

Civic Works Committee

Report

13th Meeting of the Civic Works Committee
September 24, 2019

PRESENT: Councillors P. Squire (Chair), S. Lewis, S. Lehman, E. Pelozza
ABSENT: M. van Holst, Mayor E. Holder
ALSO PRESENT: Councillors J. Helmer, S. Turner; J. Bunn, M. Bushby, S. Chambers, M. Fontaine, D. MacRae, S. Maguire, S. Mathers, K. Oudekerk, M. Ridley, K. Scherr, S. Spring, J. Stanford, D. Turner, B. Westlake-Power

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

Moved by: S. Lewis
Seconded by: S. Lehman

That consideration of Item 2.4 BE DEFERRED to later in the meeting, following In Closed Session.

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and E. Pelozza

Absent: (2): M. van Holst, and E. Holder

Motion Passed (4 to 0)

Moved by: E. Pelozza
Seconded by: S. Lehman

That Items 2.1 to 2.3, 2.5 and 2.7 to 2.13, BE APPROVED.

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and E. Pelozza

Absent: (2): M. van Holst, and E. Holder

Motion Passed (4 to 0)

2.1 8th Report of the Transportation Advisory Committee

Moved by: E. Pelozza
Seconded by: S. Lehman

That the 8th Report of the Transportation Advisory Committee, from its meeting held on August 27, 2019, BE RECEIVED.

Motion Passed

2.2 Amendments to the Traffic and Parking By-law

Moved by: E. Pelozza
Seconded by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the proposed by-law, as appended to the staff report dated September 24, 2019, BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019, for the purpose of amending the Traffic and Parking By-law (PS-113). (2019-T08)

Motion Passed

- 2.3 Update on the Environmental Assessment for the Proposed Expansion of the W12A Landfill

Moved by: E. Pelosa
Seconded by: S. Lehman

That, on the recommendation of the Director, Environment, Fleet and Solid Waste, the staff report dated September 24, 2019, with respect to an update on the Environmental Assessment for the Proposed Expansion of the W12A Landfill, BE RECEIVED. (2019-E07A)

Motion Passed

- 2.5 Wastewater Treatment Operations Environmental Assessment – Master Plan Study Initiation

Moved by: E. Pelosa
Seconded by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the staff report, dated September 24, 2019, with respect to the initiation of the Wastewater Treatment Operations Environmental Assessment Master Plan Study, BE RECEIVED. (2019-E03)

Motion Passed

- 2.7 Award of Contract (RFP 19-29) – Sixteen (16) Tandem Axle Trucks with Dump Boxes and Plow Equipment

Moved by: E. Pelosa
Seconded by: S. Lehman

2.7 That, on the recommendation of the Managing Director, Environmental and Engineering Services & City Engineer, the following actions be taken with respect to the award of contract (RFP 19-29):

- a) the submission from Team Truck Centers Inc., 795 Wilton Grove Road London, Ont. N6N 1N7, BE ACCEPTED for the supply and delivery of sixteen (16) tandem axle dump trucks and plow equipment at a total purchase price of \$3,753,430 (\$234,589.38 per unit), excluding HST;
- b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this purchase;
- c) approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval; and,

d) the funding for this purchase BE APPROVED as set out in the Source of Financing Report appended to the staff report dated September 24, 2019. (2019-L04)

Motion Passed

2.8 Appointment of Consulting Engineer – Upgrading of Powell Drain (Northbrook Valley) and Upland North Outlet Culverts (RFP 19-46)

Moved by: E. Pelosa

Seconded by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the appointment of a Consulting Engineer for the Upgrading of Powell Drain (Northbrook Valley) and Upland North Outlet Culverts (RFP 1946):

a) Ecosystem Recovery Inc. BE APPOINTED Consulting Engineers to complete detailed design and construction administration for remediation works to Powell Drain and the Upland North Outlet Culverts in accordance with the estimate, on file, at an upset amount of \$244,677.54, including 10% contingency (excluding HST), in accordance with Section 15.2(d) of the City of London's Procurement of Goods and Services Policy;

b) the financing for the project BE APPROVED in accordance with the "Sources of Financing Report" appended to the staff report dated September 24, 2019;

c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;

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

e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2019-E03)

Motion Passed

2.9 Construction Partnership with the Ministry of Transportation – Old Victoria Road Resurfacing

Moved by: E. Pelosa

Seconded by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the Old Victoria Road resurfacing project:

a) the City of London financial contribution of \$78,650.00 (excluding HST), representing the estimated cost for repaving a portion of Old Victoria Road north and south of the bridge over Hwy 401, as part of an Ontario Ministry of Transportation project, BE APPROVED; it being noted that it is included in an approved City budget and the method of procurement is in accordance with the Procurement of Goods and Services Policy 14.4 (g) and (i), covering purchases with another public body;

- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated September 24, 2019; and,
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this approval. (2019-T05)

Motion Passed

2.10 Dundas Street Cycle Track Design – Appointment of Consulting Engineer

Moved by: E. Pelosa
 Seconded by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the appointment of a Consulting Engineer for the Cycle Track Design of Dundas Street from Wellington Street to Adelaide Street, and William Street from Dundas Street to Queens Avenue:

- a) WSP Canada Group Limited BE APPOINTED Consulting Engineers to carry out consulting services in the amount of \$532,742.41 (excluding HST), in accordance with Section 15.2(d) of the City of London’s Procurement of Goods and Services Policy;
- b) the financing for this appointment BE APPROVED in accordance with the Sources of Financing Report appended to the staff report dated September 24, 2019;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this appointment;
- d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the project; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2019-T05)

Motion Passed

2.11 Agreement Extension with Trojan Technologies for the Use of the Decommissioned Westminster Wastewater Plant

Moved by: E. Pelosa
 Seconded by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the proposed by-law, as appended to the staff report dated September 24, 2019, BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019, to:

- a) authorize and approve the Agreement between The Corporation of the City of London and Trojan Technologies Group ULC; and,
- b) authorize the Mayor and the City Clerk to execute the above-noted Agreement. (2019-E03)

Motion Passed

2.12 All Terrain, Turf and Golf Utility Vehicles – Contract Award Based on Irregular Tender Result

Moved by: E. Pelosa

Seconded by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to a contract award based on irregular tender results for All Terrain, Turf and Golf utility vehicles:

- a) the Civic Administration BE AUTHORIZED to engage in a single source contract negotiation as per the Procurement of Goods and Services Policy Section 19.4 c) with Hyde Park Equipment, 2034 Mallard Rd, London, Ont. N6J 1G4, for the supply and delivery of three (3) All-Terrain Utility Vehicles (Kubota model RTV-X1100C) at a total purchase price of \$87,561.39 (\$29,187 per unit) excluding HST;
- b) the Civic Administration BE AUTHORIZED to engage in a single source contract as per the Procurement of Goods and Services Policy Section 19.4 c) with Podolinski Equipment Ltd. 6057 Petrolia Line, Petrolia Ont. NON 1R0, the supply and delivery of two (2) Turf Utility Vehicles (John Deere ProGator model 2030A) at a total purchase price of \$73,190 (\$36,595 per unit) excluding HST; and the supply and delivery of five (5) Golf Utility Vehicles (John Deere Turf Gator) at a total purchase price of \$57,995 (\$11,599 per unit) excluding HST;
- c) the Civic Administration BE AUTHORIZED to utilize this tender result and single source approval to engage these vendors directly for future replacements of vehicles in these classifications for a contract period of two (2) years with two (2) additional option years, subject to performance and pricing;
- d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this purchase;
- e) approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval; and,
- f) the funding for this purchase BE APPROVED as set out in the Source of Financing Report appended to the staff report dated September 24, 2019. (2019-R05D)

Motion Passed

2.13 Removal and Replacement of Underground Fuel and Oil Tanks

Moved by: E. Pelosa

Seconded by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, and with the support of the Managing Director, Corporate Services and City Treasurer and Chief Financial Officer, the following actions be taken with respect to replacing the fuel and oil storage tanks at A.J. Tyler Operations Centre and Adelaide Operations Centre:

- a) the action taken by the Managing Director, Environmental and Engineering Services and City Engineer in accordance with Procurement of Goods and Services Policy, Section 4.3 d. "Triggering Event" BE RECOGNIZED; it being noted that the actions taken required immediate attention in order be in compliance with the Liquids Fuel Handling Code (2017) Technical Standards & Safety Authority (TSSA) and is in the best

financial, legal and environmental interests of The Corporation of the City of London;

b) the City of London's current fuel system maintenance and service vendor, Phoenix Petroleum Ltd., complete the required work in order that the storage tanks are in compliance with the 2017 Liquids Fuel Handling Code at an estimated price of \$970,252 which includes a 10% contingency (excluding HST), BE APPROVED in accordance with section 14.4 (d) and (e) of the Procurement of Goods and Services Policy;

c) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated September 24, 2019;

d) the Civic Administration BE AUTHORIZED to undertake any ancillary items outside of the scope identified in the project arising from unforeseen elements that may arise including: dewatering/shoring, damaged or poor condition equipment not identified, fuel sludge removal, contaminated materials; and,

e) the Civic Administration BE AUTHORIZED to undertake any final negotiations and all administrative acts that are necessary in connection with this matter and the Agreements referenced herein. (2019-E17)

Motion Passed

2.4 Landfill Gas (LFG) Utilization – Next Steps in the Development of a Renewable Natural Gas (RNG) Facility

Moved by: S. Lewis

Seconded by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, and on the advice of the Director, Environment, Fleet and Solid Waste, the following actions be taken with respect to potentially supplying FortisBC Energy Inc. with Renewable Natural Gas (RNG) created from landfill gas from the W12A Landfill:

a) the Civic Administration BE AUTHORIZED to release a Request for Proposals to develop a RNG facility to convert landfill gas from the W12A Landfill to RNG; and,

b) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with this project. (2019-E07)

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and E. Pelosa

Motion Passed (4 to 0)

2.6 Automated Speed Enforcement Contract Award

Moved by: S. Lewis

Seconded by: E. Pelosa

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the Automated Speed Enforcement Program:

a) Redflex Traffic Systems (Canada) Limited, BE AWARDED the contract for the provision of Automated Speed Enforcement Services for a five (5) year period, starting when the contract is executed, in accordance with the terms and conditions of the Request for Approvals executed by

the City of Toronto on behalf of the City of London and other participating Automated Speed Enforcement municipalities in accordance with Section 14.4 (g) of the Procurement of Goods and Services Policy, noting that there is an option to extend the contact at the discretion of the City of London for an additional five (5) years;

- b) the Civic Administration BE AUTHORIZED to enter into an agreement with the City of Toronto to undertake centralized municipal processing of Automated Speed Enforcement offence notices;
- c) the Civic Administration BE AUTHORIZED to enter into an agreement with the Ontario Ministry of Transportation related to the operation of the Automated Speed Enforcement Program;
- d) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with this program;
- e) approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with Redflex Traffic Systems (Canada) for the work;
- f) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations;
- g) the Civic Administration BE DIRECTED to bring forward the necessary Traffic and Parking By-law amendments to designate Automated Speed Enforcement areas as Community Safety Zones;
- h) the Civic Administration BE DIRECTED to place the net revenue from the Automated Speed Enforcement Program in the automated enforcement reserve fund; noting that any revenue shortfalls will be funded from this reserve fund, if necessary; and,
- i) the above-noted Program BE IMPLEMENTED with warning notices being sent for the first thirty (30) days of the program. (2019-T08)

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and E. Pelozo

Absent: (2): M. van Holst, and E. Holder

Motion Passed (4 to 0)

3. Scheduled Items

3.1 8th Report of the Cycling Advisory Committee

Moved by: E. Pelozo

Seconded by: S. Lehman

That the 8th Report of the Cycling Advisory Committee, from its meeting held on August 21, 2019, BE RECEIVED; it being noted that a verbal delegation from C. Linton, Chair and R. Henderson, Vice-Chair, of the Cycling Advisory Committee and the attached presentation from R. Henderson, was received with respect to this matter.

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and E. Pelozo

Absent: (2): M. van Holst, and E. Holder

Motion Passed (4 to 0)

3.2 Area Speed Limit Program

Moved by: S. Lewis
Seconded by: S. Lehman

That the staff report dated September 24, 2019, with respect to an Area Speed Limit Program, BE REFERRED back to the Civic Administration in order to consult with the London Transit Commission and report back at a future meeting of the Civic Works Committee regarding the effect a change to speed limits would have on transit service;

it being noted that the attached presentation from S. Maguire, Division Manager, Roadway Lighting and Traffic Control, with respect to this matter, was received;

it being pointed out that at the public participation meeting associated with this matter the individuals indicated on the attached public participation meeting record made oral submissions regarding this matter. (2019-T07)

Yeas: (3): P. Squire, S. Lewis, and S. Lehman

Nays: (1): E. Pelosa

Absent: (2): M. van Holst, and E. Holder

Motion Passed (3 to 1)

Voting Record:

Moved by: E. Pelosa
Seconded by: S. Lehman

Motion to open the public participation meeting.

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and E. Pelosa

Absent: (2): M. van Holst, and E. Holder

Motion Passed (4 to 0)

Moved by: S. Lewis
Seconded by: S. Lehman

Motion to close the public participation meeting.

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and E. Pelosa

Absent: (2): M. van Holst, and E. Holder

Motion Passed (4 to 0)

4. Items for Direction

4.1 Parking Changes – Councillor S. Lewis

Moved by: S. Lewis
Seconded by: S. Lehman

That the Civic Administration BE DIRECTED to bring forward a report to a future meeting of the Civic Works Committee with details on potential impacts and recommendations on implementing the following changes to parking restrictions:

a) the overnight parking ban program be amended to be in force from November 1st until April 30th annually;

b) the issuing of overnight parking permits during the ban period be expanded to allow residents to purchase additional passes beyond the current 15 free uses for a fee; and,

c) the current 12hr limit on occupying a specific on street non metered parking location be amended to 18hrs;

it being noted that a communication, dated September 12, 2019, from Councillor S. Lewis, was received with respect to this matter. (2019-T02)

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and E. Pelosa

Absent: (2): M. van Holst, and E. Holder

Motion Passed (4 to 0)

Voting Record:

Moved by: S. Lewis

Seconded by: S. Lehman

Motion to approve that the Civic Administration report back with respect to the potential to repeal the by-law prohibiting homeowners from parking a vehicle in their driveway parallel to the road way.

Yeas: (2): P. Squire, and S. Lewis

Nays: (2): S. Lehman, and E. Pelosa

Absent: (2): M. van Holst, and E. Holder

Motion Failed (2 to 2)

5. Deferred Matters/Additional Business

5.1 Deferred Matters List

Moved by: S. Lewis

Seconded by: S. Lehman

That the Deferred Matters List as at September 16, 2019, BE RECEIVED.

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and E. Pelosa

Absent: (2): M. van Holst, and E. Holder

Motion Passed (4 to 0)

6. Confidential

Moved by: E. Pelosa

Seconded by: S. Lehman

That the Civic Works Committee convene, In Closed Session, for the purpose of considering the following:

6.1. Labour Relations / Employee Negotiations

A matter pertaining to labour relations or employee negotiations, including communications for that purpose.

6.2. Position, Plan, Procedure, Criteria or Instruction for Negotiation Purposes

A matter pertaining to a position, plan, procedure, criteria or instruction to be applied to negotiations carried on by the municipality, including communications for that purpose.

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and E. Pelosa

Absent: (2): M. van Holst, and E. Holder

Motion Passed (4 to 0)

The Civic Works Committee convened, In Closed Session, from 6:13 PM to 6:34 PM.

7. Adjournment

The meeting adjourned at 6:41 PM.

Transportation Advisory Committee

Report

The 8th Meeting of the Transportation Advisory Committee
August 27, 2019
Committee Room #4

Attendance PRESENT: D. Foster (Chair), G. Bikas, B. Gibson, Z. Gorski,
T. Kerr, M. Rice and M.D. Ross and J. Bunn (Committee
Secretary)

ABSENT: A. Abiola, D. Doroshenko, T. Khan, P. Moore, S.
Wraight and J. Zhu

ALSO PRESENT: J. Kostyniuk, T. Macbeth and M. Metcalfe

The meeting was called to order at 12:15 PM.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Scheduled Items

None.

3. Consent

3.1 7th Report of the Transportation Advisory Committee

That it BE NOTED that the 7th Report of the Transportation Advisory
Committee, from its meeting held on July 23, 2019, was received.

3.2 Community Information Meeting - Victoria Park Area Secondary Plan

That it BE NOTED that the Notice of Community Information Meeting,
from M. Knieriem, Planner II, with respect to the Victoria Park Area
Secondary Plan, was received.

4. Sub-Committees and Working Groups

None.

5. Items for Discussion

5.1 Overnight Parking

That a Working Group to review street parking BE CREATED; it being
noted that the lead for this Working Group will be B. Gibson.

5.2 Detailed Review/Update of TAC Work Plan and Work in Progress Document

That it BE NOTED that the Transportation Advisory Committee (TAC) held
a general discussion with respect to the 2019 TAC Work Plan and Work in
Progress Document.

6. Adjournment

The meeting adjourned at 1:10 PM.

TO:	CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON SEPTEMBER 24, 2019
FROM:	KELLY SCHERR, P. ENG., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL AND ENGINEERING SERVICES AND CITY ENGINEER
SUBJECT:	AMENDMENTS TO THE TRAFFIC AND PARKING BY-LAW

RECOMMENDATION

That on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the proposed by-law, attached as Appendix A **BE INTRODUCED** at the Municipal Council meeting to be held on October 1st, 2019, for the purpose of amending the Traffic and Parking By-law (PS-113).

2019-23 STRATEGIC PLAN

The following report supports the Strategic Plan through the strategic focus area of **Building a Sustainable City** by improving safety, traffic operations and residential parking needs in London's neighbourhoods.

BACKGROUND

The Traffic and Parking By-law (PS-113) requires amendments (Appendix A) to address traffic safety, operations and parking concerns. The following amendments are proposed:

1. Loading Zones

A new 'loading zone' on the east side of Talbot Street, south of King Street is recommended as part of the Talbot Street project currently underway. This loading zone will help mitigate the loss of loading zones on King Street.

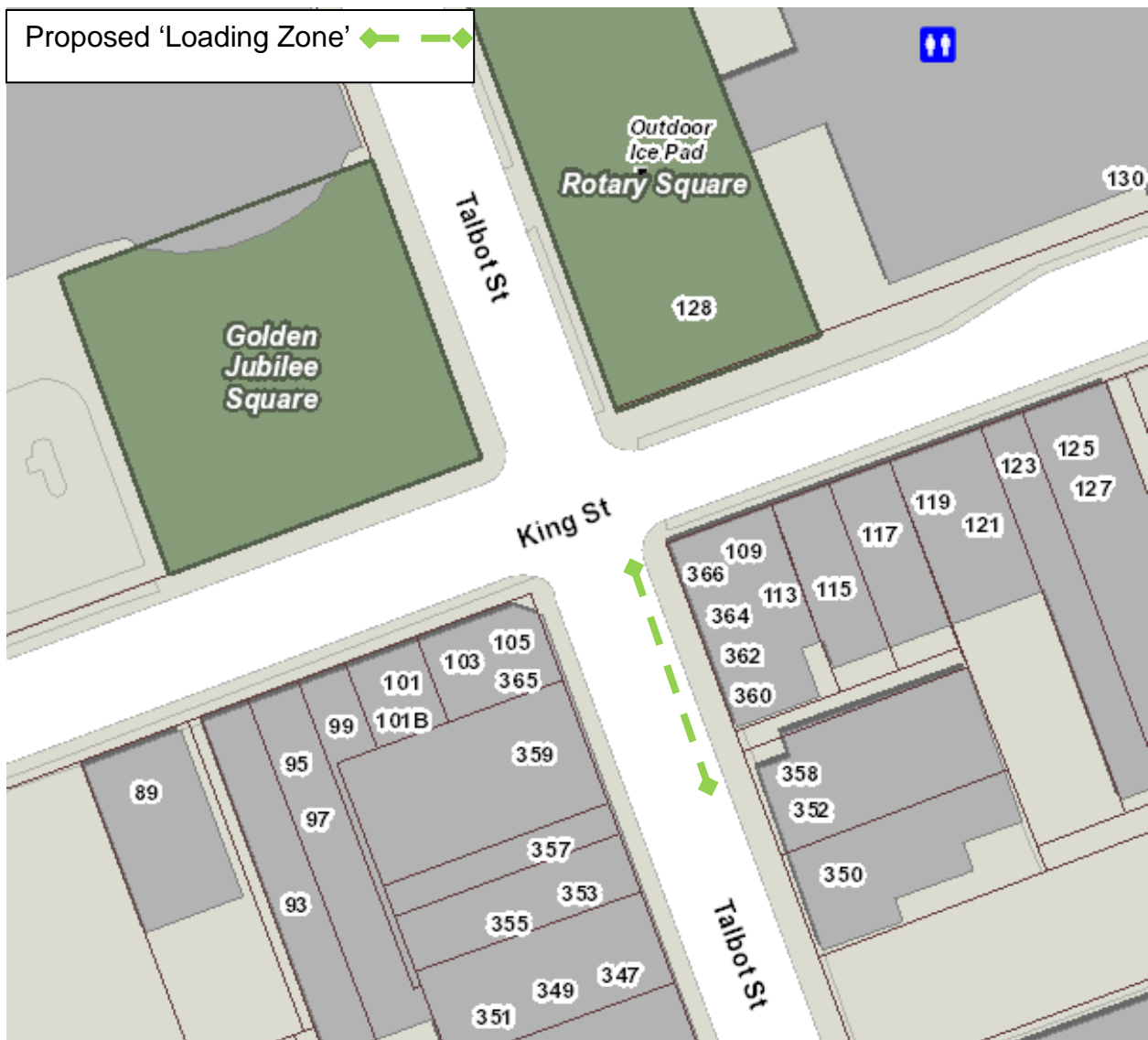


Figure 1: Talbot Street at King Street

An amendment is required to Schedule 5 (Loading Zones) for the above change.

2. Bicycle Lanes

During the resurfacing of Windermere Road from Richmond Street to Adelaide Street N, bicycle lanes were installed which should be added to Schedule 9.1 (Reserved Lanes).

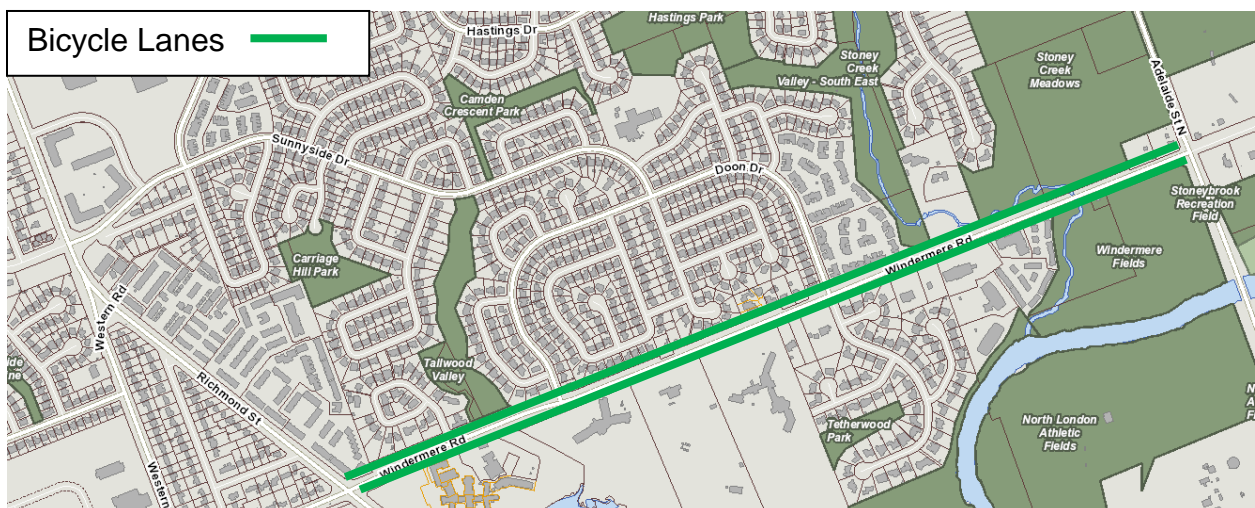


Figure 2: Windermere Road

Amendments are required to Schedule 9.1 (Reserved Lanes) for the above change.

3. Regulatory Signs

To address operational and safety concerns, it is recommended that the following traffic controls be put in place:

Stop Signs

- Dissing Crescent at Prince of Wales Gate (north and south intersections);
- Hayes Street at Yvonne Crescent (west intersection);
- Prince of Wales Gate at South Carriage Road (south intersection);
- Sophia Crescent at Coronation Drive (north and south intersections);
- South Carriage Road at Prince of Wales Gate (north intersection); and,
- Yvonne Crescent at Hayes Street (east intersection).

Yield Signs

- Emma Chase at Finley Crescent (west and east intersections);
- Finley Crescent at Coronation Drive;
- Finley Crescent at South Carriage Road;
- Jessica Way at Sophia Crescent (north and south intersections);
- Noah Bend at Finley Crescent (west and east intersections);
- Noah Bend at Emma Chase;
- Owen Lane at Emma Chase; and,
- Owen Lane at Finley Crescent.

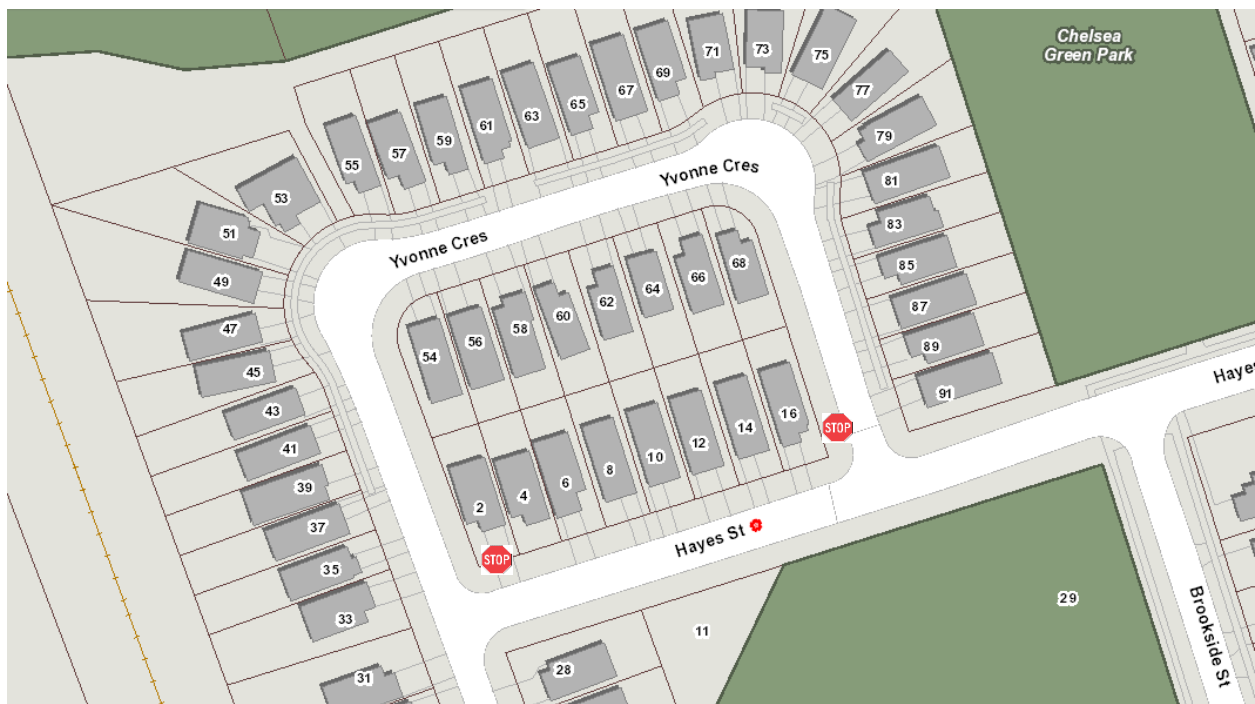


Figure 3: Chelsea Green Meadows Subdivision



Figure 4: Prince of Wales Gate

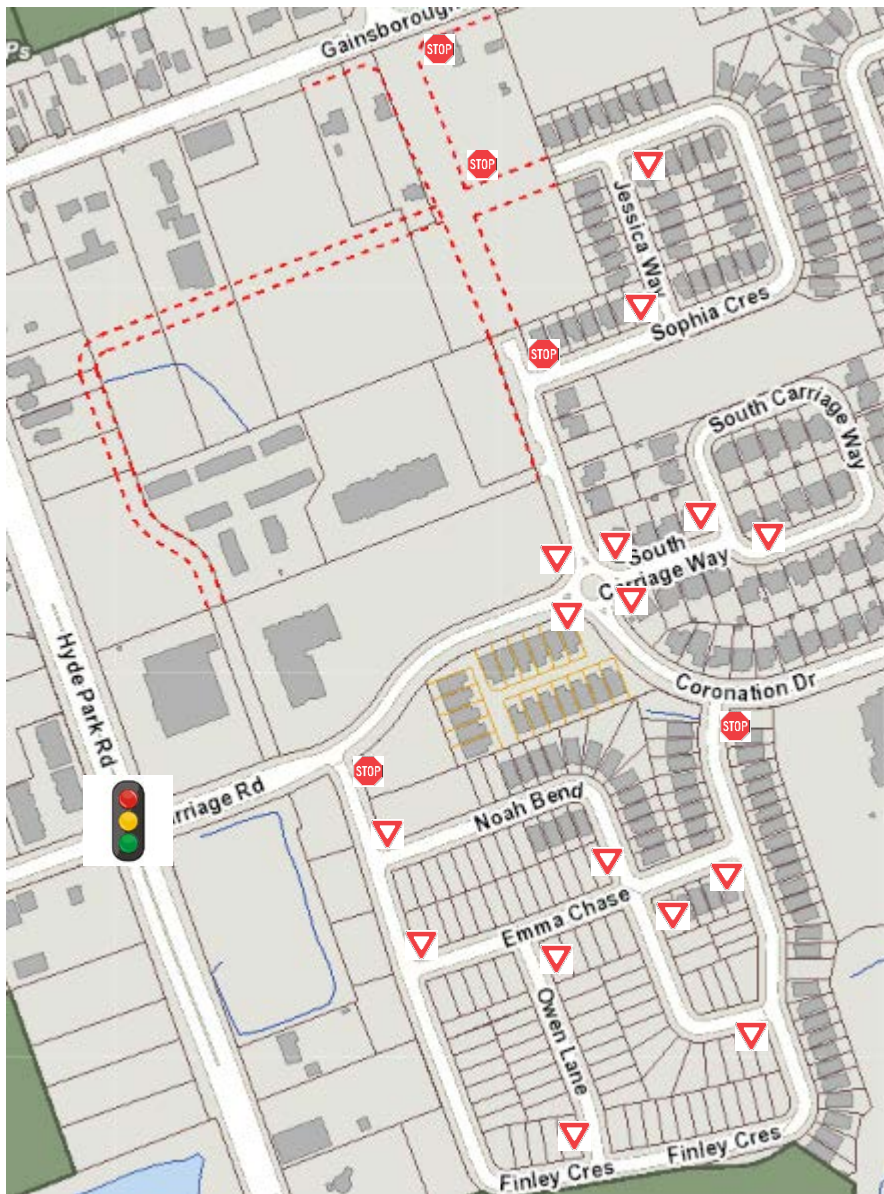


Figure 5: West Coronation Subdivision

Amendments are required to Schedule 10 (Stop Signs) and Schedule 11 (Yield Signs) to address the above changes.

4. Speed Limits

Colonel Talbot Road

Due to a significant increase in development, it is recommended to reduce the posted speed on Colonel Talbot Road from Old Oak Lane to 100 m north of Diane Crescent from 70 km/h to 60 km/h. This will also match the 60 km/h posted speed on Colonel Talbot Road north of Old Oak Lane and 100m north of Diane Crescent.

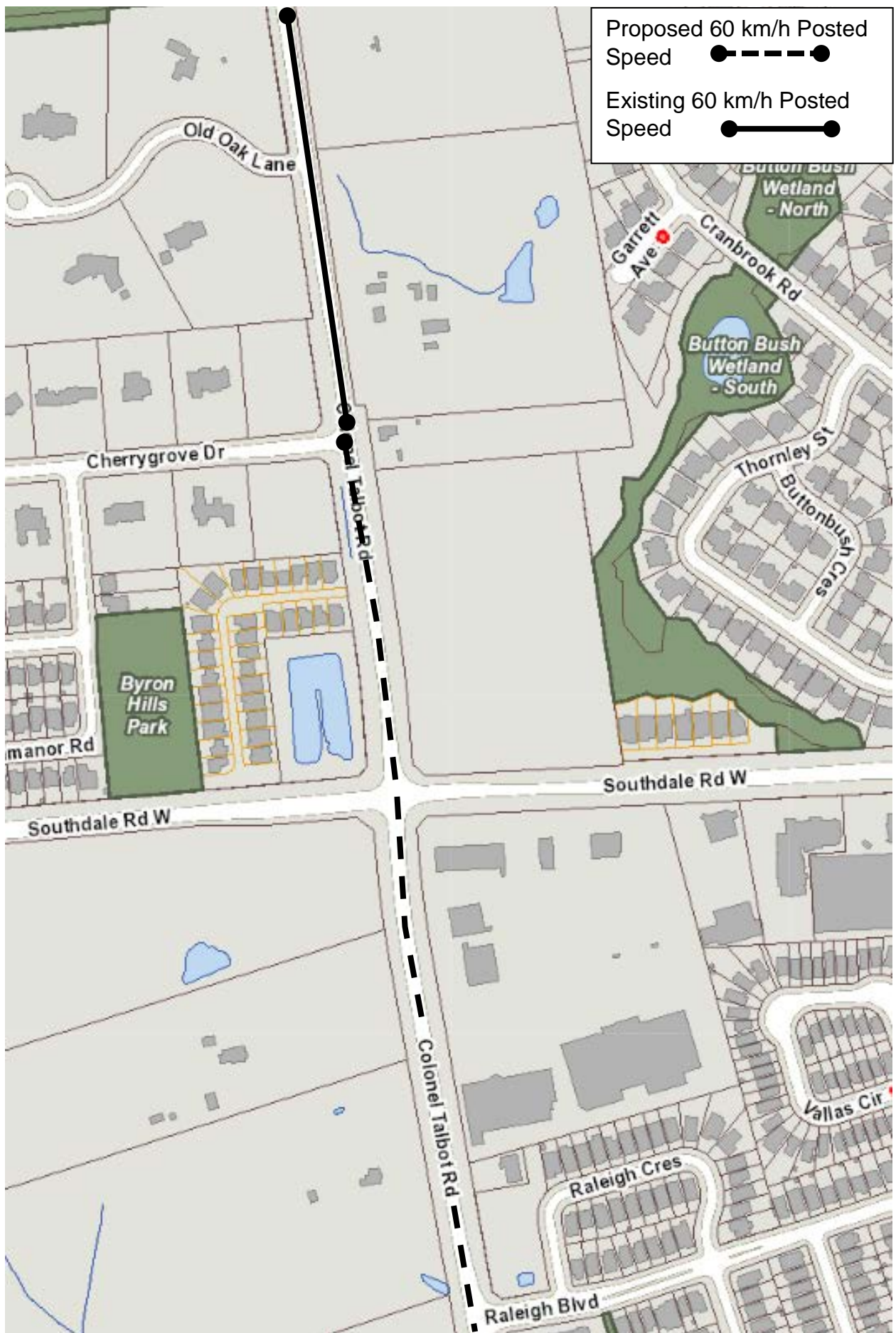


Figure 6: Colonel Talbot Road from Old Oak Lane to Raleigh Boulevard

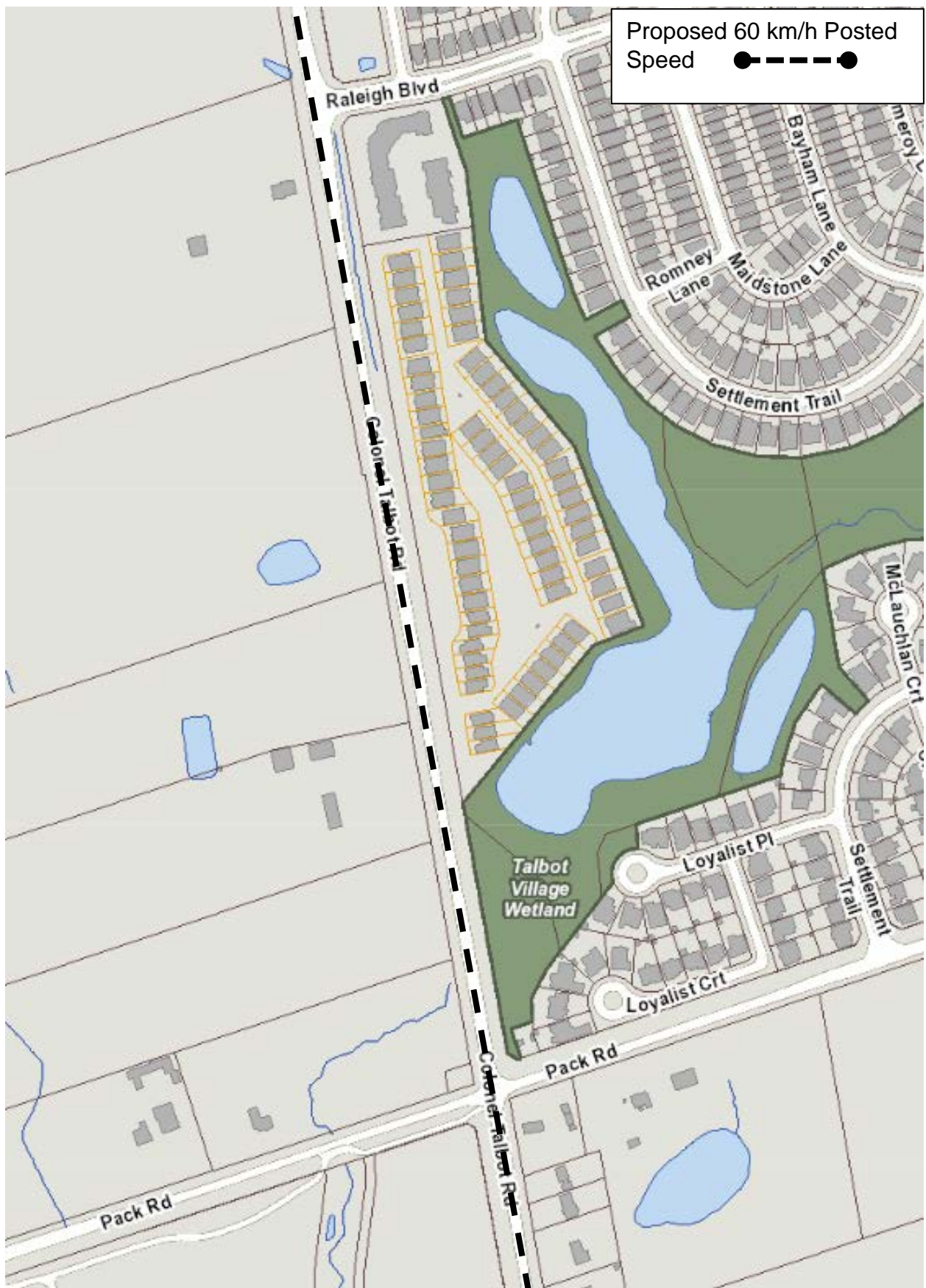


Figure 7: Colonel Talbot Road from Raleigh Boulevard to Pack Road

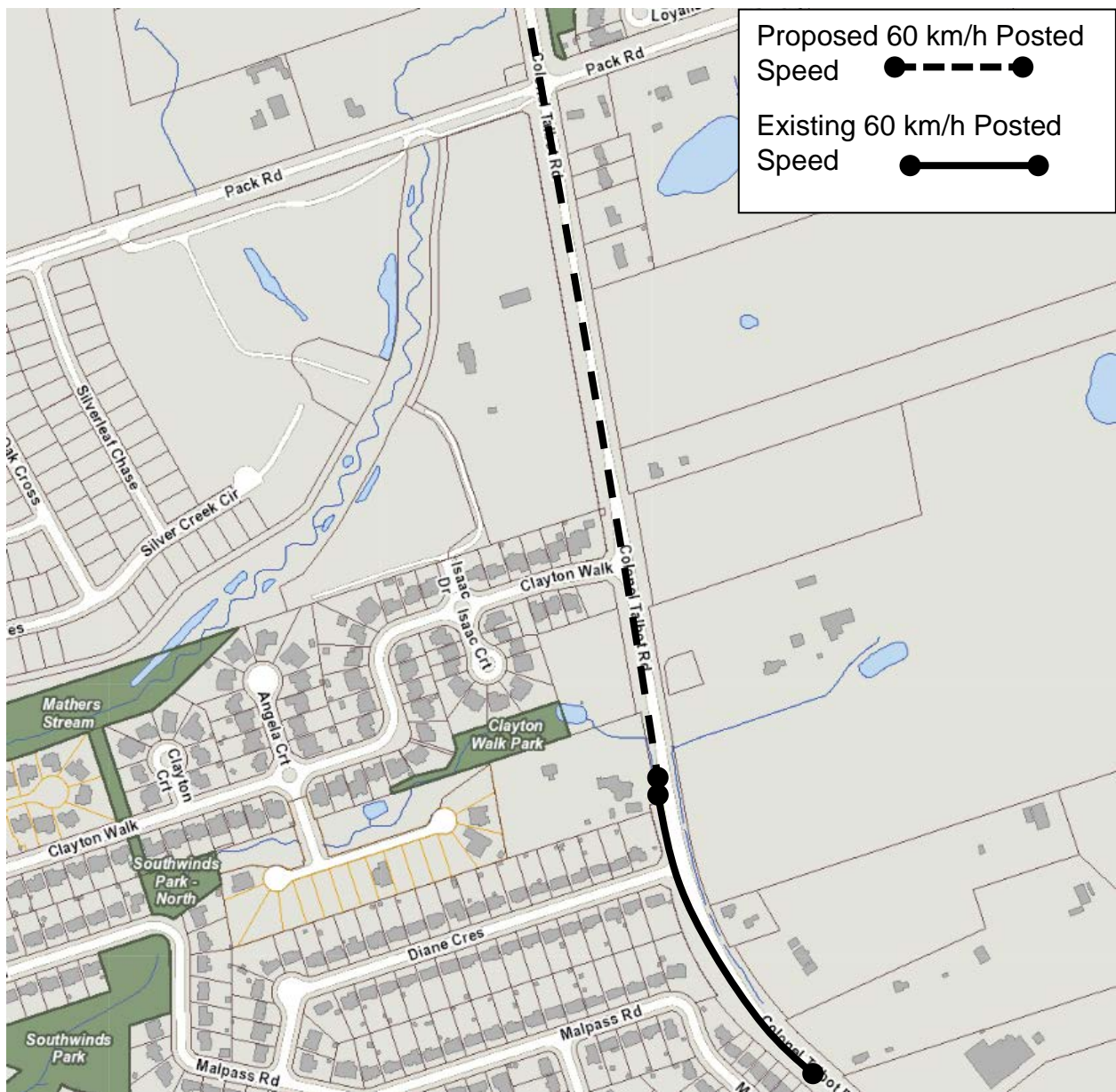


Figure 8: Colonel Talbot Road from Pack Road to Diane Crescent

Hyde Park Road

Due to a significant increase in development, it is recommended to reduce the posted speed on Hyde Park Road from 50 m north of Twilit Boulevard to 150 m north of Fanshawe Park Road W from 70 km/h to 60 km/h. This will also match the 60 km/h posted speed on Hyde Park Road from 150 m north of Fanshawe Park Road W to 260 m north of North Routledge Park.

