

Agenda Including Addeds

Strategic Priorities and Policy Committee

8th Meeting of the Strategic Priorities and Policy Committee

June 25, 2018, 4:00 PM

Council Chambers

Members

Mayor M. Brown, Councillors M. van Holst, B. Armstrong, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H. Usher, T. Park, J. Zaifman

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The Committee will recess at approximately 6:30 PM for dinner, as required.

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6. Confidential (Enclosed for Members only.)

6.1 Solicitor-Client Privileged Advice/Land Disposition

A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose; instructions and directions to officers and employees of the Commission pertaining to a proposed disposition of land; reports or advice or recommendations of officers and employees of the Commission pertaining to a proposed disposition of land; commercial and financial information supplied in confidence pertaining to the proposed disposition the disclosure of which could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Commission, result in similar information no longer being supplied to the Commission where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed disposition that belongs to the Commission that has monetary value or potential monetary value; information concerning the proposed disposition whose disclosure could reasonably be expected to prejudice the economic interests of the Commission or its competitive position; information concerning the proposed disposition whose disclosure could reasonably be expected to be injurious to the financial interests of the Commission; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Commission concerning the proposed disposition.

6.2 Solicitor-Client Privileged Advice/Labour Relations/Personal Matters/Identifiable Individual

A matter pertaining to advice that is subject to solicitor-client privilege; including communications necessary for that purpose, and for the purpose of providing instructions and directions to officers and employees of the Corporation and labour relations and employee negotiations, including communications necessary for that purpose, with respect to employment-related matters.

6.3 Personal Matters/Identifiable Individual

A matter pertaining to personal matters about an identifiable individual with respect to employment-related matters and advice and recommendations of officers and employees of the Corporation including communications necessary for that purpose.

7. Adjournment

TO:	CHAIR AND MEMBERS STRATEGIC PRIORITIES AND POLICY COMMITTEE MEETING ON JUNE 25, 2018
FROM:	ANNA LISA BARBON MANAGING DIRECTOR, CORPORATE SERVICES AND CITY TREASURER, CHIEF FINANCIAL OFFICER
SUBJECT:	2019 BUDGET SCHEDULE

RECOMMENDATION

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following dates for the 2019 Annual Budget Update **BE APPROVED:**

Tabling of the 2019 Annual Budget Update (Tax Supported, Water and Wastewater & Treatment)	December 17, 2018, 4 p.m. Start
Public Participation Meeting (Tax Supported, Water and Wastewater & Treatment)	January 17, 2019, 4 p.m. Start
Budget Review (Tax Supported, Water and Wastewater & Treatment)	January 24, 2019, 9 a.m. Start
Budget Review (Tax Supported, Water and Wastewater & Treatment)	January 28, 2019, 4 p.m. Start (if needed)
Final Budget Approval (Tax Supported, Water and Wastewater & Treatment)	February 12, 2019, 4 p.m. Start
Assessment Growth Allocation Report	February 2019

PREVIOUS REPORTS PERTINENT TO THIS MATTER

2016-2019 Multi-Year Budget, May 11, 2015 Strategic Priorities and Policy Committee, Agenda Item #6
<https://pub-london.escribemeetings.com/filestream.ashx?DocumentId=19030>

LINK TO THE 2015-2019 STRATEGIC PLAN

Council's 2015-2019 Strategic Plan for the City of London identifies 'Leading in Public Service' as a strategic area of focus. The City of London's budget process supports this strategic area of focus through the 'Proactive Financial Management' strategic priority. This strategic priority involves, among other things, ensuring that the City's finances are well planned and support intergenerational equity. The implementation of the multi-year budget signifies that the City is looking beyond a short term focus when planning its finances. This results in improved accountability and transparency over spending changes and helps the City maintain positive operating results, stable debt levels, and strong liquidity, reflected in the reaffirmation of the City's Aaa stable credit rating.

BACKGROUND

2019 Annual Budget Update

In 2016, Municipal Council implemented a Multi-Year Budget process in order to improve long-range and strategic planning and enhance focus on major policy issues. While much of the detailed review was undertaken by Municipal Council in Year 1 of the Multi-Year Budget process, section 291(4) of the *Municipal Act, 2001* still requires the municipality to review and readopt the budget for subsequent years to which the budget applies and to ensure that the budget complies with applicable legislative requirements. It is not anticipated that the subsequent years' review and re-adoption of the budgets will be as time-intensive as Year 1. The 2019 Annual Budget Update will be similar to the process that was followed for the 2017 and 2018 Annual Budget Updates. The above-noted schedule for the 2019 Annual Budget Update, is provided for Municipal Council's consideration. The 2019 Annual Budget Update is the first time in the multi-year budget process that a new City Council will reconfirm the fourth and final year of the 2016-2019 Multi-Year Budget. To accommodate timing of the incoming Council, a December budget tabling date is required. The annual budget update schedule has been amended and results in final approval of the Tax Supported, Water and Wastewater & Treatment budgets on February 12, 2019.

The 2019 Annual Budget Update will be tabled on December 17, 2018 and will focus on budget amendments that have been submitted by service areas, which cannot be accommodated within the original approved 2016-2019 Multi-Year Budget. Updates will be limited to the following categories:

- a) New or Changed Regulation (e.g. new Provincial regulation such as Cap and Trade)
- b) New Council Direction (e.g. low-income subsidy for transit)
- c) Cost & Revenue Drivers Causing Significant Variance in Service Areas (e.g. unanticipated changes to economic forecasts that impact municipal costs)

Public Engagement/Education

Extensive public engagement and consultation was undertaken prior to the approval of the 2016-2019 Multi-Year Budget. This feedback was essential to ensure that residents, community organizations, and businesses had a venue to voice their concerns and participate in civic government. While public engagement will continue to be a priority for each annual budget update, the level of engagement will be less than what was experienced in 2015 when the City embarked on its first multi-year budget integrated with Council setting its Strategic Plan. In late 2019, after the new City Council has developed and approved its new Strategic Plan, extensive public engagement will again be undertaken in preparation for the City's 2020-2023 Multi-Year Budget.

It is anticipated that public engagement for the 2019 Annual Update will have a greater focus on budget education to prepare for conversations about financial priorities as part of preparation for the next multi-year budget. Administration will focus on educating Londoners with respect to municipal budget basics and London's multi-year budget process. This will include more targeted outreach sessions with community associations, building on the success of the Urban League Civic Engagement Fair held January 25th of this year. The educational scope of the public engagement strategy will include opportunities for Londoners to provide input that will be communicated to Council. However, this process is not a platform for input on new budget asks outside of the three types of amendments outlined above.

The scope of public engagement could be impacted by the type of amendments that come forward throughout the 2019 Annual Budget Update process that was initiated in early June 2018. For example, if a new Council direction amendment comes forward that could impact the average annual tax levy increase, the strategic focus may change to include more input from the public on the specific amendment so that Council has an opportunity to hear the input before the budget review for the 2019 Annual Budget Update.

The public engagement schedule planned for the 2019 Annual Budget Update is shown in Figure 1.

Figure 1 – Public Engagement Schedule	
Social Media, Email and Phone Calls – Finance staff will be responding to questions or concerns from the public via social media, email or phone calls.	Throughout the Budget Process
Time With Finance Staff – Provides an opportunity for community groups to request a budget presentation and question and answer period with Finance staff.	As Requested
Community Association Outreach – Civic Administration is actively seeking opportunities to visit community interest groups to educate/discuss the City’s budget process. The format, location and scope are to be determined.	Starting Fall 2018
Online Resources – Civic Administration is actively working on providing a number of web resources to assist with public engagement for the 2019 Annual Budget Update.	Launch on December 17, 2018
Budget Session – A public session where the public can meet with Civic Administration to discuss the budget update. The format, location and scope are to be determined.	January 9, 2019 (Evening)
Public Participation Meeting – Members of the public are invited to provide input into the 2019 Annual Budget Update at a scheduled meeting of the Strategic Priorities and Policy Committee.	January 17, 2019

The public engagement undertaken during the annual budget updates of the multi-year period will help provide a foundation of knowledge and information for the upcoming 2020-2023 Multi-Year Budget.

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RECOMMENDED BY:	
ANNA LISA BARBON, CPA, CGA MANAGING DIRECTOR, CORPORATE SERVICES AND CITY TREASURER, CHIEF FINANCIAL OFFICER	

Cc: Ian Collins – Director, Financial Services
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 Martin Galczynski – Manager III, Financial Planning & Policy
 John Millson – Senior Financial Business Administrator
 Kyle Murray – Senior Financial Business Administrator

TO:	CHAIR AND MEMBERS STRATEGIC PRIORITIES AND POLICY COMMITTEE MEETING ON JUNE 25, 2018
FROM:	ANNA LISA BARBON MANAGING DIRECTOR, CORPORATE SERVICES AND CITY TREASURER, CHIEF FINANCIAL OFFICER
SUBJECT:	MUNICIPAL ACCOMMODATION TAX – REQUIRED AGREEMENTS AND BY-LAWS

RECOMMENDATION

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to implementing the new Municipal Accommodation Tax:

- a) That the attached proposed by-law (Appendix A) **BE INTRODUCED** at the Municipal Council meeting on June 26, 2018, with respect to establishing a tax on the purchase of municipal accommodation in the City of London, entitled “A By-law to Impose a Municipal Accommodation Tax”;
- b) That the attached proposed by-law (Appendix B) **BE INTRODUCED** at the Municipal Council meeting on June 26, 2018 to:
 - i) Approve the Municipal Accommodation Tax Collection Agreement (Schedule 1) representing the agreement between the Corporation of the City of London and the Ontario Restaurant Hotel & Motel Association (ORHMA) for the collection of the Municipal Accommodation Tax in the City of London; and
 - ii) Authorize the Mayor and City Clerk to execute the agreement approved in b) i) above;
- c) That the attached proposed by-law (Appendix C) **BE INTRODUCED** at the Municipal Council meeting on June 26, 2018 to:
 - i) Approve the Municipal Accommodation Tax Financial Accountability Agreement (Schedule 1) substantially in the form attached and satisfactory to the City Solicitor, representing the agreement between the Corporation of the City of London and Tourism London regarding the use and monitoring of Tourism London’s share of revenue from the Municipal Accommodation Tax; and
 - ii) Authorize the Mayor and City Clerk to execute the agreement approved in c) i) above; and,
- d) That the attached proposed by-law (Appendix D) **BE INTRODUCED** at the Municipal Council meeting on June 26, 2018, with respect to establishing a reserve fund for the purposes of receiving and distributing the City of London’s share of revenue from the Municipal Accommodation Tax, entitled “A by-law to establish the Tourism Infrastructure Reserve Fund”.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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- Strategic Priorities & Policy Committee, May 7, 2018, Agenda Item #3.3, Municipal Accommodation Tax – Implementation
- Community & Protective Services Committee, May 1, 2018, Agenda Item #2.1, Short Term Accommodations
- Strategic Priorities & Policy Committee, January 29, 2018, Agenda Item #3, Transient Accommodation Tax

BACKGROUND

On January 29, 2018, the Strategic Priorities & Policy Committee received a report on establishing a tax on the purchase of transient accommodation in the City of London. Council endorsed a 4% tax on transient accommodation and directed Civic Administration to report back with the necessary by-laws and agreements.

On May 7, 2018, the Strategic Priorities & Policy Committee received the follow up report on the Municipal Accommodation Tax (formerly “transient accommodation tax”), including key principles for the by-laws and agreements required to implement the program.

On May 8, 2018, Municipal Council resolved:

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to implementing the new Municipal Accommodation Tax (formerly “transient accommodation tax”):

- a) a four percent (4%) Municipal Accommodation Tax (MAT) on the purchase price of transient accommodation in the City of London BE ADOPTED effective October 1, 2018;*
- b) the Civic Administration BE DIRECTED to bring back the required by-laws and agreements referenced in c) through f) below for approval by Municipal Council prior to implementation of the Municipal Accommodation Tax;*
- c) the key principles included in Appendix A to the staff report dated May 7, 2018, with respect to establishing a tax on the purchase of municipal accommodation in the City of London, BE ENDORSED; it being noted that these key principles will be included in the by-law;*
- d) the following staff recommendation BE REFERRED to the Civic Administration for report back at a future meeting of the Strategic Priorities and Policy Committee with respect to the implications of the proposed collection model on the provisions of The Corporation of the City of London’s Collective Agreement with CUPE Local 101:
“the Civic Administration BE DIRECTED to negotiate an agreement with the Ontario Restaurant Hotel & Motel Association (ORHMA) for the collection of the Municipal Accommodation Tax in the City of London and that the key principles included in Appendix B to the staff report dated May 7, 2018 BE ENDORSED; it being noted that these key principles will be included in an agreement between The Corporation of the City of London and ORHMA;”*
- e) the key principles included in Appendix C to the staff report dated May 7, 2018, with respect to the use and monitoring of funds from the Municipal Accommodation Tax received by Tourism London, as the eligible tourism entity in the City of London, BE ENDORSED; it being noted that these key principles will be included in an agreement between the Corporation of the City of London and Tourism London; and*
- f) the key principles included in Appendix D to the staff report dated May 7, 2018, for the establishment of a new reserve fund for the purposes of receiving and distributing the City’s net 50% share of revenue from the Municipal Accommodation Tax, BE ENDORSED; it being noted that these key principles will be incorporated into a reserve fund by-law;*

Purpose of this Report

The purpose of this report is to bring back the required by-laws and agreements based on the key principles endorsed for approval by Municipal Council to implement the Municipal Accommodation Tax in the City of London. Implementation requires the following by-laws and agreements:

1. A by-law to establish a Municipal Accommodation Tax (MAT).
2. An agreement between the City and the Ontario Restaurant Hotel & Motel Association (ORHMA) for them to act as the City’s agent to collect the MAT.
3. An agreement between the City and Tourism London regarding the use and monitoring of funds from the MAT revenues to be received by Tourism London.
4. A by-law to establish the Tourism Infrastructure Reserve Fund for the purposes of receiving and distributing the City’s share of MAT revenues.

By-law to Establish a Municipal Accommodation Tax (MAT)

The authority to implement a Municipal Accommodation Tax is enabled by Provincial legislative amendments to the Municipal Act. Regulation 435/17 provides that a municipality may, by way of by-law, impose a tax with respect to the purchase of transient accommodation. The Municipal Act, 2001 provides that the by-law may provide for the tax rate but does not specify the percentage or flat amount of the Municipal Accommodation Tax. Further to the Council resolution on May 8, 2018, it is recommended that Committee and Council approve a draft by-law as included in **Appendix A** to establish a 4% Municipal Accommodation Tax (MAT) program in the City of London.

The Municipal Act 2001, also permits the by-law to provide for exemptions from the tax, penalties for failing to comply with the by-law, interest on the outstanding taxes or penalties, audit requirements, and enforcement measures as appropriate, for amounts remaining unpaid. Exemptions from the tax include the standard list as outlined in the Regulation as well as the inclusion of short-term rentals. Short-term rentals (bed & breakfasts and others often listed on internet platforms such as Airbnb, Homeaway, etc.) will initially be exempt from collecting the MAT but could become taxable in the future after further review.

The recommended by-law is included in **Appendix A**. Key items in the by-law include:

- Application – A 4% Municipal Accommodation Tax (MAT) will be applied on the purchase price of the Transient Accommodation in the City of London.
- Exemptions – The following parties are exempt from MAT:
 - a) The Crown and every authority, board, commission, corporation, etc. under the authority of the Lieutenant Governor;
 - b) Every board under the *Education Act*;
 - c) Every university in Ontario and every college of applied arts and technology and post-secondary institution in Ontario whether or not affiliated with a university.
 - d) Every hospital under the *Public Hospitals Act* or the *Private Hospitals Act*;
 - e) Every long-term care home;
 - f) Every treatment centre that receives aid from the Province;
 - g) Every house of refuge, or lodging for the reformation of offenders;
 - h) Every charitable, non-profit philanthropic corporation acting as a shelter the poor or for emergency;
 - i) Every hotel or motel room used by the City for shelter accommodation;
 - j) Every tent or trailer sites supplied by a campground, tourist camp, or trailer park;
 - k) Every accommodation supplied by employers to their employees in premises operated by the employer;
 - l) Every hospitality room that does not contain a bed and is used for displaying merchandise, holding meetings, holding hearings, or entertaining; and
 - m) Short-term rentals, including bed & breakfast accommodations and entities listing on internet platforms such as Airbnb and Vacation Rentals by Owner (VRBO).
- Collection – Providers of transient accommodation shall collect the MAT fees from the purchaser at the time of purchase and shall remit the collections, with a defined monthly statement, to the tax collection agent designated by the City.
- Refunds – The City of the City's agent shall issue a refund for an amount wrongly paid.
- Tax Collection Agent – The tax collection agent shall be the Ontario Restaurant Hotel & Motel Association (ORHMA)
- Interest, Fees and Liens – Penalties and interest are applicable on outstanding MAT fees owing by providers of transient accommodation and may be transferred to the property owner's property taxes.
- Audit and Inspections – Providers of transient accommodation are subject to audit by the City or the City's agent.
- Offences and Penalties – Every person who contravenes the MAT by-law is guilty of an offence.

Agreement between the City and the Ontario Restaurant Hotel & Motel Association (ORHMA)

Civic Administration recommends that the Ontario Restaurant Hotel & Motel Association (ORHMA) be appointed to act as the agent for the collection of MAT funds on behalf of the City of London. The primary rationale for recommending ORHMA as the City's collection agent is to take advantage of their experience and financial systems from collection within the Province of the voluntary Destination Marketing Program fees that it previously had collected from participating hotels. A key factor in the decision is the ability to implement the tax in 2018 so as to maximize revenue collection given their existing collection pathways, forms and reporting mechanisms, and their existing database of hotels which is far more efficient and at less cost than if the City were required to develop and implement its own systems to collect the tax. A listing of the reasons that Civic Administration recommends ORHMA are listed below:

- ORHMA has established collection procedures, forms, systems, reporting mechanisms and an existing database of participating hotels for administering MAT.
- ORHMA will be subject to an annual audit included in their proposed fee.
- This is consistent with the approach taken by other municipalities such as Ottawa, Toronto and Niagara.
- ORHMA has experience collecting similar taxes in these other municipalities.
- ORHMA already has a relationship with the accommodation providers in London.
- This will be the most cost effective solution. The cost of an agreement with ORHMA would be much less than if the City was to develop and implement its own collection system.
- This will provide for an ease of implementation by October 1, 2018.

After a one-time set-up fee of \$20,000, the annual fee proposed in the agreement is 1.0% of revenues. Annual revenues are estimated between \$2 million and \$4 million, leading to an estimated annual fee between \$20,000 and \$40,000.

Developing an in-house collection system at the City would take at least two years, delaying the implementation of the program and foregoing \$4 million to \$8 million in revenue. The cost to develop and maintain an in-house system at the City has not been developed, but the City of Toronto did review this option. Their estimate was \$1.0 million in the first year, including set-up costs. Ongoing annual costs were estimated at \$870,000 in-house versus \$587,000 if administered by the Greater Toronto Hotel Association.

The request in the resolution to report back on implications of the proposed collection model on the provisions of the City's collective agreement with CUPE Local 101 is a matter for confidential session.

The recommended agreement with ORHMA for the collection of the MAT in the City of London is included in **Appendix B**. The key items include:

- Services – ORHMA will collect the MAT on behalf of the City utilizing the ORHMA's existing network. ORHMA will require providers of transient accommodation to remit the MAT on a monthly basis in accordance with the City's by-law. ORHMA will remit the MAT collected on the City's behalf to the City on a monthly basis with monthly report defined by the City. The City shall be responsible for remitting applicable MAT revenue to the appropriate eligible tourism entity and for remittances of any applicable taxes.
- Privacy and Confidentiality – ORHMA will at all times comply with MFIPPA requirements; shall treat all information, documents and records as confidential and shall ensure that all necessary steps are taken to protect such records.
- Financial Reconciliation – MAT collected by ORHMA will be held separately from ORHMA's revenues and expenditures and will perform financial reconciliation of amounts collected.
- Refunds – The City shall be responsible for the administration, approval and issuance of any refunds collected under MAT.
- Reporting – ORHMA will provide the City with monthly and annual reports related to the MAT including reconciliation, refunds, verification and auditing, prepared using ORHMA's accounting software or systems.

- Liability – ORHMA agrees to assume liability for its failure to report, and/or remit the correct amount collected of the MAT.
- Audit Requirements – ORHMA shall engage an auditor to review their financial operations with respect to MAT collected on behalf of the City and submit the findings to the City. The City reserves the right to hire an independent auditor for the same financial operations.
- Fees – A one-time fee of \$20,000 and a quarterly fee of 1% percentage of the monthly remittances. These fees shall include labour, profit, materials, equipment, etc. associated with providing ORHMA's services.
- Indemnity, Insurance, etc. – The agreement includes standard clauses on indemnity, insurance, event and remedies of default, waiver, assignment, successors and assigns, severability, governing law and termination, as provided by the City's Legal and Risk divisions.
- Term – The term of the agreement is four years with renewal options for two additional one year periods.

Agreement between the City and Tourism London Regarding the Distribution and Use of Municipal Accommodation Tax Revenues

Provincial Regulation requires that at least 50% from the tax less the municipalities' reasonable costs of collecting and administering the tax must be shared with an "eligible tourism entity" with the exclusive mandate to promote tourism in the municipality. Tourism London is designated as the eligible tourism entity in the City of London.

Limits on the use of MAT revenues by Tourism London are included in the agreement, as discussed below. In the past, Tourism London has requested funding from the City for bid fees to secure events and conventions in London. The City has provided funding for these bid fees from taxpayer supported contingency reserves. MAT funds would allow Tourism London to be provide bid fees without additional funding from the City, and be more competitive in the process.

Ontario Regulation requires that the City of London and the Tourism London enter into an agreement regarding, but not limited to, reasonable financial accountability matters in order to ensure that amounts paid to Tourism London are used for the exclusive purpose of promoting Tourism. The recommended agreement with Tourism London regarding the distribution and use of MAT funds is included in **Appendix C**. The key items in the agreement include:

- Proceeds – 50% of the net proceeds from MAT shall be deposited into a fund controlled to Tourism London (the "Fund").
- Use of Monies in the Fund – The Fund shall be used by Tourism London for:
 - Expansion opportunities for Tourism London's three business units: Sports, Conventions and Leisure Travel (Culture & Entertainment)
 - To pursue objectives to increase visitations, enhance London's profile, support product development and industry growth, fund bid requirements for major events, and become more competitive with other cities in Canada.
- Distribution of Funds to Other Tourism Related Entities – Tourism London shall establish relationships and agreements and distribute funds to other tourism related entities in the City for the promotion and development of tourism.
- Management Committee – A Management Committee consisting of members of the Tourism London Board shall oversee the following:
 - i. Collection, disbursement and accounting of the Fund in consultation with City administration.
 - ii. Review and approval of all expenditures from the Fund.
 - iii. Preparation a quarterly report to the Board on expenditures from the Fund.
 - iv. Development of a funding allocation plan in support of Tourism London's strategic marketing plan.
 - v. Preparation of an annual report to City administration and Tourism London members on expenditures and initiatives that have received monies from the Fund.

- vi. Hiring of professionals (e.g. auditors, lawyers) as required to assist in the management of the Fund.
 - vii. Endorsement and establishment of priorities to generate incremental business and approve the application of funds.
 - viii. Establishment of geographic priorities.
- Tourism London Board – Tourism London Board will provide an annual audited statement of the Fund to the City.
 - Indemnity, Release, etc. – The agreement includes standard clauses on indemnification, release, event and remedies of default, waiver of breach, suspension of payment, termination, severability of provisions, relationship, confidentiality and assignment, as provided by the City’s Legal and Risk divisions.
 - Financial Records – Tourism London shall keep separate financial records for the Fund and make available to the City for inspection upon reasonable notice.
 - Return of Payments – If the City determines any funds have been used for a purpose not specified in the agreement, Tourism London shall remit the amount back to the Fund.
 - Duration of Agreement – The agreement is for two years but will continue from year to year unless terminated.

Tourism Infrastructure Reserve Fund By-law

The remaining 50% of net annual MAT revenues is retained by the City of London. The use of these revenues is unrestricted. Historically, the taxpayer supported budget has funded improvements to tourism infrastructure such as the London Convention Centre and Budweiser Gardens. In the future, MAT revenues retained by the City will be available to fund new and improved tourism infrastructure that will generate additional economic impact for London without impacting the City’s tax levy. Examples include:

- Incremental capital to “upsized” or enhance a recreational facility to make that facility viable for hosting a major event. Additional investment ideas include developing an outdoor pickleball complex to allow for the hosting of regional and provincial events; adding artificial turf to soccer and baseball facilities to allow for early and late season regional and provincial tournaments; and, enhancing the seating, dressing room, foyer capacity at the next planned arena to support a variety of provincial ice sport events like synchronized skating.
- Act as a catalyst to leverage private sector and government capital investment to support initiatives that encourage tourism infrastructure development.
- Fund arts and culture infrastructure investments that also promote tourism.
- Fund “way-finding” infrastructure to guide visitors to the City to tourism destinations.

Civic Administration recommends that a Tourism Infrastructure Reserve Fund (TIRF) be established to accumulate the MAT revenues retained by the City. The recommended reserve fund by-law for the TIRF is included in **Appendix D**.

Annual allocations from the TIRF would be approved in the City’s capital budget. There is no actual experience with revenues to be generated from the MAT program but estimates for the City’s portion range from \$1 million to \$2 million annually. With an implementation of October 1, 2018, revenues in 2018 will be limited and a full year’s revenues will not be experienced until September 2019. Civic Administration recommends that the first appropriations for capital projects using MAT revenues in the TIRF be approved with the next multi-year budget for 2020 to 2023. Civic Administration expects that the revenues generated from the MAT will offset costs that have traditionally been paid for from tax supported funding resulting in a benefit to the ratepayer.

Financial Implications

A range of estimated revenues from the MAT program are shown in Table 1. Estimates on the low and high occupancy rates, available rooms and average daily rates were provided by Tourism London and the London Chapter of OHRMA. The low occupancy assumption generates gross MAT revenues of approximately \$3 million and the high occupancy assumption generates revenues of approximately \$3.7 million.

Table 1

Municipal Accommodation Tax (MAT) - Gross Revenue Estimate

	Occupancy Rate	
	56% (Low)	70% (High)
Number of Rooms in London	3,175	3,175
Available Rooms in London Annually	1,158,875	1,158,875
Night Rooms Sold Annually	648,970	811,213
Average Daily Rate	\$115	\$115
Total Room Revenues	\$74,631,550	\$93,289,438
Estimated Gross MAT Revenue (4%)	\$2,985,262	\$3,731,578

Information provided by Tourism London and the London Region Chapter of the Ontario Restaurant, Hotel and Motel Association (ORHMA)

Using the data in Table 1, an estimate of the net MAT revenues for Tourism London and the City, are presented in Table 2. Revenues in 2018 are prorated to recognize the October start date and only three months of collections. A full year of collections is estimated to result in net revenues for both Tourism London and the City of approximately \$1.5 million with low level of occupancy and \$1.8 million with high occupancy.

Table 2

Municipal Accommodation Tax (MAT) - Net Revenue Estimates

	2018 (Prorated) ⁽¹⁾		2019 (Annual)	
	Occupancy Rate		Occupancy Rate	
	56% (Low)	70% (High)	56% (Low)	70% (High)
Estimated Gross MAT Revenue (4%) ⁽²⁾	\$746,316	\$932,894	\$2,985,262	\$3,731,578
Payment to ORHMA - 1% fee	\$7,463	\$9,329	\$29,853	\$37,316
Payment to ORHMA - one-time fee	\$20,000	\$20,000	\$0	\$0
Estimated Audit Costs ⁽³⁾	\$0	\$0	\$7,000	\$7,000
Net Revenue before Distribution	\$718,852	\$903,565	\$2,948,409	\$3,687,262
Payment to Tourism London (50%)	\$359,426	\$451,783	\$1,474,205	\$1,843,631
Net Revenue to City of London (50%)	\$359,426	\$451,783	\$1,474,205	\$1,843,631

(1) based on October 1 implementation date

(2) from Table 1

(3) for audits of local providers, using local audit firms, at the discretion of the City

There will be additional administrative tasks for the City to manage the MAT program including communication with ORHMA and Tourism London, reconciliation of payments, issuing refunds, and reviewing monthly and annual statements and report. At this time, Civic Administration believes these tasks can be absorbed within existing City staff. However, the time commitment for these tasks will be monitored and if additional staff are required, the cost of any additional staff required to support the implementation of the MAT would be funded from the gross MAT revenues before determination of the net revenues for distribution to Tourism London and the City.

This report was completed with the assistance of Michelle Butlin, City Solicitor's Office and John Millson, Business Administration, Finance & Corporate Services.

CONCLUSION

This report presents the required by-laws and agreements for approval by Municipal Council to implement the Municipal Accommodation Tax in the City of London.

The financial implications of the MAT program are presented in the report. A range of estimated revenues based on low and high occupancy rates was provided by Tourism London and the London Chapter of OHRMA, generating gross MAT revenues between \$3 million and \$3.7 million. After fees and costs to run the MAT program, net revenues ranging from \$1.5 million to \$1.8 million would be available for each of Tourism London and the City.

PREPARED BY:	RECOMMENDED BY:
ALAN DUNBAR, CPA, CGA MANAGER, FINANCIAL PLANNING & POLICY	ANNA LISA BARBON, CPA, CGA MANAGING DIRECTOR, CORPORATE SERVICES AND CITY TREASURER, CHIEF FINANCIAL OFFICER
CONCURRED BY:	
MARTIN HAYWARD, CPA, CGA CITY MANAGER	

Attachments:

- Appendix A:** By-law to Establish a Municipal Accommodation Tax (MAT)
- Appendix B:** By-law to Authorize an Agreement between the City and the Ontario Restaurant Hotel & Motel Association (ORHMA)
- Appendix C:** By-law to Authorize an Agreement between the City and Tourism London Regarding the Distribution and Use of Municipal Accommodation Tax Revenues
- Appendix D:** Tourism Infrastructure Reserve Fund By-law

APPENDIX A

By-law to Establish a Municipal Accommodation Tax (MAT)

Bill No.
2018

By-law No.

A By-law to impose a Municipal Accommodation
Tax

WHEREAS section 400.1 of the Municipal Act provides that a municipality may pass a by-law imposing a transient accommodation tax;

WHEREAS Ontario Regulation 435/17 provides regulations in respect of the imposition of a transient accommodation tax;

WHEREAS section 23.2 of the *Municipal Act*, 2001 permits a municipality to delegate certain legislative and quasi-judicial powers;

AND WHEREAS at its meeting of _____, Council approved the establishment of the transient accommodation tax to be imposed on the purchase of accommodations of short duration within the City of London, which will generate revenue to be shared with designated non-profit entities to promote local tourism;

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

1. DEFINITIONS

“Ancillary Charges” means charges related to the purchase of Transient Accommodation including, but not limited to the purchase of food, room service, mini bar products, internet, movie rentals, and phone charges.

“City” means The Corporation of the City of London.

“Council” means the Municipal Council of The Corporation of the City of London.

“Municipal Accommodation Tax” or “MAT” means the tax imposed under this By-law.

“Purchaser” means the person who makes payment in consideration for Transient Accommodation.

“Provider” means a person who receives payment in consideration for Transient Accommodation and includes agents, hosts or others who sell, offer for sale or otherwise provides Transient Accommodation; where the Provider cannot easily be determined, the owner of a property providing accommodation is deemed to be the provider of Transient Accommodation.

“Transient Accommodation” means the purchase of accommodation in a hotel, motel, inn, resort, and hostel.

2. APPLICATION

2.1 A Purchaser of Transient Accommodation shall pay, at the time of purchase, a Municipal Accommodation Tax in the amount of four (4) percent of the purchase price of the Transient Accommodation provided for a continuous period of less than 30 nights.

2.2 The Municipal Accommodation Tax will not apply to Ancillary Charges that are itemized separately on the Purchaser’s receipt.

2.3 Where the Provider of Transient Accommodation fails to separately itemize Ancillary Charges, the Municipal Accommodation Tax will apply to the total amount of the purchase price.

3. EXEMPTIONS

3.1 The Municipal Accommodation Tax imposed under this By-law does not apply to:

- a) The Crown, every agency of the Crown in right of Ontario and every authority, board, commission, corporation, office or organization of persons a majority of whose directors, members or officers are appointed or chosen by or under the authority of the Lieutenant Governor in Council or a member of the Executive Council;
- b) Every board as defined in subsection 1(1) of the *Education Act*;
- c) Every university in Ontario and every college of applied arts and technology and post-secondary institution in Ontario whether or not affiliated with a university.
- d) Every hospital referred to in the list of hospitals and their grades and classifications maintained by the Minister of Health and Long-Term Care under the *Public Hospitals Act* and every private hospital operated under the authority of a licence issued under the *Private Hospitals Act*;
- e) Every long-term care home as defined in subsection 2(1) of the Long-Term Care Homes Act, 2007;
- f) Every treatment centre that receives provincial aid under the Ministry of Community and Social Services Act;
- g) Every house of refuge, or lodging for the reformation of offenders;
- h) Every charitable, non-profit philanthropic corporation organized as shelters for the relief of the poor or for emergency;
- i) Every hotel or motel room used by the City or its agents for shelter accommodation purposes;
- j) Every tent or trailer sites supplied by a campground, tourist camp, or trailer park;
- k) Every accommodation supplied by employers to their employees in premises operated by the employer;
- l) Every hospitality room in an establishment that does not contain a bed and is used for displaying merchandise, holding meetings, holding hearings, or entertaining; and
- m) Short-term rentals, including bed & breakfast accommodations and entities listing on internet platforms such as Airbnb and Vacation Rentals by Owner (VRBO).

4. TAX COLLECTED BY PROVIDER

4.1 Providers of Transient Accommodation shall list the Municipal Accommodation Tax as a separate item on the Purchaser's receipt or invoice and identify such tax as "Municipal Accommodation Tax".

4.2 Providers of Transient Accommodation shall collect the Municipal Accommodation Tax from the Purchaser at the time of purchase.

4.3 Providers of Transient Accommodation shall, on a monthly basis within 15 days of the end of each calendar month for the month prior, remit the Municipal Accommodation Tax to the tax collection agent designated by the City in a manner the City Treasurer deems acceptable

4.4 Providers of Transient Accommodation shall, on a monthly basis within 15 days of the end of each calendar month for the month prior, provide a monthly statement in the form required by the tax collection agent; these monthly statements shall include:

- i. The number of rooms sold;
- ii. The purchase prices of the rooms sold;
- iii. The number of rooms that were exempt under the by-law and proof the Provider relied on; and
- iv. The Municipal Accommodation Tax Collected.

4.5 Providers of Transient Accommodation shall provide any information as required by the City Treasurer for the purposes of enforcing this by-law.

5.0 REFUNDS

- 5.1 Where a Purchaser has paid an amount that is not payable, the City Treasurer or the City's agent, may upon receipt of satisfactory evidence, make a determination that the amount was wrongly paid, and if such a determination is made, the City or its agent shall refund or credit all or part of the amount, but no refund shall be made unless an application is made within twenty-four (24) months after the payment date.
- 5.2 Where a Provider of Transient Accommodation remits a surplus in error, the City or its agent, may upon receipt of satisfactory evidence, make a determination that an amount was wrongly paid, and if such a determination is made, the City or its agent, shall refund all or part of the amount, but no refund shall be made unless an application for such a refund is made within twenty-four (24) months after the date of remittance.
- 5.3 Where a person has applied for a refund and the person's claim is in whole or in part refused, the City or its agent shall provide a statement of disallowance in such form as determined by the City or its agent, and the statement shall specify the amount of disallowance and the reasons for the disallowance.

6.0 TAX COLLECTION AGENT

- 6.1 The tax collection agent shall be the Ontario Restaurant Hotel & Motel Association ("ORHMA").
- 6.2 The City Manager, in consultation with the City Solicitor, may designate additional tax collection agents for the City and enter into agreements with designated tax collection agents.
- 6.3 The tax collection agent(s) shall collect and administer the Municipal Accommodation Tax as an agent for the City in accordance with the agreement between the City and the tax collector(s) and this by-law.

7.0 INTEREST, FEES AND LIENS

- 7.1 Penalties and interest at a monthly rate of interest applicable to overdue property taxes shall apply to any outstanding Municipal Accommodation Tax and shall be payable monthly by the Providers of Transient Accommodation on the amount of any tax payable or remittable from the business day following the date on which the Municipal Accommodation Tax was payable or its remittance was due up to and including the date on which such tax is paid or remitted in full.
- 7.2 All Municipal Accommodation Tax penalties and interest that are past due shall be deemed by the City Treasurer to be in arrears, and shall be transferred to the City's tax collectors' roll for any real property in the City of London to be collected in the same manner as municipal property taxes and shall constitute a lien upon the lands.
- 7.3 A fee, as prescribed by the Fees & Charges By-law A-52, shall be charged in respect of all remittances made by cheque that are not honoured by the financial situation upon which it is drawn.

8.0 AUDIT AND INSPECTIONS

- 8.1 Every Provider shall keep, for no less than three (3) years, books of account, records, and documents sufficient to furnish the City or its designated tax collection agent(s) with the necessary particulars of:
- i. sales of accommodation;
 - ii. amount of the Municipal Accommodation Tax collected; and
 - iii. the remittances made to the tax collection agent.
- 8.2 The City Treasurer or designate or the City's designated tax collection agent may inspect and audit all books, documents, transactions, and accounts of Providers and require

Providers to produce copies of any document or records required for the purpose of administering and enforcing this by-law.

8.3 Every Provider shall furnish upon the demand of the City Treasurer or the City's designated tax collection agent for reasonable inspection, copies of any books, documents, transactions, accounts or records required for the purposes of the administration and enforcement of this by-law.

9.0 OFFENCES AND PENALTIES

9.1 Every person who contravenes any provision of this by-law is guilty of an offence.

9.2 Every director or officer of a corporation who knowingly concurs in the contravention of any provision of this by-law is guilty of an offence.

9.3 Every person convicted of an offence under this by-law is liable to a minimum fine of \$500 and a maximum fine of \$100,000 as provided for in subsection 429(3) of paragraph 1 of the *Municipal Act, 2001*.

9.4 Every person convicted of an offence under this by-law is liable, for each day the offence continues, to a minimum fine of \$500 and a maximum fine of \$100,000 as provided for in subsection 429(3) paragraph 2 of the *Municipal Act, 2001*. The total of all the daily fines for a continuing offence is not limited to \$100,000.

9.5 The Superior Court of Justice or any court of competent jurisdiction may, in addition to any penalty imposed on a person convicted of an offence under this by-law issue an order:

- a) Prohibiting the continuation or repetition of the offence by the person convicted; or
- b) Requiring the person convicted to correct the contravention in a manner prescribed by the court.

10. ADMINISTRATION

10.0 The administration of this by-law is delegated to the City Treasurer.

11.0 GENERAL

11.1 This by-law shall come into force and effect on October 1, 2018.

ENACTED AND PASSED in Open Council , 2018

Matt Brown
Mayor

Cathy Saunders
City Clerk

APPENDIX B

By-law to Authorize an Agreement between the City and the Ontario Restaurant Hotel & Motel Association (ORHMA)

Bill No.

By-law No.

A By-law to authorize an Agreement between the Corporation of the City of London and the Ontario Restaurant Hotel & Motel Association (ORHMA); and to authorize the Mayor and City Clerk to execute the Agreement.

WHEREAS subsection 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 enter into an Agreement with the Ontario Restaurant Hotel & Motel Association, (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 "1" to this By-law, being an Agreement between the City and the Ontario Restaurant Hotel & Motel Association 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 _____, 2018

Matt Brown
Mayor

Cathy Saunders
City Clerk

Schedule 1

Municipal Accommodation Tax Collection Agreement

This Municipal Accommodation Tax Collection Agreement (“Agreement”) dated this ____ day , 2018 between The Corporation of the City of London (“City”) and the Ontario Restaurant Hotel & Motel Association (“ORHMA”).

WHEREAS the City has passed a by-law imposing a Municipal Accommodation Tax (“MAT”) pursuant to section 400.1 of the *Municipal Act*, 2001.

WHEREAS the City deems it desirable to retain ORHMA to act as its collecting agent for the MAT.

NOW THEREFORE THE 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:

Definitions

“Municipal Accommodation Tax” or “MAT” means the tax imposed under the City of London’s Municipal Accommodation Tax By-law. .

“Provider” means a person who receives payment in consideration for Transient Accommodation and includes agents, hosts or others who sell, offer for sale or otherwise provides Transient Accommodation; where the Provider cannot easily be determined, the owner of a property providing accommodation is deemed to be the provider of Transient Accommodation.

“Transient Accommodation” means the purchase of accommodation in a hotel, motel, inn, resort and hostel.

Services

1. ORHMA will collect the MAT on behalf of the City utilizing the ORHMA’s existing network on the date specified in the City’s Municipal Accommodation Tax By-law.
2. Providers must remit the MAT to the ORHMA by one of the following methods: electronic transfer, cash, certified cheque or by any other method proposed by the ORHMA and deemed acceptable by the City Treasurer.
3. ORHMA will require Providers of Transient Accommodation to remit the MAT in accordance with the City’s By-law, and may include other requirements and forms established and maintained by the ORHMA.
4. Providers will make remittances of the MAT on a monthly basis to the ORHMA, within 15 days of the end of each calendar month for the month prior.
5. The ORHMA will distribute information, notifications and communication materials to Providers of Transient Accommodation, by mail or in electronic format. All such materials and communications will be developed by the City, and/or jointly with the ORHMA, as it concerns the collection of the MAT. All communications and materials distributed under the MAT program must be approved in advance by the City Treasurer or designate without exception.
6. The City may issue its own mailed or electronically transmitted communications, correspondence or other notifications as deemed necessary under the program for its own purpose.
7. ORHMA will remit the MAT collected on the City’s behalf to the City on a monthly basis within 30 days of the end of each calendar month for the prior month.
8. ORHMA will be responsible to collect any unpaid MAT remittances, penalties, and applicable interest for a period of 90 days on overdue accounts.
9. ORHMA will advise the City of any unpaid Provider amounts over 90 days.

10. ORHMA will submit a monthly report to the City with each remittance indicating:
 - a. the average number of rooms available for taxable (MAT) occupancy at each Provider;
 - b. the average daily rate;
 - c. the total room charges for the month;
 - d. the total MAT collected and remitted;
 - e. an aging report of overdue accounts;
 - f. the number of rooms that were exempt under the by-law; and
 - g. any further details relating to the MAT as required by the City Treasurer.
11. The City shall be responsible for remitting any amounts of the MAT collected by the ORHMA to the appropriate eligible tourism entity.
12. The City shall be responsible for remittances of any applicable tax (e.g. HST) or any other payments associated with amounts collected under the MAT.

Privacy and Confidentiality

13. ORHMA acknowledges and agrees that in providing services under this Agreement it may acquire proprietary, confidential, personal and/or private knowledge and information of the City's operations, employees and other confidential documents and information.
14. ORHMA will at all times comply with the requirements set out in the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M. 56 ("MFIPPA") with respect to the use, maintenance, retention and collection of personal information, documents and records, communicated to and acquired, collected and created by it under this Agreement which in all cases shall be treated in accordance with MFIPPA.
15. ORHMA shall treat all information, documents and records communicated to and acquired, collected and created by it in the course of providing the services as confidential and shall not release or disclose the same to any person at any time during or following this Agreement without the express prior written consent of City, except as required by law and subject to MFIPPA and the Municipal Act.
16. ORHMA shall ensure that all necessary steps are taken to protect all confidential information, documents and records by making all necessary security arrangements against any and all risk including without limitation to unauthorized access, use, disclosure, publication or dissemination or destruction and to ensure that the said information, documents and records do not fall into the possession of unauthorized persons, in accordance with MFIPPA.
17. Should ORHMA retain the services of any third party, it shall ensure that the third party enters into a written agreement that satisfies both ORHMA and the City's obligations under MFIPPA with respect to the use, security, maintenance, retention and collection of any information it acquires through its services to ORHMA or the City. ORHMA shall ensure that the written agreement with any third party include a confidentiality clause that satisfies its obligations to City with respect to the confidentiality of any information it acquires through its services to City

Financial Reconciliation

18. The MAT collected by the ORHMA will be held separately from the ORHMA's revenues and expenditures, and deposited into a designated City of London liability account(s) until a payment is created and the funds are remitted to the City.
19. ORHMA will perform daily financial reconciliation of amounts collected.
20. ORHMA will investigate any financial anomalies, rectify any financial anomalies and report any financial anomalies to the City in a timely basis.
21. ORHMA will perform a payment transfer to the City (all payments of MAT, penalties, interest on late payments, etc.) on a monthly basis within 30 days of the end of each calendar month for the prior month, via cheque/electronic funds transfer, to the City's designated account(s).

Refunds

22. The City shall be responsible for the administration, approval and issuance of any refunds collected under MAT.
23. Refunds of amounts where necessary will be paid by the City.
24. The City shall be responsible for the documentation of any refunds and any adjustments flowing from such refunds.

Reporting

25. The ORHMA will provide the City with monthly reports and an annual report to support various City functions related to the MAT including reconciliation, refunds, verification and auditing.
26. Reports shall be prepared using the ORHMA's accounting software or systems and provided to the City in a format compatible with the City's electronic systems.
27. The following reports will be produced by the ORHMA and made available electronically to the City.
 - **Monthly Reconciliation Report:**
Detailed reconciliation report identifying the number of transactions and MAT revenue collected by the ORHMA and submitted to the City. The report will contain information to substantiate amounts collected, including name and identifier of taxable entity, summary of room revenues, applicable exemptions or deductions, guest refunds, adjustments, MAT payable and total amount due etc.
 - **Audit Reports**
All audit findings, reports and summaries shall be provided, unaltered and completely, to the City.

Liability

28. The ORHMA agrees to assume liability for its failure to report, and/or remit the correct amount collected of the MAT, and the City shall impose such penalties for such failure as the City Treasurer may determine to be appropriate. ORHMA shall not be liable to the City for any unremitted MAT funds owed by providers that remain unpaid. ORHMA will collaborate with the City to pursue collection methods as directed by the City Treasurer, to collect any funds that remain unpaid.

Audit Requirements

29. ORHMA shall engage an auditor to undertake an concerning ORHMA's MAT financial operations with respect to MAT collected on behalf of the City of London. The audit shall be undertaken annually following ORHMA's year end. The costs of conducting the audit shall be at ORHMA's expense.
30. All audit findings, reports, and summaries shall be provided, unaltered and complete, to the City within 10 days of receipt by the ORHMA.
31. Any independent audits of the individual providers subject to the MAT, will be at the discretion and cost to the City of London.
32. In all instances, the City reserves the right to engage an independent auditor for its purposes, to audit, without limitation, the ORHMA's operations as they concern the MAT, the collection of the MAT by the ORHMA, the designated City of London liability account, and/or the compliance of providers subject to the MAT with the City's Municipal Accommodation Tax By-law.

Fees

33. ORHMA agrees that its fee for services under this Agreement shall not exceed:
 - (1) A one-time fee of \$20,000 plus HST; and
 - (2) Quarterly fee in the amount of 1(one) percentage of the monthly remittances to the City.

34. The above fees shall include labour, profit, other overhead, materials, equipment, licences, analysis, travel, accommodations, communication, compliance with audit requirements under this agreement, transportation and delivery costs (courier, long distance charges), staff time, meetings with the City (as deemed required by the City), insurance costs, disbursements and any/all other operational costs and fees associated with the services. The City shall not be responsible for any additional costs. Labour or direct expenses incurred by the ORHMA over and above this amount shall not be charged to the City.
35. Any additional fees or expenses must be pre-authorized in writing by the City Treasurer before the ORHMA undertakes any additional work.
36. The City will reimburse the ORHMA for approved disbursements made as required in order to undertake its responsibilities, at the ORHMA's cost, with no mark-up. The total amount to be paid for disbursements is included in the total amount above.
37. ORHMA will invoice the City for its quarterly fee as set out above, on a quarterly basis, using forms designed for this purpose.
38. The City shall pay the amount of the invoice within 30 days of receiving ORHMA's invoice.

Indemnity

39. ORHMA shall indemnify and hold the City harmless from and against all liability, claims, demands, losses, costs, damages, suits and proceedings, including legal fees, occasioned wholly or in part by any negligence or acts or omission by ORHMA, its officers, agents, employees or other for whom it is responsible in law, arising out of its obligations under this agreement.

Insurance

40. Throughout the term of this agreement, ORHMA shall obtain and maintain the coverage shown below and shall provide that the following insurance will not be cancelled or permitted to lapse unless the insurer notifies the City in writing at least thirty (30) days prior to the date of cancellation or expiry:
 - a) Third party general liability insurance covering all claims for negligence, nuisance, property damage and bodily injury, including death, arising out of the use of the premises by ORHMA. Such policy shall include the City as an additional insured with respect to this Agreement and be in an amount not less than two million (\$2,000,000.00) dollars including personal injury liability, broad form property damage liability, contractual liability, owners and contractors protective liability, non-owned automobile liability, contingent employer's liability, and shall contain a severability of interests clause and cross liability clauses.
 - b) Standard all risk property insurance covering the property of ORHMA including leasehold improvements, in an amount not less than the full replacement cost value with a deductible of no more than \$2,500.00; such policy shall include a waiver of subrogation in favour of the City.
 - c) Standard all risk tenants legal liability insurance covering the Premises in an amount not less than one million (\$1,000,000.00) and such other liability insurance extensions as may be required by the City from time to time.
 - d) ORHMA shall not do, omit to do, or permit to be done or omitted to be done on or at the Premises anything that may increase premiums or void coverage under the property insurance policies carried by the City on the Premises described in this agreement.
 - e) The insurance described in a) through c) above will not be cancelled or permitted to lapse unless the insurer notifies the City in writing at least thirty (30) days prior to the date of cancellation or expiry. Evidence of such insurance shall be delivered to the City promptly at inception of this agreement and thereafter prior to the insurance renewal date. Failure to satisfactorily meet these conditions relating to insurance shall be deemed a breach of this agreement.
 - f) The City reserves the right to request such higher limits of insurance or other types of policies appropriate to this agreement as the City may reasonably require from time to time.

Event of Default

41. The City may declare in writing that an event of default has occurred when ORHMA has not complied with any obligation or term in this Agreement. Each and every one of the following events is an “Event of Default”

- (1) The failure to comply with an obligation or term in this Agreement.
- (2) The failure to deliver a report required in this Agreement;
- (3) The failure to make a remittance to the City in accordance with the terms of the Agreement;
- (4) The failure to complete an internal audit as required in this Agreement.

Remedies on Default

42. If the City has declared that an Event of Default has occurred under section 40, after thirty (30) calendar days from ORHMA’s receipt of the notice of an Event of Default, it may immediately terminate or suspend its obligations under this Agreement if the Event of Default has not been cured to its satisfaction.

Waiver

43. The failure by the City to exercise a remedy it is entitled to exercise under this Agreement shall not be construed to be a waiver of such right and, furthermore, partial or limited exercise of a right conferred upon the City shall not prevent the City in any way from later exercising any other right or remedy under this Agreement or other applicable law.

Assignment

44. Neither party may assign this Agreement without the prior consent in writing of the other.

Successors and Assigns

45. This Agreement shall ensure to the benefit of and be binding upon the successors and assigns of the parties hereto.

Severability

46. If any provision or portion of any provision in this Agreement shall be held by a Court of competent jurisdiction to be unenforceable, invalid or illegal, such provision or such portion of the provision shall be severable, but all other terms and conditions of this Agreement will continue to be valid, binding and enforceable.

Governing Law

47. This Agreement shall be governed by and construed in accordance with the laws of the Province of Ontario and laws of Canada applicable in Ontario.

Headings

48. The headings in this Agreement are for convenience and reference only and shall not form part of this Agreement.

Time of the Essence

49. Time shall be of the essence in the performance of obligations pursuant to this Agreement.

Term

50. This Agreement commences on the effective date of the City’s Municipal Accommodation Tax by-law and continues in full force and effect for four (4) years. Upon the expiry of the four (4) year term, the parties may agree to renew the contract for a further two (2) one-year periods.

Termination

51. Either party may terminate this Agreement without cause by providing not less than 120 days’ written notice of its intention to terminate.

APPENDIX C

By-law to Authorize an Agreement between the City and Tourism London Regarding the Distribution and Use of Municipal Accommodation Tax Revenues

Bill No.

By-law No.

A By-law to authorize an Agreement between the Corporation of the City of London and Tourism London; and to authorize the Mayor and City Clerk to execute the Agreement.

WHEREAS subsection 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 enter into an Agreement with the Tourism London regarding the distribution and use of funding generated from the Municipal Accommodation Tax, (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 "1" to this By-law, being an Agreement between the City and Tourism London 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 , 2018

Matt Brown
Mayor

Cathy Saunders
City Clerk

Schedule 1

Municipal Accommodation Tax Financial Accountability Agreement

This Municipal Accommodation Tax Financial Accountability Agreement (“Agreement”) dated this ____ day , 2018 between The Corporation of the City of London (“City”) and Tourism London.

WHEREAS the City has passed a by-law imposing a Municipal Accommodation Tax (“MAT”) pursuant to section 400.1 of the *Municipal Act*, 2001.

WHEREAS O.Reg. 435/17 requires a municipality collecting a Municipal Accommodation Tax to make payments to an eligible tourism entity;

WHEREAS the objective of Tourism London is to promote the City of London as the tourism and meeting destination of choice.

WHEREAS O. Reg. 435/17 requires a municipality and eligible tourism entity to enter into an agreement respecting reasonable financial accountability.

NOW THEREFORE THE 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:

Definitions

“MAT” means the Municipal Accommodation Tax, as defined in the Municipal Accommodation Tax By-law.

MAT

1. Fifty percent (50%) of the net proceeds of the Municipal Accommodation Tax shall be deposited into a fund controlled by Tourism London (the “Fund”).

Use of the Monies in the Fund

2. The monies in the Fund shall be used by Tourism London for:
 - a. Expansion opportunities for Tourism London’s three business units: Sports, Conventions and Leisure Travel (Culture & Entertainment);
 - b. The pursuit of the following objectives and outcomes:
 - i. increase visitations to the City of London;
 - ii. enhance London’s national and international profile;
 - iii. support product development and industry growth;
 - iv. fund bid requirements for major events without additional funding from the City of London; and
 - v. to become more competitive with other provincial and national cities in Canada.

Distribution of Monies from the Fund to Other Tourism Related Entities

3. Tourism London shall establish relationships with other tourism related entities in the City of London for the promotion of tourism in the City of London.
4. The Tourism London Board will determine the distribution of funds from the Fund to other tourism related entities.
5. The Tourism London Board must approve the associated business and strategic marketing plans of these entities in the City prior to distribution of any funds to ensure that the funds will be used for the promotion and development of tourism in the City of London.
6. The Tourism London Board will enter into an agreement to ensure reasonable financial accountability with each tourism related entity that receives money from the Fund.

Management Committee

7. A Management Committee consisting of members of the Tourism London Board shall oversee the following:
 - i. The collection, disbursement and accounting of the Fund in consultation with City administration.
 - ii. The review and approval of all expenditures from the Fund.
 - iii. The preparation a quarterly report to the Board on expenditures from the Fund.
 - iv. The development of a funding allocation plan in support of Tourism London's strategic marketing plan.
 - v. The preparation of an annual report to City administration and Tourism London members on expenditures and initiatives that have received monies from the Fund.
 - vi. The hiring of professionals (e.g. auditors, lawyers) as required to assist in the management of the Fund.
 - vii. The endorsement and establishment of priorities to generate incremental business and approve the application of funds.
 - viii. The establishment of geographic priorities.

Tourism London Board

8. The Tourism London Board will provide an annual audited statement of the Fund to the City as part of the audited financial statements submitted annually by Tourism London to the City.

Indemnification

9. Tourism London shall indemnify and save harmless the City, its officers, employees and agents from and against all claims, demands, losses, costs, damages, actions, suits or other proceedings by whomsoever made, sustained brought or prosecuted, in any manner arising from any wilful or negligent act, or attributable to anything done or omitted to be done by Tourism London, its directors, officers, employees or agents arising from or pertaining to the receipt, disposition or refunding of the monies payable under this Agreement.

Release

10. Tourism London on behalf of itself, its officers and employees releases the City, its officers and employees and their respective heirs, executors, administrators, successors from and against all claims, actions, causes of action, suits, debts, dues, accounts, contracts, demands, costs, expenses, damages, liabilities or other obligations whatsoever and from and against all liabilities, losses, damages, costs, charges, court costs, legal fees on a solicitor and its own client basis, and other expenses of any nature whatsoever which Tourism London, its officers and employees may now have or hereafter can, shall or may have against the Corporation and its representative arising from or pertaining to the making or refunding of the monies payable under this agreement.

Financial Records

11. Tourism London shall keep separate financial records for all amounts incurred, claimed, paid and received and shall retain and preserve all documents, contracts, records, claims and accounts that relate thereto for a period of four years for the Fund.

Inspection of Financial Records and Documents

12. If the City has reasonable grounds for believing that any amount included in any preceding payment has not been expended in accordance with this agreement, Tourism London shall, upon reasonable notice from the City, make available at all reasonable times, and without expense to the City all such documents, contracts, records, claims and accounts for inspection and audit by the City or its auditors.

Provision of Information

13. Upon written request from the City, Tourism London shall provide the City, without expense to it, any information which is available to Tourism London with respect to its annual budget or financial statements.

Return of Payments

14. If the City, during its inspection or audit of any of such documents, contracts, records, claims and accounts determines that any payment made by the City to the Fund has been used by Tourism London for any purpose other than specified in the herein agreement, Tourism London, shall immediately upon request from the City, remit the amounts requested back to the Fund.

Default

15. The following constitute events of default, the proof of which to the contrary lies upon Tourism London:

- (1) Tourism London becomes bankrupt or insolvent, goes into receivership, or takes the benefit of any statute from time to time being enforced relating to bankrupt or insolvent debtors;
- (2) An order is made or resolution passed for the winding up or for the surrender of the charter of Tourism London, it forfeits its charter, or it is dissolved;
- (3) Tourism London ceases actual *bona fide* operation for a period of 30 days;
- (4) Tourism London has knowingly submitted false or misleading information to the City; and
- (5) Tourism London is in breach of the performance of, or compliance with, any term, condition or obligation on its part to be observed or performed hereunder.

Remedies on Default

16. If,

- (1) An event of default as specified in sub articles 15(1), (2), (3), or (4) occurs; or
- (2) An event of default specified in sub article 15(5) occurs and is not remedied within 10 business days after receipt by Tourism London of notice of default, or a plan satisfactory to the City to remedy such event of default is not implemented within such period and fully and diligently carried out,

The City may exercise either or both of the following remedies, in addition to any remedies otherwise available in this agreement or at law, namely:

- (i) Terminate forthwith any obligation by the City to make payments under this agreement; and
- (ii) Require Tourism London to pay all or part of the payment at issue forthwith to the City.

Interim of Suspension of Payment

17. In the event that the City gives Tourism London notice of default, the City shall have no obligation to make any further payments under this agreement prior to the end of the period given to Tourism London to remedy the event of default.

Waiver of Breach

18. In the event of a breach of any provision of this agreement by one party, no action or failure to act by the other party shall constitute a waiver of any right or duty afforded by that party under this agreement, nor shall any such action or failure to act constitute an approval of or acquiescence in any such breach, except as may be specifically agreed to in writing.

Termination

19. This agreement shall terminate upon the happening of one of the following events, whichever occurs first:

- (1) An event of default of sub article 15(1), (2), (3), or (4) occurs;
- (2) Notice of termination is given to Tourism London by the City for the failure of Tourism London to remedy, pursuant to article 16, an event of default specified in sub article 15(5);
- (3) The enabling statutory authority for the Municipal Accommodation Tax is repealed or rescinded so as to substantially limit or deprive the City of the ability to collect the Municipal Accommodation Tax;

- (4) The City and Tourism London agree in writing at any time to the termination of this agreement.
- (5) The City gives Tourism London 90 days' notice of its intention to terminate this agreement.
- (6) Upon termination of this agreement, the Fund balance, less legal and binding commitments will revert back to the City for distribution to another tourism related entity.

Severability of Provisions

20. If any of the provisions of this agreement shall be found to be illegal or invalid, such illegality or invalidity, does not render the whole agreement illegal or invalid, but the agreement shall be construed as if it did not contain the illegal or invalid provision or provisions, and the rights and obligations of the parties shall be construed and enforced accordingly.

Relationship

21. Nothing in this agreement shall constitute Tourism London a local board of the City, or constitute the City and Tourism London general partners or joint ventures, or constitute either the City or Tourism London the agent of the other, or be deemed to authorize the City or Tourism London to contract for or incur any obligation on behalf of the other.

Confidentiality

22. For the purposes of the *Municipal Freedom of Information and Protection of Privacy Act*, the City's access to information hereunder is subject to Tourism London's assertion at all material times that all such documents, contracts, records, claims, and accounts are supplied to the City in confidence.

Assignment

23. Tourism London shall not assign all or any part of its rights or obligations under this agreement to a third party without the City's written consent.

Duration of Agreement

24. This agreement commences on the date hereof and
- (1) Continues in full force and effect for a period of two (2) years, subject to earlier termination of this agreement as provided herein, and
 - (2) At the end of such two year period, if this agreement has not been terminated prior thereto, continues in full force and effect thereafter from year to year, subject to termination during any such year as provided herein.

IN WITNESS WHEREOF the City and Tourism London have hereunto affixed their respective corporate seals, attested by the hands of their respective officers duly authorized in that behalf.

THE CORPORATION OF THE CITY OF LONDON

Per: _____

TOURISM LONDON

Per: _____

APPENDIX D

Tourism Infrastructure Reserve Fund By-law

Bill No.

2018

By-law No. A.

A by-law to establish the Tourism Infrastructure Reserve Fund.

WHEREAS section 9 of the Municipal Act, 2001, as amended, provides that a municipality has all of the rights, powers and privileges of a natural person;

AND WHEREAS subsection 10(1) of the Municipal Act, 2001, as amended, provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the Municipal Act, 2001, as amended, provides that a municipality may pass by-laws respecting the financial management of the municipality (paragraph 3) and services or things that the municipality is authorized to provide under subsection 10(1) (paragraph 7);

AND WHEREAS Section 417 of the Municipal Act, 2001, as amended, provides that a municipality may establish a reserve fund for any purpose for which it has authority to spend funds;

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

1. A reserve fund is hereby established to be known as the "Tourism Infrastructure Reserve Fund" (hereinafter called the "Fund").
2. The monies standing in the Fund shall be used by The Corporation of the City of London (the "Corporation") to fund initiatives/projects that support tourism, including but not limited to the following:
 - a. Fund tourism related infrastructure projects;
 - b. Finance new projects and improve venue capacity and sustainability in order to strengthen London's ability to attract major tourism related events; and
 - c. Leverage private sector and government capital investment to support initiatives that encourage tourism infrastructure development.
3. Before any monies are expended from the Fund for the purposes outlined in section 2 of this by-law, the approval of the Municipal Council shall be given through the capital budget process or by presentation of a report through the appropriate Standing Committee.
4. The Managing Director, Corporate Services and City Treasurer, Chief Financial Officer or designate shall deposit in the Fund the following:
 - a. 50% of the proceeds from the Municipal Accommodation Tax, net of reasonable costs of collecting and administering the tax; and
 - b. Any other funds received or designated for this purpose.

5. The Managing Director, Corporate Services and City Treasurer, Chief Financial Officer or designate may invest the monies standing in the Fund in such securities as are permitted under subsection 418(1) of the Municipal Act, 2001, as amended, and in so doing, may consolidate the monies standing in the Fund with other funds that the Corporation may hold from time to time provided that any earnings derived from the monies standing in the Fund shall accrue to and form part of the Fund.
6. Notwithstanding that provision may not be made by the Municipal Council in the estimates of the current or any subsequent year for contributions to the Fund, it shall continue and be maintained, and the Municipal Council shall always be taken as considering the Fund as necessary so long as this by-law continues in force.
7. This by-law comes into force on the day it is passed.

ENACTED AND PASSED in Open Council on _____, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

TO:	CHAIR AND MEMBERS STRATEGIC PRIORITIES AND POLICY COMMITTEE MEETING ON JUNE 25, 2018
FROM:	SANDRA DATARS BERE MANAGING DIRECTOR, HOUSING, SOCIAL SERVICES AND DEARNESS HOME
SUBJECT:	FREE OF FEAR SERVICES FOR ALL POLICY

RECOMMENDATION

That, on the recommendation of the Managing Director, Housing, Social Services and Dearness Home, the following actions be taken with respect to London adopting a *Free of Fear Services for All* Policy:

- a) the commitment to ensuring access to municipal services free of fear to non-status immigrants or immigrants with uncertain status **BE AFFIRMED**;
- b) the initiative of providing access to municipal services to non-status immigrants or immigrants with uncertain status **BE DESIGNATED** as “*Free of Fear Services for All*”.
- c) the attached by-law (Appendix A) **BE INTRODUCED** at the Municipal Council meeting to be held on June 26, 2018 to adopt the Council Policy entitled “*Free of Fear Services for All*” (Schedule 1);
- d) that Civic Administration **BE DIRECTED** to implement Option #2 as outlined in this report it being noted that the cost of this option will be accommodated within the approved operating budget; and,
- e) that Civic Administration **BE DIRECTED** to report back on the results of research and any anticipated long-term program costs as a result of implementing this policy.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
--

- Consultations regarding arrangements for the City of London to become a Sanctuary City of London (SPPC: May 29, 2017)
- Arrangements for The City of London to Become a Sanctuary City/Access to Service Without Fear City (SPPC: March 26, 2018)

BACKGROUND

On March 27, 2018, Municipal Council resolved that:

- the staff report dated March 26, 2018, entitled “Arrangements for The City of London to Become a Sanctuary City/Access to Service Without Fear City” **BE REFERRED** back to Civic Administration to report on next steps for London to become a Sanctuary City/Access to Service Without Fear City, including details on modelling options and associated costing, for consideration at a future meeting of the Strategic Priorities and Policy Committee.

The purpose of this report is to:

- request Council’s approval of the designation of this initiative as *Free of Fear Services for All*;
- request Council’s approval of the *Free of Fear Services for All* policy;
- provide details on two options for implementation of the initiative, with associated costing;
- request Council’s approval of Option 2;
- request that Civic Administration be directed to report back on the result of research and any anticipated long-term program costs.

The recommendations presented below and in Appendix B (Definitions, Impact and Demographics, Municipal Scan and International Best Practices) reflect the advice presented in the report by the Centre for Organizational Effectiveness *City of London Sanctuary City/Access without Fear Summary Report*, December 2017, presented to the Strategic Priorities and Policy Committee on March 26, 2018; consultation with and review of the policies and practices of the

municipalities of Toronto, Vancouver, Hamilton, Kingston, and Windsor; and input from the Diversity, Inclusion, and Anti-Oppression Advisory Committee.

Internationally, as the number of migrants worldwide reached an all-time high of over 65 million people in 2017, the concept of Sanctuary Cities and Access to Services without Fear is spreading through the United States, Europe and South America.

Policy Rationale:

Free of Fear Services for All aligns with the direction of Council’s Strategic Plan, in particular the Strengthening our Community area of focus and specifically, the objective of creating a diverse, inclusive, and welcoming community. This initiative aligns with the Community, Diversity and Inclusion Strategy approved by Council in 2017. London is a welcoming community and it participates in various initiatives to welcome and settle newcomers such as the London & Middlesex Local Immigration Partnership. London is also a Compassionate City, and since 2011 has followed the International Charter for Compassion.

Non-status individuals may be reluctant to access municipal services due to the fear that information on their immigration status may requested and then in turn, reported to the police or the Canadian Border Service Agency. This policy will ensure that non-status individuals and individuals with uncertain immigration status be treated with dignity and respect. It will also offer these individuals the opportunity to access municipal services without fear that they will be asked to provide information or documentation that will disclose their immigration status.

Program and Service implications:

As a municipality which serves its residents, the City of London, City of London funded agencies, and boards and Commissions in London provide many services to non-status individuals or individuals whose status is uncertain. These services range from licensing, to use of recreation programs, to emergency services and others. Eligibility for the child care subsidy, social assistance, and affordable housing, all services which the City of London administers on behalf of the Province, legally require proof of documented immigration status.

Naming the initiative:

The *City of London Sanctuary City/Access without Fear Summary Report* by the Centre for Organizational Effectiveness recommended that the City of London employ a term other than Sanctuary City such as “Access without Fear”. The report noted that members of the community and service providers alike regarded the term “Sanctuary City” as divisive and one that incites fear among some residents. Similarly, in consultations with several Canadian municipalities which have or have considered policies to serve non-status individuals, Civic Administration was cautioned about use of the term Sanctuary City as it has a negative connotation, and has been associated with American policies. Civic Administration therefore proposes that London adopt the terminology *Free of Fear Services for All*.

Policy:

While many cities have implemented measures with respect to Sanctuary City/Access to Services without fear initiatives, only two Canadian cities have developed policies around the work. Civic Administration is of the opinion that a policy will provide the framework and principles behind the initiative while laying out responsibilities for management and staff.

The *Free of Fear Services for All* policy would apply only to municipal services under the jurisdiction of the City of London, and limited to those services provided directly by the City. It would not apply to any agencies, boards, or Commissions of the City of London.

Options for implementation:

Following an analysis of the report *City of London Sanctuary City/Access without Fear Summary Report* and a review of municipal practices, (See Appendix B for details), Civic Administration has developed two options. The first option is to increase awareness of Services (see Option #1). The second option, which builds on the first option, and also supports the capacity of the municipality to provide services to non-status individuals and individuals with uncertain status (see Option #2).

Option #1 – Awareness of Services

1a) Inventory	
Activity	Create public inventory, with criteria and limitations, of commonly accessed services in London (both City of London, City funded programs and services, and relevant boards and commissions).

Purpose	To ensure non-status individuals and individuals with uncertain status are aware of municipal services that are available to them.
Cost	Staff Time
Timeframe	End of July 2018.
Lead	Manager, Strategic Programs & Partnerships, HSSDH
Desired Outcome	Non-status individuals are aware of services in the City that they can access without fear.
1b) Promote Inventory	
Activity	Add inventory to City website and promote using social media and communication with agencies that may interact with non-status individuals or individuals whose status is uncertain. Work with City staff to provide timely and accurate information by telephone.
Purpose	To ensure non-status individuals' awareness of services in the City that they can access without fear.
Cost	Staff Time, Up to \$3,000 for creation and distribution of promotional materials
Leads	Manager, Strategic Programs & Partnerships, HSSDH; Corporate Communications
Desired Outcome	Increase awareness and use of commonly-accessed services by non-status individuals and individuals with uncertain status.

Option #2: Strengthen Municipal Capacity to Provide Services

This option would build on and include the proposed activities identified in Option #1, and would go further to include the following:

2a) City Working Group	
Activity	Create City working group (Model: Access T.O Working Group is comprised of 21 City divisions, agencies and corporations which have been collaborating since 2012.)
Purpose	Review and define next steps and monitor progress. Membership to include, but may not be limited to, the following departments: Housing, Social Services, & Dearness Home; City Manager's office; Neighbourhood, Children and Fire Services; Development & Compliance Services; Parks and Recreation; City Solicitor; and Human Resources.
Cost	Staff Time
Timeframe	Meet on semi-annual basis
Lead	Manager, Strategic Programs and Partnerships, HSSDH
Desired Outcome	City divisions are aligned and working together
2b) Adopt a City Policy	
Activity	Approve Free of Fear Services for All policy (Models: Vancouver's "Access to City Services without Fear for Residents with Uncertain or No immigration Status and Kingston's "Access without Fear" Policy
Purpose	Provides directives for all City staff in its communications with residents on immigration status.
Cost	Staff Time
Timeframe	Attached in Schedule 1
Lead	Manager, Strategic Programs and Partnerships, HSSDH with City Solicitor's Office
Desired Outcome	Clear directives of City staff interaction with residents who are non-status/uncertain status; access services free of fear.
2c) Develop Data Collection Mechanisms	
Activity	Enumeration and tracking: INTERNAL: Review current City data collection methods to develop new ways to record clients accessing services without formal documentation.

	EXTERNAL: Reach out to local stakeholders who may receive non-status clients or clients whose status is uncertain. Civic Administration is in discussion with London Health Sciences Centre, which is supportive and willing to assist by providing high level information. Possible need for consultant to conduct research.
Purpose	To understand the needs, barriers, and volume of non-status individuals living in London.
Cost	Staff Time: Possible need for up to \$50,000 research and consultation costs.
Timeframe	June 2019
Lead	Manager, Strategic Programs and Partnerships, HSSDH with City Working Group.
Desired Outcome	Better information on numbers and needs of non-status individuals and individuals of uncertain status.
2d) Staff Training and Guidelines	
Activity	Staff Training: Front-line staff; Management. Creation of Guidelines for all City staff which will include a quick reference resource pocket guide.
Purpose	Staff understand that they are only to ask for documentation which could lead to disclosure of immigration status when required to access a specific service.
Cost	\$20,000
Timeframe	March 2019
Lead	City's Human Resources Department
Desired Outcome	Non-status individuals feel comfortable requesting municipal services.
2e) Public Awareness and Communication Plan	
Activity	Develop a robust public awareness and communications plan
Purpose	Ensure that the general public is aware of the rights of non-status individuals/ individuals with uncertain status to City of London services and that non-status individuals and those with uncertain status are aware of their rights to City of London services.
Cost	Staff time and costs of public awareness and communication plan \$15,000 to \$20,000(dependent on the number of language versions required)
Timeframe	Work would begin in July 2018, ongoing through to the end of 2018 with key time frames for focused reminder campaigns in subsequent years.
Lead	Communications
Desired Outcome	The public understands the needs and rights of non-status individuals. Non-status individuals avail themselves of commonly-accessed services.

Civic Administration recommends that Council adopt Option #2, recognizing that it will come with a considerable investment of staff time from several divisions as well as financial expenditure of approximately \$85,000 to \$95,000.

In instances where City staff are legislatively obligated to ask for the immigration status of an individual, they will continue to do so, as required in compliance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act* with respect to the collection, use, and disclosure of personal information.

Potential future work:

If London were to adopt the *Free of Fear Services for All* policy, a small number of non-status individuals might present themselves and/or flow from other cities within Canada, however this number is not expected to be significant.

It is recommended that the results of the above work be reviewed and evaluated after one year. This may reveal trends, needs, and numbers of non-status individuals. At that time, City Council may choose to proceed with ongoing annual funding to support this work; it could request that London's agencies, boards and Commissions consider adopting policies that within their respective mandates, reflect the spirit and objectives of the *Free of Fear Services for All* Policy.

Other options could include: providing arms-length funding for information and legal services not currently available to non-status individuals and individuals with uncertain status. Other options

could include providing staff within emergency shelters to make appropriate referrals within the community. The City of London could also consider extending training to boards and commissions.

FINANCIAL IMPACT

The approximate cost for the implementation of Option #2 is estimated to be \$85,000 to \$95,000, which will be accommodated within the approved operating budget.

The results of the research undertaken as part of Option #2 will be reported back to Council and will include anticipated long-term program costs (if any) that may result from implementing this policy. Should any long-term program costs be identified, they will need to be considered and prioritized alongside other funding requests through the multi-year budget process.

CONCLUSION

The City of London provides many services to its residents without the requirement to provide proof of immigration status. However, the City administers provincially legislated programs such as Ontario Works, Affordable Housing, and the Child Care subsidy where immigration status can be a determinant of eligibility. The *Free of Fear Services for All* policy would provide greater access to municipal services for all, regardless of immigration status.

PREPARED BY:	RECOMMENDED BY:
JILL TANSLEY MANAGER, STRATEGIC PROGRAMS AND PARTNERSHIPS	SANDRA DATARS BERE MANAGING DIRECTOR, HOUSING, SOCIAL SERVICES AND DEARNESS HOME

- c.
- Gail Devito, Financial Business Administrator
 - Paul Gardner, Manager, Information Technology Services
 - Paul D'Hollander, Manager, Neighbourhood Operations
 - Kevin Dickins, Manager, Employment & Income Support Services
 - Saleha Khan, Specialist, Organizational Development, Workplace Diversity and Inclusion
 - Lynn Marshall, Solicitor, Legal & Corporate Services
 - Patti McKague, Director, Strategic Communications & Community Engagement
 - Scott Oldham, Manager, Business Solutions & Customer Service, Parks and Recreation
 - John Nolan, Manager, Service London
 - Evelina Skalski, Manager, Records and Information Services, City Clerk's Office
 - Cheryl Smith, Manager, Neighbourhood Strategic Initiatives & Funding
 - Adam Thompson, Manager, Government and External Relations
 - Rosanna Wilcox, Director, Community & Economic Innovation

Appendix A

Bill No.
2018

By-law No. CPOL.-

A by-law to adopt a new Council Policy entitled "Free of Fear Services for All".

WHEREAS subsection 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 the Municipal Council wishes to enact a new Council Policy to support access to City services free of fear for all London residents, regardless of immigration status;

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

1. The policy attached hereto as Schedule "1", entitled "Free of Fear Services for All" is hereby adopted.
2. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading –
Second Reading –
Third Reading –

Appendix B

Definitions, implications, municipal scan, and international Best Practices

1. Definitions

Sanctuary City:

There is no legal definition to a sanctuary city/access to service without fear city, and through the consultation and review process, Civic Administration proposes that Council adopt the term and policy *Free of Fear Services for All*.

