

## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning and Environment Committee

**From:** George Kotsifas P. Eng.,  
Deputy City Manager, Planning and Economic Development

**Subject:** RFP21-57 ReThink Zoning Consulting Services  
Contract Award

**Date:** November 1, 2021

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the appointment of consulting services relating to ReThink Zoning:

- (a) Sajecki Planning Inc. **BE APPOINTED** project consultants to prepare the new comprehensive Zoning By-law for the City of London, in the total amount of \$674,970.00, including disbursements and excluding HST;
- (b) the financing for the ReThink Zoning (Phase Two) project **BE APPROVED** in accordance with the Source of Financing Report attached, hereto, as Appendix 'A';
- (c) the Civic Administration **BE AUTHORIZED** to undertake all administrative acts that are necessary in connection with the ReThink Zoning project;
- (d) the approvals given, herein, **BE CONDITIONAL** upon the Corporation of the City of London entering into a formal contract; and,
- (e) the Mayor and the City Clerk **BE AUTHORIZED** to execute any contract or other document, if required, to give effect to these recommendations.

## Executive Summary

This report recommends the appointment of Sajecki Planning Inc. as project consultants to prepare the new comprehensive Zoning By-law for the City of London to implement *The London Plan* and to replace the current *Zoning By-law No. Z.-1*.

In accordance with the City's *Procurement of Goods and Services Policy*, Sajecki Planning Inc. was qualified to provide consulting services through a Request for Qualification (RFQUAL) and had the highest scoring submission through the subsequent Request for Proposal (RFP).

## Linkage to the Corporate Strategic Plan

The appointment of consulting services for the preparation of the new comprehensive Zoning By-law will contribute to the advancement of Municipal Council's 2019-2023 Strategic Plan in several ways:

- "Building a Sustainable City" is supported by the preparation of a new comprehensive Zoning By-law that ensures growth and development in the City is well planned and sustainable over the long-term.
- "Strengthening Our Community" is supported by the preparation of a new comprehensive Zoning By-law that ensures new development fits and enhances the surrounding context and considers innovative regulatory approaches to

achieve municipal commitments to affordable housing and to reduce and mitigate climate change.

- “Growing Our Economy” is supported by the preparation of a new comprehensive Zoning By-law that delivers certainty and flexibility in creating a supportive environment where businesses and development can thrive.
- “Leading in Public Service” is supported by opportunities for public and stakeholder engagement and participation in the preparation of the new comprehensive Zoning By-law and in local government decision-making.

## Climate Emergency

On April 23, 2019, Municipal Council declared a Climate Emergency. Through this declaration the Corporation of the City of London (the City) is committed to reducing and mitigating climate change by encouraging sustainable development and directing intensification and growth to appropriate locations. This includes the efficient use of existing urban lands and infrastructure, aligning land use planning with transportation planning to facilitate transit-supportive developments that encourage active transportation. Development shall also be directed away from natural hazards to minimize and mitigate flooding potential.

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

**Planning and Environment Committee, ReThink Zoning Phase One Update and Background Papers, June 21, 2021.** This report introduced for information purposes a series of Background Papers. The first Background Paper provided an overview of the relevance and role of zoning and the importance of engagement in the ReThink Zoning project. The second, third and fourth Background Papers addressed the role of use, intensity, and form in zoning respectively to achieve the city building objectives described in *The London Plan*. The fifth Background Paper undertook a review of Zoning By-laws for several populous municipalities in Ontario to identify best practices and capture innovative approaches to zoning. This report also provided an update on the next steps for the ReThink Zoning project

**Planning and Environment Committee, ReThink Zoning Phase One Update, November 30, 2020.** This report introduced for information purposes, areas of focus for future public and stakeholder engagement. Areas of focus including education about how zoning works, and conversations about the types of uses and buildings that should be permitted (use), how much activity or building should be permitted (intensity), and where and how buildings should be situated or designed (form). The above noted areas of focus were discussed in the context *The London Plan's* policy direction and Place Types, and how *The London Plan's* vision can be implemented through zoning. The report was initially scheduled for June 2020 and was postponed and adapted to address limitations with public and stakeholder engagement as influenced by COVID-19.

