduce Sewage Bypasses</b>				
Engineering	935,988	402,183	483,203	50,602
Construction	9,486,506	12,980	0	9,473,526
<b>ES5234 Total</b>	<b>10,422,494</b>	<b>415,163</b>	<b>483,203</b>	<b>9,524,128</b>
<b>ES3231 - DMAF Adelaide WWTP Flood Protection</b>				
Engineering	1,728,636	1,245,363	483,273	0
City Related Expenses	3,107	3,107	0	0
<b>ES3231 Total</b>	<b>1,731,743</b>	<b>1,248,470</b>	<b>483,273</b>	<b>0</b>
<b>Total Expenditures</b>	<b>\$12,154,237</b>	<b>\$1,663,633</b>	<b>\$966,476</b>	<b>\$9,524,128</b>

**Sources of Financing**

<b>ES5234 - Adelaide WWTP Flood Protection and Capacity Improvements to Reduce Sewage Bypasses</b>				
Debenture By-law No. W.-5611-33	1,000,000	0	0	1,000,000
Drawdown from Sewage Works Renewal Reserve Fund	9,422,494	415,163	483,203	8,524,128
<b>ES5234 Total</b>	<b>10,422,494</b>	<b>415,163</b>	<b>483,203</b>	<b>9,524,128</b>
<b>ES3231 - DMAF Adelaide WWTP Flood Protection</b>				
Drawdown from Sewage Works Renewal Reserve Fund	1,039,045	749,081	289,964	0
Federal DMAF Funding	692,698	499,389	193,309	0
<b>ES3231 Total</b>	<b>1,731,743</b>	<b>1,248,470</b>	<b>483,273</b>	<b>0</b>
<b>Total Financing</b>	<b>\$12,154,237</b>	<b>\$1,663,633</b>	<b>\$966,476</b>	<b>\$9,524,128</b>

<b>Financial Note:</b>	<b>ES5234</b>	<b>ES3231</b>	<b>Total</b>
Contract Price	\$474,846	\$474,914	\$949,760
Add: HST @13%	61,730	61,739	123,469
Total Contract Price Including Taxes	536,576	536,653	1,073,229
Less: HST Rebate	-53,373	-53,380	-106,753
Net Contract Price	\$483,203	\$483,273	\$966,476

Alan Dunbar  
Manager of Financial Planning & Policy

lp

## Report to Civic Works Committee

**To:** Chair and Members  
Civic Works Committee  
**From:** Kelly Scherr, P.Eng., MBA, FEC  
Deputy City Manager, Environment and Infrastructure  
**Subject:** Contract Award: RFT 2023 – 030  
Watermain Cleaning and Lining Services  
**Date:** August 15, 2023

## Recommendation

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions **BE TAKEN** with respect to the award of contract for RFT 2023-030 Watermain Cleaning and Lining Services:

- a) The bid submitted by Fer-Pal Construction Ltd at its tendered price of \$6,498,810.00, excluding HST, for Watermain Cleaning and Lining Services, **BE ACCEPTED**; it being noted that the bid submitted by Fer-Pal Construction Ltd was the lowest of two bids received and meets the City's specifications and requirements in all areas and that this is the first year of a five year contract, where the City has the sole discretion to renew the contract for four additional years based on price and performance;
- b) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report attached hereto as Appendix "A";
- c) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this project;
- 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; and
- e) the Mayor and City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations.

## Executive Summary

This report recommends the award of a tender to a contractor to undertake watermain cleaning and structural re-lining as shown on the location map in Appendix B.

Since 1989, the City has been rehabilitating watermains using innovative trenchless technologies which include cement mortar lining and more recently structural lining. These methods allow the City to eliminate water quality problems (red/rusty looking water), improve fire flows, gain additional years of life from the mains and delay the need for full replacement reconstruction projects which are both expensive and socially disruptive. The aesthetic water quality in these rehabilitated watermains is dramatically improved.

## Linkage to the Corporate Strategic Plan

This recommendation supports the following 2023-2027 Strategic Plan areas of focus:

- Climate Action and Sustainable Growth:

- Infrastructure is built, maintained, and secured to support future growth and protect the environment.

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

- CWC – March 10, 2022 – Contract Award: 2020 Watermain Cleaning and Structural Lining RFT 20-23.

### 2.0 Discussion and Considerations

#### 2.1 Discussion

Currently the City focusses structural lining on areas of the City where there are no lead services, no other current infrastructure replacement needs (i.e. roads or sewers), and a high frequency of main breaks on cast iron watermain. In areas where structural lining has been performed, the occurrence of watermain breaks has dropped to zero in most cases. Structural lining also extends the life of watermain by 50 years or more when done on watermain that meet the criteria above, and costs 40% lower than traditional open-cut watermain replacement. In general, trenchless technologies, such as structural lining, have substantially lower social and environmental impacts when compared to traditional open-cut techniques.

#### 2.2 Project Description

The current project involves the cleaning and structural lining of approximately 4000 metres of watermain on Lyman Street, Kenwood Crescent, Boullee Street, Victoria Street, Taylor Street, Grosvenor Street, Preston Street, Sevilla Park Place, Northbrae Drive, Kenmore place, Melsandra Avenue, Lauderdale Avenue, Delmont Avenue, Delmont Place and North Vermont Avenue.

The work is scheduled to take one hundred and twenty (120) working days to substantially complete and will start this fall, following approval of this report.

A Project Location map is attached as Appendix B for reference.

The work in 2023 will be the first year of a potential five-year contract, where the City has the sole discretion to renew the contract for four additional years based on price and performance.

### 3.0 Financial Impact/Considerations

#### 3.1 Tender Summary

Tenders for the Watermain Cleaning and Lining Services were opened on June 22, 2023. Two (2) contractors submitted tender prices as listed below, excluding HST. All tenders received include a contingency of \$500,000.

Table 1: Summary of submitted tender prices

Contractor	Tender Price Submitted
Fer-Pal Construction Ltd	\$6,498,810.00
North Rock Group Ltd	\$7,283,750.00

All tenders have been checked by the Environmental and Engineering Services Department. No mathematical errors were found. The results of the tendering process

indicate a competitive process. The tender estimate prior to tender opening was \$5,200,000, including contingency, excluding HST.

The final tendered cost was higher than the tender estimate due to the difficulty in estimating this work. As this program uses multi-year contracts, the last time this type of work was competitively tendered in London was in early 2020. Since 2020, prices for this unique rehabilitation method and overall construction costs have gone up considerably, which made this project difficult to estimate. There are very few contractors qualified and capable of performing this type of watermain rehabilitation. Although prices have risen in the past 3 years, it is still an economically advantageous alternative to open cut excavation and replacement for these particular watermains. There are sufficient funds in existing budgets to complete this work.

## **Conclusion**

Award of this contract to Fer-Pal Construction Ltd. will allow the City to achieve the objective of rehabilitating water infrastructure which has been subject to breaks. It is in the best financial and technical interests of the City to proceed with the award of this contract for Watermain Cleaning and Structural Lining.

**Prepared by:** Aaron Rozentals, P.Eng, GDPA  
Division Manager, Water Engineering

**Submitted by:** Ashley M. Rammeloo, MSc., P.Eng  
Director, Water, Wastewater, and Stormwater

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

cc: P. Lupton, Steve Fazekas, Gerry Ramsay (Fer-Pal Construction Ltd.)

Appendix 'A' – Sources of Financing

Appendix 'B' – Location Map

## Appendix "A"

#23161

August 15, 2023  
(Award Contract)

Chair and Members  
Civic Works Committee

RE: RFT-2023-030 Watermain Cleaning and Lining Services  
(Subledger WT230002)  
Capital Project EW356323 - Watermain Rehabilitation and Relining  
Capital Project EW356322 - Watermain Rehabilitation and Relining  
Fer-Pal Construction Ltd. - \$6,498,810.00 (excluding HST)

### Finance Supports Report on the Sources of Financing:

Finance Supports confirms that the cost of this project can be accommodated within the financing available for it in the Capital Budget and that, subject to the approval of the recommendation of the Deputy City Manager, Environment and Infrastructure, the detailed source of financing is:

Estimated Expenditures	Approved Budget	Committed To Date	This Submission	Balance for Future Work
<b>EW356323 - Watermain Rehabilitation and Relining</b>				
Construction	5,368,709	0	5,368,709	0
<b>EW356322 - Watermain Rehabilitation and Relining</b>				
Construction	6,909,813	5,242,490	1,244,480	422,843
City Related Expenses	139	139	0	0
<b>EW356322 Total</b>	<b>6,909,952</b>	<b>5,242,629</b>	<b>1,244,480</b>	<b>422,843</b>
<b>Total Expenditures</b>	<b>\$12,278,661</b>	<b>\$5,242,629</b>	<b>\$6,613,189</b>	<b>\$422,843</b>

### Sources of Financing

<b>EW356323 - Watermain Rehabilitation and Relining</b>				
Capital Water Rates	5,368,709	0	5,368,709	0
<b>EW356322 - Watermain Rehabilitation and Relining</b>				
Capital Sewer Rates	6,764,685	5,242,629	1,244,480	277,576
Drawdown from Water Works Renewal Reserve Fund	145,267	0	0	145,267
<b>EW356322 Total</b>	<b>6,909,952</b>	<b>5,242,629</b>	<b>1,244,480</b>	<b>422,843</b>
<b>Total Financing</b>	<b>\$12,278,661</b>	<b>\$5,242,629</b>	<b>\$6,613,189</b>	<b>\$422,843</b>

### Financial Note:

	<b>ES356323</b>	<b>ES356322</b>	<b>Total</b>
Contract Price	\$5,275,854	\$1,222,956	\$6,498,810
Add: HST @13%	685,861	158,984	844,845
Total Contract Price Including Taxes	5,961,715	1,381,940	7,343,655
Less: HST Rebate	-593,006	-137,460	-730,466
Net Contract Price	\$5,368,709	\$1,244,480	\$6,613,189

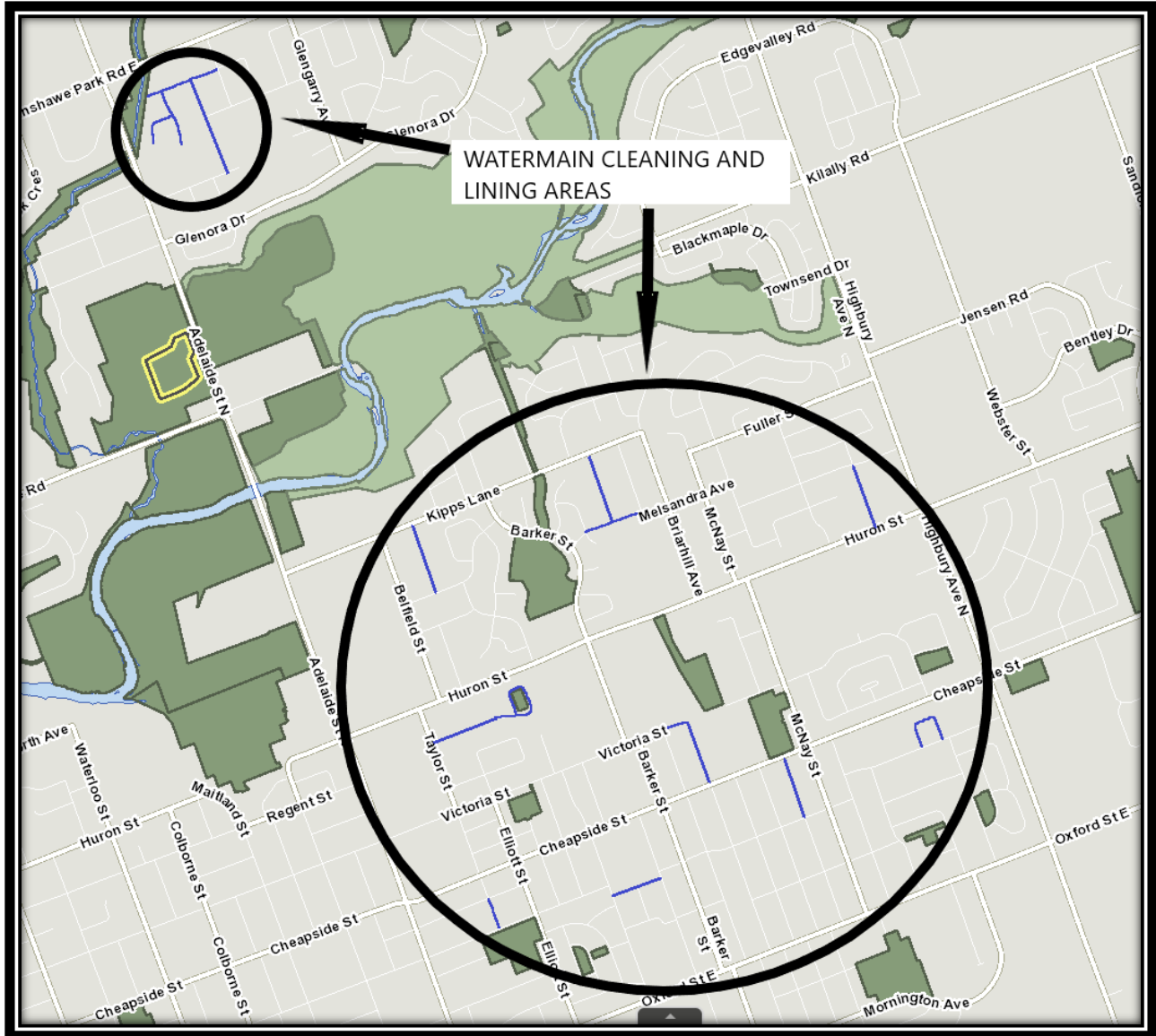
Alan Dunbar  
Manager of Financial Planning & Policy

lp

# APPENDIX B

## LOCATION MAP

### 2023 Watermain Cleaning and Lining



## Report to Civic Works Committee

**To:** Chair and Members  
Civic Works Committee

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

**Subject:** Consulting Engineer Appointment: 2024/2025 Infrastructure  
Renewal Program

**Date:** August 15, 2023

## Recommendation

That on the recommendation of Deputy City Manager, Environment and Infrastructure, the following actions **BE TAKEN** with respect to the appointment of a consulting engineer for the 2024/2025 Infrastructure Renewal Program Assignments

- (a) Dillon Consulting Limited (Dillon) **BE APPOINTED** consulting engineers to undertake detailed design and construction administration services for the Decommissioning of Water Chamber 13 project and detailed design for the William Street Reconstruction project, in the total amount of \$413,912.40 (excluding HST), in accordance with Section 14.4(a) 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 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; and
- (e) the Mayor and City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations.

## Executive Summary

This report recommends appointing Dillon Consulting to undertake engineering services related to the Decommissioning of Water Chamber 13 and William Street Reconstruction from Regent Street to Grosvenor Street. This assignment previously went through a competitive RFP process in which Dillon was the only consultant that submitted a bid. However, their bid was received after the deadline, and was therefore deemed non-compliant. It is for this reason, and the fact that this work is a further phase and continuation of work already undertaken by Dillon in the project area, that Dillon be directly awarded this assignment.

The Infrastructure Renewal Program is an annual program intended to maintain the lifecycle and operation of municipal infrastructure at an acceptable level of service. The engineering consultants work with city staff to complete the Infrastructure Renewal Program projects to meet the challenging infrastructure lifecycle replacement needs. The engineering consulting work recommended for the Infrastructure Renewal Program will support the reconstruction of an estimated \$6,000,000 of capital infrastructure.

## Linkage to the Corporate Strategic Plan

This recommendation supports the following 2023-2027 Strategic Plan areas of focus:

- Mobility and Transportation:
  - Londoners can move around the city safely and easily in a manner that meets their needs by incorporating cycling infrastructure and safety enhancements.

- Climate Action and Sustainable Growth:
  - The infrastructure gap is managed for all assets; and
  - London’s infrastructure is built, maintained, and secured to support future growth and protect the environment; and
  - London has a strong and healthy environment by incorporating stormwater management quantity and quality controls to protect downstream waterways, wetlands, watersheds and natural areas.

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

- None

### 2.0 Discussion and Considerations

#### 2.1 Work Description

This assignment is for Consulting Engineering Services for the detailed design and contract administration of the proposed Decommissioning of Water Chamber 13 and for detailed design only for the William Street Reconstruction. The Decommissioning of Water Chamber 13 project is scheduled for 2024 construction and is the last phase of a multi-phase project to renew, update, and relocate the existing Chamber 13 which is located in Huron Woods. This phase will decommission the existing chamber and restore/naturalize the disturbed area. The William Street Reconstruction work is scheduled for 2025 and will include watermain and sewer replacement as well as restoration of areas disturbed by the construction activity. Location maps are provided for each project in Appendix ‘B’.

### 3.0 Financial Impact/Considerations

#### 3.1 Consulting Engineer Services

Dillon’s fee to undertake consulting services for the Decommissioning of Water Chamber 13 is \$157,551.90 and the fee for the William Street Reconstruction is \$256,360.50, for a total of \$413,912.40 (excluding HST).

Staff have reviewed the fee submission, including the time allocated to each project task, along with hourly rates provided by the consultant’s staff members. The submission was found to be consistent with other project assignments of similar scope. The consultant has the staff capacity, technical capability and knowledge to be able to effectively undertake the work.

Funds have been budgeted and are available in the Water and Sewer capital budgets to support the engineering work for the projects as identified in Appendix ‘A’, ‘Source of Financing’.

## Conclusion

Replacing infrastructure at the end of its lifecycle is essential to support future growth and to protect the environment. Dillon has shown their competency and expertise in the previous phases of the Chamber 13 decommissioning project along with similar infrastructure replacement projects, and therefore it is recommended that Dillon be awarded this engineering assignment as it is in the best financial and technical interests of the City.