Non-Disclosure Practice:

Under the policy *Free of Fear Services for All*, City of London staff will adopt a “Non-Disclosure practice”, meaning that they will enquire about a person’s immigration status directly or indirectly **only** when legally required to do so. This means that City staff will not report a resident’s immigration status to the Canadian Border Services Agency or to the Police (London Police Service, Ontario Provincial Police, or RCMP).

Non-Status Individual:

A non-status individual is someone who resides in Canada and whose documents are no longer accepted or recognized by the state; therefore the individual has no lawful status of residence.

Uncertain Status Individuals:

An individual with uncertain status is someone who may have a pending immigration status and/or an unknown immigration status. This could include an individual who has received a negative decision on their refugee application, and is actively appealing that decision. Refugee claimants can wait years before their claims are accepted and during this time their status is uncertain. These individuals also have very limited access to services, resources and supports.

2. Impact and demographics

According to a 2018 report by the Wellesley Institute, *Sanctuary City: Opportunities for Health Equity*, individuals who arrive on temporary visas through temporary worker programs or as refugee claimants are most at risk of losing status. Individuals who have arrived through the Temporary Foreign Worker Program and the Caregiver Program have been granted temporary status that is directly tied to employment. They have limited options for leaving unsafe or exploitative workplaces without jeopardizing their status and ability to legally work in Canada. A non-status individual typically has very limited access to services, resources and support, and sometimes does not have the ability, nor may it be safe for them to return to their country of origin.

In addition to the example of a temporary foreign worker who may be vulnerable to exploitation by an employer, other significant issues facing non-status individuals or individuals with uncertain status include; inability to work legally, inability to access social services, inability to access health insurance, reluctance to ask for emergency assistance for fear of losing their residence, or individuals not accessing services due to the fear that disclosure of their immigration status may lead to detention or deportation.

From 2011 to 2016, the City of London saw a 9% increase of immigrants (PRs), a 2.4% increase of non-immigrants (Canadian citizen by birth), and 75% increase of non-permanent residents (Temporary residents).

Given that 20% of London’s population is made up of visible minorities, people of colour are more

Appendix B

likely to be found among non-status individuals. The top five visible minority group for London is Arab, South Asian, Black, Chinese, and Latin American. Removing barriers for this population will help to reduce systemic racism in London, a strategic objective of both the Community, Diversity and Inclusion Strategy, and the London & Middlesex Local Immigration Partnership.

Benefits of adopting a policy such as Free of Fear Services for All:

As the report by the Centre for Organizational Effectiveness suggests, a policy such as *Free of Fear Services for All* will encourage non-status individuals to feel safer and to participate more fully in the community, by using municipal services that are available to them. This feeling of security could extend to the use of health services, thus reducing the spread of communicable diseases and diverting visits from the Emergency Department. Non-status of uncertain status individuals may also be more willing to report crimes that they witness or to seek assistance from police when needed, such as victims of domestic violence as an example. All of this in turn could reduce the isolation that non-status individuals may feel, and increase a sense of community belonging.

Canadian Immigration falls under the purview of the federal government. It should be noted that it is not a criminal offence to overstay one's visit, although upon receipt of a Removal Order one cannot legally remain in Canada and must leave the country. There are many ways through which someone can extend, apply or appeal their current immigration status.

3. Municipal Scan:

Policies adopted by other Canadian Municipalities:

The City of Vancouver:

A policy of *Access to City Services without Fear for Residents with Uncertain or No Immigration Status* was adopted in 2016. Since that time, the Vancouver Public Library and Vancouver's Parks and Recreation Boards have adopted similar policies. The City of Vancouver has also requested that the Vancouver Police consider adopting an Access without Fear policy before proceeding to implementation of staff and community awareness.

The City of Kingston:

An *Access without Fear* policy was passed in November 2017, which prohibits staff from asking for documents that might reveal immigration status.

The City of Toronto:

Originally declared itself a Sanctuary City in 2012, and in 2014, Toronto reaffirmed its commitment to ensuring that residents without full status or full status documents have access to City services without fear, also known as ACCESS T.O. A working group consisting of City divisions, agencies, and corporations has been leading this initiative since its creation in 2012. Civic Administration has implemented staff training, community awareness, and conducted a compliance assessment. In 2017, a working paper "(No) Access T.O." by Ryerson University's Centre on Immigration for Settlement revealed concerns around the inconsistent application of the Toronto policy. In response to this, the City of Toronto agreed to undertake additional staff training, to review existing policies, procedures and bylaws, and to advocate to the provincial and federal government around policies that are incongruent with Access T.O.

Appendix B

The City of Montreal:

In February 2017, the City declared itself to be a sanctuary city, and agreed to offer access to city programs and services, especially with respect to housing to all persons, notwithstanding their status. It also agreed to develop an action plan to provide improve access to municipal services, training for front-line staff, a complaint protocol and a communication strategy.

4. International Best Practices on providing services to Non-status or Uncertain Status Individuals

Netherlands: The City of Utrecht, provides funding for legal advisors in local emergency shelters who counsel non-status individuals, support the regularization of their status or the voluntary return to their homeland.

Belgium: The City of Ghent has established an information centre for the provision of information and legal counselling on immigration matters that is open to all residents, regardless of status. It has also created a secondary centre run through a non-governmental organization, for those who are reluctant to interact with local authorities but would still like to obtain information.

Spain: The City of Barcelona funds social organizations to provide free legal support to migrants on how to regularize their status.

Schedule 1

Free of Fear Services For All Policy

Policy Statement:

The purpose of this policy is to enable London residents with uncertain or no immigration status to access City services without fear that the City will ask for and provide information on the immigration status of individuals to other public institutions or orders of government. This policy applies only to the services provided by the City of London.

This policy enables:

- All residents to have meaningful access to City services free of fear and to be treated with dignity and respect.
- The adoption of a Non-Disclosure practice by City staff to enquire about a person's immigration status unless legally required to do so to access specific services provided by the City.
- No reporting of any resident's immigration status to the Canadian Border Services Agency or Police unless legally required to do so.

Limitations:

This policy relates only to the area of access to municipal services under the jurisdiction of the City, and is limited to those services directly provided by the City.

The policy does not apply to the London Police Services Board, nor does it include the City's Agencies, Boards, and Commissions.

The Federal government of Canada has jurisdiction over immigration policies and regulations related to law enforcement activities and immigration control.

The Provincial government determines eligibility requirements for access to child care subsidy, social assistance, and to affordable housing. The City of London administers these programs on behalf of the Province, which require proof of documented immigration status.

Proposed Policy Framework:

The Scope of this policy is to guide the actions of the City, including all City staff.

Responsibilities:

The City's Senior Leadership Team is collectively and individually responsible for directing compliance with this policy:

Managers are responsible for ensuring that staff are aware of and compliant with this policy and that no other policies or procedures are developed that contravene this policy;

Employees are responsible for providing services to all residents in a respectful and meaningful manner and not enquiring about immigration status directly or indirectly unless legally required to do so as an eligibility requirement for access to specific services.

Definitions/terminology for the purpose of this policy:

Immigration Status – Many London residents have diverse immigration status, which includes Canadian Citizenship, Permanent Residency, Temporary Residency, and those who may have uncertain or no specific immigration status.

Uncertain Status – This refers to individuals who may have a pending status and/or unknown immigration status. This could include an individual who has received a negative decision on their application to stay in Canada, and is actively appealing that decision. These individuals often have very limited access to resources and supports.

Non Status – This refers to individuals who reside in Canada who no longer have an immigration status, and are usually referred to as “undocumented”. This could be an individual that arrived through the proper channels on a permit, and at a certain point their circumstances changed resulting in their documents no longer being accepted or recognized by the state; therefore the individual has no lawful status of residence. These individuals have very limited access to resources and support, and sometimes do not have the ability nor may it be safe for them to return to their country of citizenship.

Refugee or Protected person – According to Canada’s Immigration and Refugee Protection Act, this refers to a person who has been determined to be either (a) a Convention Refugee¹ or (b) a person in need of protection (including, for example, a person who is in danger of being tortured if deported from Canada).

Policy Directives:

The policy directives are as follows:

1. Access to City services is not dependent on immigration status

¹ The 1951 Convention Relating to the Status of Refugees includes “individuals who are fleeing situations of well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, sexual orientation, gender identity, are outside the country of their nationalities, and are unable to, or owing to such fear, are unwilling to avail themselves of the protection of that country”. (UNHCR – www.unhcr.ca)

This policy applies to the following City services:

London Emergency Services:

- Fire Services

Employment and the following Social Services:

- Employment Resource Centres
- Service Requests (Service London)
- Information Requests (City website)

Municipal Licensing & Standards:

- Business and Rental Licences and Permits
- By-Law Enforcement Complaints
- Property Inspection, Standards, Compliance and Complaints

Parks, Forestry and Recreation:

- Recreation Facilities, Classes and General Programs (Spectrum)
- Community Centres – General Programs

2. City Staff will not ask for or otherwise seek out an individual's immigration status, also known as the Non-Disclosure practice unless the provision of such services has a legal requirement to do so. Other options to demonstrate residency as a Londoner will be employed and communicated to residents.
3. No records of a resident's immigration status will be shared with, or reported to, the London Police Service, Campus Community Police Service, the Ontario Provincial Police, the Royal Canadian Mounted Police, or the Canadian Border Services Agency, unless required to do so by law.

Reporting and Evaluation:

The City Manager will report back annually to City Council on the application of this policy, and any complaints received and their disposition, as well as recommendation for amendments.

TO:	CHAIR AND MEMBERS STRATEGIC PRIORITIES AND POLICY COMMITTEE MEETING ON JUNE 25, 2018
FROM:	MARTIN HAYWARD CITY MANAGER
SUBJECT:	LONDON HYDRO INC. 2017 ANNUAL MEETING OF THE SHAREHOLDER ANNUAL RESOLUTIONS

RECOMMENDATION

That, on the recommendation of the City Manager, the attached prepared by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held June 26, 2018 to:

- a) ratify and confirm the Annual Resolutions of the Shareholder of London Hydro Inc. attached as Schedule "A" to the by-law; and
- b) authorize the Mayor and the City Clerk to execute the Annual Resolutions of the Shareholder of London Hydro Inc. attached as Schedule "A" to the by-law.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
--

June 9, 2015 – Strategic Priorities and Policy Committee – Agenda Item #4
February 29, 2016 – Strategic Priorities and Policy Committee – Agenda Item #5
May 16, 2016 – Strategic Priorities and Policy Committee – Agenda Item #3
May 29, 2017 – Strategic Priorities and Policy Committee – Agenda Item#8
April 9, 2018 – Strategic Priorities and Policy Committee – Agenda Item #4.1

BACKGROUND

At its meeting held April 10, 2018, Municipal Council resolved:

That the following actions be taken with respect to the 2017 Annual General Meeting of the Shareholder for London Hydro Inc.:

- a) the 2017 Annual General Meeting of the Shareholder for London Hydro Inc. BE HELD at a meeting of the Strategic Priorities and Policy Committee on June 25, 2018, for the purpose of receiving the report from the Board of Directors of London Hydro Inc. in accordance with the Shareholder Declaration and the *Business Corporations Act, R.S.O. 1990, c. B.16*; and
- b) the City Clerk BE DIRECTED to provide notice of the 2017 Annual Meeting to the Board of Directors for London Hydro Inc. and to invite the Chair of the Board and the Chief Executive Officer of London Hydro Inc. to attend at the Annual Meeting and present the report of the Board in accordance with the Shareholder Declaration;

it being noted that the Strategic Priorities and Policy Committee received a communication dated March 22, 2018, from M. Mathur Chair, Board of Directors, London Hydro Inc., with respect to this matter. (4.1/5/SPPC)

2017 Annual General Meeting

London Hydro Inc. is a corporation with share capital incorporated under the *Business Corporations Act*, R.S.O. 1990 c. B.16. London Hydro Inc. is managed by a Board of Directors appointed by The Corporation of the City of London as the sole shareholder.

The attached (Schedule "A") Annual Resolutions of the Shareholder of London Hydro Inc. addresses the following matters that are required to be dealt with at an Annual Meeting as required by the Shareholder's Declaration and the *Business Corporations Act*:

- a) receipt of the 2017 audited financial statements;
- b) appointment of the Auditor; and,
- c) election of the director.

The election of two (2) Third Class Directors is required. We understand that London Hydro is recommending that Radhey Mohan Mathur and Marilyn Sinclair be elected to an additional term as Third Class Directors.

The Shareholder Declaration does not limit the number of terms that a Director may serve.

PREPARED BY:	RECOMMENDED BY:
CATHY SAUNDERS CITY CLERK	MARTIN HAYWARD CITY MANAGER

APPENDIX "A"

Bill No.
2018

By-law No. A.-

A by-law to ratify and confirm the Annual Resolutions of the Shareholder of London Hydro Inc.

WHEREAS London Hydro Inc. is a corporation incorporated under the *Business Corporations Act* R.S.O. 1990, c.B.16;

AND WHEREAS subsection 104(1)(b) of the *Business Corporations Act* provides that a resolution in writing dealing with all matters required by this Act to be dealt with at a meeting of shareholders, and signed by all the shareholders or their attorney authorized in writing entitled to vote at the meeting, satisfies all the requirements of this Act relating to that meeting of shareholders;

AND WHEREAS The Corporation of the City of London is the sole shareholder of London Hydro Inc.;

AND WHEREAS Subsection 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 Subsection 5(3) of the *Municipal Act, 2001* 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. The Annual Resolutions of the Shareholder of London Hydro Inc. for the fiscal year ended December 31, 2017, attached as Schedule "A" are ratified and confirmed.
2. The Mayor and the City Clerk are authorized to execute the Annual Resolutions of the Shareholder ratified and confirmed under section 1 of this by-law.
3. This by-law comes into force on the day it is passed.

PASSED in Open Council on the 26th day of June, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading - June 26, 2018
Second Reading – June 26, 2018
Third Reading - June 26, 2018

SCHEDULE “A”

**LONDON HYDRO INC.
(the “Corporation”)**

WHEREAS subsection 104(1)(b) of the *Business Corporations Act* (Ontario) (the “Act”) provides that a resolution in writing dealing with all matters required by the Act to be dealt with at a meeting of shareholders, and signed by all the shareholders or their attorney authorized in writing entitled to vote at the meeting, satisfies all the requirements of the Act relating to that meeting of shareholders;

The following resolutions, signed by the sole shareholder of the Corporation entitled to vote thereon, are hereby passed pursuant to the provisions of the Act:

FINANCIAL STATEMENTS

It is hereby acknowledged that the balance sheet of the Corporation as at December 31, 2017, and the other audited financial statements, together with Auditors’ Report, of the Corporation for the financial year ended on such date have been received by the undersigned shareholder of the Corporation.

ELECTION OF DIRECTORS

WHEREAS pursuant to an Amended and Restated Shareholder Declaration, as amended (the “**Amended and Restated Shareholder Declaration**”), the board of directors of the Corporation shall consist of seven directors, six of which shall be composed of various classes of directors, each serving for a three-year term, and the seventh member of the fourth class shall serve as the representative of the municipal council of The Corporation of the City of London;

AND WHEREAS the terms of the directors that are members of the third class expire at the annual meeting of shareholders held in 2018 pursuant to paragraph 4.4 of the Shareholder Declaration;

NOW THEREFORE BE IT RESOLVED THAT:

1. Each of the following persons, being directors that are members of the third class pursuant to paragraph 4.4 of the Amended and Restated Shareholder Declaration, is hereby **elected** as a director of the Corporation to hold office for a term with the expiry as set out below, provided that when a successor is not duly elected at the close of the annual meeting described below, such director shall hold office until his or her successor is elected:

<u>Class</u>	<u>Name of Director</u>	<u>Term</u>
Third	Radhey Mohan Mather	the close of the annual meeting of shareholders to be held in 2021 for the financial year ending December 31, 2020
Third	Marilyn Sinclair	the close of the annual meeting of shareholders to be held in 2021 for the financial year ending December 31, 2020

CONFIRMATION OF CONTINUING TERMS

2. Each of the following persons, being directors that are members of the first, second and fourth class, as provided for below, pursuant to paragraph 4.4 of the Shareholder Declaration, is hereby **confirmed** as having a term continuing until the expiry as set out below, provided that when a successor is not duly elected at the close of the annual meeting described below, such director shall hold office until his or her successor is elected:

<u>Class</u>	<u>Name of Director</u>	<u>Term</u>
First	Gabriel Valente	the close of the annual meeting of shareholders to be held in 2019 for the financial year ending December 31, 2018
First	Jack Smit	the close of the annual meeting of shareholders to be held in 2019 for the financial year ending December 31, 2018
Second	Connie Graham	the close of the annual meeting of shareholders to be held in 2020 for the financial year ending December 31, 2019
Second	Guy Holburn	the close of the annual meeting of shareholders to be held in 2020 for the financial year ending December 31, 2019
Fourth	Michael van Holst	the term ending November 30, 2018

APPOINTMENT OF AUDITORS

RESOLVED THAT:

KPMG LLP are hereby appointed auditors of the Corporation to hold office until the close of the next annual meeting of the shareholders or until a successor is appointed by the shareholder at such remuneration as may be fixed by the directors and the directors are hereby authorized to fix such remuneration.

DATED this _____ day of _____, 2018.

The Corporation of the City of London

By: _____

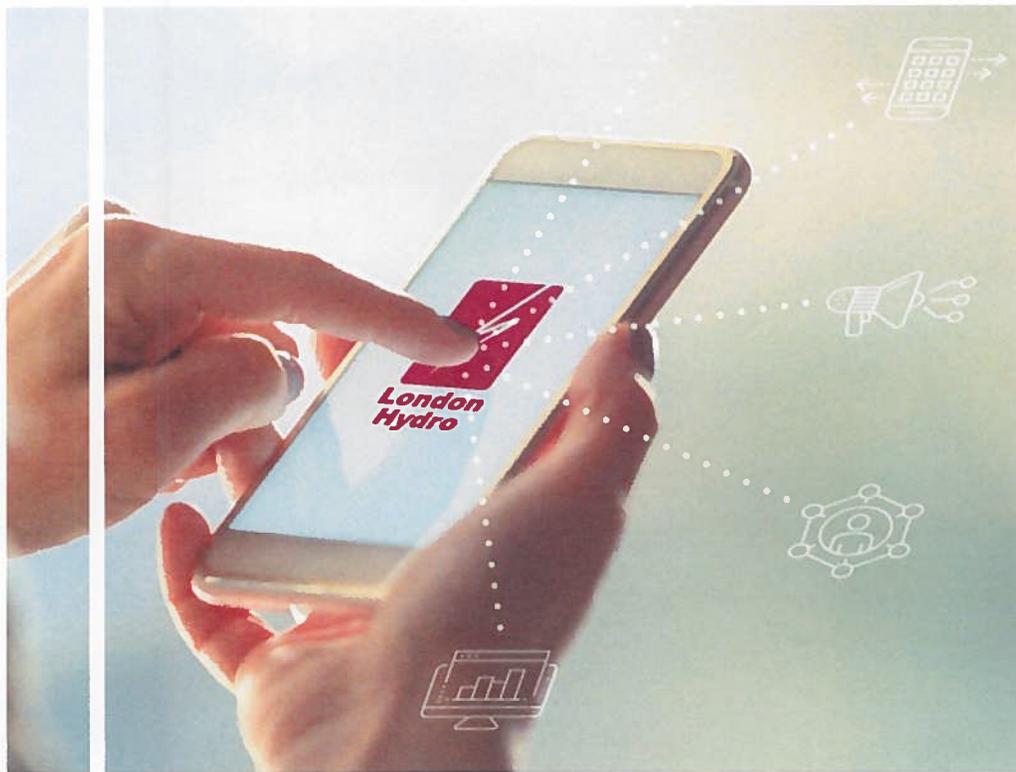
Name: Matt Brown

Title: Mayor

By: _____

Name: Catharine Saunders

Title: City Clerk



London Hydro Inc.

Annual General

Meeting

***For the Financial Year Ending
December 31, 2017***

June 25, 2018

Board of Directors

- Mohan Mathur, DSc, PhD, PEng, FCAE
Chair
- Gabe Valente, BA, BComm, CPA, CA
Vice-Chair
- Connie Graham, BSc, ICD.D
- Marilyn Sinclair, BA
- Jack Smit, CPA, CGA
- Guy Holburn, MA, PhD
- Michael van Holst, HBSc, BEd

Senior Management Team

- Vinay Sharma, PhD, PEng, FCAE, CDir
CEO
- Bill Milroy, PEng
VP Engineering & Operations
- David Arnold, CPA, CA
CFO, VP Finance & Corporate Secretary
- Syed Mir, BSc
CIO & VP Corporate Services
- Elizabeth Carswell, BA, MA, BEd
Sr. Director Human Resources

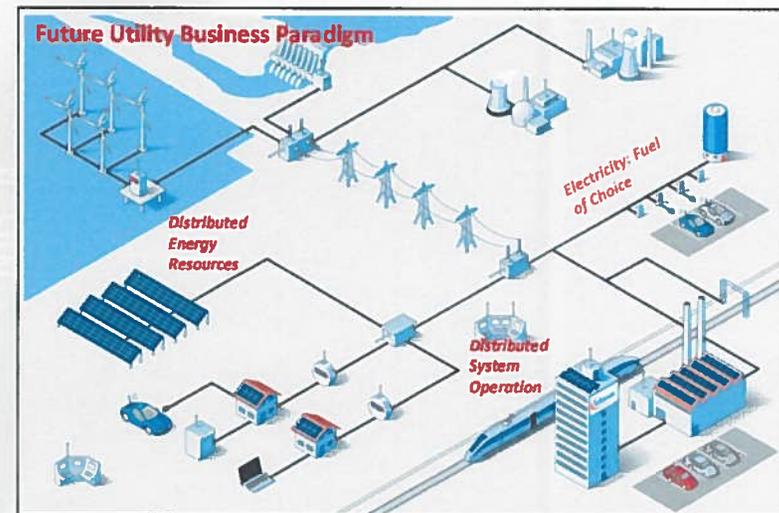
London Hydro is an Award Winning Utility...



Financial Highlights	2017 Actual	2016 Actual
Distribution Revenue	66.5	65.1
Net Earnings	14.1	12.2
Average Return on Shareholder's Equity	9.1%	8.1%
Annual Investments:		
Capital Assets	38.4	37.7
Financial Position:		
Total Assets	380.9	374.5
Shareholder's Equity	159.8	150.8
Distributions to the City of London:		
Dividends Declared/Paid	5.0	5.0
Special Dividend Declared	-	5.0
S&P Credit Rating	A/Stable	A/Stable

...with a Strong Financial Performance

...and is Well Positioned for the Future

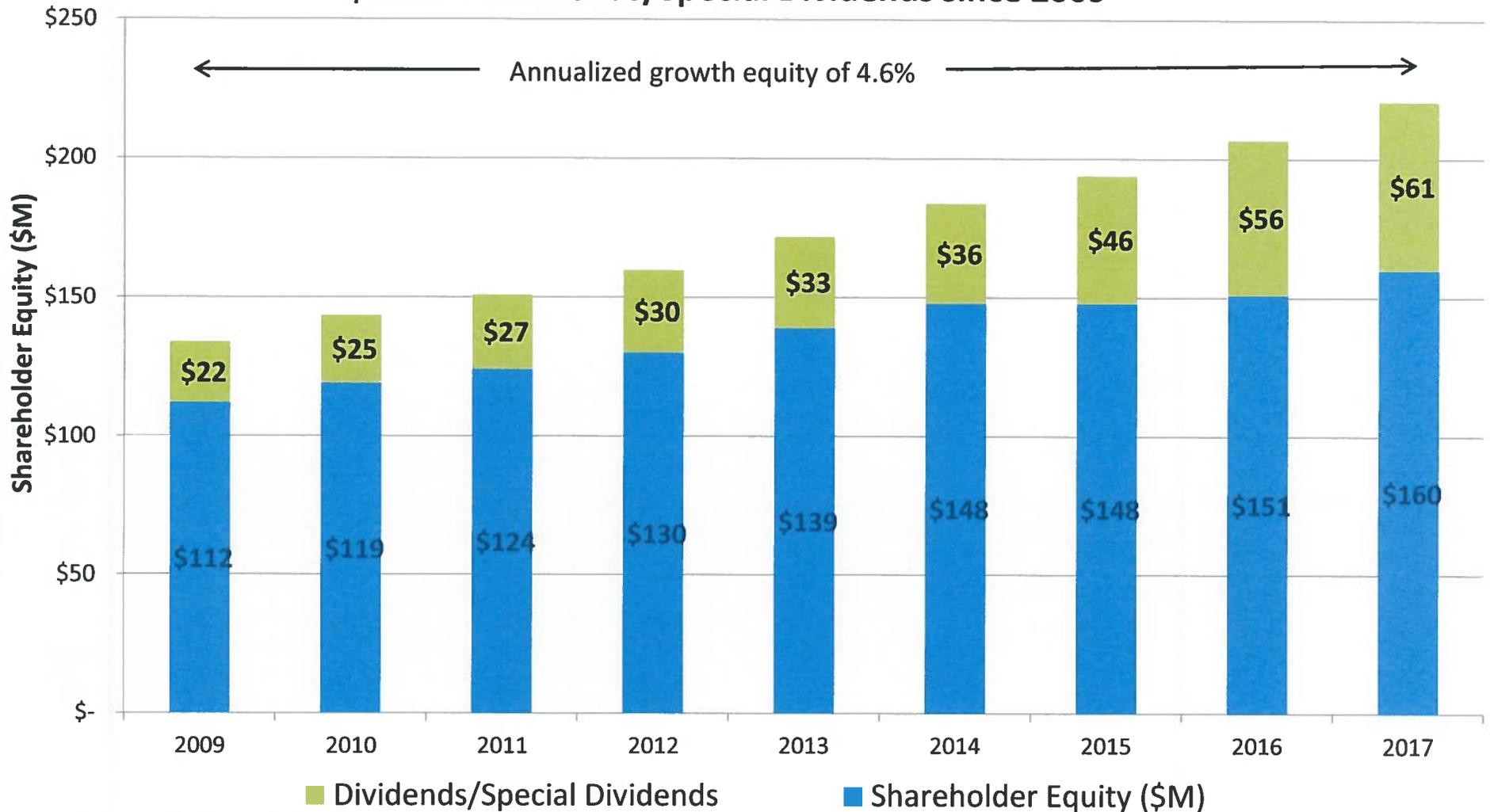


London Hydro Fulfilled All Shareholder Objectives

1. Competitive Rate of Return: **9% RoE**
2. Just and Reasonable Rates for Customers: **Cost and rates in the lowest quartile among Ontario utilities**
3. Successfully maintained the efficiency assessment **rating of 2** (out of a scale of 1 to 5, with 5 being the worst), as determined by the OEB
4. Winner of several **awards for efficiency and innovation:**
 - ✓ EDA's Conservation Leadership + EDA's Customer Service Excellence
 - ✓ Two IHSA Presidents Award for 250,000 hours W/O a Lost Time Injury
 - ✓ CS Week Award for Innovation in Digital Customer Service
5. Regular Dividend: **Consistent and steady annual dividend of \$5M**
6. Since 2000, **\$201M has been provided to the Shareholder** including monetization of the promissory note

Growing Shareholder Value

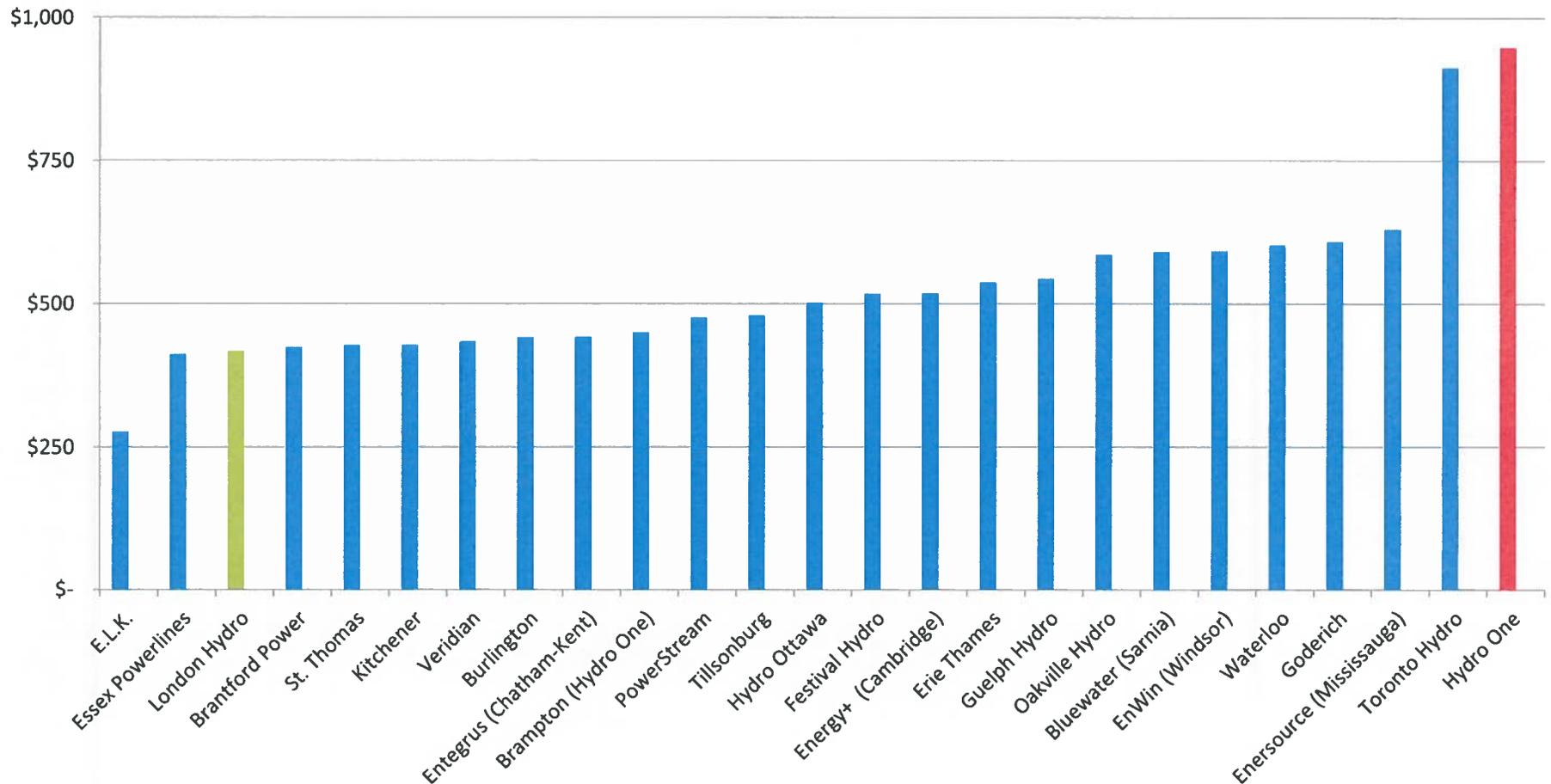
43% (\$48M) growth in Shareholder Equity between 2009 and 2017
 + \$61M in Dividends/Special Dividends since 2009



*Monetized \$70M Promissory Note in 2014

London Hydro has Competitive Rates

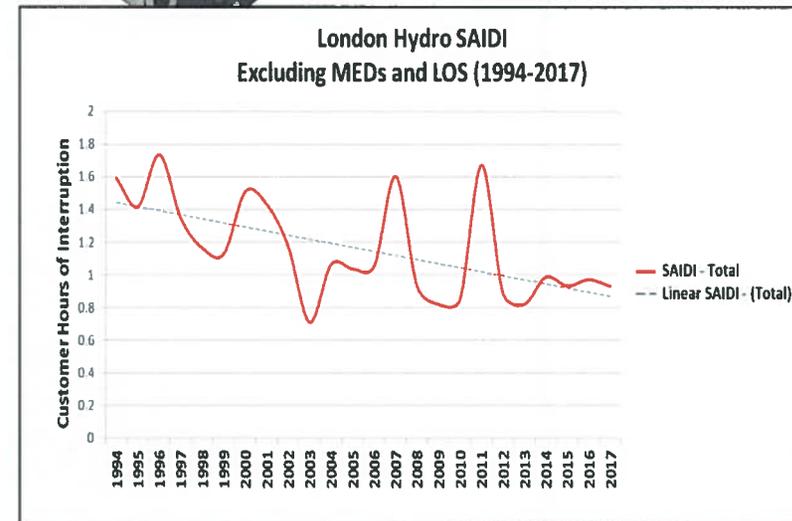
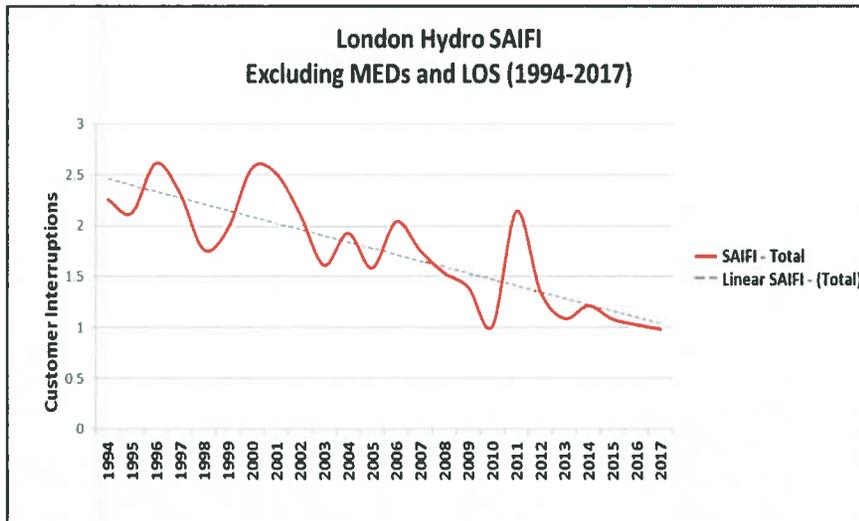
Competitive Rates vis-a-vis Neighbouring and Peer Utilities
Annual Distribution Revenue Per Customer



Value for Money: Higher Reliability of Electricity Supply

Automation and use of Digital Data

- Smart Meters, Automated Switches
- Reclosers, Digital Fault Indicators and Relays



SAIFI: System Average Interruption Frequency Index
LOS: Loss of Supply

SAIDI: System Average Interruption Duration Index
MED: Major Event Days

Infrastructure Investment (\$107M) To Enhance System Reliability

Rebuilding where we live to
**reduce supply
disruption & improve
power quality**



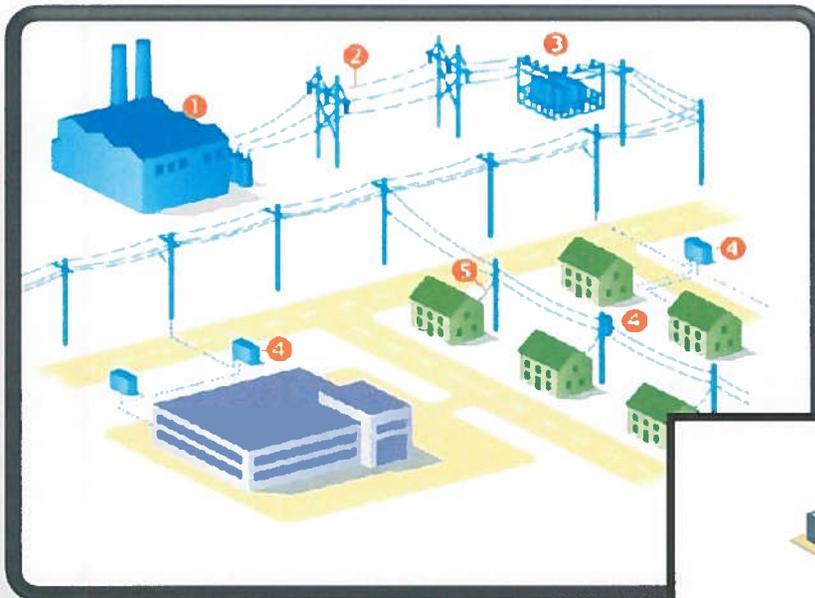
Revitalizing downtown to enhance
**contingency of supply &
increased capacity for
intensification**



Building a smarter network for
increased automation



Legacy to Smart Grid: Future Business Opportunities – Wires and Data



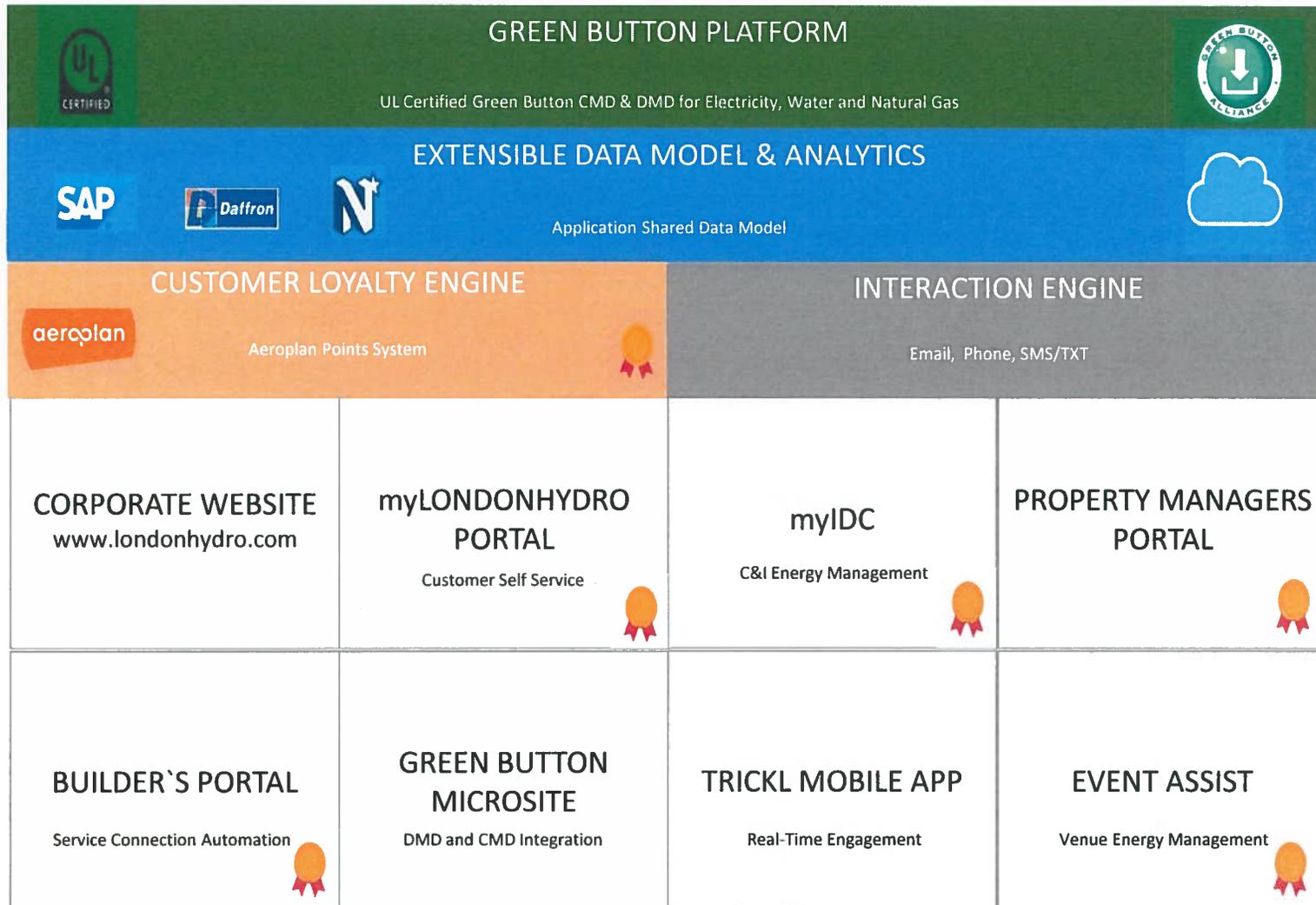
← **Legacy Power System**
One-way power flow from the generating station to the customers

Smart Grid System →
Mesh-network where power flows from all the generating sources to the customers



← **Two distinct businesses:**
*i) Wires and
ii) Data*

A Digital Utility

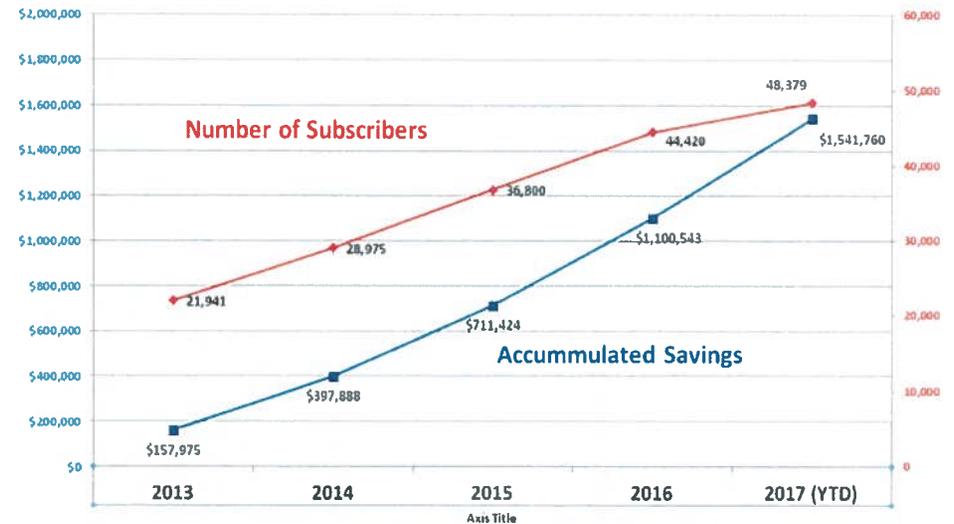


Efficiency From Becoming a Digital Utility

Paperless Billing Subscribers



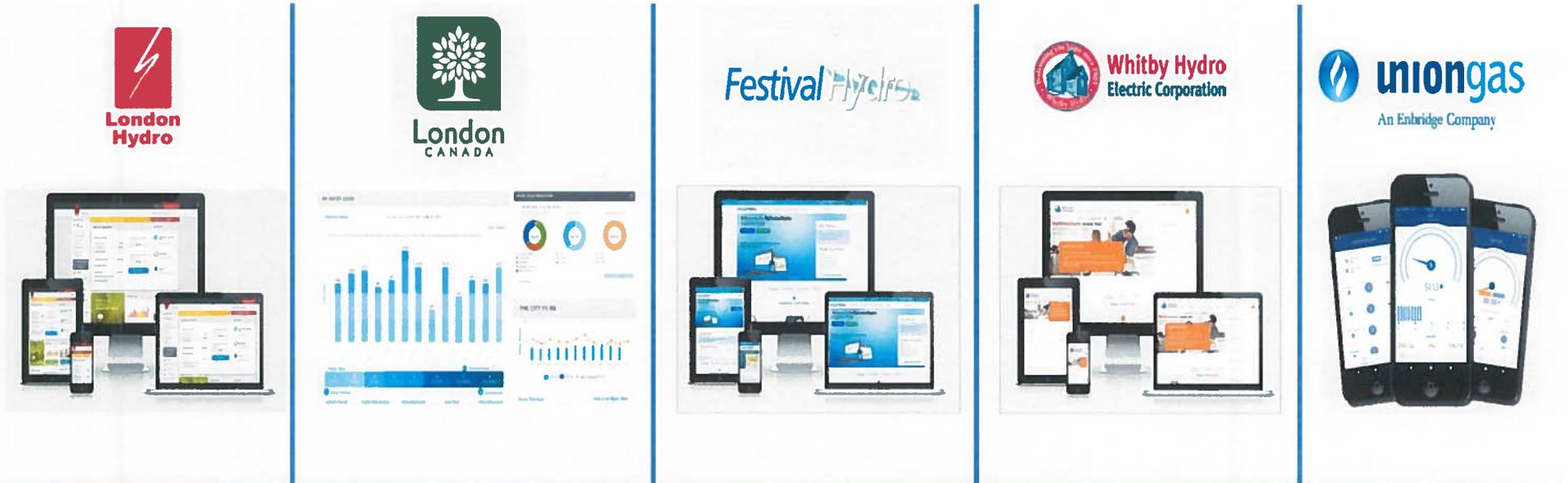
Paperless Billing Subscribers and Accumulated Savings (Postage)



“Postage” savings of > \$1.5M

Efficiency Through Utility Collaboration

Powered by London Hydro



 **GREEN BUTTON PLATFORM** 

UL Certified Green Button CMD & DMD for Electricity, Water and Natural Gas

 DATA ADAPTERS **DATA INTEGRATION** SECURE APIs 



Beyond Electricity...



Future Utility Paradigm:

Business Disruption due to Automation,
Data Management, Data Analytics and
Artificial Intelligence

London Hydro's Competitive Strategy:

Pursue Digital Utility and Data Business Opportunities

Financially Strong, Technically Sound, Valuable Corporation

1. A strong, high performing corporate culture – well established.
 - a. 325 full time employees – 22 new hires & 10 retirements.
 - b. Our employees are community leaders who donated 1,752 lbs. of food to the London Food Bank and \$30,000 to various charities through a London Hydro voluntary payroll deduction program.
 - c. Once again in 2017, London Hydro donated \$200,000 to the Low-income Energy Assistance Program (LEAP). This funding assisted over 400 households.
2. Continued innovation and efficiency through technology leadership – an award winning corporation.
3. Customers and utilities will be more interdependent as opposed to customers becoming grid-independent in the future.
4. London Hydro's strategy will prepare it for the future of increasingly digital, DER, energy conservation and smart applications, while maintaining a strong distribution infrastructure.



Thank you

TO:	CHAIR AND MEMBERS STRATEGIC PRIORITIES AND POLICY COMMITTEE MEETING ON JUNE 25, 2018
FROM:	MARTIN HAYWARD CITY MANAGER
SUBJECT:	HOUSING DEVELOPMENT CORPORATION, LONDON 2017 ANNUAL MEETING OF THE SHAREHOLDER ANNUAL RESOLUTIONS

RECOMMENDATION

That, on the recommendation of the City Manager, the attached proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held June 26, 2018 to:

- a) ratify and confirm the Annual Resolutions of the Shareholder of the Housing Development Corporation, London attached as Schedule "A" to the by-law; and
- b) authorize the Mayor and the City Clerk to execute the Annual Resolutions of the Shareholder of the Housing Development Corporation, London attached as Schedule "A" to the by-law.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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- June 9, 2016 – Strategic Priorities and Policy Committee – Agenda Item #4
- July 25, 2016 – Strategic Priorities and Policy Committee – Agenda Items #5 and #6
- May 15, 2017 – Strategic Priorities and Policy Committee – Agenda Item #8
- March 26, 2018 – Strategic Priorities and Policy Committee – Agenda Item #4.3

BACKGROUND

At its meeting held March 27, 2018, Municipal Council resolved:

"That the following actions be taken with respect to the 2017 Annual General Meeting of the Shareholder for the Housing Development Corporation, London:

- a) the 2017 Annual General Meeting of the Shareholder for the Housing Development Corporation, London BE HELD at a meeting of the Strategic Priorities and Policy Committee on June 25, 2018, for the purpose of receiving the report from the Board of Directors of the Housing Development Corporation, London in accordance with the Shareholder Declaration and the *Business Corporations Act, R.S.O. 1990, c. B.16*; and
- b) the City Clerk BE DIRECTED to provide notice of the 2017 Annual Meeting to the Board of Directors for the Housing Development Corporation, London and to invite the Chair of the Board and the Chief Executive Officer of the Housing Development Corporation, London to attend at the Annual Meeting and present the report of the Board in accordance with the Shareholder Declaration;

it being noted that the Strategic Priorities and Policy Committee received a communication dated January 29, 2018, from D. Brouwer, Chair, Housing Development Corporation, London, with respect to this matter."

2017 Annual General Meeting

The Housing Development Corporation, London is a corporation with share capital incorporated under the *Business Corporations Act*, R.S.O. 1990 c. B.16. The Housing Development Corporation, London is managed by a Board of Directors appointed by The Corporation of the City of London as the sole shareholder.

The attached (Schedule "A") Annual Resolutions of the Shareholder of the Housing Development Corporation, London addresses the following matters that are required to be dealt with at an Annual Meeting as required by the Shareholder's Declaration and the *Business Corporations Act*:

- a) receipt of the 2017 audited financial statements;
- b) appointment of the Auditors; and
- c) election of the directors.

The Board of Directors has requested that Daniel Ross and Larry Hazel be reappointed to a second term as third class of directors. It is also noted that Vivian Lui has changed her last name to Iron. This is reflected in the attached resolution of the shareholder.

PREPARED BY:	RECOMMENDED BY:
CATHY SAUNDERS CITY CLERK	MARTIN HAYWARD CITY MANAGER

APPENDIX "A"

Bill No.
2018

By-law No. A.-

A by-law to ratify and confirm the Annual Resolutions of the Shareholder of the Housing Development Corporation, London.

WHEREAS the Housing Development Corporation, London is a corporation incorporated under the *Business Corporations Act* R.S.O. 1990, c.B.16;

AND WHEREAS subsection 104(1)(b) of the *Business Corporations Act* provides that a resolution in writing dealing with all matters required by this Act to be dealt with at a meeting of shareholders, and signed by all the shareholders or their attorney authorized in writing entitled to vote at the meeting, satisfies all the requirements of this Act relating to that meeting of shareholders;

AND WHEREAS The Corporation of the City of London is the sole shareholder of Housing Development Corporation, London;

AND WHEREAS Subsection 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 Subsection 5(3) of the *Municipal Act, 2001* 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. The Annual Resolutions of the Shareholder of Housing Development Corporation, London for the fiscal year ended December 31, 2017, attached as Schedule "A" are ratified and confirmed.
2. The Mayor and the City Clerk are authorized to execute the Annual Resolutions of the Shareholder ratified and confirmed under section 1 of this by-law.
3. This by-law comes into force on the day it is passed.

PASSED in Open Council on the 26th day of June, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading - June 26, 2018
Second Reading – June 26, 2018
Third Reading - June 26, 2018

SCHEDULE "A"

HOUSING DEVELOPMENT CORPORATION, LONDON (the "Corporation")

WHEREAS subsection 104(1)(b) of the *Business Corporations Act* (Ontario) (the "Act") provides that a resolution in writing dealing with all matters required by the Act to be dealt with at a meeting of shareholders, and signed by all the shareholders or their attorney authorized in writing entitled to vote at the meeting, satisfies all the requirements of the Act relating to that meeting of shareholders;

The following resolutions, signed by the sole shareholder of the Corporation entitled to vote thereon, are hereby passed pursuant to the provisions of the Act:

FINANCIAL STATEMENTS

It is hereby acknowledged that the balance sheet of the Corporation as at December 31, 2017, and the other audited financial statements, together with Auditors' Report, of the Corporation for the financial year ended on such date have been received by the undersigned shareholder of the Corporation.

ELECTION OF DIRECTORS

WHEREAS pursuant to the Shareholder Declaration the board of directors for the Corporation shall consist of five (5) Directors;

AND WHEREAS the terms of the directors that are members of the second class expire at the annual meeting of shareholders held in 2018 pursuant to paragraph 4.4 of the Shareholder Declaration;

NOW THEREFORE BE IT RESOLVED THAT:

1. Each of the following persons, being directors that are members of the second class pursuant to paragraph 4.4 of the Shareholder Declaration, is hereby **elected** as a director of the Corporation to hold office for a term with the expiry as set out below, provided that when a successor is not duly elected at the close of the annual meeting described below, such director shall hold office until his or her successor is elected:

<u>Class</u>	<u>Name of Director</u>	<u>Term</u>
Second	Daniel Ross	the close of the annual meeting of shareholders to be held in 2021 for the financial year ending December 31, 2020
Second	Larry Hazel	the close of the annual meeting of shareholders to be held in 2021 for the financial year ending December 31, 2020

CONFIRMATION OF CONTINUING TERMS

2. Each of the following persons, being directors that are members of the first, and third class, as provided for below, pursuant to paragraph 4.4 of the Shareholder Declaration is hereby **confirmed** as having a term continuing until the expiry as set out below, provided that when a successor is not duly elected at the close of the annual meeting described below, such director shall hold office until his or her successor is elected:

<u>Class</u>	<u>Name of Director</u>	<u>Term</u>
First	Louise Stevens	the close of the annual meeting of shareholders to be held in 2019 for the financial year ending December 31, 2018
First	Dick Brouwer	the close of the annual meeting of shareholders to be held in 2019 for the financial year ending December 31, 2018
Third	Vivian Iron	the close of the annual meeting of shareholders to be held in 2020 for the financial year ending December 31, 2019

APPOINTMENT OF AUDITORS

3. KPMG LLP are hereby appointed auditors of the Corporation to hold office until the close of the next annual meeting of the shareholders or until a successor is appointed by the shareholder at such remuneration as may be fixed by the directors and the directors are hereby authorized to fix such remuneration.

DATED this _____ day of _____, 2018.

The Corporation of the City of London

By: _____
Name: Matt Brown
Title: Mayor

By: _____
Name: Catharine Saunders
Title: City Clerk

Financial Statements of

**HOUSING DEVELOPMENT CORPORATION,
LONDON**

Year ended December 31, 2017



KPMG LLP
140 Fullarton Street Suite 1400
London ON N6A 5P2
Canada
Tel 519 672-4800
Fax 519 672-5684

INDEPENDENT AUDITORS' REPORT

To the Shareholders of Housing Development Corporation, London

We have audited the accompanying financial statements of Housing Development Corporation, London, which comprise the statement of financial position as at December 31, 2017, the statements of operations, change in net financial assets and cash flows for the year then ended, and notes, comprising a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on our judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, we consider internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.



Opinion

In our opinion, the financial statements present fairly, in all material respects, the financial position of Housing Development Corporation, London as at December 31, 2017, and its results of operations, its changes in net financial assets, and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

KPMG LLP

A handwritten signature in black ink that reads 'KPMG LLP'. The signature is written in a cursive, slightly slanted style. Below the signature is a long, horizontal, slightly curved line that tapers at both ends, serving as a decorative underline.

Chartered Professional Accountants, Licensed Public Accountants

London, Canada

April 19, 2018

HOUSING DEVELOPMENT CORPORATION, LONDON

Statement of Financial Position

As at December 31, 2017, with comparative information for 2016

	2017	2016
Financial assets		
Due from the Corporation of the City of London (note 3)	\$ 5,926,529	\$ 2,306,000
Trade and other receivables	27,895	3,049
Total financial assets	5,954,424	2,309,049
Financial liabilities		
Accounts payable and accrued liabilities	27,739	21,700
Total financial liabilities	27,739	21,700
Net financial assets	5,926,685	2,287,349
Non-financial assets		
Tangible capital assets (note 4)	1,346	1,731
Prepaid expenses	63,975	3,942
Total non-financial assets	65,321	5,673
Accumulated surplus (note 5)	\$ 5,992,006	\$ 2,293,022

The accompanying notes are an integral part of these financial statements.

HOUSING DEVELOPMENT CORPORATION, LONDON

Statement of Operations

For the year ended December 31, 2017, with comparative information for the fifteen-month period ended December 31, 2016

	Budget	2017	2016
Revenues			
Transfer payments			
Municipal - the Corporation of the City of London	\$ 2,767,755	\$ 4,343,164	\$ 2,691,502
Federal	-	3,100	-
Interest income	-	54,933	13,140
Other	-	6,000	-
Total revenues	2,767,755	4,407,197	2,704,642
Expenses			
Salaries, wages and benefits	487,171	427,796	232,363
Materials and supplies	63,940	30,764	11,804
Contracted services	186,644	124,594	167,361
Office rental expense	30,000	24,674	-
External transfers	-	100,000	-
Amortization of tangible capital assets (note 4)	-	385	192
Total expenses	767,755	708,213	411,720
Annual surplus	2,000,000	3,698,984	2,292,922
Accumulated surplus, beginning of year (note 5)	2,293,022	2,293,022	-
Issuance of share capital (note 7)	-	-	100
Accumulated surplus, end of year (note 5)	\$ 4,293,022	\$ 5,992,006	\$ 2,293,022

The accompanying notes are an integral part of these financial statements.

HOUSING DEVELOPMENT CORPORATION, LONDON

Statement of Net Financial Assets

For the year ended December 31, 2017, with comparative information for the fifteen-month period ended December 31, 2016

	Budget	2017	2016
Annual surplus	\$ 2,000,000	\$ 3,698,984	\$ 2,292,922
Acquisition of tangible capital assets	(21,735)	-	(1,923)
Amortization of tangible capital assets	-	385	192
	1,978,265	3,699,369	2,291,191
Change in prepaid expenses	-	(60,033)	(3,942)
Change in net financial assets	1,978,265	3,639,336	2,287,249
Net financial assets, beginning of year	2,287,349	2,287,349	-
Issuance of share capital (note 7)	-	-	100
Net financial assets, end of year	\$ 4,265,614	\$ 5,926,685	\$ 2,287,349

The accompanying notes are an integral part of these financial statements.

HOUSING DEVELOPMENT CORPORATION, LONDON

Statement of Cash Flows

For the year ended December 31, 2017, with comparative information for the fifteen-month period ended December 31, 2016

	2017	2016
Cash provided by:		
Operating activities:		
Annual surplus	\$ 3,698,984	\$ 2,292,922
Items not involving cash:		
Amortization of tangible capital assets	385	192
Change in non-cash assets and liabilities:		
Due from the Corporation of the City of London	(3,620,529)	(2,306,000)
Prepaid expenses	(60,033)	(3,942)
Trade and other receivables	(24,846)	(3,049)
Accounts payable and accrued liabilities	6,039	21,700
Net change in cash from operating activities	-	1,823
Capital activities:		
Purchase of tangible capital assets	-	(1,923)
Cash used in capital activities	-	(1,923)
Financing activities:		
Issuance of share capital	-	100
Cash provided by financing activities	-	100
Net change in cash flows and cash, end of period	\$ -	\$ -

The accompanying notes are an integral part of these financial statements.

HOUSING DEVELOPMENT CORPORATION, LONDON

Notes to Financial Statements

Year ended December 31, 2017

1. Nature of reporting entity

Housing Development Corporation, London (the "Corporation") is a municipal services corporation with share capital incorporated under the *Business Corporations Act*, R.S.O. 1990, c.B.16 on October 26, 2015.

The Corporation is a wholly owned subsidiary company of The Corporation of the City of London (the "City") and is managed by a Board of Directors appointed by the City, as the sole shareholder.

2. Significant accounting policies

The financial statements of the Corporation are prepared by management, in accordance with Canadian generally accepted accounting principles as defined in the Chartered Professional Accountants (CPA) of Canada Public Sector Handbook – Accounting.

Significant accounting policies are as follows.

(a) Basis of accounting

Sources of financing and expenses are reported on the accrual basis of accounting. The accrual basis of accounting recognizes revenues as they become available and measurable; expenses are recognized as they are incurred and measurable as a result of receipt of goods or services and the creation of a legal obligation to pay.

(b) Tangible capital assets

Tangible capital assets are recorded at cost which includes amounts that are directly attributable to acquisition, construction, development or betterment of the asset. The cost, less residual value, of the tangible capital assets, excluding land, are amortized on a straight line basis over their estimated useful lives as follows:

Asset	Useful Life - Years
Office equipment and furniture	5

Annual amortization is charged in the year of acquisition and in the year of disposal using the half year rule. Assets under construction are not amortized until the asset is available for productive use.

(c) Government transfers

Government transfer payments from the City are recognized in the financial statements in the year in which the payment is authorized and the events giving rise to the transfer occur, performance criteria are met, and a reasonable estimate of the amount can be made. Funding that is stipulated to be used for specific purposes is only recognized as revenue in the fiscal year that the related expenses are incurred or services performed. If funding is received for which the related expenses have not yet been incurred or services performed, these amounts are recorded as a liability at year end.

HOUSING DEVELOPMENT CORPORATION, LONDON

Notes to Financial Statements (continued)

Year ended December 31, 2017

2. Significant accounting policies (continued)

(d) Use of estimates

The preparation of financial statements in conformity with Canadian generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the year. Significant items subject to such estimates and assumptions include the valuation allowances for receivables and useful lives assigned to tangible capital assets.

Actual results could differ from those estimates.

(e) Budget figures

Budget figures have been provided for comparison purposes. Given differences between the budgeting model and generally accepted accounting principles established by the Public Sector Accounting Board ("PSAB"), certain budgeted amounts have been reclassified to reflect the presentation adopted under PSAB.

(f) Liability for contaminated sites

Under PS 3260, liability for contaminated sites are defined as the result of contamination being introduced in air, soil, water or sediment of a chemical, organic, or radioactive material or live organism that exceeds an environmental standard. This Standard relates to sites that are not in productive use and sites in productive use where an unexpected event resulted in contamination.

3. Due from the Corporation of the City of London

In accordance with the City of London Council's direction of September 2, 2014, the Corporation has been extended shared services support from the City. The City's support services include office space, information technology, risk management, facility, finance, payroll, purchasing, legal and other administrative services to ensure operational efficiency. The Corporation incurred a charge of \$25,000 for these services and this expense has been included in the Statement of Operations.

The City maintains a separate general ledger on behalf of the Corporation. All funds are paid and received through the City's bank account and are held for use by the Corporation.

HOUSING DEVELOPMENT CORPORATION, LONDON

Notes to Financial Statements (continued)

Year ended December 31, 2017

4. Tangible capital assets

Cost	Balance at December 31, 2016	Additions	Disposals	Balance at December 31, 2017
Office equipment and furniture	\$ 1,923	\$ -	\$ -	\$ 1,923
Total	\$ 1,923	\$ -	\$ -	\$ 1,923

Accumulated Amortization	Balance at December 31, 2016	Amortization Expense	Disposals	Balance at December 31, 2017
Office equipment and furniture	\$ 192	\$ 385	\$ -	\$ 577
Total	\$ 192	\$ 385	\$ -	\$ 577

	Net book value December 31, 2016	Net book value December 31, 2017
Office equipment and furniture	\$ 1,731	\$ 1,346
Total	\$ 1,731	\$ 1,346

5. Accumulated surplus

Accumulated surplus consists of individual fund surplus, reserve funds and share capital as follows:

	2017	2016
Surplus:		
Invested in tangible capital assets	\$ 1,346	\$ 1,731
Total surplus	1,346	1,731
Reserve funds set aside for specific purpose by the Board:		
Affordable Housing future operations	5,990,560	2,291,191
Total reserve funds (note 6)	5,990,560	2,291,191
Share capital:		
100 Class A common shares (note 7)	100	100
Total share capital	100	100
	\$ 5,992,006	\$ 2,293,022

HOUSING DEVELOPMENT CORPORATION, LONDON

Notes to Financial Statements (continued)

Year ended December 31, 2017

6. Analysis of reserve fund

	2017	2016
Affordable Housing reserve fund:		
Balance, beginning of year	\$ 2,291,191	\$ -
Interest earned	54,933	13,140
Contributions from current operations:		
Annual	2,000,000	2,000,000
Additional one-time from City of London	1,600,000	-
Current year surplus	32,500	278,051
Current year surplus reserved for office leasehold improvements	111,936	-
Transfers to current operations	(100,000)	-
Balance, end of year	\$ 5,990,560	\$ 2,291,191

	2017	2016
Comprised of:		
Contributions from the City of London, stipulated for use in future affordable housing projects	\$ 5,568,073	\$ 2,013,140
Accumulated operating surpluses held for future administration expenses	422,487	278,051
Balance, end of year	\$ 5,990,560	\$ 2,291,191

7. Share capital

	2017	2016
Authorized:		
An unlimited number of Class A common shares		
An unlimited number of Class B common shares		
An unlimited number of Class C common shares		
An unlimited number of non-cumulative, redeemable, voting Class A Special shares		
An unlimited number of non-cumulative, redeemable, voting Class B Special shares		
An unlimited number of non-cumulative, redeemable, voting Class C Special shares		
An unlimited number of non-cumulative, redeemable, voting Class D Special shares		
An unlimited number of non-cumulative, redeemable, voting Class E Special shares		
Issued:		
100 Class A common shares	\$ 100	\$ 100

HOUSING DEVELOPMENT CORPORATION, LONDON

Notes to Financial Statements (continued)

Year ended December 31, 2017

8. Budget data

Budget data presented in these financial statements are based upon the 2017 operating budget approved by the City and interim Board and then transferred to the Corporation. Adjustments to budgeted values were required to provide comparative budget values based on the full accrual basis of accounting. The chart below reconciles the approved budget with the budget figures as presented in these financial statements.

	Budget
Revenue:	
Municipal revenue – The Corporation of the City of London	\$ 743,792
Total revenue	743,792
Expenses:	
Personnel costs	167,792
Administrative expenses	88,405
Purchased services	482,725
Materials and supplies	2,330
Furniture and equipment	2,540
Total expenses	743,792
Net surplus as per Approved Budget	\$ -
Public Sector Accounting Board (PSAB) Reporting Requirements and Budget adjustments:	
Increase in government grants and subsidies	\$ 26,579
Increase in municipal revenue	1,997,384
Increase in personnel costs and furniture and equipment	(23,963)
Net PSAB Budget Surplus as per Financial Statements	\$ 2,000,000

9. Comparative information

Comparative information presented is for the fifteen-month period from October 26, 2015 to December 31, 2016.

KPMG LLP
1400-140 Fullarton Street
London, ON
N6A 5P2

April 19, 2018

Ladies and Gentlemen:

We are writing at your request to confirm our understanding that your audit was for the purpose of expressing an opinion on the financial statements (hereinafter referred to as “financial statements”) of Housing Development Corporation, London (“the Entity”) as at and for the period ended December 31, 2017.

GENERAL:

We confirm that the representations we make in this letter are in accordance with the definitions as set out in [Attachment I](#) to this letter.

We also confirm that, to the best of our knowledge and belief, having made such inquiries as we considered necessary for the purpose of appropriately informing ourselves:

RESPONSIBILITIES:

- 1) We have fulfilled our responsibilities, as set out in the terms of the engagement letter dated September 15, 2016, for:
 - a) the preparation and fair presentation of the financial statements and believe that these financial statements have been prepared and present fairly in accordance with the relevant financial reporting framework
 - b) providing you with all relevant information of which we are aware that is relevant to the preparation of the financial statements, such as all financial records and documentation and other matters, including (i) the names of all related parties and information regarding all relationships and transactions with related parties, and (ii) the complete meeting minutes, or summaries of actions of recent meetings for which minutes have not yet been prepared, of shareholders, board of directors and committees of the board of directors that may affect the financial statements, and access to such relevant information. All significant board and committee actions are included in the summaries.
 - c) providing you with additional information that you may request from us for the purpose of the engagement.
 - d) providing you with unrestricted access to persons within the Entity from whom you determined it necessary to obtain audit evidence.
 - e) such internal control as management determined is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or

error. Management also acknowledges and understands that they are responsible for the design, implementation and maintenance of internal control to prevent and detect fraud.

- f) ensuring that all transactions have been recorded in the accounting records and are reflected in the financial statements.
- g) providing you with written representations that you are required to obtain under your professional standards and written representations that you determined are necessary.
- h) ensuring that internal auditors providing direct assistance to you, if any, were instructed to follow your instructions and that management, and others within the entity, did not intervene in the work the internal auditors performed for you.

INTERNAL CONTROL OVER FINANCIAL REPORTING:

- 2) We have communicated to you all deficiencies in the design and implementation or maintenance of internal control over financial reporting of which management is aware.

FRAUD & NON-COMPLIANCE WITH LAWS AND REGULATIONS:

- 3) We have disclosed to you:
 - a) the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud
 - b) all information in relation to fraud or suspected fraud that we are aware of and that affects the financial statements and involves: management, employees who have significant roles in internal control, or others, where the fraud could have a material effect on the financial statements
 - c) all information in relation to allegations of fraud, or suspected fraud, affecting the financial statements, communicated by employees, former employees, analysts, regulators, or others
 - d) all known instances of non-compliance or suspected non-compliance with laws and regulations, including all aspects of contractual agreements, whose effects should be considered when preparing financial statements
 - e) all known actual or possible litigation and claims whose effects should be considered when preparing the financial statements

SUBSEQUENT EVENTS:

- 4) All events subsequent to the date of the financial statements and for which the relevant financial reporting framework requires adjustment or disclosure in the financial statements have been adjusted or disclosed.

RELATED PARTIES:

- 5) We have disclosed to you the identity of the Entity's related parties.
- 6) We have disclosed to you all the related party relationships and transactions/balances of which we are aware.
- 7) All related party relationships and transactions/balances have been appropriately accounted for and disclosed in accordance with the relevant financial reporting framework.

ESTIMATES:

- 8) Measurement methods and significant assumptions used by us in making accounting estimates, including those measured at fair value, are reasonable.

GOING CONCERN:

- 9) We have provided you with all information relevant to the use of the going concern assumption in the financial statements.
- 10) We confirm that we are not aware of material uncertainties related to events or conditions that may cast significant doubt upon the Entity's ability to continue as a going concern.

NON-SEC REGISTRANTS OR NON-REPORTING ISSUERS:

- 11) We confirm that the Entity is not a Canadian reporting issuer (as defined under any applicable Canadian securities act) and is not a United States Securities and Exchange Commission ("SEC") Issuer (as defined by the Sarbanes-Oxley Act of 2002). We also confirm that the financial statements of the Entity will not be included in the consolidated financial statements of a Canadian reporting issuer audited by KPMG or an SEC Issuer audited by any member of the KPMG organization.

Yours very truly,



Stephen Giustizia,
Chief Executive Officer,
Housing Development Corporation, London



Sharon Swance, CPA, CGA,
Manager of Accounting,
Finance & Corporate Services,
City of London



Ian Collins, CPA, CMA,
Director, Financial Services,
Finance & Corporate Services,
City of London

I have the recognized authority to take, and assert that I have taken, responsibility for the financial statements



Report to the Shareholder: Reporting Year 2017 From Implementation to IMPACT



HDC

Strategic Priorities and Policy Committee,
June 25, 2018

Housing Development Corporation, London



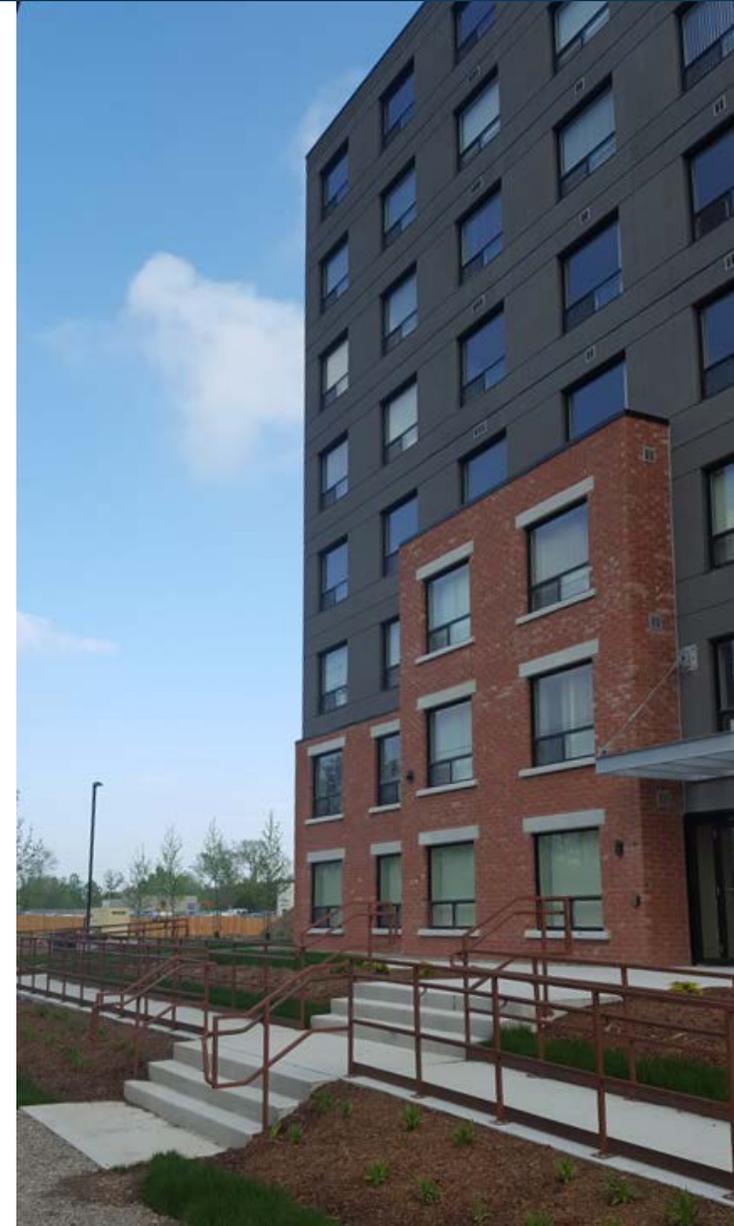
OVERVIEW OF PRESENTATION

2017 Projects and Status

**HDC and Housing Drivers and
the Local Housing Environment**

Business Plan Update – Amplifying HDC’s Impact

**Moving Forward: Actions Required for
More Affordable Housing**



HDC PROJECTS AND STATUS



COMPLETED IN 2017

193 Clarke Rd., London

14 Units (all affordable)

380 Princess Ave., London

35 Units (33 affordable and 2 market units)

534 Albert St., Strathroy

31 Units (21 affordable and 10 market units)

TOTAL:

80 new rental units

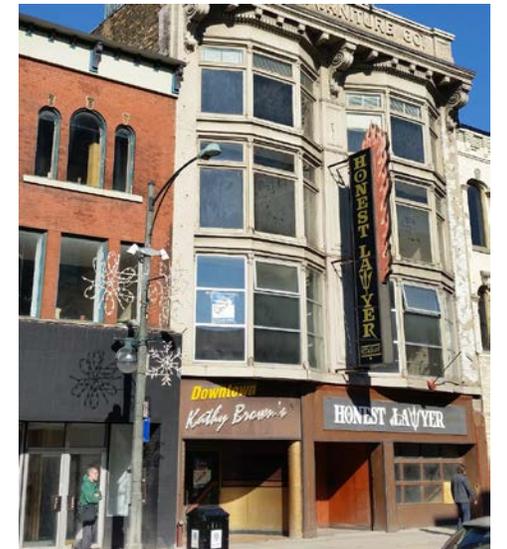
added to stock in 2017



IN PROGRESS

226-230 Dundas St. London

33 affordable units under construction

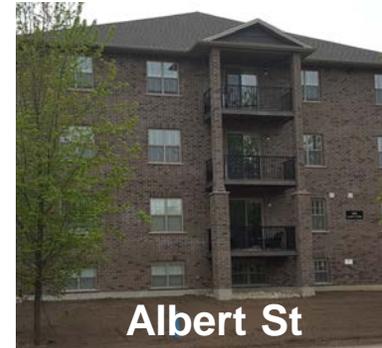




HDC NEW PROJECTS AND STATUS

2017 CONSTRUCTION STARTS

	UNITS		
	Total	Affordable	
356 Dundas St., London	69	50	Under Construction
516 Albert St., Strathroy	31	27	Renting
27 Centre St. London	61	46	Renting



Albert St



Centre St



Dundas St

2018 CONSTRUCTION STARTS

	UNITS	UNITS	2017 INVESTMENTS		
			COST	Fed/Prov.	Mun./HDC
	Total	Affordable	Total Project		
25 Centre St.	82	45	\$16.0 M	\$4.843 M	\$80,850
770 Whetter Ave.	54	50	\$10.6 M	\$5.575 M	\$64,790

Total of 297 Rental Units: 218 affordable (60 – 80% AMR) and 79 at market rent.



2017 FED/PROV. CAPITAL FUNDING

Federal / Provincial Funding	2017 Allocation	2018 Allocation
Fed. & Prov. New Rental Funding Social Infrastructure Fund (SIF)	\$4,843,290 Invested in 25 Centre St.	\$1,214,940
Investment in Affordable Housing Extension (IAH-E)	\$5,575,210 Invested in 770 Whetter Ave.	\$5,560,960
Federal and Provincial funding varies from to year. ~\$10M in 2017 and ~\$7m in 2018		2018 applications currently under review

**Future programs and funding will change based on the National Housing Strategy.
Federal/Provincial funds must be allocated in accordance to program requirements.**



HDC RESERVE FUND STATUS – CAPITAL

Reserve Fund Details	Funding	Commitments
2017 Reserve Fund: Balance (Includes annual City contribution of \$2,000,000 and 2017 One-Time Funding of \$1,600,000)	\$5,990,560	
2017 Allocations from HDC Reserve: Habitat for Humanity		(\$100,000)
Other Reserve Commitments: 2016 Contribution (to 356 Dundas St. Project) 2017 New Builds Projects (25 Centre and 770 Whetter) 122 Baseline Rd. Project (Initial Allocation) 403 Thompson Rd. Project (Site Readiness Allocation)		(214,205) (\$145,640) (\$3,500,000) (\$250,000)
2018 New Build Projects		Fall 2018 (\$TBD)

The Balance of the HDC Reserve is subject to 2018 project approvals

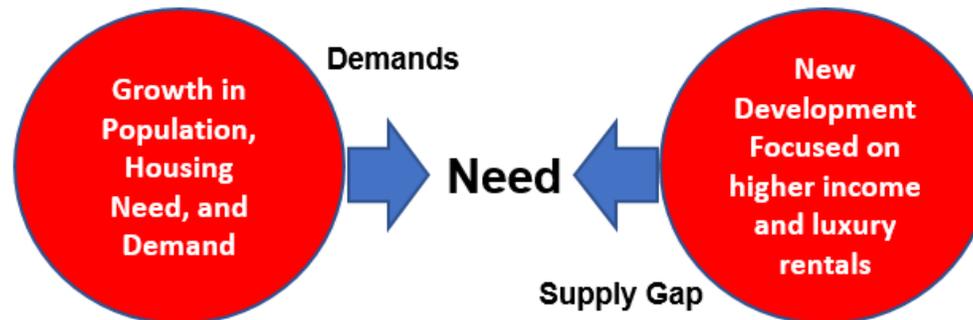
HDC THE HOUSING ENVIRONMENT AND DRIVERS



2018 AND BEYOND: A Supply Challenge

Affordable housing needs continue to grow

- Average market rents (AMR) continue to increase (\$850/m for one bedroom)
- No new purpose built units developed below AMR
- Vacancy rates very low (~1% for 1 bedroom units)
- Increasing demand from a growing population
- Affordable market units are leaving stock





HDC VALUE IN INVESTMENT



Affordable rental housing development creates social, economic, and community value and provides infrastructure investment opportunities.