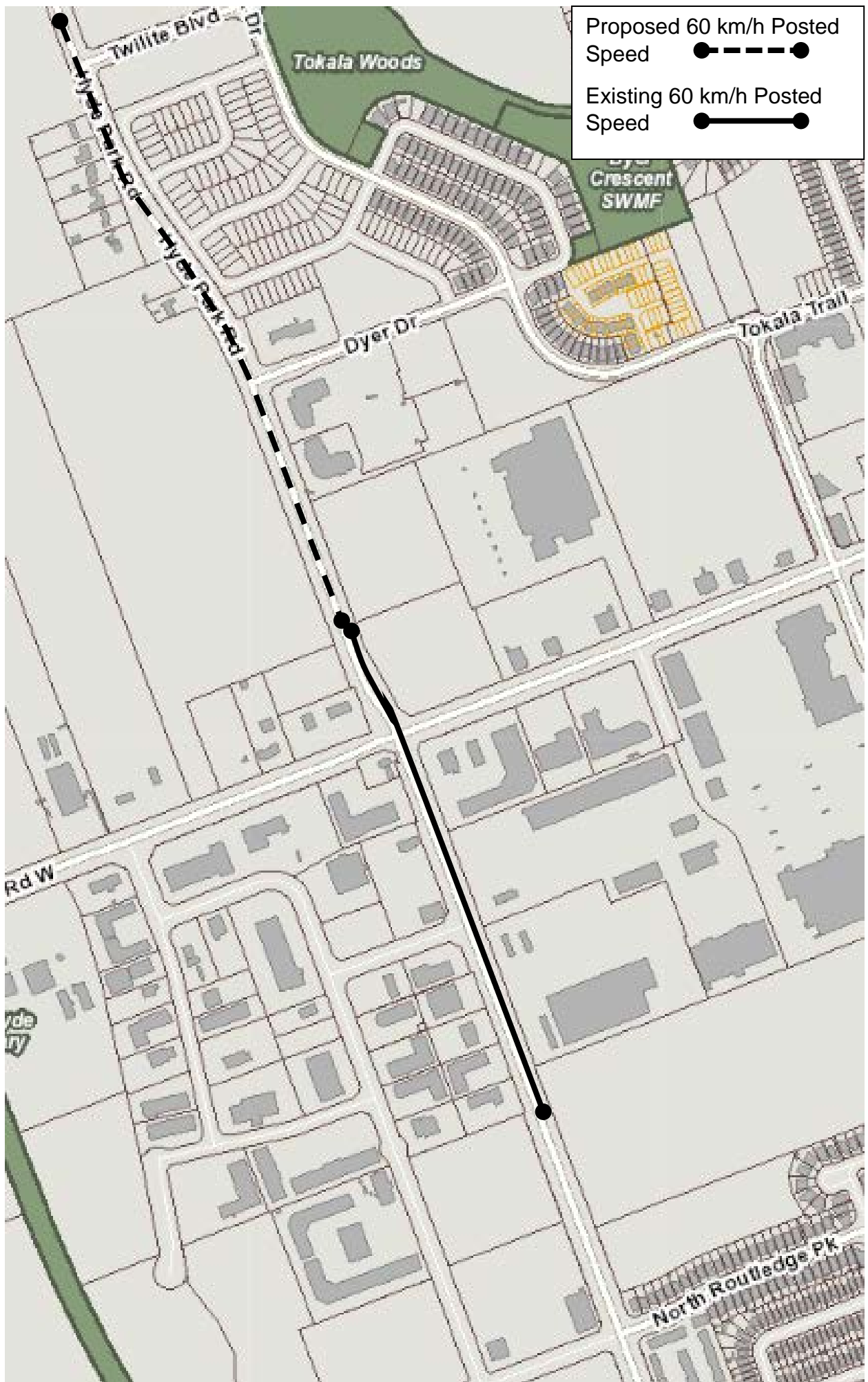


Figure 9: Hyde Park Road

Amendments are required to Schedule 17 (Higher Speed Limits) to address the above changes.

5. Designated Spaces

Queens Avenue

Staff received a request from a local business to convert an existing parking stall on the north side of Queens Avenue west of Wellington Street to a 'designated parking space'.

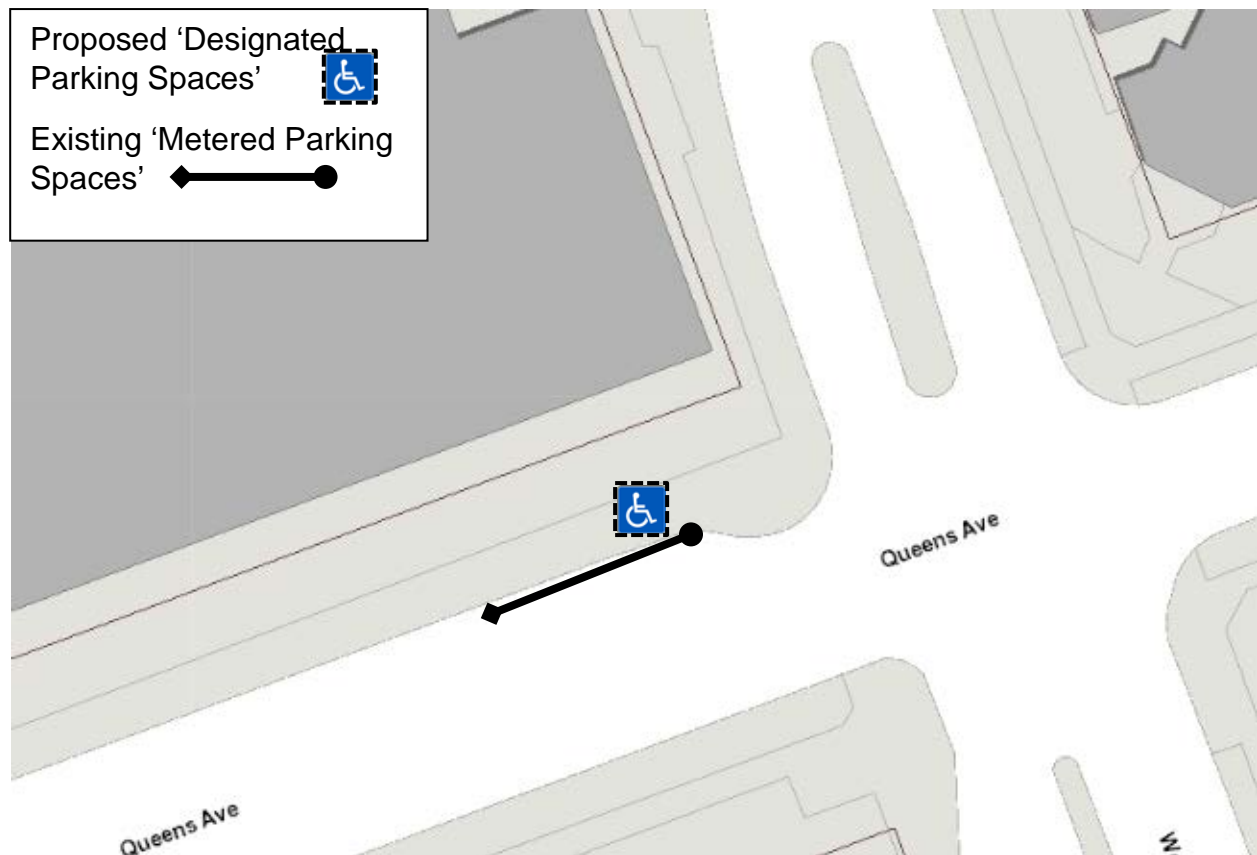


Figure 10: Queens Avenue

An amendment is required to Schedule 27 (Designated Parking Spaces) to address the above change.

PREPARED BY:	REVIEWED AND CONCURRED BY:
SHANE MAGUIRE, P. ENG. DIVISION MANAGER, ROADWAY LIGHTING AND TRAFFIC CONTROL	DOUG MACRAE, P.ENG., MPA DIRECTOR, ROADS AND TRANSPORTATION
RECOMMENDED BY:	
KELLY SCHERR, P.ENG., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL AND ENGINEERING SERVICES AND CITY ENGINEER	

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September 13, 2019/db

Attach: Appendix 'A': Proposed Traffic and Parking By-Law Amendments

cc. Parking Office

APPENDIX A

BY-LAW TO AMEND THE TRAFFIC AND PARKING BY-LAW (PS-113)

Bill No.

By-law No. PS-113

A by-law to amend By-law PS-113 entitled, “A by-law to regulate traffic and the parking of motor vehicles in the City of London.”

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

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

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

1. Loading Zones

Schedule 5 (Loading Zones) of the PS-113 By-law is hereby amended by **adding** the following row:

Talbot Street	East	A point 40 m south of King Street
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2. Reserved Lane

Schedule 9.1 (Reserved Lanes) of the PS-113 By-law is hereby amended by **adding** the following rows:

Windermere Road	Adelaide Street N to Richmond Street	1 st Lane from north	Anytime	Westbound	Bicycle
Windermere Road	Richmond Street to Adelaide Street N	1 st Lane from south	Anytime	Eastbound	Bicycle

3. Stop Signs

Schedule 10 (Stop Signs) of the PS-113 By-law is hereby amended by **adding** the following rows:

Westbound	Dissing Crescent (north & south intersections)	Prince of Wales Gate
Westbound	Hayes Street (west intersection)	Yvonne Crescent
Northbound & Southbound	Prince of Wales Gate (south intersection)	South Carriage Road
Westbound	Sophia Crescent (north and south intersections)	Coronation Drive
Southbound	Yvonne Crescent (east intersection)	Hayes Street

4. Yield Signs

Schedule 11 (Yield Signs) of the PS-113 By-law is hereby amended by **deleting** the following rows:

Westbound	Dissing Crescent (north & south intersections)	Prince of Wales Gate
Northbound & Southbound	Prince of Wales Gate (south intersection)	South Carriage Road
Eastbound	South Carriage Road (north intersection)	Prince of Wales Gate

Schedule 11 (Yield Signs) of the PS-113 By-law is hereby amended by **adding** the following rows:

Westbound & Eastbound	Emma Chase	Finley Crescent
Northbound	Finley Crescent	Coronation Drive
Northbound	Finley Crescent	South Carriage Road
Northbound & Southbound	Jessica Way	Sophia Crescent
Westbound & Eastbound	Noah Bend	Finley Crescent
Northbound & Southbound	Noah Bend	Emma Chase
Northbound & Southbound	Owen Lane	Finley Crescent

Westbound &
Southbound

South Carriage Road

South Carriage Road

5. Higher Speed Limits

Schedule 17 (Higher Speed Limit) of the PS-113 By-law is hereby amended by **deleting** the following rows:

Colonel Talbot Road	A point 200 m north of Four Winds Road	Old Oak Lane	60 km/h
Colonel Talbot Road	Old Oak Lane	A point 100 m south of Southdale Road W	70 km/h
Colonel Talbot Road	A point 100 m south of Southdale Road W	A point 100 m north of Diane Crescent	70 km/h
Colonel Talbot Road	A point 100 m north of Diane Crescent	A point 20 m north of Lambeth Walk	60 km/h
Hyde Park Road	North City limit	A point 1000 m north of Fanshawe Park Road W	90 km/h
Hyde Park Road	A point 1000 m north of Fanshawe Park Road W	A point 150 m north of said street	70 km/h
Hyde Park Road	A point 150 m north of Fanshawe Park Road W	A point 260 m north of Rutledge Street	60 km/h

Schedule 17 (Higher Speed Limit) of the PS-113 By-law is hereby amended by **adding** the following rows:

Colonel Talbot Road	A point 200 m north of Four Winds Road	A point 20 m north of Lambeth Walk	60 km/h
Hyde Park Road	North City limit	A point 50 m north of Twilite Boulevard	90 km/h
Hyde Park Road	A point 50 m north of Twilite Boulevard	A point 260 m north of North Routledge Park	60 km/h

6. Designated Parking Spaces

Schedule 27 (Designated Parking Spaces) of the PS-113 By-law is hereby amended by **adding** the following row:

Queens Avenue	North	A point 23 m west of Wellington Street to a point 15 m west of Wellington Street	2 Hours
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This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on October 1, 2019

Ed Holder, Mayor

Catharine Saunders, City Clerk

First Reading – October 1, 2019
 Second Reading – October 1, 2019
 Third Reading – October 1, 2019

TO:	CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON SEPTEMBER 24, 2019
FROM:	JAY STANFORD, M.A., M.P.A. DIRECTOR - ENVIRONMENT, FLEET & SOLID WASTE
SUBJECT:	UPDATE ON THE ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED EXPANSION OF THE W12A LANDFILL

RECOMMENDATION

That, on the recommendation of the Director, Environment, Fleet and Solid Waste, this report **BE RECEIVED** for information.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
--

Relevant reports that can be found at www.london.ca under City Hall (Meetings) include:

- Proposed Terms of Reference - Environmental Assessment of the Proposed W12A Landfill Expansion (September 25, 2018 meeting of the Civic Works Committee (CWC), Item #3.1)
- Draft Proposed Terms of Reference – Environmental Assessment of the Proposed W12A Landfill Expansion (April 17, 2018 meeting of the CWC, Item #3.3)

Relevant reports that can be found at www.london.ca under City Hall (Meetings – Advisory and other Committee Meetings) include:

- Proposed Amended Terms of Reference (April 18, 2019 meeting of the Waste Management Working Group (WMWG), Item #3.2)
- Proposed Terms of Reference (August 15, 2018 meeting of the WMWG, Item #2.1)
- Draft Proposed Terms of Reference (July 13, 2018 meeting of the WMWG, Item #3.2)
- Preliminary Proposed Draft Terms of Reference (March 8, 2018 meeting of the WMWG, Item #2.1)
- Terms of Reference Outline and Next Steps (January 18, 2018 meeting of the WMWG, Item #9)

STRATEGIC PLAN 2019-2023

Municipal Council has recognized the importance of solid waste management in its 2019-2023 - Strategic Plan for the City of London as follows:

Building a Sustainable City

London has a strong and healthy environment

- Build infrastructure to support future development and protect the environment

Growing our Economy

London is a leader in Ontario for attracting new jobs and investments

- Build infrastructure to support future development and retain existing jobs

Leading in Public Service

Londoners experience exceptional and valued customer service

- Increase community and resident satisfaction of their service experience with the City)

BACKGROUND

PURPOSE:

This report provides the Civic Works Committee and Council with an update on the status of the environmental assessment for the proposed expansion of the W12A Landfill.

CONTEXT:

An Environmental Assessment (EA) under the EA Act is a planning study that assesses environmental effects, advantages and disadvantages of a proposed project. The environment is considered in broad terms to include the natural, social, cultural and economic aspects of the environment.

There are different classes (types) of EAs depending on the type and complexity of the undertaking (project). The most rigorous EA is an Individual EA. The EA for the proposed expansion of the W12A Landfill is the second Individual EA to be completed by the City and the first in over two decades.

The first phase of the Individual EA process is the development of a Terms of Reference (ToR) which requires the approval of the Minister of the Environment, Conservation and Parks. The ToR becomes the framework or work plan for the preparation and review of the Individual EA. The ToR allows the proponent to produce an EA that is more direct and easier to be reviewed by interested persons.

The second phase of the Individual EA process is the completion and approval of an EA. The proponent completes the EA in accordance with the approved ToR.

DISCUSSION

Terms of Reference

Details on development of the ToR are presented in Appendix A and summarized below.

Work on the ToR began in March 2017 with the issue of the Notice of Commencement. After extensive community engagement, Council approved submission of the Proposed ToR on October 2, 2018. As a result of comments received by Ministry of the Environment, Conservation and Parks (MECP), the City submitted a Proposed Amended ToR on February 7, 2019.

The Amended ToR was approved by the Minister of the Environment, Conservation and Parks on July 30, 2019 (Appendix B). The approval came 28 months after Notice of Commencement was issued. Since 2014 there have been four other landfill ToRs approved in southwestern Ontario with an average completion time of 52 months.

Key aspects of the Amended ToR are:

- Previous studies confirm expansion of the W12A Landfill is the most appropriate method for managing future residual waste.
- Expansion of the landfill will be based on:
 - 25 year capacity;
 - consideration of a regional service area;
 - 60% residential waste diversion; and,
 - reduction of the maximum annual rate of fill from 650,000 tonnes per year to 500,000 tonnes per year.
- The EA will look at different ways of expanding the W12A Landfill site (“alternative methods”) and will consist of a vertical expansion above the existing waste disposal

area and/or a horizontal expansion to the north and/or to the east within a portion of the Waste Management Resource Recovery Area.

- The EA will assess the potential effects of the different alternative methods on the environment and the alternatives will then be compared to identify the overall preferred expansion alternative.

Proposed Amended ToR

As noted above, a Proposed Amended TOR was submitted to the MECP on February 7, 2019 to address comments received by the MECP and from stakeholders during the government 30 day review period. Residents, stakeholders, First Nations and the Government Review Team had an opportunity to comment during the government review period.

The MECP process required that a request for a “time-out” to amend the Proposed TOR be received prior to January 4, 2019 and that the Proposed Amended TOR be submitted within seven weeks of the time-out request (February 7, 2019).

There were no significant changes made between the Amended Proposed ToR and the Proposed ToR (e.g., same 25 year site life, proposed expansion areas, technical studies, community engagement, etc.). Minor, clarity-type changes included:

- information from one of the supporting documents, *W12A Landfill Area Plan* (IBI Group, 2008), on the rationale why expansion of the W12A Landfill was the preferred alternative was included in the main body of the Proposed Amended Terms of Reference instead of an appendix;
- a statement that the proposed regional service area will be further assessed during the EA; and,
- the list of commitments (Section 11.1) was expanded to include additional key activities that were already mentioned in the Proposed ToR (Appendix C).

The reasons provided in the Notice of Approval for approving the Amended ToR are listed in Table 1.

Table 1 Reasons for Amended ToR Approval

Reason		Comment
1.	The Amended ToR provides that the environmental assessment will include an identification and evaluation of a reasonable range of alternative methods and that these alternative methods will be assessed during the environmental assessment process.	Approval of the amended ToR means the City only has to look at alternative methods of expanding the W12A landfill and these alternative methods will consist of “ <i>variations in and combinations of landfill height, landfill area and configuration... limited to vertical and/or lateral expansion to the north and east within the Special Policy Area</i> ”.
2.	The Amended ToR requires the proponent to implement a comprehensive consultation plan during the preparation of the environmental assessment. In addition, the <i>Environmental Assessment Act</i> requires consultation and documentation of the consultation during the preparation of the environmental assessment. As well, there will be additional opportunities for public and government agency consultation when the environmental assessment is submitted to the ministry.	Table 2 provides a summary of proposed consultation plan initiatives.

Table 1 Reasons for Amended ToR Approval

Reason		Comment
3.	The Amended ToR provides that the environmental assessment will be prepared using a comprehensive public, Indigenous community and government agency consultation process that is open and transparent; and in particular will include consultation on the selection and evaluation of alternative methods during the environmental assessment.	Table 2 provides a summary of proposed consultation plan initiatives.
4.	The Amended ToR requires that the proponent meet the intent of the <i>Environmental Assessment Act</i> by providing for the identification of issues and concerns, and the preferred means of addressing them with due regard to adoption of environmental management, protection and mitigation measures.	Table 2 provides a summary of proposed consultation plan initiatives.
5.	There are no outstanding issues that have not been incorporated into the Amended ToR or that cannot be addressed during the preparation of the environmental assessment.	-

Community Engagement during the EA

Work on the EA will begin immediately with the Notice of Commencement which will be advertised in the *Londoner* and sent to local residents, Indigenous Communities and key stakeholders.

Community engagement proposed for the EA is summarized in Table 2 and builds on the work done during development of the ToR.

Table 2 – Summary of EA Community Engagement

Community Engagement Activity	Comments
Open Houses	<ul style="list-style-type: none"> Two sets of open houses (one in January, one in Spring 2020) Each set will have an afternoon and evening session at two locations plus a follow-up virtual open house on the project website
City of London Public Committees	<ul style="list-style-type: none"> Provide regular updates and seek feedback from various public committees including: <ul style="list-style-type: none"> W12A Landfill Public Liaison Committee Waste Management Community Liaison Committee Advisory Committee on the Environment Agricultural Advisory Committee Environmental and Ecological Planning Advisory Committee
Indigenous Communities	<ul style="list-style-type: none"> Consultation specific to the needs of the individual Indigenous Communities will be carried out
Community Events	<ul style="list-style-type: none"> Attendance at various community events to provide updates and seek feedback
Project Website	<ul style="list-style-type: none"> Getinvolved.London.ca/WhyWasteDisposal will be used to inform the public on the EA process, public engagement activities and to solicit feedback from the public

Community Engagement Activity	Comments
Letter/email correspondence	<ul style="list-style-type: none"> • Circulation to over 275 nearby property owners and residents, 28 landfill customers, 15 stakeholder groups and over 30 government agencies at key points in the process
Newspaper and social media ads	<ul style="list-style-type: none"> • Advertisements at all key milestones in the process

PREPARED BY:	
WESLEY ABBOTT, P. ENG. PROJECT MANAGER SOLID WASTE MANAGEMENT	
PREPARED AND RECOMMENDED BY:	CONCURRED BY:
JAY STANFORD, M.A., M.P.A. DIRECTOR, ENVIRONMENT, FLEET & SOLID WASTE	KELLY SCHERR, P.ENG., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL & ENGINEERING SERVICES & CITY ENGINEER

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Appendix A – Development of the Amended Terms of Reference

Appendix B – Terms of Reference – Notice of Approval

Appendix C – Terms of Reference - List of Commitments

Appendix A Development of the Amended Terms of Reference (Amended ToR)

The development process for the ToR is summarized in Table A-1. It is noted that the ToR has a different title depending how far along it is in the approval process.

Table A-1 - ToR Development and Tentative Schedule

Development Step		Date
Commencement	Notice to stakeholders and general public that work has begun on the development of a ToR for the proposed expansion of the W12A Landfill	March, 2017
Initial Community Engagement	Seek feedback from the Government Review Team (GRT), public, Indigenous communities and other stakeholders.	Completed January 2018
Preliminary Draft Proposed ToR	An early draft of the Draft Proposed ToR. The Ministry of the Environment, Conservation and Parks (MECP) does a preliminary screening of the Preliminary Draft Proposed ToR to ensure all documentation requirements have been met. Preliminary Draft Proposed ToR is revised to address comments.	Completed March 2018
Draft Proposed ToR	The Draft Proposed ToR is submitted to the GRT, public, Indigenous Communities and other stakeholders for review and comment. Draft Proposed ToR is revised to address comments.	Completed August 2018
Proposed ToR	Public participation meeting (September 25, 2018) and Council approval of Proposed ToR (October 2, 2018). Formal submission of Proposed ToR to the MECP for approval.	Completed October 2018
(Final) Amended ToR	MECP 30 day review period (October 12, 2018 to November 12, 2018) for stakeholders to provide comments to MECP on Proposed TOR.	Completed November 12, 2018
	City requests a “time-out” to amended Proposed ToR to address comments from MECP and from stakeholders during the review period.	Completed December 14, 2019
	City submits Proposed Amended ToR.	Completed February 7, 2019
	Minister of the Environment, Conservation and Parks approves the Proposed Amended ToR. It is now called Amended ToR (and represents the final document).	August 30, 2019

Proposed Amended ToR

As noted above, a Proposed Amended TOR was submitted to the MECP on February 7, 2019 to address comments received by the MECP and from stakeholders during the government 30 day review period. Residents, stakeholders, First Nations and the Government Review Team had an opportunity to comment during the government review period.

The MECP process required that a request for a “time-out” to amend the Proposed TOR be received prior to January 4, 2019 and that the Proposed Amended TOR be submitted within seven weeks of the time-out request (February 7, 2019).

There were no significant changes made between the Amended Proposed ToR and the Proposed ToR (e.g., same 25 year site life, proposed expansion areas, technical studies, community engagement, etc.). Minor, clarity-type changes included:

- information from one of the supporting documents, *W12A Landfill Area Plan* (IBI Group, 2008), on the rationale why expansion of the W12A Landfill was the preferred alternative was included in the main body of the Proposed Amended Terms of Reference;
- a statement that the proposed regional service area will be further assessed during the EA; and,
- the list of commitments (Section 11.1) was expanded to include additional key activities that were mentioned in the Proposed ToR.

A black-line copy that shows all the changes that were made to the original Proposed ToR was also prepared. The Amended Proposed TOR and the black-lined copy are available on the project website (www.getinvolved.london.ca/WhyWasteDisposal).

A black-line copy of the Executive Summary is provided below.

Proposed Amended Terms of Reference for the Environmental Assessment of the Proposed W12A Landfill Expansion, City of London

Executive Summary

Phase 1: Preparation of a Terms of Reference:

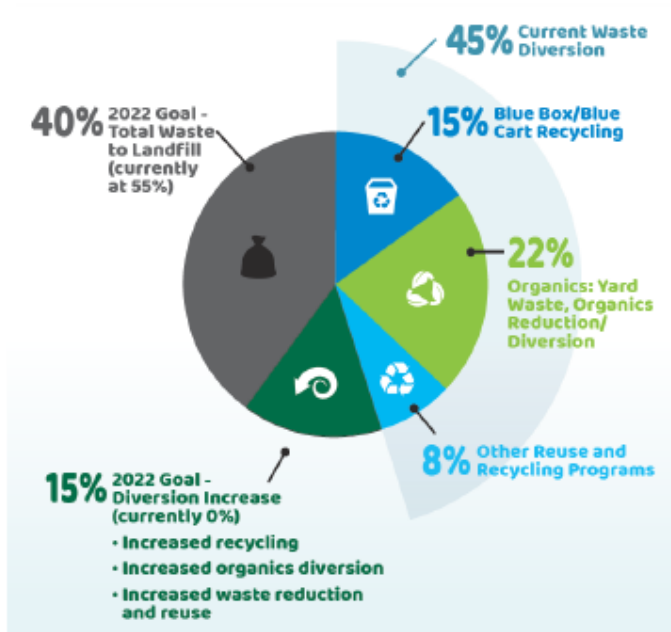
An Individual Environmental Assessment (EA) for expansion of the W12A Landfill site is being undertaken by the City of London and requires approval under the provincial *Environmental Assessment Act*. The first phase in the EA process is preparation of a Terms of Reference (ToR). Work on the ToR started in March, 2017. The ToR becomes the framework for carrying out the EA.

This is an Executive Summary of the content of the proposed ToR, which has been prepared by the City and ~~has been~~will be circulated to government review agencies, Indigenous communities, a number of City committees and the public for comment. ~~The comments received will be considered by the City of London in making revisions and preparing the proposed ToR, which will then be submitted to the Minister of Environment, Conservation and Parks (Minister) for a decision.~~ Once approved by the Minister of Environment, Conservation and Parks, the ToR provides the framework or work plan that must be subsequently completed to prepare the EA, and the basis for review and approval.

The City of London has implemented many waste diversion programs over the years and has achieved 45% diversion of its residential waste stream (Figure 1). This diversion rate is comparable to other medium to large size municipalities in Ontario with the exception of communities with Green Bin programs. The City has commenced the development of its long-term Resource Recovery Strategy. The first component of the strategy is to complete a 60% Diversion Action Plan to determine how best to increase residential waste diversion to 60% by 2022.

In parallel, and recognizing that despite measures to maximize diversion there will still be waste requiring disposal, expansion of the W12A Landfill site is the approach the City is

Figure 1 – Residential Waste Diversion



February 2019

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February 2019

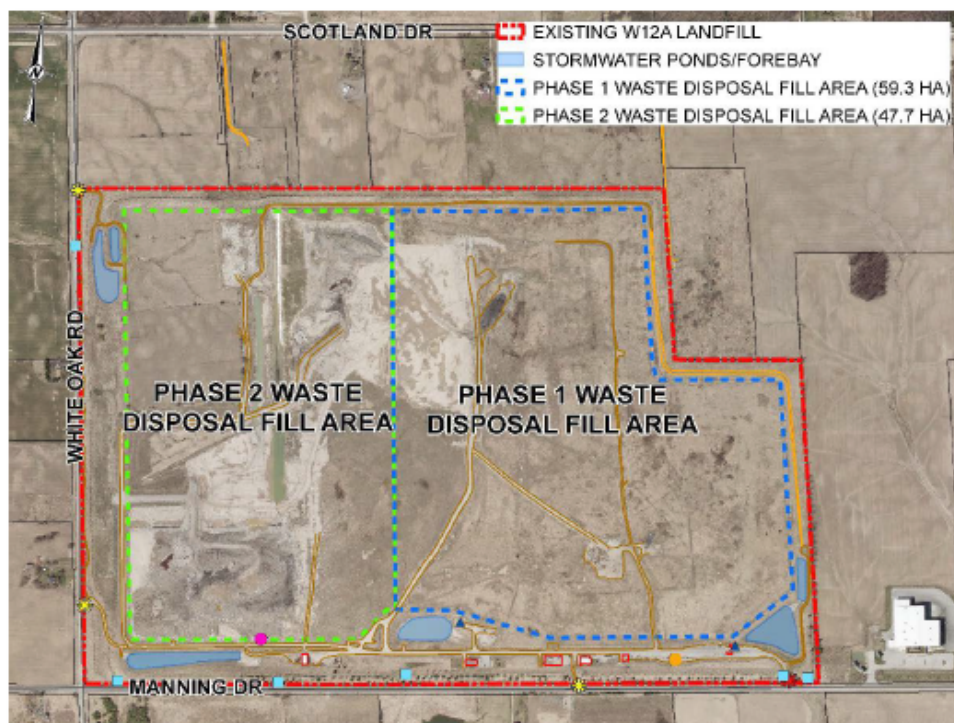
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Proposed Amended Terms of Reference for the Environmental Assessment of the
Proposed W12A Landfill Expansion, City of London

The landfill is divided into two phases (Figure 3). Phase 1 occupies the eastern portion of the disposal area and was filled to capacity in the first 25 years of operation. Phase 2 occupies the remaining western portion and has been constructed with a number of engineering design and operational upgrades (i.e., modern landfill design), and is the active area being used for the residual waste materials generated and requiring disposal. There are engineered collection systems for the leachate (the contaminated liquid produced by precipitation contacting the waste) produced at the site.

Figure 3 – W12A Landfill



For Phase 1 there is a leachate collection system around the perimeter of the disposal area, while for Phase 2 there is a full underdrain collection system below the entire base area. The collected leachate is sent off-site through a piping system for treatment at the Greenway Wastewater Treatment Plant. There is an active landfill gas collection system installed within the completed areas that have received final cover. The collected gas is flared. This gas management system reduces greenhouse gas and odour emissions from the landfill site. There is also a stormwater management system to control the quality and quantity of runoff discharged from the site.

Proposed [Amended](#) Terms of Reference for the Environmental Assessment of the
Proposed W12A Landfill Expansion, City of London

The landfill property and surrounding area is underlain by an extensive deposit of low permeability clayey glacial till soil that provides a natural barrier to control migration of leachate into the groundwater. There are two permeable aquifer zones within the till deposit that are used for water supply from private wells by residences, agricultural and other business purposes in this rural area of the City.

Based on the results from ongoing groundwater and residential well monitoring programs, there is no evidence of leachate effects on the aquifer zones and the W12A Landfill is operating in accordance with the province's requirements in terms of effects on groundwater quality at the property boundary. The W12A Landfill is not having an effect on off-site water well quality.

The ongoing surface water quality monitoring program indicates that the surface water discharged via the stormwater management system meets provincial requirements. The landfill gas monitoring program indicates that landfill gas is not migrating off-site through the subsurface.

Rationale for Expanding the W12A Landfill Site

Since 1969, the City has undertaken a number of waste management planning studies to be able to provide secure, long-term waste management infrastructure for the city. The continued operation of the W12A Landfill site has been a component of the City's long-term plan to provide waste management services since 1977. In 1991 a provincially-appointed arbitrator addressed the City's request to annex additional lands in the Township of Westminster. The arbitrator reported that the W12A Landfill was the most desirable location for a landfill site and that the adjacent lands were likely suitable for an additional landfill site. In the City's 'Vision 96' strategic planning process, it was concluded that the W12A Landfill was a key component of the City's long-term waste management infrastructure.

From 1995 to 1999 the City of London and County of Middlesex were involved in a cooperative long term waste management planning exercise referred to as the London/Middlesex Waste Management plan. This project was 50% funded by the Province. Outcomes of the planning exercise included the approval of the City's long term strategy known as the Waste Management Continuous Improvement System and expansion of the City's Household Special Waste depot to serve the County of Middlesex.

The City commenced the W12A Landfill Area Plan study process in 2005 to study the evolution of the W12A Landfill facility within an overall integrated waste management centre with a planning horizon of 40 years. The study compared seven alternatives that included closing the W12A Landfill and either establishing a new landfill within London or exporting the waste for disposal outside its boundaries, and expanding the W12A Landfill. Technical background studies were completed for the area studied, which was bounded by White Oak Road, Wellington Road South, Scotland Drive and Manning Drive (Figure 2). The alternatives were evaluated and compared qualitatively based on the categories of natural environment, social/cultural, technical/economic and regulatory/administrative. Both numeric and qualitative

Proposed [Amended](#) Terms of Reference for the Environmental Assessment of the Proposed W12A Landfill Expansion, City of London

rating and ranking were applied to the evaluation. This study, which included public consultation events, concluded in 2008 and identified the preferred approach as an integrated resource recovery centre including expansion of the W12A Landfill. This was followed by establishment and designation of the Waste Management Resource Recovery Area in the City's Official Plan, and additional public consultation to develop a Community Enhancement and Mitigative Measures Program to involve the community in the site operations and to benefit the community in the area of the landfill site. Expansion of the W12A Landfill site remains the preferred approach for the City's Residual Waste Disposal Strategy.

Previous waste management studies concluded that expansion of the W12A Landfill is the most appropriate disposal option. Consequently, the City is proposing not to look at other disposal alternatives as part of the EA.

It is proposed that additional assessment of long-term waste disposal alternatives (known as 'Alternatives To' the undertaking) will not be part of the EA.

Description of the Project

Based on previous community engagement activities and ongoing input received, Guiding Principles were developed by the City and approved by City Council to direct the development of the Residual Waste Disposal Strategy. Among these guiding principles, the most support was received for making waste reduction the highest priority, being socially responsible and ensuring that the solution is financially sustainable. In addition, there was support for London managing its waste within its own boundaries.

