

Agenda Including Addeds

Civic Works Committee

The 2nd Meeting of the Civic Works Committee

January 9, 2024

9:30 AM

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 A. Hopkins (Chair), J. Pribil, S. Trosow, S. Franke, D. Ferreira

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 or 519-661-2489 ext. 2425.

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6. Adjournment

Integrated Transportation Community Advisory Committee Report

The 1st Meeting of the Integrated Transportation Community Advisory Committee
December 14, 2023

Attendance T. Khan (Chair), R. Buchal, E. Eady, D. Foster, A. Husain, T. Kerr, V. Lubrano, D. Luthra, A. Santiago, J. Vareka and J. Bunn (Acting Committee Clerk)

ABSENT: A. Issa, S. Leitch, M. Malekzadeh, A. Pfeffer and E. Poirier

ALSO PRESENT: I. Abushehada, M. Clark, A. Curtis, J. Gomez, P. Kavcic, D. MacRae, P. Masse, J. Michaud, A. Miller, B. Page, A. Patel, A. Serrano, B. Somers and S. Wilson

The meeting was called to order at 3:01 PM; it being noted that R. Buchal, E. Eady, D. Foster, A. Husain, A. Santiago and J. Vareka were in remote attendance.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

1.2 Election of Chair and Vice Chair

That T. Khan and T. Kerr BE ELECTED Chair and Vice Chair, respectively, for the term ending March 2025.

2. Scheduled Items

2.1 Draft Byron Gravel Pits Secondary Plan

That it BE NOTED that the presentation, dated December 14, 2023, as appended to the Agenda, from M. Clark, Planner, with respect to the Draft Byron Gravel Pits Secondary Plan, was received.

3. Consent

3.1 12th Report of the Integrated Transportation Community Advisory Committee

That it BE NOTED that the 12th Report of the Integrated Transportation Community Advisory Committee, from its meeting held on November 15, 2023, was received.

3.2 Notice of Planning Application and Notice of Public Meeting - Official Plan and Zoning By-Law Amendments - City-Wide - 5 Bedroom Limits and Increased Permissions for Additional Residential Units

That it BE NOTED that the Notice of Planning Application and Public Meeting, dated December 7, 2023, from B. Coveney, Planner, with respect to Official Plan and Zoning By-law Amendments related to 5-bedroom limits and increased permissions for additional residential units, city-wide, was received.

3.3 Notice of Planning Application and Notice of Public Meeting - Zoning By-Law Amendments - 488-492 Pond Mills Road

That it BE NOTED that the Notice of Planning Application and Notice of Public Meeting, dated November 15, 2023, from M. Hynes, Planner, with respect to Zoning By-law Amendments related to the properties located at 488-492 Pond Mills Road, was received.

4. Sub-Committees and Working Groups

4.1 Mobility Master Plan Sub-Committee Update

That it BE NOTED that the verbal update from D. Foster, with respect to the Mobility Master Plan Sub-Committee, was received.

5. Items for Discussion

None.

6. Adjournment

The meeting adjourned at 3:44 PM.

Report to Civic Works Committee

To: Chair and Members
Civic Works Committee

From: Kelly Scherr, P.Eng., MBA, FEC
Managing Director, Environmental & Engineering Services
and City Engineer

Subject: Sole Source Award: Acoustic Fibre Optic Monitoring Contract

Date: January 9, 2024

Recommendation

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions **BE TAKEN** with respect to the Acoustic Fibre Optic (AFO) Monitoring Contract:

- (a) The contract value for Pure Technologies Ltd. 300, 705-11 Avenue SW, Calgary, Alberta, T2R 0E3, **BE APPROVED**, in accordance with section 14.3 (c) of the Corporation of the City of London's Procurement of Goods and Services Policy, in the total amount of \$717,413.41 (excluding HST) for a four year period (2024-2027) to continuously monitor 15.86 km of the City's most critical watermains;
- (b) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this project;
- (c) 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 approval of a four-year acoustic fibre optic (AFO) monitoring contract required to continuously monitor the condition of the City's most critical watermains from the Arva Pumping Station to the Springbank Reservoirs. Actively monitoring the condition of the trunk watermain allows the City to defer capital costs related to replacement and to reduce the social and economic impacts of a watermain break.

In use since 2010, the monitoring data provided by Pure Technologies has allowed the City to proactively replace compromised water pipeline before a catastrophic failure occurs, reducing both costs and impacts to the public.

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.
 - The infrastructure gap is managed for all assets.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter.

- Sole Source: Concrete Pressure Pipe Inspection – Fibre Optic Installation, April 14, 2010, Board of Control
- Sole Source Award: Acoustic Fibre Optic Monitoring Contract, February 21, 2017, Civic Works Committee
- Sole Source Award: Acoustic Fibre Optic Monitoring Contract, February 6, 2018, Civic Works Committee
- Sole Source Award: Acoustic Fibre Optic Monitoring Contract, March 6, 2019, Civic Works Committee
- Sole Source Award: Acoustic Fibre Optic Monitoring Contract, February 19, 2020, Civic Works Committee

2.0 Discussion and Considerations

2.1 Purpose

This report recommends the approval of a four-year acoustic fibre optic (AFO) monitoring contract required to continuously monitor the condition of the City's most critical watermains from the Arva Pumping Station to the Springbank Reservoirs.

2.2 Discussion

The City of London relies on large diameter watermains to transport water from the Arva Pumping Station to the Springbank Reservoirs. Since 2010, The City has monitored the condition of these watermains through Acoustic Fibre Optic Monitoring Technology, developed by Pure Technologies. This proprietary technology allows the City to monitor the condition of this watermain to defer capital costs related to replacement and to reduce the social and economic impacts of a watermain break.

Pure Technologies provides real-time monitoring of the City's critical water infrastructure. When a problem is detected, Pure Technologies emails City staff with the relevant information on the location and severity of the issue. Should the detected problem constitute an emergency, Pure Technologies will directly call the City's water emergency number. This monitoring data has allowed the City to proactively replace compromised water pipeline well before a catastrophic failure occurs, reducing both costs and impacts to the public.

Monitoring Results

In 2017, this monitoring system identified a number of wire breaks in the Arva-Huron pipeline which links the Arva Pumping Station to the Springbank Reservoirs. This information prompted a more invasive inspection of the critical section. The inspection confirmed the pipe was distressed and at risk of failure. Staff used this information to plan and schedule the pipe's replacement. This proactive planning also allowed staff to operationally plan for the pipe to be out of service during replacement. A sudden break in this large main would have cost significantly more to repair and would have caused more disruption compared to the preventative replacement that was completed. The preventative replacement was a proactive step made possible by the AFO monitoring system.

2024 Monitoring Program Extension

Pure Technologies has proposed a contract to continue to provide monitoring services in accordance with the following fee schedule:

Period	Length (m)	Provisional Additional Length (m)	Unit Rate (\$/m/year)	Warranty (\$)	Base (\$)	Total Fee Including Additional Length (\$)
2024	15,858	475	8.27	29,226.00	10,000.00	174,299.91
2025	15,858	475	8.44	29,810.52	10,000.00	177,661.04
2026	15,858	475	8.61	30,406.73	10,000.00	181,033.86
2027	15,858	475	8.78	31,014.86	10,000.00	184,418.60
					Total	717,413.41

The total fee increase each year is 2%. The warranty component of the contract covers all materials associated with the AFO monitoring system. In 2015, a component of the system was replaced under the warranty. Had the warranty not been in place, the cost to replace this component alone would have been \$75,000. There are also cancellation clauses included in the proposed contract which will allow the City to reserve the right, at its absolute sole discretion, to cancel this contract in either of these scenarios:

- With thirty days written notice, without cause and without penalty; and
- With seven days written notice, with cause and without penalty.

2.3 Procurement Process

Section 14.3 (c) of the Procurement of Goods and Services Policy allows a procurement to be conducted using a sole source if the service is unique to one supplier with no alternative or substitution. As the AFO monitoring system owned by the City is proprietary in nature, Pure Technologies is the only firm that can provide the required monitoring services.

This contract is the second cycle of an operationally funded, multi-year contract. The previous cycle was successful. This contract is intended to remain funded through the operating budget due to the nature of work. Proceeding with a multi-year contract ensures continuity in the monitoring program and improve administrative efficiencies as it will reduce staff and Council time spent vetting and approving multiple similar contracts. Pure Technologies has provided monitoring services since the AFO was installed in 2010.

3.0 Financial Impact/Considerations

The total cost of the contract is valued at \$717,413.41 spread out over four years. This cost was expected and has been included in the water operating budget.

Conclusion

Staff recommend retaining Pure Technologies, in accordance with Section 14.3 (c) (Sole Source) of the Procurement of Goods and Services Policy, to continue to provide AFO monitoring services of the City's most critical watermain. The proprietary equipment required to undertake this task is already in place in the water distribution system, and it is Pure Technologies' unique proprietary system that is needed to provide the City with this monitoring service.

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, and
Infrastructure**

cc:

Audrey Kester, Water Demand Manager, Water Engineering
Gary MacDonald, Budget Analyst, Finance Supports
Steve Mollon, Senior Manager, Procurement & Supply, Finance Supports
Allison Biggar, Pure Technologies

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: Appointment of Drainage Superintendent By-Law Update
Under the Drainage Act
Date: January 9, 2024

Recommendation

That on the recommendation of Deputy City Manager, Environment and Infrastructure, the following actions **BE TAKEN** with respect to the appointment of a Drainage Superintendent pursuant to the Drainage Act, R.S.O. 1990:

- (a) Jessica Trela, C.E.T. **BE APPOINTED** to be named as the Drainage Superintendent for the City of London to carry out the duties imposed upon Jessica Trela pursuant to the Drainage Act, R.S.O. 1990
- (b) the attached proposed by-law (Appendix “A”) **BE INTRODUCED** at the Municipal Council meeting to be held on January 23, 2024, to appoint a Drainage Superintendent pursuant to the Drainage Act, R.S.O. 1990, c. D.17, and to repeal By-law No. A.-8287-224 entitled “A by-law to appoint a Drainage Superintendent pursuant to the Drainage Act, R.S.O. 1990, c. D.17, and repeal By-law No. A.-5339-123”.
- (c) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this appointment.
- (f) the Mayor and City Clerk **BE AUTHORIZED** to execute any documents, if required, to give effect to these recommendations.

Linkage to the Corporate Strategic Plan

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

- Waterways, wetlands, watersheds, and natural areas are protected and enhanced.
 - Protect the natural environment and avoid natural hazards when building new infrastructure or development.
 - Improve the natural environment and build resiliency when replacing aging infrastructure.