\$1 invested in new affordable rental housing by governments

attracts / leverages

\$1 of non-government equity (investment or mortgage)



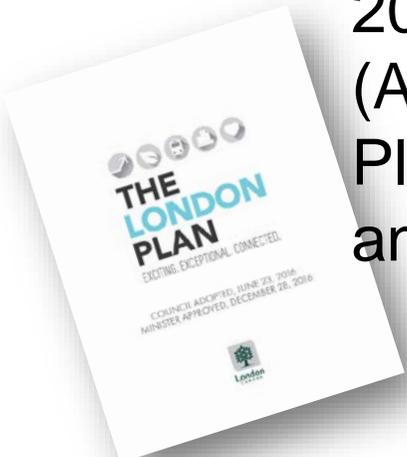


HDC UPDATE: IN 2017 – OUR BUSINESS PLAN STATUS

HDC BUSINESS PLAN UPDATE

2016/17: HDC Implementation

2018: Revising HDC Business Plans 2019-2023
(Align with Council Strategic Plans / Next Multi-Year Budget and London Plan)



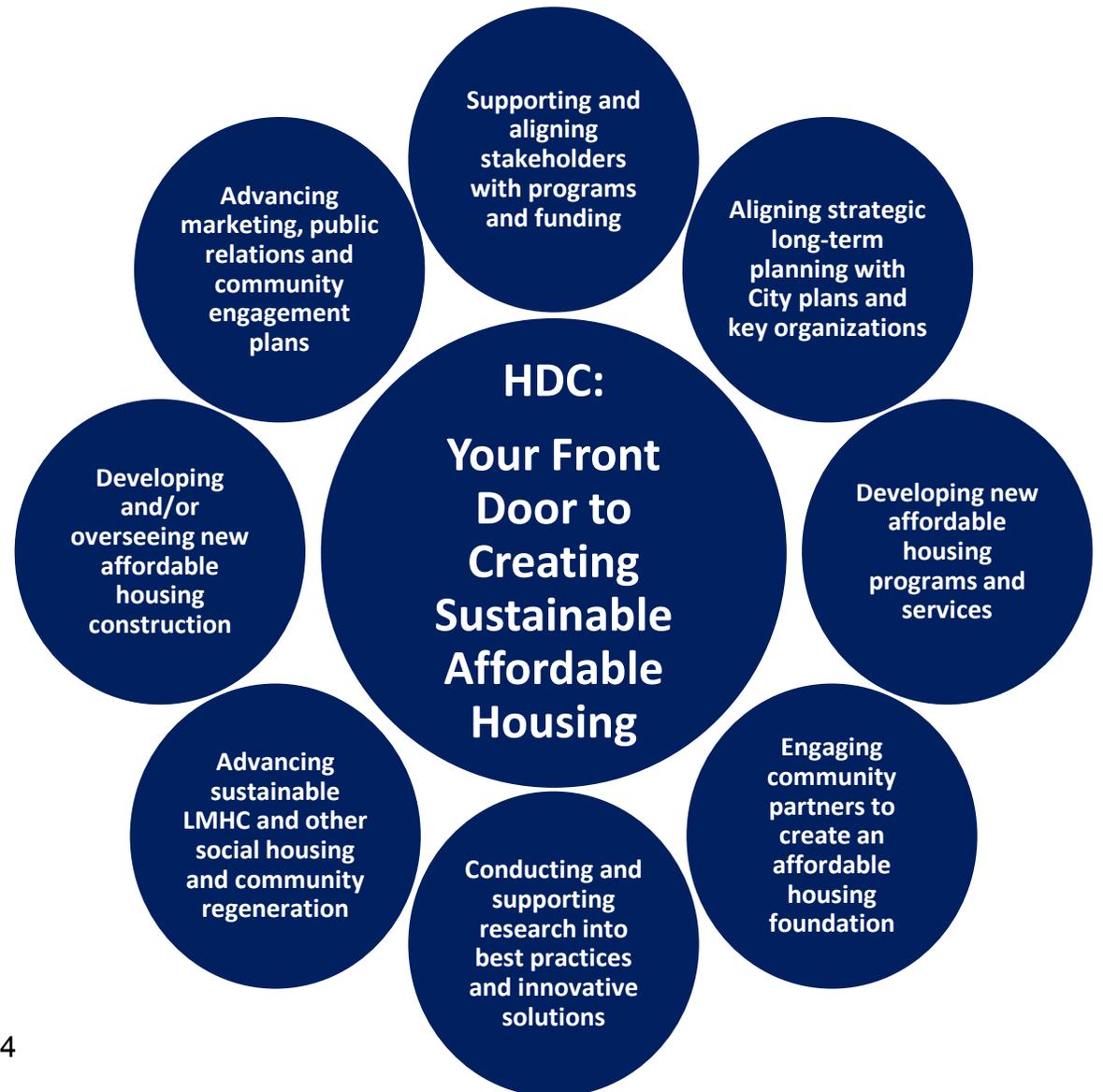
GROWING OUR ECONOMY





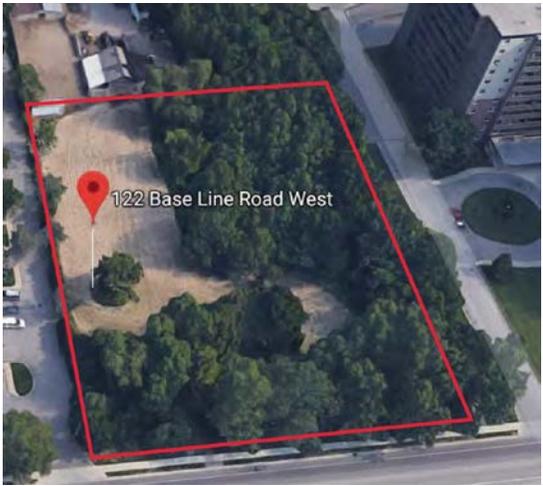
HDC UPDATE: IN 2017 – OUR BUSINESS PLAN STATUS

HDC will build on its solid foundation and amplify its impact as a one-stop resource for affordable housing.





URBAN REGENERATION AND AFFORDABLE HOUSING



122 Baseline Rd. W.



403 Thompson Rd.

Directions	Policies
Build a Diverse City	<ul style="list-style-type: none"> Revitalize our neighbourhoods to serve as community hubs; Develop affordable housing that attracts a diverse population to our city
Build mixed-use compact city	<ul style="list-style-type: none"> Sustain, enhance and revitalize our neighbourhoods; Plan for intensification; Ensure a mix of housing types within our neighbourhoods;
Build strong, healthy, attractive Neighbourhoods	<ul style="list-style-type: none"> Promote connectivity and safety; Design complete neighbourhoods (ages, incomes and abilities); Create social gathering places where neighbours can come together; Integrate affordable forms of housing in all neighbourhoods; Explore creative opportunities for rehabilitating public housing.
Make wise planning decisions	<ul style="list-style-type: none"> Engage stakeholders in all planning processes; Plan for sustainability...economic, social and environmental; Think "big picture" and long-term; Plan for affordable, sustainable infrastructure; Avoid current and future land use conflicts;

Affordable housing development supports urban regeneration and the City's objectives in building diverse, inclusive, welcoming, caring and compassionate communities.



LONDON & MIDDLESEX
HOUSING CORPORATION





MOVING FORWARD: HDC AND MUNICIPAL TOOLS

Land Use Related Programs:

- Surplus lands policies and strategies
- Mixed/shared municipal developments

Planning Policies/Incentives:

- Inclusionary Zoning
- Height and Density Bonusing
- Community Improvement Plans
- Secondary Plans
- Special Policies/Zoning

Fee Based Incentives:

- Development Charge (DC) Strategies
- Building Permits and Expedited Processes
- Application Fees (Reducing /mitigating costs)

Stacking of Supplements:

- Modifying Project Budgets to include current or future supplements and allowances
- Such as the future proposed National Housing Benefit



Design Standards

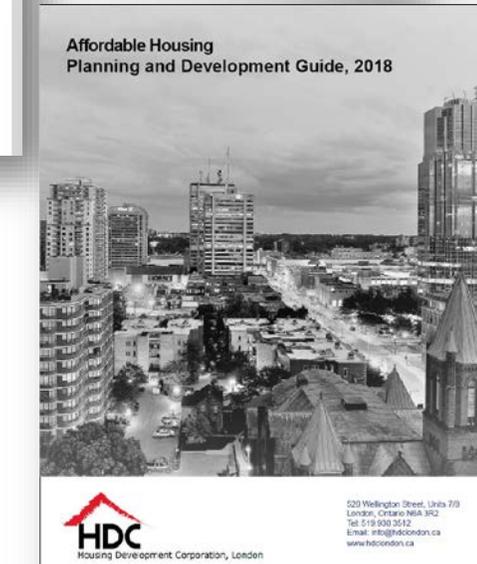
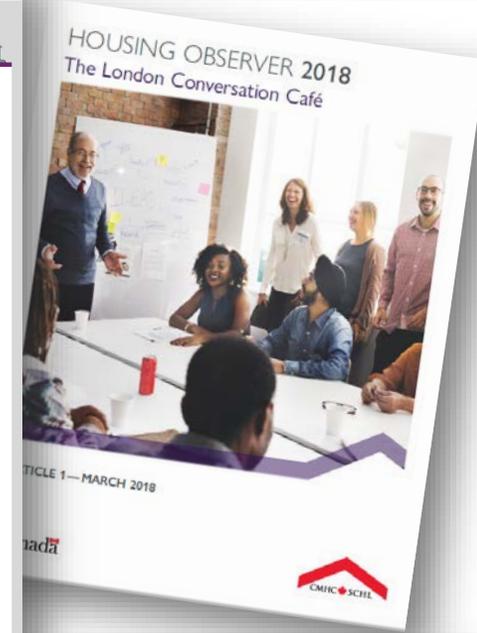
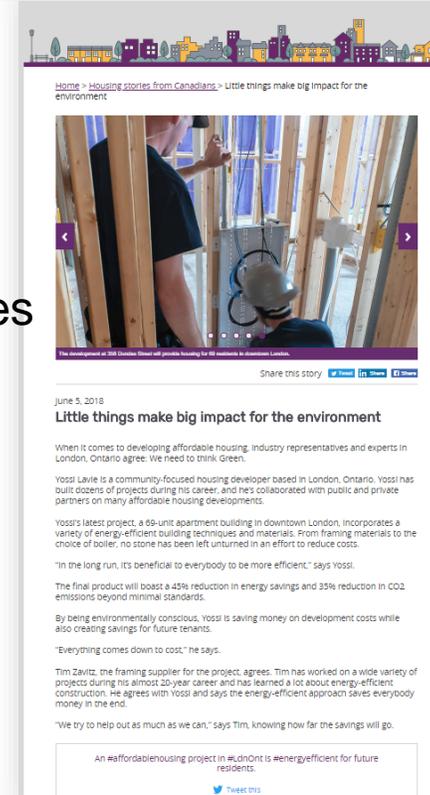
- Encouraging universal design and flexibility
- Supporting best practices in environmental and sustainable design
- Exceeding Ont. Building Code
- Designing integrated mixed populations that integrate into communities
- Leveraging intensity, size, and mix
- Supporting stronger more sustainable financials

Advancing Non-Profit and Market Development:

- Working with non-profit providers on shared tools and strategies
- Working with private developers and builders to secure units in market developments

Advancing New Programs and Services:

- Aligning funding and programs with City services to continue to advance large developments, as well as smaller/single unit forms of development.
- Acting as a single point of access for government programs and incentives for new affordable housing development and regeneration





New Community-Based Finance Opportunity:

Work with existing community resources and agencies to create a focused community land trust and foundation for endowments, gifts, etc. to support capital development and targeted strategies.

25 Centre St
Escalade Property Corp.



HDC Board

Dick BROUWER
Chair

Larry HAZEL
Treasurer

Vivian IRON
Secretary

Louise STEVENS
Member

Dan ROSS
Member



HDC Staff

Melissa ESPINOZA
Program and
Business Manager

Isabel DA ROCHA
Program and
Business Manager

Brian TURCOTTE
Development
Manager

Kim WOOD
Development
Manager

Olga ALCHITS
Office Manager

Neil WATSON
(Contract)

Stephen GIUSTIZIA
CEO



Housing Development Corporation, London

January 29, 2018

BY EMAIL to csaunders@london.ca and lrowe@london.ca

Attention: **Cathy Saunders, City Clerk and
Linda Rowe, Deputy City Clerk and Secretary to Strategic Priorities and Policy
Committee of Council**

City Clerk's Office
Room 308
City Hall
300 Dufferin Avenue
PO Box 5035
London, ON N6A 4L9

Dear Ms. Saunders and Ms. Rowe:

At its meeting of January 18, 2018, the Board of Directors of the Housing Development Corporation, London (HDC) resolved to:

1. Request a meeting of the Shareholder. HDC requests to appear before the Strategic Priorities and Policy Committee (SPPC) of Municipal Council, at the SPPC meeting of June 25, 2018.

This meeting request is intended to serve the purpose of the annual meeting of the City of London as the Sole Shareholder of HDC and would include a request for delegation status for a presentation by HDC, as well as the consideration and passing of annual resolutions by the Shareholder.

HDC further understands that a similar request may be advanced by the Board of the London and Middlesex Housing Corporation (LMHC) for a shareholder meeting.

Subject to their corresponding request, HDC and LMHC further request a separate joint delegation status for the purposes of updating SPPC on business activities involving both organizations.

and

2. Request that, at its earliest convenience, the Sole Shareholder approve the reappointment of Larry Hazel and Daniel Ross, HDC Board Members Class 2, and ratify the same by by-law at the meeting of the Shareholder. This request is in accordance with the HDC Business Plan, HDC Shareholder Declaration, and Municipal By-law A-7433-212.

The two Class 2 HDC Board Members were established for an initial two (2) year term (prior to a renewal for the standard three (3) year term) to support the staggering of board positions and continuity of HDC governance. This action is similar to the one taken on March 2, 2017 by Council to support continuance of Class 3 board member Vivian (Lui) Iron. This request comes with the agreement of the Class 2 members and with the unanimous recommendation of the HDC Board that the Sole Shareholder not seek other candidates for these positions.

...2



Housing Development Corporation, London

2.

We look forward to our meeting with the Shareholder in the spring.

Yours truly,

Dick Brouwer,
Chair, Housing Development Corporation, London (HDC) Board of Directors

- c. S. Giustizia, CEO HDC
- HDC Board Members
- S. Datars Bere, City of London Shareholder and Service Manager Liaison.

Please note that the HDC office will be relocating to 520 Wellington St., London on March 1, 2018.

TO:	CHAIR AND MEMBERS STRATEGIC PRIORITIES AND POLICY COMMITTEE MEETING ON JUNE 25, 2018
FROM:	MARTIN HAYWARD CITY MANAGER
SUBJECT:	LONDON & MIDDLESEX HOUSING CORPORATION 2017 ANNUAL MEETING OF THE SHAREHOLDER ANNUAL RESOLUTIONS

RECOMMENDATION

That, on the recommendation of the City Manager, the attached proposed by-law (Appendix “A”) BE INTRODUCED at the Municipal Council meeting to be held June 26, 2018 to:

- a) ratify and confirm the Annual Resolutions of the Shareholder of the London & Middlesex Housing Corporation attached as Schedule “A” to the by-law; and
- b) authorize the Mayor and the City Clerk to execute the Annual Resolutions of the Shareholder of the London & Middlesex Housing Corporation attached as Schedule “A” to the by-law.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
--

May 16, 2016 – Strategic Priorities and Policy Committee – Agenda Item #4
 July 25, 2016 – Strategic Priorities and Policy Committee – Agenda Item#8
 May 15, 2017 – Strategic Priorities and Policy Committee – Agenda Item #7
 March 26, 2018 – Strategic Priorities and Policy Committee – Agenda Item #4.2

BACKGROUND

At its meeting held March 27, 2018, Municipal Council resolved:

“That the following actions be taken with respect to the 2017 Annual General Meeting of the Shareholder for the London & Middlesex Housing Corporation:

- a) the 2017 Annual General Meeting of the Shareholder for the London & Middlesex Housing Corporation BE HELD at a meeting of the Strategic Priorities and Policy Committee on June 25, 2018, for the purpose of receiving the report from the Board of Directors of the London & Middlesex Housing Corporation in accordance with the Shareholder Declaration and the *Business Corporations Act, R.S.O. 1990, c. B.16*; and
- b) the City Clerk BE DIRECTED to provide notice of the 2017 Annual Meeting to the Board of Directors for the London & Middlesex Housing Corporation and to invite the Chair of the Board and the Executive Director of the London & Middlesex Housing Corporation to attend at the Annual Meeting and present the report of the Board in accordance with the Shareholder Declaration;

it being noted that the Strategic Priorities and Policy Committee received a communication dated March 15, 2018, from M. Buzzelli, Chair, Board of Directors, London & Middlesex Housing Corporation, with respect to this matter.”

2017 Annual General Meeting

The London & Middlesex Housing Corporation is a corporation with share capital incorporated under the *Business Corporations Act*, R.S.O. 1990 c. B.16. The London & Middlesex Housing Corporation is managed by a Board of Directors appointed by The Corporation of the City of London as the sole shareholder.

The attached (Schedule "A") Annual Resolutions of the Shareholder of the London & Middlesex Housing Corporation addresses the following matters that are required to be dealt with at an Annual Meeting as required by the Shareholder's Declaration and the *Business Corporations Act*.

- a) receipt of the 2017 audited financial statements;
- b) appoint an Auditor; and,
- c) election of the directors.

We understand that the London & Middlesex Housing Corporation is recommending that Marci Allen-Easton, Sean Quigley and Mark Rosehart be appointed for an additional term as Third Class Directors.

PREPARED BY:	RECOMMENDED BY:
CATHY SAUNDERS CITY CLERK	MARTIN HAYWARD CITY MANAGER

APPENDIX "A"

Bill No.
2018

By-law No. A.-

A by-law to ratify and confirm the Annual Resolutions of the Shareholder of London & Middlesex Housing Corporation

WHEREAS London & Middlesex Housing Corporation is incorporated under the *Business Corporations Act* R.S.O. 1990, c.B.16 (the "BCA");

AND WHEREAS subsection 104(1)(b) of the BCA provides that a resolution in writing dealing with all matters required by the BCA to be dealt with at a meeting of shareholders, and signed by all the shareholders or their attorney authorized in writing entitled to vote at the meeting, satisfies all the requirements of the BCA relating to that meeting of shareholders;

AND WHEREAS The Corporation of the City of London is the sole shareholder of London & Middlesex Housing Corporation;

AND WHEREAS Subsection 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 Subsection 5(3) of the *Municipal Act, 2001* 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. The Annual Resolutions of the Shareholder of London & Middlesex Housing Corporation for the fiscal year ended December 31, 2017, attached as Schedule "A" are ratified and confirmed.
2. The Mayor and the City Clerk are authorized to execute the Annual Resolutions of the Shareholder ratified and confirmed under section 1 of this by-law.
3. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on June 26th, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

SCHEDULE "A"

**LONDON & MIDDLESEX HOUSING CORPORATION
(the "Corporation")**

WHEREAS subsection 104(1)(b) of the *Business Corporations Act* (Ontario) (the "Act") provides that a resolution in writing dealing with all matters required by the Act to be dealt with at a meeting of shareholders, and signed by all the shareholders or their attorney authorized in writing entitled to vote at the meeting, satisfies all the requirements of the Act relating to that meeting of shareholders;

The following resolutions, signed by the sole shareholder of the Corporation entitled to vote thereon, are hereby passed pursuant to the provisions of the Act:

FINANCIAL STATEMENTS

It is hereby acknowledged that the balance sheet of the Corporation as at December 31, 2017, and the other audited financial statements, together with Auditors' Report, of the Corporation for the financial year ended on such date have been received by the undersigned shareholder of the Corporation.

ELECTION OF DIRECTORS

WHEREAS pursuant to the Declaration of the Sole Shareholder, the board of directors of the Corporation shall consist of nine directors, seven of which shall be composed of various classes of directors, each serving for a three-year term, the eighth and ninth members of the fourth class shall serve as the representative of the municipal council of The Corporation of the City of London and The Corporation of the County of Middlesex;

AND WHEREAS the terms of the directors that are members of the third class expire at the annual meeting of shareholders held in 2018 pursuant to paragraph 6.2 of the Declaration of the Sole Shareholder;

NOW THEREFORE BE IT RESOLVED THAT:

1. Each of the following persons, being directors that are members of the first class pursuant to paragraph 6.2 of the Declaration of the Sole Shareholder, is hereby **elected** as a director of the Corporation to hold office for a term with the expiry as set out below, provided that when a successor is not duly elected at the close of the annual meeting described below, such director shall hold office until his or her successor is elected:

<u>Class</u>	<u>Name of Director</u>	<u>Term</u>
First	Deborah Peckham	the close of the annual meeting of shareholders to be held in 2020 for the financial year ending December 31, 2019
First	Larry Ducharme	the close of the annual meeting of shareholders to be held in 2020 for the financial year ending December 31, 2019

CONFIRMATION OF CONTINUING TERMS

2. Each of the following persons, being directors that are members of the second, third and fourth class, as provided for below, pursuant to paragraph 6.2 of the Declaration of the Sole Shareholder, is hereby **confirmed** as having a term continuing until the expiry as set out below, provided that when a successor is not duly elected at the close of the annual meeting described below, such director shall hold office until his or her successor is elected:

<u>Class</u>	<u>Name of Director</u>	<u>Term</u>
Second	Anna-Maria Evans	the close of the annual meeting of shareholders to be held in 2019 for the financial year ending December 31, 2018
Second	Michael Buzzelli	the close of the annual meeting of shareholders to be held in 2019 for the financial year ending December 31, 2018
Third	Marci Allen-Easton	the close of the annual meeting of shareholders to be held in 2021 for the financial year ending December 31, 2020
Third	Sean Quigley	the close of the annual meeting of shareholders to be held in 2021 for the financial year ending December 31, 2020
Third	Mark Rosehart	the close of the annual meeting of shareholders to be held in 2021 for the financial year ending December 31, 2020
Fourth	Anna Hopkins	the term ending November 30, 2018
Fourth	Vance Blackmore	the term ending November 30, 2018

APPOINTMENT OF AUDITORS

3. KPMG LLP are hereby appointed auditors of the Corporation to hold office until the close of the next annual meeting of the shareholders or until a successor is appointed by the shareholder at such remuneration as may be fixed by the directors and the directors are hereby authorized to fix such remuneration.

DATED this ____ day of _____, 2018.

The Corporation of the City of London

By: _____
 Name: Matt Brown
 Title: Mayor

By: _____
 Name: Catharine Saunders
 Title: City Clerk

Financial Statements of

**LONDON & MIDDLESEX HOUSING
CORPORATION**

Year ended December 31, 2017

INDEPENDENT AUDITORS' REPORT

To the Board of Directors of London & Middlesex Housing Corporation

We have audited the accompanying financial statements of London & Middlesex Housing Corporation, which comprise the statement of financial position as at December 31, 2017, the statements of operations, change in net financial debt and cash flows for the year then ended, and notes, comprising a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on our judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, we consider internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements present fairly, in all material respects, the financial position of London & Middlesex Housing Corporation as at December 31, 2017, and its results of operations and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Chartered Professional Accountants, Licensed Public Accountants

DATE

London, Canada

LONDON & MIDDLESEX HOUSING CORPORATION

Statement of Financial Position

As at December 31, 2017, with comparative information for 2016

	2017	2016
Financial Assets:		
Cash	\$ 1,501,897	\$ 1,110,798
Accounts receivable (note 3)	1,280,317	826,683
Due from The Corporation of the City of London	1,279,156	849,428
	<u>4,061,370</u>	<u>2,786,909</u>
Financial Liabilities:		
Accounts payable and accrued liabilities	3,851,506	2,667,306
Tenants advances	623,337	508,927
Unearned miscellaneous revenue	57,975	62,918
	<u>4,532,818</u>	<u>3,239,151</u>
Net debt	(471,448)	(452,242)
Non-financial Assets:		
Tangible capital assets (note 7)	51,957,297	50,871,208
Prepaid expenses	471,448	452,242
	<u>52,428,745</u>	<u>51,323,450</u>
Commitments (note 5)		
Accumulated surplus (note 8)	\$ 51,957,297	\$ 50,871,208

See accompanying notes to financial statements.

On behalf of the Board:

_____ Director

_____ Director

LONDON & MIDDLESEX HOUSING CORPORATION

Statement of Operations

Year ended December 31, 2017, with comparative information for 2016

	Budget	2017	2016
Revenue:			
Rental revenue	\$ 10,691,691	\$ 11,122,354	\$ 10,773,462
From The Corporation of the City of London:			
Rental subsidy	9,758,731	9,758,730	8,991,668
Funding adjustment	-	(4,506)	50,565
Capital funding	-	2,610,289	867,439
One time funding	-	-	115,000
Energy savings project rebates	-	74,100	790,097
Other	284,391	354,605	507,621
Total revenue	20,734,813	23,915,572	22,095,852
Expenses:			
Salaries, wages and employee benefits	4,574,078	4,790,722	4,465,301
Maintenance, materials and services:			
Building, general	3,061,350	3,506,268	2,941,295
Grounds	830,214	846,330	830,382
Painting	269,085	320,347	279,474
Other	190,434	152,118	124,767
	4,351,083	4,825,063	4,175,918
Utilities:			
Electricity	2,402,933	1,984,966	2,473,928
Water	1,049,085	1,116,774	1,070,922
Natural gas	1,124,614	929,885	780,453
	4,576,632	4,031,625	4,325,303
Amortization	-	1,529,531	1,516,718
Property:			
Insurance	652,194	630,535	605,526
Municipal taxes	5,331,347	5,289,982	5,137,198
Mortgage payments	45,938	46,871	46,871
	6,029,479	5,967,388	5,789,595
Administration	1,203,541	1,685,153	1,617,862
Total expenses	20,734,813	22,829,482	21,890,697
Annual surplus	-	1,086,089	205,155
Accumulated surplus, beginning of year	50,871,208	50,871,208	50,666,053
Accumulated surplus, end of year	\$ 50,871,208	\$ 51,957,297	\$ 50,871,208

See accompanying notes to financial statements.

LONDON & MIDDLESEX HOUSING CORPORATION

Statement of Change in Net Debt

Year ended December 31, 2017, with comparative information for 2016

	2017	2016
Annual surplus	\$ 1,086,089	\$ 205,155
Acquisition of tangible capital assets	(2,615,620)	(1,721,873)
Amortization of tangible capital assets	1,529,531	1,516,718
	(1,086,089)	(205,155)
Acquisition of prepaid expenses	(6,600,274)	(6,322,946)
Use of prepaid expenses	6,581,068	6,328,065
Change in net financial debt	(19,206)	5,119
Net debt, beginning of year	(452,242)	(457,361)
Net debt, end of year	\$ (471,448)	\$ (452,242)

See accompanying notes to financial statements.

LONDON & MIDDLESEX HOUSING CORPORATION

Statement of Cash Flows

December 31, 2017, with comparative information for 2016

	2017	2016
Cash provided by (used in):		
Operating activities:		
Annual surplus	\$ 1,086,089	\$ 205,155
Item not involving cash:		
Amortization	1,529,531	1,516,718
Changes in non-cash items:		
Accounts receivable	(453,635)	(152,314)
Prepaid expenses	(19,206)	5,119
Due from The Corporation of the City of London	(429,727)	(250,618)
Accounts payable and accrued liabilities	1,184,200	(256,139)
Tenant advances	114,410	33,688
Unearned miscellaneous revenue	(4,943)	(7,382)
	3,006,719	1,094,227
Capital activities:		
Cash used to acquire tangible capital assets	(2,615,620)	(1,721,873)
Increase (decrease) in cash	391,099	(627,646)
Cash, beginning of year	1,110,798	1,738,444
Cash, end of year	\$ 1,501,897	\$ 1,110,798

See accompanying notes to financial statements.

LONDON & MIDDLESEX HOUSING CORPORATION

Notes to Financial Statements

December 31, 2017

1. Incorporation:

The London & Middlesex Housing Corporation (the "Corporation") operates housing accommodation primarily for persons of low and moderate income. The Corporation operates 3,282 units throughout the City of London and the County of Middlesex and is 100% owned by The Corporation of the City of London.

2. Significant accounting policies:

The financial statements of the Corporation are prepared by management in accordance with Canadian generally accepted accounting principles for local governments as recommended by the Public Sector Accounting Board ("PSAB") of the Chartered Professional Accountants of Canada. Significant accounting policies adopted by the Corporation are as follows:

(a) Tangible capital assets:

- (i) Tangible capital assets are recorded at cost which includes amounts that are directly attributable to acquisition, construction, development or betterment of the asset. The cost, less residual value, of the tangible capital assets, excluding land, are amortized on a straight-line basis over their estimated useful lives as follows:

Asset	Useful life-years
Site improvements	20-35
Buildings and improvements	15-40
Technology and communications	3
Vehicles	10
Furniture and fixtures	10
Machinery and equipment	25
Appliances	10

One half-year's amortization is charged in the year of acquisition.

- (ii) Contributions of capital assets:

Tangible capital assets received as contributions are recorded at their fair value at the date of receipt.

LONDON & MIDDLESEX HOUSING CORPORATION

Notes to Financial Statements (continued)

December 31, 2017

2. Significant accounting policies (continued):

(b) Revenue recognition:

Rental revenue is recognized at the time the service is provided. Other revenues are recognized when earned.

Government transfer payments are recognized in the financial statements in the year in which the payment is authorized and the events giving rise to the transfer occur, performance criteria are met, and a reasonable estimate of the amount can be made. Funding that is stipulated to be used for specific purposes is only recognized as revenue in the fiscal year that the related expenses are incurred or services performed. If funding is received for which the related expenses have not yet been incurred or services performed, these amounts are recorded as a liability at year end.

(c) Use of estimates:

The preparation of the financial statements requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the year. Significant items subject to such estimates and assumptions include the carrying value of tangible capital assets and valuation allowances for receivables. Actual results could differ from those estimates. These estimates are reviewed periodically, and, as adjustments become necessary, they are reported in earnings in the year in which they become known.

(d) Budget data:

Budget figures have been provided for comparison purposes. Given differences between the budgeting model and generally accepted accounting principles established by PSAB, certain budgeted amounts have been reclassified to reflect the presentation adopted under PSAB.

(e) Contaminated sites

Under PS 3260, contaminated sites are defined as the result of contamination being introduced in air, soil, water or sediment of a chemical, organic, or radioactive material or live organism that exceeds an environmental standard. This Standard relates to sites that are not in productive use and sites in productive use where an unexpected event resulted in contamination.

LONDON & MIDDLESEX HOUSING CORPORATION

Notes to Financial Statements (continued)

December 31, 2016

3. Accounts receivable:

	2017	2016
Rent	\$ 402,188	\$ 266,279
Harmonized sales tax	477,735	271,085
Sundry	400,394	289,319
	<u>\$ 1,280,317</u>	<u>\$ 826,683</u>

4. Income producing properties:

The income producing properties held by London & Middlesex Housing Authority and passed through to the Corporation were originally financed by the Province of Ontario through general obligation provincial debentures. At the time of the transfer of ownership, the Province did not transfer the responsibility for repayment of these debentures. Accordingly, the value of the provincial debentures associated with them have not been recorded on the Corporation's financial statements.

5. Commitments:

(a) Debt service payment:

The Corporation is responsible for the debt service payments on one of its properties located on Bella Street in Strathroy, Ontario. These payments of both principal and interest are made directly to the mortgagee and are expensed when incurred. A total of \$46,871 was expensed and paid in 2017 (2016 - \$46,871). The Ontario government is considered to be the holder of this debt, thus no provision has been made in the Corporation's financial statements for the mortgage.

(b) Contractual obligations:

The Corporation is committed to the following minimum annual operating lease payments for premises and equipment as follows:

2018	\$	312,299
2019		310,376
2020		303,186
2021		124,158

6. Pension agreement:

The Corporation makes contributions to the Ontario Municipal Employees Retirement Fund (OMERS), a multi-employer plan, on behalf of its employees. The plan is a defined benefit plan which specifies the amount of the retirement benefit to be received by the employees based on the length of service and rates of pay. The 2017 contribution rates are 9.0% for employee earnings below the year's maximum pensionable earnings and 14.6% thereafter. Employee contributions match these rates.

Contributions to OMERS by the Corporation are recognized as an expense in the period they are incurred. A total of \$312,640 (2016 - \$304,883) was incurred as a pension expense.

LONDON & MIDDLESEX HOUSING CORPORATION

Notes to Financial Statements (continued)

December 31, 2017

7. Tangible capital assets:

Cost	Balance at December 31, 2016	2017 Additions	2017 Disposals	Balance at December 31, 2017
Land	\$ 24,605,751	\$ -	\$ -	\$ 24,605,751
Site improvements	3,296,317	200,098	-	3,496,415
Buildings and improvements	82,450,379	1,974,403	-	84,424,782
Technology and communications	633,799	45,202	(50,531)	628,470
Vehicles	48,297	-	-	48,297
Furniture and fixtures	209,656	35,045	(10,720)	233,981
Machinery and equipment	3,130,027	267,852	-	3,397,879
Appliances	1,780,269	93,020	-	1,873,289
Total	\$ 116,154,495	\$ 2,615,620	\$ (61,251)	\$ 118,708,864

Accumulated amortization	Balance at December 31, 2016	2017 Disposals	2017 Amortization	Balance at December 31, 2017
Land	\$ -	\$ -	\$ -	\$ -
Site improvements	1,658,110	-	73,078	1,731,188
Buildings and improvements	60,105,649	-	1,228,290	61,333,939
Technology and communications	538,500	(50,531)	60,884	548,853
Vehicles	21,735	-	4,830	26,565
Furniture and fixtures	68,697	(10,720)	22,771	80,748
Machinery and equipment	1,365,086	-	99,527	1,464,613
Appliances	1,525,510	-	40,151	1,565,661
Total	\$ 65,283,287	\$ (61,251)	\$ 1,529,531	\$ 66,751,567

LONDON & MIDDLESEX HOUSING CORPORATION

Notes to Financial Statements (continued)

December 31, 2016

7. Tangible capital assets (continued):

	Net book value at December 31, 2016	Net book value at December 31, 2017
Land	\$ 24,605,751	\$ 24,605,751
Site improvements	1,638,207	1,765,227
Buildings and improvements	22,344,730	23,090,843
Technology and communications	95,299	79,617
Vehicles	26,562	21,732
Furniture and fixtures	140,959	153,233
Machinery and equipment	1,764,941	1,933,266
Appliances	254,759	307,628
	<u>\$ 50,871,208</u>	<u>\$ 51,957,297</u>

8. Accumulated surplus:

Accumulated surplus consists of surplus funds as follows:

	2017	2016
Surplus:		
Invested in tangible capital assets	\$ 51,957,297	\$ 50,871,208



London & Middlesex Housing Corporation

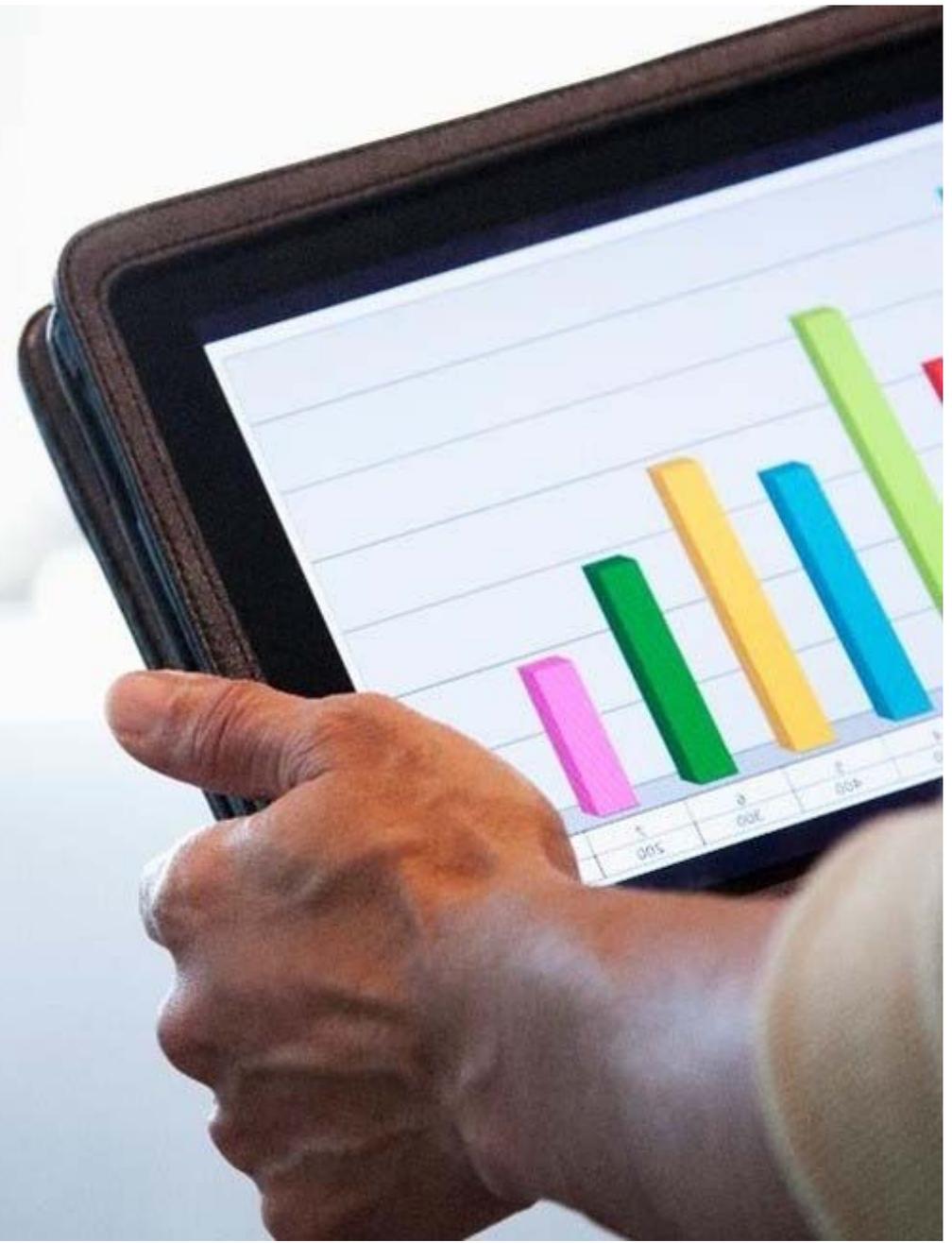
**Audit Findings Report
For the year ended December 31, 2017**



Licensed Public Accountants

May 22, 2018

kpmg.ca/audit



The contacts at KPMG in connection with this report are:

Katie denBok

Lead Audit Engagement
Partner

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Audit Manager

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Executive summary

Purpose of this report

The purpose of this Audit Findings Report is to assist you, as a member of the Audit Committee, in your review of the results of our audit of the financial statements of London and Middlesex Housing Corporation as at and for the year ended December 31, 2017.

This Audit Findings Report builds on the Audit Plan we presented to the Audit Committee on February 6, 2018.

Changes from the Audit Plan

There have been no significant changes regarding our audit from the Audit Planning Report previously presented to you.

Audit risks and results

We identified at the start of the audit a significant financial reporting risk relating to the presumed fraud risk over management override of controls. This risk has been addressed in our audit. We have no significant matters to report to the Audit Committee in respect of this risk.

We also discussed with you some other areas of audit focus. We have no significant matters to report to the Audit Committee in respect of them.

See pages 5-7.

Adjustments and differences

We did not identify any adjustments that were communicated to management and subsequently corrected in the financial statements.

We did not identify any differences that remain uncorrected.

*This Audit Findings Report should not be used for any other purpose or by anyone other than the Audit Committee. KPMG shall have no responsibility or liability for loss or damages or claims, if any, to or by any third party as this Audit Findings Report has not been prepared for, and is not intended for, and should not be used by, any third party or for any other purpose.

Executive summary (continued)

Finalizing the audit

As of the date of this report, we have completed the audit of the financial statements, with the exception of certain remaining procedures, which include:

- completing our discussions with the Audit Committee;
- obtaining a signed copy of the management representation letter;
- Obtaining evidence of the Board's approval of the financial statements.

We will update the Audit Committee, and not solely the Chair (as required by professional standards), on significant matters, *if any*, arising from the completion of the audit, including the completion of the above procedures. Our auditors' report will be dated upon the completion of any remaining procedures.

Control and other observations

We did not identify any control deficiencies that we determined to be significant deficiencies in ICFR.

Critical accounting estimates

Overall, we are satisfied with the reasonability of critical accounting estimates.

- Management identifies all accounting estimates and establishes processes for making accounting estimates.
- There are no indicators of management bias as a result of our audit over estimates.
- Disclosure of estimation uncertainty in the financial statements is included in Note 2(c), Use of estimates. This note provides information on areas in the financial statements that include estimates.
- Management evaluates these estimates on a regular basis to ensure they are appropriate.

Independence

We are independent with respect to the Corporation (and its related entities), within the meaning of the relevant rules and related interpretations prescribed by the relevant professional bodies in Canada and any other standards or applicable legislation or regulation.

Significant accounting policies and practices

There have been no initial selections of, or changes to, significant accounting policies and practices to bring to your attention.

Audit risks and results

Inherent risk of material misstatement is the susceptibility of a balance or assertion to misstatement which could be material, individually or when aggregated with other misstatements, assuming that there are no related controls. We highlight our significant findings in respect of significant financial reporting risks as identified in our discussion with you in the Audit Plan.

Significant financial reporting risks	Why	Our response and significant findings
<p>Fraud risk from management override of controls</p>	<p>This is a presumed fraud risk. We have not identified any specific additional risks of management override relating to this audit.</p>	<p>We performed the following procedures as noted in our audit planning report:</p> <ul style="list-style-type: none"> • Testing of journal entries and other adjustments including performing tests over the opening and ending balance of journal entries, and journal entry completeness • Performed a retrospective review of estimates and evaluated business rationale of significant unusual transactions <p>Audit findings: No significant issues were noted as a result of our procedures.</p>

Audit risks and results (continued)

We identified other areas of focus for our audit in our discussion with you in the Audit Plan.

Significant findings from the audit regarding other areas of focus are as follows:

Other areas of focus	Why	Our response and significant findings
Deferred revenue	This account has a significant impact on the recognition of revenue	<p>We performed the following procedures as noted in our audit planning report:</p> <ul style="list-style-type: none"> Updated our understanding of the activities over the initiation, authorization, processing, recording and reporting of revenue and deferred revenue. Selected a sample of receipts and releases to revenue and vouched to supporting documentation. <p>Audit findings: No significant issues were noted as a result of our procedures.</p>
Tangible capital assets	The dollar value of tangible capital assets makes this a significant financial reporting caption	<p>We performed the following procedures as noted in our audit planning report:</p> <ul style="list-style-type: none"> Updated our understanding of the activities over the initiation, authorization, processing, recording and reporting of tangible capital assets. Vouched a selection of additions and disposals throughout the year to supporting documentation. Performed a substantive analytical procedure over depreciation expense. Obtained details of repairs and maintenance expenses recorded during the year. Vouched a selection of expenses to supporting documentation. For the items selected for testing, obtained an understanding of the nature of the expense to gain assurance that it was not capital in nature. Obtained management’s assessment of the impact of the Contaminated Sites standard (PS 3260) and reviewed the impact to the financial statements. <p>Audit findings: No significant issues were noted as a result of our procedures.</p>
Software migration	During 2017 LMHC migrated to a new software platform. This transition presents a risk as data could be migrated inaccurately	<p>We performed the following procedures as noted in the audit planning report:</p> <ul style="list-style-type: none"> Reviewed process used by management to migrate data from the previous software and ensured appropriate controls were in place to ensure data was accurately transferred. Performed a comparison between the F2017 opening balances input in the new system and the closing F2016 audited financial statement account balances. Used computer assisted audit techniques to perform a 100% journal entry roll using the migrated opening balances and journal entry activity for the year and compared the expected ending balances to the audited trial balance. <p>Audit findings: No significant issues were noted as a result of our procedures.</p>

Audit risks and results (continued)

Other areas of focus	Why	Our response and significant findings
Cash	The dollar value of cash makes this a significant financial reporting caption	<p>We performed the following procedures as noted in our audit planning report:</p> <ul style="list-style-type: none"> • Confirmation with third parties to verify the balances at year-end. • Review of bank reconciliations and verification of significant reconciling items. • Review of financial statement disclosure. <p>Audit findings: No significant issues were noted as a result of our procedures.</p>
Accounts payable and accrued liabilities	The dollar value of accounts payable and accrued liabilities makes this a significant financial reporting caption	<p>We performed the following procedures as noted in our audit planning report:</p> <ul style="list-style-type: none"> • Updated our understanding of the activities over the initiation, authorization, processing, recording and reporting of accounts payable and accrued liabilities. • Performed a search for unrecorded liabilities. <p>Audit findings: No significant issues were noted as a result of our procedures.</p>

Financial statement presentation and disclosure

The presentation and disclosure of the financial statements are, in all material respects, in accordance with the Corporation's relevant financial reporting framework. Misstatements, including omissions, if any, related to disclosure or presentation items are in the management representation letter included in the Appendices.

We also highlight the following:

The form, arrangement, and content of the financial statements is adequate.

Adjustments and differences

Adjustments and differences identified during the audit have been categorized as “Corrected adjustments” or “Uncorrected differences”. These include disclosure adjustments and differences. Professional standards require that we request of management that all identified differences be corrected.

Corrected adjustments

We did not identify any adjustments that were communicated to management and subsequently corrected in the financial statements.

Uncorrected differences

We did not identify differences that remain uncorrected.

Control observations

In accordance with professional standards, we are required to communicate to the Audit Committee any control deficiencies that we identified during the audit and have determined to be significant deficiencies in ICFR.

Significant deficiencies

Description	Potential effect
No significant deficiencies have been identified.	

Appendices

Appendix 1: Required communications

Appendix 2: Management representation letter

Appendix 3: Audit Quality and Risk Management

Appendix 4: Background and professional standards

Appendix 5: Forensic focus

Appendix 1: Required communications

In accordance with professional standards, there are a number of communications that are required during the course of and upon completion of our audit. These include:

- **Auditors' report** – the conclusion of our audit is set out in our draft auditors' report attached to the draft financial statements
- **Management representation letter** – In accordance with professional standards, copies of the management representation letter are provided to the Audit Committee. The management representation letter is attached.

Appendix 2: Management representation letter

KPMG LLP
1400-140 Fullarton Street
London, ON N6A 5P2

DATE

Ladies and Gentlemen:

We are writing at your request to confirm our understanding that your audit was for the purpose of expressing an opinion on the financial statements (hereinafter referred to as “financial statements”) of London & Middlesex Housing Corporation (“the Entity”) as at and for the period ended December 31, 2017.

General:

We confirm that the representations we make in this letter are in accordance with the definitions as set out in **Attachment I** to this letter.

We also confirm that, to the best of our knowledge and belief, having made such inquiries as we considered necessary for the purpose of appropriately informing ourselves:

Responsibilities:

- 1) We have fulfilled our responsibilities, as set out in the terms of the engagement letter dated September 15, 2016 including for:
 - a) the preparation and fair presentation of the financial statements and believe that these financial statements have been prepared and present fairly in accordance with the relevant financial reporting framework.
 - b) providing you with all information of which we are aware that is relevant to the preparation of the financial statements, such as all financial records and documentation and other matters, including (i) the names of all related parties and information regarding all relationships and transactions with related parties; and (ii) the complete minutes of meetings, or summaries of actions of recent meetings for which minutes have not yet been prepared, of shareholders, board of directors and committees of the board of directors that may affect the financial statements, and providing you with access to such relevant information. All significant board and committee actions are included in the summaries.
 - c) providing you with additional information that you may request from us for the purpose of the engagement.
 - d) providing you with unrestricted access to persons within the Entity from whom you determined it necessary to obtain audit evidence.
 - e) such internal control as we determined is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or

error. We also acknowledge and understand that we are responsible for the design, implementation and maintenance of internal control to prevent and detect fraud.

- f) ensuring that all transactions have been recorded in the accounting records and are reflected in the financial statements.
- g) providing you with written representations that you are required to obtain under your professional standards and written representations that you determined are necessary.
- h) ensuring that internal auditors providing direct assistance to you, if any, were instructed to follow your instructions and that management, and others within the entity, did not intervene in the work the internal auditors performed for you.

Internal control over financial reporting:

- 2) We have communicated to you all deficiencies in the design and implementation or maintenance of internal control over financial reporting of which we are aware.

Fraud & non-compliance with laws and regulations:

- 3) We have disclosed to you:
 - a) the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud.
 - b) all information in relation to fraud or suspected fraud that we are aware of and that affects the financial statements and involves: management, employees who have significant roles in internal control over financial reporting, or others, where the fraud could have a material effect on the financial statements.
 - c) all information in relation to allegations of fraud, or suspected fraud, affecting the financial statements, communicated by employees, former employees, analysts, regulators, or others.
 - d) all known instances of non-compliance or suspected non-compliance with laws and regulations, including all aspects of contractual agreements, whose effects should be considered when preparing financial statements.
 - e) all known actual or possible litigation and claims whose effects should be considered when preparing the financial statements.

Subsequent events:

- 4) All events subsequent to the date of the financial statements and for which the relevant financial reporting framework requires adjustment or disclosure in the financial statements have been adjusted or disclosed.

Related parties:

- 5) We have disclosed to you the identity of the Entity's related parties.
- 6) We have disclosed to you all the related party relationships and transactions/balances of which we are aware.

- 7) All related party relationships and transactions/balances have been appropriately accounted for and disclosed in accordance with the relevant financial reporting framework.

Estimates:

- 8) Measurement methods and significant assumptions used by us in making accounting estimates, including those measured at fair value, are reasonable.

Going concern:

- 9) We have provided you with all information relevant to the use of the going concern assumption in the financial statements.
- 10) We confirm that we are not aware of material uncertainties related to events or conditions that may cast significant doubt upon the Entity's ability to continue as a going concern.

Non-SEC registrants or non-reporting issuers:

- 11) We confirm that the Entity is not a Canadian reporting issuer (as defined under any applicable Canadian securities act) and is not a United States Securities and Exchange Commission ("SEC") Issuer (as defined by the Sarbanes-Oxley Act of 2002). We also confirm that the financial statements of the Entity will not be included in the consolidated financial statements of a Canadian reporting issuer audited by KPMG or an SEC Issuer audited by any member of the KPMG organization.

Yours very truly,

Andrea Topham, Director, Corporate Services

Jody Cuyllle, Finance Manager

Attachment I – Definitions

Materiality

Certain representations in this letter are described as being limited to matters that are material. Misstatements, including omissions, are considered to be material if they, individually or in the aggregate, could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements. Judgments about materiality are made in light of surrounding circumstances, and are affected by the size or nature of a misstatement, or a combination of both.

Fraud & error

Fraudulent financial reporting involves intentional misstatements including omissions of amounts or disclosures in financial statements to deceive financial statement users.

Misappropriation of assets involves the theft of an entity's assets. It is often accompanied by false or misleading records or documents in order to conceal the fact that the assets are missing or have been pledged without proper authorization.

An error is an unintentional misstatement in financial statements, including the omission of an amount or a disclosure.

Related parties

In accordance with Canadian public sector accounting standards *related party* is defined as:

- when one party has the ability to exercise, directly or indirectly, control, joint control or significant influence over the other. Two or more parties are related when they are subject to common control, joint control or common significant influence. Two not-for-profit organizations are related parties if one has an economic interest in the other. Related parties also include management and immediate family members.

In accordance with Canadian public sector accounting standards a *related party transaction* is defined as:

- a transfer of economic resources or obligations between related parties, or the provision of services by one party to a related party, regardless of whether any consideration is exchanged. The parties to the transaction are related prior to the transaction. When the relationship arises as a result of the transaction, the transaction is not one between related parties.

Appendix 3: Audit Quality and Risk Management

KPMG maintains a system of quality control designed to reflect our drive and determination to deliver independent, unbiased advice and opinions, and also meet the requirements of Canadian professional standards. Quality control is fundamental to our business and is the responsibility of every partner and employee. The following diagram summarises the six key elements of our quality control systems.

Visit our [Audit Quality Resources page](#) for more information including access to our audit quality report, [Audit quality: Our hands-on process](#).

- Other controls include:
 - Before the firm issues its audit report, the Engagement Quality Control Reviewer reviews the appropriateness of key elements of publicly listed client audits.
 - Technical department and specialist resources provide real-time support to audit teams in the field.
- We conduct regular reviews of engagements and partners. Review teams are independent and the work of every audit partner is reviewed at least once every three years.
- We have policies and guidance to ensure that work performed by engagement personnel meets applicable professional standards, regulatory requirements and the firm’s standards of quality.
- All KPMG partners and staff are required to act with integrity and objectivity and comply with applicable laws, regulations and professional standards at all times.



- We do not offer services that would impair our independence.
- The processes we employ to help retain and develop people include:
 - Assignment based on skills and experience;
 - Rotation of partners;
 - Performance evaluation;
 - Development and training; and
 - Appropriate supervision and coaching.
- We have policies and procedures for deciding whether to accept or continue a client relationship or to perform a specific engagement for that client.
- Existing audit relationships are reviewed annually and evaluated to identify instances where we should discontinue our professional association with the client.

Appendix 4: Background and professional standards

Internal control over financial reporting

As your auditors, we are required to obtain an understanding of internal control over financial reporting (ICFR) relevant to the preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances for the purpose of expressing an opinion on the financial statements, but not for the purpose of expressing an opinion on internal control. Accordingly, we do not express an opinion on the effectiveness of internal control.

Our understanding of ICFR was for the limited purpose described above and was not designed to identify all control deficiencies that might be significant deficiencies and therefore, there can be no assurance that all significant deficiencies and other control deficiencies have been identified. Our awareness of control deficiencies varies with each audit and is influenced by the nature, timing, and extent of audit procedures performed, as well as other factors.

The control deficiencies communicated to you are limited to those control deficiencies that we identified during the audit.

Documents containing or referring to the audited financial statements

We are required by our professional standards to read only documents containing or referring to audited financial statements and our related auditors' report that are available through to the date of our auditors' report. The objective of reading these documents through to the date of our auditors' report is to identify material inconsistencies, if any, between the audited financial statements and the other information. We also have certain responsibilities, if on reading the other information for the purpose of identifying material inconsistencies, we become aware of an apparent material misstatement of fact.

We are also required by our professional standards when the financial statements are translated into another language to consider whether each version, available through to the date of our auditors' report, contains the same information and carries the same meaning.



LONDON & MIDDLESEX

HOUSING CORPORATION



2017 YEAR IN REVIEW
Building Up





Our mission

We provide and maintain homes in a safe and supportive environment to meet the needs of the people we serve in our communities.



Our vision

We envision healthy homes and communities in London & Middlesex. Leading by example, LMHC will help make a difference and positively impact lives using housing as the foundation.

OUR IMPACT



283

saved tenancies through
negotiated mediated agreements



622

referrals to partner agencies
and service providers

OUR IMPACT



474

new homes given



2,365

tenant concerns
investigated and resolved

OUR IMPACT



\$74,100

energy rebates received



466

home restorations

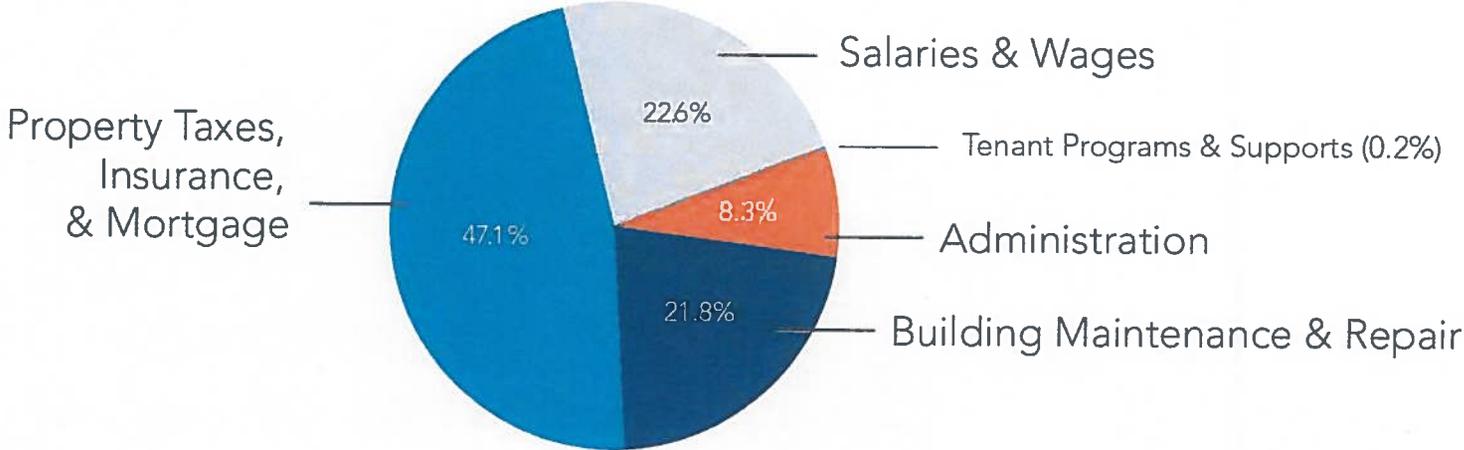


16,400

completed repair
and service orders

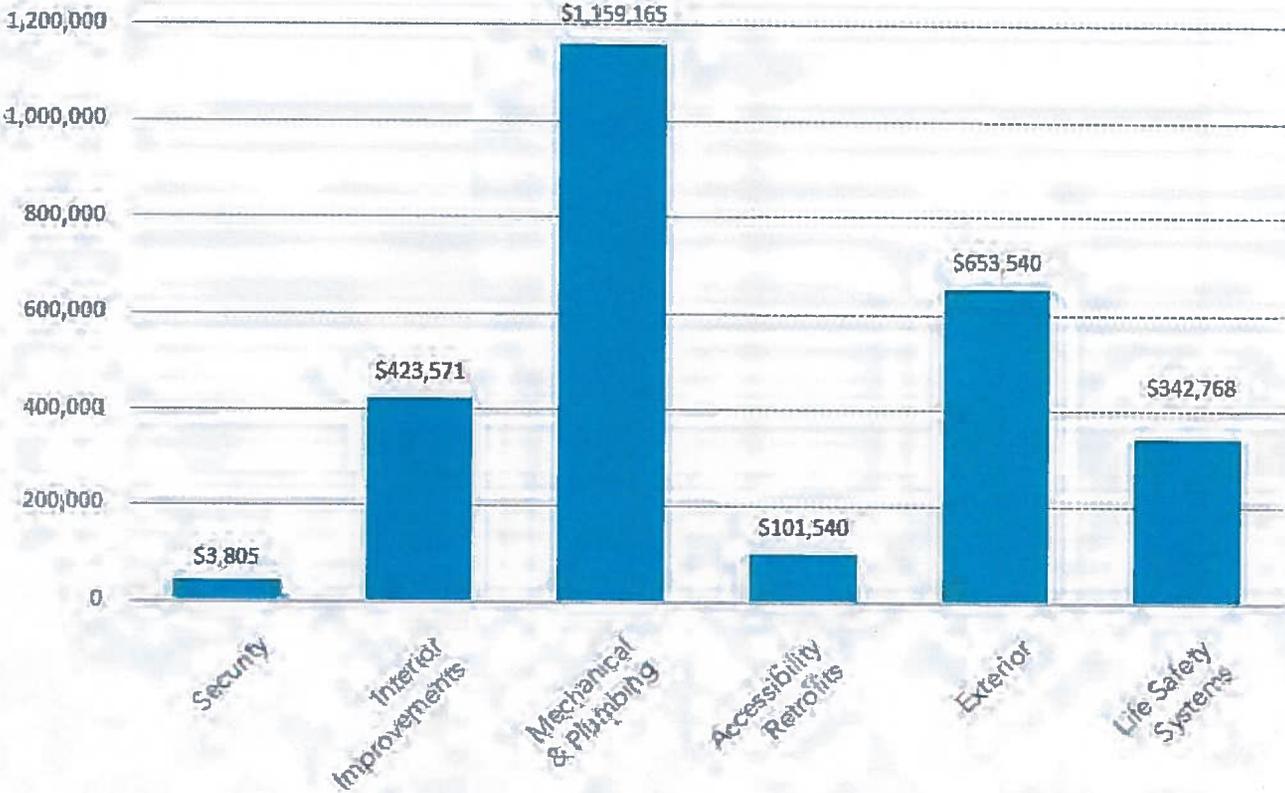
OPERATING REVENUE	2017	2016
Rental Revenue	11,122,354	10,773,462
Municipal Base Funding	9,758,730	8,991,668
One-time Funding	-	115,000
Other	354,605	507,622
<hr/>		
Total Revenue	21,235,689	20,387,752
 OPERATING EXPENDITURES		
Salaries, Wages & Benefits	4,790,722	4,465,301
Property Taxes, Insurance, & Mortgage	5,968,535	5,789,595
Building Maintenance & Repair	4,631,855	4,210,484
Utilities	4,031,625	4,325,303
Administration	1,765,400	1,617,865
Tenant Program & Supports	43,046	29,770
<hr/>		
Total Expenditures	21,231,183	20,438,317
<hr/> <hr/>		
Net Surplus (Deficit)	4,506	(50,565)

% OF EXPENDITURES



The Revenues and Expenditures outlined on the opposite page are shown before capital funding and amortization of tangible capital assets. Please visit: www.lmhc.ca/2018-board-meetings.php to view LMHC's 2017 Audited Financial Statements and budget variance explanations.

CAPITAL INVESTMENTS



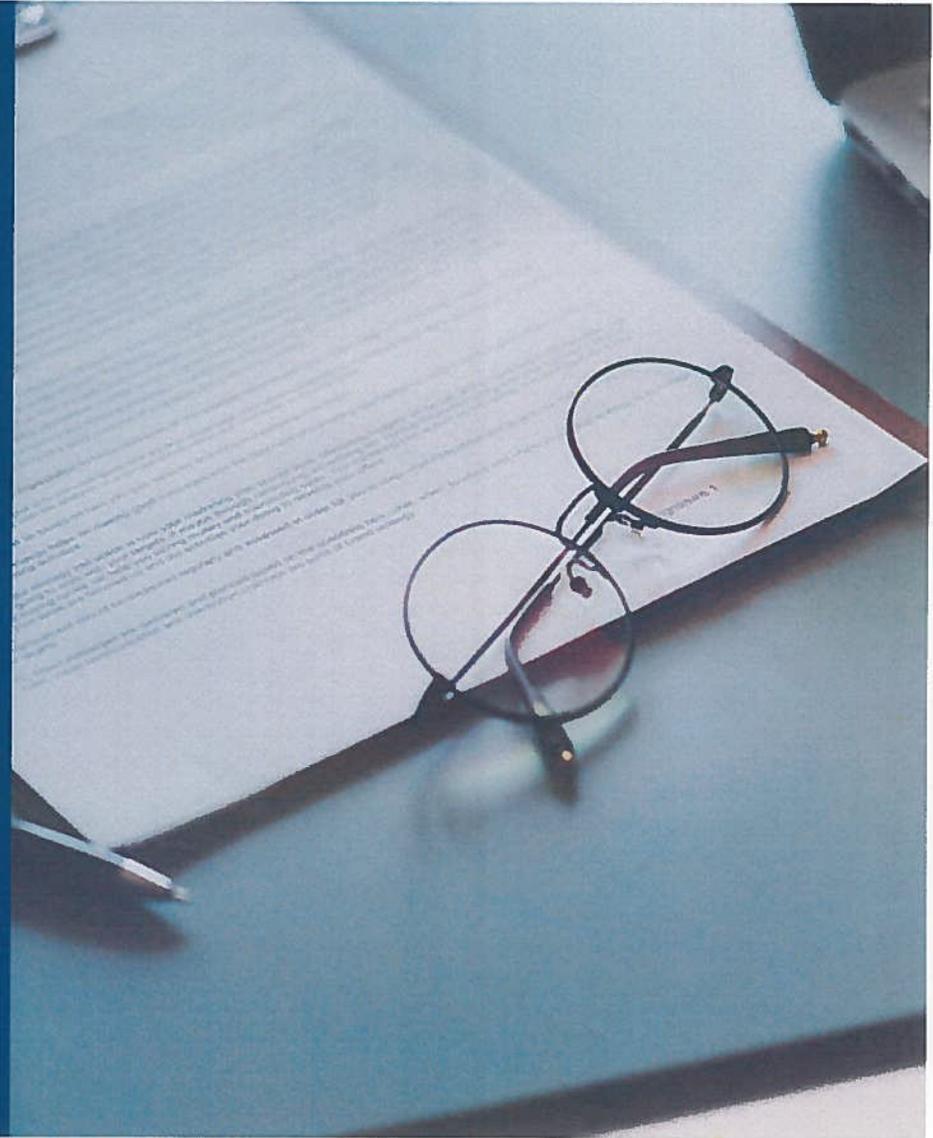


Working Towards Becoming
London & Middlesex
Community Housing

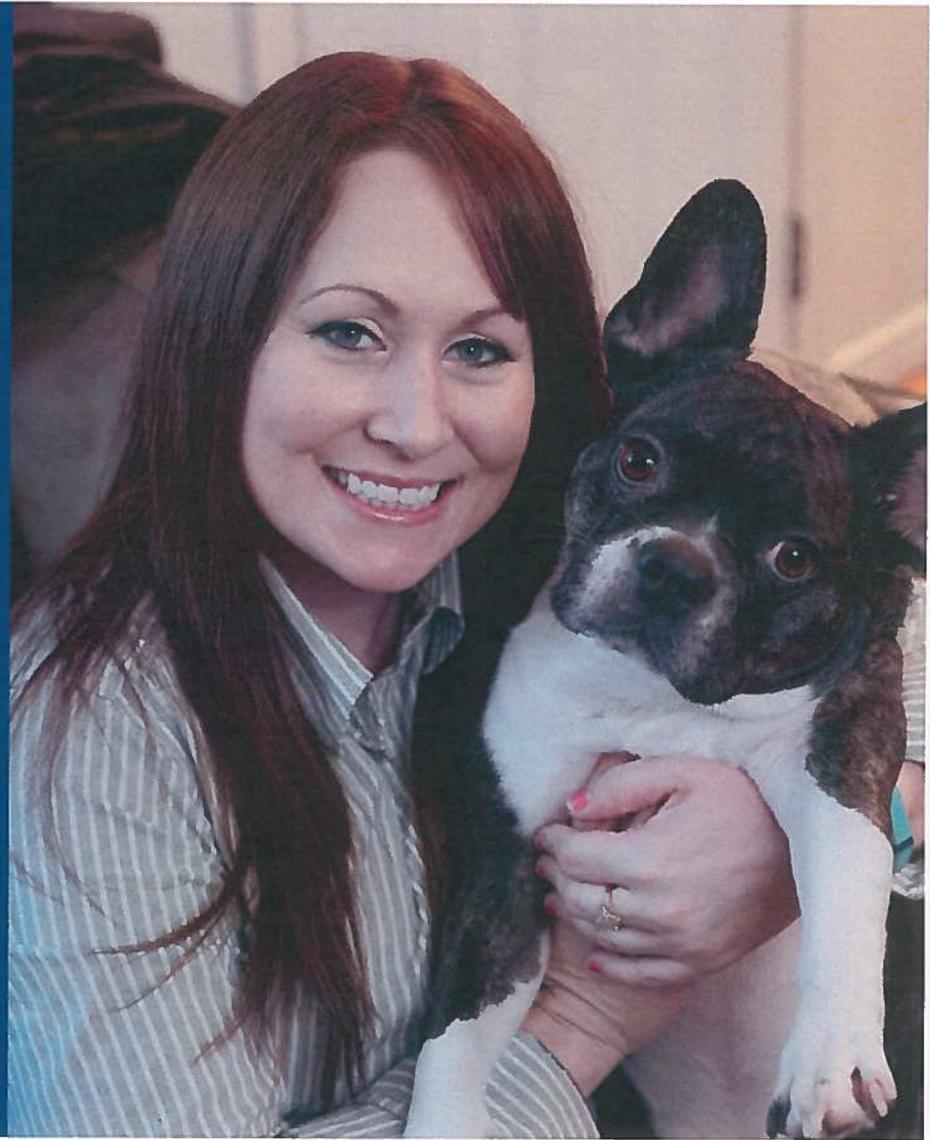


SUPPORTIVE HOUSING

SHAREHOLDER DECLARATION



THANK YOU



March 15, 2018

Ms. Cathy Saunders, City Clerk
City of London – City Clerk’s Office
P.O. Box 5035
London, ON N6A 4L9

RE: London & Middlesex Housing Corporation (LMHC) Annual Shareholder Meeting and Board Appointments

Dear Ms. Saunders:

At its meeting of January 26, 2017, the LMHC Board of Directors unanimously passed the following resolution:

“That the Board Chair BE AUTHORIZED to correspond on behalf of the LMHC Board to the City of London City Clerk for consideration by Municipal Council as Shareholder to: (1) RECOMMEND the Shareholder renew and reappoint Marcie Allen-Easton, Sean Quigley and Mark Rosehart for a second term at the annual meeting of the Shareholder in accordance with the LMHC Shareholder Declaration; (2) ADVISE the Municipal Council give consideration to The Canadian Board Diversity Council definition of board diversity ¹which includes industry experience, management experience, education, functional area of expertise, geography, age, gender, ethnicity, Aboriginal status, disability and sexual orientation when considering future applicants for the resulting two (2) vacancies on the Board; the Municipal Council of desired competencies of applicants for any resulting vacancies on the Board; and (3) REQUEST a meeting of the Shareholder, preferably at the June 25, 2018 meeting of the Strategic Priorities and Policy Committee (SPPC).

Regarding the Appointment of LMHC Board Members:

LMHC requests that the following qualifications, skills and abilities be considered by City Council when appointing a new Directors to the Board:

- 1) APEGGA or ASET, P. Eng., or C.E.T designation with experience in/knowledge of facility building systems, facility asset management industry practices, building construction design and construction industry practices and standards including operating a facility lifecycle / asset management program and knowledge of various construction delivery methodologies including “design, bid, built”, “design build” and “construction management”.
- 2) Licensed Legal Professional (J.D., LL.B) with knowledge and experience associated with growing a dynamic and sustainable business and organization operating in the public domain with demonstrated solid skills pertaining to labour relations, Human Resources, real estate transactions, corporate-commercial matters and/or commercial litigation.

¹ <http://www.boarddiversity.ca/sites/default/files/CBDC-Annual-Report-Card-2016.pdf>

- 3) Registered social worker (RSW or RSSW) or social service worker (TSI or TTSI) with the Ontario College of Social Workers and Social Service Workers with experience in the field of Community Development and understanding of the power dynamics and social relations that govern the relationships between various structures and diverse communities and working to achieve social justice through structural change.

As Board member recruitment and selection is the key to getting a great team of effective people around the board table, LMHC also respectfully requests that all potential applicants be interviewed as part of the process. The appointment of the right board members is critical in assisting LMHC to achieve our new vision, strategic objectives and determining the right culture and effectiveness of the organization.

Regarding Annual Shareholder Meeting Request:

The Board request that the 2018 Annual Shareholder Meeting be held on June 25, 2018 as part of the Strategic Priorities and Policy Committee (SPPC) meeting. This date provides for greater opportunity to conduct the audit and prepare the necessary reports and updates.

This letter is provided in advance of the shareholder meeting notification recognizing that Council appointments and related public notifications may precede our annual meeting. We look forward to our meeting with the Shareholder in the spring and will be in communication with the City's Clerk Office in the near future regarding the requited notification.

Thank you in advance for this consideration.

Kinds Regards,



Michael Buzzelli
Chair, Board of Directors

Cc: Josh Browne, CEO
Marci Allen-Easton, Vice Chair
S.Datars Bere, City of London Shareholder and Service Manager Liaison

From: Ashton Forrest
Sent: Thursday, June 07, 2018 9:08 PM
To: Rowe, Linda <LRowe@London.ca>
Subject: Requesting Delegation Status for SPPC on June 25th

Hi Linda,

I would like to ask members of the SPPC for delegation status on June 25th. I would like to be present for and share my concerns regarding the 2017 Annual General Meeting of the Shareholder for London & Middlesex Housing Corporation. My comments will be from a tenant's perspective. I currently live at 403-345 Wharncliffe Road North. I have been living here for just over 4 years. Last year I watched the 2016 Annual General Meeting of Shareholder for the LMHC and was hopeful that under new management and a commitment to moving away from just being a landlord to more of a supportive housing provider there would be positive changes in my living environment. My concerns all translate into inefficiencies that not only waste tax dollars that fund the corporation but also enable an environment that has put the health, well-being, and safety of tenants and the community at risk. These inefficiencies go against the spirits of the the London For All Plan, the Community Diversity & Inclusion Strategy, and the Age Friendly London Action Plan. I have vocalized my concerns to the past and current CEO of the LMHC and staff, recommended possible solutions, and offered my assistance to help resolve ongoing problems. Yet my concerns seem to be ignored. I hope that presenting the problems and corresponding solutions that the SPPC could direct the LMHC to respond and be held accountable in a public forum.

Sincerely,

Ms. Ashton Forrest



LONDON &
MIDDLESEX
HOUSING CORPORATION



COMMUNITY HOUSING REVITALIZATION STRATEGY

Josh Browne, CEO, LMHC
June 25, 2018

AGENDA

1. Background & Landscape
2. Framework for Regeneration
3. Action Plan
4. Next Steps

BACKGROUND

Defining Urban Regeneration
in regards to LMHC's current
and desired future state.





Defining Urban Regeneration

Site Regeneration

Is about supporting sensitive growth and change in our neighbourhoods so that they are sustainable and prosperous over the long-term.

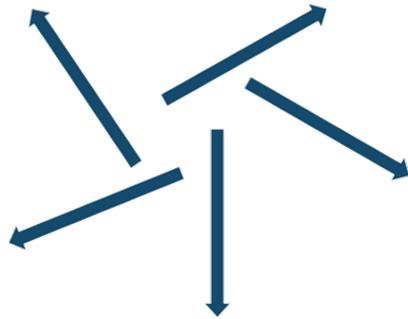
Social Revitalization

Engages and supports tenants. Transitions buildings into more supportive and integrated communities, and collaborates with partners to advance housing and whole life stability.

LANDSCAPE

LMHC's Current Environment

- Isolated Communities
- Aging Infrastructure
- Poor Land Efficiency
- Lack of Housing supports
- Unsustainable business model
- Informal supports and partnerships



Sustainable Community Housing

- Integrated Communities
- Sustainable Infrastructure
- Leveraged Land Value and Appropriate Density
- Integrated Housing Supports
- Mixed Rent model
- Structured Partnership Agreements



Our History



A long history of attempting to address the needs of an inward looking and aging asset portfolio within a challenging service delivery model.

Early Reports (2009 – 2012)

- July 6, 2009 CPSC (Community and Protective Services Committee via Council Housing Leadership Committee)
- May 18, 2011 Finance and Administration Committee
- June 20, 2011 Municipal Council
- June 12, 2012 Municipal Council (convened as SPPC)

Action Reports: (2015-2018)

- HDC Business Plan and Incorporation
- End of Social Housing Operating Agreements Report
- LMHC Reports and Budget Deliberations on Building Conditions
- London Plan - Urban Revitalization
- City Budget - LMHC Regeneration (Starting in 2018)

Planning



2016 – 2019 CITY OF LONDON STRATEGIC MULTI-YEAR BUDGET

ADDITIONAL INVESTMENTS BUSINESS CASE #21

STRATEGIC AREA OF FOCUS:	GROWING OUR ECONOMY
SUB-PRIORITY:	URBAN REGENERATION
STRATEGY:	CREATE NEW PARTNERSHIPS TO BUILD, AND SUPPORT THE BUILDING OF, NEW AFFORDABLE HOUSING
INITIATIVE:	REGENERATING PUBLIC HOUSING PLAN
INITIATIVE LEAD(S):	SANDRA DATARS BERE
SERVICE(S):	AFFORDABLE HOUSING

TOTAL 2016 – 2019 INVESTMENT REQUESTED (\$000'S): \$750

TOTAL 2016 – 2019 NET BUDGET REQUESTED (\$000'S): \$750

Regeneration Planning started in 2018 with an initial \$250,000 investment to 'Plan the Plan'

OVERVIEW

Establishing a Framework
for Regeneration.