The W12A Landfill site expansion project will be defined by:

- A 25 year planning period beyond 2025, i.e., until 2050.
- [Consideration is being given to expanding the service area](#) ~~will be expanded~~ to neighbouring municipalities to create a regional service area: The City of London and the Counties of Huron, Perth, Elgin and Lambton and Middlesex [are proposed to](#) ~~will~~ be included in the regional service area. [If approved,](#) ~~the~~ City of London Council will have the authority to decide which, if any, of these other municipalities will be allowed to use the W12A Landfill for disposal of their wastes, and under what conditions. [The regional service area will be confirmed and assessed during the EA.](#)

At current disposal rates, the site is expected to reach its approved capacity at the beginning of 2025. An additional 13,600,000 cubic metres of airspace at the W12A Landfill site, which will about double the current approved capacity, will be required to satisfy disposal requirements for residual waste for the next 25 year period.

Proposed [Amended](#) Terms of Reference for the Environmental Assessment of the Proposed W12A Landfill Expansion, City of London

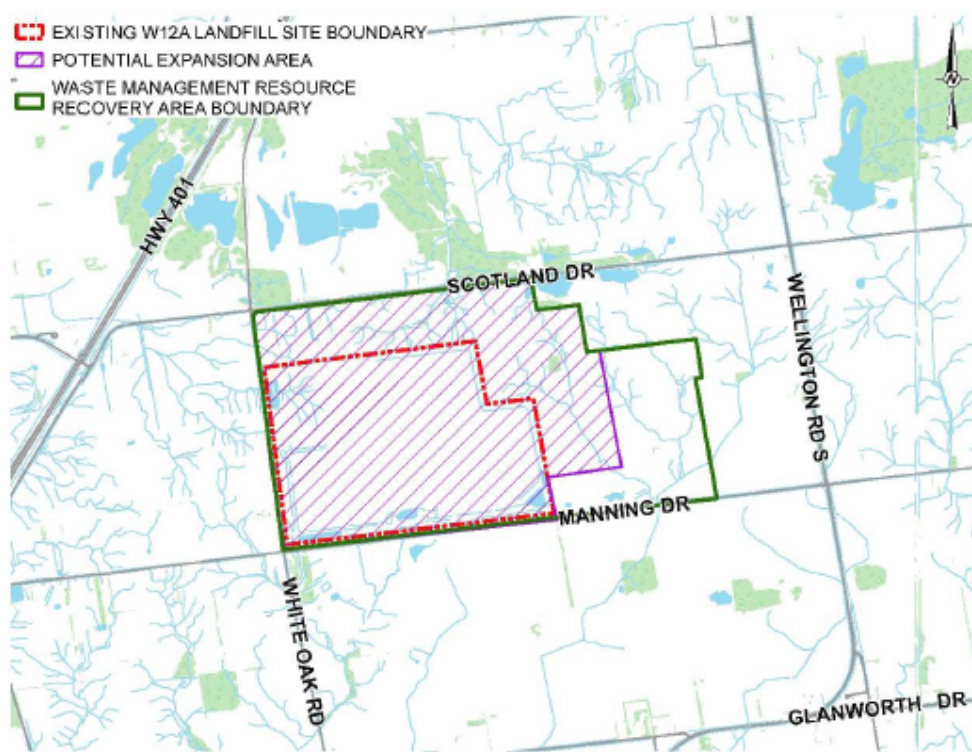
- Reduction in the maximum allowable annual tonnage that can be accepted at the landfill from 650,000 tonnes to 500,000 tonnes.
- Achieving 60% residential waste diversion by 2022.

To satisfy these disposal requirements, expansion of the W12A Landfill should allow for an additional landfill capacity of 13,600,000 cubic metres.

The different ways in which this additional airspace can be achieved on the W12A Landfill site are known as 'Alternative Methods'. The alternative methods of expanding the W12A Landfill site will be developed and described during the EA and will consist of a vertical expansion above the existing waste disposal area and/or a horizontal expansion to the north and/or to the east within a portion of the Waste Management Resource Recovery Area (Figure 4).

The area proposed for horizontal expansion extends beyond the current landfill site about 300 metres northward to Scotland Drive, and eastward about 420 metres. These expansion alternatives will consist of variations in and combinations of landfill height, landfill area and configuration. Different landfill expansion alternatives will be developed at a conceptual level to cover the range of possible alternatives whose characteristics are different enough for comparison purposes, their potential effects on the environment will be assessed, and the alternatives then compared to identify the overall preferred expansion alternative.

Figure 4 – Potential Expansion Area



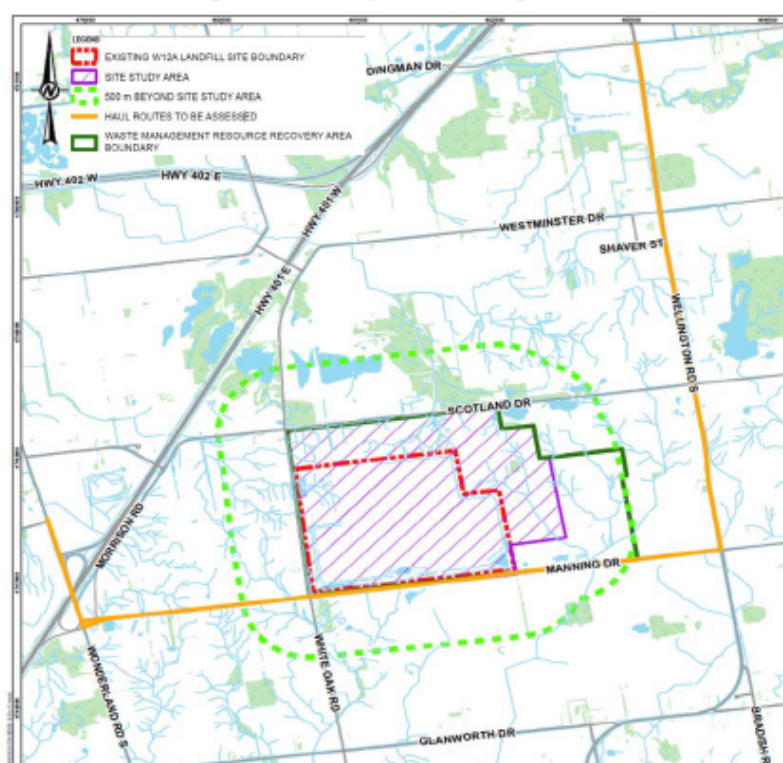
Phase 2: Environmental Assessment

The EA work will be undertaken in a series of nine steps:

- Step 1** – Characterize the existing environmental conditions
- Step 2** – Identify the 'Alternative Methods' of landfill expansion (and incorporate conceptual design mitigation measures)
- Step 3** – Qualitative evaluation of 'Alternative Methods'
- Step 4** – Compare the 'Alternative Methods' for landfill expansion and identify the preferred alternative
- Step 5** – Determine the net effects of the preferred alternative
- Step 6** – Describe the preferred 'Alternative Method' for landfill expansion;
- Step 7** – Consideration of climate change
- Step 8** – Cumulative Impact Assessment
- Step 9** – Preparation of the EA Study Report

Proposed Amended Terms of Reference for the Environmental Assessment of the Proposed W12A Landfill Expansion, City of London

Figure 5 – Proposed Study Areas



Consultation (community engagement) with the public, Indigenous communities, Government review team members, City of London Advisory Committees, and other stakeholders will be ongoing throughout the EA process.

The EA study area is the area within which activities associated with the proposed project will occur and where potential environmental effects will be studied. Three preliminary generic study areas (Figure 5) for the assessment, which may be refined and will be confirmed during the EA, have been identified as follows:

Site Study Area – The existing W12A Landfill Site, located at 3502 Manning Drive and adjacent lands where landfill expansion may occur.

Site-vicinity Study Area – The lands in the area immediately adjacent to the Site Study Area that have the potential to be directly affected by the landfill expansion and activities with the Site Study Area. The extent of the Site-vicinity Study Area will be determined for each of the environmental components. For most environmental components, a Site-vicinity Study Area of 500 metres from the Site Study Area is appropriate.

Wider Study Area – An area that takes on the broader community generally beyond the immediate site vicinity and for specific environmental components may include the entire Municipality.

The components and sub-components of the environment that will be evaluated during the EA such that the potential effects of the proposed landfill expansion alternatives are determined and compared using a set of comparative evaluation criteria, are:

Environmental Components: Atmosphere (air and noise)
Geology and Hydrogeology (groundwater quality)
Surface Water (quality and quantity)
Biology (aquatic and terrestrial)

Socio-Economic Components: Land Use
Agriculture
Archaeology and Cultural Heritage
Socio-economic
Visual Impacts

Technical Components: Design & Operations
Transportation

The ToR provides technical work plans for each of these components and sub-components that will be undertaken during the EA study.

Consultation (Community Engagement)

The ToR describes the Community Engagement Program prepared and undertaken by the City for the development of this ToR, as well as the program proposed for the subsequent EA process.

Engagement and consultation with the public and other stakeholders is a key component of the EA process. It enables stakeholders to participate in the planning process and enhance the quality of the project. The key instruments in the Community Engagement Program that were used to engage the public and the other stakeholders and elicit feedback during the ToR preparation are summarized in Table 1. Input received from this program was considered by the City in preparing the proposed ToR.

A list of potentially affected Indigenous communities was developed in consultation with the Ministry of Environment, Conservation and Parks (MEPC) during the development of this ToR. A program to engage and consult with the eight identified Indigenous communities was carried out considering their specific needs and specific issues. The Indigenous communities were consulted on how they would like to be involved in the EA process. City staff were available to meet with interested Indigenous communities and discuss the proposed project at any time during the development of the ToR.

Proposed [Amended](#) Terms of Reference for the Environmental Assessment of the Proposed W12A Landfill Expansion, City of London

**Table 1 – Key Community Engagement Activities
Between March 2017 and January 2018**

Community Engagement Activity	Comments
Open Houses	<ul style="list-style-type: none"> Two sets of open houses (one in May, one in November 2017) Each set had an afternoon and evening sessions at two locations plus a follow-up virtual open house on the project website
W12A Landfill Public Liaison Committee	<ul style="list-style-type: none"> Existing committee Provided updates at six meetings
City of London Advisory Committees	<ul style="list-style-type: none"> Advisory Committee on the Environment, Agricultural Advisory Committee and Environmental and Ecological Planning Advisory Committee Attended and presented at two meetings for each advisory committee
Community Liaison Committee	<ul style="list-style-type: none"> New committee with members representing various stakeholder groups Four meetings
Community Events	<ul style="list-style-type: none"> Booth at 10 community events (e.g., Sunfest, Lifestyle Home Show, etc.)
Project Website	<ul style="list-style-type: none"> Getinvolved.London.ca/WhyWasteDisposal Over 1,300 unique visitors
Letter/email correspondence	<ul style="list-style-type: none"> Contacted 275 nearby property owners and residents, 28 landfill customers, 15 stakeholder groups and over 30 government agencies on three occasions (Notice of Commencement and both sets of open houses)
Newspaper and social media advertisements	<ul style="list-style-type: none"> Numerous ads at various point in the process

To assist in the comparative evaluation of the expansion alternatives during the EA, the public was asked at open house #2 to rank the environmental components that they considered more important, important and less important. Based on the input received, groundwater quality, aquatic ecosystems and terrestrial ecosystems were the environmental components identified as most important, while cultural heritage landscapes, cultural heritage resources and archaeology were ranked less important.

Following approval of this ToR and during preparation of the EA, a consultation program will be continued to engage the public, businesses, the Government review team, Indigenous communities, as well the various groups and committees during the EA process. Input will be

Proposed [Amended](#) Terms of Reference for the Environmental Assessment of the Proposed W12A Landfill Expansion, City of London

obtained through a number of engagement activities, which will be generally similar to the activities completed during preparation of the ToR.

The Draft EA will be circulated for a seven week public comment period prior to finalization and submission to the MECP for approval. In addition, consultation specific to individual Indigenous communities will also be carried out.

Other Regulatory Approvals

In addition to EA approval, the W12A Landfill expansion will also require approvals under the *Environmental Protection Act*, the *Ontario Water Resources Act* and the *Planning Act*, and perhaps from the Upper Thames and Kettle Creek Conservation Authorities in terms of a permit to undertake specific works associated with the expansion. These approvals processes are expected to be undertaken after EA approval is in place.

Overview of the EA Schedule

The following schedule is anticipated:

Circulation of Draft ToR for public and agency review	April/June 2018
Submission of Proposed ToR for Minister's Approval	October 2018
Approval of ToR	Early to Mid -2019
EA Studies and EA Submission for Minister's Approval	2019 and 2020
Approval of EA	Mid-2021
Other Approvals	2021-2022

It is anticipated that all approvals will be in place to allow final design of the preferred landfill expansion and any required construction prior to the W12A Landfill reaching its currently approved capacity, which is predicted at the beginning of 2025.

Appendix B
Terms of Reference – Notice of Approval

TERMS OF REFERENCE - NOTICE OF APPROVAL

ENVIRONMENTAL ASSESSMENT ACT

SUBSECTION 6(4)

APPROVAL OF TERMS OF REFERENCE

FOR

THE PREPARATION OF AN ENVIRONMENTAL ASSESSMENT

RE: Proponent: City of London

Terms of Reference: W12A Landfill Expansion Environmental Assessment

EA File No.: 18016

As provided for by subsection 6(4) of the Environmental Assessment Act, terms of reference, as submitted for approval to the Ministry of the Environment, Conservation and Parks on October 12, 2018 and revised through the submission of an amended terms of reference dated February 7, 2019 is hereby approved.

Pursuant to subsection 6.1(1) of the Environmental Assessment Act, any environmental assessment for the above-noted undertaking, submitted to the Ministry of the Environment, Conservation and Parks pursuant to subsection 6.2(1) of the Environmental Assessment Act, must be prepared in accordance with the amended terms of reference as hereby approved.

Reasons:

I am satisfied that an environmental assessment prepared in accordance with the amended terms of reference will be consistent with the purpose of the Environmental Assessment Act and the public interest for the following reasons:

1. The terms of reference provides that the environmental assessment will include an identification and evaluation of a reasonable range of alternative methods and that these alternative methods will be assessed during the environmental assessment process.
2. The terms of reference requires the proponent to implement a comprehensive consultation plan during the preparation of the environmental assessment. In addition, the Environmental Assessment Act requires consultation and documentation of the consultation during the preparation of the environmental assessment. As well, there will be additional opportunities for public and government agency consultation when the environmental assessment is submitted to the ministry.

- 2 -

3. The terms of reference provides that the environmental assessment will be prepared using a comprehensive public, Indigenous community and government agency consultation process that is open and transparent and in particular will include consultation on the selection and evaluation of alternative methods during the environmental assessment.
4. The terms of reference requires that the proponent meet the intent of the Environmental Assessment Act by providing for the identification of issues and concerns, and the preferred means of addressing them with due regard to adoption of environmental management, protection and mitigation measures.
5. There are no outstanding issues that have not been incorporated into the terms of reference or that cannot be addressed during the preparation of the environmental assessment.

Dated the 30 day of July, 2019 at TORONTO.



Minister of the Environment, Conservation and Parks
777 Bay Street, 5th Floor
Toronto, Ontario
M7A 2J3

Appendix C

Terms of Reference – List of Commitments

ID	Commitment
1	The EA will be prepared in accordance with subsections 6(2)(c) and 6.1(3) of the <i>EA Act</i> .
2	The City has committed to a target of 60% residential waste diversion by the end of 2022.
3	When requested, the City of London will meet with individuals or groups at their convenience to assist them with understanding the project information and providing input; for example, if they are unable to participate in planned public consultation events or require more information.
4	The City will contact Indigenous groups to discuss their consultation needs and continue to involve them in the EA process.
5	Where described in the ToR for the environmental components, detailed workplans for the technical studies will be prepared and provided to the appropriate GRT agency for review and concurrence.
6	The City will share workplans with Indigenous Communities and post workplans on the project website.
7	The City will consider the stated purpose of this EA during the EA process and will refine the purpose if required. The final purpose statement will be provided in the EA study report.
8	During the EA, assumptions used in determining the projected residual waste from the existing service area will be refined and assessed. This will be described in the EA study report.
9	During the EA the proposed regional service area will be confirmed and further assessed. This will be described in the EA study report.
10	During the EA, the preliminary criteria and indicators for each of the environmental components will be refined and described in the EA study report.
11	The preliminary Study Areas will be reviewed and confirmed during the EA and described in the EA study report.
12	A more detailed description of the environmental conditions will be prepared during the EA to reflect the confirmed Study Areas using a combination of sources of existing information and site-specific investigations and studies and provided in the EA study report.
13	The individual Alternative Methods of expanding the W12A Landfill will be identified, refined and confirmed during the EA, and described in the EA study report.
14	Further input on the relative importance of the assessment indicators will be obtained during the initial stages of the EA.
15	During the EA, the capability of the WWTP to continue to receive the leachate generated from the preferred landfill expansion alternative will be evaluated. This will be described in the EA study report.
16	The preferred expansion alternative will be assessed from the perspective of climate change.
17	A cumulative impact assessment will be completed and described in the EA study report.
18	Post-closure commitments will be described in the EA study report
19	The list of ToR commitments will be provided in the EA study report together with the way in which these commitments were addressed during the EA and the location of the information within the EA documents. The EA Report will also include a list of commitments made by the City during the preparation of the EA studies and during consultation throughout the EA process
20	The City commits to developing a monitoring framework during the preparation of the EA.

TO:	CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON SEPTEMBER 24, 2019
FROM:	KELLY SCHERR, P.ENG., MBA, FEC MANAGING DIRECTOR ENVIRONMENTAL & ENGINEERING SERVICES AND CITY ENGINEER
SUBJECT:	LANDFILL GAS (LFG) UTILIZATION: NEXT STEPS IN THE DEVELOPMENT OF A RENEWABLE NATURAL GAS (RNG) FACILITY

RECOMMENDATION

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer and on the advice of the Director, Environment, Fleet and Solid Waste the following actions **BE TAKEN** with respect to potentially supplying FortisBC Energy Inc. with Renewable Natural Gas (RNG) created from landfill gas (LFG) from the W12A Landfill:

- a) the Civic Administration **BE AUTHORIZED** to release a Request for Proposals to develop a RNG facility to convert landfill gas from the W12A Landfill to RNG; and,
- b) Civic Administration **BE AUTHORIZED** to undertake all administrative acts that are necessary in connection with this project.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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Relevant reports that can be found at www.london.ca under City Hall (Meetings) include:

- Landfill Gas Utilization – Update on Feed-In Tariff (FIT) Program Application for a 500kw Landfill Gas Power Plant & Request for Authorization to Execute Fit Contract, October 24, 2017 meeting of the Civic Works Committee (CWC), Agenda Item #16.
- Municipal Greenhouse Gas (GHG) Challenge Fund Applications, October 24, 2017 meeting of CWC, Agenda Item #15.
- Local Renewable Electricity Generation Projects seeking Ontario Feed-In Tariff Contracts Municipal Council Blanket Support Resolution Landfill Gas Projects on Active & Closed Landfill Sites Feed-In-Tariff (FIT) 5.0 Prescribed Forms, October 31, 2016 meeting of the Planning and Environment Committee (PEC), Agenda Item #3.
- Landfill Gas Utilization Update and Next Steps, October 4, 2016 meeting of the CWC, Agenda Item #12.
- Landfill Gas Utilization Status of Opportunities and Next Steps, March 29, 2016 meeting of the CWC, Agenda Item #16.

COUNCIL'S 2019-2023 STRATEGIC PLAN

Municipal Council has recognized the importance of solid waste management in its 2019-2023 - Strategic Plan for the City of London as follows:

Building a Sustainable City

London has a strong and healthy environment (Increase waste reduction, diversion and resource recovery)

Growing our Economy

London is a leader in Ontario for attracting new jobs and investments (Increase partnerships that promote collaboration, innovation and investment)

Leading in Public Service

Londoners experience exceptional and valued customer service (Increase community and resident satisfaction of their service experience with the City)

BACKGROUND

PURPOSE

The purpose of this report is to obtain authorization for City staff to release a Request for Proposals to develop an RNG facility to convert landfill gas from the W12A Landfill to RNG.

CONTEXT

Addressing the Need for Action on Climate Change

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.

Development of an RNG facility at the W12A Landfill will further reduce greenhouse gas (GHG) generation (beyond flaring) since RNG injected into the pipeline directly replaces the use of fossil fuel natural gas. It is expected a RNG facility will reduce GHG emissions by 15,500 to 18,500 tonnes of CO₂ every year (equivalent to removing 3,900 to 4,600 vehicles from the road) on an annual basis.

Landfill Gas Collection and Flaring at the W12A Landfill

Landfill gas is produced by the anaerobic decomposition of organic waste material within the landfill and typically consists of about 50 percent methane. Methane is a potent greenhouse gas (GHG) with a global warming potential 25 times greater than carbon dioxide. Collecting and burning methane at the landfill site and converting it to carbon dioxide reduces its global warming impact by about 96 percent.

Landfill gas collection and destruction is now a provincial regulatory requirement for larger landfills like W12A, which came into full effect on June 2016. Prior to this the City of London collected and flared landfill gas on a voluntary basis since 2004.

Since 2004, the landfill gas collection and flaring system has burned about 48,000 tonnes of methane, which has avoided the release of 1,190,000 tonnes of GHG emissions in terms of equivalent carbon dioxide. In 2018 alone, the flare avoided the release of about 96,000 tonnes of GHG emissions – the equivalent of taking 24,000 cars off the roads.

Previous Work on Landfill Gas Utilization Projects

Between 2010 and 2015 there have been several attempts to develop a landfill gas utilization project at the W12A Landfill. During this time, City staff have submitted complete details as part of various application processes and continue to meet all the technical requirements for the gas utilization projects. Utilization projects investigated include electrical power generation projects, greenhouse projects and RNG projects. The challenges associated with successful development of the previous projects that were beyond City control have been:

- Regional electricity transmission constraints;
- Electricity transformer station capacity constraint;

- The Ontario Energy Board's previous rejection of a proposal to implement an RNG premium payment proposed by Enbridge and Union Gas; and
- Changing rules and application processes by the former Ontario Power Authority for renewable electricity generation.

Recent Council Direction and Outcomes

In October 2016, Civic Works Committee and Council reviewed existing potential landfill gas utilization options for W12A Landfill and subsequently directed staff to submit an application to the Independent Electricity System Operator's Feed-In Tariff (FIT) Program for a 500 kilowatt landfill gas power plant which would use about 20 percent of the annual landfill gas produced. In addition, staff were directed to examine options for the production of RNG from the remaining volume of landfill gas at the W12A Landfill.

In 2017 the City was awarded and signed a FIT contract for a 500 kilowatt landfill gas power plant.

In April 2018, Civic Works Committee and Council authorized staff to submit a proposal to Union Gas's *Renewable Natural Gas Supply Request for Proposals*. The business case for the proposed project showed financial, environmental and social benefits to the City with limited risks. The Union Gas program to buy and inject RNG into their system for ten years was partially based on funding from the former provincial GHG cap and trade system.

Change in Provincial Direction

In June 2018 a new Conservative provincial government took office. Shortly thereafter the province cancelled a number of renewable energy contracts including the contract with the City to build a 500 kilowatt landfill gas power plant. The province also cancelled the provincial GHG Cap and Trade system which resulted in Union Gas not proceeding with any of the proposals submitted to them to provide RNG.

These changes left the City without a utilization project to manage over 2,000 m³/hour (1,200 ft³/minute) of landfill gas being produced at the W12A Landfill.

DISCUSSION

FortisBC Energy Inc. RNG Request for Proposals

FortisBC Energy Inc. ("FortisBC") is one of the first utilities in North America to have an approved program for the supply and delivery of RNG to its customers. Currently FortisBC has five RNG supply facilities operating in British Columbia but due to the continued growth and success of the approved RNG program, FortisBC needs additional RNG supply to meet demand.

In June 2018, Fortis BC initiated a Request for Expression of Interest ("REIO") process for new RNG supply projects. The REIO process gave preference to projects in British Columbia but would also consider projects within Canada and the United States. With the cancellation of the existing City landfill gas utilization projects, staff responded to the REIO. Responding to the REIO did not put the City under any obligation to enter into discussions, negotiations or agreements for the sale of RNG. This project has similar environmental and social benefits, as well as the potential for equal or better financial benefits than the previous proposal to sell RNG to Union Gas.

Status of FortisBC REIO Submission

Most organizations submitting a successful EOI to FortisBC were asked to respond to a Request for Proposal in the Fall of 2018. However, based on the City's EIO, FortisBC proposes to proceed with direct negotiations with the City.

FortisBC is currently developing the procedures and agreements that will be acceptable to the British Columbia Utilities Commission for them to accept RNG from Ontario. This process has not been concluded. Provided FortisBC is successful, they would want to begin receiving the RNG from London as early as July 1, 2021.

To achieve this time line, FortisBC would like to begin negotiations on a formal agreement with the City. The City will still need to develop the RNG facility after any agreement is signed which would take up to 18 months or longer to design, build and commission.

RNG Facility Experience in Canada

According to information provided by the Canadian Biogas Association in 2017 (City of London is a member), there are currently three RNG facilities using landfill gas as the energy source operating in Canada and three more in the development stage (that may now be operating). There are several other operating RNG facilities at other facilities including the City of Hamilton (wastewater treatment facility).

The operating RNG facilities at landfill sites are:

- FortisBC RNG facility at the Kelowna Landfill (capacity to heat 530 homes/year)
- FortisBC RNG facility at the Salmon Arm Landfill (capacity to heat 170 homes/year)
- Waste Connections RNG facility at the Terrebonne Landfill (capacity to heat 26,000 homes/year)

To put these three existing RNG projects into perspective, the proposed RNG facility at the W12A Landfill would have the capacity to produce 1,150 cubic metres of RNG per hour, or the capacity to heat around 4,600 homes per year.

The US Environmental Protection Agency's Landfill Methane Outreach Program (LMOP) website and database was used to find an RNG project of similar capacity to the one being proposed for the W12A Landfill. According to this database, the City of Billings, Montana has a RNG facility that produces 895,000 cubic feet of RNG per day (or 1,020 cubic metres per hour).

Figures 1 and 2 illustrate the scale of the RNG facility in Billings Montana, and based on these images, the RNG facility of this capacity at the W12A Landfill would require a space of approximately 2,000 square metres. This is about 2.5 times the area of the current LFG flare fenced compound at the W12A Landfill (Figure 3).



Figure 1 - RNG Facility in Billings, Montana, USA (Source: City of Billings website)



Figure 2 - RNG Facility in Billings, Montana, USA (Source: Google Maps)



Figure 3 – Current W12A Landfill gas flare which demonstrates the available space to for future facilities (Source: City Map)

Next Steps

As noted above only a handful of RNG facilities have been constructed in Canada. These are complex facilities that require specialized knowledge and expertise to design, build and operate. There are only a few companies in Canada with the capabilities to develop an RNG project. Considering the above, it is recommended that the City release a Request for Proposals to develop a RNG facility to convert landfill gas from the W12A Landfill to RNG. Staff will be engaging outside consultant(s) to assist with the development of the RFP.

PREPARED BY:	PREPARED AND SUBMITTED BY:
MICHAEL LOSEE, B.SC. DIVISION MANAGER, SOLID WASTE MANAGEMENT	JAY STANFORD, M.A., M.P.A. DIRECTOR, ENVIRONMENT, FLEET & SOLID WASTE
RECOMMENDED BY:	
KELLY SCHERR, P.ENG., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL & ENGINEERING SERVICES AND CITY ENGINEER	

TO:	CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON SEPTEMBER 24, 2019
FROM:	KELLY SCHERR, P. ENG., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL AND ENGINEERING SERVICES AND CITY ENGINEER
SUBJECT:	WASTEWATER TREATMENT OPERATIONS ENVIRONMENTAL ASSESSMENT MASTER PLAN STUDY INITIATION

RECOMMENDATION

That on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following information report **BE RECEIVED** with respect to the initiation of the Wastewater Treatment Operations Environmental Assessment Master Plan Study.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

Civic Works Committee, August 13, 2018, Item 2.9 – East London Sanitary Servicing Study – Municipal Class Environmental Assessment: Notice of Completion

Civic Works Committee, April 17, 2018, Item 2.6 – South London Wastewater Servicing Study Municipal Class Environmental Assessment: Notice of Completion

Civic Works Committee, September 26, 2017, Item 3.14 – Domestic Action Plan (DAP): London – Proposal Update

Strategic Priorities Committee, August 29, 2016, Item 2.5 – 2019 Development Charge Study In-House Completion of Master Plan Studies

2019-2023 STRATEGIC PLAN

This project supports the 2019–2023 Strategic Plan through the following:

- Building a Sustainable City: Build infrastructure to support future development and protect the environment; and
- Leading in Public Service: Increase opportunities for residents to be informed and participate in local government.

BACKGROUND

Purpose

The purpose of this report is to notify Council of the initiation of a Wastewater Treatment Operations Environmental Assessment (EA) Master Plan process to be completed by City of London staff.

Context

The Wastewater Treatment Operations Division is responsible for the pumping and treatment of residential, commercial and industrial wastewater and maintains over forty facilities across the City. There have been many wastewater treatment plant and community wastewater servicing studies completed in London over the last 20 years. These master plans were completed to remedy area specific wastewater challenges.

The purpose of completing this master plan is to develop a single plan that considers the recommendations of the previously completed reports, considers how the

recommendations in these reports interrelate and defines a long-term implementation plan.

DISCUSSION

Wastewater in the City of London is collected through an extensive system, consisting of over 1400 km of pipe, 36 pumping stations and 5 wastewater treatment plants. Appendix 'A' provides a simplified schematic of the City of London Wastewater System. From east to west, these wastewater treatment plants are named:

- Pottersburg Wastewater Treatment Plant,
- Vauxhall Wastewater Treatment Plant,
- Adelaide Wastewater Treatment Plant,
- Greenway Wastewater Treatment Plant, and;
- Oxford Wastewater Treatment Plant.

In 2018, these plants treated a combined average of 194 million litres per day (MLD), which represents over 5% of the annual average flow in the Thames River but almost 20% of the flow in the drier summer months. In some very dry years, the City's wastewater treatment plants have accounted for over half of the flow in the river at times.

Reliable collection and treatment of wastewater generated in the city plays an essential role in protecting public health and the environment. Planning for the replacement of equipment, upgrading of existing processes and construction of new facilities is an ongoing part of the business of the Wastewater Treatment Operations Division.

Corporate Asset Management Plan

The 2019 Corporate Asset Management Plan City identifies that the City's wastewater treatment facilities, including plants and pumping stations, have a replacement value of over \$1 billion with a projected annual infrastructure gap of \$13 million.

Table 1: 2019 Corporate Asset Management Plan condition and Infrastructure Gap Summary

City of London Wastewater – Sanitary Treatment Services Infrastructure						
Asset Type	Replacement Value (millions)	Current Condition	Current Infrastructure Gap (millions)	10 Year Infrastructure Gap (millions)	Current Annual Reinvestment Rate	Recommended Annual Reinvestment Rate
Treatment	\$1,025	<p>Treatment Overall Condition</p>	\$13.1	\$82.93***	0.3%	1.7% to 2.5%**

** Canadian Report Card Recommended Annual Reinvestment Rate.

Further, over 70% of the infrastructure at those facilities is considered to be in fair to poor condition, primarily based on the age of those assets. The quality of the wastewater treatment condition and asset value data set is considerably lower than the data available for the City's wastewater sewer system. In concert with the environmental assessment, further asset management work will be undertaken to improve the wastewater treatment asset management dataset. This work will include developing an improved inventory of key wastewater assets, determining their condition, and establishing their appropriate replacement value.

Environmental Assessment Master Plan

A comprehensive plan is needed to provide recommendations on City wide wastewater challenges and to develop an implementation plan to deal with many of the City's significant wastewater challenges. Long-term planning on a city-wide basis is essential in order to minimize the costs associated with upgrading and operating the system as a whole. The following will be considered as part of this study:

- Managing wet weather flows at the City's wastewater treatment plants and pumping stations.
- Developing a plan for identifying the location of wastewater treatment and pumping station upgrades to support growth.
- Identifying opportunities to reduce treatment plant bypasses and improve the treatment of wastewater that needs to be bypassed.
- Developing an implementation plan related to City of London's Lake Erie Action Plan Actions.

Over the next thirty years there are over \$650M in major refurbishment or replacement projects currently identified at the City's wastewater treatment plants. The scale of the projects expected over the next thirty years warrants careful planning to ensure that the costs are managed effectively and that funds are set aside for these large expenditures. Having a plan in place for the long-term future will make the City more adaptable to change and better able to accommodate growth.

Project Management

This master plan will be undertaken by Wastewater Treatment Operations staff, with occasional support from third parties for specialized assignments and public meeting and materials preparation. Completing this project in-house will build internal capacity for high-level system planning and ensure the retention of institutional knowledge prior to the anticipated retirement of key wastewater treatment staff. A further benefit of completing the work in-house is a far reduced cost. The cost of a consultant assignment with a similar scope would be \$350,000. It is anticipated that the costs to complete this work in-house will be less than \$100,000. City staff will use the same implementation model developed to undertake the in-house master planning work completed as part of the 2019 Development Charges process for the Water, Wastewater and Stormwater background studies.

Engagement Plan

The engagement of residents, First Nations and stakeholders is an important part of the master planning process. Without thoughtful and timely participation from interested parties, there is no way to be sure that the solutions proposed consider the needs of those they serve and protect. The following engagement activities are proposed for the Wastewater Treatment Operations EA Master Plan:

- Staff will create a web presence for the project that will include the City's website and the "Get Involved" website.
- Notice of commencement will be published to communicate the intent of the study to citizens, First Nations, councillors and stakeholders.
- Public engagement meeting (open house format) will be held Q2 2020, with advertisements in the Londoner and on the study webpages in the two weeks preceding the meeting.
- Face to face meetings with interested First Nations and stakeholders will be conducted as requested.

An important part of the community engagement will be getting opinions and answering questions about the long-term plans for the City from different perspectives. Ideas and concerns received during the public engagement process will be incorporated into a proposed strategy for the wastewater operations facilities identified.

Schedule

The completion of the Wastewater Operations EA Master Plan is intended to be a thorough process that addresses a number of planned and potential projects impacting London's wastewater treatment system. The proposed timeline for the completion of each proposed study phase and a list of key decision points are listed below.

Issue the Notice of Project Commencement	Q4 2019
Public Information Centre to provide information on the City's Wastewater Treatment System and identify the work completed to date	Q2 2020
Public Information Centre to propose the preferred Master Plan alternative	Q4 2020
Report to Civic Works Committee to finalize the Wastewater Operations Master Plan EA	Q2 2021

Lake Erie Action Plan

The goal of the Canada-Ontario Lake Erie Action Plan for Phosphorous Reduction is a plan to address harmful algal blooms and improve the health of Lake Erie. The City of London is responsible for six of the plan's 120 proposed actions. The City of London action most closely tied to this environmental assessment relates to Enhanced Wastewater Treatment:

Enhanced Wastewater Treatment

The City of London will undertake a pilot project using new technologies as an alternative to conventional tertiary treatment, with the objective of achieving effluent quality of 0.1 mg/L and will, upon successful completion of the pilot project, develop a plan to roll-out phosphorus reduction technologies to the five major treatment plants.¹

¹ Subject to upper level government funding partnerships.

The Wastewater Treatment Operations Environmental Assessment Master Plan Study will include consideration for phosphorous reduction technologies at the City's five major treatment plants and will propose an implementation plan to be considered as part of a future multi-year budget process.

Next Steps

The next steps in the Wastewater Treatment Operations EA Master Plan process include issuing the Notice of Commencement and assembling the background materials required to support the first public meeting. Notice for any public meeting will be provided a minimum of thirty days prior to the scheduled meeting date.

CONCLUSIONS

The Wastewater Treatment Operations Division is undertaking an EA Master Plan to establish the wastewater servicing strategy over the long-term. In order to ensure that the solutions identified adequately consider the interests of the City's citizens and neighbours, the EA Master Plan approach will be employed to seek ideas, opinions, and comments from all who wish to have their voices heard.

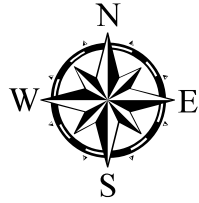
This master plan will be used to guide capital projects, maintenance activities and operational strategies over the coming decades, so it is essential that the plan considers all possibilities. Engaging and informing the public through steps outlined above will allow Council to make informed decisions through an open and transparent process.