Executive Summary

This report recommends the removal of Spriet Associates as the City of London’s Drainage Superintendent in By-law No. A-5339-123 and to update the By-Law to reflect Jessica Trela, C.E.T., as the Drainage Superintendent for the City of London, pursuant to the Drainage Act, R.S.O. 1990.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

- Council – April 5, 1993 – By-Law to appoint a Drainage superintendent pursuant to the Drainage Act, R.S.O., 1990

- Council– August 2, 2022 – Appointment of Consulting Engineer and Drainage Superintendent By-Law Update Under the Drainage Act, pursuant to the Drainage Act, R.S.O., 1990, c. D.17, and repeal By-law No. A.-5339-123.

2.0 Discussion and Considerations

2.1 Purpose

This report recommends the removal of Spriet Associates as the City of London’s Drainage Superintendent in By-law No. A-5339-123 and to update the By-Law to reflect Jessica Trela, C.E.T., as the Drainage Superintendent for the City of London, pursuant to the Drainage Act, R.S.O. 1990.

2.2 Context

Spriet Associates London Ltd. (Spriet Associates) was retained to fulfill the role of Drainage Superintendent on behalf of the City of London after the retirement of the City’s previous Drainage Superintendent. Spriet Associates were retained to temporarily fill the role in August 2022, until a municipal employee could complete the required Drainage Superintendent Course, which is only offered annually in March.

In March 2023, Jessica Trela, Certified Engineering Technologist (C.E.T.) and the City’s Drainage Technologist, successfully completed the Drainage Superintendent course. Jessica Trela is now qualified to perform the duties of a Drainage Superintendent, pursuant to the Drainage Act. Once Jessica Trela is named the Drainage Superintendent, Spriet Associates will stay engaged in their previously awarded assignment to support Jessica Trela over the coming months until such time that the value of the contracted services is spent.

2.3 Additional Background

There are four types of drains in Ontario which include Municipal, Mutual Agreement, Award, and private drainage systems. Most Municipal Drains are ditches, closed systems, such as pipes or tiles buried in the ground, but can also include structures such as dikes or berms, pumping stations, buffer strips, grassed waterways, stormwater detention ponds, culverts, and bridges. Municipal Drains are primarily located in rural agricultural areas.

A Drainage Superintendent is established in accordance with the Drainage Act, R.S.O. 1990 through a municipal by-law. Similarly, a Municipal Drain is created through a municipal by-law to adopt an engineer’s report which contain plans, profiles and specifications which define the location, size, and depth of the drain, and how the costs are shared among property owners within the watershed of the drain.

The municipality is responsible for the construction of the drainage system and future maintenance and repair. Costs for these works may be recovered from the property owners within the watershed of the drain.

The Drainage Superintendent currently oversees 350 municipal drains in the City of London, which represents approximately 700 km of drainage systems. The Drainage Superintendent has specific rights and responsibilities under the Drainage Act which includes, but is not limited to, the following:

- (a) inspect every drainage work for which the municipality is responsible and report periodically to Council on the condition of those drainage works;
- (b) initiate and supervise the maintenance and repair of the drainage works for which the municipality is responsible;
- (c) assist in the construction or improvement of the drainage works for which the municipality is responsible; and,
- (d) report to council when required on the Superintendent’s activities mentioned in (b) and (c).

The appointment of Jessica Trela, C.E.T. is recommended to perform all the requirements of the Drainage Act, R.S.O. 1990 on behalf of the City of London and be named in the By-Law as the Drainage Superintendent for the City of London.

Conclusion

Jessica Trela, C.E.T. has demonstrated a solid understanding and ability to complete the duties under the Drainage Act and her current job description. It is recommended that the 2022 By-Law be repealed and that a new By-law be passed to name Jessica Trela, C.E.T., as the City's Drainage Superintendent pursuant to the Drainage Act, R.S.O. 1990.

Prepared by: **Shawna Chambers, DPA, P.Eng.**
Division Manager, Stormwater 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, and Infrastructure

Appendix 'A' – By-Law

cc: P. Titus
J. Trela
C. Da Silva
S. Holland – CUPE 101 President
M. DeVos – Spriet Associates London Ltd.
A. Kruspel – Spriet Associates London Ltd.

Appendix A

Bill No.
2023

By-law No. A.-

A by-law to appoint a Drainage Superintendent pursuant to the *Drainage Act*, R.S.O. 1990, c. D.17, and to repeal By-law No. A.-8287-224 entitled “A by-law to appoint a Drainage Superintendent pursuant to the *Drainage Act*, R.S.O. 1990”.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS Section 93 of the *Drainage Act*, R.S.O. 1990, c. D.17, authorizes the council of a local municipality to appoint by by-law a drainage superintendent and provide for fees or other remuneration for services performed by drainage superintendents in carrying out their duties under the *Drainage Act*;

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

1. Jessica Trela is hereby appointed as Drainage Superintendent for The Corporation of the City of London.
2. The Drainage Superintendent shall carry out the duties as prescribed by the *Drainage Act*, R.S.O. 1990, c. D.17.
3. By-law No. A.-8287-224 passed on August 2, 2022, entitled “A by-law to appoint a Drainage Superintendent pursuant to the *Drainage Act*, R.S.O. 1990” is hereby repealed.

This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on January 23, 2024.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – January 23, 2024
Second Reading – January 23, 2024
Third Reading – January 23, 2024

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: Municipal Waste & Resource Materials Collection By-law
Amendments

Date: January 9, 2024

Recommendation

That, on the recommendation of the Deputy City Manager, Environment & Infrastructure, the draft proposed by-law attached as Appendix A **BE INTRODUCED** at the Municipal Council meeting to be held on January 23, 2024, to amend the Municipal Waste & Resource Collection By-law (WM-12) to establish requirements for implementing a Green Bin Program and related collection program changes, including litter prevention.

Executive Summary

The purpose of this report is to provide Civic Works Committee (CWC) and Municipal Council with amendments to the Municipal Waste & Resource Collection By-law (WM-12) to amend, add or delete by-law clauses for the Green Bin program and changes to garbage collection; and, amend by-law clauses to help reduce litter from private property.

Green Bin Program

In August 2023, Municipal Council approved all final changes to implement the Green Bin program as a service for households that receive curbside garbage pickup including units that are contained within townhome complexes. Enacting the implementation of the Green Bin program requires a number of amendments to the Municipal Waste & Resource Collection By-law (WM-12) in the following categories:

- Add, revise or delete some definitions;
- Add new words or details to several by-law sections;
- Add new by-law clauses; and
- Housekeeping amendments.

Many of the amendments to Bylaw WM-12 have already been conveyed to London households through the Green Bin program information guide. City staff will be sharing updated information with townhome complex owners that highlight the by-law changes and emphasizing the rationale for these changes as part of the Green Bin program.

On-site Management (Private Property) to Reduce Litter

On-site management of garbage, recyclable material, Green Bin material and all related waste and resource materials is the responsibility of the property owner or a Condominium board acting on behalf of owners as per the Municipal Waste & Resource Collection By-law (WM-12). From time to time, on-site management practices by residents, property owners, and/or property management companies contribute to the creation of litter. To improve litter prevention, additions have been made to various sections of the by-law.

City staff will be sharing updated information with building and complex owners that highlights the by-law changes and emphasizes the rationale for these changes: the reduction of litter on private and public property.

Linkage to the Corporate Strategic Plan

Municipal Council recognizes the importance of waste management, climate change and related environmental issues in its 2023-2027 Strategic Plan for the City of London:

Municipal Council continues to recognize the importance of waste management and the need for a more sustainable and resilient city in 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.

Context

1.0 Background Information

1.1 Purpose

The purpose of this report is to provide Civic Works Committee (CWC) and Municipal Council with amendments to the Municipal Waste & Resource Collection By-law (WM-12) to:

- amend, add or delete by-law clauses for the Green Bin program and changes to garbage collection; and
- amend by-law clauses to help reduce litter from private property.

1.2 Previous Reports Related to this Matter

- Green Bin and Collection Program Changes, (August 15, 2023 meeting of the Civic Works Committee (CWC), Item #2.2)
- RFP-2022-224 Green Bin Processing Services, (July 18, 2023 meeting of the 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)

2.0 Discussion and Considerations

2.1 Green Bin Program

Rationale for Changes

In August 2023, Municipal Council approved all final changes to implement the Green Bin program as a service for households that receive curbside garbage pickup including units that are contained within townhome complexes. The Executive Summary of the August report to CWC is provided in Appendix B for information.

Overview of Amendments to By-law

Implementation of the Green Bin program requires a number of amendments to the Municipal Waste & Resource Collection By-law (WM-12), including:

- Add new definitions for Business collection calendar, Collection schedule (residential), Green Bin, Green Bin cart, Green Bin material, Non-Green Bin material;
- Revise existing definitions for Receptacles, Resource materials, Waste collection receptacles; and
- Add new words or details to several by-law sections including:
 - Section 2.4 Owners – duty to supply garbage calendar to tenants
 - Part 3 Receptacles Regulations for Residential Waste, Yard Material and Commercial Waste Collection
 - Section 3.5 Receptacles – metal bins – requirements for multi-family waste
 - Section 4.2 Placement for collection - residential waste and recyclable material – times - restrictions
 - Section 4.3 City Engineer - designate - recyclable material - yard material
 - Section 4.7 Placement for collection – residential waste and recyclable material – late – City not responsible
 - Subsection 5.1.2 Collection – maximum permitted – exemption period Section 5.1.1(a) shall not apply
 - Section 5.9 Collection point - maintained - clean
 - Section 5.13 Placement of residential waste or recyclable materials at collection point – times – restrictions
 - Part 6 Collection Regulations for Multi-family Waste and Recyclable Materials – Private Property
 - Section 6.1 Private property – collection from – authorized
 - Section 6.2 Metal bins and recycling storage carts – location – requirements
 - Section 6.3 Metal bins and recycling storage carts – area – maintained – accessible – safe
 - Section 6.4 Private property – collection point – designated – factors
 - Section 6.5 Private property – collection point – maintenance
 - Section 6.8 Collection point – approved – placement at – only
 - Section 6.9 Collection point – maintained – clean
 - Section 6.13 Placement of multi-family waste or recyclable material at collection point
 - Part 8 Non-Collectible Waste and Non-Recyclable Material
 - Section 8.1 Non-collectible waste – non-recyclable material – duty to remove
 - Section 8.2 Non-collectible waste and non-recyclable material – failure to remove – notice
 - Section 8.3 Collector may not collect – municipal waste and/or resource materials
 - Section 10.2 Municipal waste and recyclable material – placement for collection – in advance
 - Section 10.6 Non-collectable waste – placed in garbage
 - Section 10.7 Metal bin – non-complying
 - Section 10.8 Metal bin – private – failure to maintain
 - Section 10.12 Recyclable material – no removal except by collector
 - Section 10.13 Exception – retrieval.