**Prepared by:** Aaron Rozentals, P.Eng., GDPA  
Division Manager, Water Engineering

**Submitted by:** Ashley Rammeloo, MMSc, P.Eng.  
Director, Water, Wastewater, and Stormwater

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

cc: D. Gough, J. Self, K. Chambers, D. Harron, D. Law, K. Graham

Appendix 'A' – Source of Financing

Appendix 'B' – Location Map

## Appendix "A"

**#23159**

August 15, 2023  
(Appoint Consulting Engineer)

Chair and Members  
Civic Works Committee

RE: 2024/2025 Infrastructure Renewal Program  
(Subledger WS23C003)

Capital Project EW376523 - Infrastructure Renewal Program - Watermains

Capital Project ES241423 - Infrastructure Renewal Program - Sanitary Sewers

Capital Project ES254023 - Infrastructure Renewal Program - Stormwater Sewers and Treatment

Dillon Consulting Limited (Dillon) - \$413,912.40 (excluding HST)

### Finance Supports Report on the Sources of Financing:

Finance Supports confirms that the cost of this project can be accommodated within the financing available for it in the Capital Budget and that, subject to the approval of the recommendation of the Deputy City Manager, Environment and Infrastructure, the detailed source of financing is:

Estimated Expenditures	Approved Budget	Committed To This Date	Submission	Balance for Future Work
<b>EW376523 - Infrastructure Renewal Program - Watermains</b>				
Engineering	2,500,000	1,164,149	168,478	1,167,373
Construction	15,787,316	12,100,656	0	3,686,660
City Related Expenses	59	59	0	0
<b>EW376523 Total</b>	<b>18,287,375</b>	<b>13,264,864</b>	<b>168,478</b>	<b>4,854,033</b>
<b>ES241423 - Infrastructure Renewal Program - Sanitary Sewers</b>				
Engineering	2,000,000	434,869	126,360	1,438,771
Construction	11,287,878	3,330,303	0	7,957,575
City Related Expenses	25,000	0	0	25,000
<b>ES241423 Total</b>	<b>13,312,878</b>	<b>3,765,172</b>	<b>126,360</b>	<b>9,421,346</b>
<b>ES254023 - Infrastructure Renewal Program - Stormwater Sewers and Treatment</b>				
Engineering	2,000,000	1,532,640	126,358	341,002
Construction	11,212,878	7,044,298	0	4,168,580
City Related Expenses	100,000	611	0	99,389
<b>ES254023 Total</b>	<b>13,312,878</b>	<b>8,577,549</b>	<b>126,358</b>	<b>4,608,971</b>
<b>Total Expenditures</b>	<b>\$44,913,131</b>	<b>\$25,607,585</b>	<b>\$421,196</b>	<b>\$18,884,350</b>

### Sources of Financing

<b>EW376523 - Infrastructure Renewal Program - Watermains</b>				
Capital Water Rates	12,193,444	12,193,444	0	0
Drawdown from Water Works Renewal Reserve Fund	4,668,931	0	0	4,668,931
Canada Community-Building Fund	1,425,000	1,071,420	168,478	185,102
<b>EW376523 Total</b>	<b>18,287,375</b>	<b>13,264,864</b>	<b>168,478</b>	<b>4,854,033</b>
<b>ES241423 - Infrastructure Renewal Program - Sanitary Sewers</b>				
Capital Sewer Rates	8,812,878	3,765,172	126,360	4,921,346
Drawdown from Sewage Works Renewal Reserve Fund	2,250,000	0	0	2,250,000
Canada Community-Building Fund	2,250,000	0	0	2,250,000
<b>ES241423 Total</b>	<b>13,312,878</b>	<b>3,765,172</b>	<b>126,360</b>	<b>9,421,346</b>

**Appendix "A"**

**#23159**

August 15, 2023  
(Appoint Consulting Engineer)

Chair and Members  
Civic Works Committee

RE: 2024/2025 Infrastructure Renewal Program  
(Subledger WS23C003)

Capital Project EW376523 - Infrastructure Renewal Program - Watermains

Capital Project ES241423 - Infrastructure Renewal Program - Sanitary Sewers

Capital Project ES254023 - Infrastructure Renewal Program - Stormwater Sewers and Treatment

Dillon Consulting Limited (Dillon) - \$413,912.40 (excluding HST)

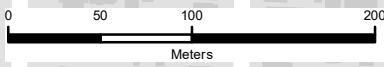
<b>Sources of Financing Continued</b>	<b>Approved Budget</b>	<b>Committed To This Date</b>	<b>This Submission</b>	<b>Balance for Future Work</b>
<b>ES254023 - Infrastructure Renewal Program - Stormwater Sewers and Treatment</b>				
Capital Sewer Rates	1,242,500	1,242,500	0	0
Drawdown from Sewage Works Renewal Reserve Fund	9,820,378	5,085,049	126,358	4,608,971
Canada Community-Building Fund	2,250,000	2,250,000	0	0
<b>ES254023 Total</b>	<b>13,312,878</b>	<b>8,577,549</b>	<b>126,358</b>	<b>4,608,971</b>
<b>Total Financing</b>	<b>\$44,913,131</b>	<b>\$25,607,585</b>	<b>\$421,196</b>	<b>\$18,884,350</b>

<b>Financial Note:</b>	<b>EW376523</b>	<b>ES241423</b>	<b>ES254023</b>	<b>Total</b>
Contract Increase	\$165,565	\$124,174	\$124,173	\$413,912
Add: HST @13%	21,523	16,143	16,142	53,808
Total Contract Price Including Taxes	187,088	140,317	140,315	467,720
Less: HST Rebate	-18,610	-13,957	-13,957	-46,524
Net Contract Price	\$168,478	\$126,360	\$126,358	<b>\$421,196</b>

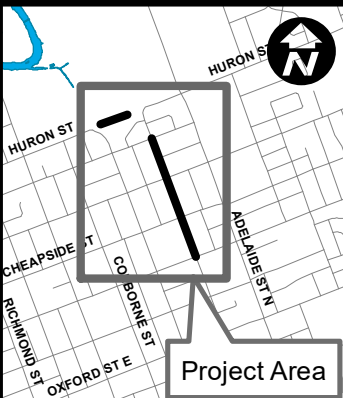
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Alan Dunbar  
Manager of Financial Planning & Policy

lp



LOCATION MAP




Infrastructure Renewal Program

Within the Huron Street Woods  
William Street from Regent Street to Grosvenor Street

Map Produced by  
the Sewer  
Engineering  
Division  
June 15, 2023 CM



London  
CANADA  
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London, Ontario  
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www.London.ca

 Approximate Project Limits

## Report to Civic Works Committee

**To:** Chair and Members  
Civic Works Committee

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

**Subject:** Amendments to the Traffic and Parking By-law

**Date:** August 15, 2023

## Recommendation

That on the recommendation of the Deputy City Manager, Environment & Infrastructure, the proposed by-law, attached as Appendix A **BE INTRODUCED** at the Municipal Council meeting to be held on August 29, 2023, for the purpose of amending the Traffic and Parking By-law (PS-114).

## Linkage to the Corporate Strategic Plan

Municipal Council's new Strategic Plan identifies "Mobility and Transportation" as a strategic area of focus. This report supports the Strategic Plan through the strategic focus area of Wellbeing and Safety by creating safe, vibrant, and healthy neighbourhoods by improving traffic safety with lower speed limits.

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

- Civic Works Committee – March 10, 2020 – Area Speed Limit Implementation; and
- Civic Works Committee – September 24, 2019, [Automated Speed Enforcement Contract Award](#).

#### 1.2 Purpose of this Report

The Traffic and Parking By-law (PS-114) requires amendments (Appendix A) to improve road operations and safety. Included in this is the next phase of area speed limit implementation that will improve neighbourhood safety, livability, and walkability. The amendments in the following section are proposed.

### 2.0 Discussion and Considerations

#### 2.1 Rate of Speed

The following local residential streets are located in isolated areas. It is recommended that the speed limit be reduced to 40 km/h on a street by street basis rather than the Area Speed Limit method:

- Avenue Road, All;
- Christ Church Lane, All;
- Evelyn Drive, Rebecca Road to East City Limit;
- Fisher Lane, All;
- Harper Street, All;
- Heritage Court, All;
- Jenedere Court, All;

- Kellerton Road, All;
- Kostis Ave, All;
- Rebecca Road, Evelyn Drive to Robin's Hill Road;
- Shaver Street, All; and
- Vaughan Road, All.

## **2.2 Area Speed Limits**

The following three area speed limit zones are being recommended for the next phase of implementation of this city-wide program:

- The North-West area bounded by Hyde Park Road, Sunningdale Road W, Wonderland Road N and Fanshawe Park Road W;
- The South area bounded by White Oak Road, Southdale Road E, Wellington Road and Exeter Road except Bradley Avenue 60 km/h;
- The South-East area bounded by Highbury Avenue S, Highbury Avenue N – Hamilton Road and Commissioners Road East;
- The South-West area bounded by Wonderland Road S, Commissioners Road W, Wharncliffe Road S and Southdale Road W;
- The West “A” area bounded by Colonel Talbot Road, Southdale Road W, Bostwick Road and Pack Road; and
- The West “B” area bounded by Thames River, Boler Road, Riverside Drive, Wonderland Road N, Wonderland Road S, Commissioners Road W, Byron Baseline Road, Boler Road, Commissioners Road W, Oxford Street W except Springbank Drive from Commissioners Road W to 300 m east of Commissioners Road W at 50 km/h; Springbank Drive from 300 m east of Commissioners Road W to 50 m west of Quinella Drive at 60 km/h; Springbank Drive from 50 m west of Quinella Drive to Wonderland Road S at 50 km/h; Commissioners Road W from Oxford Street W to 80 m west of Cadeau Terrance (east intersection) at 60 km/h and Boler Road at 50 km/h.

Maps showing the proposed area speed limits can be found in Appendix B.

The area bounded by Wonderland Road South, Bradley Avenue West and Wharncliffe Road South was passed by Municipal Council on February 2, 2021, but inadvertently deleted from the Area Speed Limit schedule. It is recommended that this area be added back to Schedule 25 – Area Speed Limit.

## **2.3 Community Safety Zones**

It is recommended that the school zones on major roads be posted as a Community Safety Zone (CSZ) due to the large number of vulnerable pedestrians accessing the following schools:

- Blessed Sacrament Catholic Elementary School;
- Byron Northview Public School;
- Byron Woods Montessori School;
- Clarke Road Secondary School;
- Eagle Heights Public School;
- Ealing Public School;
- École élémentaire Marie-Curie;
- École secondaire catholique Monseigneur-Bruyère;
- Jeanne Sauvé French Immersion Public School;

- John Dearness Public School;
- John Paul II Catholic Secondary School;
- London Christian Elementary School;
- London Islamic School Private;
- Masonville Public School;
- Mathews Hall Independent School;
- Montcalm Secondary School;
- Mother Teresa Catholic Secondary School;
- Oakridge Secondary School;
- St. Anne Catholic Elementary School;
- St. Francis School;
- St. Thomas Aquinas Catholic Secondary School;
- Victoria Public School; and
- White Oaks Public School.

## **Conclusion**

Amendments are required to PS-114 Traffic and Parking By-law, S Schedule 24 (Rate of Speed), Schedule 25 (Area Speed Limits) and Schedule 26 (Community Safety Zones) to implement the above changes.

**Prepared by:** Shane Maguire, P. Eng., Division Manager, Traffic Engineering

**Submitted by:** Doug MacRae, P. Eng., MPA, Director, Transportation & Mobility

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

**Attch:** Appendix A – A By-law to amend the Traffic and Parking By-law (PS-114)  
Appendix B – Area Speed Limit Zones

## APPENDIX A By-law to amend the Traffic and Parking By-law (PS-114)

Bill No.

By-law No. PS-114

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.”

WHEREAS subsection 10(2) paragraph 7. Of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipality may pass by-laws to provide any service or thing that the municipality considers necessary or desirable to the public;

AND WHEREAS subsection 5(3) of the *Municipal Act, 2001*, as amended, provides that a municipal power shall be exercised by by-law;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

### 1. Rate of Speed

Schedule 24 (Rate of Speed) of the PS-114 By-law is hereby amended by **adding** the following rows:

1-Street	2-From	3-To	4-Maximum Rate of Speed
Avenue Road	South limit of Avenue Road	Dingman Drive	40 km/h
Bradley Avenue			
Christ Church Lane	Wellington Road S	Glanworth Drive	40 km/h
Evelyn Drive	Rebecca Road	East City Limit	40 km/h
Fisher Lane	Wellington Road S (south intersection)	Wellington Road S (north intersection)	40 km/h
Harper Street	Shaver Street	Westminster Drive	40 km/h
Heritage Court	West limit of Heritage Court	Bradish Road	40 km/h
Jenedere Court	West limit of Jenedere Court	Avenue Road	40 km/h
Kellerton Road	Crumlin Sideroad	East limit of Kellerton Road	40 km/h
Kostis Ave	Dundas Street	North limit of Kostis Avenue	40 km/h
Rebecca Road	Evelyn Drive	Robin's Hill Road	40 km/h
Shaver Street	East limit of Shaver Street	Wellington Road S	40 km/h
Vaughan Road	Kellerton Road	Dundas Street	40 km/h



## 2. Area Speed Limits

Schedule 25 (Area Speed Limit) of the PS-114 By-law is hereby amended by **adding** the following rows:

1-Area Limit	2-Maximum Rate of Speed
Colonel Talbot Road - Southdale Road W - Bostwick Road - Pack Road	40 km/h
Highbury Avenue S – Highbury Avenue N – Hamilton Road – Commissioners Road East	40 km/h
Hyde Park Road – Sunningdale Road W – Wonderland Road N – Fanshawe Park Road W	40 km/h
Thames River – Boler Road – Riverside Drive – Wonderland Road N – Wonderland Road S - Commissioners Road W – Byron Baseline Road – Boler Road – Commissioners Road W – Oxford Street W except Springbank Drive from Commissioners Road W to 300 m east of Commissioners Road W at 50 km/h; Springbank Drive from 300 m east of Commissioners Road W to 50 m west of Quinella Drive at 60 km/h; Springbank Drive from 50 m west of Quinella Drive to Wonderland Road S at 50 km/h; Commissioners Road W from Oxford Street W to 80 m west of Cadeau Terrance (east intersection) at 60 km/h; Boler Road at 50 km/h	40 km/h
White Oak Road- Southdale Road E - Wellington Road - Exeter Road except Bradley Avenue 60 km/h	40 km/h
Wonderland Road S - Commissioners Road W - Wharncliffe Road S - Southdale Road W	40 km/h
Wonderland Road S – Bradley Avenue W – Wharncliffe Road S	40 km/h

## 3. Community Safety Zones

Schedule 26 (Community Safety Zones) of the By-law PS-114 is hereby amended by **adding** the following rows:

1-Street	2-From	3-To
Boler Road	A point 40 m south of Riverside Drive	Riverside Drive
Bradely Avenue	A point 70 m east of Ernest Avenue	Jalna Boulevard
Clarke Road	Royal Crescent	A point 350 m north of Wavell Street
Clarke Road	Duluth Crescent	A point 72 m south of Royal Crescent
Commissioners Road W	Reynolds Street	A point 241 m east of Stephen Street
Commissioners Road W	A point 39 m west of Chestnut Hill	A point 40 m east of Grandview Avenue
Fanshawe Park Road W	A point 80 east of Louise Boulevard	Richmond Street
Hamilton Road	Hume Street	A point 35 m east of Sanders Street
Highbury Avenue N	Oxford Street E	A point 441 m north of Oxford Street E

Highbury Avenue N	A point 272 m north of Huron Street	A point 150 m north of Jensen Road
Huron Street	A point 150 m west of Gatewood Road	A point 150 m east of Barker Street
Huron Street	A point 45 m east of Highbury Avenue N	A point 150 m east of Webster Street
Oxford Street E	A point 62 m west of Curry Street	A point 135 m east of High Holborn Street
Oxford Street E	Highbury Avenue N	Roehampton Avenue (east leg)
Oxford Street W	A point 270 m west of Foster Avenue	Columbia Avenue
Oxford Street W	A point 90 m east of Old Hunt Road	Royal York Road
Oxford Street W	A point 45 m west of Platt's Lane	Gower Street
Oxford Street W	A point 513 m west of Sanatorium Road	A point 199 m west of Sanatorium Road
Oxford Street W	A point 50 m west of Fiddlers Green Road	A point 82 m west of Freele Street
Sanatorium Road	Riverside Drive	Oxford Street W
Southdale Road E	A point 492 m west of Millbank Drive (east leg)	A point 120 m west of Millbank Drive (east leg)
Sunningdale Road E	A point 150 m west of South Wenige Drive	A point 413 m east of South Wenige Drive
Wharncliffe Road N	Blackfriars Street	Oxford Street W
Wharncliffe Road S	A point 22 m south of Bruce Street	Euclid Avenue

This by-law comes into force and effect on the day it is passed.  
 PASSED in Open Council on August 29, 2023.

Josh Morgan  
 Mayor



Michael Schulthess  
 City Clerk

First Reading – August 29, 2023  
 Second Reading – August 29, 2023  
 Third Reading – August 29, 2023

# APPENDIX B: Area Speed Limit Zones

## North-West London 40 km/h Area Speed Limit

### LEGEND

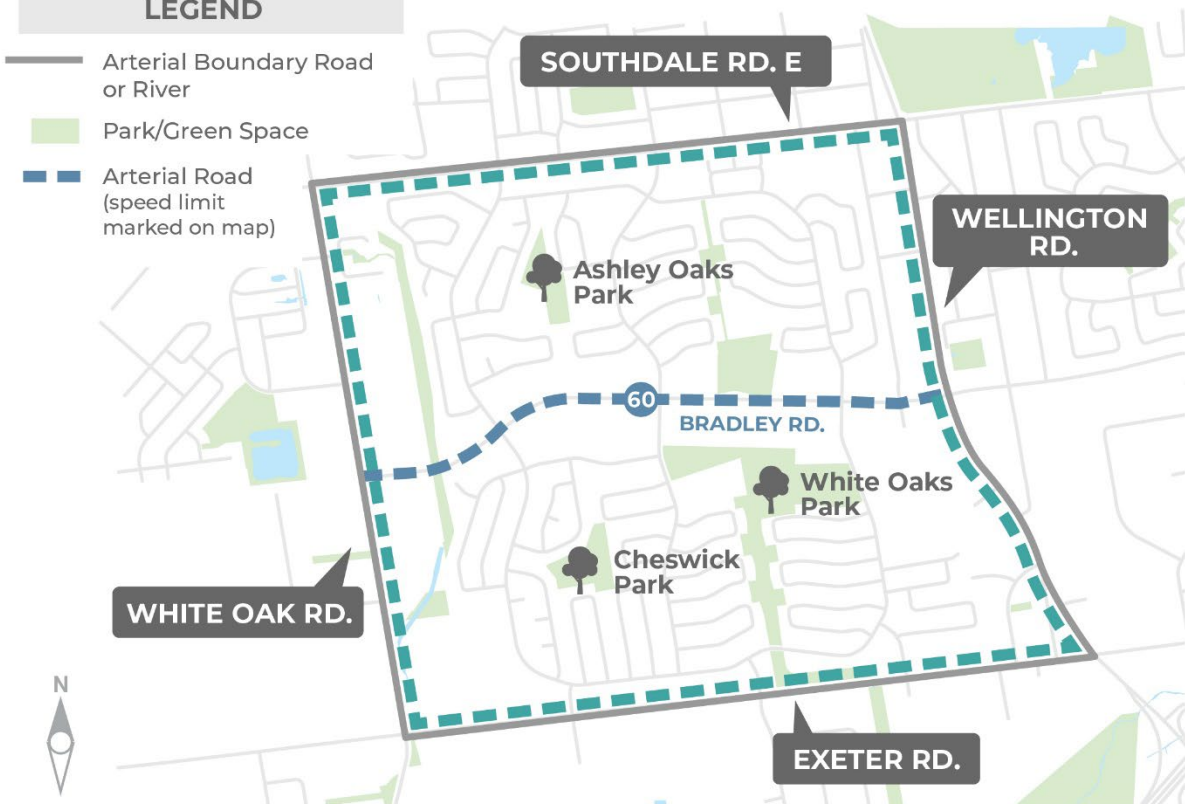
-  Arterial Boundary Road
-  Park/Green Space