Guiding Principles

Lead Organization

LMHC is the lead organization, building on the support of its partners

Decision Making

LMHC decisions must best serve tenants, communities, and the shareholder

Communication

LMHC will ensure all stakeholders are fully informed communicating frequently and transparently

Portfolio Mix

LMHC will be a landlord providing a range of subsidized and market housing

Community Partners

LMHC will be a community partner, seeking and engaging in new partnerships

Tenant Engagement

LMHC will engage and involve tenants in the planning process to help achieve the LMHC vision

Guiding Principles

Sustainability

Development plan resources and funding will focus on sustainable developments

Iterative Planning

plans will be iterative, and fluid to identify early wins and build on opportunities

Financial Instruments

LMHC will leverage assets and manage debt in accordance with the Shareholder

Flexibility

Lessons will be learned from successes and challenges and the plan adjusted accordingly

Strategic Partners

HDC and the City of London are strategic partners in support and service to regeneration

Mixed Funding

Revenue, financing, services, and partnerships will look to all sectors and governments



We
CARE
COLLABORATIVE
ACCOUNTABLE

RESPONSIVE • EQUITABLE



Regeneration Roles

In LMHC
Regeneration,
We ALL Care



LMHC is the owner and project leader of the LMHC Regeneration Strategy



LMHC is committed to working closely with the City of London as the Service Manager and Shareholder



LMHC is in a strategic partnership with the Housing Development Corporation (HDC). As Development Manager, the HDC is working for and with LMHC

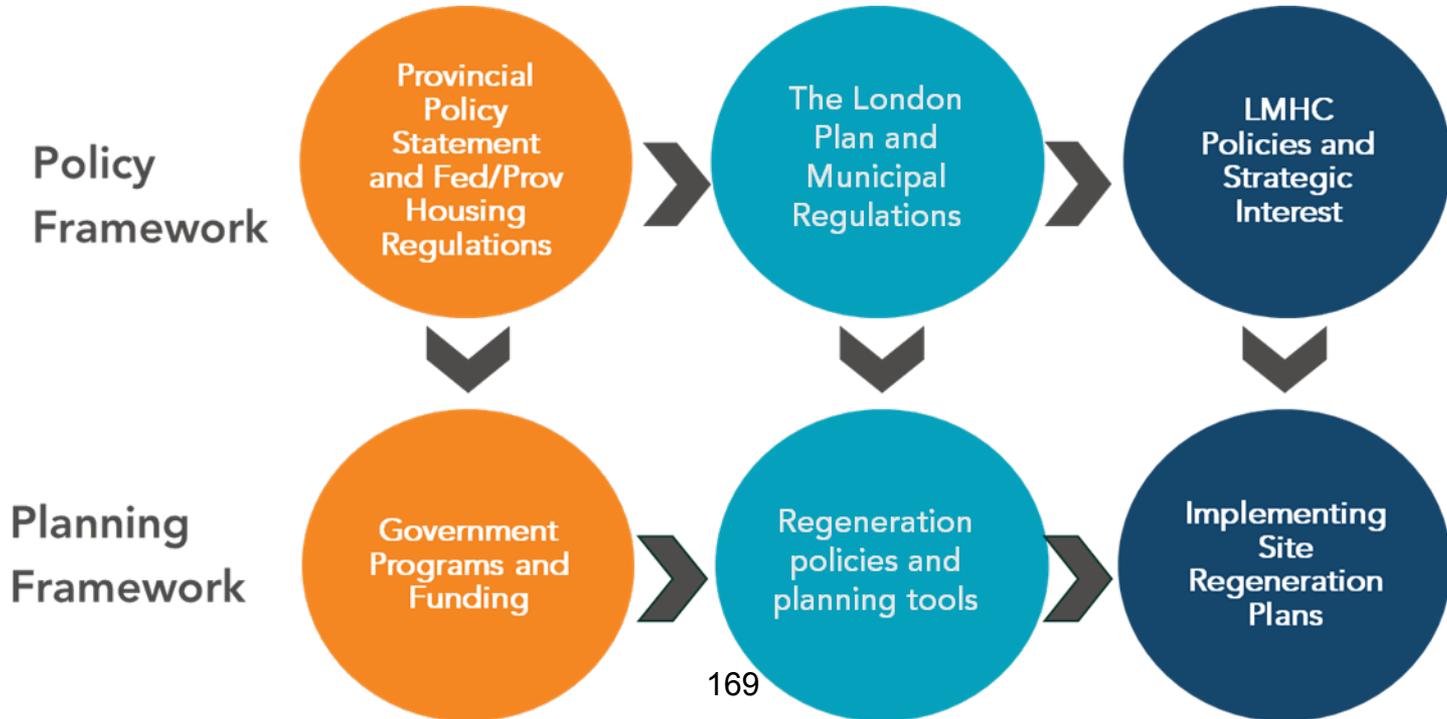
Alignment

LMHC Strategic Goals 2017 - 2020	City's Strategic Areas of Focus Connected to LMHC Strategy	City's Objectives Connected to Areas of Focus & LMHC Strategy
<ul style="list-style-type: none"> • Improve, renew and maintain the homes that we offer • Stake out our critical role in supporting housing stability and preventing homelessness • Engage, Assist & Empower Tenants 	Strengthening Our Community	<ul style="list-style-type: none"> • Diverse, inclusive and welcoming community • Caring and compassionate services
<ul style="list-style-type: none"> • Improve, renew and maintain the homes that we offer 	Building a Sustainable City	<ul style="list-style-type: none"> • Robust infrastructure • Strong and healthy environment • Beautiful places and spaces
<ul style="list-style-type: none"> • Improve, renew and maintain the homes that we offer 	Growing our Economy	<ul style="list-style-type: none"> • Urban Regeneration

The London Plan

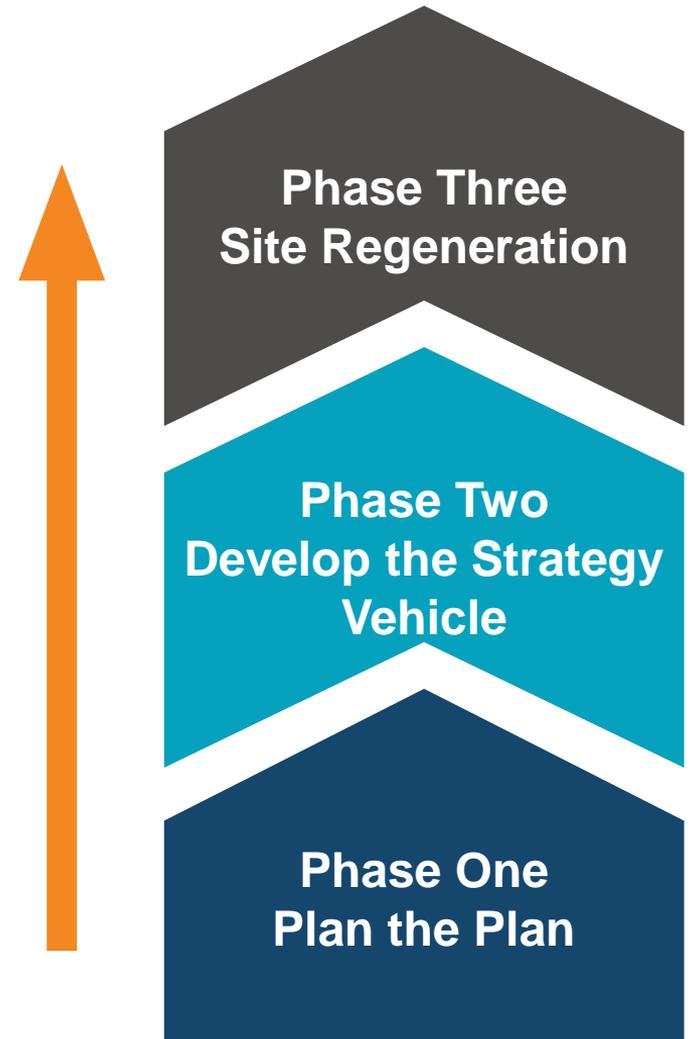
Directions	Policies
Plan for a Prosperous City	<ul style="list-style-type: none">• Plan for cost-efficient growth patterns;• Revitalize our urban neighbourhoods;• Invest in and promote affordable housing to revitalize neighbourhoods
Build a Diverse City	<ul style="list-style-type: none">• Revitalize our neighbourhoods to serve as community hubs;• Develop affordable housing that attracts a diverse population to our city
Build mixed-use compact city	<ul style="list-style-type: none">• Sustain, enhance and revitalize our neighbourhoods;• Plan for intensification;• Ensure a mix of housing types within our neighbourhoods;
Build strong, healthy, attractive Neighbourhoods	<ul style="list-style-type: none">• Promote connectivity and safety;• Design complete neighbourhoods (ages, incomes and abilities);• Create social gathering places where neighbours can come together;• Integrate affordable forms of housing in all neighbourhoods;• Explore creative opportunities for rehabilitating public housing.
Make wise planning decisions	<ul style="list-style-type: none">• Engage stakeholders in all planning processes;• Think “big picture” and long-term;• Plan for affordable, sustainable infrastructure;• Ensure new development fits within existing neighbourhood

Policy to Plans



Action Plan

A Ground Up, Three Phased Approach to Regeneration



Action Plan - Phase One

Goals	Activities (Not exclusive lists)
Baseline Data Collection and Review of Best Practices	<ul style="list-style-type: none">• Establish Baseline Information• Gather Industry Knowledge and Standards• Build an Assessment Management Framework for current and future mapping needs• Determine Local Demographics, Trends and Projections• Verify Intersection with Other Local Plans
Define Project Scope and Relationships	<ul style="list-style-type: none">• Define the Project Parameters and Key Terms• Establish Areas of Activity and Work• Develop the Broad Phases of the Project Plan
Set Governance and Project Structure	<ul style="list-style-type: none">• Structure the Core Team and Key Resources• Develop Terms of Reference and Related Agreements• Establish Issue Management and Resolution procedures• Determine Governance, internal and external resource needs

Action Plan - Phase Two

Goals	Activities (Not exclusive lists)
Develop an Engagement Strategy	<ul style="list-style-type: none">• Align LMHC Tenant Engagement Strategy with Revitalization Plans• Establish a Regeneration Support Table• Develop Change Management Strategies to Mitigate Tenant and Community Impact• Develop Communication Strategy and Tools• Develop Regeneration Network with Other Providers
Establish Rules, Tools and Initial Financial Plan	<ul style="list-style-type: none">• Determine the Service Manager, LMHC, Municipal and Other Programs, Policies and Considerations related to Regeneration• Develop Initial Capital Plan to align with current and next multi-year budget cycle
Master Regeneration Plan Development	<ul style="list-style-type: none">• Define Broad Multi-Year regeneration plan• Prioritize Regeneration plans based on Decision Matrix• Determine General Asset Sale, Acquisition, Divestment, Repurposing Strategy

Action Plan - Phase Three

Goals	Activities (Not exclusive lists)
Develop Site Specific Regeneration Plans	<ul style="list-style-type: none">• Define Detailed Plans for Individual Sites• Ensure plans integrate within Local Communities• Ensure Plans are inclusive of Current and Future Tenant Strategies

Regeneration Framework

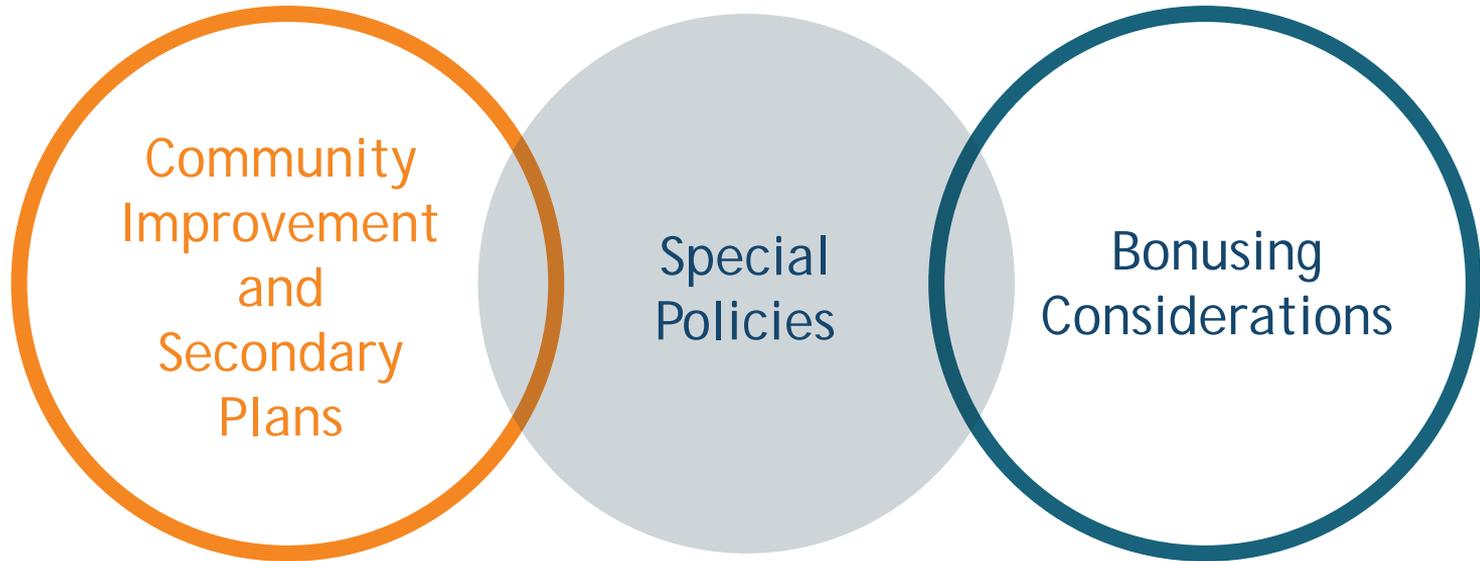
Areas	Project Resources	Timing and Phasing
Physical sites and structures	Planning and Land Resources	Initial Strategy Planning and Governance Structure
Social and Community Context	Financial and Development Plans	Initial Regeneration Actions/ Quick wins
The rules and tools of social and affordable housing	People Management and Engagement Strategy	Creating Long-term Sustainable Action Plans



Next Steps

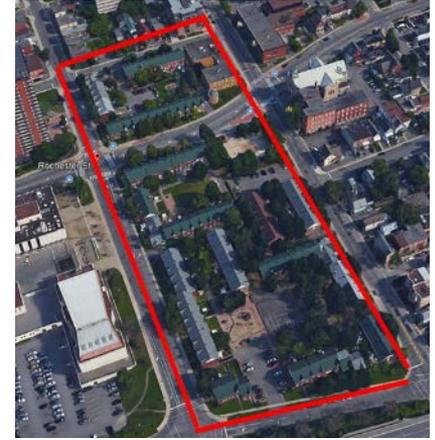
The London Plan - Policies
and tools to advance
Regeneration

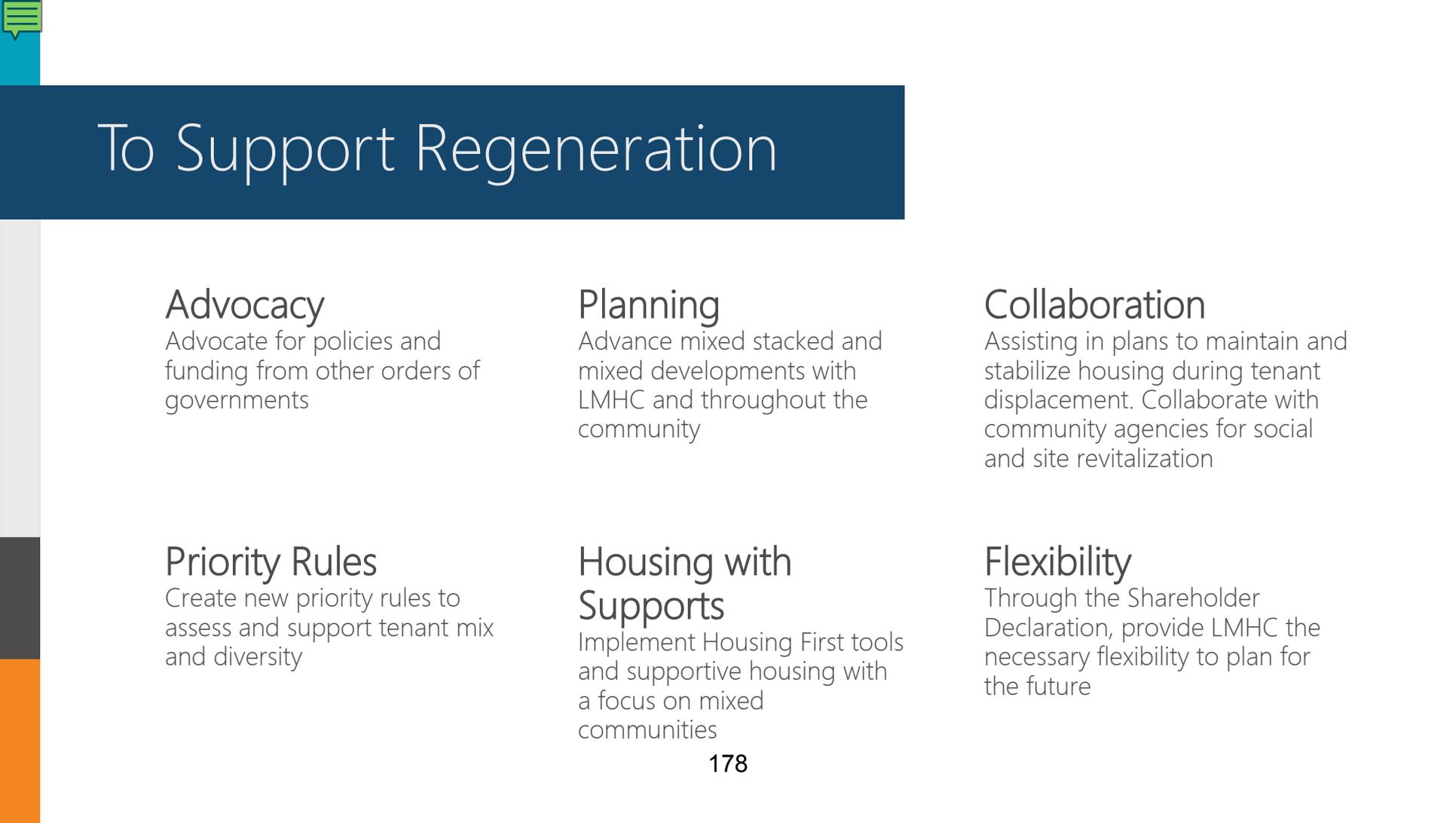
Local Planning Tools



Example

Ottawa's Rochester Heights replaced 26 ageing townhomes with an 8 storey 148 unit, affordable mixed rent public housing building





To Support Regeneration

Advocacy

Advocate for policies and funding from other orders of governments

Planning

Advance mixed stacked and mixed developments with LMHC and throughout the community

Collaboration

Assisting in plans to maintain and stabilize housing during tenant displacement. Collaborate with community agencies for social and site revitalization

Priority Rules

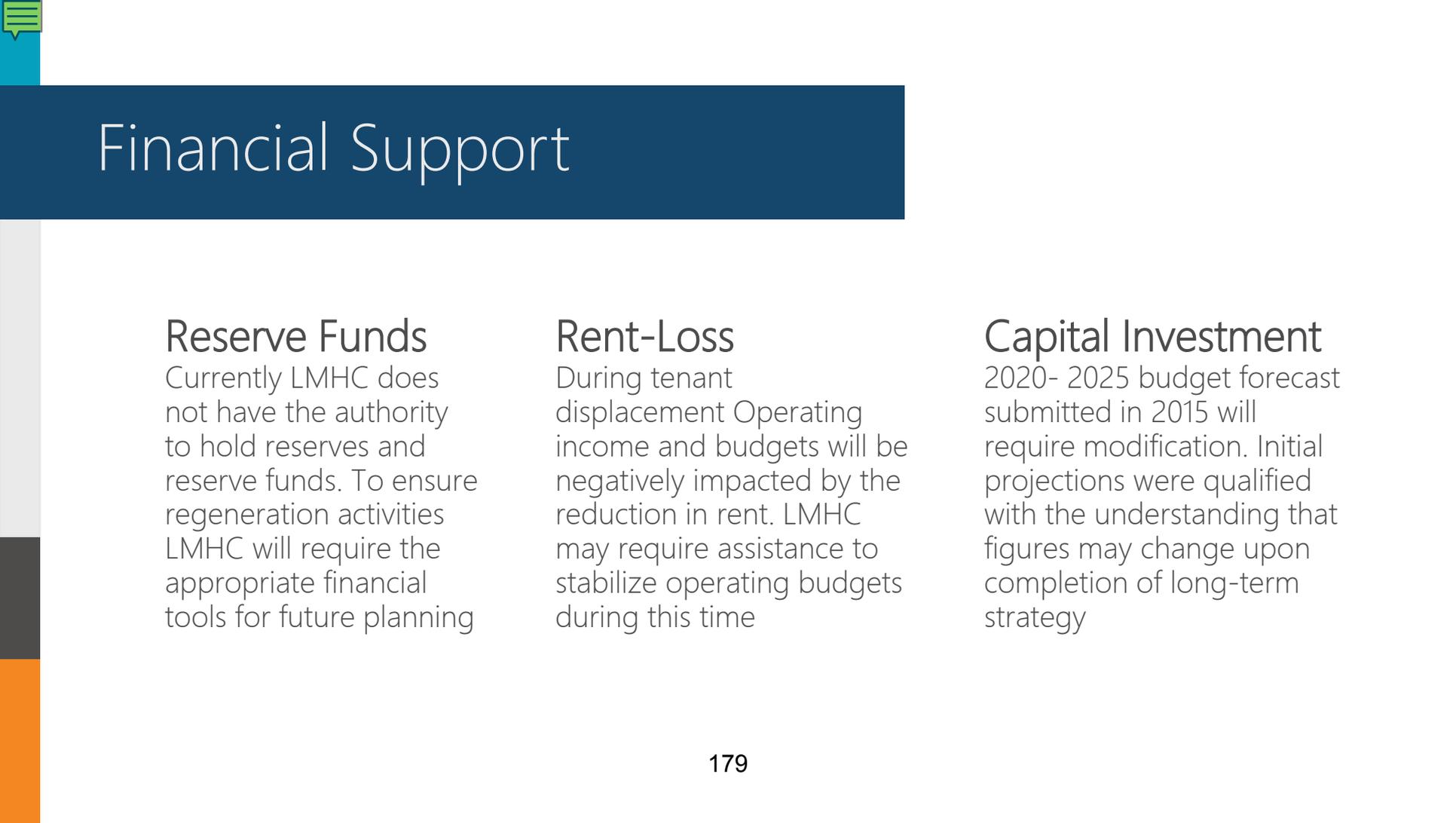
Create new priority rules to assess and support tenant mix and diversity

Housing with Supports

Implement Housing First tools and supportive housing with a focus on mixed communities

Flexibility

Through the Shareholder Declaration, provide LMHC the necessary flexibility to plan for the future



Financial Support

Reserve Funds

Currently LMHC does not have the authority to hold reserves and reserve funds. To ensure regeneration activities LMHC will require the appropriate financial tools for future planning

Rent-Loss

During tenant displacement Operating income and budgets will be negatively impacted by the reduction in rent. LMHC may require assistance to stabilize operating budgets during this time

Capital Investment

2020- 2025 budget forecast submitted in 2015 will require modification. Initial projections were qualified with the understanding that figures may change upon completion of long-term strategy



Acknowledgements:

Dave Purdy, Manager, Housing Services
Brian Turcotte, Development Manager, HDC
Stephen Giustizia, CEO, HDC



9TH REPORT OF THE

GOVERNANCE WORKING GROUP

Meeting held on May 28, 2018, commencing at 1:41 PM, in Committee Room #4, Second Floor, London City Hall.

PRESENT: Councillors V. Ridley (Chair); and Mayor M. Brown, Councillors M. Cassidy, J. Helmer, J. Morgan and M. van Holst; and C. Saunders (Secretary).

ABSENT: Councillor P. Squire.

ALSO PRESENT: A. Codispodi, A. Hagan, L. Livingstone, K. Pawelec, C. Smith, T. Thomas, R. Wilcox and G. Zhang.

I. CALL TO ORDER

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

II. CONSENT ITEMS

2. 8th Report of the Governance Working Group

That the 8th Report of the Governance Working Group, from its meeting held on April 23, 2018, BE RECEIVED.

III. ITEMS FOR DISCUSSION

3. Council Policy Manual Modernization

That, on the recommendation of the City Manager, the following actions be taken with respect to the Council Policy Manual Modernization:

- a) the attached proposed by-laws (Appendices A1 to A19) BE INTRODUCED at the Municipal Council Meeting to be held on June 26, 2018, to amend the following Council Policies in order to reformat them into the new Council Policy template and to reflect any changes required as a result of the application of the gender equity lens and to make any further updates that were deemed appropriate:

- i) Community Arts Investment Program Policy
- ii) Corporate Identity Policy
- iii) Media Protocols Policy
- iv) Community Engagement Policy
- v) Banners Over City Streets
- vi) Special Assistance and Supplementary Aid
- vii) Purchased Service Agreements
- viii) London Community Grants Policy
- ix) Gender Equity in Recreation Services
- x) Child Care Policies
- xi) Policy for Waiving or Reducing Fees for Use of City Owned Community Centres and Recreation Facilities
- xii) Dedication of Fire Stations
- xiii) Athletic Travel Grants
- xiv) Corporate Sponsorship and Advertising Policy
- xv) Leasing Parkland
- xvi) Financial Assistance for Program Activity Fees
- xvii) Inclusion in Recreation Facilities, Parks and Services
- xviii) Special Events Policies and Procedures Manual
- xix) Rzone Policy

- b) the attached proposed by-law (Appendix B20) BE INTRODUCED at the Municipal Council Meeting to be held on June 26, 2018, to repeal By-law No. CPOL.-120-372, being "A by-law to revoke and repeal Council policy related to Public Art Policy and to implement a new Council policy entitled "Public Art Policy" and to implement a new Council Policy entitled "Public Art/Monument Policy";"

- c) the attached proposed by-law (Appendix B21) appended to the staff report dated May 28, 2018 BE INTRODUCED at the Municipal Council Meeting to be held on June 26, 2018, to repeal By-law No. CPOL.-201-453, entitled Homemakers and Nurses Services, which is no longer required.

4. Strategic Plan Measurement Framework and Tool for Reporting

That, on the recommendation of the City Manager and the Managing Director of Neighbourhood, Children and Fire Services, the following actions be taken with respect to the Strategic Plan Measurement Framework and Tool for Reporting:

- a) the Strategic Plan Measurement Framework attached as Appendix "B" and Tool for Reporting attached as Appendix "C" BE ENDORSED for use in the evaluation of the 2016-2019 Strategic Plan and be considered in the development of the next Strategic Plan (2019-2023);
- b) the Civic Administration BE DIRECTED to consultant with the Strategic Thinkers Table, other internal stakeholders and agencies, boards and commissions on key metrics and targets for the next Strategic Plan (2019-2023);
- c) the next Strategic Plan (2019-2023) Reporting Cycle attached as Appendix "D" BE ENDORSED; and,
- d) the Civic Administration BE DIRECTED to implement the Strategic Plan Measurement Framework and Tool for Reporting endorsed in a) above, beginning November 2018;

it being noted that the Civic Administration will place a note on the above-noted Appendix C acknowledging the limitation of the data provided; and,

it being further noted that the Governance Working Group (GWG) provided the Civic Administration with feedback with respect to reviewing and expanding the evaluation metrics for the next Strategic Plan (2019-2023).

5. Annual Meeting Calendar

That the following actions be taken with respect to the attached draft annual meeting calendar for the period January 1, 2019 to December 31, 2019:

- a) the City Clerk BE DIRECTED to amend the above-noted draft meeting calendar as follows:
 - i) to provide for Public Participation Meetings for the Planning and Environment Committee (PEC) to be held commencing at 6:30 PM on the same day PEC meetings are proposed to be held; and,
 - ii) to provide a note indicating that Public Participations Meetings for the Community and Protective Services Committee, Civic Works Committee and Strategic Priorities and Policy Committee will be scheduled as required;

it being noted that Public Participation Meetings before the Corporate Services Committee will be held as part of the regularly scheduled meetings of that Committee;

- b) the City Clerk BE DIRECTED to prepare a second draft annual meeting calendar for the period January 1, 2019 to December 31, 2019 based on the current timing of meetings; and,
- c) the City Clerk BE DIRECTED to make the appropriate arrangements to initiate a public consultation process to provide an opportunity for members of the public to comment on the two above-noted draft annual meeting calendars through an invitation on the City of London's webpage "Get Involved" and by scheduling a Public Participation Meeting before the Corporate Services Committee to receive input from the community with respect to the draft annual meeting calendars.

IV. NEXT MEETING DATE

- 6. That it BE NOTED that the next Governance Working Group meeting will be held on Monday, June 11, 2018, at 1:30 PM, in Committee Room #4.

V. ADJOURNMENT

The meeting adjourned at 2:57 PM.

APPENDIX A1

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-51-247 being
“Community Arts Investment Program Policy”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-51-247 being “Community Arts Investment Program Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-51-247 being “Community Arts Investment Program Policy” is hereby amended by deleting Appendix “D(3)” to CPOL.-51-247 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Community Arts Investment Program

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-51-247)

Last Review Date: May 28, 2018

Service Area Lead: Manager of Culture

1. Policy Statement

This program provides guidelines and criteria for The Corporation of the City of London to:

- provide operating financial assistance to non-profit arts organizations or artists within the London arts community;
- encourage public awareness and appreciation of the arts;
- increase access to quality local arts programming; and,
- enhance London's desirability as a community.

2. Definitions

2.1. **Arts festivals and events** - having a clearly articulated mandate which focuses on a specific art form (or forms) that is thematically linked under artistic direction. Arts festivals and events offer unique opportunities for audiences to experience particular kinds of work, e.g.: music, theatre, visual art, literature, dance or film. These art form specific festivals and events showcase the arts and artists available in London to both local residents and visitors alike.

3. Applicability

For the purposes of this program, CAIP applies to a local arts organization or artist(s) who operates on a not-for-profit basis and who has operating revenues that are less than \$1,000,000. Arts festivals and events are permitted to apply to this category.

This program will not include:

- festivals;
- museums;
- The London Regional Art and Historical Museum (Museum London);
- cultural organizations;
- organizations or artists not located within the City of London.

However, these types of organizations, if they meet the program criteria, may continue to seek operational financial assistance from other existing City programs.

4. The Policy

Guidelines:

- 4.1. Annual funding will be made available by the City, subject to Council approval of funding through the Multi-Year Budget.
- 4.2. Applications will be reviewed and administered, in a City-wide context, by a peer assessment group. This group, referred to as the London Arts Council, whose jury members are representative of arts, business and the general community. Conflict of interest guidelines are maintained by the London Arts Council.
- 4.3. Funding awarded by the London Arts Council must be intended and used to further an organization's non-profit activities and must not, either directly or indirectly, be intended or used to further a profit venture or intended or used for capital purposes including, but not restricted to, the purchase of land, equipment, fixtures or physical facilities. An application for assistance under the Community Arts Investment Program does not preclude an organization from applying for capital assistance to the City of London.
- 4.4. The London Arts Council will provide the City of London Culture Office with an annual accounting of the allocation of Community Arts Investment Grants. The accounts will also include an identification of the grants requested, which were reduced or refused.
- 4.5. The successful organization or artist(s) will acknowledge the City's support in its promotional materials in a manner acceptable to the City's Communications Division.
- 4.6. These guidelines shall be reviewed at least once every three years.

Criteria:

The London Arts Council will take the following criteria into consideration when reviewing grant applications:

4.7. Community:

- a) the organization or artist(s)'s activities are directed to the improvement of the quality of life in London;
- b) the organization or artist(s) conducts its activities primarily in London and for the benefit of the residents of London;
- c) the organization or artist(s) encourages the participation of Londoners; and
- d) the organization or artist(s) expends its financial resources in London.

4.8. Activities and Services:

- a) the activities and services are of a quality to merit public support;
- b) the activities of the organization or artist(s) do not substantially duplicate the efforts of other organizations or other government supported individuals or organizations;
- c) the organization collaborates with other non-profit organizations in pursuing its objectives;
- d) the organization or artist's activities bring provincial, national, or international recognition to London;
- e) the organization or artist(s) demonstrates development and innovation in its programming and activities; and
- f) the organization or artist(s) provides and supports instructional programs relative to its objectives and activities for the residents of London through outreach activities and programming.

4.9. Management and Financial Responsibility:

- a) the organization is managed in a responsible manner;
- b) the organization or artist(s) demonstrates initiative and success in generating revenue outside of the Community Arts Investment Program;
- c) the organization or artist(s) measures the success of the activities and/or programs on an ongoing basis and shares the results of these measures with the City and other interested stakeholders; and
- d) the organization is encouraged to consider providing indemnity insurance for the person who sit on its Board of Directors.

4.10. Volunteers:

- a) the organization actively and successfully encourages volunteerism.

Procedures:

- 4.11. The organization or artist(s) will submit a grant application for the next calendar year to the London Arts Council. The application form and submission process will be determined by the London Arts Council subject to the approval of the Culture Office.
- 4.12. The London Arts Council will provide an annual information report to the Culture Office of the City of London by the end of each year. This information report will contain the identification of the name and dollar value of the funding requests received to date as well as all funding allocated through granting streams and supported programs of CAIP.
- 4.13. The current year's grant allocation for CAIP is subject to the approval of the City Council through its annual budget process and will be provided for distribution purposes to the London Arts Council upon budget approval.

APPENDIX A2

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-108-360 being
“Corporate Identity Policy”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-108-360 being “Corporate Identity Policy” for reformatting into the new Council Policy template, review with the gender equity lens, and to include that internal use must adhere to the Corporate Identity Guidelines;

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

1. By-law No. CPOL.-108-360 being “Corporate Identity Policy” is hereby amended by deleting Appendix ‘C(26)’ to CPOL.-108-360 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Corporate Identity Policy

Legislative History: Enacted September 19, 2017 (By-law No. CPOL. -108-360)

Last Review Date: May 28, 2018

Service Area Lead: Manager of Engagement

1. Policy Statement

This policy communicates guidelines and expectations relating to the use of the City of London Coat of Arms vs. the City of London Logo.

2. Definitions

- 2.1 **Coat of Arms** – The heraldic description, crest and motto and supporters are as follows:
Per chevron gules and azure a chevron argent between the chief two garbs, or, and in base a beaver on a log of wood in sinister base and in dexter background a tree vert.

CREST: A locomotive and tender

MOTTO: Labore et perseverantia

SUPPORTERS: Dexter a deer and sinister a brown bear

The coat-of-arms refers to the agricultural nature of the surrounding territory. The motto may be freely translated as "Through Labour and Perseverance." The locomotive in the crest refers to the rapid development of the community and the bear and stag forming the supporters indicate the zoology of the area in the early days.

- 2.2 **City of London Logo** – A registered trademark, consisting of three elements; the tree within the shield and London Canada text.

- 2.3 **Corporate Identity Guidelines** – The manual that provides guidelines for the City logo and accompanying design to assist with the development of consistent materials throughout the organization, through the use of established templates and elements.

3. Applicability

This policy applies to any and all internal and external use of the City of London logo.

4. The Policy

That the following corporate identity policy relates to the use of the City of London logo;

- a) use of the City of London logo, in print and electronic form, is intended for all corporate purposes;
- b) internal permission for the use of the City of London Logo shall be unrestricted as much as it is possible. Noting any reproduction of the City of London Logo will appear as described in the City of London Corporate Identity Guidelines, which is maintained by the Communications Division and may be amended as required from time to time. Also based on the understanding that it will be used only in its copyrighted form, without alteration or appending in any way to other material so as to impair the good name of the City of London, or in any manner that would be inconsistent with the generally accepted standards of taste and decorum; and
- c) external use of the City of London Logo will be determined by the Communications Division who will advise each applicant in writing of their decision. Any reproduction of the City of London Logo will appear as described in the City of London Corporate Identity Guidelines, which is maintained by the Communications Division and may be amended as required from time to time. Approval is subject to a formal agreement between the City and the user, and a final review of materials by the Communications Division to determine correct usage.
- d) The City will provide its corporate logo if one of the following criteria is met:
 - Departments, divisions, boards, commissions, task forces or committees of the Corporation of the City of London.
 - Organization/ program/ event currently receives monetary support from the Corporation of the City of London.

- Organization/ program/ event currently receives in kind support from the Corporation of the City of London.
- e) use of the City of London Coat of Arms, is reserved for certain official purposes as determined by the City Clerk (e.g. Mayor's Chain of Office).

APPENDIX A3

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-124-376 being “Media Protocols Policy”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-124-376 being “Media Protocols Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-124-376 being “Media Protocols Policy” is hereby amended by deleting Appendix ‘C(42)’ to By-law No. CPOL.-124-376 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Media Protocols Policy

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-124-376)

Last Review Date: May 28, 2018

Service Area Lead: Manager of Engagement

1. Policy Statement

This policy outlines guidelines and expectations relating to media access to meetings, City staff, facilities and work locations, and media meals.

2. Definitions

2.1. Media –

- a) staff or authorized representatives of local, provincial or national print outlets (e.g.: daily, weekly, community/student newspapers);
- b) staff or authorized representatives of radio and television agencies;
- c) staff or authorized representatives of news websites;
- d) staff or authorized representatives of wire services (e.g.: Canada News Wire (CNW), Canadian Press (CP));
- e) staff or authorized representatives of local Internet information providers (web authors, bloggers, webcasters, etc.).

3. Applicability

This policy applies to City staff, media and the general public.

4. The Policy

4.1 Media Access to Meetings

The media are welcome to attend and report on all public meetings of the Municipal Council and its committees, ad hoc task forces and working groups.

The City will make every effort to provide the media with seating space in the Council Chambers and other public meeting rooms for the meetings noted above, recognizing that seating availability for the media might occasionally be impacted by the volume of outside delegations and staff in attendance at a meeting, as well as capacity limitations established under the *Fire Code*.

During meetings, it is expected that all media will conduct themselves in accordance with the following guidelines:

- Audio and videotape recording of public meetings is permitted provided that:
 - all recording equipment is completely muted and operated in a manner which does not interfere with the audience's or participants' ability to hear or view the meeting proceedings;
 - no recording equipment interferes with corporate systems; and
 - no recording compromises confidential materials or discussions;

as determined by the Chair or City Clerk or designate.

- Media are not permitted to attend closed sessions of the Municipal Council or its committees, ad hoc task forces and working groups due to the confidential nature of the matters being discussed at these sessions.
- Media must remove themselves and all of their equipment and personal effects from the meeting room, in a timely way, when a meeting is moving into closed session.
- Laptop computers and handheld devices, are permitted in the meeting rooms provided that the equipment:
 - is completely muted and operated in a manner which does not interfere with the audience's or participants' ability to hear or view the meeting proceedings;
 - does not interfere with corporate systems;
 - does not compromise confidential materials or discussions; and

- does not occupy space otherwise required for a meeting participant or audience member.
- Media are not permitted to approach, interrupt or pass notes to meeting participants during meetings. Notes for meeting participants may be given to the on-duty Commissionaire, who will deliver them to the intended recipient at an appropriate time during the meeting.
- Interviews may not be conducted in meeting rooms while meetings are in progress, or in areas immediately outside meeting rooms where meetings are in progress, in order to avoid disruption to meeting proceedings.

4.2 Media Access to City Staff, Facilities and Work Locations

The media are expected to conduct themselves in accordance with the following guidelines when visiting the City of London facilities and work locations:

- No media may enter any City of London facility or work location which is not normally accessible to the general public, without providing satisfactory identification and receiving clearance and a Media Badge by the appropriate City of London manager.
- Photo shoots, film shoots, or interviewing of staff at any City of London facility or work location must be pre-arranged through the appropriate City of London manager or Communications. Note: 2016 Special Event Policies & Procedures Manual – All non-media related filming information is covered under “Filming in London” section by the Manager of Special Events and Community Rentals.
- No media shall photograph or film any employee in non-public areas at City Hall or its facilities if, for personal or other reasons, they do not wish to appear in a photograph, video or film. This also applies to others who may be present including, for example, a customer or supplier.
- No media shall conduct themselves in a manner which is disruptive or otherwise poses a safety or security risk at the City of London facilities or work locations.

4.3 Media Meals

The media are welcome to take part in Council and Standing Committee dinners that are provided in the City Hall cafeteria on regular Council and Standing Committee meeting nights. Media must sign in for those dinners and will be required to pay for their meals. The sign-in sheet will be available at the tables designated for the media. Invoices will be issued by the City Clerk’s Office for participating media.

The media must sit at the designated media tables, unless invited by a Member of Council or by a member of the Civic Administration, to join them at their table.

4.4 Compliance with Policy

The Director of Communications, or their designate, and/or the City Clerk, or their designate, will address any issues of non-compliance with this policy. They may speak directly to the individual and/or their manager or supervisor to discuss any issues and remediation.

APPENDIX A4

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-125-377 being
“Community Engagement Policy”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-125-377 being “Community Engagement Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-125-377 being “Community Engagement Policy” is hereby amended by deleting Appendix ‘C(43)’ to By-law CPOL.-125-377 in its entirety and by replacing it with the attached new Schedule “A”.

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

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Community Engagement Policy

Legislative History: Enacted September 19, 2017 (By-law No. CPOL. -125-377)

Last Review Date: May 28, 2018

Service Area Lead: Manager of Engagement

1. Policy Statement

1.1. All Londoners have the right to participate in clear and transparent public engagement processes in a timely, meaningful and appropriate way. The City of London believes in inclusive community engagement processes to ensure quality communication, citizen involvement and community participation across a variety of options - inform, consult, involve, collaborate, empower. The City of London also believes that community engagement is a mutual responsibility of both the City of London and community members.

The City of London recognizes that decisions are improved by engaging citizens. The City of London is committed to meaningful engagement that is open, accessible, inclusive and responsive, and within the City's ability to finance and resource.

1.2. **Vision:**
All Londoners working together for a better future.

1.3. **Mission:**
Effectively inform, educate and engage citizens in a transparent and collaborative manner that promotes greater participation in municipal government.

2. Definitions

2.1. **City of London** - means City Council and Civic Administration.

2.2. **Community Engagement** - Community engagement is the process of meaningful two-way dialogue and participation in forming decisions that affect the community. The community engagement process is transparent, responsive, inclusive and empowering and is based on realistic expectations, mutual respect and trust.

3. Applicability

This policy applies to Council, City staff and general public.

4. The Policy

4.1. **Key Success Factors**
Council and Civic Administration have a responsibility to foster and support an environment where the following conditions for success are made possible and incorporated into all engagement efforts.

4.2. **Mutual Respect and Inclusion**
All participants will listen and respect different opinions, be flexible in how they interact and be open to considering alternatives.

4.3. **Accessibility**
Information and communications are easy to find, access and understand.

4.4. **Shared Responsibility**
Both the City and the community have responsibilities to fulfill in honouring the implementation of the Community Engagement Policy and both will endeavour to meet these responsibilities.

4.5. **Transparency**
All processes will be open, understandable, transparent and inclusive. All participants will make the best effort to reach, involve and hear from all those who are directly and indirectly affected.

4.6. **Realistic Expectations**
At each level of engagement, all participants will understand their roles, responsibilities and authority and will understand that the interest of the community may be greater than the interest of individuals.

4.7. **Responsiveness**
All participants will listen and respond to concerns in a timely manner, ensuring that outcomes and next steps are communicated.

4.8. **Community Engagement Framework:**

This policy includes a variety of options for communicating with and involving citizens.

4.9. **Inform**

Purpose of this Type of Engagement

Provide detailed information and awareness to the public.

City's Responsibility: "Our Commitment to the Public"

Keep the public informed by providing timely, accurate and accessible information.

Community's Responsibility: "Our Commitment to the City"

Be attentive to information that is available and will be informed by actively seeking out timely, accurate information.

Guideposts for Use of This Level of Engagement

- Decision has already been made
- Not looking for feedback
- City has control to make the decision and implement it

4.10. **Consult**

Purpose of this Type of Engagement

Obtain public feedback on alternatives and/or decisions in order to inform decision making.

City's Responsibility: "Our Commitment to the Public"

Listen, acknowledge concerns and seek to listen to diverse perspectives.

Community's Responsibility: "Our Commitment to the City"

Participate and share knowledge and views. Recognize that not all input may be reflected in the final decision.

Guideposts for Use of This Level of Engagement

City has control to make the decision and implement but wants some feedback before making a final decision.

4.11. **Involve**

Purpose of this Type of Engagement

Work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.

City's Responsibility: "Our Commitment to the Public"

Work with the public to ensure concerns, needs and aspirations are reflected in the alternatives developed and considered in the decision making process. Provide feedback on how public input influenced the decision.

Community's Responsibility: "Our Commitment to the City"

Participate in the process and share knowledge and views. Provide input and receive direct feedback regarding how input influenced the decision.

Guideposts for Use of This Level of Engagement

- The public is invited into the process, usually from the beginning, and is provided multiple if not ongoing opportunities for input as decision making progresses
- Work directly with the public and consider their input throughout the decision making process
- The City is still the decision maker and there is no expectation of building consensus or providing the public with high level influence over the decision

4.12. **Collaborate**

Purpose of this Type of Engagement

Partner with stakeholders in all steps of the process, including the development of strategies and recommendations and the identification of preferred solutions.

City's Responsibility: "Our Commitment to the Public"

Facilitate a two way conversation which is collaborative and work with the public to address concerns and incorporate advice.

Community's Responsibility: "Our Commitment to the City"

Provide advice and share knowledge. Cooperate to formulate solutions and recommendations.

Guideposts for Use of This Level of Engagement

- The City cannot make a decision and implement by itself
- Shared decision making with other partners

4.13. Empower**Purpose of this Type of Engagement**

Citizens initiate and develop projects and/or make final decisions and/or implement the decisions.

City's Responsibility: "Our Commitment to the Public"

Encourage and support citizens in identifying issues, developing priorities and implementing decisions. Support and accept citizen decisions.

Community's Responsibility: "Our Commitment to the City"

Actively participate and encourage others to do so, taking ownership and responsibility regardless of outcome.

Guideposts for Use of This Level of Engagement

- Citizens make the decision and may implement
- The City may facilitate or support implementation

4.14. Evaluation Outcomes:

The City of London is committed to ensuring that the Community Engagement Policy stays relevant and achieves its intended outcomes. The City of London will know if it has been successful in the area of community engagement if the following outcomes are achieved:

- Increased citizen participation in various municipal processes
- Increased civic pride
- Decreased barriers to participation
- Increased understanding about how City Hall works
- Neighbourhood level influence reflects city-wide benefits/interests
- Better, more informed decisions
- Increased role in some decision-making processes for citizens
- Earlier identification of citizens' issues and concerns

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APPENDIX A5

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-206-458 being
“Banners Over City Streets”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-206-458 being “Banners Over City Streets” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-206-458 being “Banners Over City Streets” is hereby amended by deleting Appendix ‘C(15)’ to By-law No. CPOL.-206-458 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Banners Over City Streets

Legislative History: Enacted September 19, 2017 (By-law No. CPOL. -206-458)

Last Review Date: May 28, 2018

Service Area Lead: Manager of Culture

1. Policy Statement

This policy provides for the placement of banners over City streets and on street light standards.

2. Definitions

Banners – a fabric display sign within the public right-of-way, which is used for decorative purposes or to advertise a public event.

3. Applicability

Banners are restricted to not for profit organizational events or other matters of municipal interest.

4. The Policy

- a) the content and location of each banner be reviewed and approved by the City Engineer;
- b) the use of street lights, type of banner and the method of installing banners be approved by the City Engineer;
- c) the party or organization wishing to install the banners provide liability insurance to the satisfaction of the City Treasurer.

APPENDIX B6

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-202-454 being “Special Assistance and Supplementary Aid”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-202-454 being “Special Assistance and Supplementary Aid” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-202-454 being “Special Assistance and Supplementary Aid” is hereby amended by deleting Appendix ‘C(11)’ to By-law No. CPOL.-202-454 in its entirety and by replacing it with the attached new Schedule “A”.

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

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Special Assistance and Supplementary Aid

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-202-454)

Last Review Date: May 28, 2018

Service Area Lead: Ontario Works Administrator

1. Policy Statement

This policy sets the parameters for the use of the Discretionary Benefits budget.

2. Definitions

Discretionary Benefits Program – The Discretionary Benefits Program is in place to provide financial resources in cases of extreme need.

3. Applicability

This policy applies to Londoners that meet established financial eligibility.

4. The Policy

That a policy be established whereby the Discretionary Benefits budgets be used only in cases of extreme need. This program is administered at the discretion of the Municipality and is cost-shared with the Federal and Provincial Governments. Within established protocols, services are provided such as Emergency Dental service, transportation assistance, funerals, moving expenses and furniture in accordance with the current budget available and any contract agreements and rates in effect.

APPENDIX A7

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-203-455 being
“Purchased Service Agreements”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL. CPOL.-203-455 being “Purchased Service Agreements” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-203-455 being “Purchased Service Agreements” is hereby amended by deleting Appendix ‘C(12)’ to By-law No. CPOL.-203-455 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Purchased Service Agreements

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-203-455)

Last Review Date: May 28, 2018

Service Area Lead: Ontario Works Administrator

1. Policy Statement

This policy establishes the authority of administration to request the submission of financial statements from Purchase of Service agencies to support any claims, including claims for an increase in rate.

2. Definitions

"Service Agreement"- means an agreement that will be entered into between the City and a vendor or service provider.

"Purchase of Service agencies" and "POS Agencies" - are terms often used to describe organizations providing services through Purchased Services Agreements with the City.

3. Applicability

This policy applies to POS Agencies.

4. The Policy

That a policy be established authorizing the administration to require that organizations providing services to the Ontario Works Division through Purchased Services Agreements submit financial statements to support any claims, including those claims for an increase in rate.

APPENDIX A8

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-38-234 being “London Community Grants Policy”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-38-234 being “London Community Grants Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-38-234 being “London Community Grants Policy” is hereby amended by deleting Appendix “C(27)” to By-law No. CPOL.-38-234 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: London Community Grants Policy

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-38-234)

Last Review Date: May 28, 2018

Service Area Lead: Manager, Neighbourhood, Strategic Initiatives and Funding
Neighbourhood, Children and Fire Services

1. Policy Statement

Through community investment and planning, the City provides opportunities to build social and cultural infrastructure, and strengthen neighbourhoods as key strategic determinants for the health and well-being of our local communities. Through this type of upstream investment in our people, neighbourhoods and communities, it is possible to deter downstream costs and impacts such as reduced crime and violence, reduced reliance on the social safety net and a reduction in poverty. Upstream investment will also result in improved outcomes such as increased literacy rates and improved health and physical activity levels, improved quality of life, improved cultural programming, economic development and enhancement of London's desirability as a community.

Strategic Plan 2015-2019 "Strategic Areas of Focus" (herein referred to as "Strategic Priorities"):

- Strengthening our Community
- Building a Sustainable City
- Growing our Economy

Objectives

- To ensure that an adequate administrative review of grant requests takes place;
- To provide funding amounts to community groups or organizations that are eligible and approved under the grants criteria and according to their suitability in relation to the City's goal and other submitting organizations;
- To ensure that those applying for assistance are evaluated on an equitable basis, utilizing the same evaluation criteria;
- To ensure that a system of accountability is developed and maintained between the organization requesting funds and the City of London; and,
- To review the City of London Grants Policy with each new Strategic Plan.

The City of London retains the right to share funding information received on the "grant application" form with other relevant funding bodies. The City of London also retains the right to obtain information from other funders regarding grant requests. This is for the purpose of providing additional information so that a co-ordinated approach to the funding of organizations in London might be achieved.

Interviews between the City of London staff and the Board of Directors and senior staff of organizations applying may, in some cases, be requested for the purposes of reviewing grant requests and assessing service or program needs.

2. Definitions

- 2.1. **"Not-for-profit"** refers to an organization incorporated without share capital, under Part III of the *Corporations Act* or under the *Not-for-Profit Corporations Act*.
- 2.2. **"Grant Application"** refers to the application associated with each granting program to be completed at the time of application.
- 2.3. **"Grant Agreement"** refers to the legal agreement that is signed after an application has been deemed successful under the City of London Community Grants program. The Grant Agreement defines the terms and conditions under which the City of London grant will be made and cannot be altered in any way.
- 2.4. **"Strategic Areas of Focus"** refer to the priorities of the City of London Strategic Plan. These guidelines will refer to the Strategic Areas of Focus as "strategic priorities."
- 2.5. A **"Procedural Error,"** in reference to the Appeals Process (s. 4.5), refers to a mistake that has been made as a result of not following the proper process for the allocation of grants as outlined in the City of London Community Grants Policy and/or the Council endorsed evaluation criteria for the assessment of grant applications.

3. Applicability

Applications for Municipal Grants are considered under the following categories:

3.1. Community Grants

- These are up to four year agreements with the City of London for organizations in the community pursuing one or more of the strategic priorities in alignment with the City of London Strategic Plan.

3.2. Innovation

- These grants are provided to new, emerging organizations and/or initiatives that engage in dynamic community partnerships, innovative improvements to service delivery and system collaboration, and/or generate new ideas.

3.3. Capital

- These grants are provided for projects involving construction or purchase of physical assets, including but not limited to, land, building and equipment.

4. The Policy

4.1. All agencies who meet the eligibility criteria for the grant applied for are given the opportunity of making an application for City of London grants, except those excluded by law. The City will annually contact agencies who have expressed interest, notifying them of the process. Availability of grants will be advertised.

4.2. The relevant Application is to be completed with all pertinent information and forwarded to the designated City Staff person within the time frame specified for that category. No applications will be accepted after the due date.

4.2.1 The application process includes a mandatory community information session for all interested organizations. It will be held at the beginning of the application process (see complete process as outlined in the attached flow chart for the London Community Grants program below).

4.2.2 Organizations may request an “application interview” meeting with Civic Administration (designated City Staff) prior to the application deadline date to review their application and ask questions related to the application form itself and/or the granting process.

4.3. Grant applications will be assessed by the community review panel in accordance with the program’s respective guidelines:

4.3.1 A community review panel of up to 11 individuals will be convened to make decisions regarding the allocation of municipal grants. The community review panel will be comprised of community members and City Staff as outlined below:

- Community member (2-3)
- Expert in subject matter (specific to each funding stream) (2-3)
- Funder (1)
- Outcomes measurement expert (1)
- Financial expert (1)
- City Staff (2-3)

4.3.2 Members of the community review panel will assess applications and make decisions based on the strategic areas of focus for the City of London Strategic Plan and the criteria laid out in the evaluation criteria document.

4.3.3 Role of Staff

- Staff will provide relevant contextual and historical information to support informed decision making;
- City of London staff will sit on the community review and will participate in the decision making process.

4.3.4 Selection of Committee

- Civic Administration will seek qualified London residents to be part of the community review panel based on the make-up of the panel outlined above (relevant experience) and the requirements outlined under Confidentiality and Conflict of Interest below;

- Priority will be given to community members from diverse backgrounds, and staff will aim to have a cross representation of the community on the panel.

4.3.5 Confidentiality and Conflict of Interest

- Any community member directly or indirectly connected to organizations submitting an application to receive funding from the City of London will not be a member of the community review panel;
- Community review panel members will be required to sign a confidentiality and conflict of interest agreement prior to participation in a meeting and/or allocation of funding decisions;
- Members of the community review panel will remain anonymous until all funding decisions have been made. At this time, the committee membership will be released to the public;
- Members of the panel will be strictly required to adhere to the confidentiality and conflict of interest policies in order to uphold the values of integrity and fairness throughout the granting process. Adherence includes, but is not limited to the following:
 - Maintaining the confidentiality of information received, including the applicant's information, financials, etc.
 - Disclosing any potential or perceived conflict of interest at the time of their application to the committee, as well as throughout the duration of the funding deliberations
 - Keeping their involvement with the committee confidential until the funding decisions have been publicly released.

4.4. Applicants will be notified of the funding decision in a timely manner, dependent on the grant to which they have applied.

4.5. Appeal Process:

4.5.1. All decisions related to allocation, suspension, repayment and/or termination of funding in the London Community Grants Program will be communicated in writing and are open to appeal by the applicant/recipient.

4.5.2. Applicants to the London Community Grants Program may only appeal a procedural error or present new information that, for good reason, could not be submitted at the time of application.

4.5.3. Organizations may be notified that their appeal will not proceed if there has been no procedural error and/or no new information is available.

4.5.3.1. The appeal must be received in writing no sooner than 48 hours after the funding decision is released and no later than 10 business days after having been notified of the decision.

4.5.3.2. The appeal must be signed by the Board Chair/Treasurer of the appellant organization.

4.5.3.3. The Manager of Community Development and Funding will review all appeals and determine which appeals will be referred to the City's Managing Director/Director.

4.5.3.4. Managing Directors/Directors will review applications that relate to their priority area as follows:

4.5.3.4.1. Strengthening our Community: Managing Director, Neighbourhood, Children & Fire Services

4.5.3.4.2. Building a Sustainable City: Managing Director, Planning

4.5.3.4.3. Growing our Economy: Director, Community and Economic Development

4.5.3.5. The review will include the initial funding decision, funding submissions, contribution agreements/letters of agreement, procedural guidelines, letters, emails, payment histories, community need as well as the capacity of the organization.

4.5.4. Following the 10th business day after funding decisions have been released, a meeting may be requested by the Manager of Community Development and Funding if additional information is required to determine the viability of the appellant organization's appeal.

4.5.4.1. After this meeting, viable appeals will be referred to the corresponding Managing Director/Director under which the appeal has been filed.

- 4.5.5. Organizations will be advised of the result of the appeal in writing within 30 business days of having received the appeal.
 - 4.5.6. An appeal does not delay or suspend the City's disbursement of allocated funds to approved organizations.
 - 4.5.7. Decisions of all appeals will be final.
- 4.6. The Application:
- 4.6.1. Each applicant is required to complete (where applicable) an appropriate "Grant Application Form" within the specified time frame. Late or incomplete applications will not be accepted.
 - 4.6.2. Grant Applications must be accompanied by financial statements for the previous year (preferably the audited statements), budgets or forecasts as well as evidence of adequate effort to secure financial support from the public or other levels of government, if applicable.
 - 4.6.2.1. The City has the right to request additional financial information to determine the viability of an organization.
 - 4.6.3. All applicants receiving funding from the Municipality in order to provide a service to the citizens shall produce on request, adequate information which may be required. This is to ensure that the service being provided is in the best interest of the people served and that the City funds are being used in an effective and efficient manner.
 - 4.6.4. In most cases, only one request per organization is to be considered in a fiscal year. All programs, projects and undertakings should be consolidated in the one request.
 - 4.6.4.1. An additional application may be made in the same fiscal year to the Capital and/or Innovation grants.
 - 4.6.5. All grant applications must meet all of the required criteria in order to be considered for a City grant. All grants will be assessed in terms of their alignment with the Strategic Plan; need for the project; cost/effectiveness; financial viability; contribution to the quality of life in the community; community response and apparent quality.
- 4.7. The Organization
- 4.7.1. Organizations must be located in London and intending to use grant funds for services to the London community.
 - 4.7.2. The organization must demonstrate strong managerial responsibility, capability, program planning and organization.
 - 4.7.3. Only community groups and/or organizations are eligible to be considered for funding.
 - 4.7.4. Organizations applying should have an active Board of Directors that is independent of senior staff of the organization.
 - 4.7.5. The organization applying for a City of London grant shall be incorporated as a not-for-profit corporation. Proof of incorporation must be submitted with the application, if not already on file with the City. Notwithstanding that proof of incorporation may be on file, the City reserves the right to require proof that such incorporation has not been revoked.
 - 4.7.5.1. An organization may submit an application to the Community Grants Program or Innovation Grants if not yet incorporated, but must be officially incorporated before any funding decision is made. The City of London cannot provide funding to an organization that is not incorporated.
 - 4.7.6. All organizations applying for capital grants must be incorporated.
 - 4.7.7. In general, organizations from which the City of London purchases services or with which it has contracts, will not be eligible. Priority will be given to organizations to which the City has not already contributed through other means.
- 4.8. The Grant
- 4.8.1. The length of the grant will be defined in the signed grant agreement.
 - 4.8.2. A City of London grant should not be considered as the sole source of funding for the organization. City of London grants are intended to be supplementary to other sources of funding. Organizations will be expected to leverage opportunities for funding from other

fundings and to provide information about other sources of funding, both received and applied to, to the City of London.

4.8.3. A grant made to an organization in any year is not to be regarded as a commitment by the City to continue the grant in future years.

4.8.4. The City of London, through its grants process will not contribute to outstanding deficits.

4.8.5. In making grants, the City may impose such conditions as it deems fit.

4.9. Financial:

4.9.1. The organization must demonstrate strong financial responsibility and capability in carrying out its service to this community.

4.9.2. The organization must show that it has thoroughly explored all other available sources of funding.

4.9.3. The organization must demonstrate fund-raising capabilities and illustrate a future plan for the project.

4.9.4. The organization must indicate a clear financial plan and demonstrate efficient use of City funds in the project.

4.9.5. The organization must indicate other City contributions that are made to the organization (purchase of service, tax exemptions, etc.).

London Community Grants Program

4.10. Purpose:

The multi-year granting streams will provide funding to programs and initiatives that advance the strategic areas of focus for the City of London Strategic Plan. Applications for the multi-year streams will be assessed on their ability to achieve outcomes that will support the Strategic Plan.

4.11. Principles of Funding:

The following are overriding principles of funding and must be addressed in each application:

- the project/program responds to a community need and aligns with at least one of the Strategic Areas of Focus from the City of London Strategic Plan;
- support for innovation and collaboration among community organizations, funders and the City;
- encouragement of diversity, equity, accessibility and environmental friendliness;
- recognition of community support for the proposed activity;
- demonstration of community outreach, neighbourhood accessibility and value to the community;
- accountability of outcomes and benefits related to the proposed activity;
- demonstrated financial viability, no deficits or loans will be considered for assistance;
- commitment to multi-year funding;
- increased accountability and commitment;
- simple, clear, fair and transparent process; and,
- strong/responsible financial management and stewardship.

The Corporation of the City of London will ensure fairness in allocation based upon the merits and type of a proposed project/program and will encourage organizations to achieve self-sufficiency.

4.12. Methods of Funding:

Community Grants align with the strategic priorities of the City of London Strategic Plan. Applications for Community Grants will be considered for their ability to advance the following strategic priorities:

- Strengthening our Community
- Building a Sustainable City
- Growing our Economy

4.13. Eligibility Criteria:

The amount of funding allocated to the municipal granting program will be confirmed each year as part of the annual budget process.

Eligibility Criteria is based on the purpose and principles as reflected above and will consider the following criteria:

- applicants must demonstrate the need for the specific project/program
- applicants will demonstrate their ability to leverage funding for their program from other funders;
- applicants are not-for-profit community groups and organizations - individuals are not eligible;
- applicants must demonstrate how their proposal complies with the purpose and principles as reflected above;
- applicants may only submit one application to the multi-year funding streams, and may indicate more than one Strategic Area of Focus in the application;
- applicants must be located within the City of London;
- applicants will support a community/neighbourhood based activity;
- each proposal must specifically identify the defined impacts and outcomes;
- organizations must be governed by a community based volunteer board of directors;
- applicants must provide a letter of confirmation from the board of directors showing board approval of the proposal;
- applicants must provide the latest financial statement, audited or approved by the board of directors; and
- applicants must provide an organizational budget and a proposed project budget.

4.14. Evaluation Criteria:

Applications for the Community Grants Program will be assessed by a Community Review Panel for each round of applications. Grants will be awarded in accordance with this policy and will be considered in relation to the evaluation criteria for the Community Grants Program. These criteria will be made public once applications for this program have been opened.

4.15. Progress Reports:

Organizations must adhere to the reporting timelines laid out in the signed Grant Agreement. Organizations will be required to submit their reports by the specified time on the Agreement or the City will reserve the right to withhold further payments and/or request repayment of previous advances related to the funded project.

Innovation Grants

4.16. Purpose:

Innovation grants will be provided to projects or organizations that can demonstrate:

- Proven or promising early stage innovations that need additional support to create the capacity and conditions to be effectively sustained
- Creative new approaches to social innovation that engage multiple stakeholders in creative collaboration to improve system delivery, coordination, and/or generate new ideas.

4.17. The Project:

4.17.1. Organizations seeking a grant from the City must demonstrate a need for the proposed project and must indicate how the particular organization is best suited to meet this need.

4.17.2. Organizations must present an idea that is innovative and meet at least one of the purposes of the fund.

4.17.3. Organizations requesting grants will not be eligible if, in the opinion of the City of London, the project for which funds are requested is superfluous to the requirements of the Community.

4.17.4. Projects for which grant funds are requested should be available to a broad cross-section of the London Community.

4.17.5. Priority will be given to projects that make a unique contribution to or are of special significance to the City.

4.17.6. All projects must conform to all relevant legal standards and requirements and should be physically accessible to all persons.

4.17.7. Preference will be given to organizations that are willing to create dynamic partnerships and share learned experiences with the community.

Capital Grants

4.18. Purpose:

Capital Grants will be considered for the following purposes:

- Purchase of Land and Buildings: Grants are made in this category only when the purchase is required for the immediate capital project.
- Construction Costs: Grants in this category will be for costs associated with new facilities or renovation costs associated with the provision of additional program/service space.

4.19. The Project:

4.19.1. Organizations seeking a grant from the City must demonstrate a need for the proposed project and must indicate how the particular organization is best suited to meet this need.

4.19.2. The organizations requesting grants will not be eligible if, in the opinion of the City of London, the project for which funds are requested is unnecessary for the requirements of the community.

4.19.3. Projects for which grant funds are requested should be available to a broad cross-section of the London community.

4.19.4. Priority will be given to projects that make a unique contribution to or are of special significance to the City.

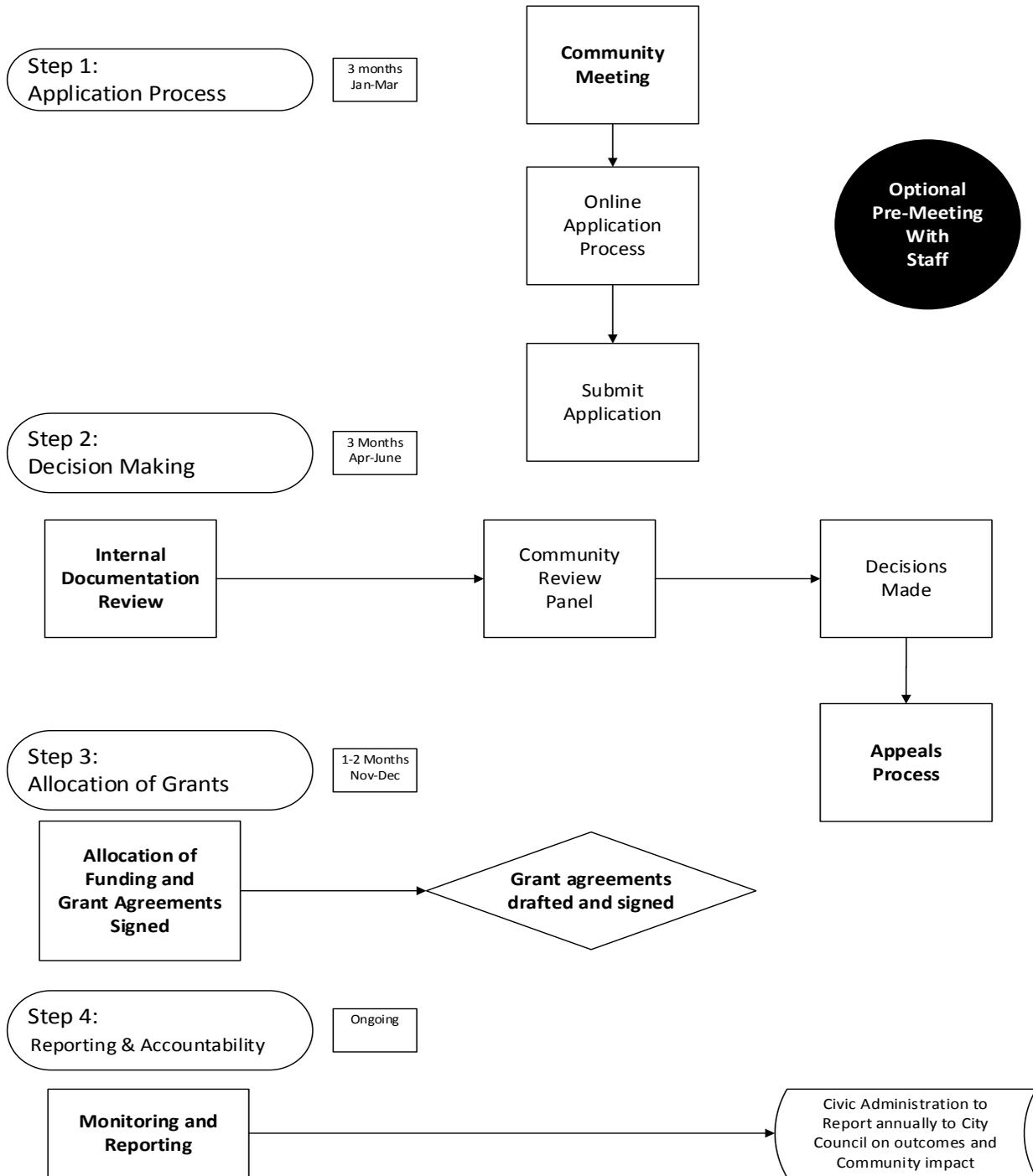
4.19.5. All projects must conform to all relevant legal standards and requirements and should be physically accessible to all persons.

4.19.6. All projects must be either tendered or open to competitive bidding by two or more parties.

4.19.7. Rehabilitation and replacement of existing facilities will be preferred as opposed to projects involving the construction of new facilities.

4.19.8. Preference will be given to organizations that demonstrate a willingness to co-operate in the sharing of their facilities with other organizations.

City of London Community Grants Program “Granting Process”



City of London Community Grants Program: Structure of Community Review Panel



APPENDIX A9

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-139-391 being “Gender Equity in Recreation Services”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-139-391 being “Gender Equity in Recreation Services” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-139-391 being “Gender Equity in Recreation Services” is hereby amended by deleting Appendix ‘C(57)’ to By-law No. CPOL.-139-391 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Gender Equity in Recreation Services

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-139-391)

Last Review Date: May 28, 2018

Service Area Lead: Manager, Neighbourhood Operations
Neighbourhood, Children and Fire Services

1. Policy Statement

This policy addresses the Corporation of the City of London’s commitment to providing welcoming and equitable recreation opportunities for everyone, regardless of gender, gender expression, or gender identity.

2. Definitions

- 2.1. **Equity** - The rights of the individual to an equitable share of the goods and services in society. However, equality of treatment will not guarantee equal results. Creating equal results sometimes requires treating people differently from each other. Focusing on the results instead of the treatment is the concept of equity.
- 2.2. **Gender** - Whereas “sex” is a person’s physical characteristics, “gender” is about what it means to be a man or woman in society. It is the expectations and stereotypes about behaviours, actions, and roles linked to being a “man” or “woman.” Social norms related to gender can vary depending on the culture and can change over time.
- 2.3. **Gender Expression** - How a person publicly presents or expresses their gender. This can include behaviour and outward appearance, such as dress, hair, make-up, body language, and voice. A person’s chosen name and pronoun are also common ways people express their gender. Others perceive a person’s gender through these attributes.
- 2.4. **Gender Identity** - Each person’s internal and individual experience of gender. It is a person’s sense of being a woman, a man, both, neither, or anywhere along the gender spectrum. A person’s gender identity may be the same as or different from their birth-assigned sex. For most people, their sex and gender identity align. For some, they do not. A person may be born male but identify as a woman, or born female but identify as a man. Other people may identify outside the categories of woman/man, or may see their gender identity as fluid and moving between different genders at different times in their life.

3. Applicability

This policy applies to all City of London recreation programs, parks, facilities, and services. Accordingly, it applies to all recreation employees, volunteers, users, and individuals or businesses contracted by the Corporation to provide or support recreation programs, parks, facilities, and services.

4. The Policy

Gender equity in recreation will be provided within the community, regardless of gender identity and gender expression. Recognizing the many personal, social, economic and environmental benefits to health and quality of life that are derived by participating in physical activity and through positive leisure lifestyle development, the City of London is therefore committed to:

- i) ensuring that a full range and variety of gender equitable recreation opportunities are available in all areas of the community and are accessible in safe and welcoming environments for all Londoners, regardless of gender identity and gender expression;

- ii) working with the community to provide gender equitable recreation opportunities, projects, programs, services, staffing and facilities which are consistent with this policy; and
- iii) allocating appropriate resources to accomplish this above noted commitment.

APPENDIX A10

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-204-456 being “Child Care Policies”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-204-456 being “Child Care Policies” for reformatting into the new Council Policy template, review with the gender equity lens, and removal of administrative and redundant sections;

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

1. By-law No. CPOL.-204-456 being “Child Care Policies” is hereby amended by deleting Appendix ‘C(13)’ to By-law No. CPOL.-204-456 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Child Care Policies

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-204-456)

Last Review Date: May 28, 2018

Service Area Lead: Manager, Neighbourhood Operations
Neighbourhood, Children and Fire Services

1. Policy Statement

That child care services in our communities be accessible and available to meet the diverse needs of all our citizens. Recognizing the many personal, social, physical and economic benefits to the health and well-being and quality of life that children and families derive from participating in child care services, the City of London, as the Consolidated Municipal Service Manager for London and Middlesex County, in partnership with communities, is therefore committed to:

- a) **Equitable Access**
working to ensure that all families have access to a range of appropriate services contained within a comprehensive child care system;
- b) **High Quality Programs**
working to ensure that child care programs and services are of high quality and support children's health, safety and development;
- c) **Parental Choice**
supporting the provision of accessible, coordinated information about child care services to ensure that parents have enough information and assistance to make informed choices;
- d) **Parental or Community Involvement**
ensuring that key stakeholders, including parents and other community leaders, are involved in significant decision-making;
- e) **Partnerships**
working in partnership with community groups and other funders to ensure that local programs for children and families are coordinated, but not duplicated;
- f) **Ongoing Monitoring and Evaluation**
ensuring that the child care system is monitored and evaluated on a regular basis to work towards a system that is effective, affordable, inclusive, flexible and responsive to parent and local needs; and
- g) **Allocation of Resources**
allocating appropriate resources to accomplish these above noted commitments, within annual allocations and with regard to the municipal budget by various levels of government and anticipating fair user fees.

2. Definitions

- 2.1. Throughout this policy, "child care and early years programs and services" refers to program services that provide licensed child care (school age and licensed home care), or authorized recreational and skill building programs, or are early years programs and services.
- 2.2. Throughout this policy, the term "Administration" refers to the Managing Director, Neighbourhood, Children and Fire Services or an authorized designate.
- 2.3. Throughout this policy, "Parent" includes a person having lawful custody of a child or a person who has demonstrated a settled intention to treat a child as a child of his or her family.
- 2.4. Throughout this policy, "Child Care Advisory Committee" refers to the advisory committee that provides information, advice and recommendations to Municipal Council

through the Community and Protective Services Committee on issues affecting early learning and child care of children from 0 years up to and including 12 years of age such as, but not limited to, special needs funding, resources centre funding, wage subsidy, childcare fee subsidy and health and safety issues, such as playgrounds.

3. Applicability

This policy applies to parents as defined in this policy, child care operators, and City of London employees.

4. The Policy

That a policy be established to assist families with children (0 to 12 years) requiring financial assistance to access child care and early years programs which are part of our healthy communities. The objectives of this policy are:

- a) to provide immediate child care financial assistance for children who are considered to be at risk;
- b) to provide immediate child care financial assistance to parents leaving the social assistance system;
- c) to enable parents to obtain or maintain employment;
- d) to provide opportunities for optimal growth and development, social/emotional, socialization and speech & language through child care financial assistance;
- e) to enable parents to attend school or be involved in academic upgrading activities; and,
- f) to provide child care financial assistance for parents or child needs as identified by a therapeutic referral completed by a third party health professional working directly with the family for the duration of the referral.

SECTION A: POLICIES RELATING TO ELIGIBILITY, SPECIAL CASES, REFERRALS

Eligibility

The following aligns with Section 8 Ontario Regulations 138/15:

- 4.1. For parent(s) determined to be eligible through the financial income test:
 - (i) Immediate placement is given to children assessed by a recognized referral agency to be at a level of risk as well as children whose parent(s) leave the social assistance system.
 - (ii) Within the approved annual budget for the child care fee subsidy program, children be placed in child care programs (noting that children who qualify be provided either full or part-time child care fee subsidy depending on need) based on their order of application using their date of eligibility.
- For each of the above priorities, the number of hours approved for child care fee subsidy will be based on need (for example: working full-time would be approved for a full day fee subsidy, working part-time would be approved for a part-time fee subsidy).
- 4.2. That parent(s) eligible for subsidy based on their child(ren)'s needs or parental needs must be referred to the City by a recognized social service agency or health care professional.
- 4.3. That the Administration be authorized to provide immediate child care subsidy to eligible parents who cease to receive Ontario Works because they have found employment or are attending post-secondary education.
- 4.4. That the Administration be requested to use its own discretion in extending child care subsidies to siblings of children receiving subsidized child care. This care would only be provided to those siblings between the ages of 0 and 12 years of age.
- 4.5. That all child care fee subsidy cases be reviewed, at a minimum, once every twelve months (from date of placement), or more often at the discretion of the Administration.