- Add new by-law clauses including:
 - Section 3.10 Receptacles - Green Bin – requirements for Green Bin materials
 - Section 3.11 Liners – Green Bin and kitchen container – requirements for Green Bin materials.

Notification Process for Amendments

Many of the amendments to Bylaw WM-12 have already been conveyed to London households through the Green Bin program information guide. City staff will be sharing updated information with townhome complex owners that highlights the by-law changes and emphasizes the rationale for these changes as part of the Green Bin program.

2.2 On-site Management (Private Property) to Reduce Litter

Rationale for Changes

On-site management of garbage, recyclable material, Green Bin material and all related waste and resource materials is the responsibility of the property owner or a Condominium board acting on behalf of owners as per the Municipal Waste & Resource Collection By-law (WM-12).

From time to time, on-site management practices by residents, property owners and/or property management companies contribute to the creation of litter. This can occur when garbage bins or recycling carts are overflowing or when lids are not closed. It can also occur when areas around bins and carts are not kept free of loose materials. On windy days, these items can be further distributed by the wind.

The amendments proposed in the next section and contained in Appendix A are designed to help reduce the impact of litter on adjacent properties, either public or private property.

Overview of Amendments to By-law

Reducing the amount of litter that may occur on private property and impact public property requires a number of amendments to the Municipal Waste & Resource Collection By-law (WM-12):

- Add new words or details to several by-law sections including:
 - Section 5.4 Private property - collection point - designated - factors
 - Section 5.11 Storage – enclosures – maintained – clean – sanitary
 - Section 6.4 Private property – collection point – designated – factors
 - Section 6.11 Storage – enclosure – maintained – clean – sanitary
- Add new by-law clauses including:
 - Section 5.16 Collection point – maintained – litter prevention
 - Section 6.14 Storage – enclosure – collection point - maintained – litter prevention

Notification Process for Amendments

City staff will be sharing updated information with building and complex owners that highlight the by-law changes and emphasizing the rationale for these changes; that is to reduce litter on private and public property.

3.0 Financial Impact/Considerations

There are no specific financial impacts or financial considerations tied to this update report. The financial impacts and considerations associated with the implementation of the Green Bin and related waste management program changes are included in the base budgets in the Environment & Infrastructure (Waste Management).

Conclusion

The proposed additions, changes and deletions in this report update the Municipal Waste & Resource Collection By-law (WM-12) to ensure the by-law address the Green Bin program and a few matters dealing with litter on private property that may be due to waste storage.

Prepared by: **Jessica Favalaro, B.Sc.**
Manager, Waste Diversion

Prepared by: **Mike Losee, B.Sc.**
Division Manager, Waste Management

Prepared & Submitted by: **Jay Stanford, M.A., M.P.A.**
Director, Climate Change, Environment & Waste Management

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

Appendix A A By-law to Amend the Municipal Waste & Resources Collection By-law WM-12

Appendix B Executive Summary from the Civic Works Committee Report Green Bin Collection Program Changes (August 15, 2023)

APPENDIX A
A By-law to Amend the Municipal Waste & Resources Collection By-law WM-12

Bill No. 2024

By-law No.

A By-law to amend the Municipal Waste &
 Resources Collection By-law WM-12

WHEREAS section 5(3) of the *Municipal Act, 2001* S.O. 2001, c.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001* S.O. 2001, c.25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS subsection 10 of the *Municipal Act, 2001* S.O. 2001, c.25, as amended, provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public, and may pass by-laws respecting the economic, social and environmental well-being of the municipality, and the health, safety and well-being of persons;

AND WHEREAS the Municipal Council wishes to amend By-law No. WM-12, being "A by-law to provide for the Collection of Municipal Waste and Resource Materials in the City of London" to identify additional requirements to implement the Green Bin program and help prevent litter on private property;

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

1. Section 1.1 of by-law WM-12 is amended by adding the following new definition of "Business collection calendar" after the definition of "Brush":

Business collection calendar – defined

"Business collection calendar (residential)" shall mean the calendar of dates for collection of commercial waste and other material designated by the City Engineer for commercial premises."

2. Section 1.1 of by-law WM-12 is amended by adding the following new definition of "Collection schedule (residential)" after the definition of "Collection point":

Collection schedule (residential) – defined

"Collection schedule (residential)" shall mean the schedule of dates and weeks for collection of garbage, Green Bin material, municipal waste, recyclable material, rubbish, waste, and yard material and other material designated by the City Engineer for residential curbside premises."

3. Section 1.1 of by-law WM-12 is amended by adding the following new definition of "Green Bin" after the definition of "Grass clippings":

Green Bin – defined

"Green Bin" shall mean a 45 to 50 litre rigid plastic container, the design and dimensions of which is detailed specifically by information obtainable from the City Engineer.

4. Section 1.1 of by-law WM-12 is amended by adding the following new definition of “Green Bin cart” after the definition of “Green Bin”:

Green Bin cart – defined

“Green Bin cart” shall mean an 80 litre, 120 litre or 240 litre standard rollout cart with lid on rubber wheels and capable of being lifted by a tipping device installed on a garbage truck, the design and dimensions of which is detailed specifically by information obtainable from the City Engineer.

5. Section 1.1 of by-law WM-12 is amended by adding the following new definition of “Green Bin material” after the definition of “Green Bin liner”:

Green Bin material – defined

“Green Bin material” shall mean material designated from time to time by the City Engineer as compostable or digestible and for which alternative collection regulations apply.

6. Section 1.1 of by-law WM-12 is amended by adding the following new definition of “Non-Green Bin material” after the definition of “Non-collectible waste”:

Non-Green Bin material – defined

“non-Green Bin material” shall include any material that is not Green Bin material as defined herein. From time to time the City Engineer may designate other materials as non-Green Bin material.

7. Section 1.1 of by-law WM-12 is amended by deleting the definition of “Receptacles” and replacing it with the following new definition:

Receptacles – defined

“receptacles” shall include Green Bins, Green Bin carts, recyclable material collection receptacles, waste collection receptacles and yard material collection receptacles.

8. Section 1.1 of by-law WM-12 is amended by deleting the definition of “Resource Materials” and replacing it with the following new definition:

Resource materials – defined

“Resource materials” shall include Green Bin material, recyclable material, yard material and Christmas trees collected from residential curbside premises and collection points.

9. Section 1.1 of by-law WM-12 is amended by deleting the definition of “Waste collection receptacle” and replacing it with the following new definition:

Waste collection receptacles - defined

“waste collection receptacles” shall include metallic or plastic cans, polyethylene bags and metal or plastic bins.

10. Section 2.4 is deleted and replaced with the following new section 2.4:

“2.4 Owners - duty to supply information guides and collection schedules to tenants

All property owners of rented or leased premises, including their agents and/or property management firms, shall ensure that a copy of the applicable and current City collection schedule for residential premises or the City Business collection calendar for commercial premises and related information provided by the City, is located on site for each tenant of the rental or leased premises.”

11. The title of Part 3 is deleted and replaced with the following new title:

“Part 3 Receptacles Regulations for Residential Waste, Resource Materials and Commercial Waste Collection.”

12. Section 3.5 is deleted and replaced with the following new section 3.5:

“Occupants of multi-family building premises may place multi-family waste for collection provided the metal and/or plastic bins conform to the following regulations:
 (a) Multi-family waste at multi-family premises may be set out for collection in a metal and/or plastic bin that has been constructed to the standards specified by the City Engineer.
 (b) Occupants shall keep all metal and plastic bins in a clean and sanitary condition.
 (c) Occupants setting out multi-family waste in metal and plastic bins for collection shall ensure that the bin’s casters are lubricated to allow the bins to be easily maneuvered by one person.”

13. Part 3 of by-law WM-12 is amended by adding the following new section:

“Section 3.10 Receptacles – Green Bin - Green Bin carts – requirements for Green Bin materials – residential curbside premises

Occupants of residential curbsides premises may place Green Bin material for collection provided the Green Bins or Green Bin carts conform to the following regulations:

- (a) Only Green Bin material from residential curbside premises may be set out for collection in a Green Bin or Green Bin cart that meets the standards specified by the City Engineer.
- (b) Occupants shall keep all Green Bin carts in a clean and sanitary condition.
- (c) Green Bins or Green Bin carts containing materials other than Green Bin material will not be collected.”

14. Part 3 of by-law WM-12 is amended by adding the following new section:

“Section 3.11 Liners – Green Bin and kitchen container – requirements for Green Bin materials

Occupants may use liners for the Green Bin, Green Bin carts or kitchen containers provided the liners conform to the following regulations:

- (a) The liners are certified as compostable by the Biodegradable Products Institute (BPI) US Composting Council or Bureau de normalisation du Québec (BNQ).”

15. Subsection 4.1.2 is deleted and replaced with the following new subsection 4.1.2:

“(1) during the annual exemption periods as listed on the Collection schedule; or
 (2) if the City Engineer exempts the occupant in writing based on compelling medical grounds.”

16. Section 4.2 is deleted and replaced with the following new section 4.2:

“4.2 Placement for collection - residential waste, Green Bin material and recyclable material - times - restrictions

Occupants shall ensure that all residential waste collection receptacles, Green Bins, Green Bin carts and recyclable material collection receptacles except for metal and plastic bins, containing residential waste for removal by the collector, shall be placed to the edge of the roadway for day collection before 7:00 a.m. local time on the date fixed for collection, and for night collection before 7:00 p.m. local time on the day of the date fixed for collection, but in no case shall they be so placed before 6:00 p.m. local time on the day prior to the date fixed for collection.”

17. Section 4.3 is deleted and replaced with the following new section 4.3:

“4.3 City Engineer - designate – Green Bin material - recyclable material - yard material

From time to time the City Engineer may designate specific types of items as Green Bin material, recyclable material or yard material and whether recyclable material is considered a paper product or container and may direct those items so designated be

set out for collection in a separate receptacle provided for such purpose or as otherwise directed.”

18. Section 4.7 is deleted and replaced with the following new section 4.7:

“4.7 Placement for collection - residential waste, Green Bin material and recyclable material - late - City not responsible

The City is not responsible for the collection of residential waste, Green Bin material and recyclable material placed at the edge of the roadway after 7:00 a.m. local time on the day fixed for day collection, or after 7:00 p.m. local time on the day of the date fixed for night collection.”