SUBMITTED BY:	CONCURRED BY:
GEORDIE GAULD DIVISION MANAGER WASTEWATER TREATMENT OPERATIONS	SCOTT MATHERS, P. ENG. MPA DIRECTOR, WATER AND WASTEWATER
RECOMMENDED BY:	
KELLY SCHERR, P.ENG., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL AND ENGINEERING SERVICES AND CITY ENGINEER	

Attach: Appendix 'A' - City of London Wastewater System

cc. Tom Copeland

The City of London Wastewater System



Plant Name & Capacity		
Plant Name	Current Plant Capacity (MLD)	2018 Average Daily Flow (MLD)
Oxford	13.6	10.8
Greenway	170.0	117.0
Adelaide	36.4	26.7
Vaushall	20.9	13.8
Pottersburg	39.1	28.1

*MLD = million litres per day

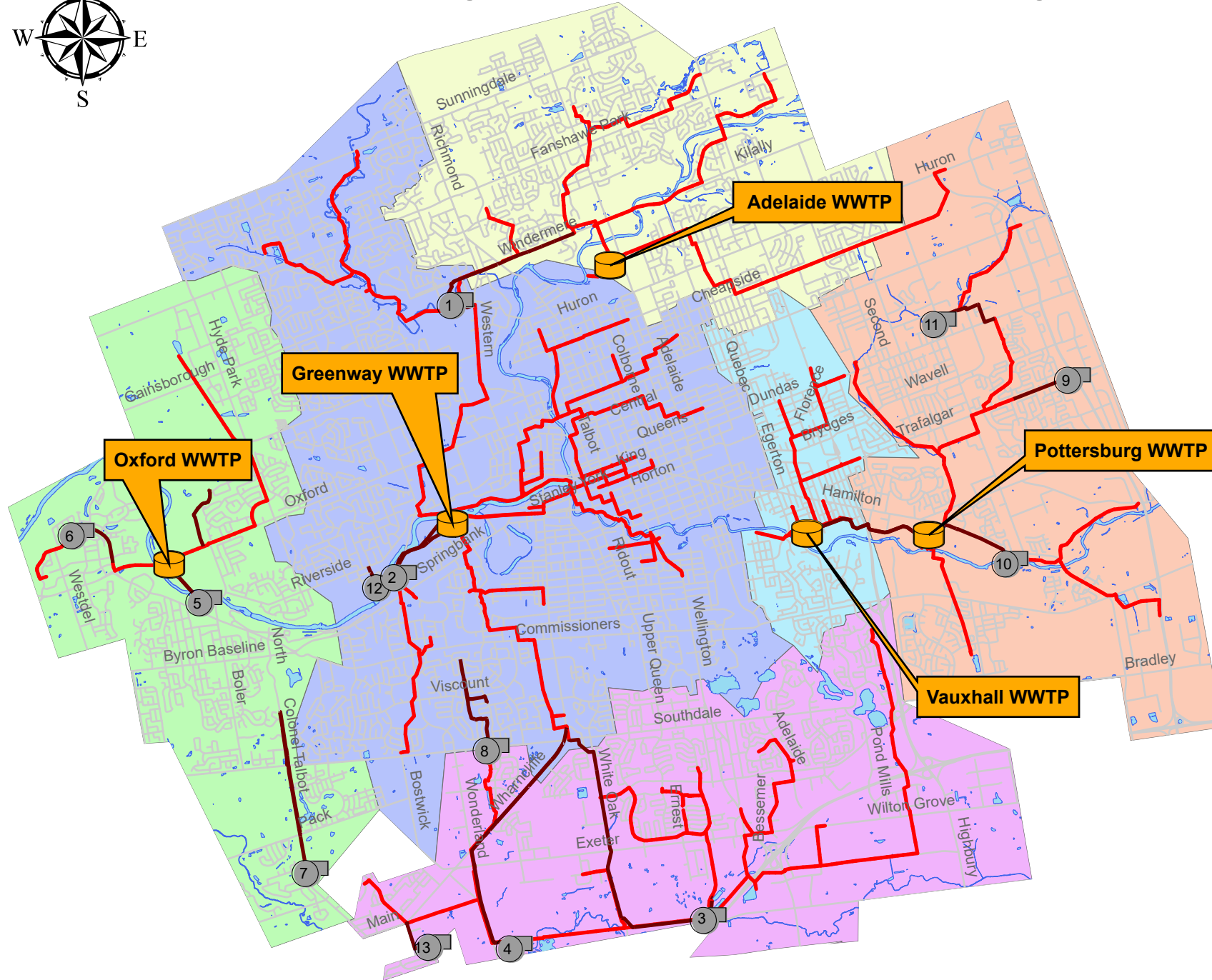
Major Pumping Stations	
1	MEDWAY PS
2	BERKSHIRE PS
3	DINGMAN PS
4	WONDERLAND PS
5	BYRON PS
6	RIVERBEND PS
7	COLONEL TALBOT PS
8	WESTMOUNT PS
9	TRAFALGAR ROAD PS
10	EAST PARK PS
11	CLARKE ROAD PS
12	SUNNINGHILL PS
13	SOUTHLAND PS

Legend

- Wastewater Treatment Plants (5)
- Major Pumping Stations
- Major Forcemains
- Sanitary Sewer (Greater than 750 mm Dia)

Sewershed Catchment Area

- Adelaide
- Pottersburg
- Greenway
- Vauxhall
- Oxford
- Greenway (Dingman)



TO:	CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON SEPTEMBER 24, 2019
FROM:	KELLY SCHERR, P. ENG., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL AND ENGINEERING SERVICES AND CITY ENGINEER
SUBJECT:	AUTOMATED SPEED ENFORCEMENT CONTRACT AWARD

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 Automated Speed Enforcement Program:

- a) Redflex Traffic Systems (Canada) Limited, **BE AWARDED** the contract for the provision of Automated Speed Enforcement Services for a five (5) year period, starting when the contract is executed, in accordance with the terms and conditions of the Request for Approvals executed by the City of Toronto on behalf of the City of London and other participating Automated Speed Enforcement municipalities in accordance with Section 14.4 (g) of the Procurement of Goods and Services Policy, noting that there is an option to extend the contact at the discretion of the City of London for an additional five (5) years;
- b) Civic Administration **BE AUTHORIZED** to enter into an agreement with the City of Toronto to undertake centralized municipal processing of Automated Speed Enforcement offence notices;
- c) Civic Administration **BE AUTHORIZED** to enter into an agreement with the Ontario Ministry of Transportation related to the operation of the Automated Speed Enforcement Program;
- d) Civic Administration **BE AUTHORIZED** to undertake all administrative acts that are necessary in connection with this program;
- e) Approvals given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract with Redflex Traffic Systems (Canada) for the work;
- f) The Mayor and City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations;
- g) Civic Administration **BE DIRECTED** to bring forward the necessary Traffic and Parking By-law amendments to designate Automated Speed Enforcement areas as Community Safety Zones; and,
- h) Civic Administration **BE DIRECTED** to place the net revenue from the Automated Speed Enforcement Program in the automated enforcement reserve fund; noting that any revenue shortfalls will be funded from this reserve fund, if necessary.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

For additional information, please refer to the following committee reports:

- Civic Works Committee – April 25, 2016, [II, 2. School Zone Speed Limit Policy](#)
- Civic Works Committee – May 9, 2017, [II, 11. Vision Zero – London Road Safety Strategy](#)
- Civic Works Committee – November 21, 2017, [III 15. Safer School Zones Act](#);
- Civic Works Committee – May 15, 2018, [4.1 Automated Speed Enforcement](#)
- Civic Works Committee – February 20, 2019, [2.12 Red Light Camera Program, 2018 Annual Report](#)
- Civic Works Committee – May 14, 2019, [2.6 Area Speed Limit](#)
- Civic Works Committee – September 24, 2019, Area Speed Limit Update

COUNCIL'S 2019-2023 STRATEGIC PLAN

The following report supports the Strategic Plan through the strategic focus areas of **Strengthening Our Community** and **Building a Sustainable City**. Automated Speed Enforcement could enable Londoners to move around the city safely and easily in a manner that meets their needs by improving safety for all modes of transportation in accordance with Vision Zero principles.

BACKGROUND

On May 22, 2018, Municipal Council passed the following resolution:

That the Civic Administration BE DIRECTED to undertake the following actions with respect to automated speed enforcement:

- a) consult with the London Road Safety Coalition, appropriate Advisory Committees, local school boards and other stakeholders with respect to the potential implementation of automated speed enforcement in community safety zones and school zones;
- b) consult with relevant staff at the Town of Canmore, Alberta with respect to their experience implementing Canmore's "I Drive Safely" program, which includes automated speed enforcement; and,
- c) report back to the appropriate Standing Committee with respect to:
 - i) a proposed approach to automated speed enforcement in community safety zones and school zones;
 - ii) establishment of speed limits at or below 40 km/hr for community safety zones and school zones;

- iii) the proposed budget for an automated speed enforcement program;
- iv) the proposed allocation for any revenues collected as a result of automated speed enforcement in excess of the costs of the program (eg. Other vision zero road safety initiatives); and,
- v) preliminary data gathered about the effectiveness of existing measures deployed in school zones (pedestrian crossovers, road markings, lower speed limits, etc.).

Item c) ii) was addressed in the May 14, 2019 Civic Works Report titled “Area Speed Limit” and resulted in the following May 21, 2019 Council resolution:

That the following actions be taken with respect to the Area Speed Limits:

- a) the Civic Administration BE DIRECTED to consult with the Transportation Advisory Committee, the Community Safety and Crime Prevention Advisory Committee and others with respect to the development of an Area Speed Limit Policy;
- b) a public participation meeting BE HELD before the Civic Works Committee, after the above-noted input has been received;
- c) the Civic Administration BE REQUESTED to also report back at a future meeting of the Civic Works Committee, no later than the end of Q3 of 2019, with respect to enacting tools now provided by the Province through Bill 65, specifically:
 - i) reducing the speed limit in community safety zones in order to improve pedestrian safety;
 - ii) increasing fines for speeding in school zones and community safety zones; and
 - iii) implementing Automated Speed Enforcement systems in school zones and community safety zones.

it being noted a submission from Councillor M. Cassidy, with respect to this matter, was received. (2019-T07/T08) (2.6/9/CWC).

This report addresses items a), b), c) i) and ii) to v) of the May 22, 2018 resolution and items c) iii) of the May 21, 2019 resolution. The remaining items are addressed in the “Area Speed Limit” report to the Civic Works Committee.

DISCUSSION

Speeding, commonly defined as exceeding the posted speed limit or driving too fast for conditions, is a primary crash factor and leading road safety problem



contributing to one-third of fatal crashes and serving as an aggravating factor that increases crash severity. Vision Zero London includes engineering, enforcement and

education (3Es) to address speeding and other road safety concerns. Traditional enforcement through London Police Services is an effective tool; however, resource limitations impact when and where enforcement occurs. Automated Speed Enforcement (ASE), commonly referred to as photo radar, can be a financially effective method to modify driver behaviour similar to what has been observed with London's red light camera program.

Consultation

The London Middlesex Road Safety Committee (LMRSC), the Transportation Advisory Committee (TAC) and the Community Safety and Crime Prevention Advisory Committee (CSCPAC) all support the need for increased enforcement and automated speed enforcement (ASE). On June 25, 2019 Council forwarded the following TAC resolution to Civic Administration to review and report back to the Civic Works Committee:

That Civic Administration BE REQUESTED to consider installing signage and housing in ALL school zones in the City of London, with a rotation of the cameras, with respect to the Automated Speed Enforcement; it being noted that the Transportation Advisory Committee heard a verbal update from J. Kostyniuk, Traffic and Transportation Engineer with respect to this matter.

Request for Proposals

London has been an active member of the provincial Automated Speed Enforcement (ASE) Steering Committees. The City of Toronto took the lead in issuing a Request for Proposals (RFP) for the Provision of Automated Speed Enforcement Services that all participating municipalities could use. The RFP closed June 13, 2019 with four (4) proposals being submitted. The RFP process was conducted as a two envelope system whereby the proponents were required to submit two (2) separate envelopes. Envelope one (1) was the technical proposal submission and envelope two (2) contained the cost of services. The cost of services envelope were only opened for those proponents who met the 75% percent threshold (52.5 out of 70 points).

London was part of the evaluation team along with Toronto, Brampton, Mississauga, Ottawa and York Region. Based on the RFP final technical proposal score and the cost of services score, the team recommended award of the contract to Redflex Traffic Systems (Canada) Limited, noting that the Redflex proposal offers the best value to the participating municipalities. The approximate cost associated with the contract is in the order of \$1,000,000 per year.

ASE Operational Methodology

The Safer School Zones Act (Bill 65), which introduced ASE as a tool for municipalities, limits the use of ASE to community safety zones where the speed limit is below 80 km/h and school zones. The Ontario Highway Traffic Act allows municipalities to designate the following:

- Community Safety Zone (CSZ): "a part of a highway under its jurisdiction as a community safety zone if, in the council's opinion, public safety is of special concern on that part of the highway".

- School Zone: “a portion of a highway under its jurisdiction that adjoins the entrance to or exit from a school and that is within 150 metres along the highway in either direction beyond the limits of the land used for the purposes of the school”.

Speeding fines in CSZs are double that of other highways. It should be noted that a “school zone” may fall within a CSZ. The ASE Working Group, of which London is a member, recommends that ASEs be introduced to school zones first and that the larger community safety zones be added, if necessary, once the program is well underway.



The RFP included the deployment of ASE equipment as both semi-fixed or mobile, noting that all ASE equipment is located on the City’s boulevard. Semi-fixed equipment involves the installation of the ASE housing in various locations with the camera hardware rotated through the housings. Mobile equipment are self-contained and offer the most flexibility as they can be placed anywhere where enforcement is required. Semi-fixed equipment is more expensive (+28 to +60%) than mobile units as they need permanent electrical services installed to each housing. The Financial Impacts section of this report includes more discussion on semi-fixed verses mobile units.



Figure 1: Semi-Fixed ASE Installation



Figure 2: Mobile ASE Installation

An important consideration when developing the ASE program is the impact that it will have on the City’s Provincial Court Administration (POA) office’s capacity to accommodate the increased number of infractions. For the first year of the ASE program, it is proposed that two mobile units be used, in order to provide operational flexibility while managing program cost and court resource impacts, and that up to an additional five (5) mobile units be introduced in the second year of the program, if needed. The ASE equipment will first be deployed in school zones where speed studies have identified a significant speeding problem. The equipment will typically remain in place for four (4) weeks before moving to a new area.

Since this is a new program in Ontario, it is proposed that warning notices be sent out for the first three months of the ASE program. This will allow for staff to ramp up for when infractions will be issued, including training of additional staff if needed.

As stated above, the ASE equipment will be installed in school zones that have a significant speeding problem. It is recommended that all school zones be designated as CSZs to further assist in modifying driver behaviour by doubling fines for speeding. The creation of CSZs was included with the area speed limit public consultation process. Two-thirds of the respondents supported the creation of CSZs.

Financial Implications

A financial model of the estimated operating costs and revenues is presented in Appendix A. The estimated cost, excluding HST, to operate an ASE program from Years 1 to 5 is \$4,840,000 and \$4,450,000 for Years 6 to 10. The estimated costs include additional resources for the POA office to process the increased volume of infractions. If additional cameras are added, then an additional courtroom may be needed along with the staff to process the infractions, which will increase the City's costs significantly.

Costs incurred in the first five years are expected to be recovered from the ASE infraction revenue. For years 6 to 10 there is estimated to be a net minor budget shortfall of \$25,000. Anticipated shortfalls can be funded from the Automated Enforcement Reserve Fund, which includes contributions from the Red Light Camera program and currently has a balance of \$470,000. It is recommended that any net surplus from the ASE program should be placed in the Automated Enforcement reserve fund for other safety initiatives or to fund any automated enforcement program shortfalls.

Semi-Fixed Versus Mobile Deployment

The Transportation Advisory Committee (TAC) suggested that the signage and housing be installed at all school zones and that the camera equipment be rotated around to the housings. This suggestions relates to the semi-fixed ASE option rather the recommended mobile option. There are 131 elementary or secondary schools in London with most schools having more than one school zone. A camera is not required for each semi-fixed installation; however, it is expected that a camera would occupy the housings at least once per year to justify the investment in the housing. The additional cost to install one housing and two signs at half of the schools is \$2,600,000 and, to include all schools, the additional cost is \$5,700,000. The same number of cameras as the mobile option is assumed based on POA limitations; therefore, the same number of violations and estimated revenue would be generated for each option. Therefore, a large financial shortfall would occur beyond that available in the Automated Enforcement Reserve Fund. The installation of the ASE housings at each school as suggested by the TAC may help further reduce speeding; however, additional funds would be required from the 2020-2023 Multi-Year Budget.

Town of Canmore, Alberta

As directed by Council, staff have reviewed the 'I Drive Safely' program used in Canmore, AB. The Town of Canmore has a population of 14,000 and is located between Banff and Calgary. The Town has an ASE program where speeders are fined but also includes a "good ticket" lottery for those drivers who were not speeding. The Town's ASE contractor sends the Town a list of license plates of vehicles that were travelling below the speed limit. From this list the Town selects a few "winners" who are eligible to receive a gift card from a local business. Due to privacy concerns the license plates of the "winners" is sent to Service Alberta, which sends out the letters to the registered owner indicating that they have won a gift card from the Town. Recipients are then required to return to visit the Town offices twice to receive their gift card. The first visit is to prove that they are the owner of the vehicle. As the Town does not keep the gift cards on hand, a second visit to the Town offices is required to pick-up the gift card.

A representative from the Town stated that they have not seen a huge impact from the “good ticket” lottery. Winners are happy; however, those that oppose the ASE program feel that this is a waste of resources.

The “good ticket” lottery was discussed with the ASE Steering Committee prior to the development of the RFP. The Ontario ASE system is set-up to capture only speeding vehicles; therefore, a program similar to Canmore’s is not a viable option.

Other Safety Programs

The following are programs that are in place to improve safety around school zones:

- 40 km/h school zones;
- Pedestrian crossovers (PXOs) and associated education campaign;
- Centreline markers new schools;
- Student silhouettes;
- “Respect the Limit” lawn signs;
- Public Education Empathy Program (PEEP) boards;
- Active and Safe Routes to School (operated by Middlesex London Health Unit, with City staff as an active member);
- Traffic Calming Policy;
- Education campaigns;
 - Respect the Forty;
 - Respect the Limit;
 - Make Eye Contact;
 - Safety Near School Zones;
 - Roundabout Safety; and,
 - Pedestrian Safety.

Speed studies have been conducted in half of the school zones since the lowering of the speed limit in school zones to 40 km/h. The average speeds on these streets varied from 32 km/h to 58 km/h with the overall average speed being 44 km/h. The data suggests that the above initiatives have lowered the speed in some schools zones but that there are still some locations with excessive speeding.

CONCLUSION

Engineering, education and traditional enforcement have helped to improve safety by reducing the number of speeders in school zones; however, more work is required. Automated speed enforcement (ASE) is another tool that can be used to improve safety in school zones and community safety zones. It is recommended that the City enter into agreements with Redflex Traffic Systems (Canada) Limited for the provision of ASE equipment, the City of Toronto for the processing of the ASE infractions and the Province of Ontario for the provision of owner information to issue the ASE infractions to the registered owner of the vehicles. It should be noted that the value of speeding infractions varies depending on the degree to which the driver is exceeding the speed limit and there are no demerit points associated with ASE infractions.

The proposed mobile ASE system using a maximum seven (7) units will allow for the targeting of problem areas. The creation of community safety zones (CSZs) that encompasses school zones will further assist in addressing the speeding concerns; noting that speeding fines are doubled in CSZs and many Londoners support the creation of CSZs.

PREPARED BY:	REVIEWED AND CONCURRED BY:
SHANE MAGUIRE, P. ENG. DIVISION MANAGER, ROADWAY LIGHTING AND TRAFFIC CONTROL	DOUG MACRAE, P.ENG., MPA DIRECTOR, ROADS AND TRANSPORTATION
RECOMMENDED BY:	
KELLY SCHERR, P.ENG., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL AND ENGINEERING SERVICES AND CITY ENGINEER	

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September 13, 2019/sm

Attach: Appendix A: Automated Speed Enforcement Financial Model

- c: Provincial Court Administration Office
- London Police Service
- Transportation Advisory Committee
- Community Safety and Crime Prevention Advisory Committee

APPENDIX A
AUTOMATED SPEED ENFORCEMENT FINANCIAL MODEL

Description		Costs *	
		Year 1 to 5	Year 6 to 10
Expenses			
ASE Contract (Redflex)	Assume 2 mobile units in Year 1 and 5 additional mobile units between Years 2 to 10.	\$1,010,000	\$1,030,000
ASE Infraction Processing (City of Toronto)	The City of Toronto will process all ASE infractions within Ontario.	\$2,170,000	\$1,985,000
Vehicle License Information (Ministry of Transportation)	The vehicle's registered owner's name and address are required to issue the ASE infraction.	\$210,000	\$180,000
Provincial Court Administration	These costs are incurred by London for processing of the violation payments and the dispute resolution process.	\$1,100,000	\$950,000
Education, Awareness and Signage	The program will include a variety of measures to modify driver's behaviour and roadside signage.	\$120,000	\$100,000
Contingency Allowance		\$230,000	\$215,000
Total Expenses		\$4,840,000	\$4,450,000
Revenues			
ASE Infraction Payments	Assumes improved compliance as the ASE program operates.	(\$4,840,000)	(\$4,425,000)
Total Revenues		(\$4,840,000)	(\$4,425,000)
NET BUDGET		-	\$25,000

* All costs exclude HST

TO:	CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON SEPTEMBER 24, 2019
FROM:	KELLY SCHERR, P.ENG., MBA, FEC MANAGING DIRECTOR - ENVIRONMENTAL & ENGINEERING SERVICES & CITY ENGINEER
SUBJECT:	AWARD OF CONTRACT (RFP 19-29) – SIXTEEN (16) TANDEM AXLE TRUCKS WITH DUMP BOXES AND PLOW EQUIPMENT

RECOMMENDATION

That, on the recommendation of the Managing Director, Environmental and Engineering Services & City Engineer, the following actions **BE TAKEN**:

- a) The submission from Team Truck Centers Inc., 795 Wilton Grove Road London, Ont. N6N 1N7, **BE ACCEPTED**; for the supply and delivery of sixteen (16) tandem axle dump trucks and plow equipment at a total purchase price of \$3,753,430 (\$234,589.38 per unit) excluding HST;
- b) Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this purchase;
- c) Approval hereby given **BE CONDITIONAL** upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval; and
- d) That the funding for this purchase **BE APPROVED** as set out in the Source of Financing Report attached hereto as Appendix "A".

COUNCIL'S 2019-2023 STRATEGIC PLAN

Municipal Council has recognized in its 2019-2023 - Strategic Plan for the City of London the importance of:

Building a Sustainable City

London's infrastructure us built, maintained, and operated to meet long-term needs of our community

- Manage assets to prevent future infrastructure gaps

Leading in Public Service

Londoners experience exceptional and valued customer service

- Increase responsiveness to our customers
- Increase efficiency and effectiveness of service delivery

BACKGROUND

Purpose

The purpose of this report is to provide background information and seek Committee and Council approval to purchase sixteen (16) tandem axle dump trucks and snow plow equipment (Figure 1, next page) to replace units that have reached the end of their optimum life-cycle (10 years).



Figure 1: Tandem Axle Dump Truck and Snow Plow Equipment

Context

The City tandem axle dump truck and road snow plow fleet consists of forty units. These versatile assets are utilized year round between Roads and Transportation, Sewer Operations and Water Operations. In the summer construction season they are used to transport granular material and haul away excavated materials from projects. In the winter season all these units are outfitted for various winter operational activities including snow loading, snow plowing and sand/salt spreading.

Within the approved 2018 and 2019 capital vehicle and equipment replacement program, sixteen (16) tandem dump truck snow plow units will reach the minimum ten (10) year life cycle and require the replacement initiation.

As part of the replacement process the retiring vehicles were evaluated based on performance, downtime, maintenance costs, condition and risk. Units with lower kilometres went through an additional analysis to determine if lifecycles could be extended or if the units could be retained as viable spare units for operational purposes. In all cases, the units reviewed, despite their lower kilometres, have exceeded the targeted maintenance costs throughout their lifecycle. In addition, the performance of this entire make and model have been very poor with issues ranging from EGR coolers to total engine replacements on some units. Extending the life will increase the already inflated maintenance and repair costs on these units, increase the risk of engine failures and will reduce salvage values. Keeping these assets as spare units is also not recommended as the intermittent use of a spare unit will result in rapid deterioration of brake, air and hydraulic systems making them even less reliable and costly as they fall into poor condition.

In the end, the retiring units all met the criteria for end of optimum service life as defined by City asset management practices which includes achieving about a 15% residual when sold in the marketplace. The units to be replaced are listed below:

#	Truck #	Type of Chassis	Kilometres	Years of Service
1	07-066	2009 International 7500	209,840	10
2	07-067	2009 International 7500	172,022	10
3	07-068	2009 International 7500	133,403	10
4	07-069	2009 International 7500	118,303	10
5	07-070	2009 International 7500	145,693	10
6	07-071	2009 International 7500	201,262	10
7	07-072	2009 International 7500	144,243	10
8	07-073	2009 International 7500	158,481	10
9	07-074	2009 International 7500	186,945	10

#	Truck #	Type of Chassis	Kilometres	Years of Service
10	07-075	2009 International 7500	136,161	10
11	07-076	2009 International 7500	147,239	10
12	07-077	2009 International 7500	181,159	10
13	07-078	2009 International 7500	155,600	10
14	07-118	2008 International 7500	248,230	11
15	07-119	2008 International 7500	287,247	11
16	07-120	2008 International 7500	233,211	11

Since the build time for these type of vehicles is expected to be between 250-300 days, it is important to proceed now as these units will have to endure another year of service life before the replacements are delivered and commissioned.

DISCUSSION

Purchasing Process

On June 27, 2019, the Request for Proposal (RFP 19-29) was issued and closed on July 29, 2019. Purchasing & Supply received two submissions for evaluation as follows:

Vendor	Model
Team Truck Centers (London) 795 Wilton Grove Road London, Ontario N6N1N7	2020 Freightliner 108SD Chassis with Beau-Roc Dump Body and Viking Cives Plow Equipment
Carrier Centres 645 Athlone Place, Woodstock Ontario N4S 7V8	2020 International HV607 with Beau-Roc Dump Body and Viking Cives Plow Equipment

The RFP evaluation panel was coordinated by the Fleet Planning Manager and the process managed by the assigned Procurement Officer. The panel included representation from Roads and Transportation, Fleet Maintenance, and Fleet Asset Management/Administration. The submissions were evaluated based on specific pre-determined criteria made available to all interested vendors. Each section was weighted based on criticality, importance and value to the City of London. The evaluation categories included the following:

1. Company Certification, Experience and Past Performance
2. Specifications
 - Part a) Cab and Chassis
 - Part b) Dump Body Plows and Wings
3. Safety and Regulatory Compliance
4. Service Agreement Delivery, Training and Warranty
5. Options and Innovative Extras
6. Price

Results

Upon completion of the evaluation process and scoring it was determined that the Team Truck Centre submission scored the highest and met all the mandatory specifications and conditions, therefore is being recommended. The bid from Team Truck Centre was also the lowest price. Trade in allowances were not provided by either proponent therefore the retiring assets will be sold at public auction.

Financial Impact

The funding for replacement of the sixteen (16) tandem axle dump trucks and associated winter plow equipment was approved as part of the 2018 and 2019 Vehicle and Equipment Replacement Capital Budget.

The estimated replacement budget for the project was \$3,565,430 (\$222,855 per unit) excluding HST. The recommended submission from Team Truck Centres (London) was \$3,753,430 (\$234,589.38 per unit) excluding HST.

This project has a budget shortfall of \$187,750 (\$11,734.38 per unit) and is attributed to continued market changes in the heavy truck and body building industry. Challenges include costs of raw materials, currency exchange rates (all US built chassis), environmental control systems, trade/tariffs pressures and general inflationary increases across the board in the manufacturing sector. The additional funding required is available within the larger overall approved ME201801 and ME201901 capital projects.

Ongoing operating costs for fuel, maintenance, inspection/service, overhead and future capital replacement are funded through the internal rental rate process and charged to the service areas. The amounts are calculated based on future replacement costs and historical cost experience for similar units in those equipment classes.

CONCLUSION

Based on the discussion and analysis above, Fleet Services in conjunction with Purchasing and Supply recommend that RFP 19-29 - Supply and Delivery of Tandem Axle Dump Trucks and Plow Equipment be awarded to Team Truck Centres (London), 795 Wilton Grove Road, London, Ontario, N6N 1N7.

The Team Truck Centre submission scored the highest in the evaluation criteria and had the lowest bid price. In addition, staff in operations and within fleet services have familiarity and experience with the Freightliner, Viking and Beau-Roc products and have confidence they will provide good value with respect to performance, quality, service and reliability.

SUBMITTED BY:	REVIEWED & CONCURRED BY
MIKE BUSHBY, BA DIVISION MANAGER, FLEET & OPERATIONAL SERVICES	JAY STANFORD, MA, MPA DIRECTOR, ENVIRONMENT, FLEET & SOLID WASTE
RECOMMENDED BY:	
KELLY SCHERR, P. ENG., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL & ENGINEERING SERVICES & CITY ENGINEER	

Appendix A Source of Financing

C: John Freeman, Manager of Purchasing & Supply
Steve Mollon, Manager of Fleet Planning
Barrie Galloway, Manager of Fleet Maintenance
Sarah Denomy, Procurement Officer

APPENDIX "A"

Chair and Members
Civic Works Committee

#19133
September 24, 2019
(Award Contract)

RE: RFP19-29 - Sixteen (16) Tandem Axle Trucks with Dump Boxes and Plow Equipment
(Work Orders 2468887-2468902)
Capital Project ME201801 - Vehicles & Equipment Repl - TCA
Capital Project ME201901 - Vehicles & Equipment Repl - TCA
Team Truck Centres Inc. - \$3,753,430.00 (excluding H.S.T.)

FINANCE & CORPORATE SERVICES REPORT ON THE SOURCES OF FINANCING:

Finance & Corporate Services confirms that the cost of this project can be accommodated with the financing available in the Capital Works Budget, and that, subject to the adoption of the recommendations of the Managing Director, Environmental & Engineering Services and City Engineer, the detailed source of financing for this project is:

	Approved Budget	Committed to Date	This Submission	Balance for Future Work
SUMMARY OF ESTIMATED EXPENDITURES				
ME201801 - Vehicles & Equipment Repl - TCA				
Vehicles & Equipment	\$6,469,253	\$2,799,077	\$716,154	\$2,954,022
ME201901 - Vehicles & Equipment Repl - TCA				
Vehicles & Equipment	5,635,991	1,351,063	3,103,336	1,181,592
NET ESTIMATED EXPENDITURES	\$12,105,244	\$4,150,140	\$3,819,490 1)	\$4,135,614
SOURCE OF FINANCING				
ME201801 - Vehicles & Equipment Repl - TCA				
Capital Levy	\$250,000	\$250,000		\$0
Drawdown from Vehicles & Equipment Repl R.F.	6,165,891	2,495,715	716,154	2,954,022
Drawdown from Self Insurance Reserve Fund	42,500	42,500		0
Funded from Operations	10,862	10,862		0
	6,469,253	2,799,077	716,154	2,954,022
ME201901 - Vehicles & Equipment Repl - TCA				
Drawdown from Vehicles & Equipment Repl R.F.	5,588,225	1,303,297	3,103,336	1,181,592
Other Contributions	47,766	47,766		0
	5,635,991	1,351,063	3,103,336	1,181,592
TOTAL FINANCING	\$12,105,244	\$4,150,140	\$3,819,490	\$4,135,614

1) Financial Note:

	ME201801	ME201901	Total
Contract Price	\$703,768	\$3,049,662	\$3,753,430
Add: HST @13%	91,490	396,456	487,946
Total Contract Price Including Taxes	795,258	3,446,118	4,241,376
Less: HST Rebate	79,104	342,782	421,886
Net Contract Price	\$716,154	\$3,103,336	\$3,819,490

lp

Jason Davies
Manager of Financial Planning & Policy

TO:	CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON SEPTEMBER 24, 2019
FROM:	KELLY SCHERR, P. Eng., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL AND ENGINEERING SERVICES AND CITY ENGINEER
SUBJECT:	APPOINTMENT OF CONSULTING ENGINEER UPGRADING OF POWELL DRAIN (NORTHBROOK VALLEY) AND UPLAND NORTH OUTLET CULVERTS (RFP 19-46)

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 appointment of a consulting engineer for the Upgrading of Powell Drain (Northbrook Valley) and Upland North Outlet Culverts:

- a) Ecosystem Recovery Inc. **BE APPOINTED** Consulting Engineers to complete detailed design and construction administration for remediation works to Powell Drain and the Upland North Outlet Culverts in accordance with the estimate, on file, at an upset amount of \$244,677.54 including 10% contingency, excluding HST, in accordance with Section 15.2(d) of the City of London’s Procurement of Goods and Services Policy;
- b) The financing for the project **BE APPROVED** in accordance with the “Sources of Financing Report” attached, hereto, as Appendix ‘A’;
- c) The Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this project;
- d) The approvals given, herein, **BE CONDITIONAL** upon the Corporation entering into a formal contract; and
- e) The Mayor and City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
--

- 2012-12-03 Appointment of Consultant for Powell Drain Remediation Design (ES3020-UPNB2)
- 2011-10-03 Built and Natural Environment Committee, Contract Award – Tender No. T11-79 – Uplands North Stormwater Management Facility B2 (ES3018)
- 2011-07-18 Built and Natural Environment Committee, Subdivision Agreement – SWM Facility 2047790 Ontario Inc. 530 Sunningdale Road East 39T-05510

2019– 2023 STRATEGIC PLAN

This report and its recommendations support the Strategic Plan under Building a Sustainable City by maintaining current levels of service.

BACKGROUND

Purpose

The purpose of this report is to recommend the award of a qualified engineering consultant to complete the detailed design and construction administration for the

Upgrading of Powell Drain (Northbrook Valley) and Upland North Outlet Culverts to restore the operation of the Upland B2 Stormwater Management (SWM) Facility.

Context

The Uplands B2 SWM Facility was constructed in 2011 to service a neighbourhood development of approximately 110 hectares. Low flows from the SWM Facility are conveyed under Sunningdale Road to Powell Drain via a 350 mm clay pipe. Since the construction of this SWM Facility, the clay pipe under Sunningdale Road has failed and caused a backup of water levels in the Uplands B2 SWM Facility and adjacent wetland. The backup reduces the functionality of the SWM Facility to provide water quality, erosion control, and flood storage for existing and future neighbourhood areas, and also causes flooding to the adjacent pathway.

In 2012 the City retained Consulting Engineers to undertake the Powell Drain Remediation Design to replace the existing pipe downstream of Sunningdale Road with a natural channel design. The detailed design was completed in August 2014, however, did not include replacement of the Sunningdale Road culvert and was not further pursued by the City. The proposed works will utilize relevant design information completed as part of the previous assignment.

Awarding the 2019 consulting work will allow for the construction of a new culvert crossing, establish a functional outlet to the SWM Facility, and improve long-term conveyance of the downstream drain by converting approximately 150 metres of buried pipe to an open watercourse using natural channel design principles. A scoped Environmental Impact Study will be completed to support the detailed design.

DISCUSSION

Procurement Process

The engineering consultant selection procedure for this assignment utilized a competitive Request for Proposal (RFP) process in accordance with Section 15.2(d) of the Procurement of Goods and Services Policy. Three qualified engineering firms from the City's pre-approved consultant list were invited to submit a formal proposal for detailed design and construction administration tasks to address upgrading Powell Drain and the Upland North Outlet Culverts. An evaluation of each consultant's proposal was completed by the Environmental and Engineering Services (EES), with a focus on their understanding of project goals, methodology and approach; project team members and experience on directly related projects; implementation strategy and schedule; and overall project value.

Work Description

The Powell Drain and the Upland North Outlet Culverts project includes the Sunningdale Road culvert replacement and remediation of the downstream channel from a clay pipe to open watercourse as shown in Appendix B – Location Map. This work will be completed to support future road widening works for Sunningdale Road, scheduled for 2025 and will ensure the viability of the existing 1200 millimetre watermain along Sunningdale Road.

Consultant Selection

In accordance with Section 15.2(d) of the Procurement of Goods and Services Policy, Staff recommend that Ecosystem Recovery Inc. be authorized to carry out the detailed design and construction administration of the Upgrading of Powell Drain (Northbrook Valley) and Upland North Outlet Culverts.

In addition to being the successful proponent through the competitive bidding process, Ecosystem Recovery has formed a proficient project team that has shown their competency and expertise with City infrastructure projects of this nature in the past.

Ecosystem’s proposal was selected as the best value to the City to complete a comprehensive project that recognized all of the constraints for this location.

Funding

Project funding has been allocated from the Sewer Operations and Stormwater Engineering capital budgets for management and reclamation to support the detailed design and construction administration work.

Engagement

Prior to construction initiation, the City will host a Public Update Meeting to share project information and construction timelines with the local community and to provide an opportunity for residents to pose any questions or concerns regarding how construction may impact the area.

CONCLUSIONS

The appointment of Ecosystem Recovery to complete engineering services for the detailed design of the Powell Drain Culvert Replacement and Channel Remediation will reinstate the intended function of the Uplands B2 SWM Facility and rehabilitate an existing tile drain as an open channel feature.

SUBMITTED BY:	REVIEWED & CONCURRED BY:
SHAWNA CHAMBERS, P. ENG. DIVISION MANAGER STORMWATER ENGINEERING	SCOTT MATHERS, MPA, P. ENG. DIRECTOR WATER & WASTEWATER
RECOMMENDED BY:	
KELLY SCHERR, P.ENG., MBA, FEC MANAGING DIRECTOR ENVIRONMENTAL & ENGINEERING SERVICES AND CITY ENGINEER	

Attach: Appendix ‘A’ – Source of Financing
Appendix ‘B’ – Location Map

Cc: Chris Moon, Ecosystem Recovery Inc.
John Freeman, Manager, Purchasing and Supply
Chris Ginty, Procurement Officer
Gary McDonald, Budget Analyst

APPENDIX 'A'

#19135

Chair and Members
Civic Works Committee

September 24, 2019
(Appoint Consulting Engineer)

RE: Upgrading of Powell Drain (Northbrook Valley) and Upland North Outlet Culverts (RFP 19-46)
(Subledger SWM19010)
Capital Project ES242818 - Erosion Remediation Open Watercourses Management and Reclamation
Capital Project ES253219 - Stormwater Management Facility
Ecosystem Recovery Inc. - \$244,677.54 (excluding H.S.T.)