## South London 40 km/h Area Speed Limit

### LEGEND

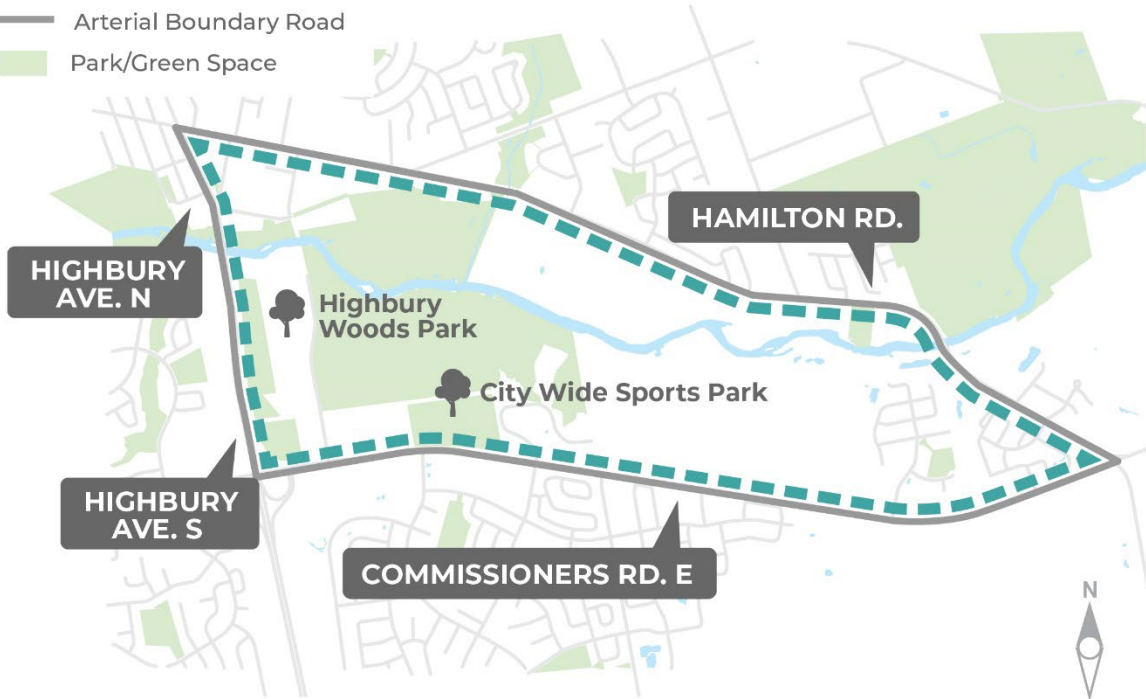
-  Arterial Boundary Road or River
-  Park/Green Space
-  Arterial Road (speed limit marked on map)



### South-East London 40 km/h Area Speed Limit

#### LEGEND

- Arterial Boundary Road
- Park/Green Space



### South-West London 40 km/h Area Speed Limit

#### LEGEND

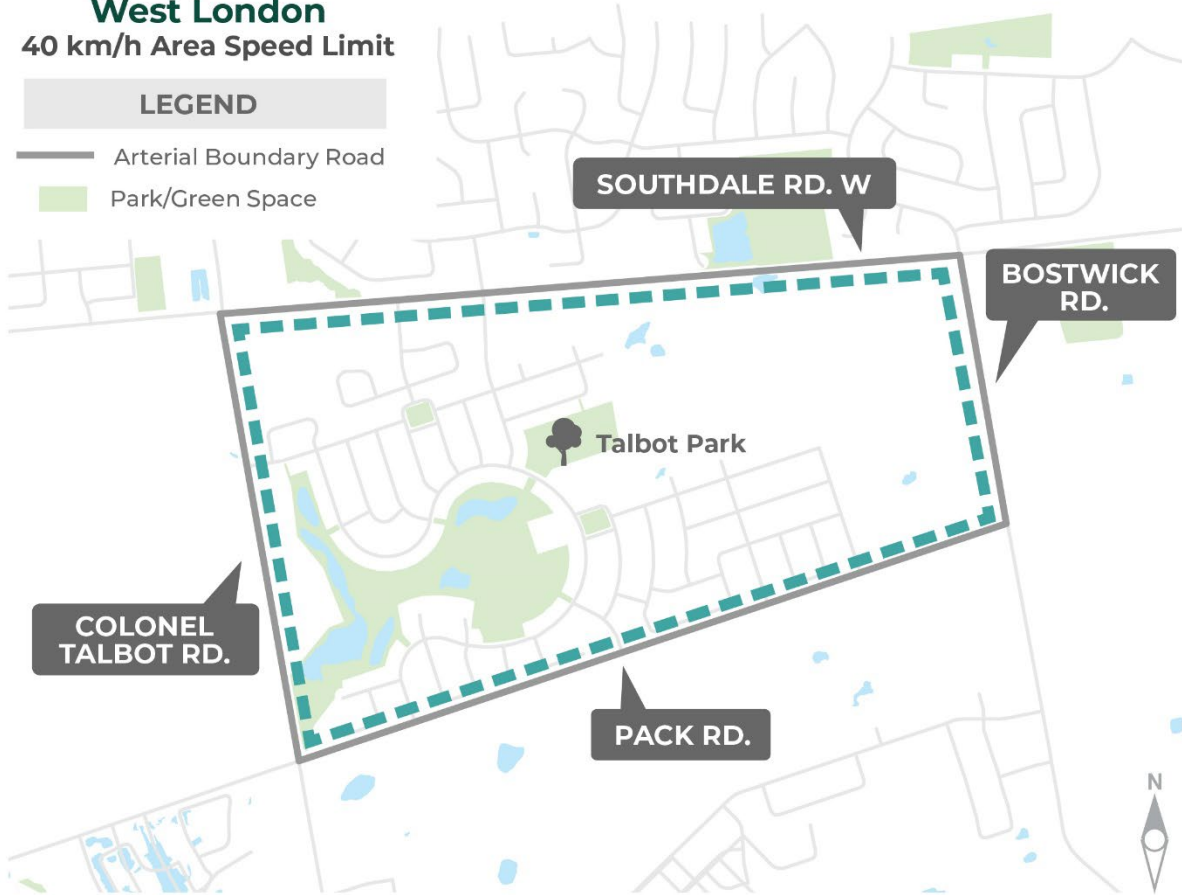
- Arterial Boundary Road
- Park/Green Space



**West London**  
40 km/h Area Speed Limit

**LEGEND**

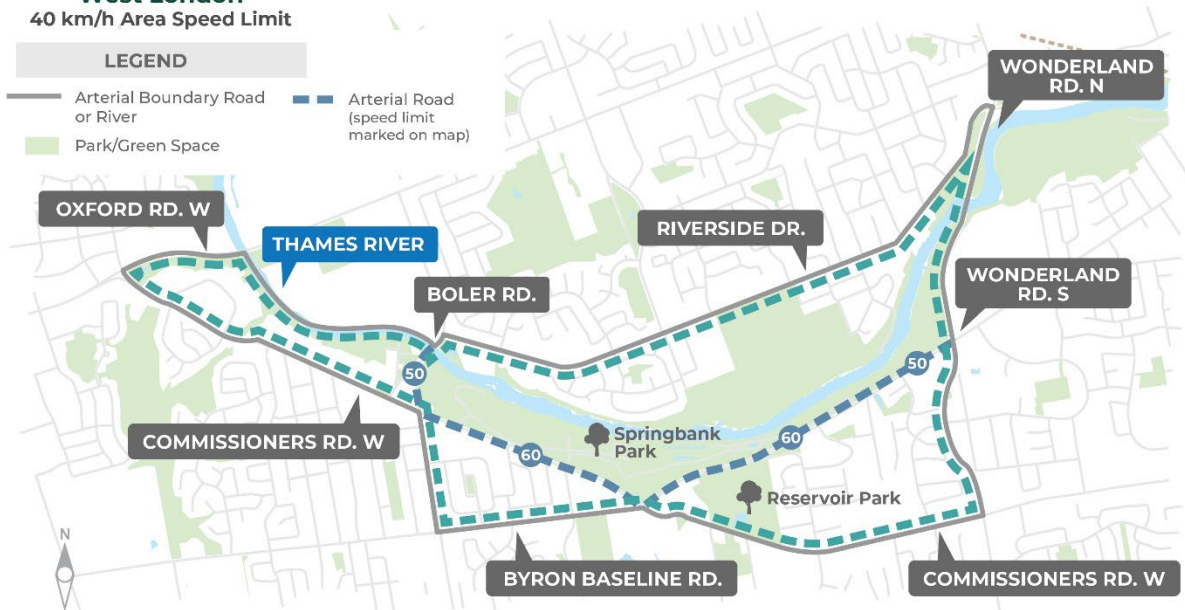
- Arterial Boundary Road
- Park/Green Space



**West London**  
40 km/h Area Speed Limit

**LEGEND**

- Arterial Boundary Road or River
- Park/Green Space
- Arterial Road (speed limit marked on map)



## Report to Civic Works Committee

**To:** Chair and Members  
Civic Works Committee

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

**Subject:** Contract Price Increase: Victoria Bridge – Temporary Modular Bridge

**Date:** August 15, 2023

## Recommendation

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions **BE TAKEN** with respect to the Victoria Bridge – Temporary Modular Bridge contract:

- a) Victoria Bridge – Temporary Modular Bridge (Tender RFT21-108) construction contract value with Algonquin Bridge, a Division of AIL International Inc. **BE INCREASED** by \$150,000 to \$380,390.00 (excluding HST) in accordance with Section 20.3 (e) of the Procurement of Goods and Services Policy;
- b) the financing for these projects **BE APPROVED** as set out in the Sources of Financing Report attached hereto as Appendices 'A.'
- c) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with these projects; and,
- d) the Mayor and City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations.

## Executive Summary

The Victoria Bridge – Temporary Modular Bridge contract requires additional funds to extend the duration of the bridge rental, to correspond with the extended schedule of the Victoria Bridge Replacement project. The City's Procurement of Goods and Services Policy requires Council approval for these contract amendments.

## Linkage to the Corporate Strategic Plan

This recommendation supports the following 2023-2027 Strategic Plan areas of focus:

- Mobility and Transportation - London's active transportation network is better connected and serves persons of all ages and abilities; and
- Climate Action and Sustainable Growth - London's infrastructure is built, maintained, and secured to support future growth and protect the environment.

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

None

## 2.0 Discussion and Considerations

### 2.1 Discussion

In September 2021, the City issued a tender for the design, supply, installation and rental of a temporary modular bridge to be installed adjacent to the Victoria Bridge on Ridout Street. This temporary bridge would serve as a detour route along the Thames Valley Parkway for pedestrians and cyclists to maintain a connection between downtown, the Thames Valley Parkway and Old South during the replacement of the Victoria Bridge. This temporary bridge also serves as a temporary support structure for a mainline sanitary sewer which crosses the Thames River. This sewer will be supported by the new bridge in its final condition.

The temporary modular bridge contract was awarded to Algonquin Bridge in late 2021. Due to a prolonged schedule in the construction of the new Victoria Bridge it has become necessary to extend the rental contract with Algonquin Bridge to allow for the continued detour across the river, and the support of the sanitary sewer.

On large, complex construction projects like this, scheduling challenges and adjustments are often part of the process, and the City plans for issues as much as possible by building appropriate contingencies into projects. In the case of the Victoria Bridge project, several factors have impacted timelines, including the environmental sensitivity of the project which required additional measures at its outset, and supply chain challenges with sourcing the materials for the bridge arches. The City is fortunate to be working with a very experienced contractor and have been adjusting construction strategies to try and mitigate these impacts to timelines.

It has been determined that the rental agreement will need to be extended until summer of 2024. The cost needed to extend this contract is \$150,000.

### 3.0 Financial Impact/Considerations

An additional \$150,000 for the contract with Algonquin Bridge, a Division of ALL International Inc. is required to extend the rental period to summer 2024. This funding is available in the approved transportation capital budgets per the Source of Financing attached as Appendix 'A'.

## Conclusion

In accordance with Section 20.3 (e) of the Procurement of Goods and Services Policy, it is recommended that the contract value be amended for the Temporary Modular Bridge contract.

**Prepared by:** Ugo DeCandido, P.Eng., Division Manager, Construction Administration

**Submitted by:** Jennie Dann, P.Eng., Director, Construction and Infrastructure Services

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

**Attach:** Appendix 'A' – Sources of Financing: Victoria Bridge – Temporary Modular Bridge (RFT21-108)

**cc:** Garfield Dales, Division Manager, Transportation Planning & Design  
Gary McDonald, Budget Analyst, Finance & Corporate Services

**Appendix "A"**

**#23157**

August 15, 2023  
(Contract Increase)

Chair and Members  
Civic Works Committee

RE: Contract Price Increase: Victoria Bridge - Temporary Modular Bridge  
(Subledger BR160001)  
Capital Project TS176322 - Bridges Major Upgrades  
Algonquin Bridge, a Division of AIL International Inc. - \$380,390.00 (excluding HST)

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**Finance Supports Report on the Sources of Financing:**

Finance Supports confirms that the cost of this project can be accommodated within the financing available for it in the Capital Budget and that, subject to the approval of the recommendation of the Deputy City Manager, Environment and Infrastructure, the detailed source of financing is:

<b>Estimated Expenditures</b>	<b>Approved Budget</b>	<b>Committed To This Date</b>	<b>This Submission</b>	<b>Balance for Future Work</b>
Engineering	400,000	195,386	0	204,614
Construction	4,921,701	492,138	152,640	4,276,923
City Related Expenses	20,000	8,405	0	11,595
<b>Total Expenditures</b>	<b>\$5,341,701</b>	<b>\$695,929</b>	<b>\$152,640</b>	<b>\$4,493,132</b>

**Sources of Financing**

Canada Community-Building Fund	3,000,000	695,929	152,640	2,151,431
Drawdown from Transportation Renewal Reserve Fund	2,341,701	0	0	2,341,701
<b>Total Financing</b>	<b>\$5,341,701</b>	<b>\$695,929</b>	<b>\$152,640</b>	<b>\$4,493,132</b>

**Financial Note:**

Contract Price	\$380,390
Less amount previously awarded (note 1)	230,390
Contract Price	150,000
Add: HST @13%	19,500
Total Contract Price Including Taxes	169,500
Less: HST Rebate	-16,860
Net Contract Price	\$152,640

**Note 1:** The "amount previously awarded" was awarded through the Administrative Approval of Tender Acceptance/Contract Award process in source of financing #21186.

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Alan Dunbar  
Manager of Financial Planning & Policy

lp



## Report to Civic Works Committee

**To:** Chair and Members  
Civic Works Committee  
**From:** Kelly Scherr, P.Eng., MBA, FEC  
Deputy City Manager, Environment & Infrastructure  
**Subject:** Contract Price Increase: Churchill Avenue and Manitoba Street  
**Date:** August 15, 2023

## Recommendation

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions **BE TAKEN** with respect to the Churchill Avenue and Manitoba Street Reconstruction project:

- a) Churchill Avenue and Manitoba Street (Tender RFT21-130) construction contract value with Elgin construction Company Limited **BE INCREASED** by \$50,000 to \$4,316,261.95 (excluding HST) in accordance with Section 20.3 (e) of the Procurement of Goods and Services Policy;
- b) the financing for these projects **BE APPROVED** as set out in the Sources of Financing Report attached hereto as Appendices 'A.'
- c) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with these projects; and,
- d) the Mayor and City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations.

## Executive Summary

The Churchill Avenue and Manitoba Street Reconstruction Project requires a contract amendment to address increased quantities not anticipated in the original tender and subsequent request for additional funds. The City's Procurement of Goods and Services Policy requires Council approval for these contract amendments.

## Linkage to the Corporate Strategic Plan

This recommendation supports the following 2023-2027 Strategic Plan area of focus:

- Climate Action and Sustainable Growth:
  - The infrastructure gap is managed for all assets; and
  - London's infrastructure is built, maintained, and secured to support future growth and protect the environment;

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

Civic Works Committee – June 1, 2021 – Appointment of Consulting Engineers for the Infrastructure Renewal Program

## 2.0 Discussion and Considerations

### 2.1 Discussion

In April 2022, the City began construction on Churchill Avenue and Manitoba Street to replace sewers and watermain, along with surface works including sidewalk, curb, and asphalt replacement. The project is now 95% complete with final asphalt and sod work having been recently completed.

In March of 2023, additional funds were requested pursuant to the City's Procurement of Goods and Services Policy due to tender quantities that were not captured in the original tender document for some items.

While completing finishing touches this spring, it has been determined that an additional \$50,000 is required to complete this project. These additional costs are due to unexpected repairs to the concrete curbs due to winter damage and additional asphalt used in order to compensate for settlements in the base course of asphalt which occurred over the winter.

### 3.0 Financial Impact/Considerations

An increase of \$50,000 to the contract with Elgin Construction is required to complete the project due to unforeseen additional repair work to concrete curbs and additional quantities of asphalt used. This funding is available in the approved water, sanitary, and transportation capital budgets per the Source of Financing attached as Appendix 'A'.

## Conclusion

In accordance with Section 20.3 (e) of the Procurement of Goods and Services Policy, it is recommended that the contract value be amended for the Churchill Avenue and Manitoba Street Reconstruction project construction contract.