19. Section 5.4 is deleted and replaced with the following new section 5.4:

The City Engineer may designate or authorize a specific location on a private property as a collection point. The City Engineer may consider the following factors in deciding to residential waste or resource materials’ collection from private property and/or designating a collection point:

- (a) the availability of a collection point that is freely accessible for collection vehicles;
- (b) the configuration of the private streets and roadways in a townhouse or condominium complex and the ability of collection vehicles to manoeuvre on such streets and roadways;
- (c) the desirability of an enclosure for the storage of waste collection receptacles or polyethylene bags as well as the availability of a freely accessible site for such an enclosure;
- (d) the desire to prevent litter blowing from private property onto adjacent private and public property;
- (e) requirements under the Site Plan Control Area By-law.

20. Section 5.9 is deleted and replaced with the following new section 5.9:

Occupants shall ensure that all collection points are maintained free of residential waste or resource materials of any kind except during the period of time for setting out residential waste, Green Bin material or recyclable material as authorized by this by-law.

21. Section 5.11 is deleted and replaced with the following new section 5.11:

Occupants shall ensure that waste collection receptacle enclosures are constructed as approved by the City Engineer and maintained in a clean and sanitary manner, free from loose waste, rats, vermin and scavenging animals, and regularly maintained to prevent litter.

22. Section 5.13 is deleted and replaced with the following new section 5.13:

“Occupants for whom a collection point has been approved or designated shall ensure that all waste collection receptacles containing residential waste for removal by the collector, recyclable material collection receptacles containing recyclable material or Green Bin containing Green Bin materials, shall be placed at the collection point for day collection before 7:00 a.m. local time, on the day fixed for collection, and for night collection, before 7:00 p.m. local time, on the day of the date fixed for collection, but in no case shall they be so placed before 6:00 p.m. local time on the day prior to the date fixed for collection.”

23. Part 5 of by-law WM-12 is amended by adding the following new section:

“Section 5.16 Collection point – maintained – litter prevention

Occupants shall ensure that collection points are regularly maintained to prevent litter on private and public property.

24. The title of Part 6 is deleted and replaced with the following new title:

“Part 6 Collection Regulations for Multi-family Waste and Resource Materials – Private Property”

25. Section 6.1 is deleted and replaced with the following new section 6.1:

“The City Engineer may authorize the collection of multi-family waste, Green Bin materials and recyclable material from private property at multi-family building premises.”

26. Section 6.2 is deleted and replaced with the following new section 6.2:

“6.2 Metal and plastic bins, Green Bins, Green Bin carts and recycling storage carts - location - requirements

Occupants shall ensure that all metal and plastic bins, Green Bins, Green Bin carts and recycling storage carts are set on a level, smooth hard surface containing a mechanism to ensure that the metal bins do not roll away, in a location that is easily and safely accessible to the collection vehicle.”

27. Section 6.3 is deleted and replaced with the following new section 6.3:

6.3 Metal and plastic bins, Green Bins, Green Bin carts and recycling storage carts - area - maintained - accessible - safe

Occupants shall ensure that the area surrounding the metal and plastic bins, Green Bins, Green Bin carts and recycling storage carts is kept clear of snow, ice, or any other obstructions including vehicles so that collection vehicles have proper access to the bins and carts.

28. Section 6.4 is deleted and replaced with the following new section 6.4:

“The City Engineer may designate or authorize a specific location on a private property as a collection point. The City Engineer may consider the following factors in deciding to authorize multi-family waste, Green Bin material or recyclable material collection from private property and/or designating a collection point:

- (a) the availability of a collection point that is freely accessible for collection vehicles;
- (b) the configuration of the private streets and roadways in a multi-family building premise and the ability of collection vehicles to manoeuvre on such streets and roadways;
- (c) the desirability of an enclosure for the storage of waste collection receptacles or polyethylene bags as well as the availability of a freely accessible site for such an enclosure;
- (d) the desire to prevent litter blowing from private property onto adjacent private and public property;
- (e) requirements under the Site Plan Control Area By-law.”

29. Section 6.5 is deleted and replaced with the following new section 6.5:

“Occupants shall ensure that a designated or authorized collection point is maintained free from snow, ice and any other obstructions which may impede access to the multi-family waste, Green Bin material or recyclable material by collection vehicles and crew.”

30. Section 6.8 is deleted and replaced with the following new section 6.8:

“Occupants shall ensure that multi-family waste or recyclable material for collection is placed at a collection point after such location receives the approval of the City Engineer and that multi-family waste, Green Bin material or recyclable material is not placed at any other location for collection.”

31. Section 6.9 is deleted and replaced with the following new section 6.9:

“Occupants shall ensure that all collection points are maintained free of multi-family waste, Green Bin material or recyclable material of any kind except during the period of time for setting out multi-family waste or recyclable material as authorized by this by-law.”

32. Section 6.11 is deleted and replaced with the following new section 6.11:

“Occupants shall ensure that waste collection receptacle enclosures are constructed as approved by the City Engineer and maintained in a clean and sanitary manner, free from loose waste, rats, vermin and scavenging animals, and regularly maintained to prevent litter.”

33. Section 6.13 is deleted and replaced with the following new section 6.13:

“6.13 Placement of multi-family waste or Green Bin material or recyclable material at collection point

Occupants for whom a collection point has been approved or designated shall ensure that all waste collection receptacles containing residential waste or multi-family waste for removal by the collector, Green Bins containing Green Bin materials or recyclable material collection receptacles containing recyclable material, shall be placed at the collection point on the day determined by the City Engineer.”

34. Part 6 of by-law WM-12 is amended by adding the following new section:

“Section 6.14 Storage – enclosure – collection point - maintained – litter prevention

Occupants shall ensure that storage areas and enclosures are regularly maintained to prevent litter on private and public property.”

35. The title of Part 8 is deleted and replaced with the following new title:

“Part 8 Non-Collectible Waste, Non-Green Bin Material and Non-Recyclable Material”

36. Section 8.1 is deleted and replaced with the following new section 8.1:

“Occupants shall forthwith remove all non-collectible waste, non-Green Bin material and non-recyclable material from the edge of a roadway or a collection point, that the collector refuses to collect under the terms of this by-law.”

37. Section 8.2 is deleted and replaced with the following new section 8.2:

“Occupants, who fail to remove non-collectible waste, non-Green Bin material and non-recyclable material from the edge of the roadway or a collection point, shall be notified in writing by the City Engineer that the City may remove the non-collectible waste, Non-Green Bin material and non-recyclable material at the occupant's expense.”

38. Section 8.3 is deleted and replaced with the following new section 8.3:

“The collector may not collect the following municipal waste and/or resource materials from any premises:

- (a) non-collectable waste, Non-Green Bin material and non-recyclable material as defined by this by-law;
- (b) municipal waste contained in a waste collection receptacle that does not conform to the regulations of this by-law;
- (c) municipal waste contained in a metal bin or waste receptacle enclosure that is deemed to be inaccessible or for which the access is deemed to be hazardous to the collector;

- (d) municipal waste that is placed at a collection point that is deemed to be inaccessible to the collector;
- (e) animal or vegetable waste resulting from the preparation or consumption of food that is not thoroughly drained and packaged;
- (f) dog, cat and pet feces and litter that is not placed inside a sealed and leak-free bag and placed in a waste collection receptacle;
- (g) sharps not packaged and labelled in rigid containers;
- (h) broken glass, and other sharp objects that are not properly packaged inside cardboard and tape;
- (i) yard material that is placed for collection on a date other than the week designated by the City Engineer for yard material collection;
- (j) residential waste, multi-family waste or resource materials that are not placed at either the edge of the roadway or at a designated collection point;
- (k) municipal waste that is packaged in a manner that presents a hazard to persons involved in any part of the collection process on behalf of the City.
- (l) Recyclable material that has not been sorted into paper products and containers.
- (m) Resource materials that are placed for collection in non-authorized collection receptacles as per this by-law;
- (n) surgical and non-surgical masks, gloves, wipes, tissues, napkins, paper towel, not placed inside a sealed and leak-free bag;
- (o) sawdust, cigarette ash, fireplace ash and vacuum dust, not placed inside a sealed bag”

39. Section 10.2 is deleted and replaced with the following new section 10.2:

“10.2 Municipal waste and resources materials - placement for collection - in advance

No person shall place or cause to be placed municipal waste or resource materials for collection by the collector at a collection point or at the edge of the roadway before 6:00 p.m. local time on the day prior to the day fixed for collection of such waste by the City Engineer.”

40. Section 10.6 is deleted and replaced with the following new section 10.6:

“No person shall place or cause to be placed non-collectable waste in the same receptacle as brush, yard material, recyclable material, Green Bin material, commercial waste, garbage or rubbish.”

41. Section 10.7 is deleted and replaced with the following new section 10.7:

“10.7 Metal or plastic bin - non-complying

No person shall use a metal or plastic bin that does not conform to the required by-law standards.”

42. Section 10.8 is deleted and replaced with the following new section 10.8:

10.8 Metal or plastic bin - private - failure to maintain

No person shall fail to maintain a privately owned metal or plastic bin in accordance with regulations of this by-law.

43. Section 10.12 is deleted and replaced with the following new section 10.12:

10.12 Green Bin materials and Recyclable material - no removal except by collector

No person, other than the collector, shall remove Green Bin material or recyclable material that has been placed in or beside a recyclable material collection receptacle, after such materials have been placed at the edge of the roadway or at a collection point for collection by the collector.

44. Section 10.13 is deleted and replaced with the following new section 10.13:

Despite section 6.12, an occupant of the premise where the Green Bin material or recyclable material originated may retrieve recyclable material that they have set out for collection, prior to its collection by the collector.

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

Passed in Open Council on January 23, 2024.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – January 23, 2024
Second Reading – January 23, 2024
Third Reading – January 23, 2024

APPENDIX B

Executive Summary from the Civic Works Committee Report Green Bin Collection Program Changes (August 15, 2023)

The full report can be found here: <https://pub-london.escribemeetings.com/filestream.ashx?DocumentId=101686>

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)

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?
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

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?
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

Collection Service and/or Items to Collect	Current	Proposed	Comment
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%.
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.