**Planning and Environment Committee, ReThink Zoning Terms of Reference, May 13, 2019.** Based on public and stakeholder comments on the draft Terms of Reference (TOR), this report introduced for approval an updated TOR for the ReThink Zoning project. The updated TOR included a detailed overview of the

project goals, work plan and deliverables, and identified opportunities for meaningful public and stakeholder engagement through the process.

**Planning and Environment Committee, ReThink Zoning Terms of Reference, August 13, 2018.** This report introduced for information purposes a draft TOR for the ReThink Zoning project and directed that the draft be circulated to receive comments on the project.

## **2.0 Discussion and Considerations**

### **2.1 Work Description**

ReThink Zoning is a multi-year, multi-phased project for the delivery of a new comprehensive Zoning By-law. Due to the scope and complexity of this project, the approved TOR for ReThink Zoning identified that consultants would be retained to support staff in completing the work plan and providing specialized expertise throughout the process. Work that has already been completed for ReThink Zoning includes background research, initial public and stakeholder engagement, and a best practice review. The next steps in the ReThink Zoning project will include working with the consultant team to continue this process and engage in the detailed analysis required to draft the new comprehensive Zoning By-law.

The primary deliverables related to this project include:

- The development and administration of a comprehensive engagement plan that will exceed and enhance the minimum requirements for public participation under the *Planning Act*.
- The preparation of Issue Papers to provide a zoning approach for each Place Type in *The London Plan* and for specific technical considerations, including but not limited to zoning and affordable housing, zoning and climate change, zoning and intensification.
- An inventory and analysis of existing development patterns, trends and areas will be completed.
- The preparation of two draft zoning by-laws and the final zoning by-law for Municipal Council's approval.

### **2.1 Procurement Process**

In accordance with Sections 12.1, 12.4 and 15.3 of the *City's Procurement of Goods and Services Policy* (By-law No. A-615(y)-268), a two-stage procurement process was used to select the recommended consultant, with the first stage being an open, publicly advertised RFQUAL, and the second stage being an RFP open to firms qualified through the first stage.

The submissions for the RFQUAL and RFP were evaluated by staff from Planning and Development, Building, and Legal Services, and the evaluation process was administered by staff from Finance Supports.

The scoring of the proposals through the second stage RFP included separate technical and pricing components. The evaluation of the technical component considered the demonstrated qualifications and expertise of the consulting team, project related experience, understanding the project goals, objective and desired outcomes, an engagement program, work plan and methodology, project management and schedule and a presentation on the above-noted matters. The pricing component considered the fees for all consultant activities and deliverables.

Sajecki Planning Inc. had the highest scoring proposal overall and for each component (technical and pricing). Sajecki Planning Inc. will function as the lead project consultant with a focus on zoning and land use plan and has assembled an interdisciplinary team of subconsultants as is typical for a project of the scope and complexity of the ReThink Zoning project. Sub-consultants include R.E. Millward + Associates for zoning and land use planning, Freedman Urban Solution for urban design, PosadMaxwan for sustainability and data analytics, LURA Consulting for public engagement and Scribe Technical Writers and Editors for plain language writing.

### **3.0 Financial Impact/Considerations**

#### **3.1 Source of Financing**

As a result of the RFQUAL and RFP processes, it is recommended that Sajecki Planning Inc. be authorized as the project consultant to complete ReThink Zoning. Planning and Development staff have reviewed the pricing component of the Sajecki proposal and have confirmed that the hourly rates and time allocated to project related tasks are competitive and the best value supplied through the RFP process. The total pricing amount of \$674,970.00, including disbursements and excluding HST, is within the City's estimated expenditures for consulting services for the ReThink Zoning project and can be accommodated within the available capital budget, per the Source of Financing attached as Appendix 'A'.