**Prepared by:** Ugo DeCandido, P.Eng., Division Manager, Construction Administration

**Submitted by:** Jennie Dann, P.Eng., Director, Construction and Infrastructure Services

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

**Attach:** Appendix 'A' – Sources of Financing:  
▪ Churchill Avenue and Manitoba Street Reconstruction (RFT21-130)

**cc:** Aaron Rozentals, Division Manager, Water Engineering  
Kyle Chambers, Division Manager, Sewer Engineering  
Garfield Dales, Division Manager, Transportation Planning and Design  
Gary McDonald, Budget Analyst, Finance & Corporate Services

## Appendix "A"

#23160

August 15, 2023  
(Contract Increase)

Chair and Members  
Civic Works Committee

RE: Contract Price Increase: Churchill Avenue and Manitoba Street  
(Subledger WS22C00C)

Capital Project ES254023 - Infrastructure Renewal Program - Stormwater Sewers and Treatment

Capital Project EW376522 - Infrastructure Renewal Program - Watermains

Capital Project TS301422 - Road Network Improvements (Local and Rural)

Elgin Construction Company Limited - \$50,000.00 (excluding HST)

### Finance Supports Report on the Sources of Financing:

Finance Supports confirms that the cost of this project can be accommodated within the financing available for it in the Capital Budget and that, subject to the approval of the recommendation of the Deputy City Manager, Environment and Infrastructure, the detailed source of financing is:

Estimated Expenditures	Approved Budget	Committed To This Date	Submission	Balance for Future Work
<b>ES254023 - Infrastructure Renewal Program - Stormwater Sewers and Treatment</b>				
Engineering	2,000,000	1,658,998	0	341,002
Construction	11,212,878	7,044,298	21,624	4,146,956
City Related Expenses	100,000	611	0	99,389
<b>ES254023 Total</b>	<b>13,312,878</b>	<b>8,703,907</b>	<b>21,624</b>	<b>4,587,347</b>
<b>EW376522 - Infrastructure Renewal Program - Watermains</b>				
Engineering	2,107,790	1,894,253	0	213,537
Construction	16,941,636	16,927,644	13,992	0
City Related Expenses	395,967	395,967	0	0
<b>EW376522 Total</b>	<b>19,445,393</b>	<b>19,217,864</b>	<b>13,992</b>	<b>213,537</b>
<b>TS301422 - Road Network Improvements (Local and Rural)</b>				
Construction	10,818,655	10,802,379	15,264	1,012
City Related Expenses	269,215	269,215	0	0
<b>TS301422 Total</b>	<b>11,087,870</b>	<b>11,071,594</b>	<b>15,264</b>	<b>1,012</b>
<b>Total Expenditures</b>	<b>\$43,846,141</b>	<b>\$38,993,365</b>	<b>\$50,880</b>	<b>\$4,801,896</b>

### Sources of Financing

#### ES254023 - Infrastructure Renewal Program - Stormwater Sewers and Treatment

Capital Sewer Rates	1,242,500	1,242,500	0	0
Drawdown from Sewage Works Renewal Reserve Fund	9,820,378	5,211,407	21,624	4,587,347
Canada Community-Building Fund	2,250,000	2,250,000	0	0
<b>ES254023 Total</b>	<b>13,312,878</b>	<b>8,703,907</b>	<b>21,624</b>	<b>4,587,347</b>

#### EW376522 - Infrastructure Renewal Program - Watermains

Capital Water Rates	12,175,544	12,175,544	0	0
Drawdown from Water Works Renewal Reserve Fund	6,585,816	6,358,287	13,992	213,537
Canada Community-Building Fund	684,033	684,033	0	0
<b>EW376522 Total</b>	<b>19,445,393</b>	<b>19,217,864</b>	<b>13,992</b>	<b>213,537</b>

**Appendix "A"**

**#23160**

August 15, 2023  
(Contract Increase)

Chair and Members  
Civic Works Committee

RE: Contract Price Increase: Churchill Avenue and Manitoba Street  
(Subledger WS22C00C)

Capital Project ES254023 - Infrastructure Renewal Program - Stormwater Sewers and Treatment

Capital Project EW376522 - Infrastructure Renewal Program - Watermains

Capital Project TS301422 - Road Network Improvements (Local and Rural)

Elgin Construction Company Limited - \$50,000.00 (excluding HST)

<b>Sources of Financing Continued</b>	<b>Approved Budget</b>	<b>Committed To Date</b>	<b>This Submission</b>	<b>Balance for Future Work</b>
<b>TS301422 - Road Network Improvements (Local and Rural)</b>				
Capital Levy	1,088,200	1,088,200	0	0
Drawdown from Capital Infrastructure Gap Reserve Fund	904,565	904,565	0	0
Drawdown from Transportation Renewal Reserve Fund	800,000	783,724	15,264	1,012
Canada Community-Building Fund	8,295,105	8,295,105	0	0
<b>TS301422 Total</b>	<b>11,087,870</b>	<b>11,071,594</b>	<b>15,264</b>	<b>1,012</b>
<b>Total Financing</b>	<b>\$43,846,141</b>	<b>\$38,993,365</b>	<b>\$50,880</b>	<b>\$4,801,896</b>

<b>Financial Note:</b>	<b>ES254023</b>	<b>EW376522</b>	<b>TS301422</b>	<b>Total</b>
Contract Increase	\$21,250	\$13,750	\$15,000	\$50,000
Add: HST @13%	2,763	1,788	1,950	6,501
Total Contract Price Including Taxes	24,013	15,538	16,950	56,501
Less: HST Rebate	-2,389	-1,546	-1,686	-5,621
Net Contract Price	\$21,624	\$13,992	\$15,264	<b>\$50,880</b>

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Alan Dunbar  
Manager of Financial Planning & Policy

lp

On behalf of the Thames River Group, I am writing to request Delegation Status for the recreational dam (seasonal barrier ) at Springbank Park, which is currently not on the agenda of the Civic Works Committee meeting scheduled for August 15th.

Our group is eager to speak about the economic development prospects, aesthetics and recreational value of reintroducing the option for an operable dam in the river at Springbank Park. We believe that Delegation Status would allow us to effectively convey our message.

We have looked to cities in Canada, the USA and Europe where waterfronts have been utilized as major tourism attractions. In these places, the economic benefits of such recreational options have been evident. However, in our own community, we have seen a decline in the London Canoe Club membership, with numbers dropping from 2500 to 200. Furthermore, those canoeists must paddle at Sharon Creek. Rowers are limited to accessing only one area to train, Fanshawe, which necessitates driving thirty minutes ,an example of contravening the City's environmental plans.

It is important to note that there have been various explanations given for not repairing the dam in the past, including the need to be consistent with policies to let Ontario rivers run free, improved health of the water and concerns about the turtle population. We believe that it is equally important to address sources of harm to the river, such as the discharge of pesticidal by-products from farmers' fields, the erosion of the river banks, the inability to connect to nature , lost economic opportunities and the potential to lose our Heritage River status. The UTRCA Five Year Reports demonstrate that the river is no more healthy than twenty years ago.

In addition, we would like to draw attention to the lack of consultation with First Nations regarding the decision to permanently keep the dam open. As we foster a culture of truth and reconciliation, it is important that we involve and respect the indigenous communities who have been the custodians of these lands for years. The Chiefs and the Oneida Nations of the Thames have expressed their interest in establishing a storytelling canoe tourist attraction to preserve the history of the River and our lands. This project not only highlights the significance of the river in our nation's stories but also has the potential to attract people to our city and contribute to our economic development.

Currently, our city does not possess a unique draw that compels visitors to spend a weekend here. By repairing the dam and tapping into the tourism potential of the river, we can change this. We urge this Council to reconsider a decision by a former council to not repair the dam but instead view it as a means to revitalize our city. The current state of the downtown core is concerning. To rejuvenate our city, we need to explore all possible avenues for economic vitality.

Thank you for considering our request. We hope that you will grant us Delegation Status so that we can ultimately present our case to this Council and work towards a positive change for our community.

Kind regards,

Martyn Judson  
The Thames River Group

## Report to Civic Works Committee

**To:** Chair and Members  
Civic Works Committee

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

**Subject:** Green Bin and Collection Program Changes

**Date:** August 15, 2023

## Recommendation

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions **BE TAKEN** with respect to Green Bin implementation and changes to waste collection services and schedules:

- a. Civic Administration **BE DIRECTED** to implement a weekly (except for Statutory Holidays) pickup system for Green Bin and Blue Box and a 26 week per year pickup system for garbage collection starting January 15, 2024, that includes a special provision to address the longer garbage collection cycle that occurs because of Statutory Holidays;
- b. Civic Administration **BE DIRECTED** to establish an interim Waste Reduction & Conservation Calendar from October 1, 2023 to January 15, 2024 and distribute the Calendar using a combination of on-line tools and hard copies available at City facilities and other locations and not delivered door-to-door as is normally done;
- c. The Garbage Container Limit at the curb remain at three (3) containers or bags **BE APPROVED**, it being noted that the number of garbage pickup days has been reduced from 42 to 26 pickups;
- d. The Garbage Tag fee for use at the curb for extra bags or containers of garbage or for Bagged Residential Garbage brought to the EnviroDepots be increased from \$1.50 to \$2.00 as part of the upcoming Fees and Charges By-law review as part of the multi-year budget development **BE APPROVED**;
- e. Civic Administration **BE DIRECTED** to implement a separate large furniture and large bulky items collection program (limit of four items per pickup) that requires booking the pickup service in advance with collection occurring on a regular collection day starting October 1, 2023 and includes a 3 month grace period; and
- f. Civic Administration **BE DIRECTED** to establish a monitoring system to determine the level of household satisfaction with the Green Bin and collection program changes and report back to Civic Works Committee in late 2024 including specific details on managing pet waste and diapers and incontinence products.

## Executive Summary

### Part A – Overview of Green Bin Delivery Schedule and Program Start Date

#### Green Bin Delivery Schedule

The City's Green Bin container and kitchen container contractor, IPL, will be responsible for distributing the products to approximately 121,000 households in London. The kitchen container will be placed inside the Green Bin along with an information package. The distribution will take about 2 months to complete.

#### Green Bin Program Start Date

The City's new Green Bin split packers have begun to arrive in London, and several are going through final inspection and review. A review of the packer build and delivery

schedule has confirmed that all required packers will be ready for service by mid-December, 2023.

Starting the Green Bin Program and all the collection system changes that go with it just before the holiday season is not recommended. The holiday season produces additional quantities of recyclables and garbage coupled with longer collection cycles. Based on past experiences, the collection system begins to normalize by mid-January; therefore, a start date for Green Bin collection is scheduled for Monday, January 15, 2024.

### Part B – Decisions on Curbside Collection Services

A summary of the proposed service changes (i.e., number of pickups per year) and those services that are not changing are identified in Tables ES1a and ES1b.

**Table ES1a: Summary of Changes to the Number of Curbside Pickups as Part of the New Collection System (Where Applicable)**

<b>Collection Service and/or Items to Collect</b>	<b>Current Services – Number of Pickups per Year</b>	<b>Proposed Services – Number of Pickups Per Year</b>	<b>Can these Items be Brought to the Enviro-Depots?</b>
Green Bin	0	50	Under review
Garbage (including 3 Container Limit Exemption Pickups)	42	26	Yes, no change
Small Furniture/Small Bulky Item Collection	42	26	No, no change
Blue Box	42	50	Yes, no change
Yard Waste Collection	5	5	Yes, no change
Leaf Collection	3	4	Yes, no change
Diapers and Incontinence Products	42	26	Yes, no change
Pet Waste	42	26	Yes, no change
Large Furniture/Large Bulky Item Collection (see Table ES1b for changes)	42	26	No, no change

**Table ES1b: Summary of Other Changes as Part of the New Collection System**

<b>Collection Service and/or Items to Collect</b>	<b>Current</b>	<b>Proposed</b>	<b>Comment</b>
Container/bag limit per pickup	3	3	No change to limit for garbage per pickup noting that the number of pickup days has been reduced from 42 to 26. In addition, 50 Green Bin pickups have been added.
Garbage Tag Fee and Bagged Residential Garbage	\$1.50	\$2.00	This fee was last increased 2012. It represents an average annual increase of 2.5%.

Collection Service and/or Items to Collect	Current	Proposed	Comment
Large Furniture/Large Bulky Item Collection	Placed at the curb	Booking Service	New Service – Pickups for these items need to be booked on-line, by email or through a telephone call. There is no additional charge.

### Part C – Green Bin Pilot Projects for Multi-residential Buildings

A multi-residential Green Bin pilot project is being designed to help address the Ministry of the Environment, Conservation and Parks (MECP) Food and Organic Policy, which has defined targets indicating that “multi-residential buildings need to implement an organics management program that will achieve at least 50 per cent waste reduction and resource recovery of food and organic waste by 2025.”

The proposed pilot project will introduce the collection of Green Bin materials at about ten locations (approximately 1,500 residential units). Work is underway to determine suitable locations by looking at demographics and size of buildings, while including locations that have inside cart/bin storage and others with outside storage. The multi-residential pilot project will be conducted to ensure both qualitative and quantitative data is collected. The findings will assist with future rollout of a source separated Green Bin program to multi-residential households. Implementing a Green Bin pilot project program in apartment buildings in the late fall (2023) will provide an opportunity to demonstrate the collection of Green Bin materials in multi-residential buildings prior to the required implementation timelines set in the Food and Organic Policy.

### Financial Impact/Considerations

Funding for the Green Bin program as part of the 60% Waste Diversion Action Plan was approved on March 2, 2020 and with budget amendments made and approved on January 12, 2021. The estimated amount allocated for the Green Bin program and related collection matters is \$5 million annually with a capital cost estimated at \$15 million. These estimates were prepared in 2018.

The collection services and proposed service delivery arrangements in this Civic Works Committee (CWC) report are items that are contained within approved service budgets.

## Linkage to the Corporate Strategic Plan

Municipal Council continues to recognize the importance of waste management and the need for a more sustainable and resilient city in the development of its 2023-2027 Strategic Plan for the City of London. Specifically, London’s efforts in waste management address the following Areas of Focus; Climate Action and Sustainable Growth and Well-Run City.

On April 23, 2019, the following was approved by Municipal Council with respect to climate change:

Therefore, a climate emergency be declared by the City of London for the purposes of naming, framing, and deepening our commitment to protecting our economy, our eco systems, and our community from climate change.

On April 12, 2022, Municipal Council approved the Climate Emergency Action Plan which includes Area of Focus 5, Transforming Consumption and Waste as Part of the Circular Economy. In addition, the 60% Waste Diversion Action Plan, including the Green Bin program, addresses various aspects of climate change mitigation within the waste management services area including greenhouse gas (GHG) reduction.



## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

Relevant reports that can be found at [www.london.ca](http://www.london.ca) under Council meetings include:

- RFP-2022-224 Green Bin Processing Services, (July 18, 2023 meeting of the Civic Works Committee (CWC), Item #2.3)
- RFP-2022-105 Supply and Distribution of Green Bins and Kitchen Containers, (April 21, 2023 meeting of the CWC), Item #2.3)
- Updates: Green Bin Implementation, (June 21, 2022 meeting of the CWC, Item #2.3)
- Green Bin Program Design – Community Engagement Feedback (March 30, 2021 meeting of the CWC, Item #2.13)
- Community Engagement on Green Bin Program Design (November 17, 2020 meeting of the CWC, Item #2.3)
- Business Case 1 – 60% Waste Diversion Action Plan – 2020-2023 Multi -Year Budget (January 30, 2020 meeting of the Strategic Priorities & Policy Committee (SPPC), Item #4.12a)
- 60% Waste Diversion Action Plan – Updated Community Feedback (September 25, 2018 meeting of the CWC, Item #3.2)
- Public Participation Meeting 60% Waste Diversion Action Plan – Additional Information (September 25, 2018 meeting of the CWC, Item #3.2)
- 60% Waste Diversion Action Plan (July 17, 2018 meeting of the CWC, Item #3.1)

#### 1.2 Recent Green Bin Program Development

The 60% Waste Diversion Action Plan including the Green Bin Program, related collection matters and other waste diversion activities was approved October 2, 2018 on the understanding that final funding decision would occur during the 2020-2023 Multi-Year Budget deliberations which began December 2019.

Funding was approved on March 2, 2020 and with budget amendments made and approved on January 12, 2021. Major actions have taken place with respect to:

- Community engagement on Green Bin program design;
- Approval and ordering Green Bin and garbage split packers for collection services;
- Approval and ordering Green Bin containers and kitchen containers; and
- Approval of processing facility for London's Green Bin materials.

#### 1.3 Previous Community Engagement with Respect to Collection Services when Green Bin Program Starts

The Green Bin community engagement process was conducted in early 2021 to engage the community and solicit feedback in designing London's Green Bin program. The community engagement focused on five key decisions for overall program design which influence one another: types of materials accepted, size of curbside container, type of kitchen container and type of bin liners permitted. The engagement process also asked Londoners what concerns they may have with bi-weekly garbage collection.

The City's community engagement online platform, GetInvolved.ca, was used to provide information, and collect feedback on each of the key decision areas. The online feedback form received 3,777 responses, the webpage had 9,180 unique visitors and about 54,000 total page views. A comprehensive report was presented to CWC on March 30, 2021. Extracts from the March 30, 2021 report are provided again in Appendix A with respect to bi-weekly garbage pick up.

## 2.0 Discussion and Considerations

Section 2.0 is divided into three parts:

Part A – Overview of Green Bin Delivery Schedule and Program Start Date

Part B – Decisions on Curbside Collection Services

Part C – Green Bin Pilot Projects for Multi-residential Buildings

### Part A – Overview of Green Bin Delivery Schedule and Program Start Date

#### 2.1 Delivery Schedule

The City's Green Bin container and kitchen container contractor, IPL, will be responsible for distributing the products to approximately 121,000 households in London. The kitchen container will be placed inside the Green Bin along with an information package. The distribution will take about 2 months and involve the following:

- Shipping and receiving products in London;
- Assembly of products;
- Insertion of information;
- Resources and equipment (e.g., distribution vehicles, loading and unloading equipment, labour, short-term storage);
- Program training and awareness; and
- Distribution network and tracking system.

#### 2.2 Program Start Date

The City's new Green Bin split packers have begun to arrive in London, and several are going through final inspection and review. A review of the packer build and delivery schedule has confirmed that all required packers will be ready for service by mid-December, 2023.

Starting the Green Bin Program and all the collection system changes that go with it just before the holiday season is not recommended. The holiday season produces additional quantities of recyclables and garbage coupled with longer collection cycles. Based on past experiences, the collection system begins to normalize by mid-January; therefore a start date is scheduled for Monday, January 15, 2024. This date and other major timeframes for implementing the Green Bin program are noted on Table 1.

**Table 1: Major Dates and Timeframes Leading to Green Bin Program Launch**

<b>Date</b>	<b>Item</b>
Early-September, 2023	Notification and availability of interim Waste Reduction & Conservation Calendar from October 1, 2023 to January 15, 2024
Mid-September, 2023	Start of promotion and education program (rolled out in phases leading up to January 15, 2024)
Mid-October, 2023	Start of Green Bin, kitchen container and program information delivery to households with curbside service
Mid-December, 2023	Completion of Green Bin delivery to households
January 15, 2024	Start date for Green Bin Program and new Collection Zones

## Part B – Decisions on Curbside Collection Services

### 2.3 Background

Several decisions remain to complement the start up of the Green Bin Program including:

- Schedule for Collection Services (Appendix B)
- Container/bag limits and increased user fees for additional garbage (Appendix C)
- Information on how households with curbside collection services are to handle diapers and incontinence products (Appendix D)
- Information on how households with curbside collection services are to handle pet waste (Appendix E)
- Information on how households with curbside collection services are to handle large furniture and bulky items (Appendix F)

Contained in Appendices B through F are details for each of the above areas under the following headings:

- City of London Current Programs and Practices
- Information from Other Municipalities
- Staff Recommendation
- Summary and Rationale for Recommendation

### 2.4 Summary

A summary of the proposed service changes (i.e., number of pickups per year) and those services that are not changing are identified on Tables 2a and 2b.

**Table 2a: Summary of Changes to the Number of Curbside Pickups as Part of the New Collection System (Where Applicable)**

Further Details in Appendix	Collection Service and/or Items to Collect	Current Services – Number of Pickups per Year	Proposed Services – Number of Pickups Per Year	Can these Items be Brought to the Enviro-Depots?
B	Green Bin	0	50	Under review
B	Garbage (including 3 Container Limit Exemption Pickups)	42	26	Yes, no change (Bagged Garbage Fees applies)
B	Small Furniture/Small Bulky Item Collection	42	26	No, no change
B	Blue Box	42	50	Yes, no change
B	Yard Waste Collection	5	5	Yes, no change
B	Leaf Collection	3	4	Yes, no change
D	Diapers and Incontinence Products	42	26	Yes, no change
E	Pet Waste	42	26	Yes (in the same bag as garbage), no change
F	Large Furniture/Large Bulky Item Collection (see Table 2b for further changes)	42	26	No, no change

**Table 2b: Summary of Other Changes as Part of the New Collection System**

<b>Further Details in Appendix</b>	<b>Collection Service and/or Items to Collect</b>	<b>Current</b>	<b>Proposed</b>	<b>Comment</b>
B	Container/bag limit per pickup	3	3	No change to limit for garbage per pickup noting that the number of pickup days has been reduced from 42 to 26. In addition, 50 Green Bin pickups have been added.
B	Garbage Tag Fee and Bagged Residential Garbage	\$1.50	\$2.00	This fee was last increased 2012. It represents an average annual increase of 2.5%
F	Large Furniture/Large Bulky Item Collection	Placed at the curb	Call in Service	New Service – Pickups for these items need to be booked on-line, by email or through a telephone call.