Report to Civic Works Committee

To: Chair and Members
Civic Works Committee

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

Subject: Contract Amendment: RFP 19-02 Recycling Collection
Garbage & Yard Waste Collection

Date: January 9, 2024

Recommendation

That, on the recommendation of the Deputy City Manager, Environment & Infrastructure, the following actions **BE TAKEN**:

- a) Approval **BE GIVEN** to exercise the contract amendment provisions of section 20.3e of the Procurement of Goods and Services Policy for RFP 19-02 Recycling Collection Garbage & Yard Waste Collection, for a cost exceeding the threshold limits outlined in section 20.3 (a) and (b);
- b) The proposed amended price to change the frequency of collection of curbside Blue Box Program materials for an additional total annual cost of approximately \$650,000 more than the original price submitted by Miller Waste Systems Inc., **BE ACCEPTED**, it being noted that these additional costs are in the City's best interest in order to align the terms and conditions of the agreement that the City has with Circular Materials Ontario, the Producer Responsibility Organization that is paying the majority of Blue Box Program costs during the transition period (July 1, 2023 to December 31, 2025);
- c) Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this contract amendment; 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

Ontario's Blue Box program is transitioning to producer responsibility over the period of July 1, 2023, to December 31, 2025 (transition period). London is in the first wave of municipalities to transition its existing Blue Box program which occurred July 1, 2023. Circular Materials Ontario (CMO), a Producer Responsibility Organization (PRO), has contracted the City of London to continue to provide Blue Box recycling collection services through the transition period with Miller Waste systems Inc. (Miller Waste) acting as a sub-contractor to the City of London.

The result of CMO's agreement with the City between July 1, 2023 and December 31, 2025 coupled with the implementation of the Green Bin program and a change in collection frequency has modified the original contract with Miller Waste in the following areas:

1. More recycling pickups (change in frequency of collection)
2. Additional requirements from CMO as part of Blue Box transition
3. Unforeseen markets conditions that have occurred since 2019 and CMO has agreed to address

The proposed contract amendment price is approximately \$650,000 more per year than the original price submitted by Miller Waste (pre Blue Box transition) based on the number of stops currently being served and the inflation adjusted (September 2023) original unit rates provided at time of submission. The majority of additional costs will be

recovered through the City's agreement with CMO. There is no additional funding being requested for the Blue Box program. Remaining costs are covered in the base budget of the proposed 2024 - 2027 Multi-Year Budget for the years 2024 and 2025.

This report recommends amending the general operating details of the existing contract the City has with Miller Waste (RFP 19-02) to align with the agreement the City has with CMO to provide Blue Box recycling collection services through the transition period.

In addition, this report recommends amending the unit rate price provided in Miller Waste's submission to RFP 19-02 to change the frequency of curbside Blue Box collection services when the Green Bin Program is implemented in accordance with Section 20.3 (a) and (b) of the Procurement of Goods and Services Policy.

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.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

Relevant reports can be found at www.london.ca under Council and Committees meetings include:

- Updates: Blue Box Transition (April 24, 2023 meeting of Civic Works Committee (CWC), Item #2.1)
- Updates: Blue Box Transition and Next Steps (January 10, 2023 meeting of CWC, Item #2.2)
- Updates: Blue Box Transition and Next Steps (June 21, 2022 meeting of CWC, Item #2.4)
- Award of Contract (Request for Proposals 19-02) – Recycling Collection (City-Wide) and Garbage and Yard Waste Collection in a Portion of London (August 12, 2019 meeting of CWC, Item #2.4)

1.2 Background

The *Resource Recovery and Circular Economy Act, 2016* and the *Waste Diversion Transition Act, 2016*, authorize the transition of the financial and operational responsibility for managing designated packaging, paper and packaging-like products from municipalities to the producers of such products and packaging. This transition changes the existing shared responsibility model for the Blue Box Program into a producer-led responsibility model, often referred to as 'full' or 'extended producer responsibility'.

On June 3, 2021, the Province of Ontario adopted Ontario Regulation 391/21: Blue Box, which stipulated the transition timeline and schedule, designated materials, eligible and non-eligible sources, management targets, and detailed the transition of the Blue Box Program to producers. Subsequently, this Regulation was amended with Ontario Regulation 349/22: Blue Box on April 14, 2022.

As a municipality transitions its Blue Box Program, most of the financial and operational responsibility for the end-of-life management of their eligible paper, packaging, and packaging-like materials (e.g., aluminum foil, paper bag, beverage cup, etc.,) designated materials will transition to producers.

The City of London and many neighbouring municipalities transitioned on July 1, 2023. During the transition phase, approximately 30 to 35 per cent of Ontario municipalities will transition in each of the three transition years.

CMO is the PRO responsible for establishing the common collection system for Ontario (e.g., sets the rules and requirements for implementing the common collection system including the choices of how municipalities may or may not be involved, how recyclable materials will be to be handled, and where they are to be processed before being sent to end markets).

1.3 Summary of Current Municipal Council Direction & Contract Arrangements

In April 2023, Municipal Council delegated authority to the Deputy City Manager, Environment and Infrastructure or designate, to negotiate, approve and execute agreements with CMO for the City to provide Blue Box collection services through the Blue Box program transition period. Other specific arrangements were made with Miller Waste and CMO for receiving and operating the City-owned MRF.

The contract with CMO has been executed. The execution of the contract included Miller Waste carrying on as the collection contractor and using the City's existing contract with Miller Waste as the foundation. The City currently has a contract (RFP 19-02) with Miller Waste to provide collection of Blue Box materials city-wide as well as provide garbage and yard waste collection in areas that are not collected by City staff.

2.0 Discussion and Considerations

2.1 Discussion

The general operating details of the existing contract with Miller Waste need to be amended so it is aligned with the agreement the City entered with CMO. In addition, the unit rate provided by Miller Waste in their response to RFP 19-02 to change the frequency of curbside Blue Box collection requires adjustment because of unforeseen market conditions at the time of submission. This was also approved by CMO.

The required general operating details amendments include but are not limited to:

- Contamination rate (non-program materials/non-recyclable materials) reduced from 7% by weight to 4% by weight;
- Assisting with the implementation of additional programs to reduce contamination;
- Additional data management and change order submission processes;
- Handling and managing ineligible stops as part of the CMO-defined collection system;
- Preparation in 2025 to add additional, regulated materials to the Blue Box program; and
- Preparation and submission of an annual fuel emissions report.

Unforeseen market conditions include:

- Increased costs for collection vehicle parts, repairs and maintenance;
- Increased cost to procure additional collection vehicles for increased collection frequency;
- General supply chain issues and cost increases for collection related items;
- Increased health and safety and training costs because of employee turnover; and
- Employee retention incentives because of shortage of collection vehicle operators.

2.2 Procurement Process

RFP19-02 was conducted in 2019 and awarded to Miller Waste with a contract start date of August 31, 2020. The awarded contract was for a period of four (4) years with four (4) additional one (1) year options. The City is currently within the original four (4) year contract period.

The proposed contract amendment price is approximately \$650,000 more per year than the original price submitted by Miller Waste (pre Blue Box transition) based on the number of stops currently being provided service and the inflation adjusted (September 2023) original unit rates provided at time of submission in 2019.

The majority of additional costs will be recovered through the City's agreement with CMO. There is no additional funding being requested for the Blue Box program.

This report recommends amending the general operating details of the existing contract the City has with Miller Waste (RFP 19-02) to align with the agreement the City has with CMO to provide Blue Box recycling collection services through the transition period.

In addition, this report recommends amending the unit rate price provided in Miller Waste's submission to RFP 19-02 to change the frequency of curbside Blue Box collection services when the Green Bin Program is implemented in accordance with Section 20.3 (a) and (b) of the Procurement of Goods and Services Policy where:

- a. No amendment to a contract shall be made unless the amendment is in the best interest of the City.
- b. No amendment that changes the price of a contract shall be agreed to without a corresponding change in requirement or scope of work.

2.3 Future Report to Civic Works Committee

The Provincial Government has been undertaking a number of consultations with industry and most recently with municipalities in regards to extended producer responsibility legislation as part The *Resource Recovery and Circular Economy Act, 2016*.

There is the potential for additional changes in 2024 that may impact municipalities. City staff are involved in these discussions. Financial impacts are possible and will be subject of a future report that addresses the Blue Box program and related recycling matters and the status of Blue Box program funding as part of transition. This report will also help inform the mid-year Budget Monitoring report.

3.0 Financial Impact/Considerations

Most of the estimated additional amended annual contract cost proposed by Miller Waste will be recovered by the City's agreement with CMO. Any remaining costs have been accommodated in the base budget of proposed 2024 - 2027 Multi-Year Budget for the years 2024 and 2025. It is currently envisioned that recycling responsibility will further transition in 2026 and 2027 when the transition period ends.

Blue Box transition has created a level of uncertainty on Blue Box Program costs as the transition is relatively new (six months old). More certainty will be created in the first six months of 2024 and further details will be provided in the six month Budget Monitoring report.

Conclusion

Proceeding with the proposed contract amendment will align the requirements of the agreements that the City has with Miller Waste and CMO for the Blue Box Program transition period and minimize contract administration complications. The majority of additional costs will be recovered through the City's agreement with CMO. Remaining costs are covered in the base budget of the proposed 2024 - 2027 Multi-Year Budget for the years 2024 and 2025.

Prepared by: **Mike Losee, B.Sc.**
Division Manager, Waste Management

**Prepared &
Submitted by:** **Jay Stanford, M.A., M.P.A.**
**Director, Climate Change, Environment & Waste
Management**

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

c: Ian Collins, Director, Financial Services
Steve Mollon, Senior Manager of Purchasing and Supply

Environmental Stewardship and Action Community Advisory Committee Report

The 1st Meeting of the Environmental Stewardship and Action Community Advisory
Committee
December 6, 2023

Attendance B. Samuels (Chair), B. Amendola, R. Duvernoy, I. ElGhamrawy,
A. Ford, M. Griffith, A. Hames, M.A. Hodge, A. Pert and N.
Serour and H. Lysynski (Committee Clerk)

ABSENT: C. Hunsberger, C. Mettler and , L. Vuong

ALSO PRESENT: M. Clark, A. Curtis, P. Masse, B. Page, A.
Patel, P. Kavcic, A. Riley, S. Rowland, E. Skalski, B. Somers and
J. Stanford

The meeting was called to order at 4:32 PM; it being noted that
the meeting was held virtually.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Scheduled Items

2.1 Draft Secondary Plan for the Byron Gravel Pits

That it BE NOTED that the Environmental Stewardship and Action
Community Advisory Committee heard a verbal presentation from A.
Curtis, Planner, with respect to the Secondary Plan for the Byron Gravel
Pits.

3. Consent

3.1 11th Report of the Environmental Stewardship and Action Community
Advisory Committee

That it BE NOTED that the 11th Report of the Environmental Stewardship
and Action Community Advisory Committee, from its meeting held on
November 1, 2023, was received.