- 4.6. Where a family no longer meets the eligibility requirements as outlined above, the change in circumstances may affect a parents' eligibility for child care financial assistance; it being pointed out that the stability or the effect of the change on the child's and/or the family's well-being will be taken into consideration by Neighbourhood Operations before implementing any subsidy changes.
- 4.7. That parents reside within the City of London.
- 4.8. That when the budget allocation is projected to be at its maximum for the current year, no new placements shall be considered and a waiting list shall be established.

Special Cases

- 4.9. That the Administration be authorized to grant, under emergency conditions, child care financial assistance for parents to access child care and early years programs and to report such cases to the Child Care Advisory Committee on a predetermined schedule per year.

Referrals

- 4.10. That Neighbourhood Operations recognize the need to make referrals to the appropriate agencies to assist with any family matters to enhance the well-being of our clientele.

SECTION B: POLICIES RELATING TO CHILD CARE OPERATORS

General

- 4.11. That all Children's Services Funding Agreements will be contingent upon approval from the Administrator appointed by the City under the Child Care and Early Years Act or written designate.
- 4.12. That the City will provide child care services by subsidizing spaces through Children's Services Funding Agreements with licensed child care agencies and accredited recreation programs and camps.
- 4.13. That the City of London will not assume transportation costs but rather will continue to enter into agreements with child care and early years programs and services throughout the City in a variety of localized areas so that child care is available for children near their homes or their parent(s)' workplace.
- 4.14. That child care policy and/or criteria changes be sent to all operators for their information as soon after approval as possible.

APPENDIX A11

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-145-397 being “Policy for waiving or reducing fees for use of city owned community centres and recreation facilities”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-145-397 being “Policy for waiving or reducing fees for use of city owned community centres and recreation facilities” for reformatting into the new Council Policy template, review with the gender equity lens, and removal of administrative procedures;

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

1. By-law No. CPOL.-145-397 being “Policy for waiving or reducing fees for use of city owned community centres and recreation facilities” is hereby amended by deleting Appendix ‘C(63)’ to By-law No. CPOL.-145-397 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Policy for waiving or reducing fees for use of city owned community centres and recreation facilities

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-145-397)

Last Review Date: May 28, 2018

Service Area Lead: Manager, Neighbourhood Operations
Neighbourhood, Children and Fire Services

1. Policy Statement

The Policy for Waiving or Reducing Fees for Use Of City-Owned Recreation and Community Centres and Recreation Facilities will assist in determining if rental fees for facility rental may be waived or reduced for an organization requesting this in connection to booking space in City community centres and recreation facilities including pools, sport fields, and arenas.

2. Definitions

Rental Fees - Refers to the fees approved by the City’s Fees and Charges by-law to cover the fee for use of a space and does not apply to other ‘extra fees’, tariffs, licences, and insurance costs that may be required by the nature of the activity.

3. Applicability

3.1 Certain community and recreation groups may be eligible to apply for a waiver or reduction of rental fees for community centre and recreation facility space if they meet all of the following conditions of eligibility of application:

- a) must be a non-profit corporation, OR
must be a newly created organization (established within 12 months of applying for the waiver or reduction of fees) which can prove they are operating on a not-for-profit basis;
- b) must be a London-based organization and at least 80% of participants/members are London residents;
- c) must provide evidence that regular rental fees constitute a real barrier or hardship;
- d) activity meets a recreation or community development priority of the City of London (physical activity, healthy eating, literacy, poverty reduction, community engagement or capacity building, activities for under-served groups);
- e) activity does not duplicate an existing program or activity;
- f) activity is open to the public, or membership in the requesting organization is open to the public;
- g) activity must not be for the purpose of generating revenue, including fundraising; and
- h) activity must comply and conform with applicable legislation, Council policies and by-laws, and is not contrary to law, including but not limited to the Ontario Human Rights Code, and the Criminal Code.
- i) The request to waive or reduce fees may be approved for up to a maximum of 15 bookings within one calendar year, or in exceptional circumstances such further bookings as approved by the Managing Director.

4. The Policy

4.1. The administration of this Policy is assigned to the Managing Director, Parks & Recreation, or their written designate (“Managing Director”), and to the Managing Director, Neighbourhood, Children and Fire Services, or their written designate

("Managing Director"). The Managing Director shall generally perform all of the administrative functions under this Policy, and without limitation may:

- a) receive and process all applications for waiving or reducing fees;
- b) issue approvals for waiving or reducing fees in accordance with the provisions of this Policy and applicable By-laws;
- c) impose terms and conditions on approvals in accordance with this Policy; and
- d) refuse to issue an approval, or revoke or suspend an approval, in accordance with this policy.

4.2. The approval of a waiver or reduction of fees, along with entering into a Facility Rental Contract, shall constitute authorization of the Managing Director for the purposes of the City of London's Parks & Recreation Area By-law.

4.3. Requests for use of space as approved under this Policy will be accommodated within un-booked capacity within regular operating hours of facilities.

Authority of the Managing Director - Waiver or Reduction of Fees

4.4. The power and authority to refuse to issue an approval to waive or reduce fees, to cancel, revoke or suspend an approval, to impose terms and conditions, including special conditions, on an approval, or to exempt any person from all or part of this Policy are delegated to the Managing Director.

4.5. Notwithstanding any other provision of this Policy, the Managing Director may impose terms and conditions on any approval any time during the term of the approval, as are necessary in the opinion of the Managing Director to give effect to this Policy.

4.6. The City of London reserves the right to refuse to enter into a Facility Rental Contract with respect to any application for a waiver or reduction of fees for an event on City of London Property.

APPENDIX A12

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-80-312 being
“Dedication of Fire Stations”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-80-312 being “Dedication of Fire Stations” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-80-312 being “Dedication of Fire Stations” is hereby amended by deleting Appendix ‘D(28)’ to By-law No. CPOL.-80-312 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Dedication of Fire Stations

Legislative History: Enacted August 22, 2017 (By-law No. CPOL.-80-312)

Last Review Date: May 28, 2018

Service Area Lead: Fire Chief, London Fire Department
Neighbourhood, Children and Fire Services

1. Policy Statement

That a policy be adopted to provide for the dedication of fire stations in recognition of London firefighters who have lost their lives in the line of duty.

2. Definitions

Not applicable.

3. Applicability

This policy applies to seven existing facilities (Station Nos. 1, 2, 4, 5, 7, 8 and 11) as well as any stations constructed in the future.

4. The Policy

That applicable fire stations be dedicated in memory of fallen firefighters who have lost their lives in the line of duty.

APPENDIX A13

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-16-212 being “Athletic Travel Grants”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-16-212 being “Athletic Travel Grants” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-16-212 being “Athletic Travel Grants” is hereby amended by deleting Appendix “C(2)” to By-law No. CPOL.-16-212 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Athletic Travel Grants

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-16-212)

Last Review Date: May 28, 2018

Service Area Lead: Division Manager Parks and Recreation

1. Policy Statement

This policy provides direction on application criteria and process for applying for travel grants.

2. **Definitions:** Not applicable.

3. **Applicability:** This policy applies to London Athletes eligible under the criteria.

4. The Policy

That a policy be established whereby the City will consider giving traveling grants to local amateur sporting teams or individuals who win championships in the current year, or the immediately preceding year, or attain standards prescribed by the Provincial and/or National and/or International governing body, which qualify them to enter Provincial, National or International championship competitions in sports under the auspices of other than educational institutions, subject to the following guidelines all on the understanding that the Athletic Travel Grants Program is only a supportive grants program and not intended to wholly support an individual or team for travel expenses in quest of a championship and, in fact, it may be prudent to reject an application if it were proven that an individual or team had total financial support for their championship play:

- a) the amount to be provided for each team member or individual competitor shall be \$100.00 (providing the event is being held at a location beyond a 160.9 km (100 mile) distance from the City of London);
- b) the amount to be provided to any team shall not exceed \$500.00;
- c) subject to the \$500.00 limitation, one coach per team shall be eligible for the travel grant;
- d) in the case of individualistic sporting events, such as swimming, diving, track and field, boxing, wrestling, skating, rowing, one coach shall be eligible for the Travel Grant, to accompany the individual, or group of individuals in one sport (e.g. - two or more swimmers attending the same event - one coach; eight track and field athletes attending the same event - one coach.)
- e) applications must be filed prior to the event or where the event immediately follows the trials or qualifying events, applications must then be filed within two weeks of achieving the championship or prescribed standards;
- f) the Managing Director, Parks and Recreation is authorized to approve the payment of grants to applicants whose applications are within the above guidelines and on the recommendation of the Administrator of Recreation Services provided that sufficient funds are available in the Current Budget;
- g) the Managing Director, Parks and Recreation will report only exceptions to the appropriate Standing Committee of Council; and
- h) should the funds budgeted in any year for Athletic Travel Grants be depleted, the Managing Director, Parks and Recreation shall be authorized to refuse any further applications subject to the submission of a list of the refused applications to the appropriate Standing Committee of Council at its last meeting in November of each year.

APPENDIX A14

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-129-381 being
“Corporate Sponsorship and Advertising Policy”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-129-381 being “Corporate Sponsorship and Advertising Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-129-381 being “Corporate Sponsorship and Advertising Policy” is hereby amended by deleting Appendix ‘C(47)’ to By-law No. CPOL.-129-381 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Corporate Sponsorship and Advertising Policy

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-129-381)

Last Review Date: May 28, 2018

Service Area Lead: Manager Business Solution and Customer Service

1. Policy Statement

The purpose of this Policy is to set out Council's direction and guidelines with respect to the corporate sponsorship and advertising of City programs, services, and facilities.

Civic Administration shall make available for external use marketing documentation on the City's Corporate Sponsorship and Advertising Program.

2. Definitions

2.1. **Advertising** – The selling or leasing of advertising space on corporate materials (printed and electronic), and signage on City-owned assets and properties; whereby the advertiser is not entitled to any additional benefits beyond access to the space purchased. Advertising is a straightforward purchase of space based on pre-established base rates and a defined time period.

2.2. **Asset** – This is a physical or non-physical City-owned element, material, equipment, facility, building, or structure that has value to sponsors or advertisers in order to achieve their business objectives. Examples of assets are: playgrounds, programs, events, arenas, parks, pools, advertisement placements, services, and speaking engagements.

2.3. **City** – The term "City" refers to The Corporation of the City of London.

2.4. **Donation(s)** – A cash and/or in-kind contribution made to the City with no reciprocal commercial benefit expected or required from the City. Donations do not involve a business relationship and are distinct from sponsorship and/or advertising initiatives.

2.5. **Sponsorship** – A marketing-oriented, contracted arrangement that involves the payment of a fee or payment in-kind by a company in return for the rights to a public association with an activity, item, or property for commercial benefit. Sponsorships may be in the form of financial assistance, non-cash goods, naming rights, or a contribution of skills or resources. Examples of sponsorships are: the Lowes arena renovation at Oakridge Arena, Tim Horton skates and swims, and the Siskinds playground in Piccadilly Park.

3. Applicability

This Policy shall apply to all business relationships between The Corporation of the City of London and businesses which contribute either financially or in-kind to City programs, services, or facilities in return for recognitions, public acknowledgement, or other promotional considerations. This Policy is subject to the restrictions in the *Municipal Act, 2001* on bonusing and shall not apply to the following circumstances:

- a) Gifts, unsolicited donations or advice to the City where no business relationship is required and where no reciprocal consideration is being sought;
- b) Funding obtained from other levels of government through formal grant programs;
- c) Business partnerships between the City and its local boards and commissions;
- d) Neighbourhood groups, service clubs, non-profit community organizations, or agencies that provide continuous support and leadership to City programs, services, or facilities;
- e) Facilities that have been contracted to a third party for operation and/or management.

4. The Policy

4.1. Criteria For Sponsorships And Advertising Relationships

The following criteria must be satisfied before a sponsorship and advertising relationship is formalized between the City and a business:

- a) The relationships must be beneficial for both parties;

- b) The sponsorship or advertising must enhance the development, delivery, awareness, or continuance of one or more City programs, services, or facilities;
- c) Any costs to the City associated with the relationship must be within an approved budget;
- d) The City program, service, or facility for which sponsorship or advertising is being sought must
 - i) Not directly compete with charitable organizations or with existing private businesses in close proximity to the City program, service or facility; and
 - ii) Be consistent with City plans and priorities;
- e) All publicity, advertising, acknowledgement and recognition of the sponsorship or advertising arrangement by either the City or the sponsor must comply with all federal and provincial statutes and all municipal By-laws;
- f) The value of the proposed sponsorship or advertising is consistent with the proposed recognition or acknowledgement of the sponsorship or advertising; and
- g) The relationship must not cause a City employee or agent to receive any product, service, or assets for personal gain or use.

4.2. Sponsorship And Advertising Agreements

All sponsorship and advertising relationships shall be confirmed in the form of a written agreement between the sponsor and the City. All such agreements must clearly indicate and address:

- a) What the sponsor is contributing and what the value of the contribution represents;
- b) The obligations of both the sponsor and the City;
- c) The disposition and ownership of any assets resulting from the sponsorship or advertising;
- d) Responsibility for the maintenance, insurance, and taxes of all assets associated with or resulting from the sponsorship or advertising;
- e) The duration of the sponsorship or advertising;
- f) The licensing and use of the City's and the sponsor's name, trade and service marks, and other intellectual property, and any payment for such licensing and use; and
- g) A termination provision and the remedies available to both parties upon termination.

4.3. Sourcing Authority

Sponsorship and advertising shall be offered by the City or its agent on a first come, first served basis which meets established valuation criteria.

The City reserves the right to reject any and all unsolicited sponsorship or advertising proposals that have been offered to the City and to reject any and all proposals for sponsorship or advertising that have been openly solicited by the City.

4.4. Approval Authority

All potential sponsorship and advertising opportunities and all proposed sponsorship and advertising opportunities shall be reviewed in accordance with this Policy.

The City may enter into a sponsorship and advertising sales contractual relationship with an external contracted organization, provided all provisions of this Policy are met and provided the value of the sponsorship, or advertising (either direct funding or in-kind service, or a combination of both) is authorized by by-law or by an official, employee, or agent of the City who has been delegated authority by by-law or contract to enter into such a relationship on behalf of the City. In all cases, all necessary sponsorship and advertising agreements shall be executed on behalf of the City by the Mayor and the City Clerk where authorized by by-law or by the delegated official, employee, or agent of the City where authorized by by-law or contract.

4.5. Exceptions To This Policy

Elected Officials and Civic Administration are encouraged to advise Municipal Council of all sponsorship and advertising proposals that would contribute towards the cost of a particular program, service, or facility but do not comply with one or more provisions of this Policy. Municipal Council reserves the right to consider and accept such proposals.

4.6. Guiding Principles

The following principles will guide the decision-making and operational processes related to sponsorship and/or advertising relationships with an external party:

- 4.6.1 All sponsorship and advertising agreements must comply with federal and provincial acts, statutes and regulations, and municipal by-laws and must not interfere with existing contractual obligations of the City.
- 4.6.2 All sponsorship and advertising agreements must be consistent with the mandate, policies, and objectives of the City.
- 4.6.3 Sponsorship agreements must benefit the City, and should also benefit the community, and the sponsor or advertiser.
- 4.6.4 Sponsorships should enhance the development, delivery, awareness, or continuance of one or more City facilities, programs, services, and/or events or provide for the delivery of programs, services, or events by a third party.
- 4.6.5 The sponsorship and/or advertising opportunity should be appropriate to the identified target audience.
- 4.6.6 Advertising devices must not impact the quality and integrity of the City's assets and provide no added risk to safety. This will be determined by the City.
- 4.6.7 Agreements shall not in any way invoke future considerations, influence, or be perceived to influence the day-to-day business of the City.
- 4.6.8 The City will maintain control over the planning and delivery of all sponsorship and advertising opportunities and activities in accordance with this Policy.
- 4.6.9 Sponsorships and advertising must be valued at fair market value and be in accordance with the industry practices, using recognized valuation models and standard practices.
- 4.6.10 The term of all agreements shall not exceed ten years unless authorized by City Council.
- 4.6.11 City employees or anyone with permission to act on behalf of staff, shall not receive any product, service, or asset for personal use or gain as a result of a sponsorship or advertising agreement as per the Code of Conduct Policy.
- 4.6.12 Advertisement of a product or service does not act as the City's endorsement of any product or service.

4.7. Restrictions:

In keeping with the principle that all sponsorship and/or advertising initiatives must be consistent with the City's vision, mission, and values, the following restrictions apply:

- 4.7.1 The City reserves the right to restrict sponsorships and/or advertising to certain services and to exclude any products and industries at its discretion.
- 4.7.2 Sponsorships and/or advertising will not be accepted from any party that portrays, promotes, or condones the stereotyping of any group or discrimination as defined in the Ontario Human Rights Code or which is contrary to the Canadian Charter of Rights and Freedoms.
- 4.7.3 Sponsorship rights and/or advertisements will not be accepted if they unnecessarily promote the commercialization of public space.

4.8. Sponsorship and Advertising Agreements:

- 4.8.1 All sponsorship and advertising agreements must be confirmed in writing and all details must be finalized at the time of signing by authorized representatives of both the City and the sponsor or advertiser.

4.8.2 Sponsorship and advertising agreement templates shall be reviewed by the City Solicitor to ensure protection from risk and compliance with legislation.

4.8.3 All agreements must outline the following:

- Any contribution by the sponsor or advertiser and the value of the contribution including any donations or advertising provided without charge to the City;
- The obligations of both the sponsor and the City;
- The duration of the sponsorship;
- The dispositions and ownership of any assets resulting from the sponsorship;
- The licensing and use of the City's and sponsor's name, trade, service marks, and other intellectual property, and any costs associated with such licensing or use;
- A termination provision and the remedies available to both parties upon termination;
- Details of the exchange of marketing benefits, including both what the City will receive from the sponsor, and what benefits are to be provided to the sponsor; and
- Insurance coverage/indemnification clauses

4.9. Sponsorship And Advertising Solicitation

4.9.1. For City-identified sponsorship and advertising opportunities, the City will advertise if there is: an estimated value of over \$100,000; the agreement duration is expected to be greater than 5 years; or there is a delivery of a service.

4.9.2. The City is open to receiving unsolicited sponsorship and advertising proposals. Sponsorship and advertising opportunities and the process for submission shall be made available on the City's website.

4.9.3 Unsolicited sponsorship and advertising proposals received by the City will be evaluated by the manager of the relevant business unit, as per the provisions of this Policy.

4.9.4. The City reserves the right to reject any unsolicited proposal that has been offered to the City.

4.9.5. The City may, by agreement, reserve the right to terminate a sponsorship or advertising agreement should conditions arise that make it no longer in the best interests of the City based upon the provisions contained in the agreement.

4.10. Responsibilities:

4.10.1 Managers overseeing sponsorship and advertising are responsible for:

- General overview of all sponsorship and advertising business for their specific business area;
- Asset evaluation and pricing of sponsorships in conjunction with business units;
- Negotiating and administering sponsorship and/or advertising agreements with agents who may provide these services on the City's behalf;
- Ensuring adherence to all relevant by-laws and policies, appropriate consultation and approval processes, and where applicable, that insurance, indemnification, and necessary permits have been obtained;
- Ensuring advertising relationships abide by the restrictions noted in this Policy.

4.10.2 Managing Directors are responsible for:

- Ensuring staff consult with the appropriate Manager responsible for sponsorship and advertising prior to developing a sponsorship opportunity to determine sponsorship valuation and ensure consistency in application of this Policy;
- Concept approval of sponsorship and advertising projects before external parties are approached or agreements are made and if the agreement involves more than one business area, approval will be obtained by the Managing Directors of each business area involved;

- Review of sponsorship and advertising agreements which impact any of their business units;
- Authorization of sponsorship and advertising agreements in accordance with delegated authority; and
- Ensuring that representatives of the City entering into sponsorships and advertising agreements are aware of, and act in accordance with, this policy and administrative procedures.

4.10.3 City Council is responsible for:

- All agreements that do not comply with this policy or are for an amount in excess of \$1,000,000 require approval of Council by By-law and that the Mayor and the City Clerk shall be authorized to sign such agreements approved by Council; and
- Reviewing and/or approval of all sponsorship and advertising agreements that fall outside the delegated authority of staff, as outlined in Section 6.

4.11. Delegation of Authority:

4.11.1 Division Managers and Directors with consent in writing from their Managing Director and without prior Council approval, are authorized to approve sponsorship and advertising agreements up to \$100,000 provided they satisfy all provisions of this Policy.

4.11.2 Managing Directors with consent in writing from the City Manager and without prior Council approval are authorized to approve sponsorship and advertising agreements up to \$500,000 provided they satisfy all the provisions of this policy.

4.11.3 The City Manager is authorized to approve sponsorship and/or advertising agreements up to \$1,000,000. Notwithstanding the delegation of authority to Managers, Directors and Managing Directors under this policy, the City Manager may determine that it is appropriate to seek the authority of Council prior to a sponsorship or advertising agreement being signed.

APPENDIX A15

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-183-435 being
“Leasing Parkland”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-183-435 being “Leasing Parkland” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-183-435 being “Leasing Parkland” is hereby amended by deleting Appendix ‘C(102)’ to By-law No. CPOL.-183-435 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Leasing Parkland

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-183-435)

Last Review Date: May 28, 2018

Service Area Lead: Managing Director - Parks and Recreation

1. Policy Statement

This policy ensures parkland will be used appropriately.

2. Definitions

Not applicable.

3. Applicability

This policy applies to the leasing or permitting of parkland.

4. The Policy

That a policy be established whereby any land designated as parkland by by-law will not be leased for any purpose other than those stipulated in subsection 13(5), of the Public Parks Act, R.S.O. 1990, Chapter P.46, which reads as follows:

"Where a park has been purchased or has been acquired by the board or by the corporation of the municipality, otherwise than by gift or devise, or by dedication to the public by the owner of the land, freely, or at a nominal price or rental, the board may set apart a sufficient part thereof for athletic purposes or for the purposes of sport, exhibitions or other lawful amusements or entertainments, and may lease it for such purposes, for such times and on such terms as the board may see fit, but the powers conferred by this subsection are not exercisable with respect to any park unless the board has applied for and received the approval of the council."

APPENDIX A16

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-140-392 being
“Financial Assistance for Program Activity Fees”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-140-392 being “Financial Assistance for Program Activity Fees” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-140-392 being “Financial Assistance for Program Activity Fees” is hereby amended by deleting Appendix ‘C(58)’ to By-law No. CPOL.-140-392 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Financial Assistance for Program Activity Fees

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-140-392)

Last Review Date: May 28, 2018

Service Area Lead: Manager of Business Solutions & Customer Service

1. Policy Statement

The intent of the policy is to:

- 1.1. Ensure that a system of financial assistance, that is easy to access by low-income Londoners, exists for directly related participation costs for recreation and leisure activities and programs offered by the City of London;
- 2.2. Provide a system of financial assistance that, within budget availability, helps as many low-income Londoners as possible to participate in recreation and leisure opportunities offered by the City of London;
- 3.3. Provide a system of financial assistance that is simple to understand for all customers and is easy for staff to administer; and these goals are consistent with existing corporate strategies, including the current Parks and Recreation Strategic Master Plan; and

These goals are consistent with existing corporate strategies, including the 2003 Parks and Recreation Strategic Master Plan.

2. Definitions

Not applicable.

3. Applicability

This policy provides financial assistance with the cost of registration fees, identified program materials, supplies and equipment costs, assistive devices and related supports. All City of London, recreation and leisure programs, memberships and pass plans, and admissions offered through the *Spectrum* guide are eligible for support.

4. The Policy

Policy Conditions:

- 4.1. London residents/taxpayers who considers themselves or their families unable to pay the full registration fee can apply for financial assistance (self-declaration).
- 4.2. Financial assistance is limited to a maximum value of \$300 per individual per 12 month period.
- 4.3. Financial assistance is available for all City of London, recreation and leisure programs, memberships and pass plans offered through the *Spectrum* guide.

Policy Fee Schedule:

- 4.4. A policy fee schedule based on Statistics Canada's Low-Income Cut offs will be used by staff to determine the amount of financial assistance provided to individuals or families. This schedule will be used for all recreation and leisure programs offered by the City of London. This policy fee schedule will be adjusted as required when new financial data becomes available from Statistics Canada.

PROCEDURE

Purpose:

- 4.5. To determine the process for and amount of financial assistance that may be provided for eligible persons to participate in the City of London's recreation and leisure programs but who are unable to afford the associated program fees.

Application Process:

- 4.6. Requests to determine eligibility for financial assistance can be made in person, by telephone, fax, mail or, email. In person requests can be made at a variety of municipal locations throughout the city.
- 4.7. Documentation required to complete a request to determine eligibility for financial assistance includes:
 - a) Identification for each eligible family member;
 - b) Proof of family income; and
 - c) Proof of residency.
- 4.8. After data entry, all documentation will be kept confidential and stored in a locked file cabinet in the Recreation Customer Service area.
- 4.9. Eligible participants may register for recreation and leisure programs and activities through on-line registration, telephone or in person. Participants who are paying a percentage of the course fee must submit payment prior to receiving confirmation of space in the program.
- 4.10. All applicants are to be advised at the time of the request that an appeal process exists and of the terms of the process (see Appeal Process).

Funding Process:

- 4.11. Each year the City of London will establish a fund which will be used exclusively for the purpose of providing financial assistance to low-income Londoners who want access to recreation and leisure program activities offered by the City.
- 4.12. The amount of the fund will vary yearly as determined by the City's budgeting process.
- 4.13. The fund can be accessed prior to the start of each session on a "first-come, first-served basis" until it is exhausted. Once the fund is exhausted, applicants may have to wait until the following budget year and reapply when funding permits.
- 4.14. Demand for the fund and other indicators will be tracked and used for future forecasting of funding needs for financial assistance.

Communication Process:

- 4.15. Information about the existence of the policy and how to access it will be developed and updated as necessary for distribution to community agencies and other stakeholders that serve low-income Londoners.
- 4.16. City staff will continue to work with the community to monitor the accessibility of recreation and leisure opportunities for low income Londoners.

Appeal Process:

- 4.17. At the time of application, each customer will be notified of the ability to appeal and, where necessary, the details of the process as outlined below. Customers requesting a reconsideration of their eligibility or their rate of financial assistance are required to submit a letter or email to the Supervisor, Recreation Customer Service, indicating the following:
 - a) Full name, address, telephone number, date of initial application for financial assistance;
 - b) Reason for request for reconsideration (e.g., extraordinary expenses); and All supporting documents (e.g. receipts, medical notes, etc.).

4.18. Requests will be forwarded to the Supervisor, Recreation Customer Service, within 5 days of receipt of the appeal. All requests for reconsideration will be examined by the Supervisor, Customer Service (or designate) in consultation with the customer. Appeal decisions will be considered final.

APPENDIX A17

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-141-393 being
“Inclusion in Recreation Facilities, Parks and Services”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-141-393 being “Inclusion in Recreation Facilities, Parks and Services” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-141-393 being “Inclusion in Recreation Facilities, Parks and Services” is hereby amended by deleting Appendix ‘C(59)’ to By-law No. CPOL.-141-393 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Inclusion in Recreation Facilities, Parks and Services

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-141-393)

Last Review Date: May 28, 2018

Service Area Lead: Division Manager Parks and Recreation

1. Policy Statement

That recreation facilities, parks and services in our community be accessible and available to meet the diverse needs of all our citizens. Recognizing the many personal, social, economic, and environmental benefits to health and quality of life that are derived by participating in recreation and leisure, the City of London in consultation with the community is therefore committed to:

i) Equitable Opportunities

working to ensure that all citizens have opportunities to experience the benefits of recreation and active living through equitable access to a full range of recreation facilities, parks and services regardless of disability, age, sex (including pregnancy and breastfeeding), sexual orientation, gender identity, gender expression, race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, family or marital status;

ii) Elimination of Barriers

working with the community toward the elimination of barriers to participation, including but not limited to, physical, economic, cultural, transportation, language and attitudinal barriers;

iii) Allocation of Resources

working to ensure the allocation of appropriate resources to accomplish this above noted commitment; and,

iv) Continued Monitoring and Evaluation

working to ensure the continued monitoring and evaluation of our efforts to work toward the achievement of this Policy through ongoing measurement of progress toward inclusion.

2. Definitions

Not applicable.

3. Applicability

This policy applies to all users of the City of London's recreation facilities.

4. The Policy

STRATEGIC DIRECTIONS (Not listed in order of priority)

THE CITY OF LONDON WILL, IN CONSULTATION WITH THE LONDON COMMUNITY (including the involvement of people with disabilities):

- i) develop an Implementation Plan for this Policy which will include mechanisms for public input and suggestions for improvement, monitoring, evaluation and reporting (e.g. an annual statement of progress to City Council);
- ii) promote an accepting and welcoming environment for people with disabilities through public education designed to raise awareness and eliminate attitudinal barriers in the public and private sectors;
- iii) promote the continuous improvement of information sharing which will include a variety of methods to inform people with disabilities about recreational opportunities and supports;

- iv) work toward ensuring choice by providing a full range of accessible and affordable recreation programs and supports across the city;
- v) work toward ensuring that the hiring, training and education of program staff and volunteers meets the needs and protects the safety of participants;
- vi) ensure physical accessibility through barrier free design for new and modified recreational facilities, and parks for all residents; and,
- vii) work toward the elimination of transportation barriers which prohibit participation in recreation programs.

APPENDIX A18

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-142-394 being “Special Events Policies and Procedures Manual”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-142-394 being “Special Events Policies and Procedures Manual” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-142-394 being “Special Events Policies and Procedures Manual” is hereby amended by deleting Appendix ‘C(60)’ to By-law No. CPOL.-142-394 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Special Events Policies and Procedures Manual

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-142-394)

Last Review Date: May 28, 2018

Service Area Lead: Manager, Special Events Parks and Recreation

1. Policy Statement

Purpose

- 1.1. Background - Each year The Corporation of the City of London receives many requests from individuals and groups to operate Special Events on City of London property
- 1.2. Support Statement - The Corporation of the City of London recognizes Special Events as an important part of London's quality of life and as providers of affordable entertainment to its citizens. It is also recognized that Special Events enhance tourism, culture, recreation and education as well as providing an economic benefit to businesses in the City of London.
- 1.3. Special Events Policies are designed to help the Special Event Operator effectively use the requirements that are in place to plan and execute a successful Special Event.

Successful events do not just happen; they are a result of:

- Responsible leadership;
- Careful planning;
- Good organization;
- Provisions against the unexpected; and,
- Methodical 'follow through' and evaluation.

- 1.4. Purpose - The purpose of the Special Events Policies is to incorporate into one document the Council. Approved policies for operating Special Events on City of London property, streets and roadways.

The Policies may also be used at the discretion of the Managing Director, applied to other non-Special Events that occur on City property.

- 1.5. In addition to the Special Events Council Policies, the Special Event Operator shall comply with all of the applicable requirements contained in the current Special Events Administrative Procedures Manual ("Administrative Procedures"), which can be found on the City of London website at <http://www.london.ca/city-hall/special-event-planning/Pages/default.aspx>. The Special Event Operator shall ensure the required certificates/documents are available for review by the City, and/or appropriate agency, when requested. If the Special Event Operator fails to comply with this requirement, they may be subject to appropriate action as determined by the Managing Director, including terminating the Facility Rental Contract to use City property.

City of London Mission

- 1.6. At the City of London, our mission is to be "At Your Service-a respected and inspired public service partner, building a better city for all."

These results are identified in Council's Strategic Plan:

- Strengthening our Community
- Building a Sustainable City
- Growing our Economy
- Leading in Public Service

Source (Strategic Plan for the City of London 2015 – 2019)

Goals & Objectives

- 1.7. Goals - The primary goal for the Special Events Council Policies and the Administrative Procedures is to create an “event friendly” atmosphere for the delivery of events in the City of London.
- 1.8. Objectives - The specific objectives are as follows:
- a) Ensure all City interests are met to protect public assets and citizens of London;
 - b) Ensure that all Federal and Provincial laws and regulations and Municipal by-laws are observed;
 - c) To work closely with Tourism London in promoting London as the premiere place to hold Special Events;
 - d) Provide logistical assistance to Special Events operation on City of London property, streets and roadways;
 - e) Ensure that Special Event applications are treated fairly and in an equitable manner;
 - f) To establish contracts for the use of City of London property, streets and roadways, between the Special Event Operator and The Corporation of the City of London;
 - g) To seek advice through the Special Events Co-ordinating Committee on Special Events applications, as required, and conduct an annual review of the Special Events Policies.

2. Definitions

- 2.1. **Amplified Sound** - is any sound created by any electronic device or group of connected electronic devices incorporating one or more loudspeakers or other electro-mechanical transducers intended for the production, reproduction or amplification of sound, including but not limited to a radio, television, amplifier, loud speaker, public address system, sound equipment.
- 2.2. **Crescendo** - means a passage gradually increasing in loudness or intensity
- 2.3. **Non-amplified Sound** - for purposes of this policy, when a Special Event or bandshell booking does not use sound equipment, other than a public address system to increase the volume of natural sound levels.
- 2.4. **Performance** - means an act or successive acts having a break of less than one hour between the acts, per stage. For greater clarity, this means there could be several performances per day (examples: multiple stages happening at one time in the park, and/or a break longer than an hour in duration at a specific stage).
- 2.5. **Special Event** - a one-time, annual, or infrequently occurring event on City of London property that is reserved for exclusive use, which raises the City’s profile, supports its arts and culture agenda, and adds economic benefit to the City from a tourism perspective.

No Special Event may occur unless the City approves of the Special Event, and the Special Event Operator enters into a Facility Rental Contract for the use of the City facility.

The Special Event Operator must also comply with applicable legislation, including municipal By-laws (including the Zoning By-law, the Parks & Recreation Area By-law, and the Streets By-law). The City may require the applicant to comply with any or all of the sections in this Policy.

Special Events can include:

- 2.5.1. **Bandshell Rental** - Event Bandshell bookings (Harris Park, Springbank Gardens and Victoria Park) may be made for a variety of reasons that are for the enjoyment of the general public or a specific audience.
- 2.5.2. **March, Parade or Walk** - A one-off or recurring sporting, cultural or other type of march, parade, walk or run that does not utilize the City of London's properties as the start or finish of the event.
- 2.5.3. **Neighbourhood Park Event** - Information on how to book a Neighbourhood Park Event can be found at <http://www.london.ca/residents/neighbourhoods/Pages/Neighbourhood-Event-Booking.aspx>
- 2.5.4. **Neighbourhood Street Closure Event** - A Neighbourhood Street Closure Event, where members of a single street(s) congregate, either to observe an event of some importance or simply for mutual enjoyment. Members of the general public are not invited to attend.

These events will not be permitted during the annual week-long Western Fair, annual orientation events and campus life events that are held at the University of Western Ontario, affiliated colleges and on campus at Fanshawe College, during the duration of Home Coming Activities or on Saint Patrick's Day.

- 2.5.5. **Signature Event** - A one-off sporting, cultural or other type of event that impacts the municipality or region and attracts a large number of international and domestic visitors and participants with a high global media profile with a substantial economic and business benefit for the host destination (Examples: World Figure Skating Championship, Sesquifest)

3. Applicability

Powers of the Managing Director

- 3.1. Administration – The administration of this Policy is assigned to the Managing Director, Parks & Recreation, or their written designate ("Managing Director").** The Managing Director shall generally perform all of the administrative functions under this By-law, and without limitation may:
 - a) receive and process all applications for Special Events ;
 - b) issue approvals for Special Events in accordance with the provisions of this Policy and applicable By-laws;
 - c) impose terms and conditions on approvals in accordance with this Policy;
 - d) refuse to issue an approval, or revoke or suspend an approval, in accordance with this Policy.

**The Managing Director has designated the Manager of Special Events for the purpose of administering this Council Policy.

- 3.2. The approval of a Special Event along with entering into a Facility Rental Contract shall constitute authorization of the Managing Director for the purposes of the City of London's Parks & Recreation Area By-law.
- 3.3. The power and authority to refuse to issue an approval, to cancel, revoke or suspend an approval, to impose terms and conditions, including special conditions, on an approval, or to exempt any person from all or part of this Policy are delegated to the Managing Director.
- 3.4. The Managing Director may refuse to issue an approval, or may revoke or suspend an approval, or impose a term or condition on an approval, on any one or more of the following grounds:
 - a) the event endorses views and ideas that are likely to promote discrimination, contempt or hatred for any person or group on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status, or disability,

- b) there is another event booked at the venue;
- c) the event conflicts with the City's core values, vision or strategic goals or adversely impacts on the City's identity;
- d) in the Managing Director's opinion, event participants and patrons have not been or will not be adequately safeguarded;
- e) in the Managing Director's opinion, the security and protection of all venues have not been or will not be adequately safeguarded;
- f) in the Managing Director's opinion, activities which are contrary to City policies or by-laws, or provincial or federal laws will be conducted or promoted;
- g) all regulatory approvals have not been obtained (i.e. alcohol, lottery licence, etc.);
- h) the application was not submitted in a timely manner, as determined by the Managing Director (with the minimum submission deadline being at least two weeks prior to the event);
- i) the applicant or Special Event Operator does not have or will not provide evidence of required insurance;
- j) the applicant or Special Event Operator does not have or will not provide evidence of any required liquor licence;
- k) the applicant or Special Event Operator will not provide documentation or information as may be required in any other part of this Policy, or by the Manager of Special Events (including but not limited to event financial statements);
- l) the conduct of the applicant, or any partner, officer, director, employee or agent of the applicant, affords reasonable cause to believe that the applicant will not carry on his or her business in accordance with the law or with honesty or integrity;
- m) the applicant is carrying on activities that are contrary to the Special Events Policies, Special Events Administrative Procedures Manual or are in contravention of the Zoning By-law, Parks & Recreation Area By-law, "Streets By-law, ""Boulevard Tree Protection By-law", or any other applicable law;
- n) the applicant is carrying on activities that are contrary to the Special Events Policies, Special Events Administrative Procedures Manual or are in contravention of the Zoning By-law, Parks & Recreation Area By-law, Streets By-law, or any other applicable law;
- o) there are reasonable grounds to believe that an application or other documents provided to the Managing Director by or on behalf of the applicant contains a false statement;
- p) any information contained in the original application form, or any other information provided to the Managing Director, has ceased to be accurate and the Special Event Operator has not provided up-to-date accurate information to the Managing Director to allow the Managing Director to conclude that the approval should continue;
- q) an applicant or Special Event Operator does not meet, at any time, one or more of the requirements of the Special Events Policies, Special Events Administrative Procedures Manual, applicable By-law, or any conditions imposed on the approval;
- r) the applicant or Special Event Operator is not in compliance with a federal or provincial law, or City By-law;

- s) the applicant, Special Event Operator, or any partner, officer or director has been convicted of an offence, for which a pardon has not been granted, pursuant to any one or more of Parts V (Sexual Offences), VII (Offences Against Persons) or IX (Offences Against Property) of the Criminal Code of Canada, R.S.C. 1985, c. C-46, as amended, or any other criminal convictions in the preceding five (5) years;
 - t) the applicant or Special Event Operator has been convicted of any other criminal offence for which, in the opinion of the Managing Director, it would not be in the interest of public safety to issue an approval.
- 3.5. Notwithstanding any other provision of this Policy, the Managing Director may impose terms and conditions on any approval any time during the term of the approval, including special conditions, as are necessary in the opinion of the Managing Director to give effect to this Policy.
- 3.6. The City of London reserves the right to refuse to enter into a Facility Rental Contract with respect to any application for an event on the City of London property.

4. The Policy

General Policies

- 4.1. All legislation, by-laws and regulations must be adhered to by the Special Event Operator.
- 4.2. The Special Event Operator is required to adhere to all Special Events policies. In the interest of public safety, a zero tolerance policy is enforced for all Special Events. This means failure to comply with standards will result in ticketing and/or closure of event, including termination of the Facility Rental Contract.
- 4.3. The Special Event Operator is required to provide evidence of all necessary licenses/permits required to operate the event.
- 4.4. Major Special Events will be allocated a maximum of 40 combined support hours per event for electrical hook ups. The Special Event Operator will be billed for each hour of work thereafter at the appropriate rate. This policy does not apply to the Budweiser Gardens venue.
- 4.5. Solicitation of funds during Special Events is prohibited without written permission from the Parks & Recreation Department. Permission to collect donations may be granted for not-for-profit agencies, charities or events provided that evidence can be demonstrated that donations will be solicited on an unobtrusive, strictly voluntary basis.
- 4.6.
 - a) If an event operates successfully and in compliance with the requirements of this Policy, the Special Event will be given priority consideration to reserve the use of the City of London property, streets, roadways, showmobile for the same date(s) and/or weekend the following year (however if there are extenuating circumstances, the City may be unable to provide such priority consideration).
 - b) Occasionally an event is operated in proximity to a specific weekend or holiday. The City will attempt to honour these dates as a priority each year (for example an event that is held the weekend following Canada Day will have priority for that weekend the following year but the City does not guarantee the availability of any requested dates for subsequent years).
 - c) The City of London does not accept tentative bookings or hold facilities and any request must include a specific date and time frame to a maximum of three.
- 4.7.

- a) In the event a Special Event is sold or discontinued and a new Special Event Operator wants to purchase or revive the event, the property and date(s) are not automatically transferred to the new Special Event Operator. The new Special Event Operator must make a new application for the event. The City does not guarantee the availability of any requested dates for subsequent years.

The Special Events review process will take into consideration the new Special Event Operator's request to continue on the same date and location.

- b) In the event a Special Event is discontinued and the existing Special Event Operator wishes to operate a new event, the Operator must make a new application to the City for the proposed new event. The property and date(s) are not automatically transferred to the existing Operator. The Special Events Coordinating Committee will take into consideration the existing Special Event Operator's request to continue on the same date and location with a new Special Event; however, it will be treated as a new application.

4.8. Hot air balloons will not be allowed to launch from any City of London property adjacent to the City of London property used during a Special Event without the permission of the City of London and the Special Event Operator.

4.9. When having inflatables at a Special Event: The Operator must show copies/proof of the insurance and licenses (item a, b, c, d) from the inflatable provider to the City 7 days prior to their event.

- a) Evidence of \$5 million dollars in general liability insurance, including bodily injury and property damage. The coverage contains no exclusionary clauses with respect to the use of the devices(s) at the rental event and is valid throughout the date of the event.
- b) Copy of Ontario Amusement Device License which is valid throughout the date of the event.
- c) Copy of Ontario Amusement Device Permit (one permit per device) which is valid throughout the date of the event.
- d) Copy of Ontario Amusement Devices Mechanic Certificate, with an ADM-I Certification, issued under the Technical Standards and Safety Act, which is valid throughout the date of the event.
- e) Inflatable amusement devices will be installed by the Provider by a licensed mechanic or by a mechanic-in-training under the supervision of the licensed mechanic.
- f) Supervision of inflatable amusement devices will be provided on site for each device operated, from set up until tear down by trained attendants provided by the Provider of the device.
- g) All employees of the Provider are insured under Workplace Safety and Insurance board coverage.
- h) It is understood and agreed the Facility or Park Supervisor has the right to shut down the inflatable device or the rental if compliance of any of the above conditions is not evident during the rental period.

4.10. The Special Event Operator is required to submit an Emergency Plan at least 10 days prior to their event. The emergency plan should identify potential risks and provide information on how the Operator will respond to those risks (e.g. severe weather and notification system and evacuation plan).

4.11. Special Events that feature performances on a bandshell or main stage should provide access and provide a designated wheelchair accessible area for viewing by patrons with a disability. (Special Events Administrative Procedures Manual - How to Plan Accessible Outdoor Events).

4.12. In order to mitigate the potential for aggressive behavioural issues that might arise at Special Events booked through the City of London, the London Police Service in conjunction with the Special Event Operator and the Managing Director may develop security strategies appropriate for the event. The Managing Director may require the Special Event Operator to hire paid duty uniformed police officers and/or licensed security personnel in numbers reflecting the risk level established in the event evaluation or as determined by the Managing Director.

- 4.13. Groups who intend to gather at the Cenotaph for a purpose and decorum consistent with the symbolism of the Cenotaph, and Council Policy, must notify the City of London, City Clerk's Office, by letter, no later than two weeks in advance of the Special Event.
- 4.14. No person shall carry on retail sales within the vicinity of the Cenotaph, more particularly described as the portion of the northerly half of the road allowance for Dufferin Avenue lying 30 meter west of the centre line of the road allowance for Wellington Street and that portion of the westerly half of the road allowance for Wellington Street lying 30 meters north of the centre line of the road allowance for Dufferin Avenue. (City of London Bylaw S-1).
- 4.15. In order to reduce the environmental impacts of balloon releases into the atmosphere: the release of mylar balloons at permitted events hosted on City properties (parklands, parking lots, streets) is not permitted. The release of latex balloons only if they have biodegradable attachments or closures is permitted.

City of London Restrictions on Use of Certain Parks

- 4.16. Only Neighbourhood Association/Community Associations will be permitted to use Neighbourhood Parks (as defined in the City's Planning Division, Parks Planning List of Park Class) for Special Events.
- 4.17. McKillop Park: Events in McKillop Park associated with the Cancer Survivor Garden, must obtain written approval from the London Home Builders Association. Such events must be open to the public, must allow for entry and access without cost, and must be approved by the Managing Director. The individual, group or association must enter into the Facility Rental Contract for such events and will be required to provide the required insurance coverage and fees for those events.
- 4.18. Queens Park: Only the Western Fair Association can rent Queens Park.

Any additional amenities, garbage bins, picnic tables required for the site will be requested by the Western Fair on behalf of the event and charged to the Special Event Operator. Any additional permitting, SOP's, exemptions, tent permits, etc., would still be the responsibility of the Operator.

The Western Fair will provide the City of London a courtesy communication to keep them informed on what is occurring.

- 4.19. Peace Garden: Rental of the Peace Garden will be limited to events associated with Tolpudde, and/or the First Nations Community.

Policies for the Use of Victoria Park

In order to minimize site impacts in Victoria Park due to Special Events, the following policies are adopted and must be implemented by the Special Event Operator:

- 4.20. Victoria Park will be limited to nine major Special Events with produced amplified concerts per year between June 1st and Labour Day in September.
- 4.21. An Event Site Plan will be developed in conjunction with each Special Event Operator to develop plans that optimize concession placement and minimize site impacts associated with tree and turf health.
- 4.22. Alcoholic beverages may be allowed in Victoria Park under the following conditions:
 - a) The Special Event Operator will work with staff to identify preapproved locations for the beer garden(s) in the park.
 - b) The Operator will work with City staff to incorporate an unobstructed unlicensed viewing area representing a minimum of 25% of the unobstructed viewing area for all ages, including accessible viewing and emergency response.
 - c) Any beer garden inside the park must be all ages unless a restriction has been

placed on the permit by the Registrar of Alcohol and Gaming.

- d) There is a limit of a total of 1,440 m2 of licensed area inside the park, how the square meters is divided up is at the discretion of the Operator in consultation with the City.
- e) The Operator must apply for a liquor license and comply with all the Alcohol and Gaming Commission regulations.
- f) Compliance with the City of London's Alcohol Policy
- g) Having a beer tent in the park does not preclude the Special Event Operator from having one on the road.
- h) All orders for liquor must be served before 10:45 pm (11:45 pm for New Year's Eve). All liquor must be cleared by 11:30 pm (12:30 am for New Year's Eve). This includes the clearing of all glasses and bottles off the tables.

4.23. In order for the park to rejuvenate, the City of London will strive to allow 10 days between each major event in Victoria Park.

4.24. Parking of cars, trucks, food stock trailers, or sleeping quarters are not allowed in Victoria Park.

4.25. All vehicular traffic must cease within Victoria Park one hour before start of any part of the event. (E.g. sale by vendors, opening of exhibits, etc.) Any vehicles in Victoria Park without permission/permit from the Manager of Special Events or designate will be towed from Victoria Park at the owners risk and expense. The Special Event Operator will be subject to a \$50 per vehicle administration fee for each vehicle towed or vehicles left parked in the park at the start of an event, and owners or drivers of the vehicles may be subject to a ticket from Parking Enforcement.

4.26. No mechanical or electrical rides will be permitted on the grass; ONLY inflatables or games may be permitted.

Vehicle and trailers associated with amusement devices/inflatables will not be permitted inside the park (must be parked on the road or in parking lot).

Policies for the Use of Springbank and Harris Park

4.27. Springbank Park:

- a) No events may be staged in Springbank Park from June 1st to Labour Day. Springbank Park may not be used as the start/finish of a walk/run/wheel/roll-a-thon route from June 1st to Labour Day, however it may still be used as part of the walk/run/wheel/roll-a-thon route during this time.
- b) Will be limited to five non-amplified concerts per year (not more than two hours in length) and they will not occur on consecutive weekends. Non-amplified Sound: for purposes of this policy, when a Special Event or bandshell booking does not use sound equipment, other than a public address system to increase the volume of natural sound levels.
- c) No amplified concerts are allowed in Springbank Park (with the exception of Storybook Gardens).
- d) Non-amplified sound for a Special Event will not start before 9 a.m.
- e) Alcoholic beverages are not allowed in the park for any event.

4.28. Springbank Gardens Site:

- a) All events with sound and/or pre-recorded sound will not exceed a sound decibel pressure 70 decibels beyond 30m (100 feet) from the stage. The decibel level within the 30m zone, shall be at the discretion of the Special Event Operator,

however sound equipment and speaker placement should be designed such that the 70 decibel level is not exceeded at the 30m (100 feet) limit.

- b) Sound and pre-recorded sound shall not start before 9:00 a.m. and shall end by 11:00 p.m.
- c) The Corporation of the City of London staff will monitor and document the decibel levels with a decibel sound meter once every ½ hour during the event. Non-compliance could result in cancellation of future events held by that Special Event Operator.

4.29. Harris Park:

- a) Will be limited to 5 major Special Events (4 consecutive days in length) totaling no more than 12 days combined of amplified concerts per year. (Example: 24 hour relay, event #1, 1 concert day; Canada Day, event #2, 3 concert days; Rock the Park event #3, 3 concert days with 5 days remaining).
- b) Harris Park may be used for a gated event only under the criteria as set out in Section 12 of this Policy.
- c) The Type of Use of the Harris Park Pavilion must be approved prior to the event by the Manager of Special Events.

Insurance, Indemnity & Financial Security

4.30.

- a) The Special Event Operator must maintain public liability insurance of no less than \$5,000,000. Evidence of this insurance is only acceptable on The Corporation of the City of London Certificate of Insurance form. Evidence of insurance must be provided to the Special Events Manager or designate no less than 10 days prior to the event. The Special Event Operator shall indemnify and hold The Corporation of the City of London, the London Police Services Board and the Middlesex-London Health Unit harmless from and against all liability, loss, claims, demands, costs and expenses, including reasonable legal fees, occasioned wholly or in part by any negligence or acts or omissions by the above-named, their officers, agents, employees, volunteers or others for whom they are responsible at law, arising out of any cause whatsoever, either direct or indirect, through its use and/or operation on City property in connection with the Special Event.

An amount between \$5 million and \$2 million may be permitted at the sole discretion of the Special Events Manager or designate in consultation with the Manager of Risk Management.

The Corporation of the City of London reserves the right solely at its discretion to set higher insurance limits. This may be required depending on the type of activity planned during the event (e.g. Fireworks displays, amusement rides, sale of alcoholic beverages).

- b) The Special Event Operator may be required to post a security bond 60 days prior to the event. The amount of the security bond will reflect the size and scope of the event and/or the performance of the Special Event Operator in making timely payments in past events.
- c) Any Special Event Operator using the City of London property may be required to submit an audited event statement.

Sound Policy

4.31. The sound for Special Events will be limited to the hours of 9:00 a.m. to 11:00 p.m. allowing for a fifteen minute grace period to end at 11:15 p.m.

Exemption:

- a) *New Year's Eve Event will be limited to the hours of 9:00 a.m. – 12:00 midnight*

- b) *New Year's Eve Event in Victoria Park is exempt from subsections 11.1(a), and 11.2 of the Special Events Policies with respect to posting security for noise violations and with respect to exceeding decibel levels*
- c) *Announcements for the gathering of participants, on your mark, get set go and the singing of the national anthem at sporting events (note sound level not to exceed 90 db between 8:00 am –9:00 am). All other sound (i.e.: music could not begin until 9:00 am)*

4.32.

- a) All Operators of Special Events having sound will be required to post \$500 security (cash or letter of credit). If there are no noise violations during the Special Event, the security will be returned. However, if there are noise violations during the Special Event (as determined solely by the City), the security will be forfeited.
- b) If sound arising from a Special Event does not comply with the Special Events Policy, the provisions of the City of London's Sound By-law apply, and any person failing to comply with the Sound By-law shall be subject to By-law prosecution.

4.33. All concerts shall not exceed a sound pressure 90 decibels beyond 30m (100 feet) from the front edge of the stage, with the allowance for a maximum of 5 crescendos, per performance. The decibel level within the 30m zone, shall be at the discretion of the Special Event Operator, however sound equipment and speaker placement should be designed such that the 90 decibel is not exceeded at the 30m limit, with the allowance for a maximum of 5 crescendos, per performance.

4.34. The Corporation of the City of London staff may monitor and document the decibel levels with a decibel sound meter at least once every ½ hour during the concert. Non-compliance could result in cancellation of future events held by that Special Event Operator and forfeiture of the security (cash or letter of credit).

4.35. Labatt Park: Will not be used for amplified concerts.

4.36. Harris Park:

- a) Will be limited to 5 major Special Events (4 consecutive days in length) totalling no more than 12 days combined of amplified concerts per year.
- b) To limit sound carrying along the river, staging of all amplified concerts will be directed to set-up at the north end of the park with staging facing to the south.
- c) No sound from the Special Event shall project straight out over the crowd and park property. Special Events staff reserves the right to order adjustments to speakers.

4.37. Victoria Park:

- a) Will be limited to nine Special Events with produced amplified concerts between June 1st and Labour Day in September.

4.38. Springbank Park:

- a) Will be limited to five non-amplified concerts per year (not more than two hours in length) and they will not occur on consecutive weekends.
- b) Non-amplified sound for a Special Event shall not start before 9:00 a.m.
- c) No amplified concerts will be allowed in Springbank Park (with the exception of Storybook Gardens).
See section 10.2 for sound provisions for Springbank Gardens.

4.39. At the Managing Director's discretion, the Special Event Operator may be required to do a mail-out to surrounding neighbours. The mail-out would include the following information:

- a) a contact name and telephone number that the public can reach during each event so that the Operators can immediately address any neighbourhood concerns;
- b) a synopsis of the history, purpose and not-for-profit/charitable and economic benefits of the event.

4.40. The Manager of Special Events, or written delegate, is authorized to extend the hours of amplified sound for Special Events beyond 11:00 p.m., to a maximum extension of 45 minutes, if one or more of the following has caused a delay to the start of the performances:

- a) a rain delay occurs on the day of the Special Event;
- b) a power failure delay occurs on the day of the Special Event;
- c) other uncontrollable circumstances (evaluated on a case by case basis) occur on the day of the Special Event

Any extension granted shall not go beyond 45 minutes, on any single night, or cumulative throughout a single festival.

Admission Policy

4.41. Admission charges are permitted for the following:

- a) Amusement rides and carnival games;
- b) One entertainment tent no larger than 60 ft. x 100 ft. (20m x 30m) when in conjunction with a major Special Event involving a registered local charity/not for profit organization.

4.42. An admission or gate fee may be charged for a Special Event at Harris Park only under the following criteria:

- a) An admission/gate fee will only be considered for local registered charities or not-for-profit groups or organizations;
- b) A business plan may be required to be submitted demonstrating why admission/gate fee charge is required to support their event;
- c) A financial report must be submitted to The Corporation of the City of London, Special Events Manager, within 60 days after the event;
- d) Any event that is permitted to charge an admission/gate fee will not receive any direct financial assistance from The Corporation of the City of London;
- e) The Special Event Operator must maintain free access at all times to a portion of the park used for events;
- f) The Special Event Operator must maintain, at all times during the event, unrestricted and unimpeded public access to all public pathways and bike paths that runs through the City of London parks;
- g) The Special Event Operator must ensure that some components of the event are open to the public free of charges at all times during the event and that these free components reflect the nature of the event and site consideration, all to the satisfaction of the Managing Director of Parks & Recreation.

4.43. Sale of tickets to a Special Event or concert held on the City of London properties must be through a bonded ticket agent (e.g. Centennial Hall Box Office, TicketMaster, and Children's Festival Box Office).

Policy for Street Closure and Bagging of Meters

4.44. Applicants requesting a temporary street (meaning any part of the municipal road allowance) closure, for any Special Event, must complete the "Request for Temporary Street Closure" form. The City of London Road Closure form can be found on the City of

- 4.45.
- a) The Parks & Recreation Service Area, Manager of Special Events, is the principal contact to be used by the applicant for a Special Event Temporary Street Closure. They will initiate the process to approve a Temporary Street Closure via the Environmental Programs and Customer Relations Division, City Hall.
 - b) The City Engineer may temporarily close to vehicular traffic any street or portion of a street for a period of not more than 7 consecutive days for social, recreation, community, athletic, or cinematographic purposes, or combination of such purposes (by-law S.7.1.1) and can only be done by the City Engineer or designate.
 - c) Where a street or portion of a street has been temporarily closed under the Streets By-law the common law right of passage by the public over the street and the common law right of access to the street by an owner of land abutting the street are restricted, as determined by the City Engineer Streets By-law S.7.1.2.
- 4.46. To request a temporary street closure, the applicant will be asked to submit a petition signed and approved by:
- a) 66% of the residents, and/or by 66% of the business owners, and/or by 66% of the property owners on the street(s) or blocks(s) proposed to be closed; and/or
 - b) 66% of the residents, and/or by 66% of the business owners, and/or by 66% or the property owners located in adjacent blocks that may be affected by the temporary street closure.

The decision whether the residents, business owners or property owners are to be petitioned for the road closure and whether the petition is considered successful will lay solely with the Manager of Customer Relations and Compliance with input from the Manager of Special Events . In the event that the road closure spans more than one block, each block must be petitioned separately unless otherwise approved by the Manager, Zoning and Public Property Compliance.

- 4.47. The applicant will be required to submit a site plan, prepared to scale, showing the road closure. The site plan will indicate the required 6 metre (20 feet) accessible lane for the Fire, Police and emergency vehicles. This lane will remain unobstructed during the event unless otherwise agreed upon by Fire Prevention and the Police Department. – Field Services Division. The site plan shall indicate what will be located on the road (amusement rides, stages, booths, etc.) and must be shown to scale. Sign off approval of the plan will be required from Fire Prevention, Police Department – Field Services Division and the Manager, Zoning and Public Property Compliance prior to set up of the event. The site plan should be available to the area residents/owners who are required to sign the road closure compliance form.
- 4.48. Special Event Operators requesting the closure of any section of Dufferin Ave. (Waterloo to Richmond) will not be permitted to close the road prior to 9 a.m. on set-up day (extenuating circumstances may be granted by the Manager of Special Events or designate.
- 4.49. The approval is contingent upon ensuring adequate signage and barricades and providing adequate emergency access at all times to the satisfaction of the Fire Department, the Police, the Emergency (Ambulance) Services, and the City Engineer or designate. Additional permits may be required from the Building Division, City Hall, for erecting tents, booths, etc., within the road allowance
- 4.50. Where parking meters exist within the portion of the street being closed there will be an additional fee that the event holder will pay the appropriate fee per day per space. – a “Meter Bagging Request” form will be filled out by administration. These meters are to be allocated to food vendors first. Exception: Major Special Events which operate for a period of more than one but less than six days and which produce attendance in excess

of 5,000 persons for each day of the event may apply to be exempt from the meter bagging charges at Victoria Park.

- 4.51. In the case of a Business Association or similar organization making application on behalf of its members, the association will not be required to submit a petition as provided in sections 13.3 (a) and 13.3 ((b) above unless the area being requested for closure is outside or partially outside of the boundaries of the organization.
- 4.52. In order to close the entrance and egress to Centennial Hall, the Special Event Operator must secure a letter of support from both Centennial Hall and London Life.
- 4.53. Street closures will not be allowed on Central Avenue (between Richmond Street to the west and Wellington Street to the east) for the use of midways/amusement rides/or carnivals.
- 4.54. The Special Event Operator, or designate, must be present on the site during the entire duration of the street closure and have a signed copy of the approved site plan with them.
- 4.55. Possession and/or consumption of alcoholic beverages on the closed portion of the street are prohibited unless it is authorized by the issuance of a Special Occasion Permit by the Alcohol & Gaming Commission of Ontario.
- 4.56. The Special Event Operators are encouraged to approach parking lot Operators, located downtown, to provide assistance for parking during Special Events.
- 4.57. The Special Event Operators are encouraged to advertise parking locations in the vicinity of the event.
- 4.58. Event organizations requesting the closure of Talbot Street between Dundas St. and King St. will not be permitted to close the road prior to 9 a.m. on set-up day (extenuating circumstances may be granted by the Manager of Special Events or designate).
- 4.59. A Special Event Operator will be required to purchase signage decals from the City of London to advertise their street closure. The street closure should be advertised at least two weeks in advance of the Special Event unless otherwise approved by the Manager Relations and Compliance.

Neighbourhood Street Closure Event

The Neighbourhood Street Closure Event Application Form can be found on the City's website at: <http://www.london.ca/city-hall/special-event-planning/Pages/Special-Events---Cover-Sheet.aspx>

All Street Closings must be in conformance with the requirements outlined in the Policy for Street Closure and Bagging of Meters of the Special Events Policies.

- 4.60. The Neighbourhood Street Closure Event Operator/organization must maintain public liability insurance of no less than \$5,000,000. Evidence of this insurance is only acceptable on The Corporation of the City of London Certificate of Insurance, evidence of insurance must be provided to the Manager of Special Events or designate no less than 10 days prior to the event. The Special Event Operator shall indemnify and hold The Corporation of the City of London, the London Police Services Board and the Middlesex-London Health Unit harmless from and against all liability, loss, claims, demands, costs and expenses, including reasonable legal fees, occasioned wholly or in part by any negligence or acts or omissions by the above-named, their officers, agents, employees, volunteers or others for whom they are responsible at law, arising out of any cause whatsoever, either direct or indirect, through its use and/or operation on City property in connection with the Special Event. A blank copy of the certificate can be obtained at the City of London website: <http://www.london.ca/business/tenders-rfps/vendor-information/Pages/insurance-certificates.aspx>
- 4.61. Fee - An administration fee will be applied to each contract.

- 4.62. No person shall have or consume liquor in contravention of the Liquor Licence Act, nor be in an intoxicated condition in contravention of the Liquor Licence Act. It is fully understood that by allowing the closing of this road, no approval is given for the consumption of alcoholic beverages contrary to that Act, or being in an intoxicated condition in contravention of that Act. If alcohol is being served at the event the Operator must apply for a liquor license and comply with all the Alcohol and Gaming Commission regulations and comply with the City of London's Alcohol Policy.
- 4.63. Should an emergency arise, the Special Event Operator will ensure clear access for emergency vehicles. All street party activities will cease and resume only when the emergency has been resolved.
- 4.64. Barricades are to be removed at the completion of the street party (as per the contractual agreement) and normal access to your street is to be restored without delay.
- 4.65. The Special Event Operator will ensure that all affected residents will receive advance notification of the temporary street closure so that alternative access arrangements can be made for essential deliveries and/or visits i.e. scheduled medical house calls, etc.
- 4.66. No tents, awnings, or other similar structures shall be installed, or located on the traveling portion of any public roadway, or on any private roadway/laneway serving a multi-unit development that is designated and posted as a Fire Access Route. Immediate access must be provided upon demand to all emergency vehicles. Should the Special Event Operator wish to erect such a structure on private property. Please note the following:
- a) The Special Event Operator must apply for a tent permit through the Building Division of The Corporation of the City of London at least 10 days prior to the event. If it is a previously approved situation, the minimum lead time is 48 hrs. for a permit. When the tent exceeds 60m² (645 sq. ft.), where bleachers are provided in tents they will also need an approval for compliance with the Ontario Building Code. Engineered designs are required to be submitted for all bleachers.
 - b) If the following size tent is standing alone they do not require a building permit: 10'x10', 15'x15', 10'x20', 10'x 30', 20'x20', and 20'x30'. If the Special Event Operator is grouping any of these tents together, the total square footage will require a building permit if it exceeds 645 sq. ft. or a space of 10 ft. must be left prior to the starting the next cluster. A permit is required when an individual tent exceeds 60m² (645 sq.). Please Note: While the code requires a 3m clearance between tents, it may be reduced at the discretion of the Chief Building Official; however, one would need to prove to the Chief Building Official that there is no hazard created to the public.
- 4.67. Fire Safety Plan: A Fire Safety Plan is required for tents in excess of 30m² (320 Sq. Ft.) This plan must address the foregoing and be posted in a conspicuous location. The Fire Prevention office will provide a generic safety plan form, appropriate to tent structure for your convenience. Fire Safety Plans shall be approved prior to the event by the London Fire Department.

Portable Fire Extinguishers: Portable fire extinguishers (2A-10BC rating) are required. They must be mounted in conspicuous and easily accessible locations, near exits and cooking areas. Fire extinguishers must have a tag indicating that it was serviced by a qualified company within the past 12 months. Further, all fire extinguishers provided must be appropriate for the hazard, deep frying activities require an appropriate class K type that has been serviced in the past 12 months.

Exit Signs: Exit signs are required for each designated exit. Commercially available card type signs are acceptable. Emergency Lighting: Emergency lighting must be provided for any functions being held at night. This lighting must be located so as to provide illumination at all exits and access to exits in the event of a power failure.

Fire Watch: Where a fire alarm system is not provided in conformance with the Fire Code, a person will be employed for fire watch duty to patrol the area to ensure the

means of egress are kept clearly and to enforce the requirements of the Fire Safety Plan.

Smoking and Open Flame: Smoking and the use of open flame devices is not permitted unless approved by Chief Fire Official.

- 4.68. Consideration should be given to not closing too many streets in one area, and that main arterial and collector roads not be closed without further consultation with the Fire Department.
- 4.69. The discharging of unauthorized fireworks and pyrotechnics is in violation of City By-law and, dependent on the type of effect being discharged, could also be in contravention of the Ontario Fire Code. Any applicants proposing this are to consult directly with the Fire Prevention Division at 519.661.2489 x 5222. The discharge of fireworks without prior approval of the Fire Department is strictly prohibited.
- 4.70. The Noise Policy as outlined in Section 11 of the Special Events Policies will apply to the neighbourhood street closure event.
- 4.71. Middlesex Health Unit
All Operators of a Special Event at which food is prepared, served, provided and/or offered to the public, must comply with the following requirements:
 - a) Contact the Special Events Coordinator of the Middlesex-London Health Unit and notify them of the date of the event and the expected number of food vendors that will be attending.
 - b) Provide the Special Events Coordinator of the Middlesex-London Health Unit with a final list of food vendors at least two (2) weeks prior to the event.

All food vendors involved in any charitable and/or commercial functions at which food is prepared, served, provided and/or offered to the public, must:

Contact the Special Events Coordinator of the Middlesex-London Health Unit
Middlesex-London Health Unit
Environmental Health Division
50 King Street Email: health@mlhu.on.ca
London, Ontario, N6A 5L7 Website: www.healthunit.com
519 663-5317 Ext. 2300 Fax: 519 663-9276

Budweiser Gardens/Jubilee Square

The following policies, in conjunction with the other policies in this Policy, will apply for the use of the Budweiser Gardens Special Events Area (King St. Parking Lot) and Jubilee Square.

- 4.72.
 - a) A letter of support from the management of the Budweiser Gardens confirming the event dates and times is required.
 - b) The property rental fee will be waived when an event requires both the inside Budweiser Gardens and outside of the Budweiser Gardens Special Event Area (King St. Parking Lot) and Jubilee Square as part of the event site. The Operator may be required to provide a Certificate of Insurance and enter into a contract with the City of London at no charge.
 - c) If an event inside the Budweiser Gardens requires additional spaces for parking they will be subject to the municipal lot fees unless approved/waived by the Division Manager of Parking & Traffic Signals or designate.
 - d) All electrical hook-ups will be performed by the Budweiser Gardens staff and charged to the Special Event Operator.
 - e) The Special Event's Admission Policy does not apply to the Budweiser Gardens Special Events Area (King St. Parking Lot).

- f) If Talbot Street is rented/closed for an event the City of London will not book another event in the adjacent Jubilee Square.

APPENDIX A19

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-144-396 being “Rzone Policy”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-144-396 being “Rzone Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-144-396 being “Rzone Policy” is hereby amended by deleting Appendix ‘C(62)’ to By-law No. CPOL.-144-396 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Rzone Policy

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-144-396)

Last Review Date: May 28, 2018

Service Area Lead: Division Manager Parks and Recreation

1. Policy Statement

The City of London gratefully acknowledges the permission of the Town of Oakville to adopt and adapt the Rzone concept mark and policy for use in the City of London recreation facilities.

Purpose of Rzone Policy

- 1.1. The City of London (the "City") wishes to promote:
 - a) City recreation facilities that are free from violence, disrespect, and other inappropriate behaviours;
 - b) the safety, security and dignity of attendees at City recreation facilities;
 - c) an environment of **Respect** for others, and **Responsibility** for one's actions for all those attending City recreation facilities;
 - d) reduced vandalism, violence and other inappropriate behaviours at City recreation facilities, through enforcement of the *Trespass to Property Act*, and
 - e) positive individual and public benefits of recreation for City residents and visitors.

Legislative Authority

- 1.2. The actions of the City that may be taken under this Policy arise from the City's authority as owner or occupier of its property pursuant to the *Trespass to Property Act*, and the *Occupiers' Liability Act*.

2. Definitions

- 2.1. **Attendees** - means those attending an event, and includes patrons, guests, clients, visitors, spectators, coaches, officials, players, members, parents, volunteers, invitees, participants and users;
- 2.2. **Ban** - means the prohibition of an individual from entering or attending specific City facilities for a specific duration;
- 2.3. **Harassment** - means engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known, to be unwelcome;
- 2.4. **Trespass Notice** - is authorized under the *Trespass to Property Act*, and is a written notice prohibiting an individual from entering specific City facilities for a specific duration and is issued to an individual for the purpose of imposing a ban.
- 2.5. **Vandalism** - means the malicious, willful, and deliberate destruction, damage or defacing of property.

3. Applicability

- 3.1. The Rzone Policy applies to all recreation facilities owned or occupied by the City, including recreation centres, seniors and community centres, parks, sports fields, sports parks, pools, golf courses and arenas.
- 3.2. The Rzone Policy applies to all attendees at City recreation facilities.

- 3.3. This Policy does not affect the application of any other City policies (including the *Workplace Harassment and Discrimination Prevention Policy*, *Code of Conduct for Employees*, and the *Workplace Violence Prevention Policy*) or any other City By-laws (including the Parks By-laws and the Noise By-law).
- 3.4. There shall be no obligation on the City to take any action under this Policy or under the *Trespass to Property Act*. Any action taken by the City under this Policy will be on a complaint basis having regard to available resources.
- 3.5. Nothing in this Policy shall affect any person's obligations under a contract with the City, or under any applicable law.

4. The Policy

Prohibited Inappropriate Behaviour

- 4.1. The Rzone Policy prohibits inappropriate behaviour at City facilities. For the purpose of this Policy, prohibited inappropriate behaviours include:
 - a) Violence or harassment, including:
 - i) the exercise of physical force by a person against another person that causes or could cause physical injury to the other person;
 - ii) an attempt to exercise physical force against another person that could cause physical injury to the other person;
 - iii) a statement or behaviour that is reasonable for a person to interpret as a threat to exercise physical force against the person that could cause physical injury to the person;
 - iv) the use of profane or abusive language and racial or ethnic slurs;
 - v) threats and/or attempts to intimidate;
 - vi) throwing of articles or objects in a deliberate or aggressive manner that endangers or causes injury or damage to any person or property;
 - vii) attempts to goad or incite violence;
 - viii) bullying, mistreatment, or teasing which intimidates, humiliates or demeans another person;
 - b) Vandalism, including vandalism to buildings, contents or personal property;
 - c) Possession of weapons or firearms prohibited under the *Criminal Code*;
 - d) Possession or consumption of illegal drugs, or of alcohol except as authorized by law;
 - e) Any contravention of other Federal or Provincial laws, Regulations, City By-laws or policies that constitute inappropriate behaviour;
 - f) Refusal to follow the rules established by the City for use of its facilities.

Pursuant to the *Trespass to Property Act*, entry on land may be prohibited if a person engages, or intends to engage, in prohibited inappropriate behaviour under this Policy.

RECREATION FACILITIES AND PROGRAMS

Education about the Policy

- 4.2. The City, with community sport organizations and other stakeholders, will conduct promotional and educational campaigns with the goals of:
 - Raising awareness of the Policy for attendees, and appropriate City employees, contractors or agents
 - Outlining how Londoners can support the Rzone Policy (e.g. through Londoners setting positive examples, encouraging organizations to have internal policies consistent with Rzone; how Londoners can report inappropriate behaviour; etc.)
 - Outlining the potential consequences of non-compliance with Rzone
- 4.3. Promotional and educational campaigns will include:
 - Posting Rzone Policy and related information on the City Web-site

- Posting Rzone signage at City recreation facilities
- Making information pamphlets available at City recreation facilities
- Including Rzone Policy awareness in City recreation employee training programs.

Responsibilities under the Policy

- 4.4. Attendees at City recreation facilities are **responsible** for behaving in a manner that **respects** the rights of others and enables the enjoyment of individual and public benefits of recreation.
- 4.5. **Organizations and User Groups** making use of City recreation facilities are responsible for:
- educating their attendees about Rzone and appropriate behaviour
 - complying with requirements of City contracts and permits regarding RZone
 - applying Rzone to their programs, including being willing to address Rzone violations with their attendees.
- 4.6. **The City of London** will work collaboratively and in consultation with community sport and recreation organizations/groups to create Rzone environments at City recreation facilities.

Reporting Rzone Violations

NOTE: Any collection, use or disclosure of personal information by the City of London shall be in accordance with the Municipal Freedom of Information and Protection of Privacy Act.

- 4.7. City of London employees should report incidents of prohibited inappropriate behaviour to Corporate Security and/or their immediate supervisor (who may subsequently report the incident to Corporate Security).
- 4.8. Attendees at City recreation facilities who observe prohibited inappropriate behavior under the Rzone Policy should report same to a City employee or to Corporate Security as soon as possible upon witnessing the behaviour. City employees who are advised of or receive a complaint of prohibited inappropriate behaviour shall report same to Corporate Security as soon as possible, and all other City employees should report same to their supervisor.
- 4.9. All acts of a criminal nature must be reported to the police.

ACTION TAKEN TO ADDRESS INCIDENTS OF PROHIBITED INAPPROPRIATE BEHAVIOUR

IMPORTANT NOTES:

- 4.10. Under no circumstances should City employees or attendees at City recreation facilities place themselves at risk in the event they observe or are advised of a perceived Rzone violation.

The City's primary concern is the safety of City employees and attendees. If at any time attendees or employees feel personally threatened or that their personal safety or that of others may be at risk, they are to call the London Police at "911" immediately.

- 4.11. In an effort to successfully achieve the Rzone Policy goals and purpose, the City of London will make efforts to:
- a) educate attendees of City recreational facilities (that are not 'rented' under permit or licence) about Rzone expectations of behaviour and penalties for inappropriate behaviours
 - b) establish and maintain cooperative relationships with outside organizations committed to supporting Rzone

- c) include Rzone compliance clauses in contracts and permits for use of City facilities
- d) consider appropriate penalties

4.12. When a designated City employee (including, for the purpose of this Policy only, persons providing security services to the City) observes prohibited inappropriate behaviour, or has reason to believe that prohibited inappropriate behaviour has occurred on a City recreational property or facility, they will, where possible and/or appropriate, first explain to the individual that their behaviour is unacceptable, and ask that the behaviour cease.

Designated City employees should contact Corporate Security if an individual refuses to cease the behaviour when asked.

Corporate Security or a manager of Parks and Recreation and Neighbourhood, Children and Fire Services are authorized to ask the individual(s) to leave the facility or property for all or part of that day. In addition, Corporate Security is authorized to issue a verbal or written ban for a specified period of time.

Whenever possible, a written Trespass Notice will be issued at the time of the ban, or following notice of a verbal ban. The Manager of Corporate Security will also ensure delivery of the written Trespass Notice.

VIOLATION OF THE POLICY – ACTIONS THAT MAY BE TAKEN

4.13. Where a finding has been made of a violation of the Rzone Policy, possible penalties may include the following: letter of warning, short term ban, long term ban or a written trespass notice. In addition, charges may be laid under the *Trespass to Property Act*.

Where applicable, the City may seek compensation for the cost of damages, including materials, labour and an administrative charge.

APPENDIX B20

Bill No.
2018

By-law No. CPOL.-

A by-law to repeal By-Law No. CPOL.-120-372 being “Public Art Policy” and to implement a new Council policy entitled “Public Art / Monument Policy”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-120-372 being “Public Art Policy” and replace it with a new Council policy entitled “Public Art / Monument Policy”;

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

1. By-law No. CPOL.-120-372 being “A by-law to revoke and repeal Council policy related to Public Art Policy and replace it with a new Council entitled Public Art Policy” is hereby repealed.
2. The Policy entitled “Public Art / Monument Policy” attached as Schedule “A” is hereby adopted.
3. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Public Art / Monument Policy

Legislative History: Enacted September 19, 2017 (By-law No. CPOL. -120-372)

Last Review Date: May 28, 2018

Service Area Lead: Manager of Culture

1. Policy Statement

1.1. The City of London supports the display of art/monuments on municipally-owned public space that will strengthen the natural assets of the city, provide unique attractions and act as a constant delight to residents and visitors to London. Public art/monuments celebrate and honour our culture, history, people, events and locations while enhancing our economic vibrancy. Public art/monuments impact many aspects of community living. Public art/monuments enrich daily life through visual experiences and attracts people to art-enriched places.