A few summary highlights include:

- Green Bin and Blue Box collection will be provided weekly on the same day except where a Statutory Holiday occurs (50 pickups per year). Garbage will be provided at half the frequency and include a provision to handle garbage over the longer cycles created by Statutory Holidays;
- Currently, over the course of a year, more than 126 bags/containers (42 garbage pickups x 3 containers/bags per pickup) can be placed at the curb;
- Under the new system, over the course of a year, more than 128 Green Bins and bags/containers (50 Green Bin pickups plus 26 garbage pickups x 3 containers/bags per pickup) can be placed at the curb. In addition, there are four container/bag limit exemption periods included plus the use of an unlimited number of Blue Boxes increased to 50 pickups per year from 42;
- The fee to place additional containers/bags at the curb or to be delivered to the EnviroDepots is proposed to increase from \$1.50 to \$2.00. The last time the fee increased was in 2012;
- A portion of the households will be required to hold onto pet waste, diapers and/or incontinence products four to six additional days compared to the existing system;
- There will be a shortened period of time between Green Week pickups focused on yard waste (from every six weeks to every five weeks) and one additional Green Week for leaf collection has been added; and
- Large furniture and large bulky items will be on a booking system with a limit of 4 items per pickup. Small items will remain part of regular garbage pickup.

## **Part C – Green Bin Pilot Projects for Multi-residential Buildings**

### **2.5 Background**

A multi-residential, source separated, Green Bin pilot project is being designed to help address the Ministry of the Environment, Conservation and Parks (MECP) Food and Organic Policy, which has defined targets indicating that “multi-residential buildings

need to implement an organics management program that will achieve at least 50 per cent waste reduction and resource recovery of food and organic waste by 2025;”

The proposed pilot project will introduce the collection of Green Bin materials at about ten locations (approximately 1,500 residential units). Work is underway to determine suitable locations by looking at demographics and size of buildings, while including locations that have inside cart/bin storage and others with outside storage. Buildings will also be selected from a collection logistics perspective (e.g., one area of the City, direct route, etc.). The multi-residential pilot project will be conducted with existing City sanitation fleet on a weekly collection schedule. Green Bin materials will be delivered to Convertus Canada Inc. for composting.

To encourage participation and convenience, the following items will be provided to apartment units, working with the Building Superintendents:

- Written communications (e.g., flyer, guide) provided directly to households and posted in common areas/waste sorting rooms;
- Kitchen containers for each unit to sort food scraps;
- In building outreach such as a presentation with a question & answer or pop-up display; and
- Email communication with on-site Building Superintendents for periodic check-ins coupled with site visits.

Based on experience in a limited number of other municipalities, anticipated challenges for the pilot project include:

- Multi-residential buildings have garbage chutes on each floor and tenants will be required to walk their organics to the collection bin on the main or ground floor;
- Participation rates may vary depending upon household type and size;
- Space limitations ensuring access to all households; and
- Location of organic bins to reduce odours.

## 2.6 Pilot Project Evaluation

The multi-residential Green Bin pilot project will be conducted to ensure both qualitative and quantitative data is collected. The findings will assist with future rollout of a source separated Green Bin program to multi-residential households. The evaluation of the Green Bin Pilot Project will include:

- Participation studies and feedback surveys – to determine frequency of use and to assess satisfaction of the program;
- Captured tonnes – the amount of materials will be weighed or estimated based on volume and compared to previous estimates of expected diversion;
- Material quality and contamination inspections; and
- Evaluation of collection issues of different housing types and container types.

## 2.7 Tentative Timeframe

Implementing a Green Bin pilot project program in apartment buildings in the late fall (2023) will provide an opportunity to demonstrate the collection of Green Bin materials in multi-residential buildings prior to the required implementation timelines set in the Food and Organic Policy. The proposed timetable leading to the launch of the multi-residential pilot project is listed below in Table 3.

**Table 3: Major Dates and Timeframes Leading to Launch of Pilot Project**

<b>Date</b>	<b>Item</b>
August 2023	Finalize building selection and location logistics
September 2023	Finalize promotion and education packages for households

Date	Item
October 1, 2023	On-site set up and information packages provided to Building Superintendents
November 1, 2023	Launch of initial multi-residential buildings for Green Bin Pilot Project (target 3 to 5 buildings)
December 1, 2023 to February 1, 2024	Launch of additional multi-residential buildings for Green Bin Pilot Project (target 5 to 7 buildings)

### 3.0 Financial Impact/Considerations

As previously noted, funding for the Green Bin program as part of the 60% Waste Diversion Action Plan was approved on March 2, 2020 and with budget amendments made and approved on January 12, 2021. The estimated amount allocated for the Green Bin program and related collection matters is \$5 million annually with a capital cost estimated at \$15 million. These estimates were prepared in 2018.

The collection services and proposed service delivery arrangements in this Civic Works Committee (CWC) report are items that are contained within approved service budgets.

Funding for Green Bin program and related collection service changes was approved as part of the 2023 Annual Budget update on the understanding that the program was going to be implemented in mid-2023. Further delays dealing with vehicle supply chain issues have pushed the start date to late fall/early winter. For 2023, the unspent amount will be identified and reported through the 2023 Mid-Year Operating Budget Monitoring report that will be brought forward to committee in September 2023 and will form part of the Corporation's overall budget position for 2023.

## Conclusion

The details presented in this CWC report are the last steps to prepare for the launch of the Green Bin Program and other collection program changes on January 15, 2024 for residents receiving curbside waste collection services. The collection services and proposed service delivery arrangements are consistent with previous discussions within London, at Committee and Council and items that have been addressed in other municipalities.

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- Appendix A March 30, 2021 CWC Report - What Are the Concerns About Bi-weekly Garbage Collection?
- Appendix B Schedule for Collection Services
- Appendix C Container Limits and User Fees
- Appendix D Diapers and Incontinence Products
- Appendix E Pet Waste
- Appendix F Furniture and Bulky Items

## Appendix A

### March 30, 2021 CWC Report - What Are the Concerns About Bi-weekly Garbage Collection?

The information presented below was previously provided in the March 30, 2021 CWC Report titled Green Bin Program Design – Community Engagement (Appendix F).

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#### Overview

During the development of the 60% Waste Diversion Action Plan (approved by Municipal Council in 2018), it was identified that a switch to bi-weekly, same day garbage collection and weekly recycling and Green Bin collection (same day) would be less costly than weekly garbage pickup. Bi-weekly garbage collection was also viewed as key to higher use of the Green Bin. It is expected that this change to the collection schedule will occur at the same time as Green Bin collection begins.

Through the engagement process City staff did endeavor to understand the concerns and challenges of a reduced garbage collection schedule for London households. These challenges and concerns are described below under Operational and Technical Considerations and include waiting four weeks between collections, if a collection is missed; holding onto diapers/sanitary products; and pet waste and/or accumulating garbage over a two-week period.

#### Green Bin Municipalities

Bi-weekly garbage collection is the common service level in large Ontario municipalities. Municipalities with Green Bin programs that did not initially have bi-weekly collection found that the amount of organic material collected increased by 50% to 100% with the introduction of bi-weekly garbage collection. Collection of Blue Box recyclables also increased with the introduction of bi-weekly garbage collection. Twelve of the fifteen largest Ontario municipalities with a Green Bin program have bi-weekly garbage collection (Table F1), and two of the other programs are reviewing the option or in transition to go to bi-weekly collection.

**Table F1: Garbage Collection Frequency for Large Municipalities with Green Bin Collection**

Garage Collection Frequency	Municipality
Weekly	Dufferin County, Hamilton <sup>1</sup> , Kingston
Weekly	St. Thomas <sup>2</sup>
Bi-weekly	Barrie, Durham, Guelph, Halton, Niagara <sup>3</sup> , Ottawa, Peel, Simcoe County <sup>4</sup> , Toronto, Waterloo, York Other Canadian: Calgary, Halifax, Vancouver

Notes:

<sup>1</sup> Reviewing bi-weekly garbage collection

<sup>2</sup> Weekly garbage, bi-weekly green bin and recycling

<sup>3</sup> Changed to bi-weekly garbage collection in October 2020

<sup>4</sup> Changed to bi-weekly garbage collection in February 2020

#### London's Experience with Similar Existing Programs

The 2011 to 2012 Green Bin Pilot Project tested a modified garbage collection schedule. The modified garbage collection schedule consisted of weekly garbage collection during the summer (April to September) and bi-weekly collection during the winter (October to March). Testing the modified collection schedule helped to determine public acceptance and the cost savings/increases with this type of collection schedule. This schedule was accepted by pilot project participants.

## Resident Feedback Results

Details from the 2021 online resident feedback form on the concerns of bi-weekly garbage collection can be found below in Table F2.

**Table F2 – Online Feedback Form Question: What concerns might you have about bi-weekly garbage collection?**

<b>Bi-Weekly Garbage Concerns (check all that apply)</b>	<b>Responses (%)</b>	<b>Number of Responses</b>
Too long to hold diapers/sanitary products	24%	902
Too long to hold pet waste	24%	906
Too much garbage will be accumulated over a two-week period	33%	1,250
Missing a pickup will mean four weeks between collection days	48%	1,813
I have some concerns, but I support the decision of bi-weekly garbage collection and weekly recycling and Green Bin pickup	38%	1,425
I do not have concerns about bi-weekly garbage collection	26%	982
I am undecided	2%	70
Other (please specify)	4%	149
<b>Total Responses</b>		<b>3,760</b>

Residents also provided additional comments about bi-weekly garbage collection. Of the 3,760 who answered the feedback form, 28% provided one or more additional comments. Based on staff's review of the comments, over 95% of the comments are addressed by this staff report:

- 55% are related to accumulating garbage/too long to hold garbage;
- 25% are concerning nuisance factors such as pests and odours; and
- 15% were about holding diapers/sanitary products and pet waste.

The other 5% were regarding illegal dumping of garbage. The bi-weekly garbage comments were tallied by categories; therefore, residents may have provided more than one general comment, the proportion of comments was determined from all tallied comments not by the number of residents who provided a general comment.



## Appendix B Schedule for Collection Services

### City of London Current Programs and Practices

Curbside collection services in London are currently provided as follows:

- 42 pickups per year for garbage and recycling on a different day collection system;
- Collection day moves forward one weekday after each pickup;
- There is a 3 container/bag limit for each pickup. Additional containers/bags can be placed at the curb with a \$1.50 Bag Tag attached;
- Pickup services are not offered on Statutory Holidays;
- Green Weeks are offered 5 times per year with a focus on yard waste and 3 more Green Weeks in the fall that focus on leaves; and
- Residential bagged garbage can be dropped off at the EnviroDepots for a fee of \$1.50 per bag.

### Information from other Municipalities

A review of a number of municipalities in Ontario and a few in Canada with Green Bin collection services (offered weekly with the exception of St. Thomas) has identified several different collection scheduling systems that are designed to handle the Statutory Holidays.

In general municipalities may vary in the number of days included in a collection cycle. The collection cycle may be a four or five day cycle. There is also variability in the collection on Statutory Holidays and how the collection schedule changes if not collected on a Statutory Holiday.

When addressing waste collection around Statutory Holidays, every municipality faces the unique set of circumstances presented by their collection programs, systems, and schedules, the days required to complete the work, the number of unique collection zones, the type of staff collecting (municipal staff versus a contractor), and the specifications of the contracts and agreements which define service levels.

There are generally five ways that municipalities handle Statutory Holiday collections (Table B1):

- With a few exceptions in smaller communities, most municipalities have periods of the year when the collection day changes to accommodate Statutory Holidays;
- A number of municipalities have limited the number of changes by collecting on many Statutory Holidays;
- A number of municipalities collect on the Saturday when a Statutory Holiday occurs; and
- All municipalities require change in collection days per week from twice to 12 times.

**Table B1: How Statutory Holidays are Handled in Other Municipalities**

How are Statutory Holidays Handled	Municipalities in this Category	How Many Times Does Collection Day Change Per Year
Current City of London - No collection on Statutory Holidays, entire collection schedule advances one business day (weekday) each pickup		42
Proposed City of London – No collection on Statutory Holidays; entire collection schedule advances one business day (weekday)		10 or 11

<b>How are Statutory Holidays Handled</b>	<b>Municipalities in this Category</b>	<b>How Many Times Does Collection Day Change Per Year</b>
1. Collect on all Statutory Holidays	Some smaller municipalities collect on all Statutory Holidays	0
2. Collection on Statutory Holidays (except Christmas Day and New Year's Day, which advance schedule into Saturday)	City of Barrie, Region of Durham, Region of Niagara, County of Simcoe, City of Toronto, Region of Waterloo, Region of York (Markham, Vaughan), City of Calgary	2
3. No collection on Statutory Holidays. Collection schedule advances into Saturday	City of Guelph, Region of Halton, City of Hamilton, City of Kingston, City of Ottawa, Region of Peel, City of Halifax	12
4. No collection on Statutory Holidays (4 collection zones)	County of Dufferin, City of St. Thomas	12
5. No collection on Statutory Holidays, entire collection schedule advances one business day (weekday)	City of Vancouver	12

Identified on Table B2 are the annual collection frequencies for garbage, Green Bin and Blue Box. The majority of municipalities have a similar system with garbage every two weeks (biweekly) and weekly service for Green Bin and Blue Box.

**Table B2: Collection Frequency in Select Municipalities**

<b>Municipality</b>	<b>Annual Garbage Collection Frequency</b>	<b>Number of Bags (Containers) Per Pickup</b>	<b>Annual Green Bin Collection Frequency</b>	<b>Annual Blue Box Collection Frequency</b>
Current City of London	42 pickups	3		42 pickups
Proposed City of London	Biweekly	3	Weekly	Weekly
City of Barrie	Biweekly	2	Weekly	Weekly
Region of Durham	Biweekly	4	Weekly	Weekly
City of Guelph	Biweekly	1 (cart)	Weekly	Weekly
Region of Halton	Biweekly	3	Weekly	Weekly
Region of Niagara	Biweekly	2	Weekly	Weekly
City of Ottawa	Biweekly	6	Weekly	Weekly
Region of Peel	Biweekly	4	Weekly	Weekly
County of Simcoe	Biweekly	1 (cart)	Weekly	Weekly

<b>Municipality</b>	<b>Annual Garbage Collection Frequency</b>	<b>Number of Bags (Containers) Per Pickup</b>	<b>Annual Green Bin Collection Frequency</b>	<b>Annual Blue Box Collection Frequency</b>
City of Toronto	Biweekly	1 (cart)	Weekly	Weekly
Region of Waterloo	Biweekly	3	Weekly	Weekly
Region of York	Biweekly	No limit to 3	Weekly	Weekly
City of Calgary	Biweekly	1 (cart)	Weekly	Weekly
City of Halifax	Biweekly	6	Weekly	Weekly
City of Vancouver	Biweekly	2 (cart)	Weekly	Weekly
County of Dufferin	Weekly	1	Weekly	Weekly
City of Hamilton	Weekly	1	Weekly	Weekly
City of Kingston	Weekly	1	Weekly	Weekly
City of St. Thomas	Weekly	2	Biweekly	Biweekly

### **Staff Recommendation**

The new Collection Schedule will move from a 6-day collection cycle to a weekly collection for Green Bin and recycling with garbage being collected bi-weekly. The only adjustment will occur when Statutory Holidays are scheduled (12 per year).

The new calendar will continue to work off an already established letter system for each Zone A, B, C, D, E. The current F Zone will be incorporated into the existing five Zones.

The collection day will remain the same day each week until there is a Statutory Holiday. There will not be any collection service on most Statutory Holidays. All Zones will move forward one day, and this will become the same collection day each week until the next Statutory Holiday.

Operationally, each Zone will be divided in half and use a numbering system of 1 or 2. This will create collection zones A1/A2, B1/B2, C1/C2, D1/D2, and E1/E2. The Zone split is required to incorporate bi-weekly garbage collection.

To address longer collection cycles that occur because of a Statutory Holiday, an extra garbage pickup is provided to ensure that garbage is not held for any longer than 14 days. This will be scheduled in all Zones when a Statutory Holiday and Friday collection occurs. The Zone impacted will receive garbage collection for three consecutive collections; however, receive no collection on the week of the Statutory Holiday.

At the end of this Appendix are three Example Calendars to illustrate different scenarios:

- Example Calendar 1 – Collection Days for all Zones in January to March 2024;
- Example Calendar 2 – Zone D1/D2 in January to March 2024 – this example highlights how the collection day moves after a Statutory Holiday; and
- Example Calendar 3 – Zone C1/C2 in January to March 2024 – this example highlights both how the collection day moves after a Statutory Holiday and the addition of an extra garbage pickup to accommodate the longer cycle.

There will be minor changes to Green Week (Yard Waste) Collection. It will start in mid-April (instead of mid-March) and end in October with a total of 5 collections per Zone.

Collection frequency improves by one week since there will be five Zones and not six Zones to collect from (e.g., pickup will be every five weeks instead of every six weeks).

The Leaf Collection portion of the Green Week starts up in October and ends in early December. The number of pickups per Zone increase by one, moving from three pickups to four pickups.

### **Summary and Rationale for Recommendation**

In summary, City staff view the proposed Collection Schedule changes as:

- A scheduling practice that was used in London up until 1996;
- An approach that does not require collection on Saturdays or the majority of Statutory Holidays;
- Easy to implement as households with curbside service are accustomed to adjustments in the schedule based on a previous collection systems dating back more than 40 years;
- A lower cost system compared with additional costs incurred on Saturdays and Statutory Holidays;
- Consistent with many other municipalities on the number of times in the year when households have to change their collection day;
- An approach that shares the need to change days across all five Zones; not just the same 20% of households with service on Friday.
- A schedule that recognizes the value of reduced work activities on Saturdays and Statutory Holidays when alternatives are available; and
- A scheduling system that is consistent with the Collective Agreement for CUPE 107.