FINANCE & CORPORATE SERVICES REPORT ON THE SOURCES OF FINANCING:

Finance & Corporate Services confirms that the cost of this project can be accommodated within the financing available for it in the Capital Works Budget and that, subject to the adoption of the recommendations of the Managing Director, Environmental & Engineering Services & City Engineer, the detailed source of financing for this project is:

<u>SUMMARY OF ESTIMATED EXPENDITURES</u>	<u>Approved Budget</u>	<u>Committed to Date</u>	<u>This Submission</u>	<u>Balance for Future Work</u>
<u>ES242818-Erosion Remediation Open Watercourses Management & Reclamation</u>				
Engineering	\$602,588	\$297,339	\$147,224	\$158,025
Construction	90,468	643		89,825
	<u>693,056</u>	<u>297,982</u>	<u>147,224</u>	<u>247,850</u>
<u>ES253219-Stormwater Management Facility</u>				
Engineering	123,984	22,224	101,760	0
Construction	976,016	412,325		563,691
	<u>1,100,000</u>	<u>434,549</u>	<u>101,760</u>	<u>563,691</u>
NET ESTIMATED EXPENDITURES	<u>\$1,793,056</u>	<u>\$732,531</u>	<u>\$248,984</u> 1)	<u>\$811,541</u>

SUMMARY OF FINANCING:

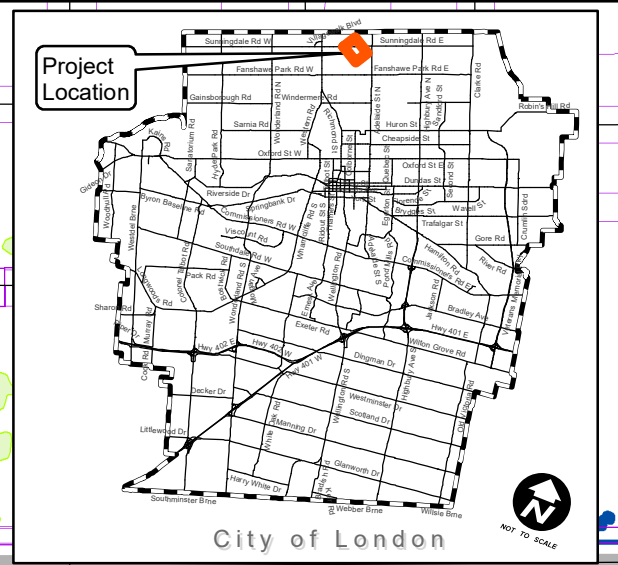
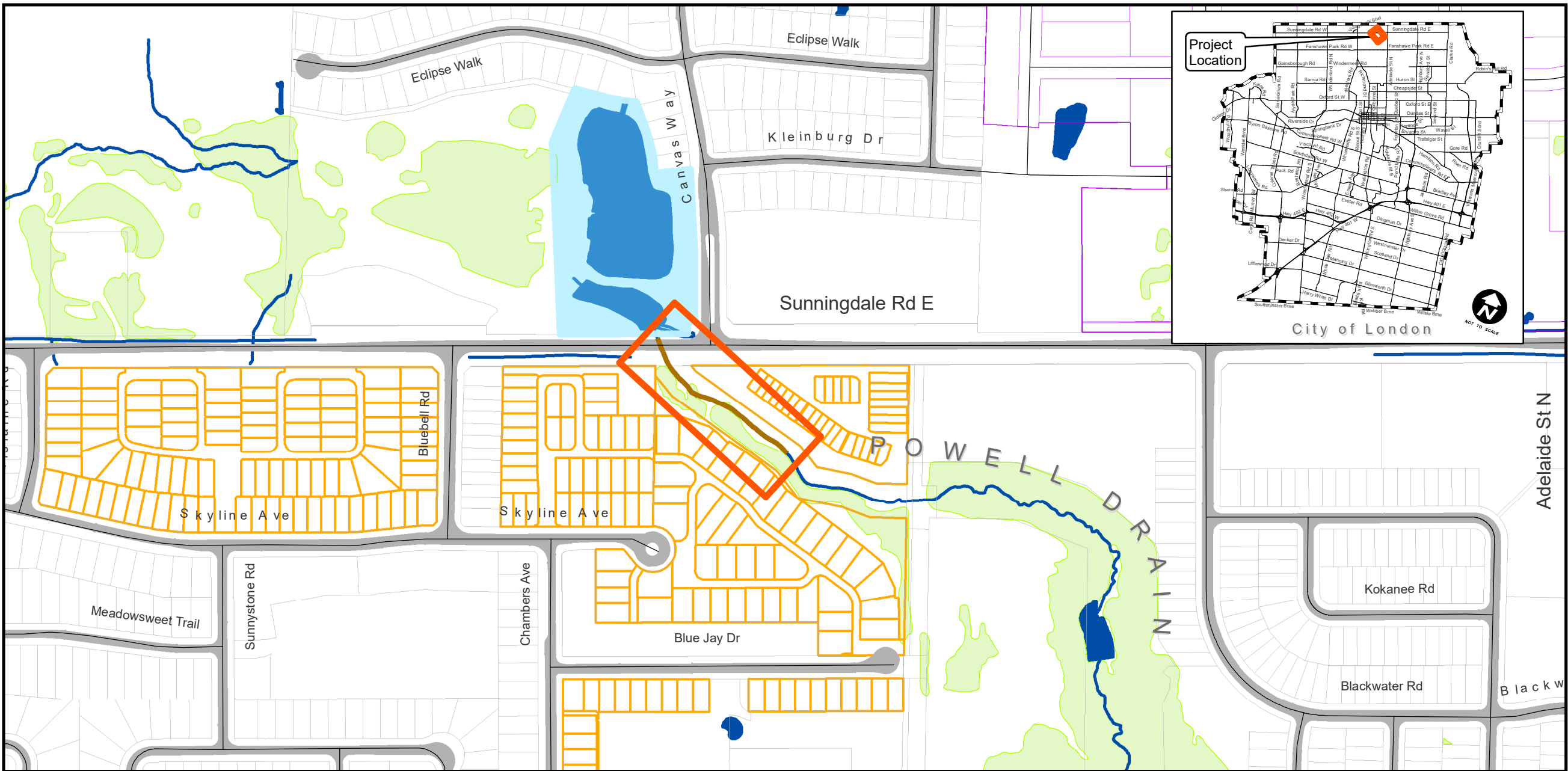
<u>ES242818-Erosion Remediation Open Watercourses Management & Reclamation</u>				
Capital Sewer Rates	\$693,056	\$297,982	\$147,224	\$247,850
<u>ES253219-Stormwater Management Facility</u>				
Capital Sewer Rates	1,100,000	434,549	101,760	563,691
TOTAL FINANCING	<u>\$1,793,056</u>	<u>\$732,531</u>	<u>\$248,984</u>	<u>\$811,541</u>

1) **Financial Note:**

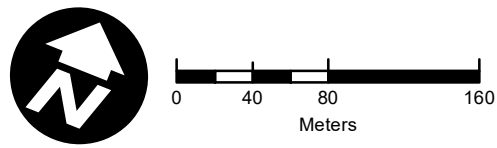
	<u>ES242818</u>	<u>ES253219</u>	<u>Total</u>
Contract Price	\$144,678	\$100,000	\$244,678
Add: HST @13%	18,808	13,000	31,808
Total Contract Price Including Taxes	163,486	113,000	276,486
Less: HST Rebate	16,262	11,240	27,502
Net Contract Price	<u>\$147,224</u>	<u>\$101,760</u>	<u>\$248,984</u>

JG

Jason Davies
Manager of Financial Planning & Policy



APPENDIX 'B' - LOCATION MAP - POWELL DRAIN



- | | | | | |
|--|---------------------|--------------|-----------|-----------------------|
| Project Location | Vegetation | Land Parcel | Road | Urban Growth Boundary |
| Uplands North Storm Water Management Facility B2 | Draft Plan Approved | Condominiums | Clay Pipe | Water Body |

Map Produced by JCh
 Stormwater Engineering
 Printed: September 3 2019
 300 Dufferin Avenue,
 PO Box 5035
 London, Ontario
 N6A 4L9
www.London.ca



TO:	CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON SEPTEMBER 24, 2019
FROM:	KELLY SCHERR, P. ENG., MBA, FEC MANAGING DIRECTOR ENVIRONMENTAL AND ENGINEERING SERVICES AND CITY ENGINEER
SUBJECT:	CONSTRUCTION PARTNERSHIP WITH THE MINISTRY OF TRANSPORTATION OLD VICTORIA ROAD RESURFACING

RECOMMENDATION

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions **BE TAKEN** with respect to Old Victoria Road resurfacing project:

- (a) The City of London financial contribution of \$78,650.00 (excluding HST), representing the estimated cost for repaving a portion of Old Victoria Road north and south of the bridge over Hwy 401, as part of an Ontario Ministry of Transportation project, **BE APPROVED**, noting it is included in an approved City budget and the method of procurement is in accordance with the Procurement of Goods and Services Policy 14.4 (g) and (i), covering purchases with another public body;
- (b) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report attached hereto as Appendix A; and,
- (c) Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this approval.

COUNCIL'S 2019-23 STRATEGIC PLAN

The following report supports the Strategic Plan through the strategic focus areas of "Strengthening our Community" by ensuring that we have a healthy, safe and accessible city, and "Building a Sustainable City" by maintaining robust infrastructure and managing the transportation infrastructure gap.

DISCUSSION

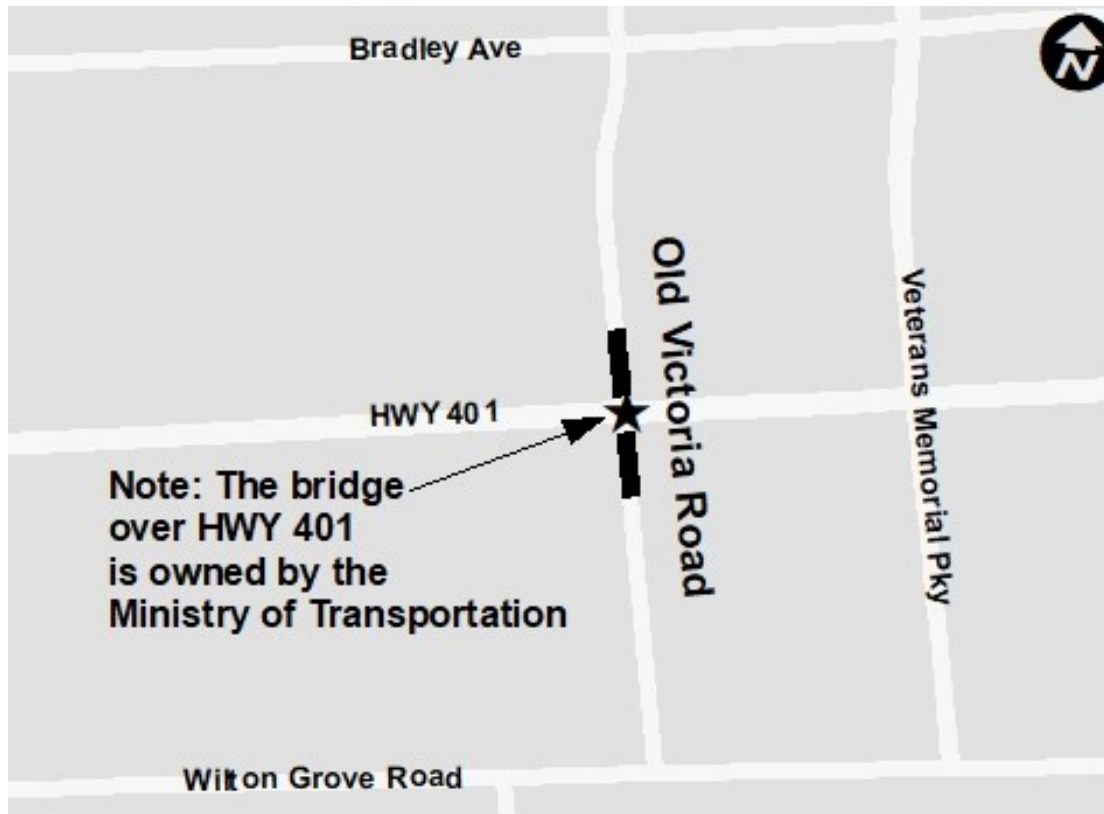
Purpose

This report seeks formal approval from Municipal Council to enter a "Specific Road Service Agreement" with the Ministry of Transportation (MTO). This Agreement will require a financial contribution to the MTO contract that would complete resurfacing work on Old Victoria Road, north and south of the bridge over Highway 401. The MTO has a contract at this location to complete a resurfacing of the bridge deck at this crossing.

Project Description

Old Victoria Road spans Highway 401 between Bradley Avenue and Wilton Grove Road. The MTO owns and maintains the bridge over Highway 401, while the City of London owns and maintains the north and south approaches to the bridge (see Figure 1).

Figure 1 – Location Map



MTO is completing work on their structure this fall which includes waterproofing and repaving of the bridge deck. The asphalt pavement, for approximately 150 m on each of the approaches to this structure, is in poor condition. A cost-effective opportunity exists to partner with the MTO to address and upgrade these areas under their contract.

The MTO Agreement requires the payment of actual costs. The estimated value of the work that would be the City's portion is \$78,650.00 (including contingency and exclusive of HST). Due to the timing of this reporting, only estimates were available at the time of writing this report and the same is included in the Agreement.

MTO advertised their tender through a public tendering service on August 16, 2019 with a tender close date of September 4, 2019. The City's portion of the work was conditionally included in this tender, subject to City Council authorization to proceed in early October.

CONCLUSION

It is recommended that the Municipal Council approve the sum of \$78,650.00 for the resurfacing of Old Victoria Road as part of a partnership agreement with the Ontario Ministry of Transportation. This is a cost-effective approach to addressing a road improvement need.

There are no anticipated additional operating costs in the Environmental and Engineering Services budget in 2019 and subsequent years associated with the approval of this project.

The recommendation is in accordance with the Procurement of Goods and Services Policy 14.4 g), h) and i) covering purchases with another public body.

PREPARED BY:	REVIEWED & CONCURRED BY:
GARFIELD DALES, P. ENG. DIVISION MANAGER TRANSPORTATION PLANNING & DESIGN	DOUG MACRAE, P. ENG., MPA DIRECTOR ROADS AND TRANSPORTATION
RECOMMENDED BY:	
KELLY SCHERR, P. ENG., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL & ENGINEERING SERVICES AND CITY ENGINEER	

Attach: Appendix A – Source of Financing
Appendix B – MTO Letter of Agreement
Appendix C – MTO Service Agreement

cc: Geoff Smith, CSCMP, Purchasing and Supply
Marta Semeniuk, Financial Planning and Policy
Gary McDonald, Tangible Capital Assets
Sivaganesh Tharmabala (MTO)

APPENDIX 'A'

#19131

Chair and Members
Civic Works Committee

September 24, 2019
(Award Contract)

**RE: Construction Partnership with the Ministry of Transportation
Old Victoria Road Resurfacing
(Subledger RD190016)
Capital Project TS144619 - Road Networks Improvements
Ministry of Transportation (MTO) - \$78,650.00 (excluding H.S.T.)**

FINANCE & CORPORATE SERVICES REPORT ON THE SOURCES OF FINANCING:

Finance & Corporate Services confirms that the cost of this project can be accommodated within the financing available for it in the Capital Works Budget and that, subject to the adoption of the recommendations of the Managing Director, Environmental & Engineering Services & City Engineer, the detailed source of financing for this project is:

<u>SUMMARY OF ESTIMATED EXPENDITURES</u>	Approved Budget	Committed to Date	This Submission	Balance for Future Work
Engineering	\$903,366	\$595,121		\$308,245
Construction	13,015,530	12,935,495	80,035	0
City Related Expenses	404	404		0
NET ESTIMATED EXPENDITURES	<u>\$13,919,300</u>	<u>\$13,531,020</u>	<u>\$80,035</u> ¹⁾	<u>\$308,245</u>

SUMMARY OF FINANCING:

Capital Levy	\$1,010,583	\$1,010,583		\$0
Drawdown from Capital Infrastructure Gap R.F.	803,560	415,280	80,035	308,245
Federal Gas Tax	12,105,157	12,105,157		0
TOTAL FINANCING	<u>\$13,919,300</u>	<u>\$13,531,020</u>	<u>\$80,035</u>	<u>\$308,245</u>

1) **Financial Note:**

Contract Price	\$78,650
Add: HST @13%	10,225
Total Contract Price Including Taxes	<u>88,875</u>
Less: HST Rebate	8,840
Net Contract Price	<u>\$80,035</u>

JG

Jason Davies
Manager of Financial Planning & Policy

APPENDIX B

Ministry of Transportation
Office of the Regional Director
West Region

659 Exeter Road
London, Ontario N6E 1L3
Telephone: (519) 873-4333
Facsimile: (519) 873-4236

Ministère des Transports
Bureau du directeur régional
de l'Ouest

659, chemin Exeter
London (Ontario) N6E 1L3
Téléphone : (519) 873-4333
Télécopieur : (519) 873-4236



July 29, 2019

Karl Grabowski
Transportation Design Engineer
City of London
300 Duffering Avenue
London, ON, N6A 4L9

Dear Mr Grabowski,

RE: Hot Mix Paving Old Victoria Road Underpass Approaches, GWP 3019-18-00

This signed Letter of Agreement will constitute mutual agreement (this "Agreement") between Her Majesty the Queen in right of the Province of Ontario, represented by the Minister of Transportation for the Province of Ontario (the "Ministry") and The City of London (the "City") on the following:

1. The Ministry agrees to carry out the following activities on behalf of the City:
 - A. Design and construction for improvements, as further described below, on Old Victoria Road between Bradley Avenue and Wilton Grove Road;
 - B. The Improvements (the "Work") to be effected and administer by the Ministry at Old Victoria Road in Fall of 2019 are further described as follows:
 - Hot Mix Paving of Superpave 12.5, 50mm Lift Thickness, Old Victoria Road approaches from Sta. 9+806 – Sta. 9+956 and Sta. 10+048 – 10+168, Total of 270m, 2 Lanes.
 - C. The Ministry will provide contract administration, inspection and material testing for the Work in accordance with the most current Construction Administration and Inspection Task manual.
 - D. The Work will be in compliance with Ministry warrants, criteria, standards and incidentals.
2. The City will compensate the Ministry for the following:
 - a. All costs directly relating to the Work.

For budget forecasting purposes an estimate in the amount of \$71,500.00 has been calculated and the City agrees to compensate the Ministry for the actual costs incurred relating to the matters specified in this paragraph as items (a). Further, costs and responsibility for costs associated with any additional works identified or requested by the Ministry during the design of the works, beyond those stated in paragraph 1, will be agreed upon between the Ministry and the City prior to initiation of those additional works and any such negotiated costs shall be in addition to the above detailed cost.

3. To allow for the start of construction of the Work, the Ministry will designate Old Victoria Road as a Construction Zone. The Ministry will erect or arrange for the erection of Construction Zone signing in accordance with Ontario regulation 615 and the Ontario Traffic Manual Book 7 Temporary Conditions. Furthermore, the Ministry will arrange for detailed detour and traffic control plans, scheduling information and contact information to be submitted two weeks in advance of commencement.
4. The City agrees to the closure of Old Victoria Road between Bradley Avenue and Wilton Grove Road.
5. Responsibility for maintenance of the Old Victoria Road between Bradley Avenue and Wilton Grove Road will be transferred between the City and the Ministry at the commencement of the Work and upon completion of the Work.
6. The City and the Ministry representatives will perform a pre-visit to identify the scope of work involved on Old Victoria Road. Furthermore, a minimum of five (5) Business Days prior to an anticipated transfer date of responsibilities for maintenance, City and Ministry representatives will perform a pre-turnover field inspection. The pre-turnover field inspection will identify deficiencies within the City's right-of-way and the anticipated timeframe for correction.
7. The Ministry, by carrying out the Work will not be construed as being responsible for any future work in respect of beyond the Ministry's Right-of-Way of Old Victoria Road Underpass.
8. The Ministry will be responsible for the inspection of Old Victoria Road during construction. The responsibilities for the patrol and condition of Old Victoria Road will be the City's.
9. The Ministry, upon completion of the Work, shall invoice the City the balance of the paragraph 2 cost payable by the City to the Ministry. The City agrees to provide the Ministry with a cheque, made payable to the order of the "Minister of Finance", within 30 calendar days after receipt of said invoice, the sum set forth as payable in the invoice.

All invoicing and correspondence pertaining to this contract must reference MTO Contract 2019-3017. Please remit payment to:

Ministry of Transportation
Contract Services, Operations Office
London, Ontario N6E 1L3

For design-related inquiries and approvals, please contact Siva Tharmabala, Engineering intern, Ministry of Transportation, West Region, at Sivaqanesh.Tharmabala@ontario.ca or at (226) 926-8657.

If the above meets with your approval please sign and date all four (4) copies of the Specific Road Service Agreement and return three original copies to this office as soon as possible.

Sincerely,

Neil Zohorsky
Regional Director
Ministry of Transportation
West Region

APPENDIX C

Specific Road Service Agreement

Where one public road agency contract the specific activities of a specified road section to another.

PARTY OF THE FIRST PART

The Corporation of the City of London

300 Dufferin Avenue

London, Ontario N6A 4L9

Phone (519) 661-2489

Fax (519) 661-4734

Representative

Karl Grabowski, P.Eng.
Transportation Design Engineer,
Transportation Planning & Design
City of London

PARTY OF THE SECOND PART

Ministry of Transportation

659 Exeter Road

London, Ontario N6E 1L3

Phone (519) 873-4372

Fax (519) 873-4734

Representative

Michael Nadeau, P.Eng.
Manager Operations
West Region

It is hereby agreed by the first party to contract with the second party, which shall provide specific road services on specific roads according to the following conditions:

1. Specific road services for Old Victoria Road shall be as specified in the letter dated July 29, 2019 attached.
2. The second party may make reasonable determination of frequency and extent of specific work.
3. The legal description of the roadways subject to this agreement are as follows:
Old Victoria Road Between Bradley Avenue and Wilton Grove Road.
4. The first party shall not, without prior knowledge of the second party, enter on the subject construction limits to perform subject operational services and works.
5. The second party will provide the final design, testing results for completion of the work.
6. The first party shall otherwise exercise all municipal jurisdiction over road-related matters.
7. Payment shall be made for actual incurred costs on a frequency established by the second party but not more frequently than monthly (including HST). The City reserves the right to withhold payment until the design and construction is completed and accepted by the City.
8. The responsibility for the patrol, inspection, and condition of the subject roadway shall be as described in the letter issued by the Ministry to the City dated July 29, 2019.

Other considerations:

- 9. The undersigned parties hereby agree to abide by the above conditions and the conditions outlined in the letter issued by the Ministry to the county dated July 29, 2019 relating to the road services specified herein.

This agreement shall be effective from the ____ day of ____, 20 ____.

Signed and sealed this ____ day of _____, 20____.

PARTY OF THE FIRST PART

PARTY OF THE SECOND PART

Signed _____

Signed _____

Position: _____

Position Manager Operations
West Region

Date _____

Date _____

TO:	CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON SEPTEMBER 24, 2019
FROM:	KELLY SCHERR, P. ENG., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL AND ENGINEERING SERVICES AND CITY ENGINEER
SUBJECT:	DUNDAS STREET CYCLE TRACK DESIGN APPOINTMENT OF CONSULTING ENGINEER

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 appointment of a Consulting Engineer for the Cycle Track Design of Dundas Street from Wellington Street to Adelaide Street, and William Street from Dundas Street to Queens Avenue:

- a) WSP Canada Group Limited **BE APPOINTED** Consulting Engineers to carry out consulting services in the amount of \$532,742.41 excluding HST, in accordance with Section 15.2(d) of the City of London's Procurement of Goods and Services Policy;
- b) the financing for this appointment **BE APPROVED** in accordance with the Sources of Financing Report attached hereto, as Appendix A;
- c) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this appointment;
- d) the approvals given, herein, **BE CONDITIONAL** upon the Corporation entering into a formal contract with the consultant for the project; and,
- e) the Mayor and City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
--

- Strategic Priorities and Policy Committee – January 28, 2016 – Downtown Infrastructure Planning and Coordination
- Civic Works Committee – September 7, 2016 – London ON Bikes Cycling Master Plan
- Civic Works Committee – October 4, 2016 – Infrastructure Canada Phase One Investments Public Transit Infrastructure Fund
- Civic Works Committee – January 10, 2017 – Queens Avenue and Colborne Street Cycle Tracks
- Strategic Priorities and Policy Committee – May 3, 2017- Rapid Transit Alternative Corridor Review
- Planning and Environment Committee – December 4, 2017 – Parking Strategy for Downtown London
- Civic Works Committee – November 12, 2018 – Appointment of Consulting Engineer Infrastructure Renewal Program - Contract C Dundas Street from Adelaide Street to Ontario Street
- Planning and Environment Committee – February 19, 2019 – Draft Old East Village Dundas Street Corridor Secondary Plan
- Civic Works Committee – February 20, 2019 - Downtown OEV East-West Bikeway Corridor Evaluation

2019 - 2023 STRATEGIC PLAN

The following report supports the 2019 – 2023 Strategic Plan through the strategic focus area of Building a Sustainable City by building more infrastructure for walking and bicycling.

BACKGROUND

Purpose

The purpose of this report is to appoint an engineering consultant for the design and tender preparation of separated cycling facilities on Dundas Street from Wellington Street to Adelaide Street, and on William Street from Dundas Street to Queens Avenue.

Context

This project is the result of the recommendation from the Downtown OEV East-West Bikeway Corridor Evaluation, where Dundas Street and Queens Avenue OEV Hybrid was approved as the preferred alternative for east-west cycling connectivity.

East-West Bikeway Recommended Corridor



This alternative is a shared cycling route along Dundas Place between Ridout Street and Wellington Street, uni-directional cycle tracks on Dundas Street between Wellington Street and William Street, a cycling couplet on Dundas Street (eastbound) and Queens Avenue (westbound) between William Street and Quebec Street, with side street cycling connections proposed on William Street and Quebec Street.

The east-west bikeway corridor is anticipated to be fully constructed by Fall 2022, with construction timing for individual sections shown below.

Project Coordination	Location	From	To	Year
Dundas Place (Shared Space)	Dundas Street	Ridout Street	Wellington Street	2018 & 2019
Dundas Street Infrastructure Renewal (eastbound lane)	Dundas Street	Adelaide Street	Ontario Street	2020 & 2021
Dedicated Cycle Track Project	Dundas Street	Wellington Street	Adelaide Street	2020
	William Street	Dundas Street	Queens Avenue	2020
Road Resurfacing (improved westbound lane)	Queens Avenue	William Street	Quebec Street	2022

This assignment will create the design and tender documents for the permanent east-west separated cycling route between the downtown and Old East Village connecting with Dundas Place and the infrastructure renewal project on Dundas Street between Adelaide Street and Ontario Street. This design will implement a separated cycle track and where opportunities exist implement the vision of a complete street within the context of the draft Old East Village Dundas Corridor Secondary Plan.

DISCUSSION

Project Description

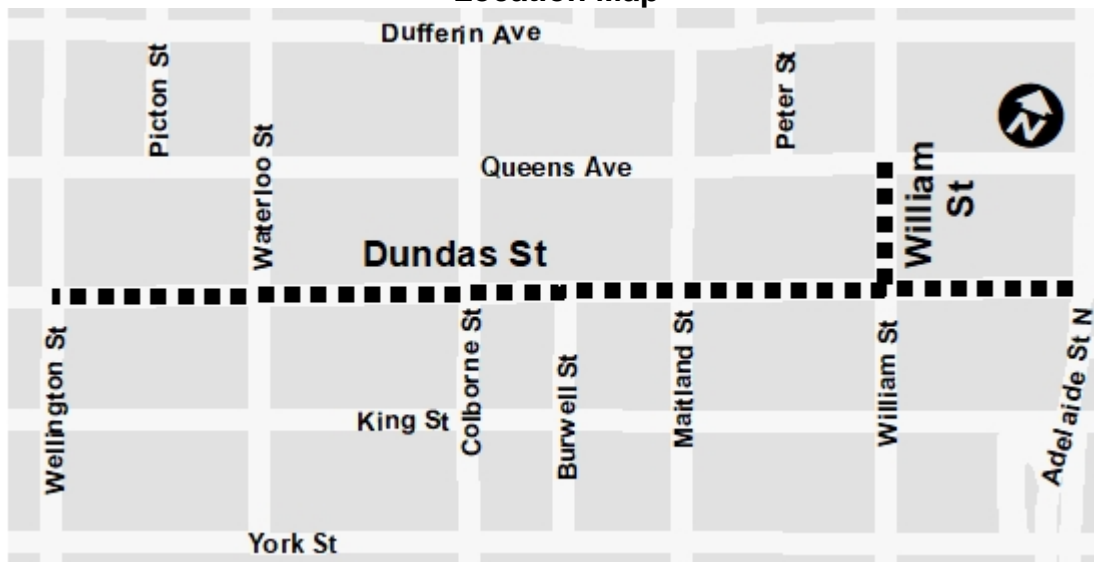
The key design improvements for this detailed design assignment will be to implement the recommendations from the Downtown OEV East-West Bikeway Corridor Evaluation. This project will design the separated cycling facility on Dundas Street between Wellington Street to Adelaide Street, and a side street connection on William Street from Dundas Street to Queens Avenue. The design will also implement London's first protected intersection at Colborne Street and Dundas Street. The design will include improved pedestrian, landscaping and urban design elements.

Construction timing is anticipated in summer 2020. The award of the design at this time aims to maintain this project schedule.

The primary deliverables from this detailed design assignment include field investigations, design, approvals, and tender preparation. Particular focus areas for the assignment include:

- Geometric design with a focus on intersection movements;
- Completion of a parking study to review available opportunities to provide for additional parking where possible along the project limits;
- Coordination of service needs, including expansion of existing and new infrastructure;
- Traffic signals and street light design;
- Public consultation and engagement with stakeholders including; individual businesses, BIA's, Advisory Committees, School Boards, adjacent land owners, and interested individuals;
- Securing all necessary approvals and permits;
- Preparation of utility plans and coordination of the installation of utilities; and
- Preparation of the complete tender package.

Location Map



Available funding has been budgeted in the capital budget to support the engineering design work for the project identified in Appendix A, Source of Financing Report. The design fees for this project, which are recommended for approval in this report, are based on the project scope described above. The fee includes a 10% contingency and excludes HST.

Consultant Procurement

WSP Canada Group Limited is being recommended to be awarded the assignment, which was procured using an open and publicly advertised Request for Proposals (RFP) process. Proposal submissions were received for the assignment from three consultants, in accordance with the City's Procurement of Goods and Services Policy 15.2 (d). The process for consultant award included a best value approach which provides an optimal

balance between the performance and cost determined in accordance with a pre-defined evaluation plan.

The selection committee evaluated the proposals against an established evaluation criteria which included the experience and qualifications of the consultant team as well as their approach, methodology and schedule to complete the required work. The evaluation committee determined that the submission from WSP Canada Group Limited provides the best value for the City. WSP Canada Group Limited has experienced project team members with the required qualifications and expertise. Their proven experience on similar projects combined with a project proposal that demonstrated a thorough understanding of the goals and objectives determined their suitability for this assignment.

In accordance with Section 15.2 (d) of the Procurement of Goods and Services Policy, Civic Administration is recommending that WSP Canada Group Limited be authorized to carry out the detailed design and tendering of this project for a fee estimate of \$532,742.41 (excluding HST). The submission from WSP Canada Group Limited includes a fee submission that indicates that the detail design can be completed within the funds available in the project account. The consultant will be considered for construction administration services depending upon performance.

CONCLUSION

Providing desirable cycling infrastructure is essential to building a sustainable city and facilitating transportation alternatives. The commencement of this design is another step forward in building sustainable and active transportation infrastructure for all ages and abilities. The need for this project has been identified as a high priority in the Cycling Master Plan and confirmed in the East-West Bikeway Corridor Evaluation. The assignment will also undertake detailed urban design considerations in consultation with the community given the unique nature of the Dundas Street commercial environment.

WSP Canada Group Limited has demonstrated an understanding of the requirements for this project. Based on the competitive consultant procurement process, it is recommended that WSP Canada Group Limited be appointed to undertake the engineering design services for the Dundas Street Cycle Track in the amount of \$532,742.41 (excluding HST).

PREPARED BY:	REVIEWED & CONCURRED BY:
GARFIELD DALES, P. ENG. DIVISION MANAGER TRANSPORTATION PLANNING & DESIGN	DOUG MACRAE, P. ENG., MPA DIRECTOR ROADS AND TRANSPORTATION
RECOMMENDED BY:	
KELLY SCHERR, P. ENG., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL & ENGINEERING SERVICES AND CITY ENGINEER	

Attach: Appendix A – Sources of Financing

c: John Freeman, Manager, Purchasing and Supply
 Gary McDonald, Budget Analyst
 WSP Canada Group Limited

APPENDIX 'A'

#19136

Chair and Members
Civic Works Committee

September 24, 2019
(Appoint Consulting Engineer)

**RE: Dundas Street Cycle Track Design
(Subledger RD190017)
Capital Project TS173918 - Cycling Facilities
Capital Project TS173919 - 2019-2023 Active Transportation
WSP Canada Group Limited - \$532,742.41 (excluding H.S.T.)**

FINANCE & CORPORATE SERVICES REPORT ON THE SOURCES OF FINANCING:

Finance & Corporate Services confirms that the cost of this project can be accommodated within the financing available for it in the Capital Works Budget and that, subject to the adoption of the recommendations of the Managing Director, Environmental & Engineering Services & City Engineer, the detailed source of financing for this project is:

<u>SUMMARY OF ESTIMATED EXPENDITURES</u>	<u>Approved Budget</u>	<u>Committed to Date</u>	<u>This Submission</u>	<u>Balance for Future Work</u>
<u>TS173918 - Cycling Facilities</u>				
Engineering	\$520,833	\$11,501	\$509,332	\$0
Construction	121,239	121,239		0
City Related Expenses	728	728		0
	<u>642,800</u>	<u>133,468</u>	<u>509,332</u>	<u>0</u>
<u>TS173919 - 2019-2023 Active Transportation</u>				
Engineering	500,000	13,836	32,786	453,378
Construction	2,173,876	656,433		1,517,443
	<u>2,673,876</u>	<u>670,269</u>	<u>32,786</u>	<u>1,970,821</u>
NET ESTIMATED EXPENDITURES	<u>\$3,316,676</u>	<u>\$803,737</u>	<u>\$542,118</u> 1)	<u>\$1,970,821</u>

SUMMARY OF FINANCING:

<u>TS173918 - Cycling Facilities</u>				
Capital Levy	\$321,400	\$66,734	\$254,666	\$0
Drawdown from City Services - Roads	2) 321,400	66,734	254,666	0
Reserve Fund (Development Charges)				0
	<u>642,800</u>	<u>133,468</u>	<u>509,332</u>	<u>0</u>
<u>TS173919 - 2019-2023 Active Transportation</u>				
Capital Levy	391,425	98,120	4,799	288,506
Debenture Quota	3) 940,788	235,830	11,536	693,422
Drawdown from City Services - Roads	2) 1,341,663	336,319	16,451	988,893
Reserve Fund (Development Charges)				0
	<u>2,673,876</u>	<u>670,269</u>	<u>32,786</u>	<u>1,970,821</u>
TOTAL FINANCING	<u>\$3,316,676</u>	<u>\$803,737</u>	<u>\$542,118</u>	<u>\$1,970,821</u>

1) **Financial Note:**

	<u>TS173918</u>	<u>TS173919</u>	<u>Total</u>
Contract Price	\$500,523	\$32,219	\$532,742
Add: HST @13%	65,068	4,188	69,256
Total Contract Price Including Taxes	565,591	36,407	601,998
Less: HST Rebate	56,259	3,621	59,880
Net Contract Price	<u>\$509,332</u>	<u>\$32,786</u>	<u>\$542,118</u>

2) Development charges have been utilized in accordance with the underlying legislation and the Development Charges Background Studies completed in 2019.

Note to City Clerk:

3) Administration hereby certifies that the estimated amounts payable in respect of this project does not exceed the annual financial debt and obligation limit for the Municipality of Municipal Affairs in accordance with the provisions of Ontario Regulation 403/02 made under the Municipal Act, and accordingly the City Clerk is hereby requested to prepare and introduce the necessary authorizing by-laws.

An authorizing by-law should be drafted to secure debenture financing for project TS173919 - 2019-2023 Active Transportation for the net amount to be debentured of \$940,788.00.

JG

Jason Davies
Manager of Financial Planning & Policy

TO:	CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON SEPTEMBER 24, 2019
FROM:	KELLY SCHERR, P.ENG. MANAGING DIRECTOR ENVIRONMENTAL & ENGINEERING SERVICES AND CITY ENGINEER
SUBJECT:	AGREEMENT EXTENSION WITH TROJAN TECHNOLOGIES FOR THE USE OF THE DECOMMISSIONED WESTMINSTER WASTEWATER PLANT

RECOMMENDATION

That, on the recommendation of the Managing Director Environmental & Engineering Services and City Engineer, the following actions **BE TAKEN** with respect to extending the agreement with Trojan Technologies to use the Westminster Treatment plant,

- (a) The Amending Agreement (attached hereto as Appendix 'B') between the City of London and Trojan Technologies of London **BE APPROVED**; and,
- (b) The proposed By-law (attached hereto as Appendix 'A') **BE INTRODUCED** at the Municipal Council Meeting of March 5, 2019 to approve the Amending Agreement with Trojan Technologies, and to authorize the Mayor and Clerk to execute the Agreement extension.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
--

Civic Works Committee, February 20, 2019, - Agreement Extension with Trojan Technologies for the Use of the Decommissioned Westminster Wastewater Plant

Civic Works Committee, April 17, 2018, - Southern Ontario Water Consortium London Wastewater Facility: Support for Local Water Research and Development

Civic Works Committee, September 22, 2014 - UV Disinfection Equipment Parts & Service-Single Source

Built and Natural Environment Committee, July 18, 2011 – An Agreement to Use the Decommissioned Westminster Wastewater Treatment Plant for Research and Development and Testing

BACKGROUND

Purpose

The purpose of this report is to amend an agreement with Trojan Technologies (Trojan) of London to use the City's Westminster Wastewater Treatment Plant (WWTP) for testing until 2038. This will allow Trojan to make investments in the facility to support testing beyond the original 2021 timeframe.

At the March 5, 2019 meeting of Council it was resolved:

That the Agreement Extension with Trojan Technologies for the use of the decommissioned Westminster Wastewater Plant BE REFERRED back to the Civic Administration, in order to provide for additional discussion with respect to this matter. (2019-E03) (AS AMENDED) (2.5/4/CWC)

The February 20th, 2019 report to Civic Works Committee was referred back to provide an opportunity to further communicate with Purifics regarding their interest in using City of London facilities for research purposes. This report provides further details regarding these communications.

Context

The Environmental and Engineering Services Department has long been a supporter of water and wastewater industry research. This support includes facilitating technology demonstration projects at various City owned facilities. Since April 2018, a new model has been in place to facilitate water related research that meets the intent of the 2015 – 2019 Strategic Plan. The current strategic plan includes a strategy to assist businesses with commercialization to help grow London's economy. The City has partnered with London Economic Development Corporation, Southern Ontario Water Consortium, Western University and major industries to achieve this objective.

Trojan is a London based world leader in ultraviolet (UV) disinfection technology for the water and wastewater industries. Trojan has used the City's decommissioned Westminster WWTP for testing since 2011 and would like access to the facility beyond the initial 10 year period in its current agreement. In return for use of the facility, Trojan provides \$30,000 in free service on the City's UV disinfection systems and supplies parts at a 30% discount, resulting in a combined annual value to the City of approximately \$75,000.

DISCUSSION

The City's Westminster WWTP was acquired as part of the 1993 annexation and has since been decommissioned. The Westminster WWTP has been used by Trojan through an agreement with the City since 2011. The site provides them with a local facility they can modify as needed to test prototype equipment. Trojan has requested that the current agreement be extended to 2038. Extending the agreement will allow them to make a larger investment in the site. Through the extension of this agreement the City retains ownership of the facility and will continue to receive \$30,000 in annual UV system maintenance and a 30% discount on parts. Trojan is responsible for maintaining the site and buildings, with the City retaining the option to terminate the agreement with one year's notice.

The City's partnership with Trojan Technologies creates a positive reuse for an unutilized corporate asset and supports research and development at a major local employer. Use of this facility is part of the City's ongoing relationship with Trojan Technologies that also includes use of the Southern Ontario Water Consortium London Wastewater Facility, which is housed at the Greenway Wastewater Treatment Plant.

Actions Following March 5th, 2019 Council Resolution

City staff have also reviewed access to wastewater facilities with Purifics, another London based water treatment company, after they expressed interest in the Westminster site. The financial value to the City of the current Trojan agreement and the availability of other City facilities for testing with shorter time commitments and lower occupancy costs were identified to Purifics; to date, no further interest in testing at City of London sites has been received from Purifics.

A letter outlining the opportunities for Purifics to use City of London facilities has been attached as Appendix 'D'. City Staff would welcome any future opportunities to support

Purifics' research at other City facilities and will encourage exploring the use of technologies when communicating to the Ministry of Environment, Conservation and Parks or where appropriate when the provincial/federal governments offers future pilot project funding programs.

CONCLUSIONS

It is recommended that Council approve the extension of this agreement to 2038 with Trojan Technologies as the City has no long term plans for this site and it has proven valuable to Trojan as a testing facility.

SUBMITTED BY:	REVIEWED AND CONCURRED BY:
GEORDIE GAULD DIVISION MANAGER, WASTEWATER TREATMENT OPERATIONS	SCOTT MATHERS, MPA, P. ENG. DIRECTOR, WATER AND WASTEWATER
RECOMMENDED BY:	
KELLY SCHERR, P. ENG., FEC MANAGING DIRECTOR, ENVIRONMENTAL & ENGINEERING SERVICES & CITY ENGINEER	

September 16, 2019

Attach: Appendix "A" - Amending Agreement By-law
 Appendix "B"- Amending Agreement
 Appendix "C"-Original Agreement
 Appendix "D"-Letter to Brian Butters-Purifics

cc. Allan Archer-Trojan Technologies
 Michele Butlin-Legal and Corporate Services
 John Freeman
 Gary McDonald
 Alan Dunbar
 Jason Davies

Appendix “A” – Amending Agreement By-Law

Bill No.

By-law No.