1.2. Principles

Public art/monuments are significant to the City of London because they:

- enrich public spaces for the enjoyment of all;
- serve the city as a whole;
- engage the community, and visitors;
- promote London as a unique destination;
- can yield proven economic benefits;
- demonstrate excellence and a wide range of artistic expression;
- are integrated conceptually and physically into the local context;
- may provide opportunities for local artists and historians;
- may foster opportunities for shared experiences;
- are relevant to London and Londoners;
- are accessible with daily living, work, and play;
- support place making and neighbourhood revitalization;
- commemorate events of local, national and provincial significance;
- are a part of major capital investment projects in London;
- recognize outstanding achievements of Londoners or their community;
- are presented in a manner that responds to their unique requirements for care, conservation and safety; and,
- are preserved for the enjoyment of future generations through management policies and guidelines.

1.3. Purpose of Public Art / Monument Policy

The primary purpose of this Policy is to provide a mechanism through which the City of London acquires significant pieces of public art/monuments for municipally-owned public space through their purchase, commission or donation. The City may authorize public art/monuments that it does not own to be placed on municipally-owned public space through an agreement between the City of London and the owner of the public art/monuments.

2. Definitions

2.1. **Municipally-owned public space** - areas frequented by the general public that are owned, maintained, operated or occupied by the City of London. Municipally-owned public space includes, but is not limited to, parks, road allowances, tunnels, boulevards, streets, courtyards, squares and bridges, as well as building exteriors, foyers, concourses and significant interior public areas of municipal buildings.

2.2. **Professional Artist** - a person who is critically recognized as an artist: they possess skill, training and/or experience in an artistic discipline, are active in and committed to their art practice and has a history of public presentation.

2.3. **Public Art/Monuments** – works that are displayed on municipally-owned public space.

Public art/monuments are intended to contribute positively to London's urban space by providing landmarks, defining meeting places, injecting humour, speaking of history and reminding us of greatness. It is hoped that works of public art/monuments on municipally-owned public space will be viewed by citizens and visitors with a keen sense of pleasure, community pride, wonder or curiosity and lend a feeling of satisfaction that these works are "ours", that they help to define "us" and that they belong to this community.

Public art/monuments may include, but are not limited to:

- a) sculpture;
- b) murals;
- c) memorials, monuments, historic objects or artifacts such as the Cenotaph, cannons etc.;
- d) fountains or water features that contribute aesthetically to their surroundings (i.e. not spray pads);
- e) hard and soft landscaping components which are not a mere extension of the landscape architecture;
- f) special engineering or architectural features of existing capital projects that contribute aesthetically to their surroundings; and,
- g) community public art related to neighbourhood beautification.

Public art/monuments may be integrated into the design of the site, buildings and landscapes in publicly accessible and visible areas of a site. These areas can include the walls, floors and ceilings or other publicly accessible open space such as plazas, forecourts, courtyards, colonnades or setbacks.

When integrated, public art must retain an interpretative aspect, as determined by the commissioned artist, and not be a mere extension of the design of the architecture, landscape architecture, interior design, etc. of the new development.

3. Applicability

3.1. This Policy is applicable to both permanent and temporary installations of public art/monuments. Permanent works include fixed works which, due to their weight and size, become an integral component of any municipally-owned public space, in terms of structure, design context, or neighbourhood. Temporary works include works created for a specific event or place for a specific occasion and timeframe. The City of London has the authority to determine the length of time works will be displayed on municipally-owned public space.

3.2. Public Art/Monument Exclusions

Examples of public art/monuments that are excluded under the scope of this policy are:

- a) directional elements such as super graphics, signage or colour coding, except where these elements are integral parts of the original works or public art/monuments project;
- b) objects which are mass-produced of standard design such as playground equipment, or statuary objects; and,
- c) landscape architecture and landscape gardening except where these elements are an integral part of the original work of art/monument, or are the result of collaboration among design professionals including at least one artist.

4. The Policy

4.1. Administering Public Art/Monuments Program

The Public Art/Monuments Program will be administered by the City of London's Culture Office. The Culture Office may delegate responsibility for specific aspects of the program such as the selection process, implementation, maintenance and conservation/restoration to other City service areas or knowledgeable community cultural organizations.

4.2. Maintenance and Conservation/Restoration

The Culture Office, in conjunction with the Environmental and Engineering Services Department (EESD), will oversee the maintenance, conservation/restoration of public art/monuments.

4.3. De-Accessioning Public Art/Monuments

The Culture Office will consider candidates for the de-accessioning of permanent and temporary public art/monuments. The de-accessioned art/monuments may be moved, sold, returned to the artist or destroyed, with any monies received through the sale of art/monuments being placed in the Public Art/Monuments Acquisition Reserve Fund.

4.4. Placement of Outdoor Art/Monuments on Privately-Owned Space

Though not addressed specifically in this Policy, the City of London believes in encouraging the inclusion of outdoor art/monuments in privately-owned space across the city. It is recognized that these works have significant appeal and can contribute to the identity and character of our community. The City will encourage the private sector through bonusing and other donation mechanisms to contribute to the Public Art/Monuments Program.

APPENDIX B21

Bill No.
2018

By-law No. CPOL.-

A by-law to repeal By-Law No. CPOL.-201-453, "Homemakers and Nurses Services".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-201-453, being "Homemakers and Nurses Services" as the Municipal Council has determined that this Council Policy is no longer required;

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

1. By-law No. CPOL.-201-453, being "Homemakers and Nurses Services" is hereby repealed.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

**APPENDIX B
STRATEGIC PLAN MEASUREMENT FRAMEWORK**

2.1 Strategic Area Of Focus: Strengthening Our Community

1. Vibrant, connected, and engaged neighbourhoods

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
A. Support neighbourhood driven activities and decision making.	NCFS	How Much?				
		# of SPARKS! neighbourhood projects	14	17		
		# of neighbourhood programs/ tools	15	17	20	25
		# of new/rejuvenated neighbourhood groups/ associations	2	2	3	4
		How Well?				
		Total # of neighbourhood activities supported (use of tools)	54	80	95	110
		Total # of active neighbourhood groups/ associations	30	37	40	42
% of London neighbourhoods supported (projects and tools)	61%	70%	75%	80%		
B. Fund and partner with the London Public Library to support people and neighbourhoods.	London Public Library	How Much?				
		# In-person visits	2,650,000	2,700,000	2,768,000	2,796,000
		# Items borrowed	3,800,000	3,838,000	3,896,000	3,935,000
		# Virtual visits	4,684,000	5,153,000	5,668,000	6,235,000
		# Program attendees	500,000	505,000	513,000	517,700
		# In-library computer uses	100,000	101,000	103,000	104,000
		How Well?				
		Operating costs per use incl. amortization (MBN-Canada)	1.82	1.81	1.77	1.75
		Circulating materials turnover (MBN-Canada)	4.4	4.5	4.6	4.6
		Library use per capita (MBN-Canada)	32.7	33.3	33.7	33.9
		Library visits per capita (MBN-Canada)	6.8	6.9	7.3	7.4
Completed projects	14	6	4	4-6		
C. Work with our partners in Education to help keep neighbourhood schools open and use former school sites effectively.	Planning	N/A	N/A	N/A	N/A	N/A

2. Diverse, inclusive, and welcoming community

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
A. Support immigrants and newcomers to be successful as they settle in our community.	HSSD	How Much?				
		# of London-Middlesex Local Immigration Partnership (LMLIP) Central Council, Sub-Council, and community meetings	130	130	130	130
		# of visits to the LMLIP section of the Immigration Portal	4,000	4,500	4,800	5,000
		Total Immigration Portal visits	50,000	55,000	58,000	60,000
		Engagement of educational partners on immigration	14	14	14	14
		# of YouTube visits to Immigration Portal	2,000	2,200	2,400	2,600
		How Well?				
		# of new partnerships/ approaches to enhance supports for immigrants	7	8	9	10
B. Support all Londoners to feel engaged and involved in our community.	CMO	N/A	N/A	N/A	N/A	N/A
C. Work to always be a compassionate city to all.	NCFS	N/A	N/A	N/A	N/A	N/A

3. Caring and compassionate services

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
A. Eliminate barriers for individuals facing poverty, mental health, and addictions and help them find pathways to be successful.	London & Middlesex Housing Corporation	How Much?				
		Rental revenue (\$000's)	\$10,249	\$10,452	\$10,609	\$10,768
		Operating surplus/(deficit) (\$000's)	(117)	0	0	0
		Rent arrears	12%	12%	12%	12%
		Facility Condition Index (Avg.)	9%	Good (<20%)	Good (<20%)	Good (<20%)
		Tenant Safety & Security Satisfaction	_____	70%	75%	80%
		How Well?				
		Vacancy rate	3.0%	2.9%	2.8%	2.7%
		Managed move-outs	90%	90%	90%	90%
		Tenants in arrears	10%	10%	10%	10%
Repayment agreements	32%	32%	32%	32%		

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
B. Work with community agencies to help tenants keep their existing affordable housing and avoid homelessness.	HSSD	How Much?				
		# of social housing units per 1,000 City of London households (static number as per O. Regs; number changes with changes to household numbers in the City) (MBNCanada)	41	41	41	41
		Student Housing Mediation Service # of contacts including landlord/ tenant issues (rent, lease, maintenance, conflict), lifestyle issues (noise, garbage, upkeep, behaviour), by-law issues (noise, yard, upkeep, parking), roommate issues (lease, noise, conflict, rent)	2,100	2,100	2,100	2,100
		How Well?				
		Housing Division and Housing Access Centre administration costs per social housing unit (cost increase reflects inflation. Housing units remain static)	\$243	\$248	\$250	\$252
		Social housing subsidy costs per unit (including admin \$ from above + LMHC costs) (MBNCanada)	\$4,268	\$4,300	\$4,330	\$4,360
C. Reduce and prevent homelessness.	NCFS	How Much?				
		Increase in # of youth housed with supports	10	25	75	100
		Increase in # of women achieving housing stability	25	50	50	50
		Persistently homeless households that achieve housing stability	100	100	100	100
		How Well?				
		Youth having improved outcomes		10	25	100
		Decrease (# of individuals) in emergency shelter use for chronic shelter users	50	50	50	50
		Decrease (%) in emergency services diversion (police, ER, EMS) for chronic and persistent homelessness	10%	10%	10%	10%
		Increase in # of households retaining their homes (retain housing 6 months +)	25	25	25	25
D. Provide social services including Ontario Works in the community.	HSSDH	How Much?				
		Ontario Works caseload	11,800	11,900	11,900	11,900
		# of participants served in Addictions Services	450	450	450	450
		Monthly average cost per OW case	\$740	\$763	\$787	\$812
		Estimated London Caseload as a Percentage of Total Provincial Caseload (2 Year Average - 2016 ratio reflects Oct. 2012 to Sep. 2014; 2017/2018 funding ratio reflects Oct. 2014 to Sep. 2016)	4.16%	4.65%	4.65%	N/A

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
		How Well?				
		Average length of time on assistance (days)	1,175	1,175	1,175	1,175
		Intake – Days between phone call and first appointment (provincial standard is 4 days)	2.5	2.5	2.5	2.5
E. Provide compassionate care for animals.	DCS/EES	How Much?				
		# of dog licenses sold	30,000	32,000	34,000	36,000
		# of cat identification tags sold	12,500	13,000	13,500	14,000
		# of dogs sheltered at the municipal shelter	700	700	700	700
		# of cats sheltered at the municipal shelter	1,500	1,500	1,500	1,500
		# of feral cats fixed and colonized	400	400	400	400
		# of cats/dogs fixed via the subsidy program	2,270	2,670	3,471	3,770
		# of complaints investigated	15,000	15,500	15,500	16,000
		How Well?				
		# of outreach campaigns	7	7	7	7
		# of animal welfare groups supported	14	14	14	14
		# of adoptions (shelter)	500	500	600	600
		Estimated # of adoptions (all approved fostering organizations combined)	1,250	1,300	1,300	1,300
		# of low income households assisted	1,750	2,000	2,600	2,800
		# of off-leash dog parks	5	5	5	5

4. Amazing arts, culture, and recreation experiences

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
A. Fund and partner with the community to celebrate Canada's 150 th anniversary in 2017.	CMO	N/A	N/A	N/A	N/A	N/A
B. Explore the potential for a multi-use performance venue(s) in London.	CMO	N/A	N/A	N/A	N/A	N/A
C. Invest in new parks and recreation facilities and pursue innovative models for programs and service delivery.	NCFS/P&R	How Much?				
		Registrations for swim lessons/ programs	18,500	18,500	18,500	21,000
		# of public swim visits per capita (MBNCanada)	0.50	0.50	0.50	0.65
		How Well?				
	P&R	% of respondents satisfied with their aquatic experience	95%	95%	95%	95%
		How Much?				
		# of golf rounds (000's)	123	124	125	126
		How Well?				
	P&R	Operating expenditures per round	\$27.44	\$27.12	\$27.10	\$26.90
		Revenues per round	\$29.13	\$29.50	\$29.75	\$30.00
		How Much?				
		# of special events held annually	197	200	205	210
	P&R	How Well?				
		Event Organizer Survey – Level of satisfaction with facilitation	N/A	N/A	N/A	N/A
		Event Organizer Survey – Level of satisfaction with staff on site	N/A	N/A	N/A	N/A
		Landfill diversion rates (%)	35%	35%	40%	40%
		How Much?				
	P&R	Total prime time arena hours used	26,400	26,400	26,400	26,400
		# of indoor ice pads per 100,000 population (MBNCanada)	5.6	5.6	5.6	5.6
		How Well?				
Prime time arena usage as a % of capacity		87%	87%	87%	87%	
Arena user overall satisfaction		85	85	85	85	
P&R	How Much?					
	# of premier irrigated soccer field hours used	13,100	13,200	13,300	13,500	
	# of premier baseball field hours used	7,800	7,900	8,000	8,000	
	How Well?					
	Satisfaction rating from consultations with user groups bi-annually	85	90	90	90	

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
	NCFS/P&R	How Much?				
		# of registered participants in recreation programs	31,000	31,000	31,000	31,500
		# of participant hours for directly provided, non-registered recreation programs (playgrounds, recreation drop-ins, roller skating, seniors' drop-ins)	340,000	340,000	340,000	350,000
		How Well?				
		% of all program participants satisfied or very satisfied with program experience	96%	96%	96%	96%
		% of program participants indicating the participation improved their skill level	92%	92%	92%	92%
	P&R	How Much?				
		# of Storybook Gardens admissions (000's)	140	147	157	165
		# of pass holders, all pass types	6,000	6,300	7,000	7,200
		How Well?				
		Revenue per admission	\$10.95	\$10.99	\$11.06	\$11.14
		Operating expenditures per admission	\$10.94	\$10.95	\$10.99	\$11.03
		% of respondents satisfied with their Storybook experience	90%	90%	90%	90%
D. Fund and partner with Museum London, the London Arts Council, the London Heritage Council, Eldon House, the London Public Library, and others to strengthen culture in London.	Museum London	How Much?				
		General attendance	113,000	115,000	125,000	125,000
		Program participants	35,000	35,000	40,000	45,000
		Hours of volunteer service	15,000	15,000	16,000	18,000
	Eldon House	How Well?				
		Museums Environmental Standards	Met	Met	Met	Met
		How Much?				
		Attendance of Museum	12,000	13,000	15,000	16,000
	Centennial Hall	Museum School (one group per week)	4 weeks	5 weeks	6 weeks	6 weeks
		How Well?				
		Program offerings	45	60	70	75
		Community engagement (survey and improvement)	100	300	400	500
	CMO	How Much?				
		# of events	115	118	120	120
		Attendance	68,000	70,000	72,000	72,000
		Gross culture cost – Arts grants per capita (MBNCanada)	3.11	3.11	3.11	3.11
		Gross culture cost – Heritage grants per capita (MBNCanada)	1.50	1.50	1.50	1.50
		Music industry/community engagement (large scale)	52	53	0	0

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
		# of Workshops, Events and Seminars	16	27	28	30
		# of Artist Showcases	10	14	15	20
		How Well?				
		Culture Days/Doors Open attendance	35,000	35,000	35,000	35,000
		City of London culture GDP	\$540M	\$540M	\$540M	\$540M

5. Healthy, safe, and accessible city

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
A. Fund and partner with the Middlesex London Health Unit to promote and protect the health of our community.	Middlesex-London Health Unit	How Much?				
		% of high risk food premises inspected once every 4 months	100%	100%	100%	100%
		% of children with completed immunizations for Meningococcus	76.9%	76.9%	76.9%	76.9%
B. Support all Londoners to age well and have opportunities to reach their full potential.	HSSDH	How Much?				
		Dearness Home Occupancy (%)	99%	99%	99%	99%
		% of residents that fell in the last 30 days	13.4%	13.3%	13.2%	13.1%
		How Well?				
		Resident Satisfaction Survey – Overall satisfaction (%) (MBNCanada)	95%	95%	95%	95%
		Pressure ulcers that worsened	4.7	4.6	4.5	4.4
		How Much?				
		Hours of service	6,800	6,800	6,800	6,800
C. Support the health and well-being of all children, youth, and families in London.	NCFS	How Much?				
		Child care fee subsidy average monthly caseload	2,850	2,850	2,850	2,850
		Special needs resourcing – # of children supported	575	575	575	575
		# of child care licensees supported	170	175	180	180
		# of CYN members (London only)	170	170	170	170
		# of Family Centres and EarlyON Centres	4	7	8	10
		How Well?				
		Fee subsidy wait list at year end	150	150	150	150
		% of available child care funding used	100%	100%	100%	100%
		% of child care licensees supported financially	98%	98%	98%	98%
		% of Child and Youth Agenda initiatives implemented	100%	100%	100%	100%
	NCFS	How Much?				
		# of annual visits to community centres	1,800,000	1,800,000	1,800,000	1,900,000

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
		How Well?				
		% of visitors rating overall experience as “good” or “excellent”	95%	95%	95%	95%
		% of visitors rating satisfaction with staff as “good” or “excellent”	95%	95%	95%	95%
	NCFS	% of visitors rating facility conditions as “good” or “excellent”	95%	95%	95%	95%
		How Much?				
		# of visits to Adult Day Program (days of service)	7,500	7,500	7,500	7,500
D. Protect and promote the safety of Londoners through funding the work of the London Police Service.	LPS	How Well?				
		% of clients who are satisfied with the Adult Day Program	90%	90%	90%	90%
		How Much?				
		Ontario Jurisdictions Total Crime Severity Index London Percentile	83 rd or lower	83 rd or lower	83 rd or lower	83 rd or lower
		Ontario Jurisdictions Violent Crime Severity Index London Percentile	75 th or lower	75 th or lower	75 th or lower	75 th or lower
		How Well?				
E. Promote and support a safe community through the work of the London Fire Department by: <ul style="list-style-type: none"> • Increased public education and prevention • Redeployment of resources • Introduction of new technology 	Fire Services	Ontario Jurisdictions Total Weighted Clearance Rate London Percentile	22 nd or higher	22 nd or higher	22 nd or higher	22 nd or higher
		Ontario Jurisdictions Violent Weighted Clearance Rate London Percentile	12 th or higher	12 th or higher	12 th or higher	12 th or higher
		How Much?				
		# of emergency calls	7,173	7,350	7,534	7,724
		# of non-emergency calls	2,225	2,248	2,271	2,293
		Total calls	9,398	9,598	9,805	10,017
		How Well?				
		90th percentile City-wide response time for 1st Engine to arrive on scene within the Urban Growth Boundary (Code 4)	4:15	4:20	4:25	4:25
		90th percentile City-wide response time to assemble 15 Firefighters on scene within the Urban Growth Boundary (Code 4)	7:35	7:40	7:40	7:45
		How Much?				
		Inspections and inspection activities	9,296	11,452	13,989	15,258
		# of Code complaints addressed	756	841	850	858

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
		How Well?				
		Fire Code complaint process (address 90% within 2 business days)	90	90	90	90
		# of structure fires	201	190	180	170
		Fire injuries	20	20	20	20
F. Strengthen Emergency Management through: <ul style="list-style-type: none"> Public awareness activities and a public notification system Expanded Emergency Operations Centre capabilities Emergency management practices included as part of city planning and programming 	HR&CS	How Much?				
		# of staff trained	500	500	500	500
		# of days of use for Emergency Operations Centre	160	180	200	220
		# of public education awareness events	25	30	30	35
		How Well?				
		# of improvements identified subsequent to an exercise	10	10	10	10
G. Improve London's neighbourhoods through pro-active enforcement of updated by-laws.	DCS	How Much?				
		# of complaints investigated	6,800	7,500	7,500	7,500
		# of business licenses issued	3,800	4,550	4,550	4,550
		# of taxi licenses issued	450	450	450	450
		# of residential rental unit licenses Issued	5,500	6,000	7,500	8,000
		How Well?				
		After hours noise complaints	_____	_____	_____	_____
		Property clean ups	600	600	600	600
H. Invest in programs and infrastructure to make London more accessible.	HR & CS	How Much?				
		# of accessibility complaints	2	2	2	2
		# of accessibility inquiries (internal and external)	40	40	40	40
		# of accessibility projects reviewed for budgetary support from AODA division	25	25	25	25
		How Well?				
		% of accessibility complaints resolved	100%	100%	100%	100%
		% of resolved accessibility inquiries (internal and external)	100%	100%	100%	100%
		% of completed accessibility projects using AODA division funding support	80%	80%	80%	80%
I. Continue to make pedestrian and cycling routes safer year round for school aged children.	EES	How Much?				
		# of school crossing guard locations	108	108	108	108
		# of pedestrian signals and pedestrian crossovers	60	119	119	119

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
		How Well?				
		Annual operating cost per school crossing guard	\$9,909	\$10,057	\$10,207	\$10,353
J. Help Londoners understand how we provide safe drinking water and protect the Thames River.	EES	How Much?				
		Water quality program participation by private residents	_____	_____	_____	15% increase in program participation

2.2 Strategic Area Of Focus: Building A Sustainable City

1. Robust infrastructure

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
A. Address and manage the infrastructure gap to maintain what we have now and reduce the tax burden on future generations. This includes everything from roads to parks to buildings.	DCS/F&CS	How Much?				
		# of building permits issued (MBNCanada)	4,200	4,400	4,400	4,400
		Total construction value of permits issued	720M	730M	740M	740M
		How Well?				
		% of permits issued within legislative timeframes	90%	95%	100%	100%
		% of times legislative requirements for building inspections	99.9%	100%	100%	100%
	Planning	How Much?				
		# of planning applications/year	60	60	60	60
		How Well?				
		Median application time (days) for official plan/zoning applications	160	160	160	160
	DCS	Median application time (days) for zoning by-law amendment applications	115	115	115	115
		How Much?				
		Active subdivision files (Application/Development Plan Approved/Pre- Registration)	55	60	60	60
		Site plan applications	120	125	130	135
Site plan consultations		200	210	220	225	
How Well?						
	% of draft plans approved within legislated timeline	_____	_____	_____	_____	

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
		% of site plans processed through each approval stream	_____	_____	_____	_____
B. Manage and improve water, wastewater, and storm water infrastructure and services.	EES	How Much?				
		% of existing water mains renewed	1.49%	1.41%	1.40%	1.40%
		Number of Water main breaks per 100 km of distribution	_____	_____	_____	_____
	EES	How Much?				
		% of sewer system replaced/ rehabilitated/relined	1.2%	1.2%	1.2%	1.2%
		Percentage of Wastewater estimated to have bypassed treatment (MBNCanada)	_____	_____	_____	_____
		How Well?				
# of blocked sewers per 100 km length	0.5	0.5	0.5	0.5		
Compliance – # of regulatory effluent violations	1	1	1	1		
C. Manage and upgrade transportation infrastructure such as heritage bridges, railway grade separations, cycling facilities, and parking lots.	EES/DCS	How Much?				
		Parking meter fees/year	\$(2,954,735)	\$(2,954,735)	\$(2,954,735)	\$(2,954,735)
		Parking ticket revenue/year	\$(2,751,500)	\$(2,751,500)	\$(2,751,500)	\$(2,751,500)
		Total length of on-road cycling facilities (kms)	100	106	108	110
		Parking lots upgraded	0	3	3	3
		How Well?				
		Total expenditures/year	\$2,611,016	\$2,685,682	\$2,764,726	\$2,822,637
		Net enforcement revenue per ticket issued	\$15.56	\$15.56	\$15.56	\$15.56
		On-street and off-street <u>paid spaces</u> revenue over total cost ratio includes Financial Information Return (FIR)	\$2.81	\$2.81	\$2.81	\$2.81
		Revenue Collected/parking space	\$1,200	\$1,200	\$1,200	\$1,200
Legislated bridge inspection compliance (%)	100%	100%	100%	100%		
D. Increase efforts on more resource recovery, long-term disposal capacity, and reducing community impacts of waste management.	EES	How Much?				
		Garbage collected (tonnes)	92,000	93,000	94,000	95,000
		Material diverted (tonnes)	71,500	72,000	72,500	73,000
		Recyclables marketed (m3)	257,000	262,000	267,000	272,000
		Waste landfilled (tonnes)	220,000	220,000	220,000	220,000
		Greenhouse gases destroyed (tonnes)	115,000	115,000	115,000	115,000
		How Well?				
		Net operating cost – all services (\$/household)	\$94	\$94	\$95	\$96
		Waste Diversion rate (%)	45%	45%	47%	47%
		Satisfaction with recycling collection (% satisfied or very satisfied)	85%	85%	85%	85%
Satisfaction with leaf and yard waste Green Week Collection (% satisfied or very satisfied)	75%	75%	75%	75%		

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
		Satisfaction with garbage collection (% satisfied or very satisfied)	85%	85%	85%	85%
		Days recycling service not provided on the same day	0	0	0	0
		Days garbage service not provided on the same day	0	0	0	0
		MOE compliance (# of orders/year)	0	0	0	0
E. Fund innovative ways to adapt to Climate Change.	EES	How Much?				
		Community GHG emissions use per capita (tonnes/person)	7.9	7.7	7.5	7.4
		How Well?				
		Reduction in hydro carbons going into the air	_____	_____	_____	_____
		Reduction of arena lighting energy usage per location	_____	55%	55%	55%

2. Convenient and connected mobility choices

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
A. Implement and enhance safe mobility choices for cyclists, pedestrians, transit users and drivers through the provision of complete streets, connected pathways, and enhanced transit services.	EES	How Much?				
		Increase in cycling at monitoring locations from 2015 levels (preliminary measurement approach)	2%	4%	6%	8%
	Planning	How Much?				
		Total length of Thames Valley Parkway	43.5km	44.3km	45.1km	46.0km
		How Well?				
	EES	Average # of users on the Thames Valley Parkway (per month)	26,000	26,500	27,000	27,500
		How Much?				
		# of roadway lane kms	3,629	3,629	3,629	3,629
		# of sidewalk kms	1,487	1,487	1,487	1,487
		How Well?				
	EES	Operating cost for paved roads (hard top)/ lane km (MBNCanada)	\$5,478	\$5,560	\$5,644	\$5,728
		Cost per capita	\$25.36	\$25.37	\$25.23	\$25.29
		How Much?				
		Road reconstruction (in km)	140	130	140	140
		Operational issues responded to via Transportation Operations Public Service (TOPS) (requests)	860	900	925	950
Local street rehabilitation cycle (years)		45	42	39	35	
How Well?						
% of paved road condition good or very good (%)	57%	56%	55%	54%		
# of injury or fatality collisions (collisions)	1,340	1,310	1,270	1,228		

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target	
	EES	How Much?					
		# of event days for winter roadways maintenance	60	60	60	60	
		How Well?					
		Cost of snow control (\$/lane KM) (MBNCanada)	\$3,311	\$3,344	\$3,378	\$3,412	
			Cost of snow control (\$/capita)	\$34.22	\$34.37	\$34.42	\$34.63
	London Transit Commission		How Much?				
			Conventional ridership	22,582,800	23,050,000	23,678,200	24,151,800
			Conventional revenue service hours	605,900	621,900	639,500	657,200
			Specialized ridership	320,700	337,800	352,500	367,200
			Specialized revenue service hours	\$131,100	\$138,100	\$144,100	\$150,100
			How Well?				
			Conventional rides per service hour	37.3	37.1	37.0	36.8
			Conventional rides per capita	58.7	59.3	60.3	60.9
			Specialized rides per capita	0.83	0.87	0.90	0.93
			Total investment share				
Riders, operations, and reserves			49.4%	49.3%	49.2%	48.9%	
Provincial Gas Tax	9.6%	10.6%	10.7%	11.0%			
City of London	41.0%	40.1%	40.1%	40.1%			
B. Improve travel to other cities through better transportation connectivity specifically regional transit connections.	EES	N/A	N/A	N/A	N/A	N/A	
C. Improve travel by managing congestion and increasing roadway safety.	EES	How Well?					
		Major roads in urban growth area over traffic capacity (%)	21%	22%	23%	23%	
	EES	How Much?					
		# of traffic signals	396	396	396	396	
		# of street lights	35,806	35,806	35,806	35,806	
		# of traffic studies completed	350	350	350	350	
		How Well?					
		Annual operating cost per traffic signal	\$6,867	\$7,004	\$7,126	\$7,232	
		Annual operating cost per street light	\$197	\$207	\$216	\$226	
		Annual operating cost per traffic study	\$384	\$389	\$395	\$398	
Annual operating cost per capita for traffic operations (signs, pavement markings, detours)	\$5.03	\$5.04	\$5.01	\$5.02			
D. Explore a better subsidy model for transit riders so that more Londoners can benefit.	NCFS	How Much?					
		# of subsidized bus passes issued yearly to seniors	7,614	7,739			
		# of subsidized bus tickets issued yearly to seniors	548,957	561,993			

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
		# of subsidized bus passes issued yearly to the visually impaired	4,769	4,800	4,800	4,800
		# of free rides annually for children 5 to 12 years of age	_____	118,657	124,590	130,523
		# of subsidized bus passes issued annually to low-income adults	_____	_____	6,000	7,000
		How Well?				
		% of ridership increase for children 5 to 12 years of age	_____	_____	5%	10%
		% of new riders as a result of low income subsidy program	_____	_____	_____	_____
		# of rides annually (low income subsidy program)	_____	_____	_____	_____

3. Strong and healthy environment

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
A. Implement innovative ways to conserve energy.	Environmental Action Programs	How Much?				
		Community energy use per capita (GJ/person)	148	144	141	139
		Community energy avoidance (\$ million/year; compared to 2010 business as usual)	\$180	\$230	\$300	\$305
	EES	How Much?				
		Total corporate energy cost (\$ millions)	\$19.9	\$20.9	\$21.8	\$22.6
		Total corporate greenhouse gas emissions from energy (tonnes)	20,200	19,700	19,100	18,400
		How Well?				
		Corporate energy use per capita (ekWh/person-equivalent kilowatt hour)	484	471	458	445
		# of CDM projects & studies completed	44	46	48	48
	EES	How Much?				
Operating costs per square foot		\$8.93	\$9.19	\$9.47	\$9.75	
Energy consumption per square foot (GJ/ft ²)		0.131	0.130	0.129	0.128	
B. Reduce fuel use through innovation and research.	EES	How Much?				
		Total # fleet assets managed	1,312	1,315	1,320	1,325
		Annual maintenance costs (labour and parts)	\$4.3M	\$4.35M	\$4.4M	\$4.45M
		How Well?				
		Operating costs/vehicle KM (incl. fuel) Municipal equipment (MBNCanada)	\$0.90	\$0.92	\$0.94	\$0.95
Fuel consumption light, medium, heavy on-road vehicles	1.83M litres	1.84M litres	1.84M litres	1.85M litres		
C. Plant more trees and better protect them from deforestation, invasive species, and other threats.	Kettle Creek Conservation Authority	How Much?				
		# of trees planted	55,000	55,000	50,000	50,000
	Lower Thames Valley Conservation Authority	How Much?				
		# of trees planted throughout watershed	130,000	140,000	150,000	150,000
	Planning	How Much?				
		Caliper sized trees planted on streets and in parks	4,500	5,500	6,500	7,500
		Smaller trees planted by community partners	10,500	12,000	13,500	15,000
Ash trees injected		384		375		

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
		How Well?				
		Tree canopy cover % across urban area	23.7%	_____	_____	_____
D. Expand support for resident and community driven initiatives that encourage waste reduction and other environmentally friendly behaviours.	EES	How Well?				
		# of stakeholder groups/ organizations engaged	44	46	48	50
		# of community-based projects supported	6	7	7	8
		# of community-based outreach events	28	29	30	31
		Satisfaction with environmental program information (% satisfied or very satisfied)	70%	70%	70%	70%
E. Work together to protect all aspects of our natural environment including woodlands, wetlands, river and watercourses, and air quality as our city grows.	Kettle Creek Conservation Authority	How Much?				
		Shared GIS service partnerships established with neighbouring conservation authorities or partner organizations	4	6	8	10
		How Well?				
	Lower Thames Valley Conservation Authority	Maintain self-generated revenue to a minimum of 55% of total budget	60%	60%	60%	60%
		How Much?				
	EES	Hectares (ha) of wetlands created	15	20	25	30
		How Much?				
	P&R	% of London covered by Watershed Strategy	60%	65%	70%	75%
		How Much?				
		Hectares of maintained parks and natural areas in the municipality per 100,000 population (MBNCanada)	2,657	2,667	2,677	2,700
		All parkland in the municipality as a % of total area of the municipality (MBNCanada)	6.4%	6.5%	6.6%	6.7%
		How Well?				
	Planning	A. Cost per hectare – parks and natural areas (MBNCanada)	\$4,300	\$4,400	\$4,500	\$4,600
		How Much?				
		Total # of parks	456	466	474	482
Hectares of Phragmites removed		_____	1.1 Ha	20.0 Ha	21.0 Ha	
Hectares of Buckthorn removed		_____	47.9 Ha	40.0 Ha	42.0 Ha	
	Number of sites of other invasive species removed	_____	21	25	25	

	Upper Thames River Conservation Authority	How Well? Watershed flood model update	_____	25% completion	50% completion	75% completion
		Natural areas expansion	_____	_____	_____	_____
F. Use new ways to help residents protect their basements from flooding.	EES	N/A	N/A	N/A	N/A	N/A

4. Beautiful places and spaces

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
A. Invest in public spaces to be gathering places for more compact neighbourhoods.	Planning	N/A	N/A	N/A	N/A	N/A
B. Support more public art and continue maintaining what we own.	Planning/CMO	How Much? # of studies/projects completed	_____	20	17	10
C. Create a more attractive city through urban design.	Planning	N/A	N/A	N/A	N/A	N/A
D. Invest in parks and recreation facilities and amenities.	P&R / NCFS	How Well? # of residents using the new downtown dog park	_____	5,000	_____	_____
	P&R / NCFS	How Well? Implement preventative maintenance program in facilities (# of sites per year)	5	5	5	5
		# of approved capital projects	162	157	130	130
		# of unplanned projects initiated by service area customers	250	250	250	250
E. Invest in making London's riverfront beautiful and accessible for all Londoners.	Planning	N/A	N/A	N/A	N/A	N/A

5. Responsible growth

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
A. Finalize The London Plan.	Planning	N/A	N/A	N/A	N/A	N/A
B. Build new transportation, water, wastewater, and storm water infrastructure as London grows.	EES	How Much?				
		Engineering record drawings reviewed	610	620	630	640
		Plans filed with Master Plans Database	1,900	2,000	2,100	2,200
		City services records requests fulfilled (sewer/water, etc.)	750	775	800	825
		Individual land surveys completed	45	46	47	48
		Kilometers of roads surveyed and base plans prepared	23	24	25	26
		Intersections surveyed and record drawings prepared	20	20	20	20
		Custom GIS/graphics/mapping requests/projects completed	230	240	250	260
Property information requests fulfilled	510	520	530	540		
C. Buy property for flood protection purposes.	EES	N/A	N/A	N/A	N/A	
D. Conserve agricultural land.	EES	N/A	N/A	N/A	N/A	

6. Heritage conservation

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
A. Protect and promote London's Thames Heritage River status.	Planning	N/A	N/A	N/A	N/A	N/A
B. Protect and celebrate London's heritage for current and future generations.	Planning	How Much?				
		Additional # of properties listed on the Heritage Register	2	2	2	2
		# of listed properties removed from the Heritage Register	2	2	2	2
		# of additional properties designated under Part IV of the Ontario Heritage Act	2	2	2	2
		Number of heritage alteration permits processed	45	50	50	50
		How Well?				
		# of Heritage Conservation District plans completed	0	2	1	1
		Total # of Heritage Conservation Districts and cultural heritage landscapes	8	11	12	13
		C. Total # of individually protected heritage properties (heritage designated)	327	329	331	333

2.3 STRATEGIC AREA OF FOCUS: GROWING OUR ECONOMY

1. Diverse and resilient economy

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
A. Work with partners to develop a community economic strategy.	CMO	N/A	N/A	N/A	N/A	N/A
B. Buy and service industrial land to bring more jobs to London.	DCS/F&CS	N/A	N/A	N/A	N/A	N/A
C. Partner with the London Community Foundation on the “Back to the River Project.”	N/A	N/A	N/A	N/A	N/A	N/A
D. Support small businesses by improving City processes.	DCS	N/A	N/A	N/A	N/A	N/A
E. Fund and partner with the London Economic Development Corporation, Tourism London, London Convention Centre, and other community and regional partners to increase economic activity in London.	CMO	How Much?				
		New initiative (London’s Community Economic Road Map 2015-2020)	_____	_____	_____	_____
		# of Road Map initiatives/actions identified	95	95	95	95
		# of Community Economic Road Map Summits delivered	1	1	1	1
		New Initiative (Lean Six Sigma Pilot Program)	_____	_____	_____	_____
		# of new LSS projects undertaken	16	15	15	15
		How Well?				
		% of Road Map initiatives/actions completed	12.5%	25%	50%	75%
		# of attendees at the Community Economic Road Map Summit	200	225	250	275
	# of new LSS projects completed	3	10	16	22	
	# of annual progress reports completed	1	1	1	1	
	Community Improvement / Business Improvement Areas	How Much?				
		Total # of new loan applications received	10	8	8	8
		Total \$ value (000’s) of new loan applications received	\$260	\$210	\$210	\$210
		Total # of loan applications processed	18	15	15	15
		Total \$ value (000’s) of loan applications processed	\$675	\$564	\$564	\$564
		How Well?				
Multiplier effect – Façade Loan Programs (ratio of private dollars invested to value of loan)		3	3	3	3	
Multiplier effect – Upgrade to Building Code Loan Programs (ratio of private dollars invested to value of loan)		3.5	3	3	3	

	London Convention Centre	How Much?				
		Total Revenue	\$5,154,923	\$5,472,281	\$5,614,017	\$5,729,792
		% operational surplus of total revenue	0.0%	6.3%	7.0%	7.7%
		How Well?				
		Economic impact	\$19.0M	\$20.0M	\$20.8M	\$22.0M
	% change in guest satisfaction	+2.0%	+1.0%	+0.5%	+0.5%	
	Tourism London	How Much?				
		Jobs	7,300	7,300	7,300	7,300
		Economic impact	\$630M	\$630M	\$630M	\$630M
		How Well?				
		Overnight visitor statistics	\$1.8M	\$1.8M	\$1.8M	\$1.8M
	Website analytics	610,000	620,000	620,000	620,000	
	London Economic Development Corporation	How Much?				
		Attraction of new foreign direct investment and investment in local businesses through expansions	\$90M	\$90M	\$90M	\$90M
		How Well?				
Information requests and site selection proposals submitted		200	200	200	200	
Investment attraction seminars and sector promotion events/conferences supported	50	50	50	50		
F. Promote culture as a key part of economic growth and quality of life.	CMO	N/A	N/A	N/A	N/A	

2. Urban regeneration

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
A. Invest in London's downtown as the heart of our city.	Covent Garden Market	How Much?				
		Tenant sales in \$ million	\$16.46	\$16.71	\$16.96	\$17.21
		How Well?				
		Market revenue (\$)/sq. ft. (47,500 sq. ft.)	\$30.97	\$31.48	\$32.03	\$32.52
		Market parking revenue (\$)/space (425 spaces)	\$2,158.35	\$2,184.24	\$2,210.35	\$2,237.65
	Civic Square parking revenue (\$)/space (457 spaces)	\$1,526.70	\$1,542.01	\$1,557.55	\$1,573.08	
	Planning/EES	How Much?				
Monthly average of unique visitors to Dundas Place, counted through Wi-Fi enabled devices		43,240	45,000	45,000	45,000	
Number of new targeted businesses (Dundas)		6	6	3	6	

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
		Street-level storefront vacancy rate (Central London)	7.9%	7.9%	7.9%	7.9%
		Number of business frontages upgraded (Dundas)	2	0	3	4
		Number of planned events held (Dundas)	7	7	3	10
		Number of seasonal sidewalk patios (Dundas)	5	4	2	6
B. Create new partnerships to build, and support the building of, new affordable housing.	Housing Development Corporation, London (HDC)	How Much?				
		Combined total investment in affordable housing in the associated fiscal/calendar year (\$000's)	\$12,621	\$11,663	\$7,525	\$4,507
		# of affordable new rental housing units started in London & Middlesex	125	101	65	39
		Total # of new projects/developments started in associated year	3	3	2	1
		Land acquisition and servicing to leverage developments	_____	Target 3 strategic properties in 2017/2018	_____	_____
		Direct contributions toward new affordable rental housing	_____	50 additional affordable units	_____	_____
		How Well?				
		Total committed municipal allocation (does not include Middlesex projects) (\$000's)	\$4,341	\$2,000	\$2,000	\$2,000
		Average per unit municipal contribution	\$34,727	\$55,000	\$55,000	\$55,000
		Municipal capital contribution per month (over 30 year agreement) (\$)	\$96/month	\$154/month	\$154/month	\$154/month
C. Use community improvement plans to coordinate City and private investment to meet both local and city-wide priorities.	Planning	N/A	N/A	N/A	N/A	N/A
D. Invest more in heritage restoration, brownfield remediation, urban regeneration, and community improvement projects.	Planning	N/A	N/A	N/A	N/A	N/A

3. Local, regional, and global innovation

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
A. Use new and emerging technology to improve quality of life and grow London's economy.	CMO/All	N/A	N/A	N/A	N/A	N/A
B. Lead the development of new ways to resource recovery, energy recovery, and utility and resource optimization with our local and regional partners to keep our operating costs low and assist businesses with commercialization to help grow London's economy.	CMO	N/A	N/A	N/A	N/A	N/A

4. Strategic, collaborative partnerships

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
A. Work better together for economic growth: Western Fair District, London Economic Development Corporation, London Hydro, London International Airport, Tourism London, London Convention Centre, Covent Garden Market, London Chamber of Commerce, Business Improvement Areas, and other key stakeholders.	CMO	N/A	N/A	N/A	N/A	N/A
B. Work with our municipal neighbours to create stronger industry clusters and raise our international profile and attractiveness.	CMO	N/A	N/A	N/A	N/A	N/A

C. Partner to develop strategic economic opportunities and research and development with the education sector including universities (Western, Brescia, Kings, Huron) and Fanshawe College.	CMO	N/A	N/A	N/A	N/A	N/A
D. Work with key partners to support the health and medical sectors.	CMO	N/A	N/A	N/A	N/A	N/A

5. Diverse employment opportunities

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
A. Improve workforce recruitment, development, and retention by working with local and regional partners.	London Economic Development Corporation	How Much?				
		New job creation through attraction and expansions	1,200	1,200	1,200	1,200
B. Improve delivery and coordination of employment services through partnerships with community organizations, funders, and employers.	HSSDH	N/A	N/A	N/A	N/A	N/A
C. Remove barriers to employment through the expansion of the City of London Internship Program.	HR & CS	N/A	N/A	N/A	N/A	N/A
D. Attract and retain newcomers, including international students, foreign trained professionals, and multi-generational immigrants to strengthen London's workforce.	HSSDH	N/A	N/A	N/A	N/A	N/A
E. Attract and retain young talent.	CMO / HR & CS	N/A	N/A	N/A	N/A	N/A

2.4 Strategic Area of Focus: Leading In Public Service

1. Open, accountable, and responsive government

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
A. Make community engagement a priority. Make the public a partner who has access to our information and helps make decisions with Council.	L&CS	How Much?				
		# of committees	15	16	16	16
		# of meetings/year	120	130	130	130
	CMO	How Much?				
		# of Twitter followers	30,000	35,000	40,000	45,000
		Visitors to www.london.ca	2.7 million	2.9 million	3 million	3.1 million
		How Well?				
# of City tweets and Facebook posts	1,900	2,000	2,100	2,200		
# of YouTube video views	44,000	49,000	54,000	59,000		
B. Implement Plain Language writing in all City documents, reports, agendas, websites, signs, and notifications.	CMO	N/A	N/A	N/A	N/A	N/A
C. Improve the City of London website so people can find what they want, when they want it, and how they want it.	CMO	N/A	N/A	N/A	N/A	N/A
D. Update the City's granting policy and process to non-profit organizations.	NCFS	How Much?				
		# of London Community Grants Program Multi-Year grants	_____	37	37	37
		# of London Community Grants Program Innovation grants	_____	1	7	10
		# of London Community Grants Program Capital grants	_____	4	5	7
		# of organizations receiving funding through the London Community Grants Program	_____	42	49	54
		How Well?				
		% of London Community Grants program municipal funding aligned with Strengthening our Community	_____	83%	82.5%	82%
		% of London Community Grants program municipal funding aligned with Building a Sustainable City	_____	8.7%	9.2%	9.3%
% of London Community Grants program municipal funding aligned with Growing our Economy	_____	8.3%	8.3%	8.7%		

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
E. Explore opportunities for electoral reform.	L&CS	How Much?				
		Voter turnout <ul style="list-style-type: none"> • Voter turnout in 2014 was 43.2% • Voter turnout in the City of London is following provincial trends 	Non-election year	Non-election year	44%	Non-election year
		# of hours beyond poll closure until first round results (2018) <ul style="list-style-type: none"> • Tabulation in 2014 was conducted in-poll and consolidation of results was completed in 3hours • The 2018 forecast is first round of counting in ranked ballot voting for municipal office and final results for school boards. 	Non-election year	Non-election year	4.0 to complete first round of counting. Number of hours required for additional rounds cannot be determined at this time	Non-election year
		How Well?				
		% of calls answered during the election month before the threshold <ul style="list-style-type: none"> • In 2006, this was 73.54%. • In 2010, this was 95% and this was achieved by adding an additional staff member and queue line to provide for more efficient customer service. • In 2014, this was 94.02%. The same staff complement and queue lines were implemented in 2014. 	Non-election year	Non-election year	80%	Non-election year

2. Innovative and supportive organizational practices

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
A. Operate as a values based organization.	HR & CS	How Much?				
		# of human rights inquiries/ requests	4	4	4	4
		# of human rights formal complaints (investigations)	4	4	4	4
		# of code of conduct inquiries/requests	20	20	20	20
		# of code of conduct based formal complaints (investigations)	20	15	15	15
		# of workplace violence inquiries/requests	1	1	1	1
		# of workplace violence formal complaints (investigations)	2	2	2	2
		How Well?				
		# of human rights informal complaints (resolutions)	2	2	2	2
		# of code of conduct informal complaints (resolutions)	14	14	16	16
# of workplace violence informal complaints (resolutions)	0	0	0	0		
B. Use innovative and best practices in all organizational and management activities.	HR & CS	How Much?				
		Grievances referred to human resources	120	120	120	120
		# of WSIB incidents/claims	700	710	720	730
		# of short-term/long-term disability claims open	160	165	170	175
		How Well?				
		Grievances referred to arbitration	60	60	60	60
		% of employees returning to work following WSIB incident/claim	99%	99%	99%	99%
		Average annual WSIB hours per employee	11	11	11	11
		# of short-term/long-term disability claims closed	110	115	120	125
		Average annual STD hours per employee	15	15	15	15
	Average annual paid sick hours per employee (MBNCanada)	61	61	61	61	
	F&CS	How Much?				
		# of records of employment processed	1,500	1,500	1,500	1,500
		How Well?				
		# of manual cheques issued/voided	80	75	75	75
	Electronic fund transfers (ETF) to 3 rd party	142	168	194	220	
	L&CS	How Much?				
		Total hours in session Council/committees	825	825	825	825
		Total # of meetings	270	270	270	270
	L&CS	How Much?				

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
		Council/committee meetings	30/104+	30/104+	30/104+	30/104+
		Administrative support queue line phone calls answered	4,000	4,100	4,100	4,200
		Incoming emails (Councillors)	139,600	140,000	140,000	140,000
		How Well?				
		Average phone answer delay (seconds)	10	8	8	8
	CMO	How Much?				
		Total # of "How are we doing it?" strategies in Council's Strategic Plan completed	44	31	49	77
		% of "How are we doing it?" strategies in Council's Strategic Plan completed	19%	14%	22%	34%
		Cumulative % of "How are we doing it?" strategies in Council's Strategic Plan completed	30%	44%	66%	100%
		# of agenda items dealt with by the Senior Leadership Team and Operations Management Team	340	340	340	340
	L& CS (Mayor's Office)	How Much?				
		# of mail and e-mail items logged	20,000	20,000	20,000	20,000
		# of phone calls answered per month	150	150	150	150
	EES	How Much?				
		Total calls to Dispatch – Operations focused	34,900	35,000	35,250	35,500
		Total calls to Dispatch – External Customer (public) focused	11,100	11,500	11,725	12,000
		How Well?				
		Average call waiting time for "after hour" public service calls	<10 min	<10 min	<10 min	<10 min
		Total number of dropped "after hours" public service calls	<2%	<2%	<2%	<2%
		% of Utility Locate Request Applications processed within 24 hours of initiation	95%	95%	95%	95%
	L&CS	How Much?				
		# of new boxes stored – On-site and at command	1,900	2,100	2,200	2,300
		How Well?				
		# of MFIPPA requests completed within 30 days	170	180	190	200
	L&CS	How Much?				
		Charges received (MBNCanada)	45,000	47,000	50,000	50,000
		Collection agency fee recovery (\$)	85,000	85,000	85,000	85,000
		How Well?				
		% of charges keyed	30%	30%	30%	30%
		Collection agency cost recovery rate	25%	25%	25%	25%

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
	L&CS	How Much?				
		# of burial permits issued	3,300	3,300	3,300	3,300
		# of marriage licenses issued	1,600	1,600	1,600	1,600
		# of wedding ceremonies officiated	400	400	400	400
		How Well?				
		Amount of proceeds raised and monitored for local charities and non-profit organizations for the London community through lottery licensing (\$)	\$1,800,000	\$1,800,000	\$1,800,000	\$1,800,000
		# of lottery licences issued to charitable organizations	1,088	1,032	1,100	1,100
	F&CS	How Much?				
		# of ITS customer service requests and incidents	22,500	23,000	23,250	23,500
		First call resolution	26%	28%	29%	30%
		# of ITS projects completed	40	42	45	47
		# of visits to www.london.ca	3.3 million	3.4 million	3.5 million	3.6 million
		# of computer replacements	400	600	800	600
		Server virtualization percentage	92%	93%	94%	94%
		How Well?				
		Customer service request and incident satisfaction rating	97%	97%	97%	98%
		Average wait time in ITS phone queue (mins)	1.0	1.3	1.2	1.2
		System availability (excluding planned downtime)	99.94%	99.95%	99.95%	99.96%
		Average duration to resolve an incident (hours)	4.2	4.0	3.9	3.8
		Average duration to complete a service request (hours)	7.2	7.2	7.1	7.1
	L&CS	How Much?				
		Customer Service: # of phone calls	55,000	50,000	45,000	40,000
		Process corporate mail – \$ postage processed	\$814,940	\$857,480	\$902,240	\$949,337
		Process courier service – \$ courier processed	\$113,800	\$116,053	\$118,351	\$120,694
		How Well?				
		Average answer delay – on phones (seconds)	10	10	10	10
		Maximum answer delay – on phones (minutes)	10	5	5	5
	NCFS	How Much?				
		# of client interactions supported through Service London Business	1,300	1,400	1,500	1,600
		How Well?				
		Customer satisfaction with overall quality of service delivery	84%	84%	84%	84%
Customer satisfaction with accessibility of services		83%	83%	83%	83%	
Customer satisfaction with time it takes to receive services		79%	79%	79%	79%	

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
		Customers who received needed service or support	72%	72%	72%	72%
	P&R (Cafeteria)	How Much?				
		# of transactions per year	37,000	37,000	37,000	37,000
		Average revenue/ business day	\$1,250	\$1,300	\$1,350	\$1,400
		How Well?				
		Average cost /transaction	\$11.00	\$11.25	\$11.50	\$12.00
		Average revenue/transaction	\$8.00	\$8.25	\$8.50	\$8.75
C. Enhance corporate and community safety by preparing for and responding to security risks and emergency events.	F&CS	How Much?				
		# of guard hours provided	36,800	38,000	38,500	39,000
		# of incident responses	4,800	5,000	5,200	5,400
		# of observed incidents	380	400	420	440
		# of service requests	3,500	3,500	4,000	4,000
		How Well?				
		% of incidents closed	100%	100%	100%	100%
	% of service requests completed	100%	100%	100%	100%	
	F&CS (Risk Management)	How Much?				
		# of Claims handling	940	940	950	950
		# of Insurance policies	40	40	40	40
		# of Contract reviews	250	250	250	250
		# of Manage certificates of insurance	2,500	2,500	2,500	2,500
		# of Subrogation claims	110	110	110	110
		# of Corporate training	12	15	15	15
		How Well?				
		Annual insurance renewal premiums (\$000's)	\$2,400	+12%	+10%	+10%
		Self insurance reserve fund contributions (\$000's)	\$3,425	\$3,665	\$3,921	\$4,125
Revenue from subrogation claims (\$000's)		\$195	\$205	\$205	\$205	

3. Proactive financial management

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
A. Make sure that finances are well-planned to keep costs as low as possible and look to limit the burden on current and future rate payers.	F&CS (Purchasing)	How Much?				
		Purchase orders (MBNCanada)	20,500	21,000	21,500	22,000
		B. Inventory issues	38,500	39,100	39,500	40,000
		How Well?				
		Average # of bids per bid call (MBNCanada)	4.0	4.1	4.2	4.3
		Inventory turns (MBNCanada)	2.35	2.8	3.0	3.1
		Centralized purchasing division operating costs per \$1,000 municipal purchases (operating and capital) for goods and services (MBNCanada)	\$5.50	\$5.60	\$5.70	\$5.80
		Operating cost for stores/dollar of inventory value (MBNCanada)	\$776,000	\$788,000	\$793,300	\$795,600
		How Much?				
		# of property tax accounts	148,000	149,000	150,000	151,000
		How Well?				
		# of property tax accounts per staff person	6,852	6,898	6,944	6,990
		Taxes receivable as a % of tax levy (MBNCanada)	2.3%	2.3%	2.3%	2.3%
		How Much?				
		Accounts payable transaction lines processed	141,000	142,000	143,000	144,000
		# of accounts payable cheques issued	25,500	25,000	24,500	24,000
		# of electronic fund transfers processed	7,000	7,200	7,400	7,600
		How Well?				
		Cost of accounts payable function per invoice paid (MBNCanada)	\$7.50	\$7.60	\$7.70	\$7.80
		Cost of accounts receivable function per invoice	\$23.50	\$24.00	\$24.50	\$25.00
% of accounts receivable billings over 90 days	30%	25%	25%	25%		
Dollars in supplier discounts taken through accounts payable	\$80,000	\$82,000	\$84,000	\$86,000		
B. Make sure that financial issues are not created and pushed to the future, creating problems for future generations.	F&CS	How Much?				
		\$ in debt under administration (in millions)	\$312.3	\$334.3	\$356.9	\$370.4
		\$ in reserve funds (in millions)	\$216.4	\$227.0	\$236.1	\$239.6
		Increase in square footage of City owned properties	149,372	239,372	239,372	239,372
		How Well?				
		Debt service as a % of total corporate expenditures	4.5%	4.3%	4.3%	4.4%
Contribution to capital reserve funds as a % of total corporate	2.7%	2.8%	2.9%	3.0%		

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
		expenditures (tax support)				
		% of life cycle renewal projects funded from capital levy	35.7%	45.0%	43.4	47.3%
		Debt financing as a % of total capital budget (tax supported)	15%	13%	15%	13%
	Other Related Financing	How Much?				
		Reduced reliance on budget on OBCR as permanent source of financing (\$000's)	\$3,145	\$3,089	\$2,250	\$1,950
		How Well?				
		Rate of return greater than bank rate basis points	5	5	5	5
C. Create, explore, and implement new technologies or technology improvements to assist in the management of: <ul style="list-style-type: none"> Corporate assets Financial and reporting systems Billing systems 	F&CS	How Much?				
		# of asset areas with documented asset management inventory and condition data in a recognized asset management software system	2	6	14	14
		# of asset areas with documented asset management level of service data	2	6	14	14
		# of asset areas with documented asset management risk data	2	6	14	14
		# of asset areas with individual asset management plans	0	2	6	14
		How Well?				
		% asset replacement value in fair or better condition	75%	75%	75%	75%

4. Collaborative, engaged leadership

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
A. Continue to build strong working relationships between City Council, Civic Administration, the City's agencies, boards and commissions, and community partners.	CMO	How Much?				
		Meetings with Ministers/ MPs/MPPs	25	25	30	25
		Organize City of London submissions to federal/ provincial consultations, committee appearances, local roundtables, etc.	10	10	5	10
		Substantive meetings with Southwest Ontario municipal governments on issues of regional importance	3	4	4	4
		How Well?				
		% of Strategic Plan priorities showing positive momentum in federal/provincial announcements, statements and initiatives	_____	_____	_____	_____

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
B. Maximize openness and transparency in Council decision making.	Council	N/A	N/A	N/A	N/A	N/A
C. Review Council's governance structure.	N/A	N/A	N/A	N/A	N/A	N/A
D. Engage an Integrity Commissioner to ensure continued compliance with Council's Code of Conduct.	Council	Number of complaints received	Appointed May 2016	_____	_____	_____

5. Excellent service delivery

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
A. Continue to effectively and efficiently deliver nearly 100 services that Londoners rely on every day.	Overall Service Delivery	How Well?				
		% of Londoners satisfied with the overall level of City services	90%	87%	90%	90%
		% of Londoners satisfied with the quality of service delivery	84%	84%	84%	84%
		% of Londoners satisfied with the accessibility of services	83%	80%	83%	83%
B. Deliver great customer experiences to residents, businesses, and visitors: <ul style="list-style-type: none"> Innovative service delivery models Improved access through web, phone, and in person Innovative technology 	Overall Service Delivery	How Well?				
		% of Londoners who reported that staff were courteous	87%	91%	89%	89%
		% of Londoners who reported they were treated fairly	86%	85%	86%	86%
		% of Londoners who reported staff were knowledgeable	84%	86%	86%	86%
C. Make strategic decisions about our long-term space needs and service delivery locations.	Realty Services	How Much?				
		Property acquisitions (fee simple, easements)	80	100	120	120
		Lease/license agreements	110	125	135	150
		How Well?				
		Property acquisitions – % by amicable agreement	95%	95%	95%	95%
Lease/license agreements – % executed	98%	100%	100%	100%		

What are we doing?	Service Area	Measure	2016 Target	2017 Target	2018 Target	2019 Target
D. Keep looking for new opportunities to share services and supports between the City of London and its agencies, boards, and commissions.	CMO	N/A	N/A	N/A	N/A	N/A

**APPENDIX C
STRATEGIC PLAN MEASUREMENT TOOL**

Strategic Area Of Focus: _____

1. "Sub Strategic Area of Focus"

What are we doing?	Service Area	Measure	2015 Actual	2017 Forecast	2017 Actual	2017 Difference	# and % Change 2015-2017
		How Much?					
		How Well?					
Success Stories From "Year":							
Challenges Experienced in "Year":							
Solutions To Be Implemented In "Year":							

APPENDIX “D”

Recommended Strategic Plan Reporting Cycle

	February	May	July	November
Progress Report		✓		✓
Variance Report	✓		✓	
Report to the Community				✓
Performance Report				✓
Impact Assessment *				✓
* The impact assessment is not an annual report, it will be completed once every four years)				

January 2019

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1 CITY HALL CLOSED NEW YEAR'S DAY	2	3	4	5
6	7 CORPORATE SERVICES COMMITTEE 9:30 AM PLANNING AND ENVIRONMENT COMMITTEE 1:30 PM	8 CIVIC WORKS COMMITTEE 9:30 AM COMMUNITY AND PROTECTIVE SERVICES COMMITTEE 1:30 PM	9	10	11	12
13	14	15 COUNCIL 9:30 AM	16	17 STRATEGIC PRIORITIES AND POLICY COMMITTEE 4:00 PM Public Participation Meeting Water, Wastewater, Operating and Capital Budgets	18	19
20	21 CORPORATE SERVICES COMMITTEE 9:30 AM PLANNING AND ENVIRONMENT COMMITTEE 1:30 PM	22 STRATEGIC PRIORITIES AND POLICY COMMITTEE 9:30 AM	23	24 STRATEGIC PRIORITIES AND POLICY COMMITTEE 9:30 AM Budget Discussion	25	26
27	28 STRATEGIC PRIORITIES AND POLICY COMMITTEE 9:30 AM Budget (if needed)	29 COUNCIL 9:30 AM	30	31		

February 2019

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4 CORPORATE SERVICES COMMITTEE 9:30 AM PLANNING AND ENVIRONMENT COMMITTEE 1:30 PM	5 CIVIC WORKS COMMITTEE 9:30 AM COMMUNITY AND PROTECTIVE SERVICES COMMITTEE 1:30 PM	6 AUDIT COMMITTEE 12 PM	7	8	9
10	11 STRATEGIC PRIORITIES AND POLICY COMMITTEE 9:30 AM	12 COUNCIL 9:30 AM (Budget Approval)	13 DEARNESS COMMITTEE OF MANAGEMENT 12 PM	14	15	16
17	18 CITY HALL CLOSED FAMILY DAY	19 CORPORATE SERVICES COMMITTEE 9:30 AM PLANNING AND ENVIRONMENT COMMITTEE 1:30 PM	20	21	22	23
24 2019 OGRA ANNUAL CONFERENCE	25 2019 OGRA ANNUAL CONFERENCE	26 2019 OGRA ANNUAL CONFERENCE COUNCIL 9:30 AM	27 2019 OGRA ANNUAL CONFERENCE	28		

March 2019

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4 CORPORATE SERVICES COMMITTEE 9:30 AM PLANNING AND ENVIRONMENT COMMITTEE 1:30 PM	5 CIVIC WORKS COMMITTEE 9:30 AM COMMUNITY AND PROTECTIVE SERVICES COMMITTEE 1:30 PM	6	7	8	9
10	11	12	13	14	15	16
MARCH BREAK WEEK						
17	18 CIVIC WORKS COMMITTEE 9:30 AM (if needed)	19 COUNCIL 9:30 AM	20	21	22	23
24	25 CORPORATE SERVICES COMMITTEE 9:30 AM PLANNING AND ENVIRONMENT COMMITTEE 1:30 PM	26 STRATEGIC PRIORITIES AND POLICY COMMITTEE 9:30 AM	27	28	29	30
31						

April 2019

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1 CIVIC WORKS COMMITTEE 9:30 AM (if needed)	2 COUNCIL 9:30 AM	3	4	5	6
7	8 CORPORATE SERVICES COMMITTEE 9:30 AM PLANNING AND ENVIRONMENT COMMITTEE 1:30 PM	9 CIVIC WORKS COMMITTEE 9:30 AM COMMUNITY AND PROTECTIVE SERVICES COMMITTEE 1:30 PM	10	11	12	13
14	15 STRATEGIC PRIORITIES AND POLICY COMMITTEE 9:30 AM	16 COUNCIL 9:30 AM	17	18	19 CITY HALL CLOSED GOOD FRIDAY	20
21	22 CITY HALL CLOSED EASTER MONDAY	23 PLANNING AND ENVIRONMENT COMMITTEE 1:30 PM	24	25	26	27
28	29	30 COUNCIL 9:30 AM				

May 2019

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6 CORPORATE SERVICES COMMITTEE 9:30 AM PLANNING AND ENVIRONMENT COMMITTEE 1:30 PM	7 CIVIC WORKS COMMITTEE 9:30 AM COMMUNITY AND PROTECTIVE SERVICES COMMITTEE 1:30 PM	8	9	10	11
12	13 STRATEGIC PRIORITIES AND POLICY COMMITTEE 9:30 AM	14 COUNCIL 9:30 AM	15	16	17	18
19	20 CITY HALL CLOSED VICTORIA DAY	21 PLANNING AND ENVIRONMENT COMMITTEE 1:30 PM	22 DEARNESS COMMITTEE OF MANAGEMENT 12 PM	23	24	25
26	27 CIVIC WORKS COMMITTEE 9:30 AM (if needed)	28 COUNCIL 9:30 AM	29	30 FCM ANNUAL CONFERENCE	31 FCM ANNUAL CONFERENCE	

June 2019

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1 FCM ANNUAL CONFERENCE
2 FCM ANNUAL CONFERENCE	3 CORPORATE SERVICES COMMITTEE 9:30 AM PLANNING AND ENVIRONMENT COMMITTEE 1:30 PM	4 CIVIC WORKS COMMITTEE 9:30 AM COMMUNITY AND PROTECTIVE SERVICES COMMITTEE 1:30 PM	5	6	7	8
9	10	11 COUNCIL 9:30 AM	12	13	14	15
16	17 CORPORATE SERVICES COMMITTEE 9:30 AM PLANNING AND ENVIRONMENT COMMITTEE 1:30 PM	18 STRATEGIC PRIORITIES AND POLICY COMMITTEE 9:30 AM	19 AUDIT COMMITTEE 12 PM	20	21	22
23	24	25 COUNCIL 9:30 AM	26	27	28	29
30						

July 2019

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1 CITY HALL CLOSED CANADA DAY	2	3	4	5	6
7	8 STRATEGIC PRIORITIES AND POLICY COMMITTEE 9:30 AM	9	10	11	12	13
14	15 CORPORATE SERVICES COMMITTEE 9:30 AM PLANNING AND ENVIRONMENT COMMITTEE 1:30 PM	16 CIVIC WORKS COMMITTEE 9:30 AM COMMUNITY AND PROTECTIVE SERVICES COMMITTEE 1:30 PM	17	18	19	20
21	22	23 COUNCIL 9:30 AM	24	25	26	27
28	29	30	31			

August 2019

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5 CITY HALL CLOSED CIVIC HOLIDAY	6 STRATEGIC PRIORITIES AND POLICY COMMITTEE 9:30 AM	7	8	9	10
11	12 CORPORATE SERVICES COMMITTEE 9:30 AM PLANNING AND ENVIRONMENT COMMITTEE 1:30 PM	13 CIVIC WORKS COMMITTEE 9:30 AM COMMUNITY AND PROTECTIVE SERVICES COMMITTEE 1:30 PM	14	15	16	17
18 AMO ANNUAL CONFERENCE	19 AMO ANNUAL CONFERENCE	20 AMO ANNUAL CONFERENCE	21 AMO ANNUAL CONFERENCE	22	23	24
25	26	27 COUNCIL 9:30 AM	28	29	30	31

September 2019

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2 CITY HALL CLOSED LABOUR DAY	3 CORPORATE SERVICES COMMITTEE 9:30 AM PLANNING AND ENVIRONMENT COMMITTEE 1:30 PM	4 CIVIC WORKS COMMITTEE 9:30 AM COMMUNITY AND PROTECTIVE SERVICES COMMITTEE 1:30 PM	5	6	7
8	9 STRATEGIC PRIORITIES AND POLICY COMMITTEE 9:30 AM	10 COUNCIL 9:30 AM	11 AUDIT COMMITTEE 12 PM	12	13	14
15	16 CORPORATE SERVICES COMMITTEE 9:30 AM PLANNING AND ENVIRONMENT COMMITTEE 1:30 PM	17	18 DEARNESS COMMITTEE OF MANAGEMENT 12 PM	19	20	21
22	23	24 COUNCIL 9:30 AM	25	26	27	28
29	30 CORPORATE SERVICES COMMITTEE 9:30 AM PLANNING AND ENVIRONMENT COMMITTEE 1:30 PM					

October 2019

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1 CIVIC WORKS COMMITTEE 9:30 AM COMMUNITY AND PROTECTIVE SERVICES COMMITTEE 1:30 PM	2	3	4	5
6	7 STRATEGIC PRIORITIES AND POLICY COMMITTEE 9:30	8 COUNCIL 9:30 AM	9	10	11	12
13	14 CITY HALL CLOSED THANKSGIVING DAY	15 CORPORATE SERVICES COMMITTEE 9:30 AM PLANNING AND ENVIRONMENT COMMITTEE 1:30 PM	16	17	18	19
20	21	22 COUNCIL 9:30 AM	23	24	25	26
27	28 CORPORATE SERVICES COMMITTEE 9:30 AM PLANNING AND ENVIRONMENT COMMITTEE 1:30 PM	29 CIVIC WORKS COMMITTEE 9:30 AM COMMUNITY AND PROTECTIVE SERVICES COMMITTEE 1:30 PM	30	31		

November 2019

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5 COUNCIL 9:30 AM	6 AUDIT COMMITTEE 12 PM	7	8	9
10	11 CORPORATE SERVICES COMMITTEE 9:30 AM PLANNING AND ENVIRONMENT COMMITTEE 1:30 PM	12 STRATEGIC PRIORITIES AND POLICY COMMITTEE 9:30	13 DEARNESS COMMITTEE OF MANAGEMENT 12 PM	14	15	16
17	18	19 COUNCIL 9:30 AM	20	21	22	23
24	25 CORPORATE SERVICES COMMITTEE 9:30 AM PLANNING AND ENVIRONMENT COMMITTEE 1:30 PM	26 CIVIC WORKS COMMITTEE 9:30 AM COMMUNITY AND PROTECTIVE SERVICES COMMITTEE 1:30 PM	27	28	29	30

December 2019

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3 COUNCIL 9:30 AM	4	5	6	7
8	9 CORPORATE SERVICES COMMITTEE 9:30 AM PLANNING AND ENVIRONMENT COMMITTEE 1:30 PM	10 STRATEGIC PRIORITIES AND POLICY COMMITTEE 9:30	11	12	13	14
15	16	17 COUNCIL 9:30 AM	18	19	20	21
22	23	24 CITY HALL CLOSED	25 CITY HALL CLOSED CHRISTMAS DAY	26 CITY HALL CLOSED BOXING DAT	27	28
29	30	31 CITY HALL CLOSED				

10TH REPORT OF THE
GOVERNANCE WORKING GROUP

Meeting held on June 11, 2018, commencing at 1:35 PM, in Committee Room #4, Second Floor, London City Hall.

PRESENT: Councillors V. Ridley (Chair), Mayor M. Brown; and Councillors, J. Helmer, J. Morgan and M. van Holst; and C. Saunders (Secretary).

ABSENT: Councillors M. Cassidy and P. Squire.

ALSO PRESENT: M. Hayward, A. Anderson, L. Bartlett, A. Codispodi, A. Dunbar, P. Kokkoros, G. Kotisfas, S. Maguire, L. Maitland, S. Mathers, J. Stanford, R. Wilcox and P. Yeoman.

I. CALL TO ORDER

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

II. CONSENT ITEMS

None.

III. ITEMS FOR DISCUSSION

3.1 Council Policy Manual Modernization

That, on the recommendation of the City Manager, the following actions be taken with respect to the Council Policy Manual Modernization:

- a) the attached proposed by-laws (Appendices B1 to B61) BE INTRODUCED at the Municipal Council Meeting to be held on June 26, 2018, to amend the following Council Policies in order to reformat them into the new Council Policy template and to reflect any changes required as a result of the application of the gender equity lens and to make any further updates that were deemed appropriate:
1. Requiring Building Permits for Buildings Constructed More Than One Year Prior
 2. Gateway Structures, Fences and Walls - Ownership & Maintenance
 3. Refunding of Application Fees
 4. Government Agencies to Pay Fees
 5. Subdivision & Development Agreement Security Policy
 6. Assumption of Works and Services
 7. Street Cleaning in Unassumed Subdivisions
 8. Third Party Billing – City of London Contracts
 9. Residential Front Yard and Boulevard Parking
 10. Commemorative Street Naming Policy
 11. Drawing Review Fees
 12. Street Naming - Streets of Honour
 13. Frequency of Garbage, Recyclable Material, Yard Materials and Fall Leaf Collection
 14. Citizens Unable to Take Out Garbage or Recyclable Material
 15. Containerized Garbage Collection Systems
 16. Waiving of Landfill Site Fees

17. Provision of Blue Boxes
18. Public Notification Policy for Construction Projects
19. Deleting Works from Tenders
20. Services for Special Events
21. Catch Basins on Private Property
22. Rear Yard Grading and Drainage
23. Land Dedication
24. Street, Lane and Walkway Closings
25. New Traffic Signal Locations
26. Lane Maintenance Policy
27. Encroachment Policy
28. Traffic & Parking By-law Amendments
29. Elsie Perrin Williams Estate
30. Monumenting Program
31. Telecommunication Facilities Consultation Policy
32. Value of Parkland Dedication
33. Parkland Dedication – Plan of Subdivision
34. Parkland Dedication Cash-in-lieu
35. Parkland Dedication – Site Plan
36. Pathway Corridors
37. Parkland Accounts
38. Demolition Control
39. Substantially Changed OPA/ZBA Applications
40. Urban Design Awards
41. Tree Preservation
42. Notices of OPA and ZBA Received From Other Municipalities
43. Naturalized Areas and Wildflower Meadows
44. Siting of Cannabis Retail Stores in London
45. Siting of Safe Consumption Facilities and Temporary Overdose Prevention Sites in London
46. Grants to Centennial Hall
47. Reduced Rental Rates for Non-Profit Groups
48. Objectives of Centennial Hall
49. Using Centennial Hall for City Sponsored Events
50. Lessee Protection and Non-Competitive Clauses
51. Accounts Receivable and Collections Policy
52. Trust Fund Policy
53. Donations Policy
54. Royal Canadian Legion Branch Property Tax Relief Program Funding
55. Security Policy Regarding Letters of Credit
56. Identification of Operating Surpluses – Boards and Commissions
57. Lease Financing Policy
58. Assessment Growth Policy
59. Debt Management Policy
60. Capital Budget and Financing Policy
61. Affordable Housing Reserve Fund Implementation Policy

b) the attached proposed by-laws (Appendices C1 to C6) BE INTRODUCED at the Municipal Council Meeting to be held on June 26, 2018, to repeal and replace the following Council Policies:

1. Flankage Exemptions for Surface Works and Sewers to be renamed as Flankage Exemptions for Surface Works and Municipal Services
2. Absence of Sewers and Private Drain Connections to be renamed as Absence of Municipal Services
3. Phase Out Use of City-Owned Vehicles to be renamed as Annual Assessment of Underutilized Light Vehicles
4. Private Storm Water Connections to be renamed as Stormwater

- Private Drain Connections
5. Parkland Dedication – Acquisition of Parkland Outside a Plan of Subdivision to be renamed as Parkland Dedication – Acquisition of Hazard Lands and/or Open Space Lands
 6. Perfecting Property Titles for which Consents were not Obtained
- c) the attached proposed by-laws (Appendices D1 to D4 and D6) BE INTRODUCED at the Municipal Council Meeting to be held on June 26, 2018, to repeal the following Council Policies which are no longer required:
1. Methane Gas
 2. Unprotected Excavations at Construction Sites
 3. Non-Enforcement of Parking Regulations
 4. Free Downtown Parking During Christmas Season
 6. Service Cut Restoration Work by Utilities and Contractors;
- d) the attached proposed by-law (Appendix D5) being “A by-law to repeal By-law No. CPOL.-78-310, “Enforcement of City Personnel” BE INTRODUCED at a future meeting of Municipal Council after such time as the Standard Operating Procedures have been updated to outline the protocol on by-law investigations being undertaken in accordance with provincial legislation and municipal by-laws; and,
- e) the Civic Administration BE DIRECTED to bring forward a revised “Policy for the Establishment and Maintenance of Council Policies” that acknowledges that all Council Policies are to be reviewed with the gender equity lens.

IV. DEFERRED MATTER/ADDITIONAL BUSINESS

None.

V. ADJOURNMENT

The meeting adjourned at 1:59 PM.

Next Meeting: Monday, June 25, 2018 at 1:30 PM, in Committee Room #4.

APPENDIX B1

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-23-219 being
“Requiring Building Permits for Buildings
Constructed More Than One Year Prior”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-23-219 being “Requiring Building Permits for Buildings Constructed More Than One Year Prior” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-23-219 being “Requiring Building Permits for Buildings Constructed More Than One Year Prior” is hereby amended by deleting Appendix “C(9)” to CPOL.-23-219 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Requiring Building Permits for Buildings Constructed More Than One Year Prior

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-23-219)

Last Review Date: June 11, 2018

Service Area Lead: Chief Building Official

1. Policy Statement

This policy is to ensure existing construction complies with the Building Code.

2. Definitions

Not applicable.

3. Applicability

This policy applies to all buildings within the City of London.