### Example Calendar 1 – Collection Days for all Zones in January to March 2024

#### January 2024 – All Zones

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15 D1/D2	16 E1/E2	17 A1/A2	18 B1/B2	19 C1/C2	20
21	22 D1/D2	23 E1/E2	24 A1/A2	25 B1/B2	26 C1/C2	27
28	29 D1/D2	30 E1/E2	31 A1/A2			

#### February 2024 – All Zones

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
				1 B1/B2	2 C1/C2	3
4	5 D1/D2	6 E1/E2	7 A1/A2	8 B1/B2	9 C1/C2	10
11	12 D1/D2	13 E1/E2	14 A1/A2	15 B1/B2	16 C1/C2	17
18	19 <b>Family Day</b> (no collection)	20 D1/D2	21 E1/E2	22 A1/A2	23 B1/B2	24
25	26 C1/C2	27 D1/D2	28 E1/E2	29 A1/A2		

#### March 2024 – All Zones

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
					1 B1/B2	2
3	4 C1/C2	5 D1/D2	6 E1/E2	7 A1/A2	8 B1/B2	9
10	11 C1/C2	12 D1/D2	13 E1/E2	14 A1/A2	15 B1/B2	16
17	18 C1/C2	19 D1/D2	20 E1/E2	21 A1/A2	22 B1/B2	23
24/31	25 C1/C2	26 D1/D2	27 E1/E2	28 A1/A2	29 <b>Good Friday</b> (no collection)	30

### Example Calendar 2 – Zone D1/D2 in January to March 2024

#### January 2024 - Zone D (D1/D2)

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15 D1 - GB, G, R D2 - GB, R	16	17	18	19	20
21	22 D1 - GB, R D2 - GB, G, R	23	24	25	26	27
28	29 D1 - GB, G, R D2 - GB, R	30	31			

#### February 2024 - Zone D (D1/D2)

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
				1	2	3
4	5 D1 - GB, R D2 - GB, G, R	6	7	8	9	10
11	12 D1 - GB, G, R D2 - GB, R	13	14	15	16	17
18	19 Family Day (no collection)	20 D1 - GB, R D2 - GB, G, R	21	22	23	24
25	26	27 D1 - GB, G, R D2 - GB, R	28	29		

#### March 2024 - Zone D (D1/D2)

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
					1	2
3	4	5 D1 - GB, R D2 - GB, G, R	6	7	8	9
10	11	12 D1 - GB, G, R D2 - GB, R	13	14	15	16
17	18	19 D1 - GB, R D2 - GB, G, R	20	21	22	23
24/31	25	26 D1 - GB, G, R D2 - GB, R	27	28	29	30

### Example Calendar 3 – Zone C1/C2 in January to March 2024

#### January 2024 - Zone C (C1/C2)

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19 C1 - GB, G, R C2 - GB, R	20
21	22	23	24	25	26 C1 - GB, R C2 - GB, G, R	27
28	29	30	31			

#### February 2024 Zone C (C1/C2)

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
				1	2 C1 - GB, G, R C2 - GB, R	3
4	5	6	7	8	9 C1 - GB, R C2 - GB, G, R	10
11	12	13	14	15	16 C1 - GB, G, R C2 - GB, EG, R	17
18	19 Family Day (no collection)	20	21	22	23	24
25	26 C1 - GB, EG, R C2 - GB, G, R	27	28	29	EG = extra garbage pickup due to longer cycle	

#### Zone C - March 2024 Zone C (C1/C2)

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
					1	2
3	4 C1 - GB, G, R C2 - GB, R	5	6	7	8	9
10	11 C1 - GB, R C2 - GB, G, R	12	13	14	15	16
17	18 C1 - GB, G, R C2 - GB, R	19	20	21	22	23
24/31	25 C1 - GB, R C2 - GB, G, R	26	27	28	29	30

## Appendix C Container Limits and User Fees

### City of London Current Programs and Practices

London's current collection system allows 3 containers/bags per pickup (42 times per year) and 4 times per year when unlimited bags/containers can be placed at the curb. Over the course of a year more than 126 bags/containers (42 x 3) can be placed at the curb.

Residents who have additional garbage may set out at the curb with a garbage tag or drop-off at an EnviroDepot for \$1.50 per container/bag. This fee has remained unchanged since 2012.

In addition, an unlimited number of Blue Boxes can be placed at the curb 42 times per year. Blue Box materials can also be dropped off without charge at the EnviroDepots.

### Information from Other Municipalities

A review of a number of municipalities in Ontario and a few in Canada with Green Bin collection services (offered weekly with the exception of St. Thomas) has identified a range of garbage bag/container limits and user fees in use (Table C1):

- The number of garbage containers/bags permitted for biweekly collection ranges from 2 to 6 per pickup. For municipalities that have wheeled carts it is 1 to 3 carts per pickup noting that wheeled carts usually hold 2 or more bags;
- The number of garbage containers/bags permitted for weekly collection ranges from 1 to 2 per pickup; and
- User fees for extra garbage containers/bags range from \$1.75 to over \$6.00 with the average price from those municipalities with fees being about \$2.60.

**Table C1: Bag Limits and User Fees for Municipalities with Green Bin Service**

Municipality	Annual Garbage Collection Frequency	Number of Containers/Bags Per Pickup	Number of Containers/Bags Per Year	Are Extra Containers/Bags Permitted?	Cost for Extra Containers/Bags
Current City of London	42 pickups	3	126	Yes	\$1.50
Proposed City of London	Biweekly	3	78	Yes	\$2.00
City of Barrie	Biweekly	2	52	Yes	\$3.00
Region of Durham	Biweekly	4	104	Yes	\$2.50
City of Guelph	Biweekly	1 (cart)	26 (carts)	No	Not Available
Region of Halton	Biweekly	3	78	Yes (3 extra)	\$2.00
Region of Niagara	Biweekly	2	52	Yes	\$2.85
City of Ottawa	Biweekly	6	156	No	Not Available
Region of Peel	Biweekly	4	104	Yes	\$3.00
County of Simcoe	Biweekly	1 (cart)	26 (carts)	Yes (5 extra)	\$3.00



Municipality	Annual Garbage Collection Frequency	Number of Containers/Bags Per Pickup	Number of Containers/Bags Per Year	Are Extra Containers/Bags Permitted?	Cost for Extra Containers/Bags
City of Toronto	Biweekly	1 (cart)	26 (carts)	Yes	\$6.14
Region of Waterloo	Biweekly	3	78	Yes	\$2.00
Region of York	Biweekly	2 (Georgina, King, East Gwillimbury),  3 (Aurora, Richmond Hill, Vaughan, Stouffville, Newmarket),  No limit (Markham)	52 or 78	Yes	\$2.00 (Georgina, East Gwillimbury),  \$2.25 (Stouffville), \$2.30 (Richmond Hill), \$2.50 (King), \$2.60 (Vaughan), \$3.00 (Newmarket), \$5.00 (Aurora)
City of Calgary	Biweekly	1 (cart)	26 (carts)	Yes	\$3.00
City of Halifax	Biweekly	6	156	No	Not Available
City of Vancouver	Biweekly	2 (cart)	52 (carts)	Yes	\$2.00
County of Dufferin	Weekly	1	52	Yes	\$2.00
City of Hamilton	Weekly	1	52	Yes	None (each house receives a maximum of 26 garbage tags/year)
City of Kingston	Weekly	1	52	Yes	\$2.00
City of St. Thomas	Weekly	2	52	Yes	\$1.75

### Staff Recommendation

Based on a review of other municipalities and experience in London with existing collection services, the following is proposed:

- 1 Green Bin per pickup (more bins can be purchased by the householder) with 50 pickups per year;
- 3 garbage containers/bags per pickup with 26 total pickups per year;
- 1 or 2 or more Blue Boxes per pickup with 50 total pickups per year;
- Increase the fee for Bag Tags and Residential Bagged Garbage from \$1.50 to \$2.00 per container/bag; and
- No change to the number of exemption collection days being offered.

Over the course of a year, the following would occur at the curb; 50 Green Bins plus up to 78 containers/bags of garbage with the allowance for unlimited containers/bags four times per year. Over the course of the year more than 128 containers/bags (50+(3 x 26)) of garbage and Green Bin can be placed at the curb. In addition, unlimited number of Blue Boxes can be placed at the curb 50 times per year.

### **Summary and Rationale for Recommendation**

In summary, City staff view the proposed changes coupled with items not changing as:

- A reasonable reduction in the number of containers/bags of garbage to encourage waste reduction and waste diversion;
- An approach that encourages the weekly use of the Green Bin to handle materials that can become odourous;
- An approach that encourages more recyclables to be captured by households and placed in Blue Boxes that are collected more frequently;
- An appropriate approach to engage Londoners in starting a new initiative and keeping the number of changes to a minimum; and
- A reasonable increase of \$0.50 in fee for Bag Tags and Residential Bagged Garbage (from \$1.50 to \$2.00 per container/bag) that is on the lower end compared with other municipalities. It is also a fee that encourages the use of Green Bin and more recycling. This fee has not changed since 2012.

## Appendix D Diapers and Incontinence Products

### City of London Current Programs and Practices

London's current collection system allows diapers and incontinence products to be placed inside garbage bags or containers for collection as part of regular garbage collection (collected 42 times per year). Should diapers and/or incontinence products require an additional container or bag, a fee of \$1.50 is required for a Bag Tag or delivery of a container/bag to the EnviroDepots.

On April 13, 2021, London Council approved that the Green Bin program in London would exclude diapers and sanitary products.

### Information from Other Municipalities

A review of a number of municipalities in Ontario and a few in Canada with Green Bin collection services (offered weekly with the exception of St. Thomas) has identified a few different solutions for handling diapers and incontinence products when Green Bin service is offered (Table D1):

- The majority of municipalities do not allow diapers and incontinence products in the Green Bin (only Region of York and City of Toronto allow) and these materials are placed in the garbage;
- A few municipalities help households with diapers and incontinence products by offering free disposal at landfill or depots;
- A few municipalities help households with diapers and incontinence products by offering exemptions at the curb such as free collection in clear bags or free garbage tags to go over the container limit; and
- Most municipalities, with weekly or biweekly garbage pickup, do not have any special services for managing diapers and incontinence products.

**Table D1: Municipal Practices to Manage Diapers and Incontinence Products**

Municipality	Place in Garbage (Number of Pickups)	Place in Green Bin (Number of Pickups)	Description of Special Programs Offered
Current City of London	Yes (42)	No	Not offered
Proposed City of London	Yes (26)	No	Not offered
City of Barrie	Yes (26)	No	From May 1 – October 31, residents can dispose of a maximum 2 clear bags of diapers/sanitary products (only) per week at the landfill at no charge.
Region of Halton	Yes (26)	No	A diaper bag tag program where households may receive diaper bag tags that allow them to exceed the three-bag limit without having to purchase a \$2 bag tag. Up to 40 tags per year free of charge. Must be in clear bags. Free drop-off at Halton Landfill, clear or black bags accepted.

<b>Municipality</b>	<b>Place in Garbage (Number of Pickups)</b>	<b>Place in Green Bin (Number of Pickups)</b>	<b>Description of Special Programs Offered</b>
Region of Niagara	Yes (26)	No	A diaper exemption program where eligible residents can apply for an exemption to their bi-weekly waste collection on weeks when garbage is not collected. Clear bags required.
City of Ottawa	Yes (26)	No	A sign-up program for the collection of diapers/sanitary products, on weeks when garbage is not collected.
Region of Waterloo	Yes (26)	No	Free diaper drop-off at depots (clear bags are mandatory) and a Medical Exemptions program.
County of Dufferin	Yes (52)	No	Not offered
Region of Durham	Yes (26)	No	Not offered
City of Guelph	Yes (26)	No	Not offered
City of Hamilton	Yes (52)	No	Not offered
City of Kingston	Yes (52)	No	Not offered
Region of Peel	Yes (26)	No	Not offered
City of St. Thomas	Yes (52)	No	Not offered
County of Simcoe	Yes (26)	No	Not offered
City of Calgary	Yes (26)	No	Not offered
City of Halifax	Yes (26)	No	Not offered
City of Vancouver	Yes (26)	No	Not Offered
City of Toronto	Yes (26)	Yes (52)	
Region of York	Yes (26)	Yes (52)	

### **Staff Recommendation**

Based on a review of other municipalities and experience in London with existing collection services, the following is proposed:

- There will be no exemption programs (e.g., use of clear bags, tags, extra bags) for diapers and/or incontinence products. These items will be collected 26 times per year within the proposed 3 container/bag limit versus the current 42 times per year within the same limit;
- No changes to how diapers and/or incontinence products are handled by the household;
- Should an additional container/bag be required, a Bag Tag at the curb can be used or the bagged garbage can be delivered to the EnviroDepots (i.e., both have a current fee of \$1.50 which is proposed to increase to \$2.00); and
- City staff will further review diapers and/or incontinence products handling in 2024 and submit a report to CWC in late 2024 on potential changes including Londoner's experiences with the longer garbage collection cycle.

## Summary and Rationale for Recommendation

In summary, City staff view the proposed changes for handling diapers and/or incontinence products as:

- An approach consistent with a number of municipalities that have Green Bin programs and garbage pickup every two weeks (biweekly);
- A system that requires homeowners to bag and hold diapers and/or incontinence products between four and six days longer than current handling practices (i.e., currently collected 42 times per year versus the change to 26 times per year);
- A system that does not change how diapers and/or incontinence products are bagged; and
- A defined period of time for a review of handling practices for diapers and/or incontinence products.

## Appendix E Pet Waste

### City of London Current Programs and Practices

London's current collection system allows dog waste, kitty litter and other pet waste to be bagged and placed inside garbage containers or bags for collection as part of regular garbage collection (collected 42 times per year).

Some London households have found that dog waste is easily managed using a backyard digester (sold at the EnviroDepots for a subsidized price). However, digesters cannot manage kitty litter, and may not be practical for some households.

London offers in-ground dog waste disposal containers at its dog parks and has implemented a pilot project for up to ten in-ground dog waste disposal units in City parks

On July 25, 2023, London Council approved the processing of food waste and soiled paper at Convertus Canada Inc. London Council also approved the price to add pet waste and/or food waste contained inside plastic bags at a future date.

### Information from Other Municipalities

A review of a number of municipalities in Ontario and a few in Canada with Green Bin collection services (offered weekly with the exception of St. Thomas) has identified two separate approaches for managing pet waste (Table E1):

- A number of municipalities do not allow pet waste in the Green Bin. In these communities pet waste goes in the garbage that is collected either weekly or bi-weekly;
- A number of municipalities allow pet waste to be placed inside the Green Bin, generally inside paper or certified compostable bags for feces;
- A couple of municipalities allow pet waste placed in regular plastic bags and then placed in the Green Bin;
- A number of municipalities have separate dog waste handling systems in dog parks and regular parks; and
- No municipalities surveyed provided separate curbside solutions for pet waste.

**Table E1: Municipal Programs to Manage Pet Waste**

<b>Municipality</b>	<b>Place in Garbage (Number of Pickups)</b>	<b>Place in Green Bin (Number of Pickups)</b>	<b>Other Approaches Available in Dog Parks and/or Municipal Parks</b>
Current City of London	Yes (42)	No	In-ground containers at Dog Parks. Pilot project underway for Parks with in-ground containers.
City of Barrie	Yes (26)	No	
County of Dufferin	Yes (52)	No	
Region of Durham	Yes (26)	No	
Region of Halton	Yes (26)	No	
City of Hamilton	Yes (52)	No	In-ground dog waste containers in some parks (2020); paused shortly after due to the pandemic and not re-introduced.
City of Kingston	Yes (52)	No	

<b>Municipality</b>	<b>Place in Garbage (Number of Pickups)</b>	<b>Place in Green Bin (Number of Pickups)</b>	<b>Other Approaches Available in Dog Parks and/or Municipal Parks</b>
Region of Peel	Yes (26)	No	In-ground dog waste containers in parks (Mississauga only).
City of Halifax	Yes (26)	No	In-ground dog waste containers in parks.
City of Vancouver	Yes (26)	No	Dog waste bins in parks
City of Guelph	Yes (26)	Yes (52)	
Region of Niagara	Yes (26)	Yes (52)	In-ground dog waste containers in parks.
City of Ottawa	Yes (26)	Yes (52)	
City of St. Thomas	Yes (52)	Yes (26)	
County of Simcoe	Yes (26)	Yes (52)	
City of Toronto	Yes (26)	Yes (52)	Organics bins in parks specifically for pet waste.
Region of Waterloo	Yes (26)	Yes (52)	In-ground dog waste containers in parks.
Region of York	Yes (26)	Yes (52)	
City of Calgary	Yes (26)	Yes (52)	

### **Staff Recommendation**

Based on a review of other municipalities and experience in London with existing collection services, the following is proposed:

- Pet waste will remain in the garbage and it will be collected 26 times per year versus the current 42 times per year;
- No changes to how pet waste is handled by the owner;
- City staff will further review pet waste handling in 2024 and submit a report to CWC in late 2024 on potential changes including Londoner's experiences with the longer cycle for handling pet waste. The review will include dog waste services in City parks.

### **Summary and Rationale for Recommendation**

In summary, City staff view the proposed change for handling pet waste as:

- An approach consistent with a number of municipalities that have Green Bin programs and garbage pickup every two weeks (biweekly);
- A system that requires homeowners to bag and hold pet waste between four and six days longer than current handling practices;
- A system that does not change how pet waste is bagged; and
- A defined period of time for a review of handling practices for pet waste.

## Appendix F Furniture and Bulky Items

### City of London Current Programs and Practices

London's current collection system allows small and large furniture and large bulky items to be placed beside regular garbage each pickup (42 times per year). These items are not included in the 3 container/bag limit. There is a 2 cubic metre limit.

There are important instructions to make sure these items are placed correctly at the curb for handling by sanitation operators.

Large furniture and large bulky items can be collected in the rear packers because the loading area of the packer (i.e., the hopper) can safely accommodate these materials. Large items cannot be safely accommodated in split rear packers or side loading packers due to space limitations.

### Information from Other Municipalities

A review of a number of municipalities in Ontario and a few in Canada with Green Bin collection services (offered weekly with the exception of St. Thomas) has identified a range of options for managing small and large furniture and bulky items (Table F1):

- Not collected at the curb – these municipalities direct households to depots, transfer stations and/or landfill. Disposal fees apply;
- Booking required; then place with garbage on collection day - some municipalities have specific fees for items to be picked up;
- Booking required; then place with garbage on collection day – some municipalities have no fees but limit the number of items to be picked up; and
- Place with garbage on collection day – some municipalities allow collection on regular garbage day with a separate collection vehicle (large items), have no fees but may limit the number of items.

**Table F1: Municipal Programs that Manage Large Furniture and Large Bulky Items**

Municipality	Description	Frequency of Pickup	Fees	Limit
Current City of London	Place with garbage on collection day	Every pickup	No fee	2 cubic metre limit
Proposed City of London	Booking required for large furniture and bulk items; then place with garbage on collection day	Every pickup	No fee	4 item limit
City of Barrie	Not collected at the curb		Landfill site – fees apply	No limit
City of Kingston	Not collected at the curb		Private facilities – fee apply	No limit
City of St. Thomas	Not collected at the curb		Community depot - \$135 per tonne	No limit
City of Calgary	Not collected at the curb		Landfill site – fees apply	No limit
City of Vancouver	Not collected at the curb		Depot, transfer station or landfill – fees apply	No limit



<b>Municipality</b>	<b>Description</b>	<b>Frequency of Pickup</b>	<b>Fees</b>	<b>Limit</b>
County of Dufferin	Booking required; then place with garbage on collection day	Monthly	\$20 - 4 items \$20 - appliances \$30 - refrigerant appliances	No limit
City of Guelph	Booking required; then place with garbage on collection day	Every pickup	\$35 - one item \$47.70 - refrigerant appliances	No limit
County of Simcoe	Booking required; then a specific time for pickup is provided	On demand	\$50 - 5 items +\$10 - mattresses +\$15 – refrigerant appliances	
City of Hamilton	Booking required; then place with garbage on collection day	Every pickup	No fee	4 item limit
Region of Niagara	Booking required; then place with garbage on collection day	Every pickup	No fee	4 item limit
Region of Durham	Place with garbage on collection day	Every pickup	No fee	2 item limit
Region of Halton	Place with garbage on collection day	Every pickup	No fee	3 item limit
City of Ottawa	Place with garbage on collection day	Every pickup	No fee	Counts towards collection day 6 item limit
Region of Peel	Place with garbage on collection day	Every pickup	No fee	No limit
City of Toronto	Place with garbage on collection day	Every pickup	\$20.95 annual charge	No limit
Region of Waterloo	Place with garbage on collection day	Every pickup	No fee	3 item limit
Region of York (Markham)	Place with garbage on collection day	Every pickup	No fee	3 item limit
Region of York (Vaughan)	Place with garbage on collection day	Every pickup	No fee	Counts towards collection day 3 item limit
City of Halifax	Place with garbage on collection day	Every pickup	No fee	1 item limit

### **Staff Recommendation**

Based on a review of other municipalities and experience in London with existing collection services including the number of available rear packers, programs offered by

the City of Hamilton (population 560,000) and Region of Niagara (population 495,000) represent program components that are helpful to London (details at end of this Appendix).