3.2 Municipal Council Resolution – 11th Report of the Environmental
Stewardship and Action Community Advisory Committee

That it BE NOTED that the Municipal Council resolution adopted at its
meeting held on November 7, 2023, with respect to the 11th Report of the
Environmental Stewardship and Action Community Advisory Committee,
was received.

3.3 Resignation of A. Whittingham

That it BE NOTED that the resignation of A. Whittingham was received
with regret.

4. Sub-Committees and Working Groups

4.1 Yard and Lot Maintenance By-law Recommendations for Education

That the Environmental Stewardship and Action Community Advisory Committee (ESACAC) recommendations, as appended to the ESACAC Added Agenda, relating to the Yard and Lot Maintenance By-law BE FORWARDED to the Civic Administration for consideration.

5. Items for Discussion

5.1 Notice of Planning Application – 3810-3814 Colonel Talbot Road

That it BE NOTED that the Notice of Planning Application and Notice of Public Meeting dated November 24, 2023, relating to the property located at 3810-3814 Colonel Talbot Road, was received.

5.2 Spongy Moth

That it BE NOTED that the Environmental Stewardship and Action Community Advisory Committee heard a verbal presentation from S. Rowland, Acting Manager, Urban Forestry, and held a general discussion with respect to spongy moth.

6. Adjournment

The meeting adjourned at 5:44 PM.

Environmental Stewardship and Action Community Advisory Committee Report

The 2nd Meeting of the Environmental Stewardship and Action Community Advisory
Committee
January 3, 2024

Attendance B. Samuels (Chair), I. ElGhamrawy, A. Ford, M. Griffith, A.
Hames, M.A. Hodge, C. Hunsberger, A. Pert, N. Serour and L.
Vuong and H. Lysynski (Committee Clerk)

ABSENT: B. Amendola, R. Duvernoy and C. Mettler

ALSO PRESENT: Councillor J. Pribil; B. Somers and J. Stanford

The meeting was called to order at 4:34 PM; it being noted that I.
ElGhamrawy, A. Ford, M. Griffith, A. Hames, C. Hunsberger, A.
Pert, N. Serour and L. Vuong were in remote attendance.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

1.2 Election of Chair and Vice Chair

That, the following actions be taken with respect to the election of Chair
and Vice Chair for the term ending November 30, 2024:

- a) B. Samuels BE ELECTED as Chair; and,
- b) the position of Vice Chair BE DEFERRED until the membership
vacancies have been filled.

2. Scheduled Items

None.

3. Consent

3.1 The 1st Report of the Environmental Stewardship and Action Community Advisory Committee

That it BE NOTED that the 1st Report of the Environmental Stewardship
and Action Community Advisory Committee, from its meeting held on
December 6, 2023, was received.

4. Sub-Committees and Working Groups

None.

5. Items for Discussion

5.1 Multi-Year Budget Discussion

That, the following actions be taken with respect to the Climate Action
Change Sub-Committee recommendations with respect to the Multi-Year
Budget Discussion:

a) the attached, revised, draft Climate Action Sub-Committee recommendations BE FORWARDED to the Municipal Council Budget discussions for consideration; and,

b) it BE NOTED that the Environmental Stewardship and Action Community Advisory Committee held a discussion with respect to these matters.

6. Adjournment

The meeting adjourned at 5:58 PM.

Multi-Year Budget Recommendations

prepared by the City of London Environmental Stewardship and Action Community Advisory Committee (ESACAC)

January 3rd, 2024

ESACAC recommends that business case #P-56 Climate Emergency Action Plan (CEAP) Implementation Support should be funded in full.

The Environmental Stewardship and Action Community Advisory Committee (ESACAC) is pleased to advise Council on the 2024-2027 Multi-Year Budget (MYB) as it relates to our committee's mandate, which includes:

- remedial planning toward the clean-up of contaminated areas;
- waste reduction, reuse and recycling programs;
- water and energy conservation measures;
- climate change mitigation;
- the development and monitoring of London's Urban Forest Strategy;
- Climate Emergency Action Plan and other related policies and strategies;
- the maximization of the retention of trees and natural areas;
- and other aspects of environmental concerns as may be suggested by the Municipal Council, its other Committees, or the Civic Administration.

This report contains four sections:

1. Rationale for fully supporting business case P-56
2. Breakdown of support for components of P-56
3. Support for other business cases
4. Overall feedback on the Multi-Year Budget

ESACAC prepared this report based on its review of information that was included in the draft budget. Due to the short period between when the draft budget was released on December 12 and when our committee was able to submit a report (in time for it to be received by Council) we were unable to convene with staff to discuss the budget. Some of our questions and comments reflect gaps in our knowledge left from reading the business case descriptions and trying to contextualize them with other plans, such as the Mobility Master Plan and the Climate Emergency Action Plan. As an advisory committee, our awareness of the City's operations and internal processes is limited. Nonetheless, we are sharing feedback with Council so that our questions and comments may be addressed in its upcoming budget discussions, and priorities we outline below to the best of our ability will ultimately be supported.

1. Rationale for fully supporting business case P-56: When Council declared that climate change represents an emergency two years ago, it committed to implement a Climate Emergency Action Plan. The successes of this Plan, and the returns on investment it will provide for the City, are linked to this budget funding the Plan's initial implementation. **If there's one message for Council to take from our MYB submission, it's that the medium to long-term costs of "doing nothing" (i.e., not funding climate change mitigation and adaptation at the scale recommended by current science) are far higher and will pose major risks to the City's finances indefinitely.**

Why is funding the Climate Emergency Action Plan important? Primarily, it is vital to protecting Londoners. The Plan is necessary to ensure the City can continue to fulfill its strategic objectives and deliver acceptable levels of service into the future. Our climate is changing quickly and severely as the planet accelerates to soon exceed 1.5° of warming, and we may be on our way to 2° of warming by the 2040s. Every additional fraction of a degree of warming magnifies cascading effects in the environment, turning up the dial on risk of extreme heat, wildfires and flooding. London has a long way to go to ensure we stop actively worsening warming through unnecessary combustion of fossil fuels, and transition to cleaner, less costly alternatives. This is where the Climate Emergency Action Plan focuses on *mitigation*.

The effects of climate change are already causing harm in London and are expected to become more severe in the coming years. This is where the Climate Emergency Action Plan emphasizes *adaptation*. If existing and new vulnerabilities are left unchecked, the cumulative economic, social and environmental costs to the City would be

devastating. The ongoing sudden departure from previously-stable conditions is affecting all life on the planet, including London’s Natural Heritage System, which is already under intense stress. Meanwhile, the City is undergoing significant growth, putting strain on infrastructure and services that are vital to mitigation and our ability to adapt to our “new normal”. If the City does not plan its growth using a climate lens, factors that are causing climate change to worsen (namely, Greenhouse Gas Emissions associated with combustion of fossil fuels in buildings and vehicles) become further entrenched. Without urgent adaptation measures, over time the cumulative risks to the City will become more expensive and difficult to get under control. According to the [IPCC Summary for Policymakers](#), “Adaptation and mitigation are already occurring. Future climate-related risks would be reduced by the upscaling and acceleration of far-reaching, multilevel and cross-sectoral climate mitigation and by both incremental and transformational adaptation.”

To get a sense of the severity of these risks, we encourage Council to review the [Ontario Provincial Climate Change Impact Assessment report](#) published in 2023. The following summary table of current and future risks was adapted from the Executive Summary (page 20). By 2050 (in 26 years, or 6 terms of Council) Southwest Ontario is likely to face “High” to “Very High” risk in most indices, notably including “Very High” risk to the population.

Risk Table Legend		
Risk	Most at Risk Regions Abbreviations ¹	
Low	FN	Far North
Medium	NE	Northeast
High	NW	Northwest
Very High	E	Eastern
	C	Central
	SW	Southwest

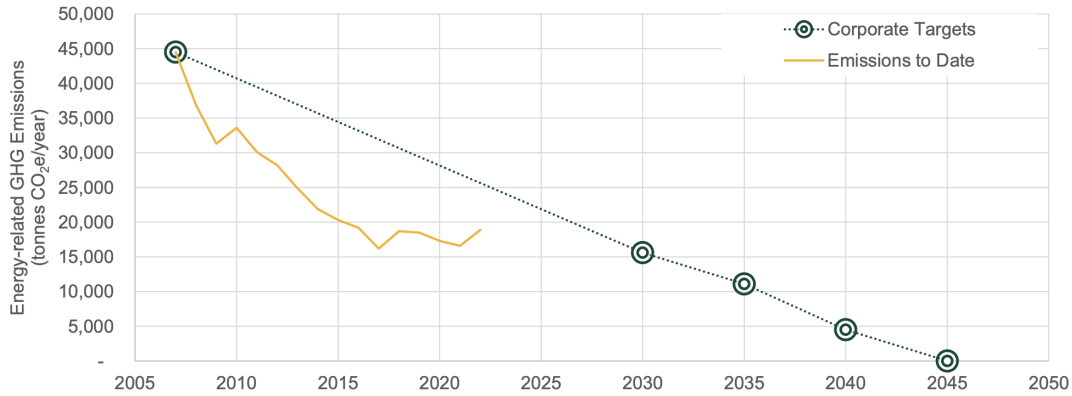
Business and Economy Area of Focus				
Level 1 Categories	Risk			Most at Risk Regions
	Current	2050s	2080s	
Accommodation and Food Services	Yellow	Yellow	Yellow	All
Arts, Entertainment and Recreation	Yellow	Yellow	Yellow	C
Construction	Green	Green	Yellow	C, E, SW, NE, NW
Financial and Insurance	Yellow	Yellow	Yellow	All
Forestry, Fishing and Hunting Economies	Yellow	Yellow	Yellow	All
Information and Cultural Industries	Green	Green	Yellow	All
Manufacturing	Green	Green	Yellow	All
Mining, Quarrying and Oil/Gas Extraction	Yellow	Yellow	Yellow	All
Retail Trade	Green	Green	Yellow	C, E, SW, NE, NW
Transportation Economy	Yellow	Yellow	Yellow	C, E, SW, NE, NW
Utility Services	Yellow	Yellow	Yellow	FN