A By-law to authorize an Amending the Agreement between The Corporation of the City of London and Trojan Technologies and to authorize the Mayor and City Clerk to execute the Agreement.

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* 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 it is deemed expedient for The Corporation of the City of London (the “City”) to amend an agreement with Trojan Technologies Group ULC (the “Agreement”);

AND WHEREAS it is appropriate to authorize the Mayor and City Clerk to execute the Agreement on behalf of the City;

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

1. The Agreement attached as Schedule “A” to this By-law, being an Agreement between the City and Trojan Technologies Group ULC. is hereby AUTHORIZED AND APPROVED.
2. The Mayor and City Clerk are authorized to execute the Agreement authorized and approved under section 1 of this by-law.
3. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council , 2019

Ed Holder
Mayor

Catharine Saunders
City Clerk

First reading -
Second reading –
Third reading –

Appendix "B"

THIS AMENDING AGREEMENT made this ____ day of _____.

BETWEEN:

THE CORPORATION OF THE CITY OF LONDON

(hereinafter the "City")

-and-

TROJAN TECHNOLOGIES

(hereinafter "Trojan")

WHEREAS the City owns and operates a water pollution control plant at Westminster Pollution Control Plant (the "Westminster PCP") located at 3225 Dingman Drive, London, Ontario.

AND WHEREAS Trojan has requested permission to maintain an ultra-violet testing facility at Westminster PCP (the "W-Facility") for the purposes of conducting research and development projects within the Westminster PCP and the City is agreeable to permitting Trojan to operate the W-Facility as set out herein rent-free, provided Trojan agrees to pay the utility and other costs associated with the operation;

AND WHEREAS the City and Trojan entered into an Agreement on August 31, 2011 ("Agreement") for a term of ten (10) years;

AND WHEREAS the parties wish to amend the Agreement to extend the term of the Agreement;

NOW THEREFORE THE AMENDING AGREEMENT WITNESSETH THAT in consideration of the mutual covenants and agreements set forth, the parties covenant and agree, to and with each other, as follows:

1. Sub article 1(b) of the Agreement is deleted and replaced with the following:

"Permit Trojan to operate the W-Facility at Westminster PCP for a term of twenty (20) years, commencing upon execution of this agreement (the "Term"). Trojan shall have unfettered discretion to cease operating the W-Facility any time prior to the expiration of the Term if it so chooses, in which case this agreement shall be terminated and all rights and obligations relating thereto shall be as if the said term had expired;"

IN WITNESS OF WHICH the parties have executed this agreement the day and year first above written.

The Corporation of the City of London

Trojan Technologies

Mayor

I have the authority to bind the Corporation

City Clerk

Agenda Item #	Page #

Appendix "C" - Original Agreement

THIS AGREEMENT is made the [Enter Day] day of [Enter Month] year [Enter Year]

BETWEEN:

Corporation of the City of London
(hereinafter the "City")

and

Trojan Technologies
(hereinafter "Trojan")

WHEREAS the City owns and operates a water pollution control plant at Westminster Pollution Control Plant (the "Westminster PCP") located at 3225 Dingman Drive, London, Ontario.

AND WHEREAS Trojan has requested permission to maintain an ultra-violet testing facility at Westminster PCP (the "W-Facility") for the purpose of conducting research and development projects within the Westminster PCP and the City is agreeable to permitting Trojan to operate the W-Facility as set out herein rent-free, provided Trojan agrees to pay the utility and other costs associated with their operation;

NOW THEREFORE in consideration of the mutual covenants and agreements to be kept and performed on the part of the parties, the City and Trojan covenant and agree as follow:

1. The City shall:

- a. Permit Trojan in its absolute discretion to modify Westminster PCP for the W-Facility within the boundaries of Westminster PCP as shown in figure 1 on Schedule A; as it sees fit; including without limitation to upgrade the main electrical feed to building; install new electrical distribution service for Trojan's testing requirements; install waterline(s); sewer-line(s) and allow access to the current building for Trojan usage;
- b. Permit Trojan to operate the W-Facility at Westminster PCP for a term of (10) years, commencing upon execution of this agreement (the "Term"). Trojan shall have unfettered discretion to cease operating the W-Facility any time prior to the expiration of the

Agenda Item #	Page #

Term if it so chooses, in which case this agreement shall be terminated and all rights and obligations relating thereto shall be as if the said term had expired;

- c. Invoice Trojan monthly for actual hydro usage in relation to W-Facility;
- d. Grant permission for Trojan to access appropriate drainage on City property to dispose of test water, from time to time, as necessary;
- e. Provide a minimum of 1 year notice to Trojan if the W-Facility needs to be removed from the Westminster PCP for any reason;
- f. Permit Trojan to change locks at Westminster so Trojan is the only key holder for the site and grant Trojan an exclusive access to the Westminster PCP; notify Trojan in the event the City requires site access and have Trojan employee to accompany City employee during any such access **[Note: this is for due diligence for intellectual property]**
- g. Grant to Trojan the rights and benefits set out above without requiring rent or other compensation other than that which is specifically set out herein.

2. Trojan shall:

- a. Install a new main hydro meter and assume all charges for hydro for Westminster PCP as facility currently operates only using electricity to operate sump pump, 120 volt outlets, overhead lighting and heating;
- b. Promptly pay for actual hydro usage related to the W-Facility (invoiced monthly);
- c. On expiry of this agreement, remove all of the test equipment and associated infrastructure promptly;
- d. Respond in timely manner to accommodate City requests to visit site;
- e. Provide, free of charge, up to \$30,000 worth of personnel hours annually from its service department for maintenance of City's ultra-violet disinfection equipment;
- f. Permit the City to directly purchase parts at 30% discount off Trojan's list price during the Term of this Agreement;
- e. At its own expense, obtain and maintain during the term of this Agreement, and promptly provide evidence of:
 - i. Comprehensive general liability (CGL) on an occurrence basis for an amount not less than Five Million (\$5,000,000) dollars and shall include City as an additional insured with respect to Trojan's

Agenda Item #	Page #

operations, acts and omissions relating to its obligations under this Agreement, including without limitation the supply, care, handling, use or disposal of any raw material brought by Trojan onto the Westminster PCP site; such CGL insurance policy to include non-owned automobile liability, personal injury, broad form property damage, contractual liability, owners' and contractors' protective, products and completed operations, contingent employers liability, cross liability and severability of interest clauses;

- ii. Automobile liability insurance for an amount not less than Two Million (\$2,000,000) dollars on forms meeting statutory requirements covering all owned or leased vehicles used in any manner in connection with the performance of the terms of this Agreement.
- iii. The policies shown above will not be cancelled or permitted to lapse unless the insurer or Trojan notifies the City in writing at least thirty (30) days prior to the effective date of cancellation or expiry. London reserves the right to request such higher limits of insurance or other types of policies appropriate to the work as the City may reasonably require.
- iv. Trojan agrees to provide evidence of continued insurance from insurer(s) licensed to operate in Canada once annually in a form acceptable to the City at each policy renewal date for the duration of the contract.

3. Other terms to be observed by and between the parties:

- a. Amendments to the terms of this agreement must be in written form and approved by both parties in writing.
- b. The W-Facility together with all associated Trojan infrastructure and equipment, including but not limited to UV disinfection equipment, piping, pumps, flow meters, valves, gates, building covering structure and all electrical wiring and conduits from main plant are the property of Trojan. Trojan shall have the right to remove all of its equipment and infrastructure at any time.
- c. Nothing herein contained shall be deemed or construed as creating a relationship of principal and agent, lessor and lessee, a partnership or a joint venture between the parties, nor shall any other action or provision contained herein be deemed to create any relationship between the parties other than an arm's length business transaction. Trojan is an independent contractor.
- d. Trojan shall defend, indemnify and hold harmless the City and its members of council, officers, employees and agents from and against claims, loss, liability, suits and damages for personal injury or damage to

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property (the "Loss"), including fees caused in whole or in part by the negligent acts, errors or omissions (hereinafter "Wrongful Act") of Trojan or anyone for whose acts it is responsible at law.

- e In the event that both Trojan and the City have each committed a Wrongful Act which contributes to the aforementioned Loss, then each party shall be responsible for the Loss in the same proportion as that party's contribution to the Loss.
 - f In the event of legal action brought by either party against the other to enforce any of the obligations hereunder or arising out of any dispute concerning the terms and conditions hereby created, the unsuccessful party shall pay the prevailing party such reasonable amount for fees, costs and expenses, including attorney's fees, as may be set by the court – or the actual costs incurred by the prevailing party if the dispute does not reach final judgment.
4. This Agreement shall be for a term of ten (10) years, unless it is terminated sooner by the parties in accordance with the terms of this Agreement, commencing upon execution of this Agreement.
 5. Upon expiry or other termination of this Agreement Trojan will no longer be required to pay for hydro or any other charges at W-Facility, upon Trojan's vacating the W-Facility and paying to the City any amounts previously invoiced but unpaid in relation to hydro, Trojan shall owe no further obligations to the City hereunder with respect to the W-Facility.
 6. This agreement shall be binding upon the parties, their successors and assigns. This is the entire agreement.
 7. This agreement is governed by and will be construed in accordance with the laws of the Province of Ontario, Canada and each party hereby attorns to the non-exclusive jurisdiction of the courts of Ontario with respect to any claims or disputes arising under, out of or in connection with this agreement or the subject matter hereof.

IN WITNESS OF WHICH the parties have executed this agreement the day and year first above written. We have authority to bind the parties here to.

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The Corporation of the City of
London
Name:

Signature:

Date:

Trojan Technologies
Name:

Signature:

Date:

SCHEDULE A



Figure 1. Municipal Address 3225 Dingman DR, London, ON

Roll number 080004015600000

CON 4 E PT LOT 17

REG 4.02AC 726.00FR D

Appendix "D": Letter to Brian Butters-Purifics



London
CANADA

300 Dufferin Avenue
P.O. Box 5035
London, ON
N6A 4L9

June 16, 2019

Mr. Brian Butters, P.Eng., MBA
President, Purifics Water Inc.
340 Sovereign Road
London, Ontario
N6M 1A8

Dear Mr. Butters:

Thank you for your interest in undertaking research and development of your technology in City of London facilities. We like to take this opportunity to provide you with details related to ongoing research in City of London Facilities, details regarding our London Wastewater Facility at Greenway, and information on London's model for facilitating research and development.

Decommissioned Westminster Wastewater Plant

The City's Westminster WWTP was acquired as part of the 1993 annexation and has since been decommissioned. The Westminster WWTP has been used by Trojan Technologies through an agreement with the City since 2011. The current agreement ends in 2021. All capital, operational, utility, and maintenance costs for the facility are borne by Trojan Technologies. Through the agreement, Trojan also provides the City with \$30,000 in annual UV system maintenance and a 30% discount on parts, resulting in a combined average annual value to the City of roughly \$75,000.

Southern Ontario Water Consortium-London Wastewater Facility

The Southern Ontario Water Consortium-London Wastewater Facility is a research and development facility located at the Greenway Pollution Control Plant that consists of four indoor private testing bays. This facility was constructed at a cost of \$7,400,000, with approximately equal sharing of costs between the City and SOWC (FedDev), and an agreement with Western University to access the funding. Western University currently administers the

The Corporation of the City of London
Office 519-661-CITY (2489) x 2391
Fax 519-661-5931
kscherr@london.ca
www.london.ca

Appendix “D”: Letter to Brian Butters-Purifics

Page 2

London Wastewater Facility through an agreement with the City of London. All operational costs related to this facility are passed on to Western University. If your company is interested in using this facility you can contact:

Caroline Calmettes
Director (Contracts & Agreements)
Western University
Research Development & Services
SSB 5150, 1393 Western Road
London, Ontario Canada N6G 1G9
Tel: 519-661-2111 ext. 80120
ccalmett@uwo.ca

The London Wastewater Facility at Greenway exists to retain and attract water industry businesses in London, serve as a centre of excellence for research, stimulate the development of wastewater technology by facilitating advancement from product testing to market, and act as an economic generator for southwestern Ontario.

London’s Model for Facilitating Water, Stormwater, and Wastewater Research and Development

On April 17th 2018, Council endorsed an expansion to the number of available municipal infrastructure sites for technological research and demonstrations. Given the success of the facility London Wastewater Facility, there is interest in expanding the program to provide research and developmental opportunities at other City of London water, wastewater, and stormwater facilities. A set of governing principles to guide the City’s participation in future research and developmental activities has been created in order to ensure any research that proceeds, using City of London infrastructure, respects the interests of the City of London and its residents. The following principles are recommended to guide future partnership negotiations:

1. Ensure the health and safety of our workers, researchers, and the public are maintained at all times.
2. Develop project-specific risk assessments to ensure that proposed research projects do not have an adverse impact on city infrastructure, or place the City at regulatory risk.

Appendix "D": Letter to Brian Butters-Purifics

Page 3

3. Ensure prospective partners have an appropriate amount of insurance coverage for both their researchers and work activities.
4. Ensure that industrial clients are at arm's length from the City and do not conflict with Municipal Act bonusing provisions.
5. Ensure City costs for research and development are low, and/or provided in the form of in-kind amounts, and that there is available staff capacity to facilitate the work. All material utility costs related to the research and development project are to be recovered.
6. Prioritize research opportunities that provide new technologies that aid in the delivery of clean, cost-effective, and sustainable water services.

The intent of these governing principles is to recognize the City's responsibilities under the Municipal Act, manage risk, and set objectives to maximize the benefit to the city and our stakeholders.

We would also like to note that the City currently has an agreement with Purifics to use the access the Vauxhall Wastewater Treatment Plant facility for research purposes. City staff would be happy to meet with you at your convenience to discuss how we can support you in starting your work at the Vauxhall plant or other City of London facilities in accordance with the above principles.

Thanks.

Sincerely,



Kelly Scherr, P.Eng., MBA
Managing Director and City Engineer

TO:	CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON SEPTEMBER 24, 2019
FROM:	KELLY SCHERR, P.ENG. MANAGING DIRECTOR ENVIRONMENTAL & ENGINEERING SERVICES AND CITY ENGINEER
SUBJECT:	AGREEMENT EXTENSION WITH TROJAN TECHNOLOGIES FOR THE USE OF THE DECOMMISSIONED WESTMINSTER WASTEWATER PLANT

RECOMMENDATION

That, on the recommendation of the Managing Director Environmental & Engineering Services and City Engineer, the following action **BE TAKEN** with respect to extending the agreement with Trojan Technologies to use the Westminster Treatment plant,

- (a) The proposed By-law (attached hereto as Appendix 'A') **BE INTRODUCED** at the Municipal Council Meeting of October 1, 2019 to approve the Amending Agreement with Trojan Technologies, and to authorize the Mayor and Clerk to execute the Agreement extension.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

Civic Works Committee, February 20, 2019, - Agreement Extension with Trojan Technologies for the Use of the Decommissioned Westminster Wastewater Plant

Civic Works Committee, April 17, 2018, - Southern Ontario Water Consortium London Wastewater Facility: Support for Local Water Research and Development

Civic Works Committee, September 22, 2014 - UV Disinfection Equipment Parts & Service-Single Source

Built and Natural Environment Committee, July 18, 2011 – An Agreement to Use the Decommissioned Westminster Wastewater Treatment Plant for Research and Development and Testing

BACKGROUND

Purpose

The purpose of this report is to amend an agreement with Trojan Technologies (Trojan) of London to use the City's Westminster Wastewater Treatment Plant (WWTP) for testing until 2038. This will allow Trojan to make investments in the facility to support testing beyond the original 2021 timeframe.

At the March 5, 2019 meeting of Council it was resolved:

That the Agreement Extension with Trojan Technologies for the use of the decommissioned Westminster Wastewater Plant BE REFERRED back to the Civic Administration, in order to provide for additional discussion with respect to this matter. (2019-E03) (AS AMENDED) (2.5/4/CWC)

Appendix "B": Amending Agreement (Schedule 'A' of the Amending Agreement By-law)

THIS AMENDING AGREEMENT made this ____ day of _____.

BETWEEN:

THE CORPORATION OF THE CITY OF LONDON

(hereinafter the "City")

-and-

TROJAN TECHNOLOGIES

(hereinafter "Trojan")

WHEREAS the City owns and operates a water pollution control plant at Westminster Pollution Control Plant (the "Westminster PCP") located at 3225 Dingman Drive, London, Ontario.

AND WHEREAS Trojan has requested permission to maintain an ultra-violet testing facility at Westminster PCP (the "W-Facility") for the purposes of conducting research and development projects within the Westminster PCP and the City is agreeable to permitting Trojan to operate the W-Facility as set out herein rent-free, provided Trojan agrees to pay the utility and other costs associated with the operation;

AND WHEREAS the City and Trojan entered into an Agreement on August 31, 2011 ("Agreement") for a term of ten (10) years;

AND WHEREAS the parties wish to amend the Agreement to extend the term of the Agreement;

NOW THEREFORE THE AMENDING AGREEMENT WITNESSETH THAT in consideration of the mutual covenants and agreements set forth, the parties covenant and agree, to and with each other, as follows:

1. Sub article 1(b) of the Agreement is deleted and replaced with the following:

"Permit Trojan to operate the W-Facility at Westminster PCP for a term of twenty (20) years, commencing upon execution of this agreement (the "Term"). Trojan shall have unfettered discretion to cease operating the W-Facility any time prior to the expiration of the Term if it so chooses, in which case this agreement shall be terminated and all rights and obligations relating thereto shall be as if the said term had expired;"

IN WITNESS OF WHICH the parties have executed this agreement the day and year first above written.

The Corporation of the City of London

Trojan Technologies

Mayor

I have the authority to bind the Corporation

City Clerk

TO:	CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON SEPTEMBER 24, 2019
FROM:	KELLY SCHERR, P.ENG., MBA, FEC MANAGING DIRECTOR - ENVIRONMENTAL & ENGINEERING SERVICES & CITY ENGINEER
SUBJECT:	ALL TERRAIN, TURF AND GOLF UTILITY VEHICLES - CONTRACT AWARD BASED ON IRREGULAR TENDER RESULT

RECOMMENDATION

That, on the recommendation of the Managing Director, Environmental and Engineering Services & City Engineer, the following actions **BE TAKEN**:

- a) Civic Administration **BE AUTHORIZED** to engage in a single source contract negotiation as per the Procurement of Goods and Services Policy Section 19.4 c) with Hyde Park Equipment, 2034 Mallard Rd, London, Ont. N6J 1G4, for the supply and delivery of three (3) All-Terrain Utility Vehicles (Kubota model RTV-X1100C) at a total purchase price of \$87,561.39 (\$29,187 per unit) excluding HST;
- b) Civic Administration **BE AUTHORIZED** to engage in a single source contract as per the Procurement of Goods and Services Policy Section 19.4 c) with Podolinski Equipment Ltd. 6057 Petrolia Line, Petrolia Ont. NON 1RO, the supply and delivery of two (2) Turf Utility Vehicles (John Deere Progator model 2030A) at a total purchase price of \$73,190 (\$36,595 per unit) excluding HST; and the supply and delivery of five (5) Golf Utility Vehicles (John Deere Turf Gator) at a total purchase price of \$57,995 (\$11,599 per unit) excluding HST;
- c) Civic Administration **BE AUTHORIZED** to utilize this tender result and single source approval to engage these vendors directly for future replacements of vehicles in these classifications for a contract period of two (2) years with two (2) additional option years subject to performance and pricing;
- d) Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this purchase;
- e) Approval hereby given **BE CONDITIONAL** upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval; and
- f) That the funding for this purchase **BE APPROVED** as set out in the Source of Financing Report attached hereto as Appendix "A".

COUNCIL'S 2019-2023 STRATEGIC PLAN

Municipal Council has recognized in its 2019-2023 - Strategic Plan for the City of London the importance of:

Building a Sustainable City

London's infrastructure us built, maintained, and operated to meet long-term needs of our community

- Manage assets to prevent future infrastructure gaps

Leading in Public Service

Londoners experience exceptional and valued customer service

- Increase responsiveness to our customers
- Increase efficiency and effectiveness of service delivery

BACKGROUND

Purpose

The purpose of this report is to provide background information on the Request for Tender (RFT) process and seek approval of the recommendation to negotiate a Single Source replacement of the all-terrain (Figure 1), turf (Figure 2) and golf utility (Figure 3) equipment that is at the end of optimum service life.



Figure 1 – All-Terrain Utility Vehicle



Figure 2 – Turf Utility Vehicle



Figure 3 – Golf Utility Vehicle

Context

Light duty utility vehicles continue to be a popular and effective vehicle for providing services in a variety of work applications for Horticulture Services, Sports Fields, Golf Course Maintenance and Solid Waste Operations. These units provide excellent operational versatility, function and efficiencies navigating and working in off road work areas.

DISCUSSION

Ten existing work utility vehicles (Three All-Terrain, Two Turf Utility and Five Golf Utility Vehicles) have reached their optimum service life and require replacement. Units that will be replaced are:

- two 2010 Kubota 1100 RTV's,
- two 2011 John Deere Pro-gator 2030A,
- five 2011 John Deere TX Gator 4x2, and
- one 2011 John Deere TH Gator 6x4. The decommissioned vehicles will be sent to public auction.

During pre-replacement discussions with the end users, it was determined that two of the units should be upsized in order to meet the job requirements and be compatible with existing attachments. The size and configuration of the Kubota RTV will increase function and utilization within the assigned areas. This was specified in the tender.

The tender also specified that the successful bidder will be engaged directly for these types of vehicles for a contract period of two (2) years with two additional one (1) year terms based on continued performance and pricing requirements.

Purchasing Process

Fleet Planning initiated a tender through Purchasing and Supply and received bids from three suppliers, however, only one compliant bid was received in each classification. The low bidder of the golf utility vehicles was rejected because the model bid was non-compliant to the mandatory minimum specifications. This resulted in an irregular result and requires approval as per Section 19.4 c) and Schedule "A" of the Procurement of Goods and Services Policy:

19.4 Only One Bid Received

- c. In the event that the bid received is found acceptable, it will be awarded as an Irregular Result under Schedule "A" of this Policy.

Schedule "A" - When dollar value is greater than \$100,000, a Request for Tender with an Irregular Result is approved by Committee and City Council

Despite using a public competitive process, only two vendors offer the specialty products that comply with the specifications that meet the City's needs. For transparency and compliance with the Procurement of Goods and Services Policy, this report recommends exercising Section 19.3 b) to negotiate and award the purchase of the Turf Utility and Golf Utility units to Podolinski Equipment Ltd. (John Deere) and the purchase of for the All-Terrain Units to Hyde Park Equipment (Kubota).

Kubota and John Deere brands in these classes have been a proven equipment choice for the City of London in the past and are compatible with the existing attachments including slide in sprayers and winter equipment (plows, sanders, blowers).

Financial Impact

Funding for this purchase has been approved through the ME201801 and ME201901 fleet capital programs. Additional features outside of the budgeted replacement in the fleet capital program that were requested by the Solid Waste service area will be funded through the existing capital project SW601417. The estimated replacement cost for this project was \$169,000 excluding HST. An additional \$17,887.13 excluding HST will be supplied from SW601417 to accommodate the required specifications. Pending final negotiations, the recommended submissions from Podolinsky Equipment and Hyde Park Equipment is estimated to total \$218,746.39 excluding HST. At that bid price this project exceeds initial estimates by \$31,859.26 which is available in the identified fleet capital projects.

This cost variance can be attributed to continued market changes and higher than expected price increases in the specialty equipment category like all-terrain and turf utility vehicles. Suppliers in the market have faced challenges such as cost increases on raw materials, currency exchange rates, trade tariff pressures and general inflationary increases.

The ongoing operating costs of these new vehicles will continue to be supported through the Service Areas via internal rental rates.

CONCLUSION

Fleet Services, in conjunction with Purchasing and Supply, recommend Single Source negotiation and award for the Supply and Delivery of All-Terrain, Turf, and Golf Utility Vehicles for the current utility vehicles that are at the end of their service life and also for an additional contract period of two (2) years with two (2) option years subject to pricing and performance.

An attempt has been made to acquire the goods through a Request for Tender process, however it failed to identify more than one compliant bidder in each vehicle classification, resulting in an irregular bid result.

The vendors recommended have demonstrated performance working for the City of London. Both the John Deere and Kubota products recommended have compatibility and standardization with the City's existing fleet and have local support for technical service, parts, and warranty requirements.

Based on the information provided, Fleet Services and Purchasing & Supply believe that exercising the option to enter into single source negotiation for these vehicles is the best decision in the circumstances and provides the best opportunity to negotiate a fair price and ensure the best vehicle for the work applications as possible.

SUBMITTED BY:	REVIEWED & CONCURRED BY
MIKE BUSHBY, BA DIVISION MANAGER, FLEET & OPERATIONAL SERVICES	JAY STANFORD, MA, MPA DIRECTOR, ENVIRONMENT, FLEET & SOLID WASTE
RECOMMENDED BY:	
KELLY SCHERR, P. ENG., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL & ENGINEERING SERVICES & CITY ENGINEER	

Appendix "A" - Source of Financing

C: John Freeman, Manager of Purchasing & Supply
Steve Mollon, Manager of Fleet Planning

APPENDIX 'A'

Chair and Members
Civic Works Committee

#19129
September 24, 2019
(Award Contract)

**RE: All-Terrain, Turf and Golf Utility Vehicles - Irregular Result
(Work Orders 2473842-2473851)
Capital Project ME201801 - Vehicles & Equipment Repl - TCA
Capital Project ME201901 - Vehicles & Equipment Repl - TCA
Capital Project SW601417 - W12A Ancillary
Hyde Park Equipment - \$87,561.39 (excluding H.S.T.)
Podolinski Equipment Ltd. - \$131,185.00 (excluding H.S.T.)**

FINANCE & CORPORATE SERVICES REPORT ON THE SOURCES OF FINANCING:

Finance & Corporate Services confirms that the cost of this project can be accommodated within the financing available for it in the Capital Works Budget and that, subject to the adoption of the recommendations of the Managing Director, Environmental & Engineering Services & City Engineer, and the Manager of Purchasing & Supply, the detailed source of financing for this project is:

<u>SUMMARY OF ESTIMATED EXPENDITURES</u>	<u>Approved Budget</u>	<u>Committed to Date</u>	<u>This Submission</u>	<u>Balance for Future Work</u>
<u>ME201801 - Vehicles & Equipment Repl - TCA</u> Vehicles & Equipment	\$6,469,253	\$2,669,161	\$129,916	\$3,670,176
<u>ME201901 - Vehicles & Equipment Repl - TCA</u> Vehicles & Equipment	5,635,991	1,276,585	74,478	4,284,928
<u>SW601417 - W12A Ancillary</u> Engineering	100,000			100,000
Construction	715,848	340,246		375,602
Vehicles & Equipment	18,202		18,202	0
	<u>834,050</u>	<u>340,246</u>	<u>18,202</u>	<u>475,602</u>
NET ESTIMATED EXPENDITURES	<u>\$12,939,294</u>	<u>\$4,285,992</u>	<u>\$222,596</u> 1)	<u>\$8,430,706</u>

SUMMARY OF FINANCING:

<u>ME201801 - Vehicles & Equipment Repl - TCA</u> Capital Levy	\$250,000	\$250,000		\$0
Drawdown from Veh & Equip Repl R.F.	6,165,891	2,365,799	129,916	3,670,176
Drawdown from Self Insurance R.F.	42,500	42,500		0
Funded from Operations	10,862	10,862		0
	<u>6,469,253</u>	<u>2,669,161</u>	<u>129,916</u>	<u>3,670,176</u>
<u>ME201901 - Vehicles & Equipment Repl - TCA</u> Drawdown from Veh & Equip Repl R.F.	5,588,225	1,228,819	74,478	4,284,928
Other Contributions	47,766	47,766		
	<u>5,635,991</u>	<u>1,276,585</u>	<u>74,478</u>	<u>4,284,928</u>
<u>SW601417 - W12A Ancillary</u> Drawdown from Sanitary Landfill Site R.F.	252,588		18,202	234,386
Federal Gas Tax	581,462	340,246		241,216
	<u>834,050</u>	<u>340,246</u>	<u>18,202</u>	<u>475,602</u>
TOTAL FINANCING	<u>\$12,939,294</u>	<u>\$4,285,992</u>	<u>\$222,596</u>	<u>\$8,430,706</u>

1) **FINANCIAL NOTE:**

	<u>ME201801</u>	<u>ME201901</u>	<u>SW601417</u>	<u>TOTAL</u>
Contract Price	\$127,669	\$73,190	\$17,887	\$218,746
Add: HST @13%	16,597	9,515	2,325	28,437
Total Contract Price Including Taxes	144,266	82,705	20,212	247,183
Less: HST Rebate	14,350	8,227	2,010	24,587
Net Contract Price	<u>\$129,916</u>	<u>\$74,478</u>	<u>\$18,202</u>	<u>\$222,596</u>

TO:	CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON SEPTEMBER 24, 2019
FROM:	KELLY SCHERR, P.ENG., MBA, FEC MANAGING DIRECTOR - ENVIRONMENTAL & ENGINEERING SERVICES & CITY ENGINEER
SUBJECT:	REMOVAL AND REPLACEMENT OF UNDERGROUND FUEL AND OIL TANKS

RECOMMENDATION

That on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer and with the support of the Managing Director, Corporate Services & City Treasurer and Chief Financial Officer, the following actions **BE TAKEN** with respect to replacing the fuel and oil storage tanks at A.J Tyler Operations Centre and Adelaide Operations Centre:

- a) The action taken by the Managing Director, Environmental & Engineering Services and City Engineer in accordance with Procurement of Goods and Services Policy, Section 4.3 d. "Triggering Event" **BE RECOGNIZED**; it being noted that the actions taken required immediate attention in order be in compliance with the Liquids Fuel Handling Code (2017) Technical Standards & Safety Authority (TSSA) and is in the best financial, legal and environmental interests of the Corporation of the City of London;
- b) The City of London's current fuel system maintenance and service vendor, Phoenix Petroleum Ltd., complete the required work in order that the storage tanks are in compliance with the 2017 Liquids Fuel Handling Code at an estimated price of \$970,252 which includes a 10% contingency, excluding HST, **BE APPROVED** in accordance with section 14.4 (d) and (e) of the Procurement of Goods and Services Policy;
- c) The financing for this project **BE APPROVED** as set out in the Sources of Financing Report attached, hereto, as Appendix A;
- d) Civic Administration **BE AUTHORIZED** to undertake any ancillary items outside of the scope identified in the project arising from unforeseen elements that may arise including; dewatering/shoring, damaged or poor condition equipment not identified, fuel sludge removal, contaminated materials; and,
- e) Civic Administration **BE AUTHORIZED** to undertake any final negotiations and all administrative acts that are necessary in connection with this Report and the Agreements referenced herein.

COUNCIL'S 2019-2023 STRATEGIC PLAN

Municipal Council has recognized in its 2019-2023 - Strategic Plan for the City of London the importance of:

Building a Sustainable City

London's infrastructure us built, maintained, and operated to meet long-term needs of our community

- Manage assets to prevent future infrastructure gaps
- Build infrastructure to support future development and protect the environment

Leading in Public Service

Londoners experience exceptional and valued customer service:

- Improve public accountability and transparency in decision making
- Increase efficiency and effectiveness of service delivery

BACKGROUND

PURPOSE

This purpose of this report is to advise committee and Council on the actions taken to date with respect to the immediate replacement of the underground fuel and oil storage tanks at A.J Tyler and Adelaide Operations Centres.

The key objective is to bring the underground storage tanks into compliance within 180 days from the notice of failed corrosion protection results.

CONTEXT

Fleet Services in conjunction with Facilities Design and Construction manage and maintain four (4) City owned major refuelling sites and over thirty (30) smaller bulk fuel storage sites. The small fuel tank sites are primarily at satellite facilities and the larger four sites are at Operational Centres; A.J. Tyler, Exeter Road (EROC), Adelaide (AOC) and Oxford West.

Currently these fuel storage tanks dispense over 3,200,000 litres of fuel for City owned/ leased vehicles and equipment and also provide fuelling services to London Middlesex EMS, Fire Services, Library Board and the diesel fleet at London Police Service. Currently the operational centres carry clear diesel, ultra-low sulfur (ULS) diesel, and gasoline. There are also several small underground bulk oil tanks at these sites that are part of the same underground storage tank system that house hydraulic oil, engine oil and waste oil.

The fuel systems at the major operational centres are comprised of fuel and oil tanks, dispensing equipment, a network of piping and our electronic fuel management system, called "Petrovend". This whole system requires regular maintenance, service, upgrades and calibration which is provided through Fleet Services and a specialized fuel maintenance vendor, Phoenix Petroleum Inc.

In terms of the large underground fuel storage tank assets, two of the existing major sites, EROC and Oxford West Operations Centres, are in good condition. The site at EROC was totally replaced with fiberglass underground fuel tanks and new dispensing equipment and canopy during the outfitting and commissioning of that site in 2007. The Oxford West site had new above ground double wall steel tanks and new dispensing equipment installed as part of commissioning that site in 2009.

The other two major sites, A.J. Tyler and AOC, are the oldest works yard sites and have underground tanks that over thirty years old and are single walled, steel tanks. Over the last several years each of these sites has undergone smaller upgrades and lifecycle maintenance capital projects to keep them in compliance with the Liquid Fuel Safe Handling Code (2017) from Technical Standards and Safety Association (TSSA).

DISCUSSION

During the 2019 regulatory cathodic protection testing earlier this summer, several of the tanks failed to meet compliance and pass certification. Phoenix Petroleum Inc. was asked to verify the results and prepared a report on June 4th 2019 that identified several tanks that required immediate replacement as they could not be brought into compliance due to their age, condition and single wall configuration. As part of the review, Phoenix consulted with both NACE (National Association of Corrosion Engineers) and the Head Engineer of Fuels Safety at the TSSA who both confirmed that replacement was “highly recommended”.

In conclusion the report identified four (4) of the eight (8) tanks at A.J. Tyler needed to be taken out of service and removed and at the AOC site, two (2) of the six (6) tanks needed to be taken out of service and removed as per the code requirements.

The significance of failing corrosion protection is that the tanks are vulnerable to accelerated corrosion and risk of loss of containment therefore the regulations require specific actions in these circumstances under the Liquid Fuel Handling Code (2017).

*“Section 2.3 Corrosion Protection Monitoring – Where the corrosion protection system cannot be certified, the owner shall bring the system to proper working order within 180 days or discontinue handling of product with that system.
(Liquid Fuel Handling Code, 2017 from the TSSA)*

Due to the age and condition of these single wall steel tanks, the corrosion protection system cannot with confidence be brought back into compliance. Earlier in the lifecycle both the tanks and piping have had corrosion protection systems upgraded however at this stage of the tanks service life this is not an option and has far too many risks. The tanks must be taken out of service and replaced.

With respect to the tanks that passed corrosion protection, they are in the same tank nest and have similar characteristics and condition as the failing tanks. Therefore from both a logistics and operational perspective the recommendation is that all the underground system be replaced at A.J. Tyler and Adelaide at the same time. All the underground tanks sit beneath a shared 25 to 30 centimetre (10-12 inch) concrete pad on the surface, so replacing all the tanks within that system while it is excavated is the most effective asset management decision.

An analysis is underway to assess the optimum tank sizes and configurations based on current and future volume requirements, risk, space, new standards and specifications and the impact to underground refuelling infrastructure as a result of future alternative fuel vehicles and equipment (electrification, compressed natural gas). Above ground tanks will be considered wherever practical, particularly at Adelaide.

Procurement Process

Internal discussions occurred between Fleet Services, Facilities Design and Construction and Purchasing and Supply to determine the most effective action plan given the circumstances. It was determined that based on the regulatory requirement and the potential for both enforcement, service interruption and environmental risks, a decision was required as soon as possible to address the timeframe.

At that time Fleet prepared a briefing note regarding the circumstances and recommended that the Managing Director, Environmental and Engineering Services and City Engineer and Manager of Purchasing exercise their authority in the Procurement Policy to undertake this work as a “Triggering Event” which states:

“When the Managing Director is of the opinion that a Triggering Event has occurred, the Managing Director may authorize the purchase of such goods and/or services as is considered necessary to remedy the situation without regard to the requirement for a competitive bid and may approve the necessary contract. The relevant details surrounding the Triggering Event shall be included in a report and submitted to Committee as soon as possible.”

The Managing Director and the Manager of Purchasing have agreed that the situation met the criteria of a “Triggering Event”. This enabled staff to immediately engage a vendor to directly work with the City of London staff on the replacement project. Phoenix Petroleum Inc. as the City’s current fuel maintenance system vendor was appointed since they possesses the skills, experience and expertise with our fuel systems and in addition have the appropriate certification and capability to mobilize very quickly. This is consistent Section 14.4 Single Source clauses (d) and (e) of the Procurement of Goods and Services Policy.

Phoenix Petroleum Inc. as discussed, has been the City’s fuel maintenance system vendor for over 25 years. They have also been the vendor for most of the City’s fuel system capital projects over the years including:

- EROC fuel site installation
- Implementation of “Petrovend” electronic fuel management system
- Oxford West above ground fuel site installation, and
- recent installations of Diesel Exhaust Fluid (DEF) storage dispensing systems for Fire, Police and Public Works

Financial Impact

The total estimated project costs are \$970,252 excluding HST. The cost breakdown is \$447,078 excluding HST for removal and replacement of the underground tanks at AJ Tyler Operations Centre and \$434,970 excluding HST for Adelaide Operations Centre. This is based on the preliminary work done as of the date of this report.

Additional funding may be required as it relates to any unforeseen elements that could occur with this type of work such as ground water measures, shoring requirements, or disposal of materials. A 10% contingency has been identified in the total cost estimate based on the nature of the work. The full project scope and technical work is not completed at this time.

Funding for this project has been identified as outlined in the source of financing attached as appendix A.

In addition, a cost recovery model is under development that will see fuel customers contribute to future life cycle maintenance and the eventual replacement of the new tanks at the end of their useful life.

CONCLUSION

Fleet Services, in conjunction with Facilities, Purchasing and Supply and Finance have initiated the immediate replacement of the underground fuel and oil tanks at A.J. Tyler and Adelaide Operations Centres based on non-conformance with the Liquid Fuel Handling Code (2017) TSSA.

The regulation requires that the owner of underground tanks that fail corrosion protection testing must bring them into compliance or discontinue handling product within 180 days from the date that the tanks could not be certified.

Phoenix Petroleum Inc., the City's fuel system maintenance vendor has confirmed with the National Association of Corrosion Engineers (NACE) and Technical Standards and Safety Association (TSSA) that these tanks are at the end of the service life and should be replaced.

The Managing Director, Environmental and Engineering Services and City Engineer and the Manager of Purchasing have approved the direction to appoint Phoenix Petroleum Inc. as the contractor having the most knowledge, experience and expertise with the City of London fuel system and are able to mobilize immediately. Additionally Phoenix Petroleum will continue to be the City of London's vendor for maintenance, service and inspection of the City's fuel system following the work therefore will have greater accountability for their work.

The actions taken are the best decision based on the circumstances and the best opportunity to ensure the refuelling infrastructure is restored as quickly and seamlessly as possible in full compliance with the TSSA Liquid Fuel Handling Code. Supporting these actions will improve City of London fuel system asset inventory, ensure continuity of service and significantly reduce the risk of environmental impact.