It is proposed that a booking system that allows large furniture and large bulky items at the curb on scheduled garbage collection days without additional charges starting October 1, 2023 be established for London. The early start date versus starting at the same time as the Green Bin program is for two reasons:

- To accommodate the introduction of the split rear packers as older rear packers are phased out due to end of lifecycle; and
- To start the awareness period and provide a grace period before the Green Bin program starts.

#### Requirements for Booking System Application

To book a pickup, a household must:

- Send in request at least five business days before regular garbage pickup day;
- Enter the address and the number of items to be picked up (there is a 4 item limit); and
- If on-line booking is not accessible, instructions for an email booking or booking over the telephone will be available.

#### How it works

- Once booked, households will be provided instructions on how to place large furniture and bulky items at the curb on the next regularly scheduled garbage pickup day; and
- The instructions will include any special handling provisions such as tying down any sofa beds or recliners that may come apart during loading.

#### **Summary and Rationale for Recommendation**

In summary, City staff view the proposed changes for handling large furniture and large bulky waste as:

- A consistent approach with a number of municipalities;
- An approach that permits households to continue with similar practices as now but with one new step that will assist with scheduling pickups along routes to ensure the most efficient collection is provided;
- A lower cost system versus a non-booking system which requires collection vehicles to search for items;
- An approach that can be explained with names, descriptions, visuals and size dimensions to be as accessible as possible; and
- A program that can be managed through a simple on-line or call-in booking process.

#### **Additional Information - Extracts from Booking Services for Furniture and Bulky Items in Two Ontario Municipalities (from websites)**

##### **City Hamilton**

#### **LEARN HOW TO REQUEST ONLINE PICK UP NEW! ONLINE BULK PICK UP REQUEST FORM FOR BULK ITEMS AND FURNITURE**

The self service bulk pick up form is now available. The program is limited to single family homes with 5 units or less that place their waste curbside on collection day. **At this time, town homes are not eligible to use the online bulk pick up service.**

The self service form follows the same rules as our call in service with respect to what you can and cannot place at the curb for bulk collection. Please see the tips below to ensure you know what items are acceptable vs unacceptable to place at the curb for bulk collection.

- A maximum of four items will be picked up per booking
- Make sure each item does not weigh more than 90 kg (200 lb) and is not longer than 1.2 m (4 ft).
- **Extra garbage bags require a trash tag and are not collected as bulk garbage.**

Collection for online bulk pickup requests will take place on your collection day in two weeks.

### **Request bulk pick up**

Or call [905-546-2489](tel:905-546-2489) at least one week before you want your bulk garbage picked up. Pick ups are scheduled on the same day as your regular waste collection day.

### **Tips for bulk items and furniture pick up**

- Once you have scheduled a bulk pick up, your **items need to be at the curb by 7 am on your pick up day.**
- **A maximum of four items** will be collected each time you schedule a bulk pick up.
- **All mattresses and all box springs must be wrapped and sealed in plastic wrap or bags with no exception. Unwrapped/unsealed items will not be collected.**
- Any bulk items with evidence of bed bugs and/or biohazardous materials (i.e. bodily fluids), must be wrapped and sealed in plastic wrap or bags. Unwrapped/unsealed items will not be collected.
- Use plastic bags, shrink wrap or clear tarps for wrapping bulk.
- Cracks and openings in the **plastic wrap must be sealed with tape** to create a fully protective barrier for collectors.
- Notify the City if you are aware or there is evidence of bed bugs or bio-hazardous materials on your bulk items scheduled for pick-up, [call 905-546-2489](tel:905-546-2489).
- When disposing of Car Seats, **cut the straps/buckles and remove the padding** before placing it at the curb.
- A two-person crew must be able to lift what you put out for pick up. Each **item must not weigh more than 90 kg (or 200 lbs).**
- Bathtubs must be broken into pieces weighing no more than 23 kg (50 lbs each); remove cast iron legs as metal is not an acceptable item for bulk pick up.
- **Batteries must be taken out** before putting items at the curb.
- Sofa beds and recliners must be tied so they do not unfold.
- **Wood (non-pressure-treated) cannot be longer than 1.2 m (4 ft).** It must be bundled and tied. **Pressure treated wood and rail ties will not be collected.**
- **Carpet** must be rolled, bundled and tied. The **maximum length is 1.2 m (4 ft).**

### **Bulk items and furniture can be used again**

- Give furniture and other big items in good condition to a friend or relative who could put them to good use
- Donate items to an organization that accepts used goods
- Bring it to the Reuse Store at the Hamilton Mountain Community Recycling Centre
- [Recycle your Electronics](#)
- Sell on buy-and-sell websites such as eBay, Kijiji, or Facebook Marketplace

## Region of Niagara

### Request Large Item Pick-up

You can request to have large household items picked up on your regular garbage collection day. There is a four item limit per garbage collection, per eligible residential unit.

**Submit requests at least two business days** before your regular garbage collection day to make arrangements.

#### Availability

- Collection is for large household items (smaller items can be placed in a garbage bag)
- Available for single family homes and apartment buildings of two to six units only, with the exception of eligible mixed-use / multi-residential properties in Niagara-on-the-Lake
- Property managers for Niagara-on-the-Lake mixed-use / multi-residential properties will need to contact their collection contractor directly to book a large item collection
- Wainfleet Cottage area is eligible for weekly large item pick-up between May 1 and Oct. 31, and will need to contact their collection contractor directly to book a large item collection for an off-week not presented as an available pick-up day in the large item tool
- **Not for extra garbage generated from cleaning out your home or as a result of a move**

### Large Item Pick-up Application

Top of Form

#### Pick-up Address

Requests must be received at least two business days before your regular garbage collection day to make arrangements.

Enter your address to find your pick-up date. **It may take 10 to 15 seconds for your address to appear once you type it in the form below.** Once your address appears, select it from the drop-down. Addresses that cannot be found will show 'no matches found'.

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#### Can't find your address? Book over the phone

- St. Catharines, Niagara-on-the-Lake, Niagara Falls, Port Colborne, Welland and Fort Erie - Call Miller Waste Systems at 1-833-621-0726
- Grimsby, Lincoln, Pelham, Thorold, Wainfleet and West Lincoln - Call Green for Life at 1-855-971-4550

# Green Bin and Collection Program Changes

**Prepared for Civic Works Committee Meeting on August 15, 2023**



#LdnOnt  
**ClimateAction**

# Collection System (previously approved)

- Weekly Green Bin and Blue Box
- Bi-weekly Garbage
- Need to address Statutory Holidays
- Community engagement (early 2021) on Green Bin program design and concerns with bi-weekly garbage:
  - 3,777 responses
  - 9,180 unique visitors
  - 54,000 total page views



# Curbside Green Bin and Kitchen Container (Provided) (previously approved)

Will be delivered to about 110,000 to 120,000 households with curbside service

Features:

- Size = 45 litres
- Height = about 60 cm (24 in)
- Has wheels

Features:

- Size = 7 litres
- Handle



# What Goes in the Green Bin (previously approved)

<b>Food Waste</b>	<b>Food-soiled Paper Products</b>	<b>Other Items</b>
<ul style="list-style-type: none"><li>• Baked goods, candies</li><li>• Bread, cereal, pasta, noodles, rice, beans, grains</li><li>• Coffee filters and grounds, paper teabags</li><li>• Dairy products, including milk, yogurt, butter, cheese</li><li>• Dry baking ingredients, herbs, spices</li><li>• Eggs, eggshells</li><li>• Fats, cooking oils, food grease (liquid or solid)</li><li>• Fruits and vegetables (cooked or raw, including peels, scraps and pits)</li><li>• Meat, poultry, seafood, giblets, bones</li><li>• Nuts, seeds</li><li>• Salad dressing, mayonnaise, gravy, sauces</li></ul>	<ul style="list-style-type: none"><li>• Paper napkins, paper towel, tissues (provided they are free of contaminants, such as household cleaners)</li><li>• Paper plates, cups, muffin wrappers (un-waxed and un-plasticized)</li><li>• Pizza boxes, cardboard</li><li>• Un-plasticized soiled paper food packaging (such as flour bags)</li><li>• Cardboard egg cartons</li></ul>	<ul style="list-style-type: none"><li>• Household plants (including soil), cut flowers</li><li>• Pumpkins</li><li>• Wooden stir sticks, chop sticks, popsicle sticks, toothpicks</li><li>• Newsprint, paper bags (to wrap food and line containers)</li><li>• Waxed paper</li></ul>



# Bin/Container Liners (Not Provided) – Resident's Choice (previously approved)

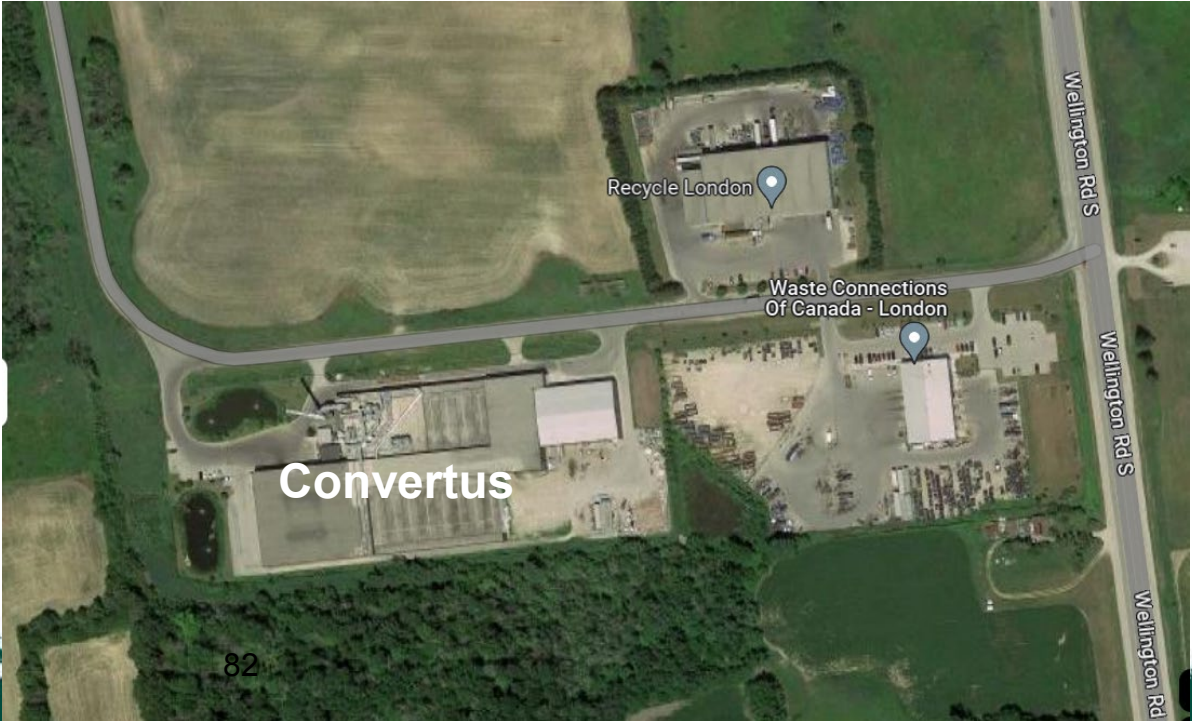


Kitchen container liners \$0.15 to \$0.67 per bag

Small Green Bin liners: \$0.37 to \$1.50 per bag

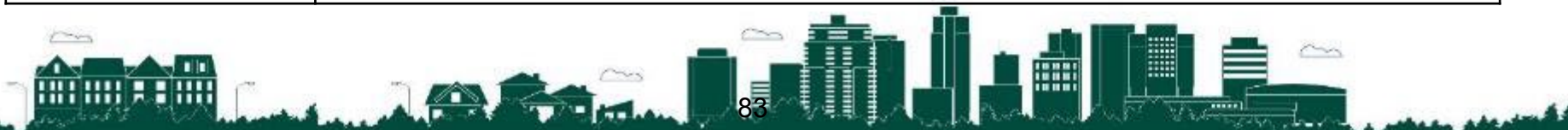
Large Green Bin liners: \$0.80 to \$1.60 per bag

# Green Bin Processing – Convertus Canada Inc. (previously approved)



# Major Dates Leading to Program Launch

Date	Item
Early-Sept., 2023	Interim Waste Reduction & Conservation Calendar from Oct. 1, 2023 to Jan. 15, 2024
Mid-Sept., 2023	Start of promotion and education program
Mid-Oct., 2023	Start of Green Bin, kitchen container and program information delivery to households
Mid-Dec., 2023	Completion of Green Bin delivery to households
<b>Jan. 15, 2024</b>	<b>Start date for Green Bin Program and new Collection Zones</b>



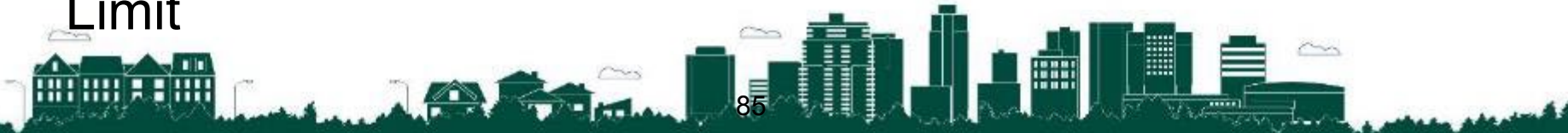
# Remaining Decisions and/or Changes

- Collection Schedule
- Container Limit
- Bag Tag and Bagged Residential Garbage Fees
- Managing Pet Waste, Diapers and Incontinence Products
- Large Furniture and Large Bulky Items
- Need for Interim Calendar
- Monitoring and Reporting Back

# Green Bin, Blue Box and Garbage Collection (3 Container/Bag Limit)

Collection Service and/or Items to Collect	Current Services – Number of Pickups/Yr	Proposed Services – Number of Pickups/Yr
Green Bin	0	50
Garbage (including 3 Container Limit Exemption Pickups)	42	26
Blue Box	42	50

- Current – 126+ bags/containers of garbage 42 times per year with 3 Container/Bag Limit
- Proposed – 128+ bags/containers of garbage (26 times) and Green Bin (50 times) per year with 3 Container/Bag Limit



# Green Bin, Blue Box and Garbage Collection – Example Schedule

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
				1	2	3
4	5 D1 - GB, R D2 - GB, G, R	6	7	8	9	10
11	12 D1 - GB, G, R D2 - GB, R	13	14	15	16	17
18	19 Family Day (no collection)	20 D1 - GB, R D2 - GB, G, R	21	22	23	24
25	26	27 D1 - GB, G, R D2 - GB, R	28	29		



# Green Bin, Blue Box and Garbage Collection – Statutory Holidays

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
				1	2 C1 - GB, G, R C2 - GB, R	3
4	5	6	7	8	9 C1 - GB, R C2 - GB, G, R	10
11	12	13	14	15	16 C1 - GB, G, R C2 - GB, EG, R	17
18	19 Family Day (no collection)	20	21	22	23	24
25	26 C1 - GB, EG, R C2 - GB, G, R	27	28	29	EG = extra garbage pickup due to longer cycle	



# Garbage Tag Fee and Bagged Residential Garbage Delivered to EnviroDepots

- Current fee for both is \$1.50
- Has been in place at this fee level since 2012
- Proposed to change to \$2.00
- Other municipalities range from \$1.75 to over \$6.00 with the average price being about \$2.60





# Managing Pet Waste, Diapers, Incontinence Products

- Households with these waste items will be required to hold onto them 4 to 6 days longer than current garbage collection system
- EnviroDepots represent an opportunity if service is needed before a scheduled pickup for a proposed fee of \$2.00 (open year round with reduced hours between mid-December and mid-March)



# Large Furniture and Large Bulky Items

- Split packers cannot handle large items
- Municipalities have different programs from No Service to programs with User Fees
- Current London - up to 2 cubic metres for each pickup
- Proposed London – booking service and 4 Item limit per pickup on scheduled collection day



# Need for Interim Waste Reduction & Conservation Calendar

- Current Calendar ends September 30, 2023
- Need Interim Calendar from October 1, 2023 until January 15, 2024
- To reduce cost; awareness and distribution will be as follows:
  - City website - on-line system and downloads
  - RecycleCoach App (about 63,000 subscribers)
  - Hard copies available at City facilities and other locations across London

# Monitoring and Reporting Back

After Launch:

- A monitoring system to determine:
  - the level of household satisfaction with the Green Bin and collection program changes
    - Focus - managing pet waste
    - Focus - managing diapers and incontinence products
- Report back late 2024 (or sooner, if needed)

# Multi-Res Source Separated Organics (SSO or Green Bin) Pilot Project

- Green Bin systems are much more challenging in multi-residential buildings
- Council has supported looking at a small pilot project (“Green Cart”)
- Many challenges . . . many future opportunities. . . lots of collaboration needed



# Common On-Site Containers for Multi-Res Pickup



Good day,

I have no issues with green bins but moving garbage to bi-weekly will cause major issues for people with pets (and young children). Cat litter is extremely heavy - as are diapers.

We have three children and I can tell you even with two composters in our yard, we easily make three canisters of garbage on a regular basis and our kids are out of diapers. And adding a little bit of meat waste to the green bins is not going to make any difference.

The plan you have is great for single people, couples, or those with maybe one kid but beyond that it's flawed.

As well, you'll now force residents to deal with more mice, racoons, ants and other animals - plus the smells. Yes, things other than green bin material can stink.

We already have a covered/sealed garbage shelter at the side.of.our house but it only holds two garbage bins. To buy another to now fit the green bin will cost at least \$500; are you going to cover that fee for me? No. Leaving them outside will only encourage the skunks and racoons...

Please rethink the biweekly garbage.

Marc Hulet

CWC – City Clerks Office - please consider this communication as pre- approved for including for distribution as “ Added Agenda “ for the upcoming CWC – August 15<sup>th</sup> Meeting for Item 4.2 on the Agenda as part of the public record.

Chair C Rathman , Mayor Morgan & CWC Council members – as the report being offered is tagged “ For Direction “ , please consider the following modification to certain recommendations;

1. With respect the reco to abolish the long standing door to door delivery of the Waste & Recycling schedule , I offer there has never been a time that London households have had a greater need for that schedule to guide them through the modified scheduling of the various services in the 1<sup>st</sup> year. At very least here Council , any Londoner should be able to request the mailing out of a **hard copy** of this schedule through a request to E – SERVICES and have this request actioned . I often had to do this as the calendars were often not delivered in time.

2. With respect to the reco to wait almost a full year for an interim report on the feedback & execution of this program to be offered up to Council , think again please . As a Council , your phones & E – Mail inboxes will be lighting up in the 1<sup>st</sup>>> 3 to 6 months of this program and you will need a well grounded implementation effectiveness & feedback report within at least the 1<sup>st</sup> - 6 months . My key concern as a taxpayer here is monitoring the impact on the frequency of ## visits to the various service centers by non City Vehicles for Garage deposal ( before & after Jan 2024 ) and a huge focus on monitoring the casual deposal of garbage in non – authorized locations . That’s a huge red flag on frequency of pickup issues.