### **4.0 Key Issues and Considerations**

#### **4.1. Key Issues Addressed**

The *Planning Act* requires that all by-laws must conform with the municipality's Official Plan. The current *Zoning By-law No. Z.-1* was written and approved as a tool to implement the *1989 Official Plan*. The new Official Plan, *The London Plan*, necessitates the need for a new comprehensive Zoning By-law to regulate and implement the new direction of *The London Plan*. This report is the conclusion of the RFQUAL and RFP procurement process for consulting services for ReThink Zoning. This contract includes the preparation of the new comprehensive Zoning By-law and will bring the City's Zoning By-law into conformity with *The London Plan*.

## **Conclusion**

*The London Plan* necessitates the need for a new comprehensive Zoning By-law to regulate and implement the new direction of *The London Plan*. ReThink Zoning will provide an opportunity to consider new, innovative or alternative approaches to regulating use, intensity and form across the City and is the project for the delivery of a new comprehensive Zoning By-law.

Given the scope and complexity of this project, the Terms of Reference approved by Municipal Council identified that consultants would be retained to support staff in completing the project. Through the Request for Qualification and Request for Proposal procurement process, the interdisciplinary consulting team assembled by Sajecki Planning Inc. have demonstrated the qualifications, expertise, and related project experience necessary to prepare a new comprehensive Zoning By-law, and the proposal by Sajecki Planning Inc. represented the best value supplied through the procurement process.

**Prepared by:** **Melissa Campbell, MCIP, RPP**  
**Senior Planner, Long Range Planning & Research**

**Reviewed by:** Justin Adema, MCIP, RPP  
Manager, Long Range Planning & Research

**Recommended by:** Gregg Barrett, AICP  
Director, Planning & Development

**Submitted by:** George Kotsifas, P. Eng.  
Deputy City Manager, Planning & Economic  
Development

## Appendix "A"

#21182

November 1, 2021  
(Appoint Consultant)

Chair and Members  
Planning and Environment Committee

RE: RFP 21-57 ReThink Zoning Consulting Services  
(Subledger NT21GG01)  
Capital Project PD2152 - Planning Comprehensive Zoning By-law  
Sajecki Planning Inc.- \$674,970.00 (excluding HST)

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### Finance and Corporate Services Report on the Sources of Financing:

Finance and Corporate Services confirms that the cost of this project can be accommodated within the financing available for it in the Capital Budget and that, subject to the approval of the Deputy City Manager, Planning and Economic Development, the detailed source of financing is:

<b>Estimated Expenditures</b>	<b>Approved Budget</b>	<b>Committed To This Date</b>	<b>This Submission</b>	<b>Balance for Future Work</b>
Consulting	1,000,000	166,971	686,849	146,180
<b>Total Expenditures</b>	<b>\$1,000,000</b>	<b>\$166,971</b>	<b>\$686,849</b>	<b>\$146,180</b>
<b>Sources of Financing</b>				
Capital Levy	325,000	83,486	241,515	0
Drawdown from Official Plan Reserve Fund	175,000	0	101,910	73,090
Drawdown from City Services - Studies Reserve Fund (Development Charges) (Note 1)	500,000	83,486	343,425	73,090
<b>Total Financing</b>	<b>\$1,000,000</b>	<b>\$166,971</b>	<b>\$686,849</b>	<b>\$146,180</b>

### Financial Note:

Contract Price	\$674,970
Add: HST @13%	87,746
Total Contract Price Including Taxes	762,716
Less: HST Rebate	-75,867
Net Contract Price	<u>\$686,849</u>

**Note 1:** Development charges have been utilized in accordance with the underlying legislation and the approved 2019 Development Charges Background Study and the 2021 Development Charges Background Study Update.

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Jason Davies  
Manager of Financial Planning & Policy

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