SUBMITTED BY:	REVIEWED & CONCURRED BY
MIKE BUSHBY, BA DIVISION MANAGER, FLEET & OPERATIONAL SERVICES	JAY STANFORD, MA, MPA DIRECTOR, ENVIRONMENT, FLEET & SOLID WASTE
RECOMMENDED BY:	
KELLY SCHERR, P. ENG., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL & ENGINEERING SERVICES & CITY ENGINEER	

Appendix "A" - Source of Financing

C: Ian Collins, Director of Financial Services
John Freeman, Manager of Purchasing & Supply
Barrie Galloway, Manager of Fleet Maintenance
Stephen MacDonald, Manager of Facilities

APPENDIX 'A'

Chair and Members
Civic Work Committee

#19137
September 24, 2019
(Award Contract)

RE: Removal and Replacement of Underground Fuel and Oil Tanks (WO 247727)
Capital Project ME1206 - Fuel System Management
Phoenix Petroleum Ltd. - \$970,252 (excluding H.S.T.)

FINANCE & CORPORATE SERVICES REPORT ON THE SOURCES OF FINANCING:

Finance & Corporate Services confirms that the cost of this project cannot be accommodated within the Capital Works Budget, and that subject to the adoption of the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the detailed source of financing is:

<u>ESTIMATED EXPENDITURES</u>	<u>Approved Budget</u>	<u>Additional Funding</u>	<u>Revised Budget</u>	<u>Committed to Date</u>	<u>This Submission</u>
Construction	\$717,258	\$862,022	\$1,579,280	\$591,951	\$987,329
NET ESTIMATED EXPENDITURES	\$717,258	\$862,022	\$1,579,280	\$591,951	\$987,329 1)

SOURCE OF FINANCING

Drawdown from Vehicle & Equipment Reserve Fund	\$717,258		\$717,258	\$591,951	\$125,307
Transfer from 2019 Fleet Operating Budget 2)		400,000	400,000		400,000
Capital Levy - tsfr from TS620017 Operation 2)		250,000	250,000		250,000
Facilities					
Additional drawdown from Vehicle & Equipment Reserve Fund 2)		212,022	212,022		212,022
TOTAL FINANCING	\$717,258	\$862,022	\$1,579,280	\$591,951	\$987,329

NOTES:

1) **Financial Note**

Contract Price	\$970,252
Add: HST @13%	126,133
Total Contract Price Including Taxes	1,096,385
Less: HST 13% Rebate	109,056
Net Contract Price	<u>\$987,329</u>

- 2) The additional funding requirement of \$862,022 is available as transfers from the Fleet Operating Budget, Capital Project TS620017-Operation Facilities and an additional drawdown from the Vehicle & Equipment Reserve Fund. The uncommitted balance in this reserve fund will be approximately \$5.9 million upon approval of this drawdown.

ms

Kyle Murray
Director of Financial Planning & Business Support

Cycling Advisory Committee

Report

The 8th Meeting of the Cycling Advisory Committee
August 21, 2019
Committee Room #4

Attendance PRESENT: C. Linton (Chair), K. Brawn, B. Cowie, C. DeGroot, R. Henderson, B. Hill, J. Jordan, C. Pollett, E. Raftis and J. Roberts and J. Bunn (Acting Secretary)

ABSENT: O. Toth

ALSO PRESENT: P. Kavcic, D. MacRae and C. Saunders

The meeting was called to order at 4:00 PM.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Scheduled Items

None.

3. Consent

3.1 7th Report of the Cycling Advisory Committee

That it BE NOTED that the 7th Report of the Cycling Advisory Committee, from its meeting held on July 17, 2019, was received.

3.2 Notice of Planning Application - Zoning By-law Amendment - 666-670 Wonderland Road North

That it BE NOTED that the Notice of Planning Application, dated August 7, 2019, from M. Vivian, Planner I, with respect to a Zoning By-law Amendment for the properties located at 666-670 Wonderland Road North, was received.

3.3 Notice of Study Completion - Clarke Road Improvements Municipal Class Environmental Assessment

That it BE NOTED that the Notice of Study Completion from P. Kavcic, City of London and I. Bartlett, Stantec Consulting Ltd., with respect to the Clarke Road Improvements Municipal Class Environmental Assessment for the Veterans Memorial Parkway Extension to Fanshawe Park Road East, was received.

4. Sub-Committees and Working Groups

None.

5. Items for Discussion

5.1 Position Statement: Reduction in Residential Speed Limits in London, ON, to under 40km/h

That it BE NOTED that the revised attached Position Statement from R. Henderson, with respect to reducing residential speed limits in London,

ON, to under 40 km/h, was received; it being noted that R. Henderson will attend the Civic Works Committee meeting, along with the Chair of the Cycling Advisory Committee, to speak to this matter.

5.2 Status of Cycling as a Sport/Recreational Activity in London

That a Sub-Committee BE ESTABLISHED to review and discuss sport and cycling in City of London communities.

5.3 2019 Work Plan

That discussion of the 2019 Cycling Advisory Committee (CAC) Work Plan BE DEFERRED to the September 2019 meeting of the CAC.

6. Adjournment

The meeting adjourned at 5:15 PM.

Positions statement: reduction in residential speed limits in London, ON, to under 40km/h

Principal authors

Rebecca Henderson, PhD candidate, Faculty of Health Sciences, Yuanhao Lai, PhD candidate, Statistical and Actuarial Sciences, Jacob Shelley, PhD, Faculty of Health Sciences and Faculty of Law, Andrew Johnson, PhD, Faculty of Health Sciences

The data presented here is part of Rebecca Henderson's doctoral thesis. The full report is unpublished.

Position statement supported by:

London Cycle Link

Abstract

We studied 1,656 reported motor vehicle - bicycling collisions between 2006 and 2017 in London, ON. With speeds exceeding 40 km/h, bicyclists were always injured. A multinomial logistic regression model is further used to determine the relationship between motorist speed and bicyclist injury. Our model indicates that the probability of causing severe injury at motorist speeds of 30km/h, 40km/h and 50km/h are (respectively) 8.5%, 13% and 19%. Given the high injury rate when speeds over 40km/h, **we recommend a speed limit under 40km/h when vulnerable road users mix with motorists.**

Motor vehicle speed and pedestrian fatalities

Injuries and fatalities from road traffic crashes are a significant public health problem. Worldwide, motor vehicle traffic accidents account for the majority of deaths and disabilities of injury (World Health Organization, 2004). Hussain et al.'s meta-analysis of 20 studies on motor vehicle speed and pedestrian fatalities identified speed as the key risk factor in motor vehicle crashes due to the probability of a crash and injury severity¹. The results of the meta-analysis support setting speed limits of 30–40 km/h. These speed limits are commonly used by best practice countries that have the lowest road fatality rates and that practice a Safe System Approach to road safety.

¹ Hussain Q, Feng H, Grzebieta R, Brijs T, Olivier J. The relationship between impact speed and the probability of pedestrian fatality during a vehicle-pedestrian crash: A systematic review and meta-analysis. *Accid Anal Prev* [Internet]. 2019;129(April):241–9. Available from: <https://doi.org/10.1016/j.aap.2019.05.033>

Background

The City of London in Southwestern Ontario is increasingly focussed on bicycle safety. Strategies to reduce injury and fatal injury are outlined in three City of London planning reports: Cycling Master Plan (2016), Road Safety Strategy 2014-2019 (2014); and Smart Moves 2030 Transportation Master Plan (2013). The plans set objectives to create actionable policies. The London Road Safety Strategy (2013) set a goal to decrease injuries and fatalities by 10% between 2014-2019. One of the recommended actions in Transportation 2030 was to identify bicycling safety hotspots and concerns to better understand the role of location, and bicyclist and motorist manoeuvres. A focus on bicycling safety and reduction of injuries will support the City's Cycling Master Plan (2016) to increase the proportion of commuting trips made by bicycling from 1.7% to 5% over the next 5-10 years (2026). The City recognizes the critical role that cycling can play in creating green and livable communities, and is committed toward making cycling safe, convenient, and comfortable for people of all ages and abilities.

On May 16, 2017, London Ontario Municipal Council made an important step to improve our collective safety, and adopted the following Vision Zero Principles: (1) No loss of life is acceptable, (2) Traffic fatalities and serious injuries are preventable, (3) We all make mistakes, (4) We are all physically vulnerable when involved in motor vehicle collisions, and (5) Eliminating fatalities and serious injuries is a shared responsibility between road users and those who design and maintain our roadways.

There were 1,656 reported motor vehicle – bicycle collisions on City streets between 2006-2017. Despite the City of London planning reports and the adoption of Vision Zero principles, there continue to be bicycle fatalities in our City. In 2018 and 2019, three people were killed while riding their bikes in London. The City of London's politicians, transport engineers, police and professional advocates must move beyond commitment, and set actionable priorities to design roads and address speeds to eliminate injury and death.

Data

The collision data was provided by the City of London Police Department. Accident Support Services International Ltd (ASSI) is the official reporting center for Police Services throughout Canada. ASSI collects and maintains statistics for all reported collisions involving motor vehicles in Ontario. The Police Department provided the ASSI dataset for all reported collisions between January 1, 2006 and December 31, 2017. There were 1,656 reported motor vehicle - bicycling collisions between 2006 and 2017 in London, ON – an average of 138 reported collisions per year.

Speed: Motorist speeds are self-reported to attending police officers.

Injury: Injury determinations are made by the attending police officers (i.e. not medical professionals). See Table 1 for definitions.

Table 1 Injury definitions²

Injury	Definition
None	no injury
Minimal	a non-fatal injury at the time of the collision, including abrasions, bruises, and complaints of pain which does not require the injured person to go to the hospital.
Minor	a non-fatal injury requiring medical treatment at a hospital emergency room, but not requiring hospitalization of the involved person at the time of the collision.
Severe	major: a non-fatal injury that is severe enough to result in the person involved being hospitalized -and- fatal: a fatal injury where the person sustains bodily injuries resulting in death (within 366 days of the date of the motor vehicle collision)

Probability of bicyclists' injury level versus speed
Reported motor vehicle - bicyclist collision in London, ON, 2006 - 2017

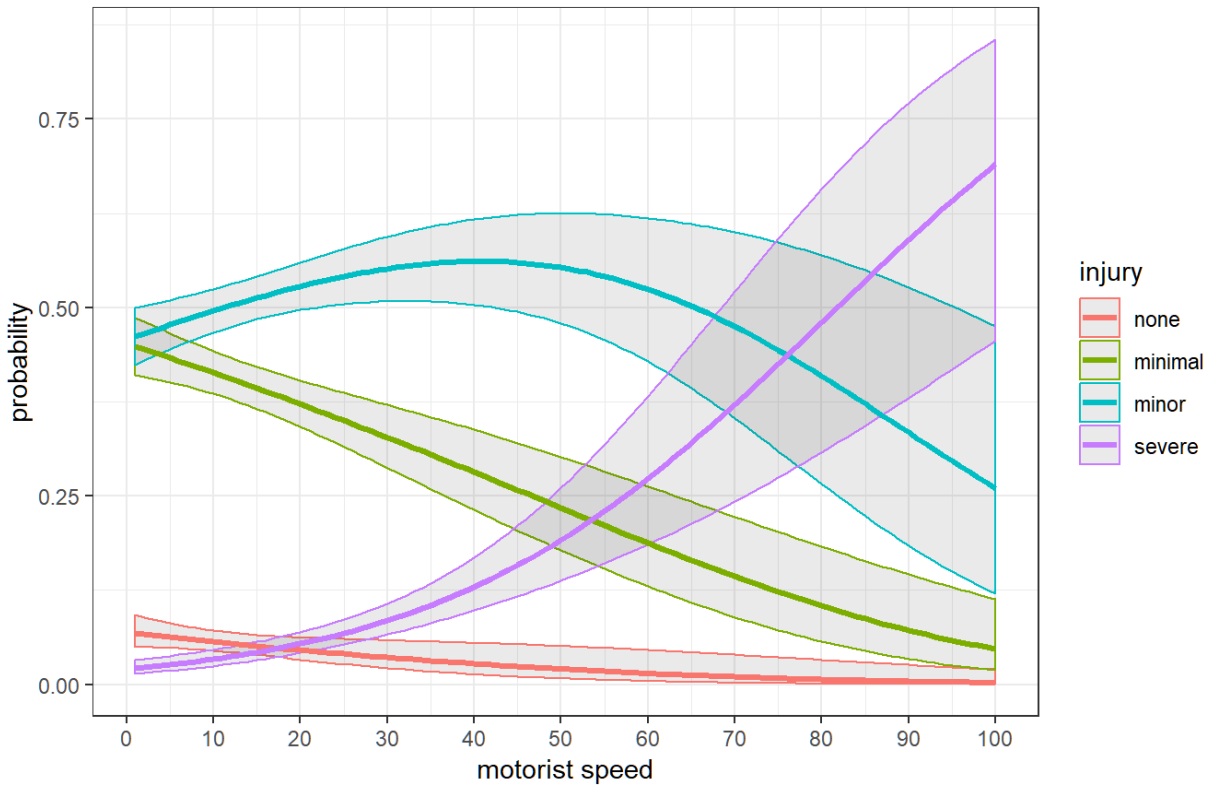


Figure 1 Estimated probability of injury level with the shading area indicating 95% confidence intervals

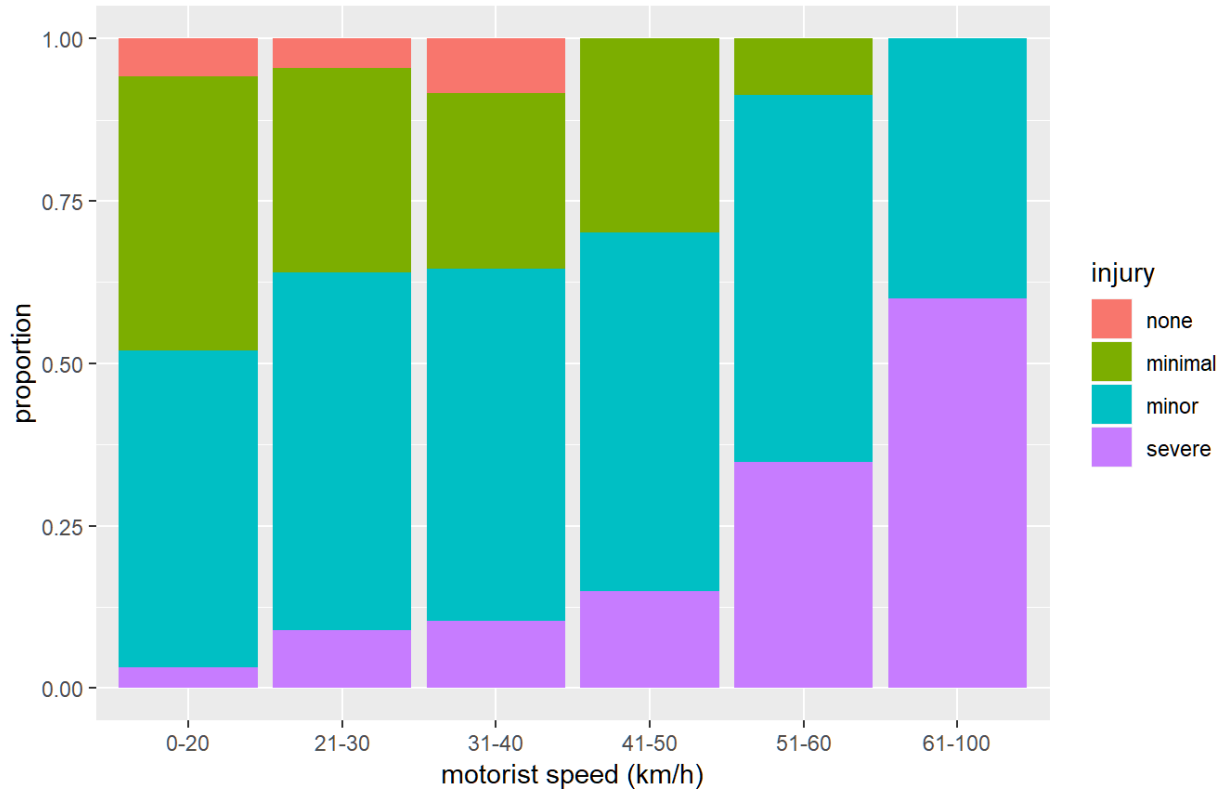
² Ontario Ministry of Transportation, 2019

Table 2 Proportion of bicyclist injury within each speed interval in London, ON, 2006 - 2017

	0-20km/h	21-30km/h	31-40km/h	41-50km/h	51-60km/h	61km/h or more
None	6%	4%	8%	0%	0%	0%
Minimal	42%	32%	27%	29%	9%	0%
Minor	49%	55%	54%	55%	56%	40%
Severe	3%	9%	11%	15%	35%	60%

Proportions of bicyclists' injury level versus speed

Reported motor vehicle - bicyclist collision in London, ON, 2006 - 2017



Main results

Table 2 summarizes the proportion for each bicyclist injury within each speed interval of the data. We conducted a multinomial logistic regression to estimate the probability of each injury level using the motorist speed (km/h) as the input factor. The estimated probabilities are visualized in Figure 1.

When describing the data and the model, with a focus on the “none” category of injury (i.e., “no injury”) with motorist speeds of less than 40 km/h, the proportion of cyclists that do not have an injury is low (4%-8%). Meanwhile, bicyclists are always injured when motorists exceed speeds of 40 km/h.

From Figure 1, there are downward trends in both the probability of no injury (red) and the probability of minimal injuries (green). As motorist speed increases, the probability of zero or minimal injury decreases, but the probability of minor and severe injuries increase. Minor injuries (blue in Figure 1) require medical attention at a hospital. They may include sprains, breaks, and mild traumatic brain injuries. Around 50% of bicyclists have a minor injury with any speed less than 60 km/h (Table 2). When motorist speeds increase to 60 km/h or more, minor injuries decrease to 40% and are replaced by severe, including fatal, injuries. Figure 1 also shows that the probability of severe injuries has an upward trend and the probability of minor injuries has a peak at around 40km/h.

At more than 50km/h, we see severe (i.e. major and fatal) injuries (purple in Figure 1) start increasing sharply. With a severe injury, bicyclists are admitted to hospital for catastrophic injuries. From table 2, we find that the proportion of serious or fatal injuries is less than 1 in 10 when speed is below 30km/h. However, when above 40 km/h, we see this climb to 15%. Between 50-59 km/h, the proportion of severe injuries climb to 35%, and at more than 60km/h, the proportion of severe injuries is 60%.

The multinomial model gives smooth estimates for the probabilities of causing severe injury at motorists' speeds of 30 km/h , 40 km/h, 50 km/h and 60 km/h, which are respectively 8.5% (6.6% – 10.7%), 13% (10%-17%), 19% (14%-26%) and 27% (19%-38%), where the range within the parenthesis indicates the 95% confidence interval of the estimates.

Current residential speeds limits in London requires motorists to stay within our speed range of 40 – 50 km/h. According to Table 2, when a motor vehicle travels at 51 - 60 km/h (as compared to 41 - 50km/h), the odds of having a severe injury compared to non-severe (none, minimal or minor) injury is $\frac{35/65}{15/85} \approx 3:1$. When a motor vehicle travels at 41 - 50 km/h (as compared to 31 - 40km/h), the odds of having a severe injury compared to non-severe (none, minimal or minor) injury is $\frac{15/85}{11/89} \approx 1.5:1$. Meanwhile, at 50 - 60 km/h, 35% of injuries require hospitalization, and 90% require medical attention at a hospital. Therefore, it is necessary to keep the motorist speed under 50km/h to avoid severe injury level. However, keeping motor vehicle speeds under 40km/h can reduce the odds of having severe injuries from 19% to 13%. Another important fact is that bicyclists are always injured when motorists exceed speeds of 40 km/h (None=0% in Table 2).

Therefore, we suggest that the motorist speed should be kept under 40km/h for its low risk/probability of severe injuries and the relatively high proportion of causing “none” injuries.

Do other factors matter?

This collision data also provides other factors such as the age, gender of a bicyclist or a motorist, weather conditions (i.e. clear, rain, wind), time of day, bicyclist or motorist condition (e.g. normal, substance use, distracted), riding a bike on the sidewalk or the road, collision location (e.g. at intersection, driveway, non-intersection). Interestingly, the influence of the other factors becomes trivial compared to speed when we tried to include these factors in the multinomial model. No other factors are statistically significant at an alpha (error rate) of less than 5%.

Conclusion:

Factors that have a direct impact on injury may include the motorist's speed, bicyclist's speed, impact speed, the change in direction during impact, and the speed limit. *However, the speed limit is the dominant factor.* When there are municipal efforts to increase the number of people on bikes and kilometres travelled, we want to prioritize safety. When it comes to speed and collisions, there's only one variable that we can address and directly modify by policy-makers: the speed limit. The speed limit influences compliance with the speed limit, and motorists reduce travel speeds. We have the data on travel speeds and injury. Prioritizing vulnerable road users and amending the by-law to reduce residential speed limits under 40 km/h - such as 30 km/h - is the only option to achieve goals set by London's multiple strategic planning documents on road safety.

12 years of motorist – bicyclist collision data in London, ON (2006 - 2017)

Motorist speed & bicyclist injury

Rebecca Henderson, MSc, PhD candidate
 Faculty of Health Sciences, Western University
rhende9@uwo.ca
 Twitter: @rhubike

page
01

12 years of motor vehicle – bicycle collision data in London, ON (2006 – 2017)

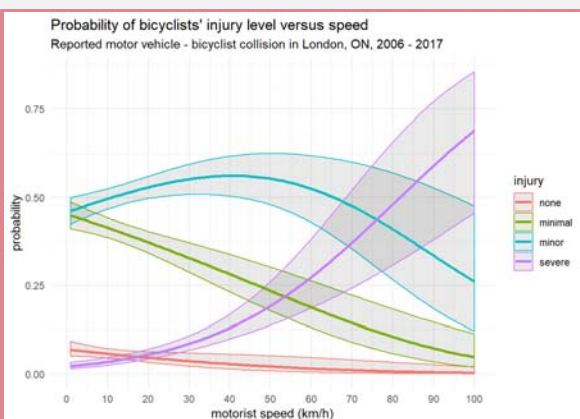


Figure 1

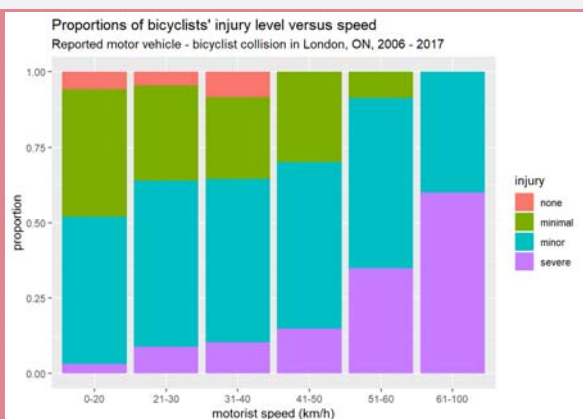


Figure 2

page
02

TO:	CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON SEPTEMBER 24, 2019
FROM:	KELLY SCHERR, P. ENG., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL AND ENGINEERING SERVICES AND CITY ENGINEER
SUBJECT:	AREA SPEED LIMIT

RECOMMENDATION

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, Civic Administration **BE DIRECTED** to implement the Area Speed Limit program based on the following principles:

- i. A 40 km/h default speed limit will be established on local and collector streets in residential areas;
- ii. The 40 km/h speed limit also be applied to the following arterial roads, and the area they encompass, within the downtown area to reflect the high level of pedestrian and cyclist activity:
 - a. King Street from Thames Street to Colborne Street;
 - b. Pall Mall Street from Richmond Street to Wellington Street;
 - c. Queens Avenue from Colborne Street to Ridout Street North;
 - d. Richmond Street from Horton Street East to Oxford Street East; and
 - e. Wellington Street from Horton Street East to Pall Mall Street.
- iii. Area Speed Limit zones will also be designated Community Safety Zones; and,
- iv. Implementation will occur as budget and resources permit.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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For additional information, please refer to the following committee reports:

- Civic Works Committee – April 25, 2016, II, 2. School Zone Speed Limit Policy;
- Civic Works Committee – May 9, 2017, II, 11. Vision Zero – London Road Safety Strategy;
- Civic Works Committee – November 21, 2017, III 15. Safer School Zones Act;
- Civic Works Committee – May 15, 2018, 4.1 Automated Speed Enforcement;
- Civic Works Committee – February 20, 2019, 2.12 Red Light Camera Program.

2018 Annual Report; and,

- Civic Works Committee – May 14, 2019, 2.6 Area Speed Limit.

COUNCIL'S 2019-2023 STRATEGIC PLAN

The following report supports the Strategic Plan through the strategic focus areas of **Strengthening Our Community** and **Building a Sustainable City**. Area speed limits could enable Londoners to move around the city safely and easily in a manner that meets their needs by improving safety for all modes of transportation in accordance with Vision Zero principles.

BACKGROUND

On May 21, 2019, Municipal Council passed the following resolution:

That the following actions be taken with respect to the Area Speed Limits:

- a) the Civic Administration BE DIRECTED to consult with the Transportation Advisory Committee, the Community Safety and Crime Prevention Advisory Committee and others with respect to the development of an Area Speed Limit Policy;
- b) a public participation meeting BE HELD before the Civic Works Committee, after the above-noted input has been received;
- c) the Civic Administration BE REQUESTED to also report back at a future meeting of the Civic Works Committee, no later than the end of Q3 of 2019, with respect to enacting tools now provided by the Province through Bill 65, specifically:
 - i) reducing the speed limit in community safety zones in order to improve pedestrian safety;
 - ii) increasing fines for speeding in school zones and community safety zones; and
 - iii) implementing Automated Speed Enforcement systems in school zones and community safety zones.

it being noted a submission from Councillor M. Cassidy, with respect to this matter, was received. (2019-T07/T08) (2.6/9/CWC).

Item c) iii) of the above Council resolution is addressed in the Automated Speed Enforcement Contract Award report.

Context

Speeding is a frequent complaint from residents and is identified as a key focus area in the London Road Safety Strategy. Speed has an influence on crash severity, particularly with vulnerable roadway users such as pedestrians and cyclists. Roadway geometrics, roadway classification, illumination, side friction, land use are some of the technical considerations that provide input into setting appropriate speed limits.



On May 30, 2017, the Safer School Zones Act (Bill 65) received Royal Assent. Bill 65 allows municipalities to designate areas where the speed limit is lower than 50 km/h.

This report summarizes the area speed limit consultation and proposes a plan to implement reduced speed limits in residential areas.

DISCUSSION




Background

The Ontario Highway Traffic Act (HTA) 128 (2.1) was recently amended to allow municipalities to pass a by-law to set a speed limit less than 50 km/h for all roads within a designated area. At this time, staff is aware of area speed reductions occurring in Ottawa and Hamilton.

Consultation

Part (a) of the May 21, 2019 Council resolution directed Civic Administration to consult with the Transportation Advisory Committee (TAC) and the Community Safety and Crime Prevention Advisory Committee (CSCPAC). The London Middlesex Road Safety Committee (LMRSC) was also consulted. CSCPAC and LMRSC both supported the lowering of the speed limit in residential areas to 40 km/h. The discussion at TAC focussed on automated speed enforcement and no specific comment was provided on area speed limits.

The Get Involved London public engagement web site was used to obtain input into the proposed Area Speed Limit program. The on-line survey started June 19, 2019 and finished July 31, 2019. The public was asked four questions which are summarized below:

Question	Number of Responses	Response <div style="float: right;"> ● Yes ● No </div>
Should the City of London lower speed limits on streets in residential neighbourhoods?	5,645	<div style="display: flex; justify-content: space-between;"> <div data-bbox="735 720 886 809"> Yes - 52% No - 48% </div> <div data-bbox="1101 607 1409 916">  </div> </div>
If you answered "yes" to the question above, what new lower speed limit should Council consider implementing?	2,989	<div style="display: flex; justify-content: space-between;"> <div data-bbox="735 1077 1045 1166"> 40 km/h - 67% Below 40 km/h – 33% </div> <div data-bbox="1109 975 1409 1284">  </div> </div>
Do you support enabling the City of London to designate high-pedestrian areas such as school zones as “community safety zones,” which would allow the doubling of speeding fines in those areas?	5,645	<div style="display: flex; justify-content: space-between;"> <div data-bbox="735 1494 886 1583"> Yes - 63% No - 37% </div> <div data-bbox="1101 1387 1409 1696">  </div> </div>
Is there anything else you'd like to add about speed limits on residential streets?	2,263	Summarized Below

This survey obtained responses from those supporting the initiative and those who oppose it. Ninety-four percent (94%) of the respondents who supported lowering the speed limit in residential neighbourhoods (Q1) also supported the implementation of community safety zones (CSZs). It is interesting to note that 30% of respondents who answer “no” to Q1 support the implement of community safety zones.

The comments provided with the survey varied greatly with the most common themes summarized below:

Comment Theme	Response
Increase enforcement	Addressed in the Automated Speed Enforcement report on the same Civic Works Committee agenda.
Add more traffic calming	The updated Traffic Calming Procedure addresses many of these comments.
Remove traffic calming	There are no plans to remove previously approved traffic calming measures at this time. The Traffic Calming Procedure provides for the removal of traffic calming with the support of a neighbourhood survey.
Add more pedestrian crossings	Each year new pedestrian crossings are constructed.
Improve speed limit signage	Implementation of Area Speed Limits will address this comment.
Lower the speed limit	Addressed in this report.
Raise fines	Addressed in this report.

Collision History

The Vision Zero London Road Safety Strategy sets targets for the near-term reduction of injury and fatality collisions.

Collisions involving vulnerable road users were an identified target area of the strategy due to the higher severity nature of these collisions.



A review of the city's collision history from 2015 to 2017 identified 161 collisions involving vulnerable road users (pedestrians and cyclists) on minor roads, noting that there were no fatal collisions. Appendices A and B include "heat maps" showing the location of all collisions involving vulnerable road users. Each individual dot represents a collision, with the colour shaded zones representing higher collision density areas. The maps illustrate an overrepresentation in the downtown.

Vehicles travelling at a lower speed will give drivers more time to react to potential collisions and reduce the severity if a collision does occur. Lowering the speed limit in residential areas and areas where vulnerable road users are most at risk, such as in the downtown, will help achieve the Vision Zero London's goal of eliminating all fatal and serious collisions.

AREA SPEED LIMIT RECOMMENDATIONS

Rate of Speed

The stated goal of the Vision Zero Road Safety Strategy is to eliminate injury and fatality collisions. The severity of collisions increases with speed. This is particularly true as it relates to collisions involving vulnerable road users (pedestrians and cyclists). Lowering the rate of speed to 40 km/h in residential areas is appropriate for residential areas where roads are narrow with many driveways. The reduced speed limit will give drivers more time to respond to potential collisions and the severity of collisions will decrease.

Lowering the speed limit further to 30 km/h could result in significant non-compliance with the speed limit, because drivers may perceive that the speed limit is not appropriate for the road. This is demonstrated by the results of the Get Involved London survey. Artificially lowering the speed below what drivers think is suitable can result in greater speed differentials which come with their own safety issues. Pedestrians and drivers may misjudge the speed of approaching vehicles if the speed limit is set at a level that achieves low compliance. Non-compliance with the speed limit will also result in increased enforcement resources.

Major (arterial) roads are designed to carry large volumes of traffic at moderate speeds through the city. Lowering speeds on these roads may result in drivers using residential streets as a short-cut which has its own safety issues.

Community Safety Zones

The Ontario Highway Traffic Act allows municipalities to designate “a part of a highway under its jurisdiction as a community safety zone if, in the council’s opinion, public safety is of special concern on that part of the highway”. Speeding fines in community safety zones (CSZs) are double that of other roads. A clear majority of survey respondents supported the creation of CSZs. Even 30% of those that didn’t support lowering the residential speed limit supported CSZs.



In order for CSZs to be effective enforcement is required. The implementation of Automated Speed Enforcement (ASE) as recommended in a parallel report, will help achieve better compliance to the lower speed limit; thereby, improving safety for all modes of transportation. The designation of CSZs in residential areas matching the area speed limits is recommended to compliment the automated speed enforcement and area speed limits.

Downtown

The downtown is an area with higher volumes of vulnerable road users. This is also reflected in higher numbers of vulnerable road user collisions. The downtown is comprised of both major and minor streets. The major/arterial roads include York Street, King Street, Queens Avenue, Richmond Street and Wellington Street. It is recommended that the reduced area speed limit concept be applied to the downtown and include short sections of select arterial roads in consideration of the unique

environment and risks. Figure 1 shows dashed lines along the arterial roads in downtown where the 50 km/h speed limit should be maintained.

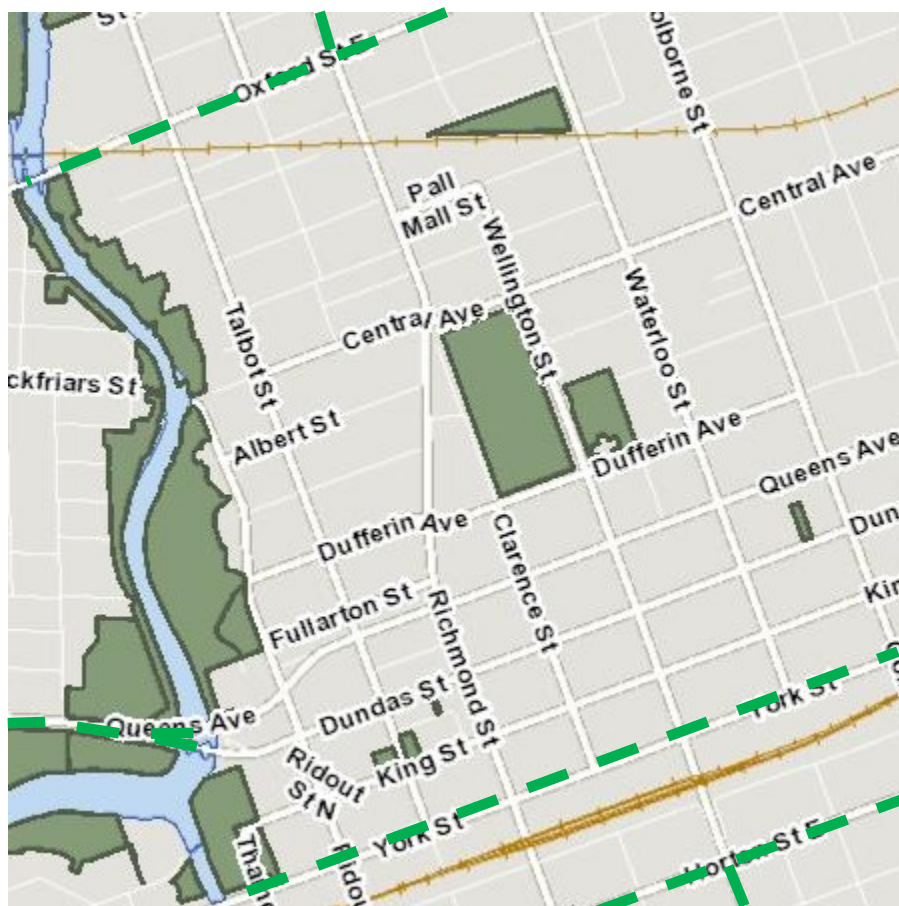


Figure 1: Downtown Roads with Proposed 50 km/h Speed Limit

Maintaining the existing 50 km/h speed limit on the roads in Figure 1 will help move traffic through the area, while establishing a lower speed limit on the remaining streets will make them safer for all road users.

School Zones

All school zones on minor streets have a speed limit of 40 km/h. Expanding the 40 km/h speed limit to all residential streets is expected to improve compliance of the existing school zones speed limit since there will be no change in the speed limit when entering a school zone from a residential street.

Some of the survey respondents suggested that school zones should be lowered to 30 km/h. Speed studies of existing school zones show that the average speed is 44 km/h with the highest recorded average speed limit of 58 km/h.

Individual driver speed is variable and is typically influenced more by the surrounding land use and road design than the posted speed. Lowering the speed limit to 30 km/h may have a minor impact on lowering the actual speed of traffic in school zones but could result in more variability. It should also be noted that safety issues arise when pedestrians, cyclists and other drivers expect an approaching vehicle to be travelling at a lower speed than the actual speed of the vehicle. It is recommended that the speed

limit in school zones be maintained at 40 km/h at this time and that this issue be revisited in the future when all drivers are accustomed to traveling at 40 km/h in residential areas.

Financial Implications

Implementation of area speed limits along with community safety zones throughout the city would require approximately 2,000 sets of Area/CSZ begins and Area/CSZ ends signs to be installed at the entry/exit points to the areas. The estimated cost to manufacture and install these signs across the city is \$1,000,000. Similar to the School Zone Speed Limit Program, the installation of the signs would need to be phased in over four years. Areas with a high volume of vulnerable road users would be the first to have these signs installed. In order to accelerate the completion of this project, additional external resources would be required.

SUMMARY

Vision Zero envisions a future with zero severe collisions. Near-term reduction targets for the reduction of injury and fatality collisions were set in 2014 and are being met. This is being achieved through the implementation of complimentary engineering, education and enforcement actions.

Administration conducted consultation with relevant committees and the general public. A slight majority of public survey respondents supported the lowering of speed limits in residential areas. A clear majority support the creation of community safety zones. The number of serious collisions involving vulnerable users in residential areas is lower when compared to major roads but is still significant with 161 recorded in a three year period.

Reduced area speed limits at 40km/h are proposed for minor (local and collector) streets in residential areas where the function of the streets is predominantly local access to property and destinations and the street serves other neighbourhood functions. The reduced speed limit would not apply to arterial roads that primarily serve inter-neighbourhood traffic with less property access. However, a few short sections of some major roads in the downtown are also recommended to be included in the area speed limit zone due to the high volume of pedestrians. Overlapping community safety zones are recommended to reinforce the program goals in conjunction with automated speed enforcement.

Implementation of the area speed limit program including CSZs is estimated to cost \$1,000,000 and will be implemented over four years utilizing existing budgets, starting in areas with a high volume of vulnerable road users.