4. The Policy

Based on sentence 36(8)(a) of the Building Code Act, no proceeding shall be commenced more than one year after the facts on which the proceeding is based first came to the knowledge of an officer, where the proceeding is in respect of the enforcement of by-laws passed under section 15.1 of the Act.

Building permits will be required for any work previously carried out without a building permit, when the municipality has evidence that the work was carried out by the current owner.

Building permits will not be requested from the current owner for work carried out by previous owners, unless unsafe conditions are present in accordance with subsection 15.9 of the Building Code Act, and the remedy of said unsafe conditions requires a building permit.

APPENDIX B2

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-121-373 being "Gateway Structures, Fences and Walls - Ownership & Maintenance".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-121-373 being "Gateway Structures, Fences and Walls - Ownership & Maintenance" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-121-373 being "Gateway Structures, Fences and Walls - Ownership & Maintenance" is hereby amended by deleting Appendix "C(39)" to CPOL.-121-373 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Gateway Structures, Fences and Walls - Ownership & Maintenance

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-121-373)

Last Review Date: June 11, 2018

Service Area Lead: Director, Development Services

1. Policy Statement

The Gateway Structures, Fences and Walls – Ownership and Maintenance Policy is intended to provide clarity and guidance for the installation of these structures in residential subdivisions.

2. Definitions

“**Gateway**” means a built structure and associated components used as an entrance feature to a subdivision, generally providing the subdivision name and landscaping.

3. Applicability

This policy applies to land developers and other property owners that construct Gateway structures, fences and walls as part of any subdivision or site plan development.

4. The Policy

The following policy shall apply to matters concerning gateway structures, fences and walls:

- a) ornamental gateways to subdivisions shall not be allowed on City lands and the City shall assume no responsibility for their maintenance;
- b) privacy fences shall be placed on private properties, where required by the proponents. Fencing designs will be consistent with City Fence By-law PS-6 and shall be the responsibility of the individual property owners; and
- c) “retrofit” noise walls that are required as a result of a road widening adjacent to existing residential uses shall be placed on City property in accordance with Council’s Noise Barriers on Arterial Roads Policy.

APPENDIX B3

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-161-413
being "Refunding of Application Fees".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-161-413 being "Refunding of Application Fees" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-161-413 being "Refunding of Application Fees" is hereby amended by deleting Appendix "C(80)" to CPOL.-161-413 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Refunding of Application Fees

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-161-413)

Last Review Date: June 11, 2018

Service Area Lead: Director, Development Services

1. Policy Statement

The Refunding of Application Fees Policy is intended to provide direction for situations where requests are received to refund fees for certain development applications made under the *Planning Act*.

2. Definitions

Not applicable.

3. Applicability

This policy applies to applications to amend the Official Plan and Zoning By-law.

4. The Policy

In the event that a request is received for a refund of application fees, no refunds will be made to Zoning By-law amendment and/or Official Plan amendment fees if any work has commenced on the application.

APPENDIX B4

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-162-414
being "Government Agencies to Pay Fees".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-162-414 being "Government Agencies to Pay Fees" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-162-414 being "Government Agencies to Pay Fees" is hereby amended by deleting Appendix "C(81)" to CPOL.-162-414 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Government Agencies to Pay Fees

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-162-414)

Last Review Date: June 11, 2018

Service Area Lead: Director, Development Services

1. Policy Statement

The Government Agencies to Pay Fees Policy is intended to provide direction for the payment of *Planning Act* application fees by any government agency (Federal, Provincial or Local Board/Commission), except for Municipal Council.

2. Definitions

Not applicable.

3. Applicability

This policy applies to all Federal and Provincial agencies and Local Boards/Commissions.

4. The Policy

All governmental agencies are required to pay the established fees for development applications made under the *Planning Act*, except in cases where the City Council is the applicant.

APPENDIX B5

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-13-114 being
“Subdivision & Development Agreement Security
Policy”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-13-114 being “Subdivision & Development Agreement Security Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-13-114 being “Subdivision & Development Agreement Security Policy” is hereby amended by deleting Council Policy 19(18) to CPOL.-13-114 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Subdivision & Development Agreement Security Policy

Legislative History: Enacted April 4, 2017 (By-law No. CPOL.-13-114)

Last Review Date: June 11, 2018

Service Area Lead: Director, Development Services

1. Policy Statement

This policy document has been developed to assist Developers (herein after referred to as the Owner), City staff, consulting engineers and associated stakeholders understand the processes and procedures associated with security requirements for land development projects in the City of London (herein after referred to as the City). The City requires that security is provided for all development (subdivision, site plans, condominiums...etc.) projects in the City. This is to ensure that the City has sufficient money available to complete any outstanding works required for the development in the event that the Owner does not/cannot complete the works required of them under their respective Agreement(s).

To assist in the security requirement/reduction process, flow charts for both Subdivision and Development Agreement (Site Plans, Condominiums) processes can be found in Appendix “A”.

Information related to the calculation of security for Subdivisions, Consent and Site Alteration Agreements can be found in **Chapter 1**.

Information related to the calculation of security related to Development Agreements can be found in **Chapter 2**.

Information specific to the processes related to the reduction of security, timing of reductions, dealing with deficient works and release of long-held security by the City can be found in **Chapter 3**.

2. Definitions

2.1. Acceptance of External Works (formerly FINAL) - An Owner is eligible to apply for “Acceptance of External Works” once all of the works external to the subdivision are complete. Similar to “assumption”, at this stage the City takes responsibility for maintenance, repair and liability of the accepted works & services.

Important to note:

- Only applicable to works constructed on streets external to a subdivision which have already been assumed by the City.
- A by-law is not required; however the one (1) year warranty on workmanship and materials for the works and services is as documented on the certificate of acceptance of external works (see “end of warranty”).
- Security can be reduced upon issuance of the certificate of acceptance of external works.

2.2. Assumption - the point at which City Council passes a by-law to accept responsibility for maintenance, repair and liability of the installed works & services of the plan of subdivision, subject to requirements for ‘end of warranty’.

Assumption is considered when:

- All works & services are constructed as per the approved plans, and appropriate certification(s) have been provided.
- Owner has complied with all requirements of the Subdivision Agreement to the satisfaction of the City.
- A minimum of seventy (70%) of the lots and blocks fronting the street to be assumed have been built on or seven (7) years have elapsed from the date of registration of the Subdivision Agreement.

- 2.3. Claimable Works** - shall be considered any work &/or services as required by an Agreement which are to be undertaken by an Owner at their entire expense, as a capital cost incurred on behalf of the City and as authorized by the City.

Claimable Works shall be any work &/or services as noted above which may be claimable from any fund (i.e. Urban Works Reserve Fund (UWRF), City Services Reserve Fund (CSRF)) or any Capital Project.

- 2.4. Conditional Approval** - may be issued when the City is satisfied that a development complies with the applicable legislation (Planning Act...etc.), the requirements for conditional approval of the Subdivision Agreement have been met and when the roads and services are completed and functional within a development.

By issuing "Conditional Approval", the City is confirming that full building permits for new home construction may be issued in a subdivision or a portion thereof.

'Conditional Approval' is considered when:

- The City has confirmed that underground works (including storm, sanitary and water) and all streets (to a granular level "B") have been constructed as per the approved servicing drawings and Municipal standards.
- All works & services have been constructed as per the approved plans and appropriate certification(s) have been provided.
- Owner has complied with all requirements of Conditional Approval as they relate to the Subdivision Agreement to the satisfaction of the City.

- 2.5. Construction Lien Act Holdback** - The statutory requirement of Part IV of the 'Construction Lien Act' (R.S.O. 1990) demands that each payer on a contract or subcontract retain a 'holdback' (security) of ten per cent (10%) of the price of the services or materials. This holdback is to be maintained until all liens that may be claimed against the contracted works have expired or have otherwise been satisfied or discharged.

Important to Note:

- As per the Act, release of the 10% holdback is available when the contractor has published a copy of the certificate of substantial performance in a construction trade newspaper, provided proof of this advertisement to the City and the mandatory forty-five (45) day notice period has expired.

- 2.6. End of Warranty** - a triggering mechanism which signifies the Council mandated one (1) year post-assumption warranty period has lapsed. At this point, all remaining obligations of the relevant Agreement are to have been satisfied and any/all defective works are to have been corrected to the satisfaction of the City.

Key Indicators:

- One year warranty period initiation requires the passing of a by-law at Council.

- 2.7. Erosion and Sediment Control Measures** - shall be a security to be provided as an allowance for use by the City in the event of deficient erosion and sediment control measures and/or a failure of a site's erosion and sediment control measures. The "Erosion and Sediment Control Measures" shall ensure sufficient funds are available to complete remedial work in the event of a breach to the "Erosion and Sediment Control Measures" including any installation and repair of the erosion and sediment control measures, clean-up costs and complete replacement and/or repairs to the erosion and sediment control measures.

- 2.8. Miscellaneous Items** - works required to be completed but not covered under the definition of either surface or underground works, including but not limited to;
- Tree planting;
 - Tree preservation, turning circle removal, privacy fencing;

- Erosion and sediment control measures;

Important to Note:

- All “Miscellaneous Items” have no extra taxes or fees.

2.9. Urgent Deficiency - any defect related to materials or workmanship in the works and services (underground, surface or miscellaneous works) considered an immediate safety, environmental or operational risk, hazard or concern by the City.

Examples:

- Water service breaks;
- Leaning or tilted streetlight pole;
- Sediment breach into a natural watercourse;

2.10. Other Deficiencies - any defect in materials or workmanship in the works and services (underground, surface or miscellaneous works) which is not considered an immediate safety or operational risk, hazard or concern by the City.

Other Deficiencies shall also be considered as any failure by the Owner to comply with any covenant, term, condition or requirement of the relevant Agreement.

Examples:

- Installation of fencing within one (1) year of plan registration as per the Subdivision Agreement;
- Grading, seeding & servicing of park blocks;
- Minor cracks in segments of curbs and/or sidewalks;

2.11. Surface Works - consist of all works and services constructed by the Owner under a relevant Agreement where the final locations are at, and/or above finished grade. This includes but is not limited to the following items:

- Base & surface asphalt, curb and gutter, sidewalk, traffic islands;
- Driveway ramps, fences, landscaping, boulevards, asphalt walkways;
- Street signs;

2.12. Underground Works - consist of all works and services constructed by the Owner as required by a relevant Agreement which are located primarily below grade with the exception of any underground utilities including gas, electric services and telecommunications.

These works are typically constructed in the initial stages of construction, including but not limited to the following items:

- Sanitary sewers and private drain connections including all appurtenances (manholes...etc.);
- Storm sewers and private drain connections including all appurtenances (manholes, catchbasins, catchbasin leads...etc.);
- Water mains and services including all appurtenances (valves, hydrants...etc.);
- Granular road base including “Granular B”.

2.13. Works & Services - consist of all Surface Works and Underground Work constructed or required by the Owner under the relevant Agreement.

Important to Note:

Contingency (5%), engineering (10%) and HST (13%) are applied to all works & services.

3. Applicability

This policy applies to property owners that are developing land through a subdivision, condominium, consent, site plan, or site alteration process.

4. The Policy

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Appendix D	Example Letter of Credit
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4.1. Subdivisions, Site Alteration & Consent Agreements

The following Chapter of this policy document provides information related to:

- 4.1.1 How to calculate security & what security is required for
- 4.1.2 How security is reduced
- 4.1.3 Maintenance holdbacks
- 4.1.4 End of warranty holdbacks

4.1.1 Security Calculation

4.1.1.1 General Information

- The Security Calculation provides a determination of the security which is to be provided by the Owner to the City which shall guarantee 100% of the value of work to be completed for all “works & services” and “miscellaneous items” as required under the relevant Agreement.
- It is calculated using the standard form shown in Appendix “B” (Security Calculation).
- The Owner’s Professional Engineer provides cost estimates for all works, services and miscellaneous items as required under the Subdivision Agreement, the approved servicing drawings and City standards and by-laws all to the satisfaction of the City.
- Estimated cost for works & services are to be provided on a street by street basis, based on a fully constructed right-of-way (property line to property line) including all works & services installed there on (i.e. sanitary and storm sewers, watermains, private drain connections, roads [granulars, asphalt, curbs, sidewalk, boulevards], streetlights, electric services, etc.).
- Works & services also include separate items which are not included in the calculations for streets (i.e. street tree planting, noise attenuation measures, pumping stations, miscellaneous items, etc.).
- Claimable works are included in the compiled costs for the individual streets (i.e. trunk sewers...etc.), unless otherwise approved by the City.
- Security for “Erosion and Sediment Control Measures” shall be provided to the satisfaction of the City, for all plans of subdivision and site alteration agreements based on the size (in hectares) of the development as follows:
 - Less than 5.0 ha – \$40,000;
 - Greater than or equal to 5.0 ha - \$60,000;
- In the event that Security for “Erosion and Sediment Control Measures” has been previously provided by the Owner under a subsequent phase of a Subdivision, the City may at its option on a case by case basis, consider accepting a reduced security for subsequent phases for the purpose of the “Erosion and Sediment Control Measures” subject to acceptable site specific conditions including, but not limited to, having minimal topography and no adjacent sensitive natural features.
- The City may increase the security required for “Erosion and Sediment Control Measures” when site specific conditions (adjacent to a watercourse, Environmentally Sensitive Area, steep topography...etc.) contribute to an increased possibility of a sediment discharge and/or an increased possibility of

an increase to the cost for any necessary remedial works.

- The Security Calculation form breaks down the security by street and individual elements for calculation purposes only. The full security is held in one pool for the performance of all requirements in the subdivision agreement.
- The Security Calculation determines the CASH portion of the required security. The CASH portion is required prior to execution of the agreement. The CASH portion also covers the requirements of the Construction Lien Act (10% Statutory Holdback).
- The Security Calculation also calculates the BALANCE (formerly the BOND) portion. The BALANCE portion provides security against the remaining value of works & services and miscellaneous items.
- Prior to the City issuing any Certificate of Conditional Approval or the first building permit for any of the lots and blocks within a Plan of Subdivision, the Owner shall ensure that both the CASH and BALANCE portion have been supplied to the satisfaction of the City, taking into account the requirements, conditions and procedures as set out in the Subdivision (Site Alteration or Consent) Agreement.

4.1.1.2 Security Calculation Information

Section 1 - Cost Estimate

- Section 1 of the Security Calculation provides estimated costs to construct the works, services and miscellaneous items for the subdivision.
- Includes allowances for contingency (5%), engineering (10%) and HST (13%) for works & services.
- “HST”, “contingency” and “engineering” are not applied to “Miscellaneous Items” as these are typically items to which allowance and applicable taxes are already included (Erosion and Sediment Control Maintenance, temporary turning circles, etc.).

Section 2 - Security Requirements

- Summarizes total costs of works and services and miscellaneous works as shown in Section 1.
- Provides value for Total Security Required. This equals (works & services) + (miscellaneous items).

Section 3 - Security Calculation

- Provides calculations for CASH Portion = 15% of “Total Security Required” (as per Section 2).
- Provides calculation for BALANCE Portion = 100% of (Total Security Required) Less (CASH Portion of security).

4.1.2 Security Reduction Calculation

4.1.2.1 General Information

- Typical “Security Reduction Calculation” used for all security reductions.
- Standard form shown in Appendix “C”.
- Security Reductions related to Site Alteration Agreements shall be subject to the requirements of the relevant agreement.

4.1.2.2 Calculation Information

Section 1 - Cost Estimate - Tracking Summary

- The “Tracking Summary” tracks works & services which have been completed based on estimates provided by the Owner’s professional engineer.
- It includes allowances for contingency (5%), engineering (10%) and HST (13%) for works & services.
- Also tracks miscellaneous items completed; tallied separately based on separate formula (no HST, contingency or engineering applied).
- Items shall be added as necessary (which were not included in the initial security calculation) that have been reasoned to be required only as details of which have become known due to the progress of the work and by sound engineering practice.

- Deficiencies may be added to the Security Reduction Calculation and summary as determined by The City in accordance with the Subdivision Agreement.
- Security for identified deficiencies can be added to the “Security Reduction Calculation” form under Section 1.

Section 2 - Security Requirements

- Summarizes requirements based on the calculated value of work remaining, as shown in Section 1.
- An adjustment for inflation is calculated based on the “Statistics Canada Index” meaning the Statistics Canada Quarterly Construction Price Statistics, catalogue number 62-007, Non-residential building construction price indexes - Toronto, Ontario herein after referred to as “Construction Price Index”.
- This information is available on-line at the following link: <http://www.statcan.gc.ca>
- Adjustment for inflation is calculated based on the Value of Work Remaining (incl. Contingency, Engineering & HST) multiplied by the difference in change indexation values in the Construction Price Index (Year of Reduction LESS Year of Plan Registration)/100.

Example:

Value of Work Remaining = \$100,000 (Section 2 – Line 1)

Construction Price Index:

Year Plan Registered: 2009 = 142.501¹

Current Year²: 2012 = 151.501¹

= \$100,000 x ((151.50-142.50)/100)

= \$9,000

¹Values as per Annual Averages – “Statistics Canada Index” meaning the Statistics Canada Quarterly Construction Price Statistics, catalogue number 62-007, Non-residential building construction price indexes – Toronto, Ontario.

²The value used for the Current Year index is to be taken from the tables as the closest year available in which security is being calculated.

- The calculated adjustment for inflation is added to the total value of security required as shown in Appendix ‘C’ – Section 2 – Security Requirements – Line 3.
- The City reserves the right to revise the values of work remaining to ensure that sufficient security is being maintained to complete the outstanding works & services.
- Holdbacks are applied to works & services which have been completed including:
 - “Construction Lien Act” Holdback: 10% of value of completed works & services;
 - “Maintenance Holdback”: 5% of value of completed works & services;
 - “End of Warranty Holdback”: 2.5% of value of completed works & services.

Section 3 - Security Reduction Summary

- Summarizes current security held (CASH/BALANCE – i.e. Cash, Letters of Credit, etc.).
- Identifies available reduction(s) based on total security required (calculated in Section 2) and the current security holdings.

4.1.3 Maintenance Holdback

- Released at “Assumption”, based on the percentage of works & services assumed not until the passing of a by-law to assume works & services within a subdivision, unless otherwise approved by the City.
- The Maintenance Holdback is a guaranteed holdback for material and defects in workmanship equal to 5% of the total value of the works & services completed by the Owner under the Subdivision Agreement (including claimable works).

N.B. The 5% maintenance holdback is calculated based on an estimated value to correct deficiencies in the Works & Services prior to Assumption.

4.1.4 End of Warranty Holdback

- The End of Warranty Holdback is a guaranteed holdback for material and defects in workmanship equal to 2.5% of the value of the works & services completed by the Owner under the Subdivision Agreement (Including any claimable works).
- Released at End of Warranty based on the percentage of works & services which have satisfied the warranty requirements of the City and an “End of Warranty” certificate has been issued by The City.
- The End of Warranty Holdback will not be released prior to the end of the one (1) year warranty period as mandated in the Council Assumption By-law.

N.B. *The 2.5% end of warranty holdback is calculated based on an estimated value to correct deficiencies in the Works & Services after Assumption and prior to End of Warranty.*

4.2. Development Agreements

The following Chapter of this policy document provides information related to:

- 2.1 Security requirements & calculation common for Site Plans & Condominiums
- 2.2 Security reduction requirements & calculation for Site Plans & Condominiums
- 2.3 Security requirements & reductions applicable only to Condominiums

4.2.1 Security Calculation

4.2.1.1 General Information

- The Security Calculation provides a determination of the security which is to be provided by the Owner to the City. Based upon the total cost estimate for all internal “works & services” and “miscellaneous items” the required security for all site plans and condominiums will be calculated as follows, unless otherwise noted herein.
 - For developments in which the total estimated internal is equal to or less than \$50,000, the Owner shall guarantee 100% of the value of work to be completed.
 - For developments in which the total estimated cost is greater than \$50,000, the Owner shall guarantee the greater of 50% of the value of work to be completed or \$50,000.
- The Owner’s Professional Engineer shall provide a cost estimate for all works & services and miscellaneous items as required under the Development Agreement, the approved drawings and City standards and by-laws all to the satisfaction of the City.
- For the purposes of development projects considered under this Chapter, the works & services shall generally include, but are not limited to, ‘Surface Works’ unless otherwise herein provided, all to the satisfaction of the City.
- The Owner shall guarantee 100% of the value of works and services required for all Claimable Works (as applicable), unless otherwise approved by the City.
- The Owner shall guarantee 100% of all external works for all site plans and condominiums
- Security requirements shall be calculated using the standard form shown in Appendix “E”.
- The security calculation breaks the security down into individual elements for calculation purposes only. The full security is to be held in one pool for the performance of all requirements in the Development Agreement.
- The security calculation includes provisions for Contingency, Engineering and HST.
- In the event a site plan or condominium will be developed in phases, the City may, at its discretion, allow for alternative calculation for the required securities. This is further outlined in section 4.3.1.3.
- The full value of the required security shall be provided to the City prior to execution of the Development Agreement, unless otherwise herein provided, all to the satisfaction of the City.

4.2.1.2 Security Calculation Information

The standard site plan security calculation form is shown in Appendix “E”

Section 1 - Cost Estimate

- Section 1 of the Security Calculation provides estimated costs to construct the internal works & services and miscellaneous items for the development as well as external works (including claimable works).
- Includes allowances for contingency (5%), engineering (10%) and HST (13%) for internal and external works & services.
- “HST”, “contingency” and “engineering” are not applied to “Miscellaneous Items” which are therefore calculated separately.

Section 2 - Security Requirements

- Summarizes the required security required for internal and external works tabulated in Section 1.
- The required security for internal works is calculated as follows:
 - If the Total Internal Works (Line 18) is equal to or less than \$50,000, the required internal works security is equal to the total value of the works
 - If the Total Internal Works (Line 18) is greater than \$50,000, the required internal works security is equal to either 50% of the total internal works or \$50,000, whichever is greater
- The required security for external works is equal to the 100% of the value of the work (Line 25)
- Provides value for Total Security Required. This equals (Internal Works) + (External Works).

4.2.1.3 Security for Phased Developments

In the case of larger developments, Owners may choose to phase the site plan approval as a means of staging securities in line with their plan for buildout.

First Phase

- Securities for the first phase of development will be calculated as outlined in Section 4.3.1.2 and site plan approval will be granted only the secured phase of development
- The Owner shall also provide an additional security of \$5,000/ha for all future phases of the site plan or condominium. This “future phase” security is to address any unauthorized activity that may occur on the future phases.

Subsequent Phases

- To develop subsequent phase(s), an application for site plan amendment will be required to approve the additional phases and update the development agreement. At this time the Owner is required to provide full securities, calculated as per section 4.3.1.2, for the additional phases and the “future phase” security as outlined above will be released.

4.2.2 Security Reduction Calculation

4.2.2.1 General Information

- Typical “Security Reduction Calculation” used for all security reductions.
- Standard form shown in Appendix “F”.

4.2.2.2 Security Reduction Calculation Information

Section 1 - Cost Estimate - Tracking Summary

- The “Tracking Summary” tracks works & services which have been completed based on estimates provided by the Owner’s professional engineer.
- It includes allowances for contingency (5%), engineering (10%) and HST (13%) for works & services.
- Also tracks miscellaneous items completed; totaled separately based on separate formula (no HST, contingency or engineering applied).
- Deficiencies may be added to the Security Reduction and summary as determined by The City in accordance with the Development Agreement.

Section 2 - Security Requirements

- Summarizes requirements based on the calculated value of work remaining, as tabulated in Section 1.

- An adjustment for inflation is calculated based on the “Statistics Canada Index” meaning the Statistics Canada Quarterly Construction Price Statistics, catalogue number 62-007, Non-residential building construction price indexes - Toronto, Ontario herein after referred to as “Construction Price Index”.
- This information is available on-line at the following link:
<http://www.statcan.gc.ca>
- Adjustment for inflation is calculated based on the Value of Work Remaining (incl. Contingency, Engineering & HST) multiplied by the difference in change indexation values in the Construction Price Index (Year of Reduction LESS Year of Plan Registration)/100.

Example:

Works & Services - Value of Work Remaining = \$100,000 (Section 2 – Line 1)
Construction Price Index:

Year Plan Registered: 2009 = 142.50¹

Current Year²: 2012 = 151.50¹

= \$100,000 x ((151.50-142.50)/100)

= \$9,000

¹Values as per Annual Averages – “Statistics Canada Index” meaning the Statistics Canada Quarterly Construction Price Statistics, catalogue number 62-007, Non-residential building construction price indexes – Toronto, Ontario.

²The value used for the Current Year index is to be taken from the tables as the closest year available in which security is being calculated.

- The calculated adjustment for inflation is added to the total value of security required as shown in Appendix ‘F’ – Section 2 – Security Requirements – Line 3.

Section 3 - Security Reduction Summary

- Summarizes current security held and identifies available reduction(s) based on total security required (calculated in Section 2) and the current security holdings.

4.2.3 Condominiums

- The Security Calculation for Condominiums (Vacant Land Condominiums and Standard (Phased) Condominiums) shall be based on the of the value of work to be completed for all common elements associated with the accepted drawings for the plan of condominium.
- Common elements will generally include (but not limited to) the following items:
 - Surface Works;
 - Underground Works;
 - Illumination;
 - Stormwater Management ;
 - Tree Planting;
 - Community Amenities (gazebos...etc.)
 - External Works;
 - Other – (As required on a case specific basis);
- Security for any vacant land condominium town house development shall be provided as follows:
 - 15% of Total Security Required at execution of the Development Agreement;
 - The Developer shall provide to the City, all outstanding security, as calculated from time to time, prior to the registration of the Condominium Declaration;
- A maintenance holdback (5% of the value of common elements completed) will be held until such time as 100% of the units in the vacant land condominium have been developed; a certificate of completion of the works and a final lot grading certificate have been received from the Owner’s Professional Engineer and accepted by the City, to the satisfaction of the City.

4.3. Logistics

The following Chapter of this policy document is applicable to subdivision, site alteration, consent, and development agreements unless otherwise noted herein. This Chapter provides information related to:

- 3.1 Acceptable forms of security;
- 3.2 Process for security reductions;
- 3.3 Reduction milestones and timing (Subdivisions only)
- 3.4 Reduction milestones and timing (Development Agreement only)
- 3.5 Process to deal with deficient works
- 3.6 Process to release long-held security;

4.3.1 Acceptable Forms of Security

4.3.1.1 Cash or Certified Cheque (the following conditions apply to Cash or Certified Cheque as security):

- Acceptable for use under the CASH and/or BALANCE portion.

4.3.1.2 Letter of Credit (the following condition applies to letters of credit used as security):

- Acceptable for use under the CASH and/or BALANCE portion.
- Letters of Credit are to be irrevocable and unconditional and shall conform to the example shown in Appendix “D” all to the satisfaction of the City.

4.3.1.3 Land (the following conditions apply to land as security):

- “Land” will be considered as an acceptable form of security for Subdivisions only.
- Property must be transferred to and registered in the name of the City of London.
- Land must be free and clear of any encumbrance, condition, restriction, easement or right-of-way except those acceptable to the City.
- Value of Land shall be equal to 150% of the amount being secured by such land.
- Land is only accepted for use as the BALANCE portion of security.
- Value of “land” shall be calculated as per the appraised value of the property under consideration as determined by the City.
- An appraisal of the Land held as security will be completed by the City every two (s) years from the date of the previous appraisal.

4.3.1.4 Combinations (the following conditions apply when combining forms of security):

- The total security requirements may be comprised of a combination of acceptable forms of security as outlined in Section 4.4.1.1 to 4.4.1.3.

4.3.1.5 Alternative Arrangements

- Alternative security arrangements may be considered at the discretion of the Approval Authority on a case by case basis to be captured in the Development Agreement.

4.3.2 Security Reduction

4.3.2.1 General

- Security may be reduced, at the discretion of the City, from time to time based on an estimated value of the works and services completed as certified by the Owner’s Professional Engineer in the form as shown in Appendix “C” & “F” respectively, to the satisfaction of the City.
- The City reserves the right to reject or modify any security reduction request to ensure that sufficient security has been retained.
- The City reserves the right to add items at any time to the security reduction calculation related to items of non-compliance.
- The final release of security shall be subject to the submission of all certifications, as-constructed drawings and the fulfilment of all requirements of an Agreement between the Owner and the City, to the satisfaction of the City.

4.3.2.2 Order of Release

- Instruments of security will be reduced (and released) in the following order:
 - 1) Land
 - 2) Letter of Credit
 - 3) Cash
- Security is reduced (and released) in the following order (Subdivisions, Site Alterations & Consents only):
 - 1) “BALANCE” Portion
 - 2) “CASH” Portion

4.3.2.3 Requirements

The following will be required prior to any consideration for the reduction or release of securities:

- A completed Appendix “C” or “F” (depending on the type of agreement) Security Reduction form completed by the Owners Professional Engineer;
- A determination by the City that the Owner has to date, complied with all provisions of the relevant Agreement;

4.3.3 Reduction Milestones & Timing (Subdivisions only)

The following highlights the expectations and requirements for the reduction of security at the various milestones of the subdivision development process:

4.3.3.1 Conditional Approval

- The Owner is permitted to apply for a reduction in security otherwise required as per Schedule “E” of the Subdivision Agreement prior to Conditional Approval as a significant value of the works and services (underground works) have been completed subject to the satisfaction of the City.
- Applicable holdbacks are applied to all works and services completed by the Owner (Construction Lien Act, Maintenance Holdback, End of Warranty Holdback).
- Release of the Construction Lien Act Holdback for applicable completed works may be considered upon submission of proof of advertising and expiration of the mandatory holdback period all in accordance with the Construction Lien Act.

4.3.3.2 Interim Reduction(s) in Security

- An interim reduction in security will be considered as any reduction in securities occurring in the period after Conditional Approval and prior to Assumption based on the progress of the work completed.
- Interim reductions in security will be considered once per calendar year at the request of the Owner (and their Professional Engineer), except as agreed to by the City.
- Interim reductions will only be processed after the City has confirmed compliance with the relevant Agreement, including any timed requirements.
- Reductions estimated to be less than \$25,000 will not be processed, except as agreed to by the City.
- Release of the Construction Lien Act Holdback may be considered upon submission of proof of advertising and expiration of the mandatory holdback period in accordance with the Construction Lien Act.

4.3.3.3 Assumption

- A security reduction at “Assumption” will only be processed after an assumption by-law has been passed by City Council.
- In the event that a subdivision is assumed in stages, a percentage of the works & services assumed will be calculated based on the value of the works and services to be assumed and the total value of works and services.
- The reduction of securities at “Assumption” may include:
 - Release of the Construction Lien Act Holdback;
 - Release of the “Maintenance Holdback”;
 - Release of the “Erosion and Sediment Control Measures” security;

4.3.3.4 End of Warranty

- A security reduction at “End of warranty” will only be processed after all outstanding deficiencies have been corrected and all requirements of the Subdivision Agreement have been met and upon receipt of an “End of Warranty” certificate.
- In the event that portions of a subdivision achieve end of warranty in stages, a percentage of the works & services which have cleared end of warranty will be calculated based on the value of the works and services which have cleared end of warranty and the total value of works and services.
- The reduction of securities at End of Warranty may include:
 - Release of Tree Planting security;
 - Release of the End of Warranty Holdback;

4.3.4 Reduction Milestones and Timing (Development Agreements Only)

The following highlights the expectations and requirements for the reduction of security at the various milestones of the development agreement process. It should be noted that reductions will not be considered until at least 50% of the agreed upon works have been completed to the satisfaction of the City of London. Additionally, an alternative schedule for security reductions may be used at the discretion of the City if the minimum holdback is deemed insufficient based on the size and/or complexity of the development.

Initial Reduction: Following the adequate completion of at least 50% of the agreed upon works, the Owner may apply for a first security reduction to the value of estimated outstanding works or the minimum holdback, whichever is greater

Midpoint Reduction: Following the adequate completion of at least 75% of the agreed upon works, the Owner may apply for a midpoint security reduction to either the estimated value of outstanding work or the minimum holdback, whichever is greater

Final Reduction: Upon final completion of all works to the satisfaction of the City of London the minimum holdback of 15% of the total estimated works or \$15000, whichever is greater, will be released.

4.3.5 Work on behalf of the Owner – Subdivisions & Site Alterations

The City may, at its option, undertake any work and/or service including maintenance or remedy any defective work on behalf of an Owner when the Owner has failed to complete such work as required as part of a Subdivision or Site Alteration Agreement. The City at its option may use the security provided under a Subdivision or Site Alteration Agreement to recover any and all costs incurred by the City in relation to the completion of the work. The value of security to be used by the City will be determined based on the total costs incurred by the City in relation to the completion of work on behalf of the Owner. The total costs will include all labour and materials costs (City and contracted forces), taxes, permitting fees and administrative costs as applicable.

The undertaking of work by City forces and the recovery of costs through the use of an Owner’s securities in accordance with this policy shall not be considered by the City as a final default as defined within the Subdivision Agreement. However, the City reserves its right to deem any breach of any covenant, term, condition or requirement of the Subdivision Agreement as a default of said agreement as defined therein.

If the Owner’s security is used by the City as noted herein, the Owner may be required to provide the City with additional security if deemed necessary by the City.

4.3.5.1 Urgent Deficiency

The following is the process the City shall use to have any works completed in the event that the Owner has not taken measures to correct, repair or complete works considered as an “Urgent Deficiency” (as described in Chapter 1):

- 1) An “urgent deficiency” is brought to the attention of the City;
- 2) The City will provide immediate notification via telephone, fax or email to the Owner requesting to have the works and services completed or repaired.
- 3) The Owner will be required to provide a response, within 24 hours of notification, identifying when the works and services shall be completed or repaired;
- 4) If a response has not been received by the City from the Owner with an anticipated schedule to complete the work within 24 hours and the work has not been completed in an acceptable timeframe thereafter, the City will immediately schedule the work to be completed by the City with no further notice to the Owner;
- 5) Upon completion of the work by the City, the Owner will be invoiced for the total cost incurred by the City to complete the work;
- 6) If payment by the Owner remains outstanding for a period greater than 30 days, the City will draw upon the security provided in relation to the Subdivision Agreement with no further notice to the Owner;

4.3.5.2 Other Deficiencies

The following is the process the City shall use to have any works completed in the event that the Owner has not taken measures to correct, repair or complete works considered as “Other Deficiencies” (as described in Chapter 1):

- 1) A deficiency which does not fit the definition provided for an “urgent deficiency” is brought to the attention of the City;
- 2) The City will provide notification via telephone, fax, email or registered mail to the Owner requesting to have the works and services completed or repaired. The letter shall request that the Owner complete the work to the satisfaction of the City within a timeframe as specified by the City;
- 3) If the work has not been completed in the specified timeframe, the City will immediately schedule the work to be completed by the City with no further notice to the Owner;
- 4) Upon completion of the work by the City, the Owner will be invoiced for the total costs incurred by the City to complete the work;
- 5) If payment by the Owner remains outstanding for a period greater than 30 days, the City will draw upon the security provided in relation to the Subdivision Agreement with no further notice to the Owner to recover costs associated with this work;

4.3.6 Work on behalf of the Owner – Development Agreements (Site Plans, Condominiums, Consents)

The City may, at its option, undertake any work and/or service including maintenance or remedy any defective work on behalf of an Owner when the Owner has failed to complete such work as required as part of a Development Agreement, Condominium Agreement or Consent Agreement and shall follow the process to undertake this work as outlined in the Development Agreement, Condominium Agreement or Consent Agreement.

4.3.7 Long-Held Security

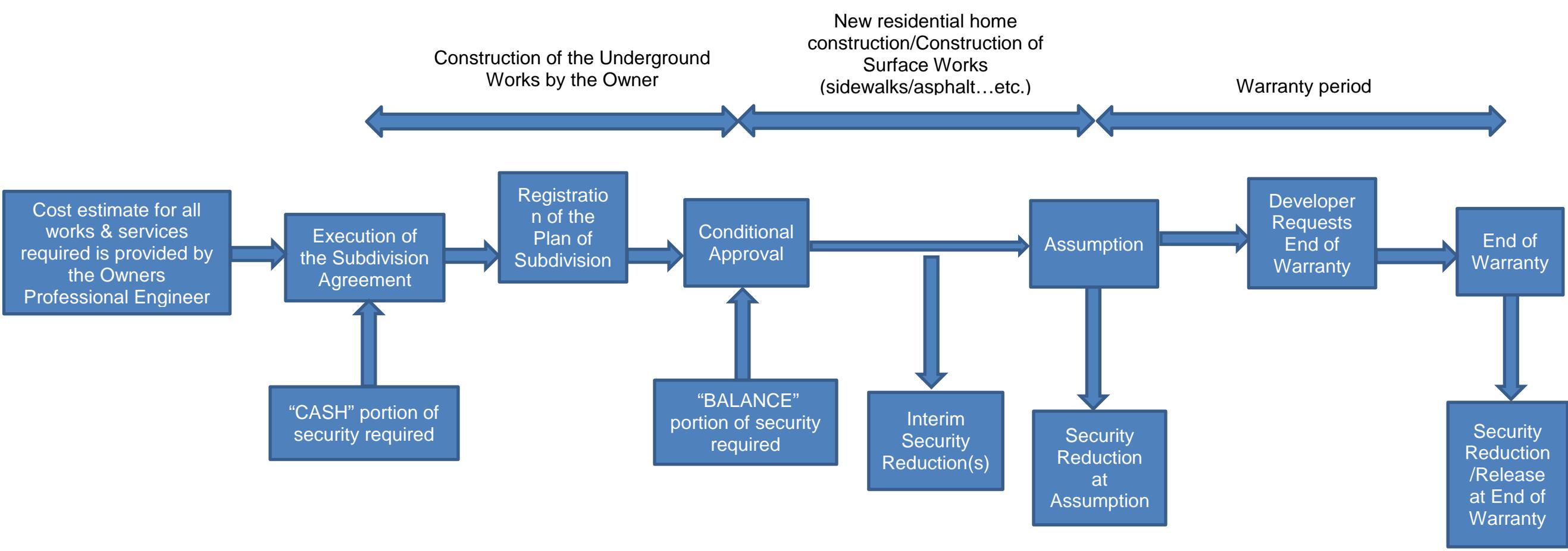
In the event an Owner has deposited security with the City and the security is still

available to the City after seven (7) years of receipt of such security, with no activity (correspondence...etc.) related to the development within the preceding two (2) years, the City may at its option, follow the below procedure for clearing such security:

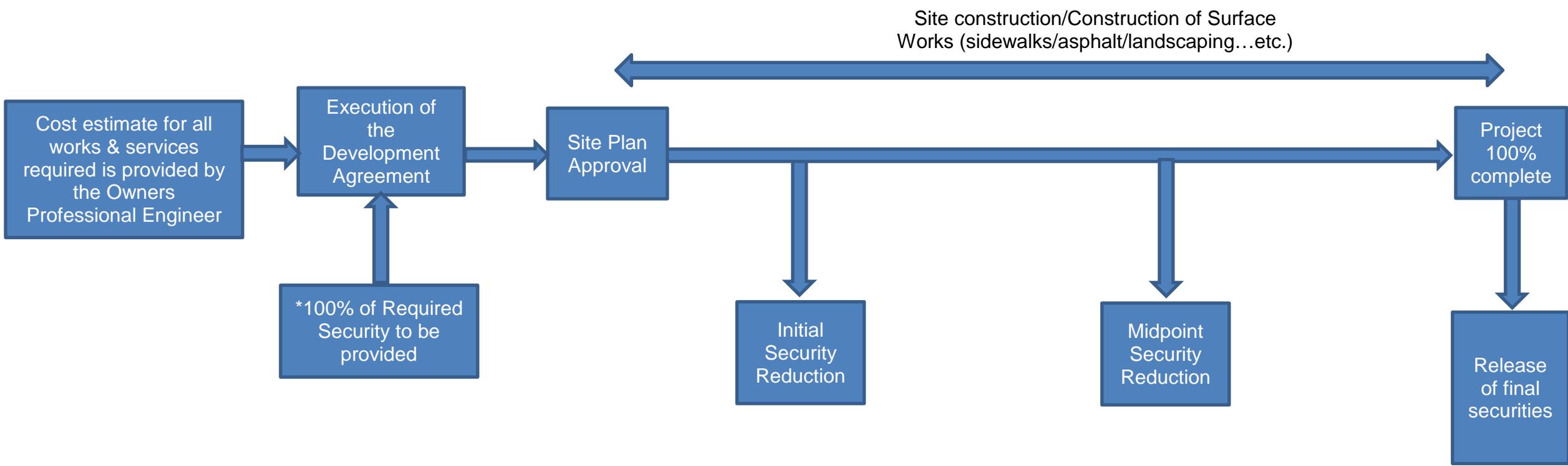
- 1) The City will review the applicable agreement to determine the need to retain the security in question;
- 2) The City shall provide notification to the Owner advising that the City is still holding security related to a development and advising the Owner of the requirements which would be required to be satisfied prior to release of securities. The letter shall request that the Owner provide acknowledgement within 60 days of said notification;
- 3) If the Owner acknowledges the letter in (4.6(2)) and provides sufficient information indicating steps to be taken by the Owner to satisfy the remaining requirements of the relevant agreement, then no further action will be taken;
- 4) If no acknowledgement is received within the 60 days specified, the City will provide notice in a local weekly newspaper (i.e. "The Londoner") identifying that security is still being held with respect to the development and indicating for parties with an interest in such security to contact the City as appropriate to arrange for the release of security subject to the completion of any outstanding obligations of the relevant agreement, to the satisfaction of the City. A date will be provided in the advertisement by which to contact the City.
- 5) If left unclaimed, the security will be drawn and deposited into a designated City account and the Owner shall be deemed to forfeit any further right to release of such security.

Appendix - A

Subdivision & Development Agreement Process Flow Charts



SUBDIVISION SECURITY
PROCESS FLOW CHART



**The timing of the deposit of security for development agreements shall be as per Chapter 2 – Development Agreements*

DEVELOPMENT AGREEMENT
SECURITY PROCESS FLOW
CHART



Appendix - B

Subdivision Security Calculation



SUBDIVISION SECURITY CALCULATION

Subdivision Name:
33M#:
Developer:
No. of Lots:

Date of Plan Registration:
Date:
Reduction #:
No. of Blocks:

SECTION 1		COST ESTIMATE	
ITEM #	ITEM	TOTAL COST OF WORK	NOTES
Works & Services			
1	Street "A"	\$0	
2	Street "B"	\$0	
3	Street "C"	\$0	
4	Street "D"	\$0	
5	Parkland & Open Space	\$0	
6	Noise Attenuation	\$0	
7	External Road Works	\$0	
8	Other:	\$0	
9	Other:	\$0	
10	Other:	\$0	
11	<i>SUBTOTAL - Works & Services</i>	<i>\$0</i>	
12	Contingency (5%)	\$0	
13	Engineering (10%)	\$0	
14	HST (13%) on Lines 11-13	\$0	
15	<i>TOTAL - Works & Services</i>	<i>\$0</i>	
Miscellaneous Items			
16	Tree Planting	\$0	
17	Temporary Turning Circle Removal	\$0	
18	SWM Maintenance & Monitoring	\$0	
19	Erosion and Sediment Control Measures	\$0	
20	Other:	\$0	
21	<i>TOTAL - Miscellaneous Items</i>	<i>\$0</i>	

SECTION 2		SECURITY REQUIREMENTS
1	Works & Services	\$0
2	Miscellaneous Items	\$0
3	TOTAL SECURITY REQUIRED:	\$0

SECTION 3		SECURITY CALCULATION
CASH Calculation:		
<i>(Provided prior to execution of the subdivision agreement)</i>		15% of Total SECURITY REQUIRED: \$0
TOTAL CASH:		\$0
BALANCE Calculation:		
<i>(Provided prior to issuance by the City of a "Certificate of Conditional Approval")</i>		100% of Total Security Required: \$0
		(Less) CASH Portion: \$0
TOTAL BALANCE:		\$0

APPENDIX – C

Subdivision Security Reduction Calculation



SUBDIVISION SECURITY REDUCTION CALCULATION

Subdivision Name:
33M#:
Developer:
No. of Lots:

Date of Plan Registration:
Date:
Reduction #:
No. of Blocks:

SECTION 1 COST ESTIMATE - TRACKING SUMMARY						
ITEM #	ITEM	TOTAL COST OF WORK	VALUE OF WORK COMPLETED TO DATE	VALUE OF WORK REMAINING	PERCENTAGE COMPLETED TO DATE	NOTES
Works & Services						
1	Street "A"	\$0	\$0	\$0	0%	
2	Street "B"	\$0	\$0	\$0	0%	
3	Street "C"	\$0	\$0	\$0	0%	
4	Street "D"	\$0	\$0	\$0	0%	
5	Parkland	\$0	\$0	\$0	0%	
6	Noise Attenuation	\$0	\$0	\$0	0%	
7	External Road Works	\$0	\$0	\$0	0%	
8	Other:	\$0	\$0	\$0	0%	
9	Other:	\$0	\$0	\$0	0%	
10	Other:	\$0	\$0	\$0	0%	
	SUBTOTAL - Works & Services	\$0	\$0	\$0	0%	
12	Contingency (5%)	\$0	\$0	\$0	0%	
13	Engineering (10%)	\$0	\$0	\$0	0%	
14	HST (13%) on Lines 11-13	\$0	\$0	\$0	0%	
	TOTAL-Works & Services	\$0	\$0	\$0	0%	
Miscellaneous Items						
16	Tree Planting	\$0	\$0	\$0	0%	
17	Temporary Turning Circle Removal	\$0	\$0	\$0	0%	
18	SWM Maintenance & Monitoring	\$0	\$0	\$0	0%	
19	Erosion and Sediment Control Measures	\$0	\$0	\$0	0%	
20	Other:	\$0	\$0	\$0	0%	
	TOTAL - Miscellaneous Items	\$0	\$0	\$0	0%	

SECTION 2 SECURITY REQUIREMENTS			
1	Works & Services	<i>(Value of Work Remaining - Section 1 - Line 15)</i>	\$0
2	Miscellaneous Items	<i>(Value of Work Remaining - Section 1 - Line 21)</i>	\$0
3	Adjustment for Inflation		\$0
4	Construction Lien Act Holdback	Advertised:	\$0
		Un-Advertised:	\$0
5	Maintenance Holdback <i>(5% of Works & Services completed to date)</i>	Percentage of Work Assumed:	0%
6	End of Warranty Holdback <i>(2.5% of Works & Services completed to date)</i>	Percentage of Work Out of Warranty:	0%
7	TOTAL SECURITY REQUIRED:		\$0

SECTION 3 SECURITY REDUCTION SUMMARY		
1	CASH :	\$0
2		
3	BALANCE :	\$0
		TOTAL SECURITY HELD:
		\$0
		TOTAL SECURITY REQUIRED:
		\$0
		TOTAL REDUCTION:
		\$0

APPENDIX – D

Example Letter of Credit

IRREVOCABLE AND UNCONDITIONAL LETTER OF CREDIT

TO: The Corporation of the City of London (DATE)
P.O. Box 5035
London, ON N6A 4L9

Pursuant to the request of our customer (**name of Subdivider/Developer**) we the undersigned (**name of Financial Institution**) hereby establish unconditionally an irrevocable line of credit in your favour in the total amount of (**amount of Security**) which may be drawn on by you to the extent required in connection with every term and condition of the (**type of Agreement: Subdivision/Development**) Agreement with you dated (**Date**) and registered (**Date**) as Number (**Registration Number**) pertaining to [**For Subdivision Insert: Registered Plan (Plan Number)**], otherwise called (**Subdivision Name**)/(for Development insert type and municipal address of Development).

The amount of this credit may be reduced from time to time as advised by notice in writing given by you to the undersigned. It is understood that this obligation is between (**Name of Financial Institution**) and the Corporation of the City of London and any such notice shall not be used for any other purpose than set forth herein.

Drawings under this letter of credit shall be in the form of a written demand for payment made by the Corporation of the City of London. We shall pay to you the amount stated in the said demand, to be payable to you by way of our draft, without enquiring whether you have a right to such amount as between yourself and our customer, provided that such amount, together with other amounts paid to you under this letter of credit, if any, does not exceed in the aggregate that total amount of this letter of credit, reduced if at all in accordance with your written notice referred to above.

This letter of credit shall continue up to (**Expiry Date**) and will expire on that date and you may call for payment of the full amount outstanding under this letter of credit at any time prior to that date. This letter of credit and every extension thereof shall be deemed to be automatically extended without amendment to such expiry date or any future expiration date, unless at least 60 days prior to any expiration date that we notify you in writing by registered mail that we elect not to extend this Irrevocable and Unconditional Letter of Credit or any extension thereof after it expires. Upon receipt by you of such notice, you may draw hereunder by means of your demand accompanied by your written certification that the amounts drawn will be retained and used by you to meet obligations incurred or to be incurred in connection with the matter referred to in the first paragraph above; further, that you will release any amount not required by you.

Except so far as otherwise expressly stated, this credit is subject to the Uniform Customs and Practice for Documentary Credits (1993 Revision), International Chamber of Commerce, Publication No. 500.

FOR: (FINANCIAL INSTITUTION)
(Authorized Signatures)

APPENDIX – E

Development Agreement Security Calculation



DEVELOPMENT AGREEMENT SECURITY CALCULATION

Development Address:

Date:

Agreement No.:

Developer:

SECTION 1		COST ESTIMATE - TRACKING SUMMARY	
ITEM #	ITEM	TOTAL COST OF WORK	NOTES
INTERNAL WORKS			
<i>Works & Services</i>			
1	Curbs	\$0	
2	Surface Asphalt	\$0	
3	Base Asphalt	\$0	
4	Sidewalks	\$0	
5	Topsoil & Sod	\$0	
6	Illumination	\$0	
7	Signage	\$0	
8	Landscaping	\$0	
9	Other:	\$0	
10	SUBTOTAL - Works & Services	\$0	
11	Contingency (5%)	\$0	
12	Engineering (10%)	\$0	
13	HST (13%) on Lines 10-12	\$0	
14	TOTAL - Works & Services	\$0	
<i>Miscellaneous Items</i>			
15	Tree Preservation	\$0	
16	Other:	\$0	
17	TOTAL - Miscellaneous Items	\$0	
18	TOTAL - Internal Works	\$0	
<i>External Works</i>			
19	External Road Works	\$0	
20	Other:	\$0	
21	SUBTOTAL - External Works	\$0	
22	Contingency (5%)	\$0	
23	Engineering (10%)	\$0	
24	HST (13%) on Lines 21-23	\$0	
25	TOTAL - External Works	0.00	
SECTION 2		SECURITY REQUIREMENTS	
1	Internal Works	\$0	
2	External Works	\$0	
3	TOTAL SECURITY REQUIRED:	\$0	



DEVELOPMENT AGREEMENT SECURITY REDUCTION CALCULATION

Development Address:
Agreement No.:
Developer:

Date:
Reduction No.:

SECTION 1 COST ESTIMATE - TRACKING SUMMARY						
ITEM #	ITEM	TOTAL COST OF WORK	VALUE OF WORK COMPLETED TO DATE	VALUE OF WORK REMAINING	PERCENTAGE COMPLETED TO DATE	NOTES
Works & Services						
1	Curbs	\$0	\$0	\$0	0%	
2	Surface Asphalt	\$0	\$0	\$0	0%	
3	Base Asphalt	\$0	\$0	\$0	0%	
4	Sidewalks	\$0	\$0	\$0	0%	
5	Topsoil & Sod	\$0	\$0	\$0	0%	
6	Illumination	\$0	\$0	\$0	0%	
7	Signage	\$0	\$0	\$0	0%	
8	Landscaping	\$0	\$0	\$0	0%	
9	External Road Works	\$0	\$0	\$0	0%	
10	Other:	\$0	\$0	\$0	0%	
11	SUBTOTAL - Works & Services	\$0	\$0	\$0	0%	
12	Contingency (5%)	\$0	\$0	\$0	0%	
13	Engineering (10%)	\$0	\$0	\$0	0%	
14	HST (13%) on Lines 7-9	\$0	\$0	\$0	0%	
15	TOTAL-Works & Services	\$0	\$0	\$0	0%	
Miscellaneous Items						
16	Tree Preservation	\$0	\$0	\$0	0%	
17	Other:	\$0	\$0	\$0	0%	
18	TOTAL - Miscellaneous Items	\$0	\$0	\$0	0%	

SECTION 2 SECURITY REQUIREMENTS			
1	Works & Services	(Value of Work Remaining - Section 1 - Line 15)	\$0
2	Miscellaneous Items	(Value of Work Remaining - Section 1 - Line 19)	\$0
3	Adjustment for Inflation		\$0
4	TOTAL SECURITY REQUIRED:		\$0

SECTION 3 SECURITY REDUCTION SUMMARY		
1		
2	(insert financial information here i.e. CASH, Letter of Credit#...etc)	\$0
3		
		TOTAL SECURITY HELD: \$0
		TOTAL SECURITY REQUIRED: \$0
		TOTAL REDUCTION: \$0

APPENDIX B6

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-164-416
being "Assumption of Works and Services".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-164-416 being "Assumption of Works and Services" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-164-416 being "Assumption of Works and Services" is hereby amended by deleting Appendix 'C(83)' to CPOL.-164-416 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Assumption of Works and Services

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-164-416)

Last Review Date: June 11, 2018

Service Area Lead: Director, Development Services

1. Policy Statement

The Assumption of Works and Services Policy is intended to outline the formal assumption of works and services by the City of London.

2. Definitions

Not applicable.

3. Applicability

This policy applies to all works and services that are assumed by the City from land developers.

4. The Policy

By-laws to assume works and services in part, or all, of a subdivision will be included on the Orders of the Day upon receipt of advice from the City Engineer that the works and services have been completed to the City's specifications.

APPENDIX B7

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-169-421
being "Street Cleaning in Unassumed Subdivisions".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-169-421 being "Street Cleaning in Unassumed Subdivisions" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-169-421 being "Street Cleaning in Unassumed Subdivisions" is hereby amended by deleting Appendix 'C(88)' to CPOL.-169-421 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Street Cleaning in Unassumed Subdivisions

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-169-421)

Last Review Date: June 11, 2018

Service Area Lead: Director, Development Services

1. Policy Statement

The Street Cleaning in Unassumed Subdivisions Policy is intended to provide direction in circumstances that street cleaning is required by the City of London to address dirty conditions and situations whereby a developer fails to respond to a direction from the City.

2. Definitions

Not applicable.

3. Applicability

This policy applies to subdivision land developers for the period until streets are assumed by the City.

4. The Policy

That following matters shall apply to the cleaning of streets in unassumed subdivisions:

- a) when the City Engineer or designate believes that dirty street conditions in unassumed subdivisions require such streets to be cleaned by the developer involved, the City Engineer or designate will first contact the responsible developer and ask for their co-operation in remedying the conditions;
- b) where developers fail to respond in a timely manner and the unacceptable conditions persist, the City Engineer or designate be authorized to clean the dirty streets without further notice to the developer and to bill them for the costs of cleaning on the understanding that if the invoice is not paid, City held securities will be applied to pay the invoice;
- c) the City Engineer or designate be directed to notify developers in the City of London, in writing, about the policy set out herein before it is implemented.

APPENDIX B8

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-171-423 being "Third Party Billing – City of London Contracts".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-171-423 being "Third Party Billing – City of London Contracts" to for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-171-423 being "Third Party Billing – City of London Contracts" is hereby amended by deleting Appendix 'C(90)' to CPOL.-171-423 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Third Party Billing – City of London Contracts

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-171-423)

Last Review Date: June 11, 2018

Service Area Lead: Director, Development Services

1. Policy Statement

The Third Party Billing – City of London Contracts Policy is intended to clarify that the City of London will not be responsible for the payment of accounts for third parties performing work for an entity or individual under contract with the City.

2. Definitions

Not applicable.

3. Applicability

This policy applies to third parties performing work for an entity or individual under contract with the City and to the contractor.

4. The Policy

When third parties are having work performed under City of London contracts, including all tenant upgrades for third parties, the contractor will be instructed to bill any such third parties directly rather than having the City pay the accounts and then recover the amounts paid from the third party.

APPENDIX B9

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-223-475 being “Residential Front Yard and Boulevard Parking”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-223-475 being “Residential Front Yard and Boulevard Parking” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-223-475 being “Residential Front Yard and Boulevard Parking” is hereby amended by deleting Appendix ‘C(32)’ to CPOL.-223-475 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Residential Front Yard and Boulevard Parking

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-223-475)

Last Review Date: June 11, 2018

Service Area Lead: Director, Development Services

1. Policy Statement

The Residential Front Yard and Boulevard Parking Policy sets out Council's position with respect to the creation of Front Yard and Boulevard Parking in the City. These two types of parking are allowed by the City only on an "exception basis", and this policy includes criteria for consideration of such exceptions, standards relating to these types of parking, an approval process, a standard form agreement and an enforcement process.

Zoning or Minor Variance Exception

Front yard portions of private land may be used for parking areas according to the regulations and standards set out in the City of London Comprehensive Zoning By-law(s) or as a result of an approved minor variance.

Combined Zoning/Minor Variance and Boulevard Parking Agreement Exception

When a situation exists where the proposed parking area is partly on the owner's land and partly on the boulevard portion of the public highway, the owner must obtain both a minor variance and a boulevard parking agreement. In these cases if the Committee of Adjustment grants the minor variance it will contain a condition requiring the owner to enter into the boulevard parking agreement without a separate approval for it being required from the Council.

Boulevard Parking Agreement Exception

Boulevard portions of public highways may be used for parking areas with the approval of Council and in accordance with terms and conditions set out in an agreement that is entered into between the City and the owner of the property adjoining the boulevard part of the highway/street.

The Corporation of the City of London generally prohibits the use of the front yard or of the boulevard for the parking of motor vehicles in single detached, semi-detached, duplex, triplex or street townhouse residential areas. Exceptions to this policy may only be granted where the applicant has obtained approval for a minor variance from the Committee of Adjustment or for use of the boulevard from Council, and where such parking complies with the policies outlined herein.

2. Definitions

- 2.1. **Boulevard** - shall mean that portion of every road allowance within the limits of the City of London that is not used as a sidewalk, driveway, travelled roadway or shoulder.
- 2.2. **City** - shall mean the geographical area of the City of London.
- 2.3. **Corporation** - shall mean The Corporation of the City of London.
- 2.4. **Council** - shall mean the Municipal Council of the City of London.
- 2.5. **Driveway** - shall mean the physically designated area lying between the roadway and the lot line on the boulevard and between the lot line and the parking area on the lot used primarily for vehicular ingress from the roadway to the private property or for vehicular egress from the property to the roadway.

- 2.6. **Front Yard** - shall mean those lands extending across the full width of a lot between the front lot line and the nearest main wall of any building or structure on the lot.
- 2.7. **Owner** - shall mean any property owner or their authorized agent who applies to the Corporation for permission to park on a portion of the Corporation's boulevard.
- 2.8. **Parking Area** - shall mean that area which, in whole or part uses the front yard and/or boulevard for the temporary parking of motor vehicles accessory to a permitted use.
- 2.9. **Roadway** - shall mean the part of a highway that is improved, designated or ordinarily used for vehicular traffic, but does not include the shoulder, and where a highway includes two or more separate roadways, the term "Roadway" refers to any one road way separately and not to all the roadways collectively.

3. Applicability

This policy applies to Owners seeking an opportunity to park on a portion of the Corporation's Boulevard.

4. The Policy

4.1. GENERAL

The following provides for the transitional provisions from the existing boulevard parking agreements to new ones where a "grandfathering" option is chosen by the property owners:

- a) property owners with residential boulevard parking agreements be required to pay any outstanding rental charges for existing residential boulevard parking up to December 31, 1995 on the understanding that rental charges remitted to the City by that date will make those owners eligible for the "grandfathering" of existing residential boulevard parking agreements; and
- b) eligible property owners with existing residential boulevard parking agreements wishing to "grandfather" such parking arrangements in order to allow them to be continued, be required to enter into a revised Standard Form Boulevard Parking Agreement on the understanding that the by-law authorizing the execution of these revised agreements will be registered by the City Clerk on the title of the abutting property at the expense of the owner involved as regards the payment of the \$50.00 registration fee.

4.2. CRITERIA FOR CONSIDERATION OF EXCEPTIONS

4.2.1. Suitable Alternatives

The approval of front yard or boulevard parking will not be supported by Council where a suitable alternative exists for parking entirely on the owner's property, as described in one or more of the following situations:

- a) Tandem parking is available in a legal existing driveway when the land use is single detached dwellings;
- b) The use of rear service lanes is possible where such lanes are accessible and in use by more than one property owner;
- c) The removal of, alteration to or relocation of accessory buildings or structures, fences and landscaping will result in the accommodation of parking entirely on the owner's property; and/or

- d) The side and/or rear yard of the lot can be used for a parking area, provided such parking area does not occupy more than 25% of the total lot area.

4.2.2. Criteria for Approval of an Exception

The approval of a front yard or boulevard parking exception may be supported by Council where the application for an exception meets the following criteria:

- a) None of the parking area alternatives described in Section 3.1 of this policy are available;
- b) The parking area exception conforms to the general intent and purpose of the Official Plan policies and Zoning By-law regulations;
- c) The parking area exception is generally in compliance with the purpose and intent of the Streets By-law;
- d) The change to the Zoning By-law regulations for the residential parking area is minor;
- e) The parking area is generally in keeping with the scale and form of parking on surrounding properties and will have minimal negative impact on existing vegetation and/or municipal services.

4.2.3. Front Yard and Boulevard Parking Standards

The following minimum and maximum standards apply to parking area exceptions. They are intended to generally reflect the standards currently found in the Zoning By-law as they apply to parking areas for single, semi-detached, duplex, converted two (2) unit type dwellings.

No parking area will be approved which conflicts with any by-laws or regulations of the City of London.

- a) Number of Boulevard Parking Spaces (max.) - 1 per legal dwelling unit
- b) Parking Area size (min.) - 2.7 meters (8.8 feet) wide by 5.5 meters (18.0 feet) long.
- c) Parking Area and Driveway Width (max.) - maximum 6.0 m. (19.7 feet) or 40% of the front lot line whichever is less but in no case less than 2.7 meters (8.8 feet).
- d) Parking Area Lot Coverage (max.) - 40% of the land area between the front of the main building and the roadway.
- e) The Parking Area length shall not be permitted parallel to the street line.
- f) The Parking Area shall not be permitted closer than 1.0 m. (3.0 feet) from an existing or future public sidewalk.
- g) In the case of corner properties, where a driveway would be constructed within 10 meters (30 feet) from the intersecting road allowance, approval for permission will be at the discretion of the City Engineer subject to the provisions of the Streets By-law (By-law S-1).
- h) All parking areas and driveways shall be provided and maintained with a stable surface, treated to prevent the raising of dust or loose particles, such as any asphalt, concrete or other hard-surfaced material.

- i) The Corporation reserves the right to require landscaping, fencing and buffering on and around the parking area and/or to require the preparation by the owner of a site plan for the parking area.

4.3. EXCEPTION POSSIBILITIES

- 4.3.1. Where the parking area is entirely in the front yard of private lands, an application to the Committee of Adjustment for a minor variance to the Zoning By-law is required. No Boulevard Parking Agreement is required for part of a driveway leading to a legal on-site parking space.
- 4.3.2. When any part of the parking area can be accommodated on private lands, this too requires an application to the Committee of Adjustment for a minor variance to the applicable Zoning By-law. In addition, as a condition of minor variance approval, the owner must enter into a Standard Form Boulevard Parking Agreement with the Corporation. The final approval of the minor variance will allow the City Clerk to prepare an agreement between the Corporation and the applicant without further approvals.
- 4.3.3. Where the parking area can only be accommodated entirely on the public boulevard, an application to the Planning and Environment Committee of the Council, through the City Clerk's Office for boulevard parking is required. Development Services will prepare and present a report to the Planning and Environment Committee at a public meeting. The Planning and Environment Committee will then recommend approval or refusal of the application to the Council, and the Council will make the final decision.

4.4. PROCESS FOR CONSIDERATION OF EXCEPTIONS TO FRONT YARD AND BOULEVARD PARKING

The decision to grant front yard and/or boulevard parking is based on a process which includes comments from the applicant, municipal staff, neighbouring property owners, and the public. This approach recognizes the standards set out in Section 2 of this policy and the possibility of unique neighbourhood expectations about the parking area.

- 4.4.1. The application fees for both a minor variance and a boulevard parking agreement are set in the Fees and Charges By-law, as amended from time to time. All application fees are non-refundable. Where the exception involves a boulevard parking agreement, the applicant must also provide the City Clerk with a cheque in the required amount made payable to the City Treasurer to cover the costs for the registration of the agreement on title through a by-law instrument.
- 4.4.2. Any application for front yard and boulevard parking must include a plan prepared to scale showing the location of the buildings, trees, public utilities, landscaping, adjoining properties and building locations where possible and the dimensions of the proposed parking area. This plan must be suitable for inclusion in the Standard Form Boulevard Parking Agreement to be entered into between the owner and the Corporation. It is strongly recommended that the plan be based on a survey drawing of the property because it is the responsibility of the owner to ensure that there are no encroachments onto adjacent properties.
- 4.4.3. Applications that are going to the Committee of Adjustment because they require a minor variance will be circulated by the Secretary-Treasurer of the said Committee in accordance with the Regulations under the *Planning Act* (to various Civic Departments, outside agencies and to all property owners within 60 meters (200 feet) of the applicant's property). Applications that are going to a public participation meeting of the Planning and Environment Committee because a boulevard parking agreement is required will also be

circulated to all property owners within 60 meters (200 feet) of the applicant's property and to the Environmental and Engineering Services, and Development Services.

4.4.4. A public meeting of either the Committee of Adjustment or of the Planning and Environment Committee is normally held within 30 days of the application being received, at which the applicant and any interested surrounding property owners would be invited to comment on the appropriateness and desirability of the front yard or boulevard parking application.

4.4.5. For minor variance exceptions to front yard parking, the decision of the Committee of Adjustment may be appealed to the Ontario Municipal Board. For boulevard parking exception applications, the decision of Council is final and binding.

4.5. BOULEVARD PARKING AGREEMENT

4.5.1. The conditions of agreement will be those contained in the Standard Form Boulevard Parking Agreement adopted by City Council as amended from time to time.

4.5.2. When the Boulevard Parking Agreement has been fully executed by the applicant, the City Clerk will prepare and submit to the Council a standard form executory by-law to authorize the execution of the Boulevard Parking Agreement by the Corporation. Upon enactment of the by-law by the Council, the Corporation will sign the Agreement after which, and subject to

- a) the receipt from the applicant by the City Clerk of the registration fee referred to in section 4.1 of this Policy; and
- b) written advice from Development Services that it is appropriate to proceed

the City Clerk will register the Boulevard Parking By-law and Agreement on the title of the property. The City Clerk will provide the applicant with a copy of the registered by-law/agreement showing all the registration particulars.

4.5.3. Boulevard Parking Agreements will be without a term certain and will run with the land upon which they are registered provided the parties to the agreement are in accord, and all of the conditions of Corporation as set out in the agreement have been and are being complied with to the satisfaction of the City Engineer.

4.6. CONSTRUCTION OF THE PARKING AREA

4.6.1. The removal of a City curb is to be done by City Forces at the owner's expense after a curb cut permit is obtained from the City Engineer. Paving, removal of trees and relocation of utilities, or any other construction work is to be arranged by the owner through the affected City Department, utility or agency, at the owner's expense, on the understanding that the approval of the City Engineer must be obtained before commencement of any construction work that is required.

4.6.2. In the event that trees or utilities must be removed or relocated, written approval must be obtained by the owner from the appropriate authority before the application will be processed.

4.7. FRONT YARD AND BOULEVARD PARKING ENFORCEMENT

4.7.1. Parking on the boulevard or in the front yard shall not begin:

- a) in the case of parking under a boulevard parking agreement, until the City Clerk has completed registration of the by-law/boulevard parking agreement instrument in the Registry Office, or
 - b) in the case of parking under a minor variance, until the decision of the Committee of Adjustment (or of the Ontario Municipal Board where there is an appeal) is final.
- 4.7.2. Violations of any of the provisions in the Zoning By-law, the Traffic By-law or the Streets By-law with respect to front yard and boulevard parking shall be enforced at the discretion of the municipal enforcement agencies.
- 4.7.3. In situations where a decision is reached not to approve front yard or boulevard parking, the City Engineer may close illegal accesses with proper curbing and restore the appearance of the area as a proper boulevard at the expense of the offending property owner.
- 4.7.4. Where no boulevard parking agreement has been finalized on the basis outlined in paragraph 4.5.2 of this policy, the Corporation reserves the right to erect, temporarily, any obstacles necessary to prevent the use of the boulevard for parking, and, at the same time, the City Clerk may recommend to the Planning and Environment Committee that the original approval for such owner's agreement to park on the boulevard be rescinded.

APPENDIX B10

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-215-467
being “Commemorative Street Naming Policy”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-215-467 being “Commemorative Street Naming Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-215-467 being “Commemorative Street Naming Policy” is hereby amended by deleting Appendix ‘C(24)’ to CPOL.-215-467 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Commemorative Street Naming Policy

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-215-467)

Last Review Date: June 11, 2018

Service Area Lead: Director, Development Services

1. Policy Statement

The Commemorative Street Naming Policy is intended to provide guidance for the naming of commemorative streets after:

- person(s) associated with the City of London;
- commemorative local history, organizations, places, events or culture;
- demonstration of excellence, courage, or exceptional service to the citizens of the City of London;
- significant financial contributions to a park or facility and the contribution significantly benefits the community that the park or facility serves that would not have been possible otherwise;
- neighbourhood identity and community commitment; and,
- recognized native wildlife, flora, fauna or natural features related to the community and the City of London.

2. Definitions

Not applicable.

3. Applicability

This policy applies to all proposals for commemorative street naming in the City of London.

4. The Policy

- a) Proposals for commemorative street names shall be submitted to the Director, Development Services for consideration.
- b) Commemorative streets shall not use corrupted or modified names, or names associated with controversial or divisive persons or views;
- c) A short list of names shall be randomly selected on an annual basis and reviewed for conflicts with existing street names;
- d) Streets so chosen to be identified as a commemorative street shall bear an approved commemorative street sign;
- e) Approval of a proposed commemorative street name shall be the responsibility of the Director, Development Services, or their designate, in consultation with the Municipal Addressing Advisory Group (MAAG); and,
- f) This policy is not a substitution of recognition for that of the Streets of Honour Street Name Policy and this policy operates independently of that policy.

APPENDIX B11

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-90-342 being
“Drawing Review Fees”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-90-342 being “Drawing Review Fees” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-90-342 being “Drawing Review Fees” is hereby amended by deleting Appendix ‘C(8)’ to CPOL.-90-342 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Drawing Review Fees

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-90-342)

Last Review Date: June 11, 2018

Service Area Lead: Director, Development Services

1. Policy Statement

The Drawing Review Fees policy is intended to establish the requirements for engineering drawing review and the parameters for fees associated with the review.

2. Definitions

Not applicable.

3. Applicability

This policy applies to land owners and their engineering consultants that are submitting designs for acceptance by the City as part of the subdivision development process.

4. The Policy

4.1. ENGINEERING DRAWING SUBMISSION REQUIREMENTS AND REVIEW FEES FOR PLANS OF SUBDIVISION

Whenever an applicant submits servicing plans, drawings or specifications related to the detailed design of approved plans of subdivision for review and acceptance by the City, the following requirements are to be met:

a) 1st Submission Minimum Criteria

1st submission servicing drawings will not be received and/or deemed complete by the City until:

- i) The submission shall meet the requirements for a Complete Servicing Drawing Package submission defined under the File Manager Subdivision Approval Process including, but not limited to, the Engineering Drawing 1st Submission Manifest, minimum of six sets of servicing drawing plans, supporting analysis, accepted design studies (as applicable), draft 33-M Plan, any additional calculations and supporting information, pertinent forms, and fees;
- ii) Payment of a fee calculated per section d) and the Fees and Charges By-Law A-51 (as amended from time to time),
- iii) All submissions shall include digital copies of the complete submission, and;
- iv) Submissions are put through a cursory review for base quality standards in an effort to ensure drawings are of a level of clarity that allows the drawing reviewer to conduct their review. Drawings are reviewed for quality with a focus on any obvious omissions, ambiguities or illegibility that could notably hinder a review. For example:
 - Drawings are legible (i.e. no text-on-top-of-text, text fuzzy or too small, sewer design sheets too small to read).
 - Drawings include supporting design details for obvious elements (i.e. pump stations, retaining walls, booster stations, road cross sections, SWM pond details, check valve detail, etc.). In some

cases, missing elements may not be determined until detailed review.

- Drawings are stamped by a Professional Engineer.

b) Subsequent Submissions

- i) The submission shall meet the requirements for a Complete Servicing Drawing Package submission defined under the File Manager Subdivision Approval Process including, but not limited to, minimum of four sets of servicing drawing plans, additional information identified in the redline comments letter, redline comment letter response, pertinent forms and fees;
- ii) Payment of a fee calculated per section d) and the Fees and Charges By-Law A-51 (amended from time to time),
- iii) All submissions shall include digital copies of the complete submission.

c) Subdivision Drawing Review Fee Policy

- i) The Managing Director, Development and Compliance Services or designate shall determine the required fees for the service provided by the review calculated in accordance with section d) of this Policy and the Fees and Charges By-Law A-51 (as amended from time to time) and the applicant shall pay such fees. The fees are reflective of the principle that the fees are based on the scale of the development and the associated servicing designs to be reviewed.
- ii) Any fees paid under this Policy are not eligible for claim from any City sources of financing such as a Development Charges Reserve Fund. Any failure to pay all or part of any fee paid under this Policy is not eligible for interest charges or other penalties. However any such failure will result in submissions returned to the applicant without review.
- iii) In all cases the fee must be provided with the submission in order to deem the submission package complete. However under special circumstances as outlined in section c)(iv) of this Policy, the Managing Director, Development and Compliance Services or designate may elect to exempt any or all of the fees at their discretion in which case all or part of the fee will be returned. The fee will be held until the review has been completed.
- iv) In the case of withdrawal of a submission, the abandonment of all or a portion of the work, the non-commencement of any review, or a nominal review of a submission, pursuant to this Policy, the fees that may be refunded as follows:
 - a) Fees shall be 100% refunded if the submission is withdrawn prior to commencement of review.
 - b) If the review has commenced, no refund shall be made of the fees paid except as allowed under this Policy.
 - c) Under special circumstances, the Managing Director, Development and Compliance Services or designate shall determine whether a portion of the paid fees may be refunded to the applicant and may elect to refund said portion at their discretion.
 - d) Some minor adjustments or 'final polishing' may occur at the acceptance stage at the discretion of the Managing Director, Development and Compliance Services or designate. A drawing

submission fee payment is required for these submissions; however, should only a nominal review be needed the Managing Director, Development and Compliance Services or designate shall determine the amount of paid fees that may be refunded to the applicant, if any, in accordance with this Policy.

d) Fee Calculation

The drawing review fees shall be calculated in accordance with the Fees and Charges By-Law A-51 (as amended from time to time), based on the formula given below, unless otherwise specified in this schedule.

$$\text{Drawing Review Fee (rounded to nearest dollar)} = \text{LB} \times \text{LB Rate}$$

Where **LB** = the total number of lots and blocks in the subdivision exclusive of 0.3m reserve blocks and **LB Rate** = the rate as identified in the Fees and Charges By-Law A-51 (as amended from time to time).

4.2. INTERPRETATION

The following explanatory notes are to be observed in the calculation of drawing review fees:

- a) Fees for the review of subdivision servicing drawings not described or included in this schedule shall be determined by the Managing Director, Development and Compliance Services or designate.
- b) Lots and blocks mean any tracts of land within the subdivision defined by a PIN (property identification number) and do not include properties external to the subdivision or 0.3m reserve blocks.
- c) Submission #1 refers to the first time a set of drawings is submitted for review. Submission #2 refers to the first revised set with changes resulting from the first review. Submission #3 refers to the second revised set with changes resulting from the second review. And so on.
- d) Fees for drawings submitted in pursuit of a revised acceptance (i.e. drawings submitted for review after the drawings have already been accepted by the City in order to reflect a change in the design or the plan of subdivision) shall be reviewed on a case by case basis. Minor revisions will not be subject to any drawing review fees and will therefore not require a drawing review fee be provided with the submission in order to deem the submission complete.
- e) Above data includes only drawings related to subdivisions and does not include other types of submissions such as drawings related to capital works projects, consents, site plans, servicing agreements and Ministry of Environment and Climate Change Environmental Compliance Approvals.

4.3. PROJECT FEE EXAMPLE

If a consultant submits a set of drawings containing 45 Lots and 5 Blocks for review they would be charged the following:

1st submission - \$60 per Lot or Block for a total of \$3000.
2nd submission - \$60 per Lot or Block for a total of \$3000.
3rd submission (if needed) - \$60 per Lot or Block for a total of \$3000.
Total = \$9000

The above calculation assumes a LB Rate of \$60 per Lot or Block. Refer to Fees and Charges By-Law A-51 (as amended from time to time) for the current LB Rate.

APPENDIX B12

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-208-460
being "Street Naming - Streets of Honour".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-208-460 being "Street Naming - Streets of Honour" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-208-460 being "Street Naming - Streets of Honour" is hereby amended by deleting Appendix 'C(17)' to CPOL.-208-460 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Street Naming - Streets of Honour

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-208-460)

Last Review Date: June 11, 2018

Service Area Lead: Director, Development Services

1. Policy Statement

The Street Naming – Streets of Honour Policy is intended to encourage the naming of new streets after City residents who served in the Armed Forces or the City Police or Fire Departments or Emergency Measures Services; City of London Employees, Council and Committee members who have served the City for a period of 25 years or more, and are retired and/or deceased; and recipients of the Mayor’s Honour List.