Food and Agriculture Area of Focus				
Level 1 Categories	Risk			Most at Risk Regions
	Current	2050s	2080s	
Field Crops	Yellow	Yellow	Red	C, E, SW
Fruits and Vegetables	Yellow	Yellow	Red	C, E, SW
Livestock	Yellow	Yellow	Yellow	C, E, SW
Infrastructure Area of Focus				
Level 1 Categories	Risk			Most at Risk Regions
	Current	2050s	2080s	
Buildings	Yellow	Yellow	Yellow	SW, FN
Pipeline Transportation	Yellow	Yellow	Yellow	All
Stormwater Management	Yellow	Yellow	Yellow	All
Transportation	Yellow	Yellow	Yellow	C, E, SW, NE, NW
Utilities	Yellow	Yellow	Yellow	All
Waste Management	Yellow	Yellow	Yellow	C, E, SW, NE, NW
Natural Environment Area of Focus				
Level 1 Categories	Risk			Most at Risk Regions
	Current	2050s	2080s	
Fauna	Yellow	Red	Red	C, SW
Flora	Yellow	Yellow	Red	SW
Aquatic Ecosystems	Yellow	Yellow	Red	C, NE, NW, FN
Terrestrial Ecosystems	Yellow	Yellow	Yellow	All
Regulating Services	Yellow	Red	Red	C, NE, FN
Provisioning Services	Yellow	Yellow	Red	C, SW, E
Ecosystem Cultural Services	Yellow	Yellow	Red	NE, NW
People and Communities Area of Focus				
Level 1 Categories	Risk			Most at Risk Regions
	Current	2050s	2080s	
Population	Yellow	Red	Red	C, E, SW
Health Care	Yellow	Yellow	Red	SW
Social Assistance and Public Admin	Yellow	Yellow	Red	E
Indigenous Communities	Yellow	Yellow	Red	All

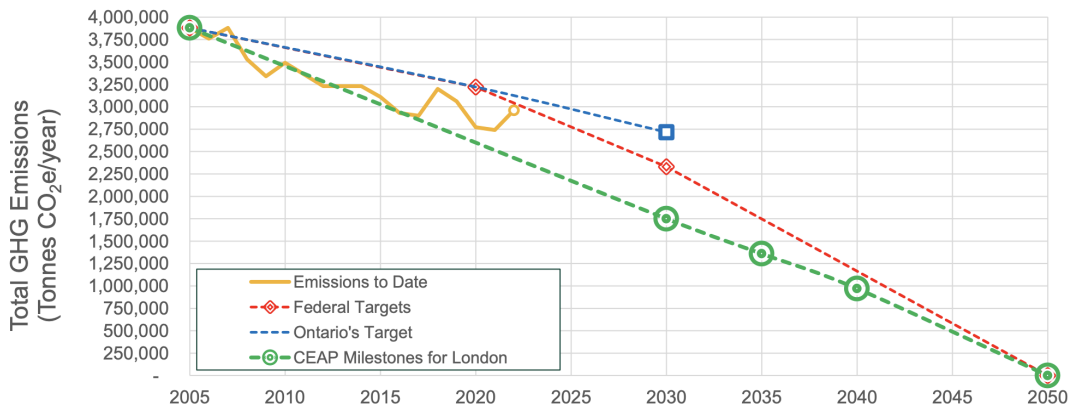
ESACAC anticipates the actions outlined in the CEAP work plans will produce major savings for the City and residents over time, by providing resilience to imminent and potentially catastrophic disruptions at local, regional, provincial, national and global scales. In the medium to long term, the value of these measures will far exceed the current cost of supporting the Plan’s implementation. If Council does not fund CEAP implementation, which encompasses loss-prevention measures, adaptation, capacity building and long-term planning, ESACAC believes the City would sacrifice necessary preparedness and expose itself to greater climate risks likely to impact future budgets.

According to the 2022 Climate Emergency Action Plan Progress Report, the City’s corporate emissions are closer than community emissions to being on-track to meet reduction targets. Therefore, in the next section ESACAC provides recommendations of specific budget items within CEAP that we believe will be most effective at bringing reductions in community emissions into alignment with CEAP objectives.

Corporate GHG Emissions



Community GHG Emissions



2. Breakdown of support for components of P-56: If Council declines to support CEAP in its entirety, ESACAC recommends that the following components of the business case for CEAP highlighted in **Blue** be considered High Priority for inclusion in the Budget. The following table was adapted from pages 679 - 681 of the MYB:

#	Initiative	Total	ESACAC comments
1	Community and Business Support Investment		
1. a)	Home Energy Retrofit Financing Program to leverage funding from the Federation of Canadian Municipalities (FCM) Community Efficiency Financing (CEF) program to support the rollout of a residential building energy retrofit pilot project in 2024/2025 and staff resource to administer the program	\$1,924	ESACAC supports the City's involvement in financing of residential retrofits, and recognizes that in order to meet CEAP emissions reduction targets, Londoners will need to do a lot more than can be covered by small-scale pilot programs focussing on a small percentage of buildings. Selecting buildings strategically to receive retrofitting support can expand the return on investment for the City. ESACAC recommends that if this program is funded, priority access must be given to low-income households, since middle class/wealthier households with good credit can secure financing on their own. Selecting residences that are willing to participate in case study profiles about their retrofit projects could have great educational and demonstrative value for future program advertisements. The federal government had a Greener Homes program that is expected to end in 2024. We heard that a new program may take its place in March, but details are unknown. Has the City evaluated all potential
1. a)	Home Energy Retrofit Financing Program to leverage funding from the Federation of Canadian Municipalities (FCM) Community Efficiency Financing (CEF) program to enable low-interest loans to program participants (tax supported reserve fund contribution to a new climate reserve fund). FCM funding, if an application is approved, could add \$3.0 million to this program and provide \$1.5 million in grant funding to help administer the program.	\$1,500	

			alternative external funding sources for residential retrofits? Can the total in this budget be adjusted without jeopardizing FCM funding?
1. b)	Proactive Communications (Education and Awareness) to enable a wide range of communication techniques to meet the needs of a diverse population.	\$435	A targeted communications strategy should identify and focus on reaching households most likely to benefit from energy retrofits by using available data from utility providers such as London Hydro. Current CEAP communication tools are likely reaching a small proportion of Londoners, and are only accessible to residents fluent in English. As the City grows, low-income households are disproportionately likely to be affected by climate change impacts. Reaching historically-excluded groups will require differentiated approaches to communications for which the City will need to develop capacity.
1. b)	Proactive Communications (Education and Awareness) to invest in new tools that enable a wide range of communication techniques to meet the needs of a diverse population	\$200	
1. c)	Growth of the Transportation Management Association (TMA) - Smart Commute London - Additional investment is required to help grow programs and opportunities to reduce reliance on single occupant vehicle trips, build stronger connections with business parks and emerging employment opportunities outside of London	\$230	This business case is unclear - it does not provide any information on the success of this program, so why spend more money? What is the money for? How are large employers being engaged in participating in recouping costs associated with the TMA? This program appears brand new and yet this investment seems geared towards “growth into more areas of London” – is this premature?
1. c)	Growth of the Transportation Management Association (TMA)- Smart Commute London - to increase bike racks, signage and other commuting amenities	\$40	
2	Community-Led Action Investment		
2. a)	Expansion of London Community Grants Program (with a focus on climate actions and resiliency).	\$1,700	Currently many of London’s environmental nonprofits carrying out CEAP-related work in partnerships with the City depend on multi-year funding for their core operations. Much of the progress to date implementing community-facing parts of CEAP stems from these partnerships. Expansion could help additional organizations to get their footing and grow capacity required to implement CEAP priorities. Is there a way to stretch these funds by introducing a matching program with corporate or other sponsors? ESACAC notes that many recent Neighbourhood Decision Making proposals fall under the City’s climate actions/resiliency objectives, yet they are put in competition with other neighbourhood improvement ideas. Maybe there are synergies to be found between these two programs.
2. b)	Expansion of the Community Connectors Resource Group and Community Liaisons (focus on climate change).	\$950	The City already has community connectors who attend all the festivals, community events etc. ESACAC wonders how this item would actually increase engagement, given connectors and liaisons already provide widespread coverage. A compromise could involve staff intentionally sending out existing resource members to more diverse community events.
2. c)	Creation of a new Neighbourhood Climate Action Champions Program.	\$400	This program description is not well-defined and seems to replicate existing and historic initiatives in the City that have found little success. Few neighbourhoods have existing associations and most are operating at capacity already. We are skeptical that a program like this can be sustained on a basis of volunteerism.
3	Corporate Investment		

3. a)	Accelerate Use of Climate Lens Framework - staff resource and technical funding.	\$450	This is of high priority because the City currently lacks necessary capacity to monitor, assess and manage climate-related risks associated with investments and plans, which constrains evidence-based decision making. For example, the City requires additional technical expertise to develop carbon budgeting/accounting needed for comparing the actual costs of proposals. Parts of the Climate Lens exist but are not applied - why? The Climate Emergency Screening Tool (CEST) was already supposed to be used across all departments and is currently not visibly implemented anywhere. Progress on CEST was described in a report to SPPC in February 2022 (p. 9) <i>“include a standard section in all Standing Committee reports that addresses the Climate Emergency Declaration and, where appropriate, apply the Climate Screening Process (previously called the Climate Emergency Screening Tool – CEET) to the issues that are addressed in each report. This last action is expected to be implemented in the second quarter of 2022.”</i> Next steps for implementing CEST were not mentioned in the 2022 CEAP progress report.
3. a)	Accelerate Use of Climate Lens Framework - technical funding for lifecycle assessment software and investment in collaborative climate lens consulting work with other municipalities	\$300	
3. b)	Climate Change Investment (CCI) Fund (tax supported reserve fund contribution to a new climate reserve fund)	\$16,000	ESACAC supports this in principle and sees potential for strong return on investment and linkages to other CEAP programs, but is unclear how much \$ is required, and what exactly the funding will be used for. Justification for this amount is unclear. If CCI funding is being put towards essential climate change mitigation and adaptation measures, it should be adopted.
3. c)	Facilities energy efficiency and resiliency measures for lifecycle renewal of existing City buildings and development of Net Zero Plan.	\$1,540	The City must lead by example by focussing on adapting its facilities and leading sources of GHG emissions. However, the \$12M seems high - does this include construction of a new City Hall? How is federal and provincial funding being leveraged to facilitate these upgrades? Would potentially be helpful if this funding could be used in conjunction with CCI Funds to incentivize private firms to incorporate energy efficiency in construction or install solar. Partnerships with local vendors could help to showcase solutions. As the City implements climate solutions, it can encourage greater public awareness and participation by communicating and celebrating its successes more.
3. c)	Facilities energy efficiency and resiliency measures for lifecycle renewal of existing City buildings and development of Net Zero Plan (capital investments).	\$12,627	
3. d) i)	Fleet transition to zero emission and clean energy technologies: Implement fuel conservation program through the installation of Telematics on all City vehicles.	\$1,232	“Municipal building and fleet vehicles have the largest share of corporate energy-related emissions” (p. 41 of the 2022 CEAP progress report). These upgrades are necessary to achieve the City’s corporate targets for reducing emissions. At some point, EV costs will decline as demand and supply increase. For fleet vehicles that are used exclusively for short trips, consider using PHEV (plug-in hybrid electric vehicle) as a lower-cost transition instead of full electric.
3. d) ii)	Fleet transition to zero emission and clean energy technologies: Low-Carbon Fuel Switching - Renewable Natural Gas (RNG) delivery for Waste Management trucks.	\$317	
3. d) ii)	Fleet transition to zero emission and clean energy technologies: Power and infrastructure changes for mobile delivery of RNG at EROC	\$500	
3. d) iii)	Fleet transition to zero emission and clean energy technologies: Mechanic training, special tools and test equipment to support electrification.	\$292	
3. d) iii)	Fleet transition to zero emission and clean	\$1334	How can the City find operational efficiencies to reduce the total number of vehicles required? How is the total