THXS for Your Consideration – Chris Butler – 



Hi, I wish to have my thoughts heard and taken into consideration as a taxpayer when you discuss this matter Tuesday. Can't attend your meeting.

I wish to still have the current rotating curbside garbage pickup as previously scheduled. Blue boxes picked up. Garbage bags still used.

Unsure about the green boxes and how sanitary that would be without bags. What goes in the green boxes? How often picked up?

Because of Covid germs think its unsafe to have anything not bagged up and unsanitary.

Sincerely, Lillian McColl



# **Environmental Stewardship and Action Community Advisory Committee Report**

9th Meeting of the Environmental Stewardship and Action Community Advisory  
Committee  
August 2, 2023

Attendance                    B. Samuels (Chair), B. Amendola, R. Duvernoy, A. Ford, M. Griffith, A. Hames, M. Hodge, A. Pert, L. Vuong, A. Whittingham, and K. Mason (Acting Committee Clerk)

ABSENT: I. El Ghamrawy, C. Hunsberger, C. Mettler, N. Serour

ALSO PRESENT: M. Fabro, J. Stanford

The meeting was called to order at 3:17 PM, it being noted that B. Amendola, A. Ford, M. Griffith, M. Hodge, A. Pert, L. Vuong and A. Whittingham were in remote attendance.

**1. Call to Order**

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

**2. Scheduled Items**

None.

**3. Consent**

3.1 8th Report of the Environmental Stewardship and Action Community Advisory Committee

That it BE NOTED that the 8th Report of the Environmental Stewardship and Action Community Advisory Committee, from its meeting held on July 5, 2023, was received.

3.2 Comments Provided to the Federal Government on Recycled Content, Labelling Ruses and Registry for Plastic Products

That it BE NOTED that the staff report dated July 18, 2023 entitled "Comments Provided to Federal Government on Recycled Content, Labelling Rules, and Registry for Plastic Products", was received.

**4. Sub-Committees and Working Groups**

None.

**5. Items for Discussion**

5.1 2024 Mayor's Honour List - Call for Nominations

That it BE NOTED that the Environmental Stewardship and Action Community Advisory Committee asked its members to provide Nominations for the 2024 Mayor's New Year's Honour List at a future meeting for consideration.

## 5.2 Fireworks By-law Review

That the following actions be taken with respect to fireworks:

a) the Municipal Council BE ADVISED that the Environmental Stewardship and Action Community Advisory Committee (ESACAC) recommends the City of London adopt Option B as outlined in the staff report presented to the Community and Protective Services Committee; it being noted that Option B would allow for permitted display fireworks only to be discharged on specific days in London; it being further noted that this option would restrict use of all consumer (backyard) fireworks, restrict the sale of consumer fireworks in London, and propose an increase to current fines; and,

b) the Municipal Council BE ADVISED that the Environmental Stewardship and Action Community Advisory Committee recommends that the City considers the locations of permitted display fireworks to account for nearby environmental disturbance and to limit pollution from entering sensitive features such as the Thames River, and that the City aim to promote lower-impact alternatives to fireworks for at least some subsidized public events, such as outdoor concerts and light shows using drones.

it being noted that the submission on the fireworks by-law review, prepared by ESACAC, was received.

## 5.3 Climate Emergency Action Plan Working Group

That a Working Group consisting of R. Duvernoy, A. Hames, M. Hodge, A. Pert, B. Samuels and A. Whittingham BE ESTABLISHED to review the Climate Emergency Action Plan.

## 5.4 Resignation of D. Allick

That it BE NOTED that the resignation of D. Allick was received with regret.

## 6. Adjournment

The meeting adjourned at 3:43 PM.

## 5.1 Yard and Lot Maintenance By-law PH-9

That Municipal Council BE REQUESTED to pass a motion, in the spirit of the following, to direct staff to undertake a review of the Yard and Lot Maintenance By-law PH-9:

Whereas, biodiversity loss is a growing concern that requires immediate attention and action from municipal authorities;

Whereas, the Yard and Lot Maintenance By-law PW-9 poses conflicts with other objectives of the City of London to conserve natural heritage and biodiversity (Environmental Policies, the London Plan 2022), to mitigate and adapt to climate change (Climate Emergency Action Plan, 2022), and to create liveable, complete street designs (London Complete Streets Design Manual, s2.5 Green Infrastructure 2018);

Whereas, Londoners are increasingly engaging in environmental stewardship including maintaining boulevard-facing gardens, Low-Impact Development (LID) such as rain gardens, and naturalization projects;

Whereas, there is a lack of easily accessible public information regarding the Yard and Lot Maintenance By-law PW-9 and its enforcement, hindering residents' understanding of their responsibilities and the City's expectations;

Whereas, there have been concerns raised regarding poor and inconsistent complaint-driven enforcement of the Yard and Lot Maintenance By-law PW-9 leading to mischaracterizations of by-law provisions, destruction of private property and potential negative impacts on the City's reputation and liveability;

Whereas, the Yard and Lot Maintenance By-law PW-9 and Naturalized Areas and Wildflower Meadows policy include imprecise and prescriptive language that is not reproducible in enforcement, and therefore poses legal risks to the City that could potentially result in litigation and financial burdens;

Whereas, the Ontario Court of Justice has found other municipal by-laws similar in effect to the City of London's Yard and Lot Maintenance By-law PH-9 to be void for vagueness and uncertainty in their language and for unjustifiably violating the freedom of expression guaranteed by section 2(b) of the Canadian Charter of Rights and Freedoms, 1982;

Therefore, be it resolved that the London City Council directs municipal staff to undertake a comprehensive review of the Yard and Lot Maintenance By-law PW-9 and related policies;

Be it further resolved that the review should address the following aspects:

- i) Clarifying the intent and purposes of the By-law;
- ii) Providing statistics on enforcement of the By-law and assessing the

- effectiveness of enforcement processes and procedures;
- iii) Identifying and addressing any legal risks associated with the By-law, aiming to minimize potential litigation and financial burdens on the City;
  - iv) Comparing the By-law's alignment with other City policies and strategies, particularly those related to natural heritage, complete street designs, and the Climate Emergency Action Plan;
  - v) Consulting with Indigenous communities about the By-law and prohibited plants;
  - vi) Evaluating and improving mechanisms and public education to ensure consistent enforcement and compliance with the By-law;

Be it further resolved that the municipal staff present their findings and recommendations to Council within a reasonable timeframe, allowing for further discussion and potential amendments to the Yard and Lot Maintenance By-law PW-9;

Be it further resolved that enforcement of the Yard and Lot Maintenance By-law PW-9 in cases where there is not an immediate safety risk be paused while the By-law's legal validity is under review;

Be it further resolved that the City hold a Public Participation Meeting (PPM) to invite feedback from the community on the Yard and Lot Maintenance By-law PW-9 and staff recommendations.

## Report to Civic Works Committee

**To:** Chair and Members  
Civic Works Committee  
**From:** Scott Mathers, MPA, P. Eng.  
Deputy City Manager, Planning and Economic Development  
**Subject:** Yard and Lot Maintenance By-law  
**Date:** August 15, 2023

## Recommendation

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, and the Deputy City Manager, Legal Services:

- (a) This report **BE RECEIVED** for information purposes.

## Executive Summary

The municipal purpose of the Yard and Lot Maintenance By-law is to address public nuisances such as refuse and debris including the spread of vermin. The By-law includes a long standing provision recognizing wildflower meadows, naturalized areas and perennial gardens and as such includes exemptions to allow property owners to establish natural gardens in keeping with public safety measures. A Council Policy housekeeping amendment recognizing the long standing practice regarding natural areas was amended in July 2023.

## Linkage to the Corporate Strategic Plan

This recommendation supports the following 2023-2027 Strategic Plan areas of focus:

- Wellbeing and Safety
- Well Run City

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

- CSC – July 2023 – Council Policy Manual Review

### 2.0 Discussion and Considerations

#### 2.1 What is the jurisdiction of the Yard and Lot Maintenance By-law?

The Yard and Lot Maintenance By-law – PW – 9 (the By-law) is enacted pursuant to the *Police Services Act*, R.S.O. 1990, c P.15 (“*Police Services Act*”) and the *Municipal Act, 2001*, S.O. 2001, c. 25 (the “Act”).

Section 15 of the *Police Services Act* authorizes the municipality to appoint persons to enforce the by-laws of a municipality and states that Municipal Law Enforcement Officers are Peace Officers for the purpose of enforcing municipal by-laws.

Section 10(2) of the Act provides that a municipality may pass by-laws for purposes related to the health, safety and well-being of the inhabitants of the municipality. Section 128 of the Act further provides that a municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances. The By-law states that it is the opinion of Council

that the failure to clear refuse and debris from land is a public nuisance, including the spread of vermin.

Section 127 of the Act also provides that a municipality may require the owner or occupant of land to clear, refuse or debris from land. The municipality may direct that in default of clearing land of refuse by the person directed to do it, the clearing of land shall be done at the person's expense, pursuant to section 427(2) of the Act.

Section 391 of the Act permits the municipality to impose fees and charges on any person for services or activities provided or done by or on behalf of it. Section 427(3) of the Act expressly provides that a municipality may recover the costs of clearing the land and the municipality may recover the costs by action or by adding the costs to the tax roll and collecting them in the same manner as taxes.

## **2.2 How is the By-law enforced?**

The By-law is predominantly enforced in response to citizen complaints regarding the quality of life and aesthetics of neighbourhoods. Many citizens complain that the upkeep of neighbouring properties negatively impacts the value of their property as well as their enjoyment of their property. The By-law is also proactively enforced in certain neighbourhoods, such as in near-campus communities as these areas have a large volume of rental properties which are not well maintained. This proactive initiative has been in place since the mid 1990's and is recognized in the Municipal Compliance Policy approved by Council in June 2023.

In terms of occurrence volumes, in 2022, a total of 3,682 by-law complaints were investigated under this By-law. This represents 34% of all complaints received and investigated. In 2023, a total of 2,651 complaints have been received year-to-date; this By-law is by far the most active in terms of Officer workload and community concern.

When a complaint is received, a site visit is initiated, and based on the discretion of the Officer, a notice or Order is issued. Notification is provided via mail, including a link to the City of London web page to provide further information on the By-law. Notification may be supplemented using door hangers. Based on the discretion of the Officer, if no action is taken by the property owner to ensure by-law compliance, municipal action is taken to achieve compliance. This may include the removal of long grass and weeds.

## **2.3 How does the By-law address naturalized areas?**

Over the past several decades there has been a growing interest in rewilding or naturalizing residential properties by planting native grasses, flowers, and pollinator-friendly plants. This By-law was amended in consultation with City Landscape Architects to recognize this trend. Sections 4.6 and 4.7 of the By-law exempts wildflower meadows, perennial gardens and naturalized areas provided that those areas are managed in accordance with the *Weed Control Act*, provided that there is no waste, and provided that they do not encroach within the buffer strip. The intent of the buffer strip is to ensure that there is no spread of weeds and plantings onto neighbouring properties and also to ensure the safety of the public in terms of sight lines of the travelling public (persons in vehicles, children on sidewalks).

If a property owner, in response to a complaint, indicates that they are in the process of naturalizing the property, the owner may be asked to provide a landscaping plan seeking an exemption from the By-law. The Officer may consult with subject area experts (City Ecologist Planner) and partner agencies such as the Ministry of Agriculture, Food and Rural Affairs (*Weed Control Act*) to seek additional information regarding noxious weeds related to the exemption request. If the provisions of the By-law are met and there are no safety matters identified, such as sight lines, no enforcement action is taken. If upon inspection, it is clear that a naturalized area is well established and well maintained, the occurrence is coded as invalid and is closed. Very

few complaints are received where a landscaping plan is required for submission to resolve a complaint.

The Council policy on Naturalized Areas and Wild Flower Meadows was approved on July 25, 2023. This housekeeping amendment was an update of the long standing practice recognizing natural areas. On an annual basis, very few if any natural area requests are received as maintained natural yards are not the subject of neighbourhood complaints.

## **Conclusion**

The municipal purpose of the Yard and Lot Maintenance By-law is to address public nuisances such as refuse and debris including the spread of vermin. As emerging issues occur, Council's By-laws are reviewed to determine if amendments are necessary. The By-law includes a long standing provision recognizing wildflower meadows, naturalized areas and perennial gardens and as such includes exemptions to allow property owners to establish natural gardens in keeping with public safety measures. The Yard and lot Maintenance By-law was most recently reviewed in October 2020. A Council Policy housekeeping amendment recognizing the long standing practice recognizing natural areas was amended in July 2023.

**Prepared by:** Orest Katolyk, MLEO (C)  
Director, Municipal Compliance

Christina McCreery  
Solicitor I, Legal Services

**Recommended by:** Scott Mathers, MPA, P. Eng  
Deputy City Manager, Planning and Economic  
Development

**Concurred by:** Barry Card  
Deputy City Manager, Legal Services



Submission from Lorraine Johnson, [REDACTED]  
To: Civic Works Committee August 15, 2023 meeting  
August 10, 2023

I am writing in support of the motion requesting a review of London's Yard and Lot Maintenance By-law PH-9.

Many thanks for this opportunity to explain my reasons for supporting this motion.

By way of introduction, I am a North American expert on naturalization, native plant gardening, and municipal grass and weeds bylaws. I have written many books on these subjects (including *The Ontario Naturalized Garden*; *The New Ontario Naturalized Garden*; *Grow Wild! Native Plant Gardening in Canada and Northern U.S.*; *100 Easy-to-Grow Native Plants for Canadian Gardens*; *Tending the Earth*; and *A Garden for the Rusty-Patched Bumblebee*, among other books), articles, newspaper OpEDs and brochures. I regularly give presentations on the topic of reforming grass and weeds bylaws, and have consulted with a number of municipalities on their revisions to their grass and weeds bylaws (including as a Subject Matter Expert for the City of Toronto during the most recent revision of Toronto's bylaw).

London has many progressive policies related to ecological health, and it is important that the City's Yard and Lot Maintenance By-law support, rather than subvert, these policies.

The current bylaw, unfortunately, includes a number of provisions that are at odds with ecological health and best practices for landscapes in support of pollinators and biodiversity. As well, a number of terms used in the bylaw are vague, arbitrary and undefined, and thus can lead to subjective enforcement.

As just a few examples of these problems with the current bylaw, and some of the reasons why I urge you to support the motion to review London's Yard and Lot By-law PH-9, I note the following:

- The bylaw requires the removal of "weeds or grass more than 20 centimetres (8 inches) in height," yet nowhere are these terms defined. The bylaw *implies* but does not state that plants prohibited (or required to be cut down below 20cm) are those plants listed in the Weed Control Act (see Sections 4.6 and 4.7 of the bylaw). However, it is not clear that the plants designated under the Act as Noxious Weeds are the **ONLY** plants regulated as "weeds" under the bylaw. It is also important to note that the term "weeds" is vague, subjective and arbitrary, and that the Weed Control Act is intended, as written in the Act, to apply only to agricultural lands and lands of horticultural production.
- With regards to the term "grasses," it is not clear in the bylaw if this refers only to lawn turfgrass or if ALL 2,000+ species of graminoids are required to be cut to 20cm, surely an overly broad prohibition and yet a prohibition as the bylaw is currently written.

- The term “Domestic Waste” as defined in the bylaw includes grass clippings, tree cuttings, brush and leaves. Sections 2.5, 2.6, 2.8, 2.9, 3.1, 3.4, 3.5, 3.10, 4.6 and 4.7 require that these ecologically valuable materials be removed from the landscape. However, best practices dictate that grass clippings be left on mown lawns to return nutrients and organic matter to the soil; that cut branches are important habitat for numerous wildlife species such as birds and pollinators; and that leaves should be left where they fall in order to provide habitat for pollinators, valuable and free mulching materials, and soil protection and enhancement through nutrient recycling. To label these ecologically valuable materials “waste” and require them to be removed cannot be justified for any health or safety reasons and subverts the City’s environmental goals.
- The definition of “Naturalized Area” specifies that only native species are allowed to grow in an area to be considered “naturalized.” Not only does this not fall within the standard definition of “naturalization” (which specifically includes non-native plants that spread without cultivation), and thus can lead to confusion, but it means that any of the numerous non-native naturalized (but non-invasive) plants that re-establish from the soil seed bank are required to be cut, if one wants to utilize the naturalized area exemption.
- It is unclear, and needlessly complicated, to include a separate category in the bylaw for “Wildflower Meadows” and then proscribe one particular maintenance technique for maintaining a meadow (i.e., mowing once or twice per year). There are many different methods of maintaining a meadow. As well, a wildflower meadow is an example of a “naturalized area,” so to have a separate category is unnecessary. As well, as written the bylaw prohibits someone from creating a meadow with the intention of allowing the meadow to naturally grow into a woodland with trees and shrubs—something that is a natural process and ecologically valuable, along with being a personal choice that should be allowed, particularly if one’s goal is to “emulate a natural area.”
- “Naturalized area” exemptions in grass and weeds bylaws have the effect of stigmatizing natural gardens as somehow suspect and requiring of permission. When Toronto revised its grass and weeds bylaw in 2021/2022, the natural garden exemption was removed on the advice and urging of the Subject Matter Experts, who argued that the rules should be clear and the same for ALL gardens.
- I note that Part 5 Enforcement includes no provision for appeal. I am not a lawyer so I cannot comment on the legality of this absence of an appeal mechanism, but I would urge you to consider this absence as a lack of due process.
- I note that sections 5.8 c) and 5.11 b) use the term “reasonable particulars.” Again, given the subjective nature of the terms used in the bylaw, I urge you to consider specificity and clarity if/when conducting your review of the bylaw. I would suggest that

“reasonable particulars” should include a list of the specific plants that require action to be undertaken.

Given the above-mentioned issues with the current bylaw, I urge you to vote to revise the bylaw. Further, I urge you to include the following guidelines to staff for the revisions:

- 1) Instruct the City’s legal staff to thoroughly review the Bell and Counter decisions in which the Ontario Superior Court has already ruled on matters very similar to those raised by London’s current bylaws and to ensure that any revisions conform to the two court rulings on natural gardens.
- 2) Instruct the City’s legal staff and bylaw staff to thoroughly review the Model Bylaw prepared by Carly Murphy and found on the Ecological Design Lab’s website, <https://ecologicaldesignlab.ca/project/urban-biodiversity-studio/>, which offers a model for a grass and weeds bylaw in support of biodiversity. In other words, in undertaking a revision to the bylaw, you do not need to “reinvent the wheel.”
- 3) Instruct staff to review the rules related to boulevard plantings and ensure that they are clear, enabling and in sync with the Yard and Lot Maintenance By-law.
- 4) Prioritize the harmonization of this bylaw with the City of London’s other forward-thinking and ecologically valuable policies related to environmental health and best practices. The “well-being of the inhabitants of the municipality” is identified as a goal of the City’s Yard and Lot Maintenance By-law. With this proposed review, which I urge you to support, you have the opportunity to put this goal in practice and encourage ecological well-being in the yards and gardens of London.

I am requesting that this submission be a public document.

With many thanks for your consideration,  
Lorraine Johnson