PREPARED BY:	REVIEWED AND CONCURRED BY:
SHANE MAGUIRE, P. ENG. DIVISION MANAGER, ROADWAY LIGHTING AND TRAFFIC CONTROL	DOUG MACRAE, P.ENG., MPA DIRECTOR, ROADS AND TRANSPORTATION
RECOMMENDED BY:	
KELLY SCHERR, P.ENG., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL AND ENGINEERING SERVICES AND CITY ENGINEER	

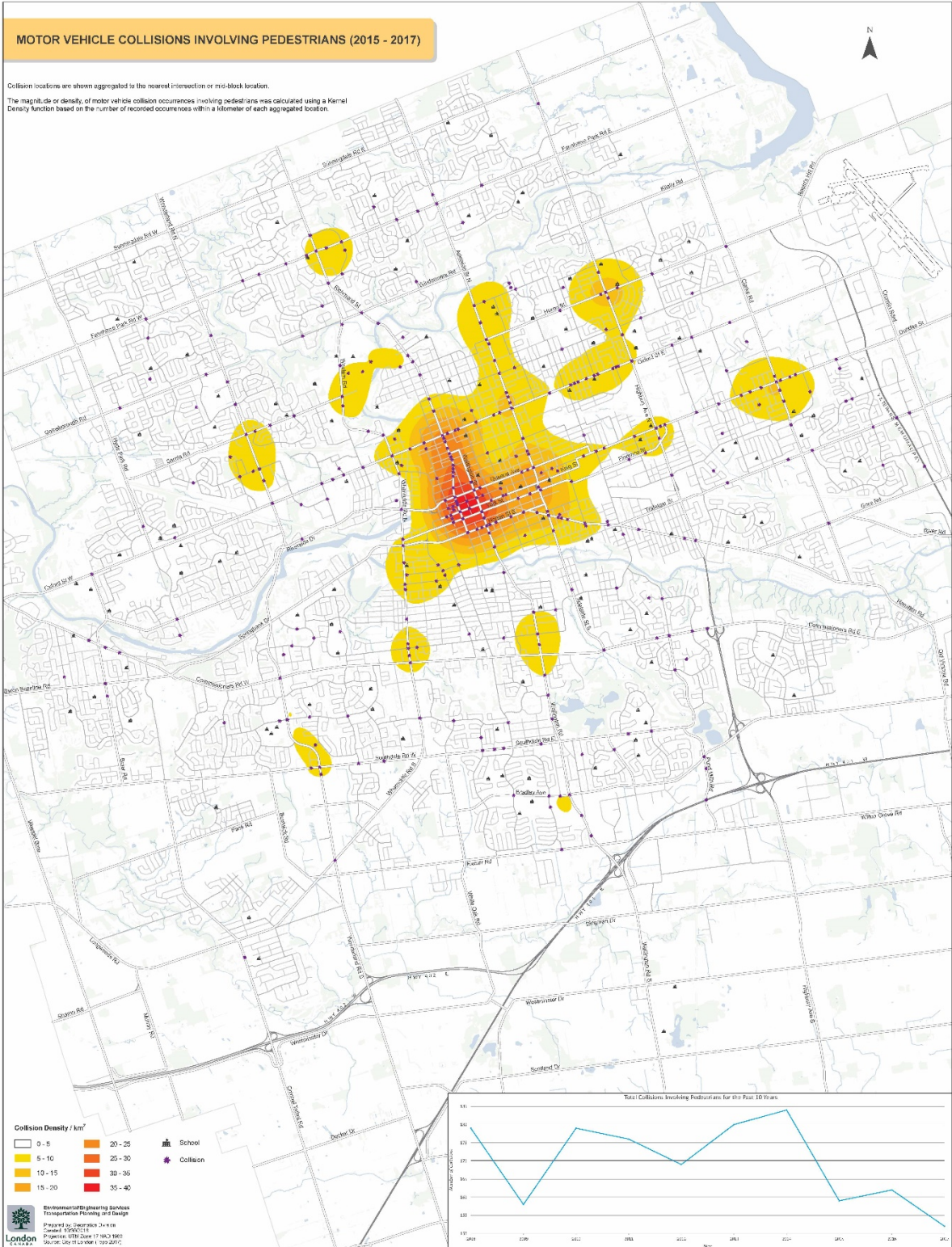
\\cfile2\estr\$\Shared\Administration\COMMITTEE REPORTS\Civic Works\2019\DRAFT\09-24\CWC - Area Speed Limit Update- Sept 24 2019 Ver. 4.docx
September 13, 2019/sm

Attach: Appendix A: Pedestrian Collision Heat Map (2015 – 2017)
Appendix B: Cyclist Collision Heat Map (2015 – 2017)

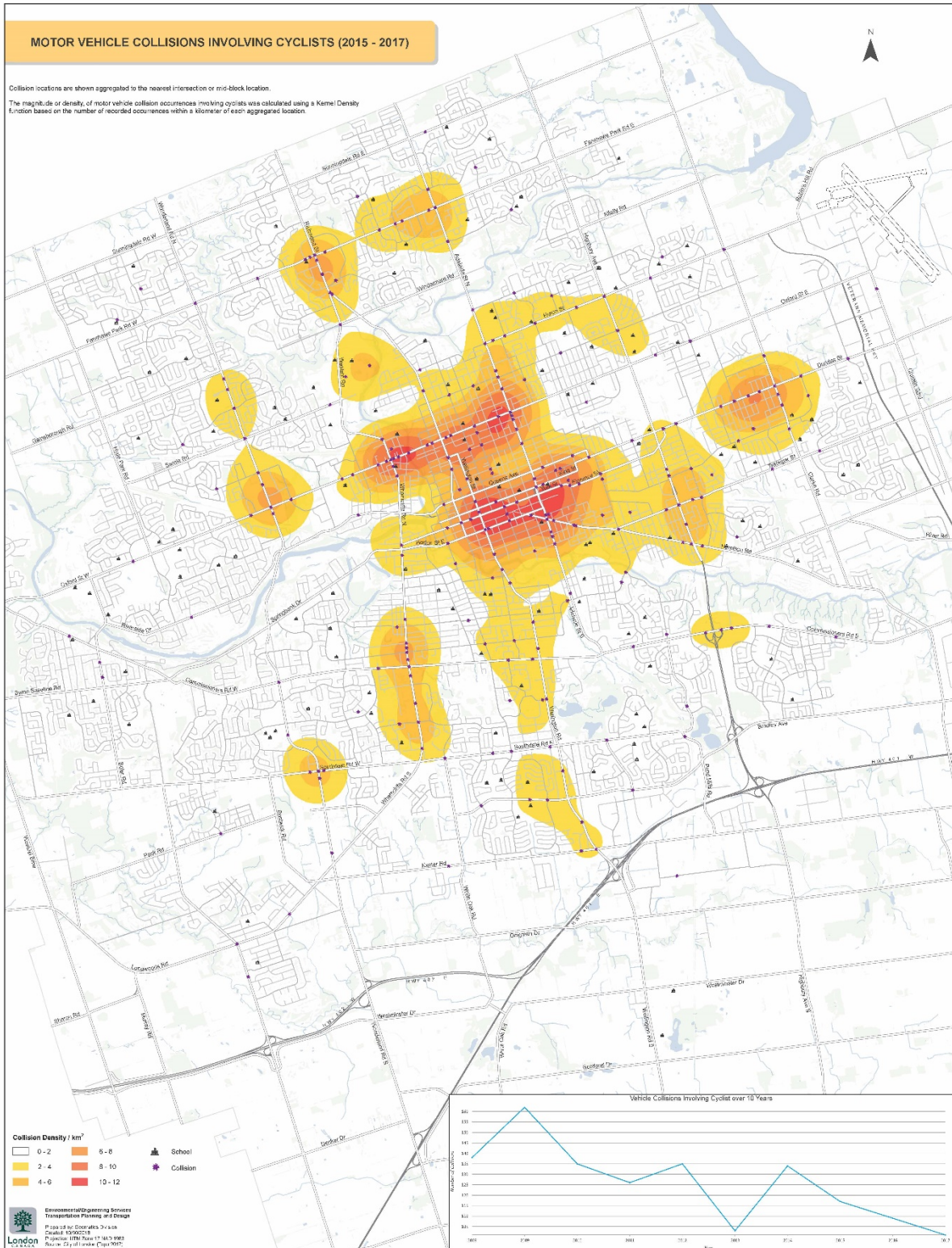
c: London Police Service
Transportation Advisory Committee
Community Safety and Crime Prevention Advisory Committee
Cycling Advisory Committee

APPENDIX A

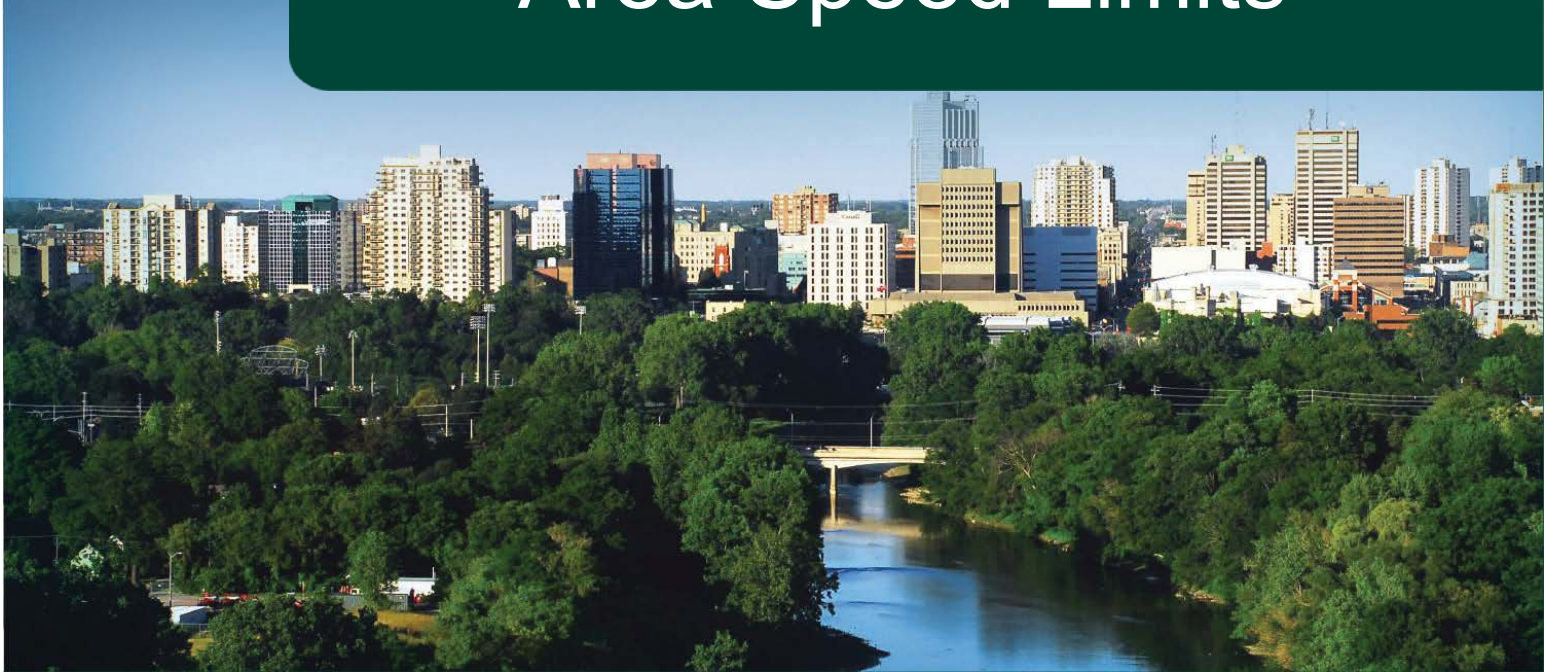
PEDESTRIAN COLLISION HEAT MAP (2015 TO 2017)



APPENDIX B CYCLIST COLLISION HEAT MAP (2015 TO 2017)



Area Speed Limits



Civic Works Committee – September 24, 2019



Area Speed Limits

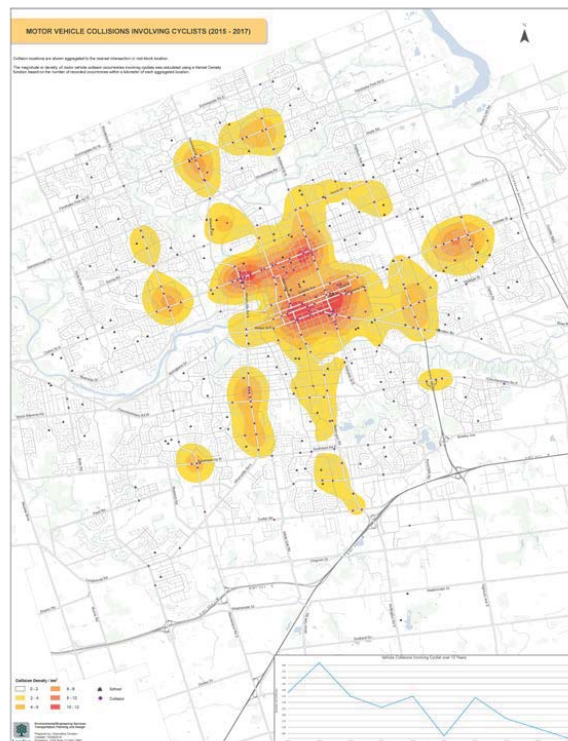
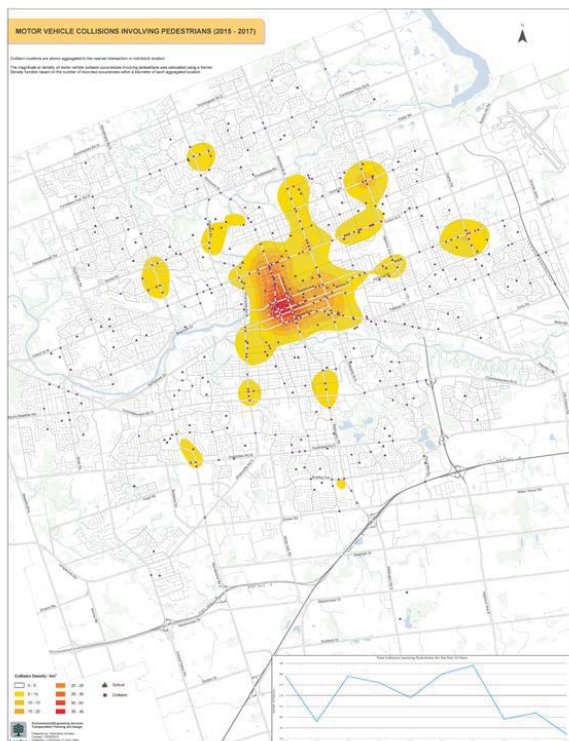
- New legislations allows municipalities to set a speed limit lower than 50 km/h for defined areas.
- Collisions involving vulnerable road users from 2015 to 2017
 - 161 on minor residential streets; and
 - 86 on major downtown roads.

Goals

- Improve safety in residential areas and areas with high volumes of vulnerable road users; and
- Support community building by making walking and cycling more appealing.



Pedestrian and Cyclist Collisions (2015 to 2017)



Rate of Speed

Factors impacting the rate of speed:

- Roadway classification (minor vs. major)
- Roadway geometry (horizontal and vertical);
- Left-turn & right-turn lanes;
- Roadway width;
- Pedestrian/cyclist volumes and facilities;
- Vehicle volumes;
- Land use;
- Intersection spacing;
- Driveway spacing; and
- On-street parking.

Rate of Speed (cont'd)

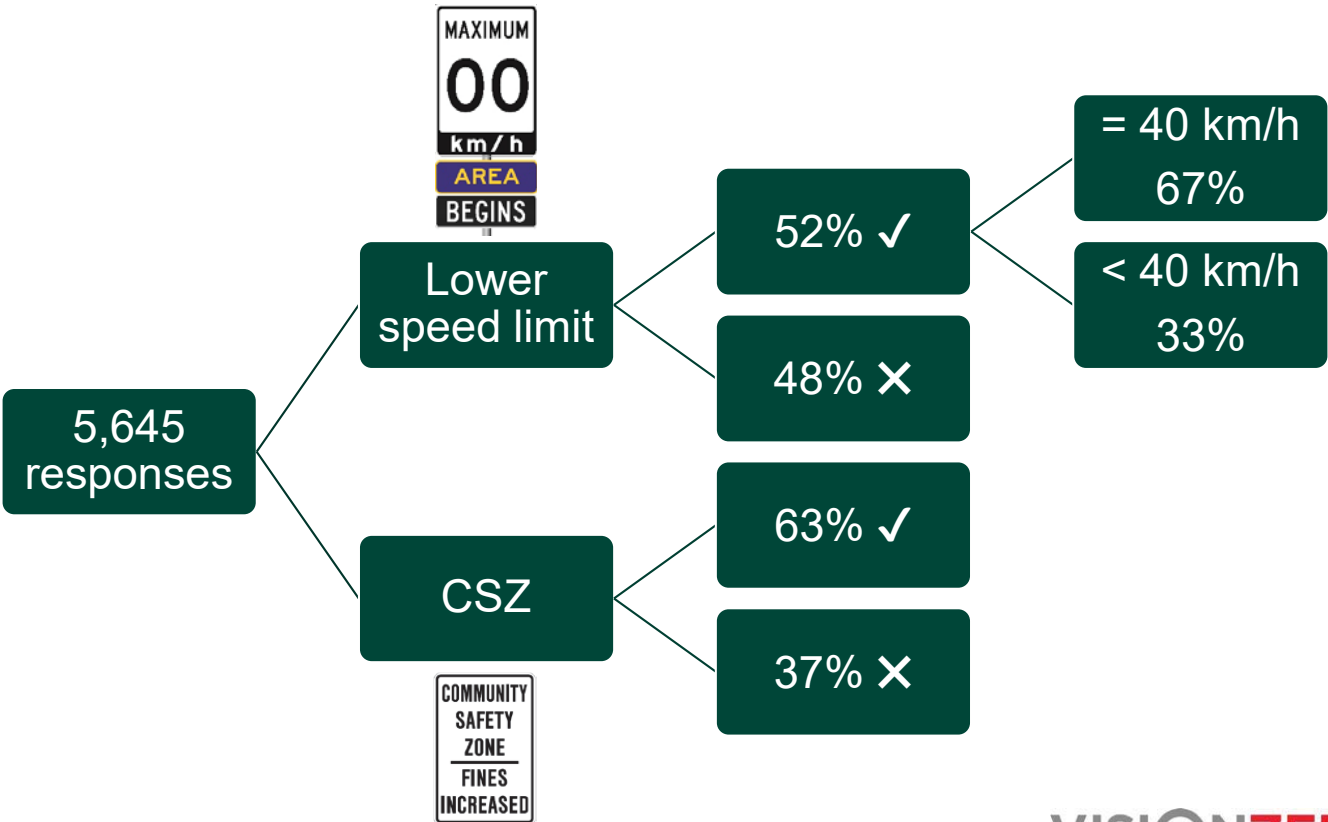
A rate of speed of 40 km/h is appropriate for residential roads and some major roads in the downtown:

- Narrow residential roads;
- Intended use of the road;
- Frequent driveways; and
- High volume of vulnerable road users.

A speed limit lower than what drivers perceive as appropriate could result in significant non-compliance, greater speed differentials and increased enforcement resources.

- Speed differentials can result in pedestrians, cyclists and other drivers misjudging the speed of approaching vehicles.

Area Speed Limit Get Involved London Survey





Proposed Area Speed Limit Program

1. Reduce the speed limit in residential areas and at high vulnerable user volumes in the downtown to 40 km/h by area;
2. Implement Community Safety Zones as the speed limit is reduced to 40 km/h;
3. Maintain the speed limit in school zones at 40 km/h and review the potential to reduce the speed limit to 30 km/h; and
4. Invest approximately \$1,000,000 over four years for 2,000 sets of signs to implement the above.



PUBLIC PARTICIPATION MEETING COMMENTS

3.2 Area Speed Limit Program

- R. Henderson – indicating that there are other municipalities in Ontario that have thirty kilometer speed limits, Toronto's East York committee councillors voted unanimously to reduce the speeds on residential streets to thirty, Hamilton has neighbourhood projects (different neighborhoods have voted for thirty), Ottawa has voted in neighbourhoods for thirty, there are many examples across Ontario specifically that have voted neighbourhoods or for the entire neighborhoods and residential streets.
- D. Hall, London Cycle Link – stating that he had the privilege of attending the Ontario bike summit in April, and one of the keynote speakers was a Dutch mobility expert, and he came to speak to a room full of people who want to see more bikes; indicating that he asked the speaker what can be done in North America to improve cycling and encourage more people to cycle and the response was to reduce your speed limits to thirty km/h in neighborhoods; stating that this is one of the top priorities as London Cycle Link, because it really does change the game for encouraging people to share space; indicating that on a lot of our neighborhood streets we are not going to see protected bike lanes and it does not make sense in a lot of contexts; stating that when we reduce the speed of heavy vehicles, suddenly it feels like the right speed to bike alongside and it is the right speed to let our kids play outside in the front yard; noting that there are lots of reasons why this is an important thing; indicating that we have a Cycling Master Plan that wants five percent mode share of cycling trips and we are only at 1.7% right now; stating that we need to do things to be bold in getting there and this is one of those decisions that can be bold to help us get there; noting that, with respect to the survey, he thinks it was impressive that there was that many responses to the survey, however, when asking people if they agree with forty or below forty km/hr it is really important to know who we are asking; stating that, for the most part, people experience the neighbourhood street through the windshield or behind the windshield of their car and when you drive through neighbourhood streets you feel confident and in control at fifty km/h, and especially at forty km/h and it feels slow behind the wheel of a car, but if your vantage point is on the sidewalk or your vantage point is on a bike, suddenly that forty or fifty km/h feels really fast; that that when you are walking with your kid, it feels very different, that speed, when you are beside traffic verses 'I am traffic'; stating that he would just like to ensure everybody is being surveyed; indicating that he thinks this is an important point that we have a chance to make something truly transformational in London and that this is a decision that can change the game to make our streets safer, to make it more enjoyable to use our front yards; indicating that it will reduce noise in our neighborhoods and it will reduce your inbox complaints about all the speeding you hear about; noting that signage alone will not be the answer, we cannot just put up signs and sit back and watch everyone slow down, that is not going to happen; indicating that photo radar will help but we need to also supplement that with traffic calming, and he knows that it will be the really expensive part of this but he thinks to have the goal be thirty km/h is the really important part; indicating that to say that we want traffic to be slow but let's not worry about compliance or non-compliance, let's set the right goal, and to say we want safe streets, let's have that be the goal and work toward it; stating that we know how to do it, we know how to design a road to get people to drive thirty km/h; stating that it will take some re-working, re-design and possibly some more money; indicating that we should use this opportunity in front of us and make a bold decision to make our streets safer, to encourage cycling, to encourage walking; stating that we do not have to go all at once, say thirty km/h in our whole city, we could do pilot projects, we can do thirty km/h on bike routes, there are lots of ways to implement this and test and approve before we maybe make a sweeping city-wide decision.

- T. Young – indicating that he is against the changing proposal for forty and thirty km/h; stating that he believes that the city has many issues already with traffic, the train downtown, King Street, which has gone from three lanes to now one when buses are stopped, with the new BRT certain areas are actually blocking traffic as opposed to getting off and diverting or having some sort of enclave that they can get out of the way; indicating that he believes that the city needs to move faster and more efficiently and he believes that we have lost a chance of having a ring road, that was done twenty years ago; noting that traffic, as it is right now, is not moving as efficiently as it should, and the vast majority of people are still driving, especially in winter and bicycles are not on the road as much; indicating that he drives for a living as he is a paramedic, so he sees the people who get hurt in these accidents, but he also drives around these people, and, this is anecdotal, but the people being picked up on these calls, he hates to say, but it ends up being the cyclists fault; stating that he feels that maybe education towards these cyclists might help; noting that he knows people who cycle for a living and are a part of associations would know these rules, but there is a vast majority people that drive downtown and bike downtown that are actually causing major problems and he thinks maybe too much onus is put on these drivers when a lot of it could actually be put back on the people who were in the accident in the first place.
- S. Miller, 32 Upper Avenue – indicating that she is speaking on behalf of the Oxford Park Community Association where she lives; expressing appreciation for having this important and overdue discussion on reducing speed limits in London; indicating that, like all neighbourhoods across our city, indeed, our country, increasing levels of vehicles speeding and the associated rates of injury and death is a growing public health crisis but we seem to shrug our shoulders as if the dangers associated with our car-centric lives are simply collateral damage, not something that can be avoided by thoughtful public policy and collective responsibility; stating that, in April 2018, one London Free Press article noted that the city research states that about a third of drivers in neighbourhoods speed over the limit, and the poll associated with the article asked, “Do drivers speed in your neighborhood?” and more than 90% responded ‘often’ or ‘sometimes’; noting that was more than fifteen hundred respondents; indicating that her local community association did a survey last year and 55% of the respondents in the neighborhood of over three hundred houses listed neighbourhood speeding as their number one concern; stating that this confirmed a 2017 safety audit that was done where participants also had numerous concerns regarding speeding; indicating that, despite these findings, traffic engineering staff have told their community that, according to their studies, our neighborhood does not have a speeding problem, and so, therefore, traffic calming measures are not being considered; enquiring as to why there is such a disconnect; indicating that, perhaps because speed limits are already too high for residential neighborhoods, and our roads are designed to enable – indeed, encourage – speeding, even above and beyond those limits; stating that, according to their research, London currently has no designed speed standards in its transportation design manual below sixty kilometers an hour; stating that this means that traffic engineering staff who are designing roads for fifty kilometers speed limit posting, they know that people are going to drive sixty kilometers or even faster; noting that we do not even notice it as drivers because our brains tell us that the road is designed to go that fast and that it is safe for us, when in fact we are driving a dangerous speed for neighbourhood roads; indicating that her neighborhood, Oxford Park, is going to be undergoing a long anticipated infrastructure renewal, including the water mains, new sewers and new roads and they are excited about this opportunity as it is long overdue; stating that they are really excited about addressing the root problem of speeding, which is outdated, dangerous and car-centric street design; stating that they have offered to collaborate with engineering staff and consultants on designing our new streets using progressive, safe street design as championed by organizations like the National Association of City

- Transportation Officials, the Center for Active Transportation and Love30Canada; indicating that they have offered to serve as a pilot model neighbourhood for progressive street design best practices but, unfortunately, those offers and requests have been declined; stating that they have also asked city staff to make a general presentation to residents on safe street design, but that has also been declined; indicating that they are now going to be working with a professor, Jason Gilliland, at Western University, who is going to come and speak to their association and talk to the neighbours and help educate them on what they can and should ask for when they see the city's proposed street designs later this fall; stating that the Oxford Park Community Association strongly supports reduced speed limits in residential and school areas throughout the city and they urge the Committee to adopt thirty km/h limits with enforcement using photo radar and police; indicating that thirty km/h, as other people here this evening have said, is an acknowledged safe street standard in many progressive jurisdictions around the world and, in conjunction and arguably even more importantly, they urge councillors to work with staff to ensure that all relevant road design standards and policies are updated as quickly as possible to reflect safe street design best practices; noting that these updates can begin to make effective changes on road reconstruction projects in existing residential neighborhoods and in all new subdivisions; stating that the conventional '3 Es' approach of engineering, education, and enforcement does not provide the guidance we need to design 21st century transportation and we must look beyond traditional professional disciplines across conventional boundaries to make our streets safe for everyone; noting that the new 'Es' of ethics, equity, and empathy should guide every urban designer, engineer; stating that, as citizens involved in shaping our city, we must embrace these values if we are to change the status quo and create a transportation system that is safe, efficient, equitable and sustainable; indicating that we cannot justify designs for speed and increased vehicle capacity on one hand while promising to deliver vision zero with the other.
- G. Hopcroft – stating that he would like to urge the Committee and staff to reconsider, in particular, part one of the recommendation, and that is applying the forty kilometer default speed limit on local and collector streets and residential areas throughout the city; indicating that he is prepared to agree and, he thinks most people are, that forty km/h is an appropriate speed limit in some places, and in other cases much lower depending on the number of driveways, the amount of conflicts in terms of other traffic in the area, and so on; noting that, as he reads it, this would apply to areas without driveways as well as those with driveways and he will harken back to Mr. Maguire's comment earlier, which he has heard in this Chamber and other rooms in this building many times that there needs to be acceptance of whatever rules command, there needs to be a public consensus before people will willingly comply with whatever by-laws this Committee and Council see fit to pass; stating that applying a 'one size fits all' approach is not the appropriate way to approach this, and he does not think it is a way that most Londoners would accept as an appropriate way of dealing with it; noting that there are a lot of streets where the existing speed limit – "it ain't broke, so why fix it?", fix those where speeding is a problem and where the speed limit is a problem and he would differentiate between the two; stating that an issue dealing with the speed limit enforcement issue, and in his experience, many people complaining about speeding in our neighborhoods are not complaining about the speed limit – they are complaining about people that consistently exceed the speed limit on those streets; stating that he does not belittle the fact that in some cases the speed limit is as well too high, but it is the enforcement issue which has always been an issue and the photo radar is a solution in terms of those that do not see fit to comply for other reasons; noting that he thinks it would be a huge mistake to take a cookie cutter, one size fits all approach to the streets around this city, and that this should be done on a street by street basis; noting that it is hard work, but do we want compliance and do we want to

- address the real problems, or do we want to create a regulatory environment where most Londoners don't see fit to comply because they see so many cases where the regulations are excessive; indicating that we have seen, time and time again, when they get that sense, they are more likely not to comply, not just in those areas where they are not warranted in their view, but also in those areas that they may be unfamiliar with where it is warranted; stating that if we want to promote peoples compliance on a voluntary basis, he thinks that the street by street approach and the classification of those streets is the right way to go; noting that there is a lot of data in this report and he would like to ask a few questions in terms of that that data; stating that, first of all, there has been a lot of data in here about collision statistics but there is nothing about injuries or the severity of those injuries and tying that to the speed involved in the collision or the speed limit on that street; noting that he really does not find the collision data that helpful in terms of understanding what it is we are trying to fix; noting that the second issue is that he does not see any reference in the report, and he is assuming that is because there is no reference, there has not been any consultation with emergency services; noting that he would like at least one other person in this room have some experience in the provision of emergency services, and we all know that reduced speed limits reduce ambulance response times; enquiring as to whether EMS was consulted about this and what is the impact on response times in our community; indicating that another question he has is with respect to the London Transit Commission, and he knows that they are moving into an environment where they are trying to have better compliance with route schedules and on-time performance and he sees nothing in here that is going to help them maintain what they have, what is the cost to that, and what is the impact on the routes that would be affected by the regulations that are proposed here; stating that he urges the Committee to seek the answers to those questions and to take a considered approach to this, and addressing this where it needs to be addressed, rather than applying something across the city which may not be needed.
- L. Patricio, London Cycle Link – stating that he has a couple of comments; indicating that he heard two presentations, one from Ms. Henderson and she had social, economic and health arguments to support the thirty kilometers limit, and he heard another presentation, and the main argument there is that, because drivers will not obey this limit, this will be dangerous; stating that he heard some concerns, as well, on the sense that we need to make sure that whatever regulations we have, we do have people respecting those regulations, and he thinks this is inverse logic; stating that if you do not have respect, we should not keep the speed limits high; indicating that if we know that this is the safest approach, we should make sure that those people, they will be voluntarily following the limits because this is the way our roads are designed; noting that, interestingly, we did not hear an argument about the efficiency or the health benefits if you keep our limits at forty or fifty kilometers, because the people who understand what transportation and road design is, they know that this is not the case; stating that addressing the concerns about efficiency and health, the car in any city is the most inefficient mode of transportation; stating that if you create a city where we promote and encourage cycling and walking and transit, we will have a more efficient transportation system, and we will have less injuries and fatalities.
 - C. Linton – stating that he is speaking as a public citizen, not as Chair of the Cycling Advisory Committee; indicating that he would generally support the reduction of speed limits, as proposed by staff, or even to the thirty km/h as well; indicating that a couple of the points from the people who oppose this actually kind of make the case for people who are wanting to try cycling and they are riding on the sidewalk; noting that they will feel safer if they are riding on a street where the speed limit is posted lower and traffic speed is going lower, so they feel more safe so they are going to be off the sidewalk and where they should be on the road; stating that there were a couple of points that he took out of there that were actually reasons to lower the speed

limit, not keep them where they are; indicating that, as a motorist, if we want to keep the city moving, the best thing for that is to get more people on bikes and on transit, because the fewer cars there are on the road to begin with, the better that traffic is going to flow.

- M. Moussa, 155 Thornton Avenue – stating that there is a very over-arching issue here that has not been addressed with the reduction in the speed limit, on April 23rd, 2019, this Council adopted a climate emergency by-law - or motion, where you asked for tangible ways of battling greenhouse gases and our carbon footprints; stating that this speed limit, if it is reduced from fifty to thirty km/h, you are increasing greenhouse gases; noting that it is settled in un-controverted science from Virginia Tech and European studies; indicating that he understands where you are coming from with trying to do this, but reducing the speed limit is not going to slow people down from speeding; noting that enforcement is the only way; stating that he understands that you need community safety zones in order to put the automated speed enforcement stuff in place, but if you keep it at 50 km/h and ticket everybody who does fifty-two, someone like me is going to drive forty-five; stating that the person who is going to get that ticket is going to get it regardless whether it is thirty or fifty there; noting that the gentleman who is not here right now said that the report did not show much about the severity of injuries, and I do not want to put a price or anything on safety - safety is very important -but we really need the hard statistics for this; indicating that it is a solution looking for a problem; noting that he has said that before on other issues; indicating that, in this case, we have not even addressed this increased enforcement, absolutely; noting that, with respect to the ASE's, it is putting the cart ahead of the horse, it is putting the cart ahead of an unborn horse, being that the regulations in Ontario have not even been updated to allow for that yet; referencing a pilot project in Toronto, and, if he is assuming correctly, possibly other places; indicating that we do know what PC provincial governments like to do with what has come before them; stating that one other thing he did not see in here is when all the BRT discussion was going on, there was a value of time saved that was addressed in those; noting that, in this case here, there is nothing that shows value of time lost; stating that he knows it might be grasping at straws, possibly, but this will reduce peoples time; indicating that a by-law will not remove us from a car-centric culture and if that is the intention of the by-law, it is not going to work; stating that people are still going to need to use their vehicles; noting that the main, salient point he wants to bring across here is that we are actually doing less for the environment by reducing the speed limit in this zone, in this thirty to eighty zone; stating that, ideally, for a gas engine, the ideal for the least fuel consumption is between sixty and eighty km/h; stating that he is not saying that we should increase limits to sixty km/h, but we have not even looked at this issue here and he does not think this is going to push people to walk more, bike more.



Councillor Shawn Lewis
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September 12, 2019

Dear Colleagues,

Parking is one of those issues that affects residents across the city and is a frequent source of complaints from our constituents for a variety of reasons. In my view, it is important to strike a balance between personal flexibility and reasonable freedom for homeowners, with public safety and right of way and of course with our roadside operations whether that be snow removal or by-law enforcement or emergency services.

It is important to note, “near campus neighbourhoods” have a separate prohibition against overnight on street parking. The overnight parking ban is not a means of controlling student parking around campuses.

It is also important to consider we do not live in a Monday to Friday 9am-5pm world anymore. It is not unusual for individuals to have to work a 12hr shift. We also live in a world where there is also greater distance between family members than in past generations and because of changing attitudes toward impaired driving, visits may often entail more overnight stays than in the past.

After considering the feedback received from Ward 2 residents and looking at practices in other municipalities, it is my view we should update some of our current parking regulations to reflect our changing city. Therefore, I am bringing the following motion to the next Civic Works committee for our consideration:

That Civic Administration bring forward a report to civic works with details on potential impacts and recommendations on implementing the following changes to parking restrictions:

- a) That the overnight parking ban program be amended to be in force from November 1st until April 30th annually,*
- b) That the issuing of overnight parking permits during the ban period be expanded to allow residents to purchase additional passes beyond the current 15 free uses for a fee,*
- c) That the current 12hr limit on occupying a specific on street non metered parking location be amended to 18hrs,*
- d) That the by-law prohibiting homeowners from parking a vehicle in their driveway parallel to the road way be repealed.*

I look forward to a discussion and consideration of these suggestions.

Sincerely,

Shawn Lewis
Ward 2 City Councillor

DEFERRED MATTERS

**CIVIC WORKS COMMITTEE
(as of September 16, 2019)**

Item No.	File No.	Subject	Request Date	Requested/ Expected Reply Date	Person Responsible	Status
1.	75.	<p><u>Options for Increased Recycling in the Downtown Core</u> That, on the recommendation of the Director, Environment, Fleet and Solid Waste, the following actions be taken with respect to the options for increased recycling in the Downtown core:</p> <p>b) the Civic Administration BE DIRECTED to report back to the Civic Works Committee in May 2017 with respect to:</p> <ul style="list-style-type: none"> i) the outcome of the discussions with Downtown London, the London Downtown Business Association and the Old East Village Business Improvement Area; ii) potential funding opportunities as part of upcoming provincial legislation and regulations, service fees, direct business contributions, that could be used to lower recycling program costs in the Downtown core; iii) the future role of municipal governments with respect to recycling services in Downtown and Business Areas; and, iv) the recommended approach for increasing recycling in the Downtown area. 	Dec 12/16	3rd Quarter 2019	K. Scherr J. Stanford	
2.	76.	<p><u>Rapid Transit Corridor Traffic Flow</u> That the Civic Administration BE DIRECTED to report back on the feasibility of implementing specific pick-up and drop-off times for services, such as deliveries and curbside pick-up of recycling and waste collection to local businesses in the downtown area and in particular, along the proposed rapid transit corridors.</p>	Dec 12/16	2nd Quarter 2019	K. Scherr J. Ramsay	

3.	78.	<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: b) the Civic Administration BE DIRECTED to report back to Civic Works Committee by December 2017 with:</p> <ul style="list-style-type: none"> i) a Business Case including a detailed feasibility study of options and potential next steps to change the City's fleet of garbage packers from diesel to compressed natural gas (CNG); and, ii) an Options Report for the introduction of a semi or fully automated garbage collection system including considerations for customers and operational impacts. 	Jan 10/17	3rd Quarter 2019	K. Scherr J. Stanford	2 nd Quarter 2019
4.	93.	<p><u>Public Notification Policy for Construction Projects</u> That the Civic Administration BE DIRECTED to amend the "Public Notification Policy for Construction Projects" to provide for a notification process that would ensure that property owners would be given at least one week's written notice of the City of London's intent to undertake maintenance activities on the City boulevard adjacent to their property; it being noted that a communication from Councillor V. Ridley was received with respect to this matter.</p>	Nov 21/17	3rd Quarter 2019	U. DeCandido	

5.	94.	<p><u>Report on Private Works Impacting the Transportation Network</u></p> <p>b) report back to the Civic Works Committee, by the end of March 2018, on:</p> <ul style="list-style-type: none"> i) ways to improve communication with affected business, organizations and residents about the timing, duration and impacts of permits for approved works, including unexpected developments; ii) ways to improve the scheduling and coordination of private and public projects affecting roadways and sidewalks that carry significant pedestrian, cyclist, transit and auto traffic; iii) resources required to implement these improvements; and iv) any other improvements identified through the review resources required to implement these improvements; and 	Dec 4/17	3rd Quarter 2018	G. Kotsifas	George to provide new date
6.	105	<p><u>Environmental Assessment</u></p> <p>That the Managing Director, Environmental and Engineering Services & City Engineer BE REQUESTED to report on the outstanding items that are not addressed during the Environmental Assessment response be followed up through the detailed design phase in its report to the Civic Works Committee.</p>	July 25, 2018	2nd Quarter 2019	S. Mathers P. Yeoman	
7.	106	<p><u>Bike Share System for London - Update and Next Steps</u></p> <p>That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the potential introduction of bike share to London:</p> <p>that Civic Administration BE DIRECTED to finalize the bike share business case and prepare a draft implementation plan for a bike share system in London, including identifying potential partners, an operations plan, a marketing plan and financing strategies, and submit to Civic Works Committee by January 2020; it being noted that a communication from C. Butler, dated August 8, 2019, with respect to the above matter was received.</p>	August 12, 2019	January 2020	K. Scherr	