	energy technologies: Procurement of electric vehicles and equipment.		size and composition of the fleet justified? Unclear how telematics data will be used towards reductions in the overall size of the fleet and transitioning from unnecessary use of large trucks. ESACAC recommends that smaller vehicles should be used for operations purposes wherever possible.
3. d) iii	Electric vehicle and equipment charging infrastructure.	\$4000	ESACAC supports the creation of more charging infrastructure, but is unclear about the intended uses of infrastructure captured in this business case. Is it exclusively for supporting the City's fleet? Is it for use by City employees? We would like to see charging stations at civic facilities including libraries, municipal parking lots, etc. Costs of this infrastructure are coming down, and may be cheaper in future budgets. Are provincial and federal incentives used? (e.g., EV ChargeON program)
3. e) i	Climate-related financial disclosures in the City's annual financial statement reporting-staff resource and consulting to support additional regulatory requirements	\$482	Such disclosures are likely to become regulatory requirements in the near future; this is not really optional. More info
3. e) ii	Review and implement a corporate ESG strategy to guide financial decision-making, enhanced ESG reporting and a carbon accounting/budgeting process.	\$560	Carbon budgeting is a vital component of the climate lens that the City is currently lacking. An upper limit on the amount of carbon that can be "spent" without exceeding CEAP targets, and accounting for the carbon associated with project proposals, are necessary for Council to make decisions that support sustainable growth and not just "business as usual".

3. Support for other business cases: ESACAC recommends the following business cases be prioritized for inclusion in the 2024-2027 Multi-Year Budget.

BC #	Name	Average Tax Levy Impact (%)	2024 to 2027 Total (\$)	ESACAC comments
P-51	LTC - Transit Service Hours Growth	0.47	16,052,000	Minimum levels of transit service need to increase for non-vehicular transportation to be viable in many parts of the city, particularly along busy transit corridors and in new developments where service is absent. Reducing dependence on personal vehicles, by removing barriers for residents to adopt alternatives, is a priority for climate change mitigation.
P-31	Parks Operations Service Delivery Enhancements	0.07	2,332,000	Core park maintenance services need to improve to keep up with increased use and demands of parks. For example, garbage collection service in parks is currently insufficient and results in complaints, trash spills and potential biohazards.
P-61	Ecological Master Planning Funding	0.01	170,000	ESACAC supports fully funding the CMPs, post-development EIS monitoring, and the scheduled reviews of the Environmental Management Guidelines.
P-62	Environmentally Significant Areas Management	0.01	296,000	ESACAC supports this business case recognizing increasing use and strain on the City's ESAs since the pandemic and the need for capacity improvement. Council cut the budget in 2014, which reduced staffing by 1 FTE. Meanwhile the amount of land to be managed has increased.
P-26	Community Gardens Program	0.01	195,000	The existing program is at capacity and cannot meet growing demand. More Londoners are facing food insecurity and as

	Expansion to Support Food Security			density increases, communal areas for urban agriculture are becoming more important. Facilitating agriculture in the City to feed more people reduces pressure on other programs and services.
P-32	Naturalization of Boulevards and Reduced Roadside Cutting	0.00	151,000	ESACAC supports this business case, recognizing the cost savings it would provide in the medium to long term, as well as ecological and social benefits. However, we also encourage the City to be proactive about developing and implementing landscaping standards for boulevard gardens that will maximize biodiversity benefits and limit risks. The business case says the following: <i>“Rather than letting grassed boulevards overgrow in their existing state, targeted roadsides would be re-established with plantings of meadow grasses, wildflowers, shrubs, trees and other landscape features.”</i> ESACAC recommends that the City should require strategic planting of approved NATIVE/INDIGENOUS plant species that are well adapted to roadside settings (e.g., tolerant of salinity, limited height) to improve prospects of plantings’ survival, and to prioritize areas lacking vegetative cover that are susceptible to heat island effects. Where possible, direct community involvement in boulevard naturalization projects should be encouraged. Partnerships with community organizations could help with sourcing native plants and seeds and long-term stewardship. Public information signs will likely be helpful to reduce complaints. ESACAC can assist to develop this approach.

4. Overall feedback on the Multi-Year Budget:

ESACAC recognizes that unfortunately, financial constraints on this budget will require Council to make difficult sacrifices as not every business case can be supported. During our review, we considered alternative ways that the actions outlined in business cases could receive support. Below we provide three pieces of feedback based on our observations.

- a) **We found that many of the business case descriptions lack details about applicable external funding.** ESACAC is concerned that the City is falling short of unlocking all available external funding sources and partnerships to cover climate change expenditures. Existing and new programs from the provincial and federal governments, sustainable finance tools, foundation grants and partnerships with neighbouring municipalities, local community groups and industry could help to alleviate budgetary pressures associated with climate change mitigation and adaptation investments. How does the City prioritize which opportunities to go after? We suspect that some value is being missed, and given limited financial resources available through the tax base, the City could benefit from increasing capacity to develop partnerships and ultimately secure greater external funding.

We are unsure how the City delegates responsibility for finding, applying to and reporting on external funding sources in general. We were unable to identify any business cases that, if supported, would directly improve capacity to access external funding. Other municipalities employ staff whose roles are specialized for securing funding. Institutions like Western University employ dedicated staff in Research Offices who are responsible for fundraising (for example, the research office at the Schulich School of Medicine and Dentistry brings in over \$100 M annually). How can the City be more aggressive in finding complementary sources of funding to support current and emerging demands of the budget?

We recognize the City does have a successful track record at securing external funding, but we are unable to access consolidated information about this. It may be beneficial for transparency to standardize how information about external funding opportunities, awarded funds and program eligibility is shared between divisions of the City and with Council. For example, in future budget preparations, a table could be used to provide details about applicable external funding for individual business cases.

ESACAC proposes the City consider three potential avenues to improve access to external funding:

1. Finance staff could implement a new process to keep track of work completed to date on securing external funding for climate action priorities City-wide. This information could be periodically compiled into a living document to be made available to the public.
 2. The City could contract partners with existing grant writing capacity for a share of the value of the award. For example, UTRCA, Western University and LEN have had great success with securing funding for projects related to climate change adaptation. However, grant writing activities by smaller non-profit organizations can pose a major drain on their resources with unpredictable returns.
 3. The City could expand the existing role of Government Affairs to include monitoring of external opportunities as well as coordinating submissions across divisions to climate change funding programs offered by other levels of government.
- b) **We suspect that pressure on the budget from some of the more expensive business cases could be exacerbated by inefficiencies and structural issues that are deserving of further study.** As service demands are increasing, it is important that additional investments are effective in terms of actually increasing capacity to keep pace. In particular, ESACAC is concerned about the apparent lack of feedback between LTC service expansion and developments occurring outside the existing service area. Without a mechanism to factor long-term transportation services and infrastructure into planning processes for new subdivisions, the City will continue facing growing costs and more Londoners will end up making trips in single-occupancy vehicles. ESACAC recommends that the City uphold its continuous improvement model and, through strategic audits focussing on the largest budget requests, examine sources of operational inefficiencies within and between the City's divisions and commissions, as well as internal structural factors and sources of friction contributing to elevated costs of service delivery.
- c) **The budget includes several items (TS 1348-1 to TS 1348-9) related to Wonderland Road widening projects that we are unsure about.** The bulk of the cost (\$100,460,000) is post-2027 for the Guy Lombardo bridge work that was outlined in the Wonderland Road EA before the project was suspended. Basically, there was not enough room once bike lanes were included for complete streets, and there would be negative impacts to the natural environment. ESACAC has 4 questions about these road expansion projects:
- 1) How are these projects being screened using the climate lens? Didn't Council already do this [back in 2021](#)?
 - 2) Why is this being included in the MYB before the Master Mobility Plan is finalized? (see below under *Current Status*)
 - 3) If the Mode Shift that Council approved for the Master Mobility Plan is 35%, are these widening projects still required? If not, could Council remove these funds from the budget and repurpose them?
 - 4) What do these projects do to the next Development Charge? If it is not in the next DC, where is the money going to come from for these projects?

The following quote is from the Wonderland Road EA:

“Current status

In September 2021, the Wonderland Road Environmental Assessment was suspended at the direction of London City Council after the City completed a screening of current major transportation projects in relation to climate change and the City's declaration of a Climate Emergency.

The role and function of Wonderland Road will be considered as part of London's Mobility Master Plan. This plan is currently being developed and it will determine how London prioritizes transportation and mobility infrastructure, programs and policies for the next 25 years. This plan will also include actions to address traffic congestion areas on Wonderland Road with a focus on transit, high occupancy vehicle use and active transportation.”

DEFERRED MATTERS

CIVIC WORKS COMMITTEE

as at December 12, 2023

File No.	Subject	Request Date	Requested/Expected Reply Date	Person Responsible	Status
1.	<p><u>Garbage and Recycling Collection and Next Steps</u> That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, with the support of the Director, Environment, Fleet and Solid Waste, the following actions be taken with respect to the garbage and recycling collection and next steps:</p> <p>ii) an Options Report for the introduction of a semi or fully automated garbage collection system including considerations for customers and operational impacts.</p>	January 10, 2017	Q2, 2024	K. Scherr J. Stanford	
2.	<p><u>Updates - 60% Waste Diversion Action Plan Including Green Bin Program</u> d) the Civic Administration BE DIRECTED to:</p> <p>i) continue to prioritize work activities and actions that also contribute to the work of the London Community Recovery Network; and,</p> <p>ii) submit a report to the Civic Works Committee by June 2021 that outlines advantages, disadvantages, and implementation scenarios for various waste reduction and reuse initiatives, including but not limited to, reducing the container limit, examining the use of clear bags for garbage, mandatory recycling by-laws, reward and incentive systems, and additional user fees.</p>	November 17, 2020	Q2, 2024	K. Scherr J. Stanford	