2. Definitions

- 2.1. **Deceased Service People** - City residents who lost their lives in action while serving for the Armed Forces or the City Police or Fire Departments or Emergency Measures Services;
- 2.2. **War Veteran** - that person who has served in a war or as a peacekeeper and is from the City of London, who served with distinction, but does not necessarily need to be deceased; and is nominated by a Veterans Organization;
- 2.3. **The London Police Services, the London Fire Department and Emergency Measures Services** - includes names of deceased and/or retired members

3. Applicability

This policy applies to all proposals for Streets of Honour in the City of London.

4. The Policy

- a) Proposals for Streets of Honour shall be submitted to the Director, Development Services for consideration.
- b) Veteran Affiliates such as the Royal Canadian Legion, Canadian Armed Forces, etc., are requested to submit eligible names of people who have served at any time;
- c) The London Police Association, London Professional Fire Fighter's Association and City related Union Locals are requested to submit eligible names of people who have served at any time;
- d) A short list of names shall be randomly selected on an annual basis and reviewed for conflicts with existing street names;
- e) Subdivision developers shall be encouraged to draw upon the Streets of Honour list in their submissions for street name approval;
- f) Street names chosen as Streets of Honour shall be identified by a poppy or a City logo on the street sign.
- g) Where a development of 5 or more streets is being created, the developer shall be requested to name at least one street utilizing a street name on the Streets of Honour list.
- h) Except in exceptional circumstances, the Street Naming – Streets of Honour Policy shall not be applied retroactively to any street names.

APPENDIX B13

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-83-335 being
“Frequency of Garbage, Recyclable Material, Yard
Materials and Fall Leaf Collection”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-83-335 being “Frequency of Garbage, Recyclable Material, Yard Materials and Fall Leaf Collection” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-83-335 being “Frequency of Garbage, Recyclable Material, Yard Materials and Fall Leaf Collection” is hereby amended by deleting Appendix ‘C(1)’ to CPOL.-83-335 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Frequency of Garbage, Recyclable Material, Yard Materials and Fall Leaf Collection

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-83-335)

Last Review Date: June 11, 2018

Service Area Lead: Director – Environment, Fleet & Solid Waste

1. Policy Statement

The policy establishes the frequency of various collection services.

2. Definitions

Not Applicable.

3. Applicability

The policy applies to locations receiving various collection services.

4. The Policy

That the following policies be established in connection with the frequency of various collection services, namely:

- a) for large multi-family buildings, generally 25 units or more, garbage collection from any one point or building will be limited to a maximum of two per week, the second collection to be provided if requested by the building owner/representative. The second pickup is subject to a service fee established by Council through the Fees and Charges By-law;
- b) for large multi-family buildings, generally 25 units or more, recycling collection from any one point or building will be limited to once per week;
- c) the City provides one garbage and one recycling collection every six business days, excluding Statutory Holidays, for all other residences and commercial properties on residential curbside collection routes;
- d) the City provides nine (9) Green Week collections for yard waste, fall leaves and Christmas trees.

APPENDIX B14

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-84-336 being
“Citizens Unable to Take Out Garbage or Recyclable
Material”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-84-336 being “Citizens Unable to Take Out Garbage or Recyclable Material” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-84-336 being “Citizens Unable to Take Out Garbage or Recyclable Material” is hereby amended by deleting Appendix ‘C(2)’ to CPOL.-84-336 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Citizens Unable to Take Out Garbage or Recyclable Material

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-84-336)

Last Review Date: June 11, 2018

Service Area Lead: Director – Environment, Fleet & Solid Waste

1. Policy Statement

The policy establishes a protocol for citizens that are unable to take their garbage and/or recyclable material to the streetline.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to citizens that are unable to take their garbage and/or recyclable material to the streetline.

4. The Policy

That the following policies to accommodate citizens unable to take their garbage and/or recyclable material to the streetline be established, namely:

- a) persons wishing special accommodation for garbage and/or recyclable materials collection must make written application to the City Engineer or designate. All garbage to be collected from the property must be in regulation size polyethylene garbage bags and not in excess of 20 kilograms (44 lbs). The maximum number of garbage bags that will be collected per collection day from within the property is three (3). Yard waste, lawn cuttings, fall leaves or other refuse will only be collected from the curb;
- b) each application so received will be investigated and approved or rejected in writing by the City Engineer or designate;
- c) applicants will be required to set out in the application circumstances requiring special collection, location of collection point and number of residents to be served;
- d) each application must be accompanied by a note from a physician identifying that the applicant is not able to carry garbage and/or recyclable material to the curb; and
- e) in all cases where a special collection has been approved, polyethylene bags must be used by the householder for setting out their garbage.

APPENDIX B15

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-85-337 being
“Containerized Garbage Collection Systems”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-85-337 being “Containerized Garbage Collection Systems” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-85-337 being “Containerized Garbage Collection Systems” is hereby amended by deleting Appendix ‘C(3)’ to CPOL.-85-337 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Containerized Garbage Collection Systems

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-85-337)

Last Review Date: June 11, 2018

Service Area Lead: Director – Environment, Fleet & Solid Waste

1. Policy Statement

The policy establishes practices associated with containerized garbage collection systems.

2. Definitions

Not Applicable.

3. Applicability

The policy applies to owners and/or users of containerized garbage collection systems

4. The Policy

That the following policies be established in connection with containerized garbage collection systems, namely:

- a) present systems of garbage storage for all existing apartment buildings, and proposed apartment buildings for which a building permit has been issued or for which a development agreement has received Council approval, may be retained at the option of the owners and with concurrence by the City Engineer or designate;
- b) all owners of apartment buildings or apartment complexes or institutional buildings, existing or proposed, wishing to use the containerized garbage collection system, be required to use bulk containers that meet the requirements of the City Engineer or designate drawings and specifications for bulk containers;
- c) all owners of apartment buildings or apartment complexes or institutional buildings, existing or proposed, not wishing to use the containerized garbage collection system but requesting that the City provide collection services, must have the waste storage and collection area approved by the City Engineer or designate;
- d) apartment and institutional building owners who will be using the containerized system have the option of purchasing and maintaining the bulk containers or of renting the containers from the City at a rental rate of \$25.00 per month with the City maintaining the rented containers; this rental rate to be revised from time to time to cover the City's costs through the Fees and Charges By-law;
- e) owners purchasing the containers be required to maintain them to the satisfaction of the City Engineer or designate; and
- f) any owner electing to rent bulk containers from the City be required to enter into an agreement with the City.

APPENDIX B16

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-86-338 being
“Waiving of Landfill Site Fees”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-86-338 being “Waiving of Landfill Site Fees” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-86-338 being “Waiving of Landfill Site Fees” is hereby amended by deleting Appendix ‘C(4)’ to CPOL.-86-338 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Waiving of Landfill Site Fees

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-86-338)

Last Review Date: June 11, 2018

Service Area Lead: Director – Environment, Fleet & Solid Waste

1. Policy Statement

The policy establishes the criteria to be met for disposal fees at the City's sanitary landfill site to be waived.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to registered charitable organizations that apply for disposal fees at the City's sanitary landfill site to be waived.

4. The Policy

That the following policy for the waiving of disposal fees at the City's sanitary landfill site be established:

- a) the applicant must be a registered charitable organization operating and having premises within the City of London;
- b) the applicant must, as a primary function, be engaged in the reuse and/or recycling of waste materials resulting in reduced volumes of waste being disposed of at the City's sanitary landfill site;
- c) only solid wastes generated on the premises from the reuse and/or recycling operation will qualify for the exemption;
- d) the applicant must deliver the residential materials of no value in a dedicated vehicle and not be mixed with any other waste materials from other businesses, institutions or charitable organizations; and
- e) any registered charitable organizations wishing to avail themselves of free disposal at the City's sanitary landfill sites must meet all of the requirements set out in sections (a) to (d) above, and must in addition make written application to the City Engineer or designate for such exemption from disposal fees, and the decision of the City Engineer or designate on such applications shall be final.

APPENDIX B17

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-88-340 being
“Provision of Blue Boxes”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-88-340 being “Provision of Blue Boxes” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-88-340 being “Provision of Blue Boxes” is hereby amended by deleting Appendix ‘C(6)’ to CPOL.-88-340 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Provision of Blue Boxes

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-88-340)

Last Review Date: June 11, 2018

Service Area Lead: Director – Environment, Fleet & Solid Waste

1. Policy Statement

The policy establishes the situations and/or occurrences for which Blue Boxes will be provided.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to the situations in which Blue Boxes will be provided.

4. The Policy

That the following "Blue Box" provision policy be established:

- a) Two Blue Boxes be provided to residents of newly constructed homes at no cost;
- b) Blue Boxes damaged by collection vehicles or snow plows be replaced at no cost;
- c) Blue Boxes delivered to residents in 2011 have a seven year warranty and will be replaced at no cost as they become broken from normal wear and tear;
- d) Blue Boxes may be provided by City staff at no cost as part of a promotion or campaign to increase recycling and to encourage correct sorting of recyclables (maximum allocated in this category per year is 1,000 Blue Boxes); and
- e) Blue Boxes may be purchased at City of London EnviroDepots and the maximum number purchased at one time is two.

APPENDIX B18

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-88-340 being
“Public Notification Policy for Construction Projects”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-88-340 being “Public Notification Policy for Construction Projects” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-88-340 being “Public Notification Policy for Construction Projects” is hereby amended by deleting Appendix ‘C(6)’ to CPOL.-88-340 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Public Notification Policy for Construction Projects

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-88-340)

Last Review Date: June 11, 2018

Service Area Lead: Director – Roads & Transportation

1. Policy Statement

This policy provides guidelines for public notification and communication regarding construction projects within the public right of way. The Project Manager has the ability to adjust the points of public contact to suit the circumstances of each project.

2. Definitions

Not applicable.

3. Applicability

This policy applies to construction projects within the public right of way.

4. The Policy

4.1. Maintenance Activities:

This type of activity includes cleaning, adjusting, monitoring, repairing, or installing infrastructure on a short term basis. Minor road works and mill and pave operations are included in this category. No notice to the public is required unless there are tree removals or where a water shutdown is necessary.

- a) If a tree needs to be removed under this category, a written notification will be posted on front doors of adjacent property owners within a 30 meter radius of the removal on the same side of the street. Multi-unit dwellings will receive one notice.
- b) If there is a planned water service shutdown, written notification will be provided to the affected property owners. Multiple copies of the same notice will be delivered to the landlord/superintendent of multi-unit dwellings to enable them to notify their tenants.

4.2. Rehabilitation Projects:

This type of project includes pipe rehabilitation, trenchless technology works, road rehabilitations, and road reconstructions not involving the reconstruction of sewers or water mains.

- a) A preconstruction letter will be provided to each household, business, and property owner within a 30m radius of the project one week in advance of commencement notifying the occupant of the work to be done and providing telephone numbers for contact with the Department.
- b) If there is a planned water service shutdown, written notification will be provided to the affected property owners. Multiple copies of the same notice will be delivered to the landlord/superintendent of multi-unit dwellings to enable them to notify their tenants.

4.3. Reconstruction Projects:

This type of project includes at least one block of underground sewer or watermain construction or reconstruction.

- a) An information letter will be provided to each household, business, and property owner within a 30m radius of the project a minimum of 3 months prior to commencement of construction. The notice will inform the occupant of the work to be undertaken, the persons to contact for enquiries, the approximate timing of proposed works, and if any costs to the homeowner are anticipated.
- b) If there is a planned water service shutdown, written notification will be provided to the affected property owners. Multiple copies of the same notice will be delivered to the landlord/superintendent of multi-unit dwellings to enable them to notify their tenants.
- c) If the Environmental and Engineering Services Department is aware of a Community Association or Business Association, they will be contacted at the same time.
- d) A public information centre will be held prior to the commencement of the proposed works to inform the households, businesses, and property owners what to expect during the project, to gather community input, to identify tree removals, and to identify any new fire hydrant locations.
- e) If the project is on a primary collector or arterial, a billboard sign will be erected on the site including the name of the project, name of the consultant (if available), name of the contractor, and the approximate timeframe of the project.
- f) A preconstruction letter will be provided to each household, business, and property owner within a 30m radius of the project one week in advance of the proposed works notifying the occupant of the work to be done and providing telephone numbers for contact with the City. Multiple copies of the same notice will be delivered to the landlord/superintendent of multi-unit dwellings to enable them to notify their tenants.
- g) During the progress of the work, an inspector will be available to respond to enquiries as required.

4.4. Warranted Sidewalks

This type of project includes sidewalks and associated restoration works installed under the warranted sidewalk program.

- a) An information letter will be provided to each household, business, and property owner abutting the proposed sidewalk after the budget is approved and sufficient design information is available. The notice will provide the limits and location of the sidewalk, information on the program and the safety needs it addresses, and the persons to contact for enquiries.
- b) If residents or affected stakeholders request, a public information centre may be held to discuss the project.

4.5. Early Warning Signs:

For projects on arterial roads that will exceed one week in duration, two early warning signs should be installed 2 weeks prior to construction. The signs should indicate the anticipated start and end date of construction.

4.6. Developer Led Projects:

Projects within opened right of ways that are led by developers, should conform to all of the required steps within this policy. Permits for approved works (PAW) will be granted conditional on the developer or their agents meeting all necessary communication steps to the satisfaction of the General Manager of Environmental and Engineering Services and City Engineer.

4.7. Emergency Work:

This policy does not apply to emergency work. In emergency works, due to their nature, notification for water shutdowns will not occur.

4.8. Notice to Multi-unit buildings:

For multi-unit building, enough copies of pertinent letters are to be provided to the superintendent or landlord so that they can deliver a copy to each household. When the letter pertains to financial requests or commitments from the owner, it will be delivered only to that owner and not each household.

APPENDIX B19

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-103-355
being "Deleting Works from Tenders".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-103-355 being "Deleting Works from Tenders" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-103-355 being "Deleting Works from Tenders" is hereby amended by deleting Appendix 'C(21)' to CPOL.-103-355 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Deleting Works from Tenders

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-103-355)

Last Review Date: June 11, 2018

Service Area Lead: Director – Water and Wastewater

1. Policy Statement

This policy establishes that certain work (or works) may be deleted from the tender in order that the remainder of the works may be constructed in accordance with the project schedule for the given year.

2. Definitions

Not applicable.

3. Applicability

This policy applies to local improvement works being constructed as part of a given year's Capital Works Budget which may experience difficulty completing any of the administrative acts for.

4. The Policy

That a policy be established to provide that, in the event that any difficulty is experienced in completing any of the administrative acts which are required in connection with local improvement works being constructed as part of a given year's Capital Works Budget, such individual work (or works) be deleted from the tender in order that the remainder of the works may be constructed in accordance with the project schedule for the given year.

APPENDIX B20

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-192-444
being "Services for Special Events".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-192-444 being "Services for Special Events" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-192-444 being "Services for Special Events" is hereby amended by deleting Appendix 'C(1)' to CPOL.-192-444 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Services for Special Events

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-192-444)

Last Review Date: June 11, 2018

Service Area Lead: Director – Environment, Fleet & Solid Waste

1. Policy Statement

The policy establishes the conditions which must be met for municipal services to be supplied to special events.

2. Definitions

Not Applicable.

3. Applicability

This policy is applicable to special event organizers that are seeking municipal funds to cover the costs of associated municipal services.

4. The Policy

That the following policy be established with respect to the provision of municipal services for special events, namely:

4.1. funds be appropriated annually by the Council to cover the costs of municipal services for special events, such as garbage collection, barricade erection and removal, street cleaning, etc., and provided that funds are available within the appropriated amount, the provision of such services to be supplied at the cost of the City be approved by the City Manager, on the recommendation of the City Engineer, provided that, in their opinion, the event falls within the qualifying categories listed in Section (b) below;

4.2. provided funds are available in the Current Budget, the following events be considered as qualifying for municipal services, namely:

- a) events are of International, National or Provincial significance, which meet the following criteria:
 - i) are non-profit or non-commercial in nature;
 - ii) attract large numbers of spectators;
 - iii) may expect to gain local and national publicity for the municipality;
- b) events sponsored by Local Organizations which meet both the following criteria:
 - i) are non-profit or non-commercial in nature;
 - ii) are deemed to be in the interests of the community in that their main objectives are charitable or civic oriented in nature and contribute to the culture, entertainment, education or information of the citizens of London;

provided, however, that approval under this program is not deemed to be an endorsement of any such event per se by the City of London;

- c) The City Engineer be authorized to recommend refusal of all applications that do not qualify under this policy for municipal services, on the understanding that any applicant may appeal such decision in writing

within ten (10) days after having received same; and on the further understanding that such services may be provided by the City at the applicant's expense, subject to the approval of the City Engineer.

APPENDIX B21

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-197-449
being "Catch Basins on Private Property".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-197-449 being "Catch Basins on Private Property" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-197-449 being "Catch Basins on Private Property" is hereby amended by deleting Appendix 'C(6)' to CPOL.-197-449 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Catch Basins on Private Property

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-197-449)

Last Review Date: June 11, 2018

Service Area Lead: Director – Water and Wastewater

1. Policy Statement

The policy states provides direction regarding the maintenance, repair, and replacement of rear lot catch basins on private property.

2. Definitions

Not applicable.

3. Applicability

This policy applies to private property which contains a rear yard catch basin and catch basin lead within the City of London.

4. The Policy

That the following policy be established with respect to the maintenance, repair and replacement of rear lot catch basins and catch basin leads on private property:

- a) on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer easements shall not be taken for rear lot catch basins and drains which provide drainage for lots in plans of subdivision;
- b) private property owners be advised that cleaning catch basin grates and repairing any erosion around the rear yard catch basin located in their rear yards are their own responsibility; and
- c) the City of London assume responsibility for the repair or replacement of the rear yard catch basins and leads that service rear yard catch basins on private property subject to the City being able to obtain the necessary consent of any private property owner to enter upon their lands and undertake such work when repair or replacement situations occur. Repair activities may include reparging of the rear yard catch basin and repairing the catch basin lead connection to the rear yard catch basin.

APPENDIX B22

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-197-449
being "Rear Yard Grading and Drainage".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-197-449 being "Rear Yard Grading and Drainage" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-197-449 being "Rear Yard Grading and Drainage" is hereby amended by deleting Appendix 'C(6)' to CPOL.-197-449 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Rear Yard Grading and Drainage

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-197-449)

Last Review Date: June 11, 2018

Service Area Lead: Director – Water and Wastewater

1. Policy Statement

This policy establishes that rear yard grading and drainage on private property is not the responsibility of the City of London.

2. Definitions

Not applicable.

3. Applicability

This policy is applicable to private properties with rear yard grading and drainage.

4. The Policy

That a policy be established whereby establishment, maintenance and control of rear yard grading and drainage is not the responsibility of the City of London, except as provided in By-law No. WM-4, or when the lack of drainage creates a public health nuisance or public health hazard, but is a private matter involving only those persons who contribute storm run-off to any given drainage systems.

APPENDIX B23

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-205-457
being "Land Dedication".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-205-457 being "Land Dedication" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-205-457 being "Land Dedication" is hereby amended by deleting Appendix 'C(14)' to CPOL.-205-457 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Land Dedication

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-205-457)

Last Review Date: June 11, 2018

Service Area Lead: Director – Roads & Transportation

1. Policy Statement

This policy sets out the criteria for acquiring land dedications for road allowances relating to development approvals.

2. Definitions

Not applicable.

3. Applicability

Applies to all "development" as per in Section 41 of the *Planning Act*, R.S.O. 1990, and By-law C.P.-1213-340.

4. The Policy

The following policy be established and implemented in conjunction with development approvals and Consents

Development Requiring Road Widening

- a) All development as defined "development" in Section 41 of the *Planning Act*, R.S.O. 1990, and By-law C.P.-1213-340 which implements it, or a Consent as defined in Section 53 (1) of the *Planning Act*, R.S.O. 1990, where the subject property is impacted by a road widening identified by the Official Plan and as implemented by Z-1 Zoning Bylaw, the widening will be conveyed immediately as a condition of development approval or Consent, as the case may be, other than land occupied by buildings or structures that will not otherwise be removed as part of the development, with the intent that the widening lands be conveyed unencumbered and at no cost to the City.

Use of Dedicated Land by Donor

- b) Where the conveyance of a road widening creates a parking or other encroachment, the City may consider entering into an agreement with the owner allowing for the continued use of the widening lands until such time as the widening is needed for Municipal purposes. Any such agreement will be made in accordance with City's bylaws, policies and practices at the time of the application or subsequent renewal.
- c) Upon receipt and acceptance of the road widening, a dedication bylaw will be passed as soon as practically possible. During the interim, the owner may continue to use the widening lands for ingress and egress to their property provided the access existed prior to the transfer.

Outstanding Deferred Road Widening Agreements

- d) In regards to outstanding deferred widening agreements currently registered on title, the City will be responsible for all technical requirements and have ultimate approval of the required widening and will provide the reference plan, if required, to convey the widening. The City will offer reimbursement of reasonable legal costs upon acceptance of the road widening and proof of legal expenses being paid provided such costs have been pre-approved by the City Solicitor.

APPENDIX B24

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-207-459
being "Street, Lane and Walkway Closings".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-207-459 being "Street, Lane and Walkway Closings" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-207-459 being "Street, Lane and Walkway Closings" is hereby amended by deleting Appendix 'C(16)' to CPOL.-207-459 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Street, Lane and Walkway Closings

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-207-459)

Last Review Date: June 11, 2018

Service Area Lead: Director – Roads & Transportation

1. Policy Statement

This policy establishes the criteria for legally closing Streets, Lanes, and Walkways as public highway.

2. Definitions

Not applicable.

3. Applicability

This policy applies to all municipally owned Streets, Lanes, and Walkways designated public highway, whether assumed or not.

4. The Policy

- a) Closings of streets, lanes or walkways shall be by way of Council by-law, regardless of whether they are assumed by the City or not.
- b) Applications to close streets, lanes or walkways must be made with the intention of purchasing the said street, lane or walkway.
- c) Where required, easements shall be conveyed by the City to utility owners upon the closing of the street, lane or walkway.
- d) The closing of a street that results in the total loss of a property's access to public highway shall require the consent of the property owner.
- e) The process for closing a publically traveled street shall include public notice provisions satisfactory to the City Clerk.
- f) In order to preserve and protect the existing streetscape, the City shall not approve the partial closing of boulevards.
- g) The City shall not approve of the closing of a lane unless all of the lane in the block bounded by the four intersecting streets is included in the application.
- h) The City shall not approve of the closing of any lanes that provide access to properties fronting on arterial or collector streets.
- i) The City shall not approve the closing of any lanes that provide access to properties having inadequate sideyards which do not permit vehicles to be driven from the abutting street onto private property.
- j) The closing of a lane shall require the consent of every property owner affected by the closing.
- k) The City will not approve the closing of a public walkway unless land use changes in the immediate vicinity render the walkway redundant.

APPENDIX B25

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-213-465
being "New Traffic Signal Locations".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-213-465 being "New Traffic Signal Locations" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-213-465 being "New Traffic Signal Locations" is hereby amended by deleting Appendix 'C(22)' to CPOL.-213-465 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: New Traffic Signal Locations

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-213-465)

Last Review Date: June 11, 2018

Service Area Lead: Director - Roads and Transportation

1. Policy Statement

This policy authorizes the design, installation and maintenance of Council approved traffic signals.

2. Definitions

Not applicable.

3. Applicability

This policy applies to traffic signals and pedestrian signals on highways under the jurisdiction of the City of London.

4. The Policy

That following Council's approval of a new traffic signal or pedestrian signal location, the City Engineer or designate be authorized to approve the design, installation and operation of traffic signals at intersections on highways under the jurisdiction of the City of London.

APPENDIX B26

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-214-466
being "Lane Maintenance Policy".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-214-466 being "Lane Maintenance Policy" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-214-466 being "Lane Maintenance Policy" is hereby amended by deleting Appendix 'C(23)' to CPOL.-214-466 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Lane Maintenance Policy

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-214-466)

Last Review Date: June 11, 2018

Service Area Lead: Director – Roads & Transportation

1. Policy Statement

This policy establishes the upper threshold of maintenance for City owned unassumed public lanes.

2. Definitions

- 2.1. **Limited surface maintenance** - may include such things as filling pot holes, grading, and the application of gravel or asphalt as necessary, but does not include full restoration, the installation of drainage systems or remedial drainage works, the removal of obstructions including snow removal or any other activities normally associated with formal assumption.

3. Applicability

The following lane maintenance policy applies only to City owned public lanes that are currently traveled but are not formally assumed by bylaw for maintenance. Private driveways built on or across lanes or unimproved road allowances are specifically exempt from this policy. This policy does not contemplate formal assumption of public lanes, but rather establishes the criteria for performing limited surface maintenance by the City.

4. The Policy

- 4.1. Unless a City owned public lane has been formally assumed by bylaw for maintenance, the City shall not be responsible for the lane’s condition or usage.
- 4.2. Clause 1 notwithstanding, on an as-requested basis the City will attempt to perform limited maintenance in a manner commensurate with the lane’s existing condition, provided that;
- a) maintenance activities shall not be construed as an intent to formally assume the lane for full-fledged maintenance;
 - b) all lane maintenance shall be limited in nature and will not include full restoration or the installation of any underground or surface drainage works either on the lane or on private property;
 - c) the lane must be traveled, dedicated for public usage, and owned by the City;
 - d) the lane serves at least two abutting property owners;
 - e) the lane is not being used as a private driveway;
 - f) the lane is physically accessible with the equipment needed to perform the maintenance without the need to encroach onto private property;
 - g) snow ploughing and snow removal services are expressly excluded from this policy; and
 - h) the City Engineer or their designate, shall have the absolute discretion to determine the appropriate level, manner, extent and schedule for the requested work.

APPENDIX B27

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-217-469
being “Encroachment Policy”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-217-469 being “Encroachment Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-217-469 being “Encroachment Policy” is hereby amended by deleting Appendix ‘C(26)’ to CPOL.-217-469 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Encroachment Policy

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-217-469)

Last Review Date: June 11, 2018

Service Area Lead: Director – Roads & Transportation

1. Policy Statement

- 1.1. All existing and proposed privately owned encroachments onto streets and road allowances under the jurisdiction of the City of London shall be subject to this Encroachment Policy.

The City’s Encroachment Policy governs the application and approval procedure for the authorization of encroachments onto municipal streets and road allowances. If approved, the property owner and The Corporation of the City of London shall enter into an Encroachment Agreement.

The Encroachment Policy establishes the process for terminating an existing Encroachment Agreement with the City.

- 1.2. The Encroachment Policy is designed to act as a companion document to By-law S.-3775-94 (‘Sign & Canopy By-law’), By-law S-1 (‘Streets By-law’) and By-law PS-6 (‘Fence By-law’).

The purpose of the Encroachment Policy is to formalize and clarify the procedure for granting encroachments onto City streets and road allowances. A codified policy mitigates the City’s exposure to risk and liability and protects the City’s rights and obligations with respect to the subject highway. Outlining the City’s process for granting and terminating encroachments also serves to provide standards and guidelines for members of Civic Administration and transparency and simplicity for property owners.

2. Definitions

- 2.1. **City Engineer** - means the employee of the Corporation of the City of London holding the title of City Engineer, or his or her designate.
- 2.2. **City Solicitor** - means the employee of the Corporation of the City of London holding the title of City Solicitor.
- 2.3. **City Treasurer** - means the employee of the Corporation of the City of London holding the title of City Treasurer.
- 2.4. **City** - means The Corporation of the City of London.
- 2.5. **Council** - means the Municipal Council of the Corporation/means the Council of the City.
- 2.6. **Encroachment** - means any type of vegetation, man-made feature or object or item of personal property of a person which exists wholly or partly upon, or extends from a property owner’s premises onto streets or road allowances and shall include any aerial, surface or subsurface encroachments;
- 2.7. **Encroachment Agreement** - means a binding agreement between the City and the property owner, prepared by the City, granting authorization for a property owner to erect and maintain an encroachment on a City street or road allowance.
- 2.8. **Property Owner** - means the registered owner of the property.

3. Applicability

This policy applies to all municipally owned road allowances including Streets and Lanes, whether assumed or not.

4. The Policy

4.1. Standards for Assessing Encroachments on Streets and Road Allowances

The general nature of encroachments to be considered under this policy are that they are of a permanent or semi-permanent nature, not easily removable and that do not involve an area enclosed for exclusive use. Temporary encroachments, fence encroachments, area occupations and encroachments involving Condominium Corporations are to be processed as applications for licence agreement by Realty Services and are not covered under this policy.

The City of London considers the following non-exhaustive list of factors when considering the appropriateness of an encroachment:

- The encroachment interferes with the City's use, enjoyment or purpose in holding the City-owned highway;
- The creation of unsafe or hazardous conditions if the encroachment is permitted;
- The encroachment provides valuable commercial benefit;
- The encroachment interferes with any current or future plans, initiatives or works of the City to the subject highway;
- The encroachment interferes with a utility or similar installation located on the subject highway;
- The encroachment diminishes the right of public usage;
- The encroachment is deemed incompatible with established neighbourhood esthetics, particularly in designated heritage districts;
- The encroachment creates liabilities for which the City cannot assign sufficient responsibility to the owner of said encroachment or threatens to nullify the City's blanket insurance coverage;
- Encroachments onto City owned lanes and walkways will generally not be approved due to the limited space available.
- Special consideration will be given to encroachments over the 40m wide road allowances on Crown Plan 30.

It should be noted that encroachments already under construction or recently constructed prior to receiving approval will not increase the likelihood of an approval being granted.

4.2. Approval Process

Prior to making a formal application for permission to encroach onto a street or road allowance, property owners shall contact the City Engineer who shall determine if the encroachment can be approved. The proposed encroachment will be reviewed and assessed using the standards listed in "Standards for Assessing Encroachments on Streets and Road Allowances" and any other relevant criteria that may apply. Requests for encroachment agreements are carefully scrutinized and there are many situations where the City will not approve the requested encroachment. Encroachments may be allowed in some areas but prohibited in others due to local circumstances. The refusal to approve an existing encroachment may result in the owner having to remove the encroachment from the road allowance.

The City Engineer, at their complete discretion, may circulate the request to other members of Civic Administration including, but not limited to, the Chief Surveyor, the City Planner and the City Solicitor, where the City Engineer deems it necessary for the purposes of consultation and approval.

There are three possible outcomes:

4.2.1. Acceptable Encroachments that comply with City standards. The property owner will be advised that the proposed encroachment complies with City

standards and that a formal application for encroachment agreement will be accepted subject to any applicable conditions.

4.2.2. Unacceptable Encroachments that do not comply with City Standards.

Encroachments that create an unacceptable risk or otherwise interfere with the use of the street or road allowance by either the public, the City or utility company operations, now or in the future, will not be permitted and, if existing, must be removed by the owner forthwith. Examples include sight obstructions, any obstacle that creates a trip or fall or snow plough hazard near the publically travelled portion of the street, and anything that unduly interferes with access to or has the potential to damage existing or proposed City services or utility infrastructure.

4.2.3. Minor Encroachments that do not comply with City Standards.

Encroachments that do not comply with City Standards that otherwise do not create a significant risk to the public or City or utility companies will not be considered for an encroachment agreement but may remain temporarily at the City's sole and absolute discretion, it being understood that the property owner is fully responsible for the encroachment and that neither the City nor utility companies will be responsible for damage caused thereto or for the complete loss of the encroachment no matter how caused. Examples of minor encroachments include irrigation systems, hedges, shrubbery and simple landscaping at grade.

4.3. Submitting a Formal Application

Formal applications for encroachment agreements are to be made in writing to the Clerk's Office and include the following:

- A plan drawn to scale deemed acceptable by the Chief Surveyor that adequately depicts the extent of the encroachment onto the City road allowance fully dimensioned in both plan and profile including heights and underground footings and utility locations, if applicable.
- PIN (Property Identifier Number) printout for the property which will benefit from the agreement.
- Full name, address, telephone number and email address of the owner and owner's Solicitor.
- Application fee plus any one-time amount as determined by Realty Services. (Annual charges will be added to property taxes).

Property owners may make one application per proposed encroachment. Completed applications accompanied by the application fee should be delivered to:

City Clerk's Office
City Hall, 3rd Floor
300 Dufferin Avenue
P.O. Box 5035
London, ON N6A 4L9

4.4. Approved Applications and Encroachment Agreements

The City Engineer is responsible for reviewing street encroachment applications and granting approvals. Before approving an application for an encroachment onto a street or road allowance, the City Engineer shall be satisfied that the encroachment meets City standards.

Upon approval by the City Engineer, the application will be forwarded to the City's Legal Department where the Encroachment Agreement will be drafted and sent to the applicant's lawyer for execution. Pending building permits or development approvals will not be issued until the executed agreement is returned from the applicant's lawyer complete with proof of insurance and payment for any charges owing.

The executed agreement is registered against the applicant's adjoining property after it is returned to the City. Registration fees are the responsibility of the City and are included in the application fee. Encroachment Agreements may be subject to an annual rental or one-time fee to be updated from time to time and listed in the Fees and Charges By-law.

Where the City Engineer deems it appropriate to approve an encroachment and depending upon the nature of the encroachment the agreement may contain a "removal clause" that requires the property owner remove the encroachment and restore the road allowance to its original condition upon written notice being given by the City Engineer.

4.5. Denied Applications

If the City Engineer denies an application, the property owner can request a report explaining the application and reasons for denial be submitted to the appropriate standing committee and ultimately City Council for review.

4.6. Delegated Authority for Approving Encroachments

The City Engineer shall have delegated authority to approve or reject applications, authorize encroachments, execute on behalf of the City Encroachment Agreements and terminate existing Encroachment Agreements, whether City initiated or upon property owner request, on streets and road allowances pursuant to Section 23.2(1)(c) and Section 23.2(4) of the *Municipal Act, 2001* SO 2001, c.25.

4.7. Insurance and Indemnity

The encroacher must be capable of holding adequate insurance in perpetuity and indemnifying the City from all claims that may result by reason of the existence of the encroachment.

The applicant shall provide proof of insurance in a form and amount satisfactory to the Manager of Risk Management in the minimum amount of \$2 million or such other higher amount as determined by the Manager of Risk Management, naming The Corporation of the City of London as an additional insured. The Certificate of Insurance shall be submitted to the City at the time the executed Encroachment Agreement is returned to the City. The Certificate of Insurance must be satisfactory in form and content to the Manager of Risk Management. The onus is on the landowner to carry the insurance in perpetuity and to provide the City with proof of insurance at each renewal of coverage.

The applicant agrees to indemnify and hold harmless The Corporation of the City of London from and against all liability in respect to all claims that may arise or be made against the City resulting from the encroachment.

All approved encroachments are considered to be placed at the property owner's own risk. The City is not responsible for repairing or replacing an encroachment or providing damages arising as a result of clearing and removing litter, graffiti, posters, snow or ice, or as a result of repairs or reconstruction.

4.8. Termination of Existing Encroachment Agreement

To terminate an existing Encroachment Agreement with the City the property owner must have their lawyer submit the appropriate Discharge of Agreement document along with proof that the encroachment no longer exists, to the City Engineer.

Where a property owner has removed the encroachment to the satisfaction of the City Engineer, the discharge document will be executed and returned to the property owner's lawyer for registration. Proof of registration must be provided to the City to delete any ongoing charges from the property's tax register. Charges relating to the agreement will continue until the City is formally advised. Any rental fees paid will not be refunded in whole or in part as the result of the

termination of the agreement.

Where an existing encroachment agreement approved by by-law has been grandparented into this policy, the City Engineer will request the Clerks Office arrange to have the necessary rescinding by-law submitted directly to Council.

4.9. Form of Agreement

Attached as Exhibit 'A' to this policy is the Form of Agreement to be used in cases where an encroachment has been approved. Minor deviations not impacting the nature of the agreement shall be allowed at the City Engineer's discretion.

4.10. Grandparenting

Any approved outstanding non-registered agreements as of the date this policy is adopted will be accepted as-is and registered under the provisions of this policy. For termination purposes, all existing agreements are grandparented under this policy. Otherwise, the Encroachment Policy *does not* apply to encroachments approved before the date that the Encroachment Policy is adopted, provided that such encroachments continue to comply with the terms of their original approvals and agreements.

4.11. EXHIBIT 'A'

THIS AGREEMENT made in duplicate this day of .

B E T W E E N:

THE CORPORATION OF THE CITY OF LONDON

(hereinafter called the "City")

OF THE FIRST PART

A N D

(hereinafter called the "Owner")

OF THE SECOND PART

WHEREAS the Owner represent that they are the registered owner of certain lands and premises in the City of London, in the County of Middlesex, which abut on the side of [STREET], known municipally as [ADDRESS], in the City of London, County of Middlesex, and being more particularly described in Appendix "A" attached hereto;

AND WHEREAS [DESCRIBE ENCROACHMENT], hereinafter referred to as "Encroachment", has been wholly or partly constructed on the [STREET] road allowance by the Owner in the City of London;

AND WHEREAS the Owner has petitioned the Municipal Council of The Corporation of the City of London that they be allowed to maintain and use the said encroachment;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and the sum of TWO DOLLARS (\$2.00) of lawful money of Canada, now paid by the Owner to the City, the receipt whereof is hereby acknowledged, the Owner covenants and agrees with the City as follows:

1. The Owner, their executors, administrators, successors and assigns, are hereby allowed to use and maintain the Encroachment, for so long as the Encroachment

shall remain in its present location.

2. Upon demolition or removal of the Encroachment, all parts of the Encroachment upon the road allowance for [ADDRESS] shall be removed by the Owner to the satisfaction of the City at the expense of the Owner.
3. In the event of failure by the Owner to remove the encroachment as required by Clause 2 hereof, the same may be removed by the forces of the City and the cost of said removal shall be a first lien upon the Owner's lands abutting on the side of and may be recovered in a like manner as taxes.
4. The Owner shall pay to the City Treasurer, so long as the said encroachment is used and maintained upon the road allowance the sum of [\$SUM] as an [ANNUAL CHARGE OR ONE TIME FEE] for such privilege and such fee or charge shall form a charge upon the lands of the Owner of the said lands, his executors, administrators, successors and assigns, and upon default of payment after reasonable notice may be recovered as a lien upon the said lands in a like manner as taxes.
5. **[optional clause]** If, during the term of this Agreement, the City requires the use of part or all of the Encroachment lands for any municipal purpose, the City may terminate this Agreement and require the Owner to remove the Encroachment at the Owner's expense upon 90 days written notice being given to the Owner by the City Engineer. The Owner shall not make any claim against the City on account of such removal and will restore the Encroachment lands to a safe and proper condition satisfactory to the City Engineer. Provided that if the Owner neglects, refuses or fails so to do within the time specified, the City Engineer may remove the Encroachment and restore the lands to a safe and proper condition and may charge the cost thereof to the Owner of which cost the certificate of the City Engineer shall be final and the City may recover such cost from the Owner in any court of competent jurisdiction as a debt due by the Owner to the City. In addition, any fees due and any costs incurred upon termination of this Agreement shall be a first lien upon the said lands herein described and may be recovered in like manner as municipal taxes. No remedy conferred upon or reserved to the City is intended to be exclusive of any other remedy whether given herein or not, but every such remedy shall be cumulative and shall be in addition to every other remedy.
6. **for companies**
The Owner shall at their own expense obtain and maintain during the term of this Agreement, and provide the City with evidence of comprehensive general liability insurance for an amount not less than Five Million (\$5,000,000.00) Dollars and shall include the City as an additional insured with respect to the Owners' use and operations on the property described in this Agreement; such policy to include non-owned automobile liability, personal injury, broad form property damage, contractual liability, owners' and contractors' protective, completed operations, contingent employers liability, cross liability and severability of interest clauses. The aforementioned policy will not be cancelled or permitted to lapse unless the insurer notifies the City in writing at least thirty (30) days prior to the date of cancellation or expiry. The Owner will provide that evidence of such insurance shall be delivered to the City promptly at inception of this Agreement and thereafter on the insurance renewal date.

for homeowners

The Owner shall at their own expense obtain and maintain during the term of this Agreement, and provide the City with evidence of general liability insurance (homeowners) for an amount not less than Two Million (\$2,000,000.00) Dollars and shall include the City as an additional insured with respect to the Owners' use and operations on the property described in this Agreement. The aforementioned policy will not be cancelled or permitted to lapse unless the insurer notifies the City in writing at least thirty (30) days prior to the date of cancellation or expiry. The Owner will provide that evidence of such insurance

shall be delivered to the City promptly at inception of this Agreement and thereafter on the insurance renewal date.

7. The Owner, their heirs, executors, administrators, successors and assigns, as Owner and occupiers from time to time of the said lands described in Appendix "A" attached hereto, will at all times indemnify and save harmless the City of and from all loss, costs and damages which the City may suffer, be at or be put to, for or by reason of or on account of the existence of, use, maintenance or repair, or lack of repair of the said encroachment or anything done or purported to be done pursuant to this Agreement, or any act or neglect in carrying out anything to be done pursuant to this Agreement.
8. Such sums as may become due or for which the Owner may be obligated under this Agreement respecting the said encroachment shall be a first lien and charge upon the said lands and premises described in Appendix "A" attached hereto in priority to all other claims, liens, mortgages or charges.
9. The Owner covenants and agrees that this Agreement shall cover the encroachment upon the road allowance for of the adjacent to the said lands described in Appendix "A" attached hereto, and shall not grant any permission to erect any part of any new building on the said encroachment, or enlarge or extend the said encroachment.
10. This agreement shall be binding upon the Owner, their heirs, executors, administrators, successors and assigns, as Owner and occupier from time to time of the lands and premises described in Appendix "A" attached hereto and the covenants herein contained shall be deemed to run with the lands and premises and bind the owners and occupiers thereof from time to time.

IN WITNESS WHEREOF the Owner hereto has hereunto set their hand and seal.

THE CORPORATION OF THE CITY
OF LONDON

Name:
Title:
I have authority to bind the corporation

(OWNER)

Name:
Title:
I have authority to bind the corporation

APPENDIX B28

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-222-474
being "Traffic & Parking By-law Amendments".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-222-474 being "Traffic & Parking By-law Amendments" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-222-474 being "Traffic & Parking By-law Amendments" is hereby amended by deleting Appendix 'C(31)' to CPOL.-222-474 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Traffic & Parking By-law Amendments

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-222-474)

Last Review Date: June 11, 2018

Service Area Lead: Director - Roads and Transportation

1. Policy Statement

This policy provides direction on amendments to the Traffic & Parking By-law.

2. Definitions

Not applicable.

3. Applicability

The policy applies to the Traffic & Parking By-law.

4. The Policy

4.1. That the City Engineer (or designate) be authorized to initiate changes to all schedules in the Traffic & Parking By-law directly through the City Clerk and City Council in the form of by-law amendments in accordance with Table "A" Traffic & Parking By-law Amendments and that staff continue to process supportive reports relating to changes to by-laws on all those matters where an awareness of public concern has been identified, or significant changes are contemplated which would normally require extensive public liaison and/or matters which involve significant expenditures in current or capital budgets.

4.2. Table "A" Traffic & Parking By-law Amendments

<u>Item</u>	<u>Existing Policy, Criteria and/or Warrant</u>	<u>Council Approval Required</u>
New Traffic Signals	OTM and Council approved warrant	Yes
Pedestrian Crossover Systems	Council approved warrant	No
All-way Stops (new)	Council approved warrant	No
Speed Limits	Council approved policy	No
Truck Routes	Council adopted policy	No
One-way Designations	OTM	Yes
Turn Prohibitions	OTM	No
Stop/Yield Controls	OTM	No
School Bus Loading Zone	OTM	No
On-street Parking Regulations	See Appendix "B" Below	No

OTM = Ontario Traffic Manual

*where no objections are received.

4.3. Table “B” Criteria Relating To On-Street Parking Regulations

4.3.1. NO STOPPING

No stopping zones will be utilized where it has been determined that the stopping of vehicles on roadways is interfering with the safe and efficient movement of traffic.

4.3.2. NO PARKING

No Parking zones will be utilized to provide safe and efficient traffic movement and/or adequate site lines at intersections. The "No Parking" provisions in the By-law do permit short term stopping for the purposes of loading. The City's policies in the past have utilized 20 m No Parking zones for end zone clearance and parking has normally been banned on one side of streets with a width of less than 7.3 m.

4.3.3. LIMITED PARKING\METERED

Limited Parking zones ranging from 15 min. to 4 hrs. in duration will be utilized where studies have indicated a need to regulate on-street parking to ensure maximum utilization and turn-over. Limited Parking zones are normally initiated through inquiries or complaints regarding all day parking and the time durations are established through parking reviews to identify the required interval of parking frequency.

4.3.4. LOADING ZONES

Loading Zone designations will be instituted where a review of loading practices has identified the need for such designations. Studies to determine Loading Zone requirements normally include liaison with the abutting businesses to establish business loading requirements.

4.3.5. TAXI ZONES

Taxi Zones will be established pursuant to requests and subsequent to studies which identify the need for the storage of taxis to assure the proper performance of their service. The zones are normally located in curb parking areas, where parking is already permitted and hence the zone in itself does not create an obstruction to the movement of traffic.

4.3.6. HOTEL OR THEATRE ZONES

Hotel or Theatre Zones are installed adjacent to the entrances to public facilities (mainly hotels and theatres) where it is considered essential that parked vehicles not obstruct emergency evacuation of buildings etc. Zone lengths are kept to a minimum but normally will permit occupancy by no less than two vehicles.

APPENDIX B29

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-110-362
being "Elsie Perrin Williams Estate".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-110-362 being "Elsie Perrin Williams Estate" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-110-362 being "Elsie Perrin Williams Estate" is hereby amended by deleting Appendix 'C(28)' to CPOL.-110-362 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Elsie Perrin Williams Estate

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-110-362)

Last Review Date: June 11, 2018

Service Area Lead: Manager - Environmental & Parks Planning

1. Policy Statement

This policy ensures that the Elsie Perrin Williams Estate is maintained in such a manner so as to respect the Will of the late Elsie Perrin Williams.

2. Definitions

Not applicable.

3. Applicability

This policy applies to the lands of the Elsie Perrin Williams Estate and its use.

4. The Policy

That the following policies in respect to the Elsie Perrin Williams Estate be established, namely:

- a) first consideration for the future use of the Elsie Perrin Williams Estate be given to park and museum uses as provided for in the Will of the late Elsie Perrin Williams and subsequent private legislation;
- b) the estate be maintained as a passive park with major emphasis on preservation of the natural landscape of the Medway River valley and slopes; and
- c) the use of the estate house be offered to various public bodies for museum-related uses

APPENDIX B30

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-113-365
being "Monumenting Program".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-113-365 being "Monumenting Program" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-113-365 being "Monumenting Program" is hereby amended by deleting Appendix 'C(31)' to CPOL.-113-365 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Monumenting Program

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-113-365)

Last Review Date: June 11, 2018

Service Area Lead: Manager - Environmental & Parks Planning

1. Policy Statement

This policy provides direction for the City's Monumenting Program.

2. Definitions

Not applicable.

3. Applicability

This policy applies to the location, inspection and maintenance of boundary demarcation monuments on City-owned property.

4. The Policy

That the following policy be established with respect to the City's Monumenting Program, namely:

- a) The City of London monuments, consistent with current standard details, be installed along the boundary of City-owned land abutting private property, on an "as required" basis in order to accommodate special circumstances;
- b) Realty Services be requested to maintain appropriate annual inspections of City-owned property for the purpose of identifying existing or potential encroachment difficulties; and
- c) the Managing Director of Legal and Corporate Services & City Solicitor and/or the Managing Director of Environmental and Engineering Services & City Engineer be instructed to "assert the City's possession" of City-owned property, as required, by ensuring the removal of encroachments on City-owned property.

APPENDIX B31

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-126-378 being "Telecommunication Facilities Consultation Policy".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-126-378 being "Telecommunication Facilities Consultation Policy" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-126-378 being "Telecommunication Facilities Consultation Policy" is hereby amended by deleting Appendix 'C(44)' to CPOL.-126-378 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Telecommunication Facilities Consultation Policy

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-126-378)

Last Review Date: June 11, 2018

Service Area Lead: Manager - Long Range Planning and Research

1. Policy Statement

The purpose of this policy is to provide guidelines to be followed by applicants for all facilities to which Industry Canada’s CPC-2-0-03 is applicable within the City of London. Industry Canada is responsible for approving and licensing radiocommunication facilities. As part of the approval process, Industry Canada requires applicants of significant antenna structures to confer with the local land use authority prior to the issuance of a license. The City of London’s Telecommunication Facilities Consultation Policy institutes a consultation procedure between telecommunication carriers and the City which provides an opportunity for public consultation in the site selection process. These procedures are intended to provide opportunities for public feedback regarding the location of telecommunication facilities.

The City will provide applicants of new telecommunication towers, subject to the application review process, with a Letter of Concurrence within 45 days of a complete application if the City is satisfied that its telecommunication consultation process has been followed.

The participation of the City of London or the public in the consultation process does not convey the right to prevent the location of a telecommunications facility. Local By-laws cannot prevent a telecommunication facility from being built since Industry Canada has the final authority provided to them under the Radiocommunication Act. This procedure is intended to identify sensitive locations, promote appropriate design, and promote co-located facilities to be located in areas away from residential neighbourhoods where possible. The decision to grant a license for a telecommunications facility ultimately rests with Industry Canada. Industry Canada only intervenes i.e. makes a decision if the condition requiring concurrence cannot be met. As such, issuance may be delayed for a period of time to or the licenses may not be issued for the wireless facility.

Objectives

- 1.1. To facilitate, coordinate and influence the planning and site selection process for telecommunication facilities in the City;
- 1.2. To encourage consultation between the City and telecommunication carriers on all applications, and to expedite the review process on applications for new telecommunications sites;
- 1.3. To provide a process for public consultation as specified by this policy on all applications; and
- 1.4. To inform applicants and the public about the guidelines for the location and design of telecommunication facilities.

2. Definitions

- 2.1. **Amateur Radio Service** – means a radiocommunication service in which radio apparatus are used for the purpose of self-training, intercommunication or technical investigation by individuals who are interested in radio technique solely with a personal aim and without pecuniary interest.
- 2.2. **Antenna** – An exterior supporting structure upon which receiving and transmitting antennas are mounted, and also include towers, supporting cables, guy wires, small buildings containing antenna switching gear and other radio frequency circuitry. These antennas are designed for various uses such as cell

phones, radio, and satellite television communications by sending and/or receiving radio signals. Examples include whip, omnidirectional, microwave, and panel antennas.

- 2.3. **Antenna System** – means all the components and equipment required on a site, including an antenna and, if required, its supporting tower and an equipment shelter, for the operation of a wireless communication network, but does not include a residential use antenna system.
- 2.4. **Broadcasting** - means any radiocommunication in which the transmissions are intended for direct reception by the general public.
- 2.5. **Carrier** - A company, organization or person which offers, provides or operates wireless communication services to the general public and includes, but is not limited to companies which have a radio authorization from Industry Canada. Examples include Bell Mobility, Aliant, Rogers Telecom, and TELUS.
- 2.6. **Co-location** - The placement of multiple telecommunications antenna systems or other platforms on a building, structure or tower by two or more proponents.
- 2.7. **Equipment Shelters** - A shelter containing electronic equipment such as radios, electronic and other equipment necessary to support the operation of the communications site to receive or transmit signals and which is not staffed on a permanent basis and only requires periodic maintenance.
- 2.8. **Height** – means the vertical distance between the grade at the base of the tower, or if the installation is located on a building or structure, the average grade abutting the building or structure, to the installation's highest point including any antenna, lighting, lightning rod or other attached device.
- 2.9. **Industry Canada** - Is the Federal Department, which is responsible for radio frequency spectrum management. Information outlining the federal process relating to the location of telecommunication and broadcasting antenna systems is available at: www.ic.gc.ca/antenna
- 2.10. **London Advisory Committee on Heritage** - Is an advisory committee to London City Council, responsible for recommending the designation of individual heritage features such as structures, spaces, archaeological sites, and natural elements, which together form a significant type of heritage form, distinctive from that of its basic elements or parts. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; and villages, parks, gardens, battlefields, mainstreets and neighbourhoods and neighbourhood, cemeteries, trailways, and industrial complexes of cultural heritage value. (PPS, 2005).
- 2.11. **Stealth Design** – the blending in or hiding of an antenna system within surrounding buildings, structures or landscaping such as camouflaging antenna systems within church steeples, clock towers, flagpoles or lighting standards.
- 2.12. **Radiocommunication or Radio** - means any transmission, emission or reception of signs, signals, writing, images, sounds or intelligence of any nature by means of electromagnetic waves of frequencies lower than 3000 GHz propagated in space without artificial guide.
- 2.13. **Telecommunication Tower** - A structure used to support one or more antenna systems or other platform for the purpose of radio telecommunications and which may include, but is not limited to guyed towers, self support towers, monopole towers, poles, masts or other structures which are used to support telecommunication facilities and which may be located at ground level or on the roof of a building.

3. Applicability

- Antenna systems or platforms co-located on existing towers where the overall height of the structure is increased by more than 25%;
- Rooftop structures, such as antennas or related equipment, on buildings where the structure is more than 25% of the height of the building or the greater of 16.6 metres (54.5 feet) in height;
- New antennas systems that are located on a new, purpose-built tower or structure that is greater than 16.6 metres (54.5 feet) above ground level;
- Any modification (e.g. increasing the height) to existing structures greater than 16.6 metres (54.5 feet) above ground level in residential areas or is located less than 120 metres from a residential dwelling, residential zone or lands designated as Residential in the Official Plan;
- New antenna systems that are located on a property designated under Part IV or Part V of the Ontario Heritage Act.

The CPC-2-0-03, Section 1.2 states “The requirements of this document apply to anyone regardless of the type of installation or service. This includes, amongst others, Personal Communications Services (PCS) and cellular, fixed wireless, broadcasting, land-mobile, licence-exempt and amateur radio from other radiocommunication antenna structures, and as such the exclusion criteria outlined in Section 6 of the CPC-2-0-03 applies to amateurs as well.

4. The Policy

Submission Requirements (Applicant/Proponent)

- 4.1. A brief written explanation of the telecommunications proposal. The Applicant (carrier) should demonstrate the steps taken to investigate all non-tower and co-location options in the vicinity of the proposed site, and reasons why a tower option is the only feasible alternative in that location. A description of the design elements proposed to minimize the visual impact of the support structure is also required. Pre-consultation with Building Division staff is recommended, particularly where accessory structures are contemplated or for rooftop locations.
- 4.2. A survey of the subject property (or leased portion of the property) drawn to a metric scale showing site grading, location of existing property lines, existing or proposed buildings, fences, existing and proposed landscaping, access, and the type and height of the proposed tower structure. While the City of London recognizes that Industry Canada is the final approval authority for telecommunication facilities, it is also recognized that Industry Canada directs telecommunication providers to consult with the local municipality prior to erecting any non-exempt telecommunication towers.
- 4.3. A location map showing the horizontal distance between the proposed support structure installation and the nearest residential dwelling, residential zone or area designated for current or future residential uses at an appropriate scale to show the context of the facility location and the surrounding area..
- 4.4. A building permit is required for:
 - a) Equipment shelters that exceed 10 square metres of gross floor area.
 - b) A tower and/or equipment building attached to or constructed on an existing building that is greater than 10 square metres.
 - c) Towers that exceed 16.6 metres above ground level where they are not used for federally regulated broadcasting and telecommunications undertakings.
- 4.5. Refer to conformity with site location guidelines and any drawings as required by the Building Division for a new telecommunication tower which are not exempt from the requirement for municipal consultation, as specified in Section 6 - Site

Location Guidelines.

- 4.6. A completed Application form including the application fee as set out in Section 4, a cheque payable to the City Treasurer.

Public Consultation Process

- 4.7. Exemptions to the City of London Municipal Concurrence and Public Consultation Process

In an attempt to simplify approvals, the following proposals will be exempt from the City's Telecommunications Facilities Consultation Policy:

- 4.7.1. Maintenance of an existing telecommunication facility, including painting or lighting in order to comply with Transport Canada's requirements;
- 4.7.2. Maintenance of existing radio apparatus including the antenna system, transmission line, mast, tower or other antenna-supporting structure;
- 4.7.3. Proposals for the addition to, reconstruction of, or modification of an antenna systems provided that addition, reconstruction or modification does not result in an overall height increase above the existing antenna of 25% or more of its original height;
- 4.7.4. Proposals of temporary antennas that are portable or mobile and used for public uses, public demonstration or public education purposes, and not exceeding a 3 months duration;
- 4.7.5. Proposals for new ground mounted antenna systems including masts, towers or other antenna-supporting structure, with a height less than 15 metres above ground level;
- 4.7.6. Ground supported towers less than 16.6 metres (54.5 feet) in height above ground level within industrially-designated lands, excluding designated Secondary Plan areas in the City's Official Plan, and located greater than 300 metres from residentially-designated lands in the Official Plan;
- 4.7.7. Antenna systems on the rooftops of non-residentially zoned buildings that do not exceed 25% of the original height of the building or structure, excluding properties designated under the Ontario Heritage Act; and
- 4.7.8. Amateur radio antenna support structures in residential areas provided:
 - a) they are strictly for personal use;
 - b) the antenna boom or other appurtenances attached to the antenna are more than 1 metre from any property line;
 - c) no structure is placed in a front yard; and
 - d) the antenna and associated equipment is less than 16.6 metres (54.5 ft.) in height.

A Letter of Concurrence shall be provided by the City Planner within 45 days of receiving a complete application to notify the Applicant whether the City's requirements have been satisfied. If an application affects a property designated under the Ontario Heritage Act, staff will notify the City's Heritage Planner and the London Advisory Committee on Heritage (LACH), and will inform the Applicant of LACH's comments or concerns.

- 4.8. Submission Requirements for Public Consultation Exemptions

If the proposal meets the requirements for public consultation exemptions, it is requested that the proponents of new telecommunications installations that are exempt still provide the City of London with information on the installation for information purposes only. This will provide staff the ability to provide information to residents and Ward Councillor(s) if any questions or concerns emerge.

4.8.1. The proposed location of the telecommunication tower(s) on the subject site,

4.8.2. A description of the proposed telecommunication structure including its height, dimension, type, design, and colour.

4.8.3. A letter demonstrating compliance with exclusion criteria identified in Industry Canada's CPC-2-0-03 or in this procedure.

4.8.4. Site plan showing the tower.

4.8.5. Supporting drawings.

4.9. Procedure of Notification When Public Consultation Is Required

The public consultation process consists of providing public notice and arranging a public information meeting. Public consultation will be required, and Proponents will be required to demonstrate that they have complied with this policy. This will ensure that the public is made aware of the proposal and are given opportunity to provide their opinions and concerns.

4.9.1. Public consultation is required for:

- a) Antenna systems or platforms co-located on existing towers where the overall height of the structure is increased by more than 25%;
- b) New antennas systems that are located on a new, purpose-built tower or structure that is greater than 16.6 metres (54.5 feet) above ground level;
- c) Any modification (e.g. increasing the height) to existing structures greater than 16.6 metres (54.5 feet) above ground level in residential areas or is located less than 120 metres from a residential dwelling, residential zone or lands designated as Residential in the Official Plan; and,
- d) New antenna systems that are located on a property designated under Part IV or Part V of the Ontario Heritage Act.

4.10. Requirements for Public Notice

For applications that are not exempt from the requirements identified in Section 3.1 of the City of London Telecommunication Process, the proponent shall provide to the City, concurrently with submission requirements, a complete package containing the following information:

- a) The proposed location of the telecommunication tower(s) on the subject site,
- b) Physical details of the tower (e.g. height, colour, type, design and lighting),
- c) The time and location of the public information meeting, the names and telephone numbers of contact persons employed by the Carrier and the City of London,

- d) The purpose of the proposed telecommunication structure, the reasons why an existing telecommunication structure or other infrastructure cannot be used, a list of other telecommunication structures that were considered unsuitable and future co-location possibilities for the proposed telecommunication structure.
- e) A survey plan which shows the location of the tower and any associated structures, and a map showing the site within the required circulation area.
- f) Transport Canada's and Navigation Canada's aeronautical obstruction marking requirement if applicable.
- g) Written confirmation that the proposed structure will be in compliance with Health Canada's Safety Code 6 including combined effects within the local environment at all times.
- h) Notice that general information relating to antenna systems is available on Industry Canada's Spectrum Management and Telecommunications website (<http://strategis.ic.gc.ca/antenna>).
- i) A statement from a communications specialist or an engineer specializing in propagation patterns should provide a statement indicating the need for the height proposed height as well location.
- j) Closing date for the submission of written public comments, not less than 20 days from the date of the public information meeting.
- k) Fees – see "Application Fees" section of this policy.
- l) The applicant will provide notice of both the application and the time and date of the Public Information Meeting, by regular mail to all property owners located within a radius of three times the tower height, measured from the base or the outside perimeter of the supporting structure, or 120 metres from the property boundary, whichever is greater. The applicant shall also provide notice to the Ward Councillor(s), Industry Canada, Ratepayer's Association (if existing), and the Urban League.
- m) The proponent shall provide notice at their expense in the local newspaper where the proposed antenna system is:
 - i) to be 30 metres or more in height;
 - ii) after an addition, the facility will measure 30 metres or more in height; or,
 - iii) is expected to contain medium or high with intensity lighting for the purpose of satisfying Transport Canada requirements,

The notice shall be in accordance with the requirements of Industry Canada's CPC-2-0-03. The notice shall also provide the time, date, and location of the Public Information Meeting. The notice shall be published a minimum of 10 days before the Public Information Meeting.

4.11. Public Information Meeting and Review

- 4.11.1. The public meeting shall occur no sooner than 10 days or more than 30 days from the date that notices are mailed to area residents. The applicant/proponent will maintain the minutes of the meeting and assemble a record of names, addresses and phone numbers of all participants.
- 4.11.2. The Proponent shall conduct the public meeting.
- 4.11.3. In addition to the application details provided in the notice, the

Applicant shall also make available at the public meeting, the drawings and diagrams required in a display sized format.

- 4.11.4. Following the meeting, the Applicant shall provide a follow-up letter to the City to indicate their formal response to the concerns raised during the public meeting. If any modifications to the proposed structure or mitigation measures arise from the consultation, then further details (e.g. revised plans or drawings) shall be provided to the City.

4.12. Completion of Review

- 4.12.1. Following the completion of the application review process, the City Planner shall either:
- i) Provide a Letter of concurrence, conditional concurrence or non-concurrence to the Applicant within 30 days of the public meeting to advise whether adequate public consultation has been conducted by the proponent and to indicate the City's recommendation based on probable land use impacts.
 - ii) For applications that, in the opinion of the City, are not appropriate based on probable land use impacts, a report will be prepared for the Planning and Environment Committee.
 - iii) Comments and concerns from the Planning and Environment Committee will be added to the City's response to the Applicant for Industry Canada's consideration.
 - iv) The whole procedure will not take longer than 120 days to complete, as described in Industry Canada's publication CPC-2-0-03 ("Telecommunication and Broadcasting Antenna Systems", June 2007). Applications that do not need public consultation are anticipated to be completed in less than 60 days.
- 4.12.2. Following the completion of public consultation, the City shall provide a copy of the City's response to interested parties, neighbourhood associations and Ward Councillors.

4.13. Application Fees

If the proposal requires public consultation, the proponent shall be responsible for the cost associated with the public consultation process fee for services as invoiced by the City, i.e. maps, labels, list for residents, or any other public information required. The fee shall be \$125.00 or the actual costs associated with the mapping, labels and circulation lists prepared by the City, and required for the application, whichever is greater.

Note - Building permit fees are not included in the above application fees.

4.14. Site Location Guidelines

- 4.14.1. The location of new commercial and institutional telecommunication towers in lands designated as Residential in the City of London Official Plan will be discouraged.
- 4.14.2. Proponents of towers are encouraged to protect the natural and cultural landscape at all times. Where appropriate, landscaping at the tower site to enhance the character of the surroundings is recommended. Sites within designated Heritage Conservation Districts (e.g. East Woodfield, West Woodfield, Bishop Hellmuth, and Old East Village Heritage Conservation Districts) and properties within the Natural Heritage System or an Environmentally Significant Area as

identified on Schedule "A" Land Use of the City of London Official Plan should be avoided.

- 4.14.3. New telecommunication towers or antennas are greatly discouraged within 120 metres of any Residential Zone or elementary or secondary school, unless required for engineering or network purposes. If a new tower or antenna is planned to be located within 120 metres of a Residential Zone or a school, a detailed rationale for the necessity of this location is to be provided in the justification report of the submission requirements in Section 2.
- 4.14.4. Locations should be selected that will reduce the necessity to construct new telecommunication towers in the City. Locating towers on existing structures or buildings or co-location on an existing telecommunications tower are encouraged. Options to integrate an antenna into the design of a new building or structure are to be explored by the applicant. Support for the construction of a new telecommunication tower will be permitted only when other alternatives to accommodate the telecommunication tower are not feasible.
- 4.14.5. The development or redevelopment of telecommunication towers and equipment shelters should be of a colour and design that diminishes the visual impact and avoids disturbance of significant natural features. Towers and accessory structures are to reflect the context of the surrounding area. Tower designs that mimic other characteristics normally found in the area surroundings, such as stealth (camouflage) towers or monopole designs are encouraged where suitable.
- 4.14.6. Lighting on a telecommunication structure is discouraged except when required by Transport Canada, Navigation Canada, or for the health and safety of the proponents' employees. Where Transport Canada requires a telecommunication antenna structure to be lit, the lighting should be limited to the minimum number of lights and the lowest illumination allowable. Any required strobe lighting should be set to the maximum strobe interval allowed by Transport Canada.
- 4.14.7. Towers shall accommodate only communication antennas. Signs or other material not directly related to this equipment or required by Industry Canada shall not be permitted on the site.
- 4.14.8. The preferred location of new towers within the City is in industrial and agricultural designations which are away from existing or future residential developments. Commercial land use designations may also be considered. New telecommunication towers located on agricultural land should use the smallest area of land permitted by the structure type, and must have access to a public road for maintenance.
- 4.14.9. Towers should be located a minimum three times the tower height away from any public road or right-of-way, including pathways, walkways, and bicycle paths. Towers should also be located a minimum distance of three times the tower height away from a residential zone, school, or dwelling.
- 4.14.10. The procedure requires all requests for the installation of telecommunication equipment on City lands to be submitted to Realty Services.
- 4.14.11. The City may consider permitting private telecommunication facilities on City-owned lands that are not designated as parkland or components of the Natural Heritage System.

APPENDIX B32

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-132-384
being "Value of Parkland Dedication".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-132-384 being "Value of Parkland Dedication" for reformatting into the new Council Policy template, review with the gender equity lens and to require that an accredited appraiser be retained by the applicant;

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

1. By-law No. CPOL.-132-384 being "Value of Parkland Dedication" is hereby amended by deleting Appendix 'C(50)' to CPOL.-132-384 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Value of Parkland Dedication

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-132-384)

Last Review Date: June 11, 2018

Service Area Lead: Manager - Environmental & Parks Planning (Manager - Long Range Planning and Research)

1. Policy Statement

This policy establishes the method for determining the value of land for 5% land dedications or the payment of cash in lieu.

2. Definitions

Not applicable.

3. Applicability

This policy establishes the value of parkland for dedication or the payment of cash in lieu to the City of London.

4. The Policy

That the following policy for establishing a value for 5% land dedications or the payment of cash in lieu be established:

- a) Cash-in-lieu of parkland dedication values will be set out in Table 1 of By-law CP-9, Parkland Dedication. These values will be evaluated by an Accredited Appraiser (AACI), of the City’s choice, on a biennial basis (every 2 years) to ensure the values of the by-law reflect the current market value;
- b) Realty Services will retain an independent Accredited Appraiser (AACI) to undertake the review and through Planning Services to make recommendations to Council on the appropriate amendments; and
- c) For non-residential cash-in-lieu of parkland payments, an appraisal shall be undertaken by an Accredited Appraiser (AACI) and be submitted to Development and Compliance Services and Realty Services for review and confirmation.

APPENDIX B33

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-133-385
being "Parkland Dedication – Plan of Subdivision".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-133-385 being "Parkland Dedication – Plan of Subdivision" for reformatting into the new Council Policy template, review with the gender equity lens and to change the rate of dedication for parkland;

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

1. By-law No. CPOL.-133-385 being "Parkland Dedication – Plan of Subdivision" is hereby amended by deleting Appendix 'C(51)' to CPOL.-133-385 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Parkland Dedication – Plan of Subdivision

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-133-385)

Last Review Date: June 11, 2018

Service Area Lead: Manager, Development Services (Subdivisions)

1. Policy Statement

This policy establishes criteria for determining the amount hazard and/or open space dedication of parkland using section 51.1 of the Planning Act, R.S.O. 1990, Chapter P.13, where an application has been made for approval of a plan of subdivision.

2. Definitions

Not applicable.

3. Applicability

The policy applies to the dedication of parkland using section 51.1 of the Planning Act, R.S.O. 1990, Chapter P.13, and the implementation of associated Official Plan policies.

4. The Policy

That, with regard to the dedication of parkland using section 51.1 of the Planning Act, R.S.O. 1990, Chapter P.13, where an application has been made for approval of a plan of subdivision, regard shall be had to the Official Plan policies concerning requirements for land dedication or cash-in-lieu.

Consistent with the Official Plan where City Council determines that the conveyance of parklands is desired, land in the amount of 2% for commercial or industrial purposes and land for all other purposes at a rate of one hectare for each 300 dwelling units or in the amount of 5% of the land proposed for subdivision, whichever is greater, will be described in the subdivision agreement and conveyed upon registration:

- a) The City will require that all hazard and /or open space lands within the land holdings of the owner are included in the application for development;
- b) Lands defined and determined to be hazard or open space in a staff approved ecological or environmental report will not be included within the in the calculations for parkland dedication provided the lands are acquired/dedicated, in some form, to the City;
- c) The City retains the right not to accept the conveyance of land that is considered not suitable or required for park and recreation purposes including but not limited to the size of the parcel, hazard lands, wet lands, hydro lands, easements or other encumbrances that would restrict the City’s use of the land. Where the City **does not request the Owner to convey table land**, the City may:
 - i) accept the equivalent of land in cash value as determine in By-law CP-9 Parkland Dedication or at a rate of 1 hectare per 500 residential units;
 - ii) accept hazard land and/or open space lands included within the application at a rate consistent with their value as determined in By-law CP-9 Parkland Dedication; or
 - iii) accept a transfer of an over dedication of parkland in a neighbouring plan of subdivision under the same ownership as outlined in Official Plan Policy 16.3.2 v).
- d) Lands that have been identified, to the satisfaction of the City, as hazard or open space and that are not included as parkland dedication will be acquired by the

City at a rate determined in By-law CP-9. The City reserves the right to determine if the hazard and/or open space lands will form the part of the required parkland dedication;

- e) Where the city is to acquire large tracks of hazard and/or open space lands the following price index shall be applied:

Size in Ha	Size Multiplier
0 to 9.99	1
>10	0.69 (31%)

- f) The parkland dedications from applications for consent to create additional building lots will also fall under this policy. Where an application to register a condominium is caused by "development" rather than solely by conversion of an existing building, parkland dedications will be sought according to Council policy; and
- g) Industrial development or division of industrial lands (consents, plan of subdivision) will not be subject to a 2% parkland dedication rate except where the City has an interest in acquiring natural heritage features as a land dedication.

APPENDIX B34

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-134-386
being "Parkland Dedication Cash-in-lieu".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-134-386 being "Parkland Dedication Cash-in-lieu" for reformatting into the new Council Policy template, review with the gender equity lens and to require an accredited appraiser be retained by the applicant;

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

1. By-law No. CPOL.-134-386 being "Parkland Dedication Cash-in-lieu" is hereby amended by deleting Appendix 'C(52)' to CPOL.-134-386 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Parkland Dedication Cash-in-lieu
Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-134-386)
Last Review Date: June 11, 2018
Service Area Lead: Manager - Environmental & Parks Planning

1. Policy Statement

The policy establishes the valuation of cash in lieu of parkland dedicated to be provided to the City of London under Section 42, 51.1 and 53 of the Planning Act, R.S.O. 1990, Chapter P.13.

2. Definitions

Not applicable.

3. Applicability

This policy applies to the valuation of cash-in-lieu of parkland dedicated to the City under Section 42, 51.1 and 53 of the Planning Act, R.S.O. 1990, Chapter P.13.

4. The Policy

That the following policy be established for the valuation of cash-in-lieu of parkland dedicated to the City under Section 42, 51.1 and 53 of the Planning Act, R.S.O. 1990, Chapter P.13,:

- a) Cash-in-lieu of parkland dedication values will be set out in Table 1 of By-law CP-9, Parkland Dedication. These values will be evaluated by an Accredited Appraiser (AACI), of the City’s choice, on a biennial basis (every 2 years) to ensure the values of the by-law reflect the current market value;
- b) Realty Services will retain an independent Accredited Appraiser (AACI) to undertake the review and through Environmental & Parks Planning make recommendations to Council on the appropriate amendments;
- c) The valuation of Table 1 will take into account the value of residential, hazard and open space lands on a city-wide basis on the day before the day of draft approval. The following values are to be considered in the valuation:

Column I	Column II
Average Value of Land	\$/hectare (\$/acre)
Residential Detached Units	
Up to 11.99m lot frontage	\$
12m -14.99m lot frontage	\$
15m -17.99m lot frontage	\$
18m or greater lot frontage	\$
**Where lot frontage is defined under Zoning By-law Z.-1	
Cluster detached / Semi-detached / duplex	\$
Attached Rowhousing	\$
Attached Apartments	\$
Value of Parkland	
Hazard land	\$/hectare (\$/acre)
Open space land	\$/hectare (\$/acre)
Ratio of hazard Land to table land	** to 1
Ratio of open space land to table land	** to 1
Table land to be purchased by the	\$/hectare (\$/acre)

Corporation for parkland use	
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- d) The revised Table 1 of By-law CP-9 will be implemented on the first Tuesday of January, 2011; and
- e) For non-residential cash-in-lieu of parkland payments, an appraisal shall be undertaken by an Accredited Appraiser (AACI) and be submitted to Development and Compliance Services and Realty Services for review and confirmation.

APPENDIX B35

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-135-387
being "Parkland Dedication – Site Plan".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-135-387 being "Parkland Dedication – Site Plan" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-135-387 being "Parkland Dedication – Site Plan" is hereby amended by deleting Appendix 'C(53)' to CPOL.-135-387 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Parkland Dedication – Site Plan

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-135-387)

Last Review Date: June 11, 2018

Service Area Lead: Manager, Development Services (Site Plan)

1. Policy Statement

This policy establishes the process for decision on whether dedication of parkland or cash-in-lieu of parkland to the City under Section 42 of the Planning Act, R.S.O. 1990, Chapter P.13, is to be undertaken, where an application has been made for site plan approval.

2. Definitions

Not applicable.

3. Applicability

This policy applies to the decision to accept parkland dedication or cash in lieu of parkland dedication where an application has been made for site plan approval.

4. The Policy

That the following policy be established for the dedication of parkland or cash-in-lieu of parkland to the City under Section 42 of the Planning Act, R.S.O. 1990, Chapter P.13, where an application has been made for site plan approval:

- a) Where commercial, residential or other land use is developed under Section 42 of the Planning Act, R.S.O. 1990, Chapter P.13, has not made previous contributions to parkland dedication, a condition for fulfillment of the parkland dedication will be a condition of site plan approval; and
- b) Where land is not desired or available for the municipality, cash-in-lieu of parkland will be required prior to the issuance of a building permit and valued at the day before the day of issuance of the building permit.

APPENDIX B36

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-137-389
being "Pathway Corridors".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-137-389 being "Pathway Corridors" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-137-389 being "Pathway Corridors" is hereby amended by deleting Appendix 'C(55)' to CPOL.-137-389 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Pathway Corridors

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-137-389)

Last Review Date: June 11, 2018

Service Area Lead: Manager, Development Services (Subdivisions)

1. Policy Statement

This policy establishes requirements for the granting of pathway corridors under Section 51(25) of the Planning Act, R.S.O. 1990, Chapter P.13.

2. Definitions

Not applicable.

3. Applicability

This policy applies to the granting of pathway corridors as part of the required parkland dedication.

4. The Policy

That the following policy be established for the granting of pathway corridors under Section 51(25) of the Planning Act, R.S.O. 1990, Chapter P.13

- a) The City may require the granting of pedestrian pathways and bicycle pathways in developments where these pathways and corridors have been shown on the Bicycle Master Plan, an area plan, a secondary plan or other planning document or Environmental Assessment study;
- b) These pathway corridors will not be included as part of the required parkland dedication; and
- c) Pathway corridors shall be a minimum width of 5 metres. Land included above the 5 metres will form part of the required parkland dedication.

APPENDIX B37

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-138-390
being "Parkland Accounts".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-138-390 being "Parkland Accounts" for reformatting into the new Council Policy template, review with the gender equity lens and to include new provisions for parkland accounts as noted in Bill 73;

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

1. By-law No. CPOL.-138-390 being "Parkland Accounts" is hereby amended by deleting Appendix 'C(56)' to CPOL.-138-390 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Parkland Accounts

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-138-390)

Last Review Date: June 11, 2018

Service Area Lead: Manager - Environmental & Parks Planning

1. Policy Statement

This policy establishes a parkland reserve fund.

2. Definitions

Not applicable.

3. Applicability

This policy applies to the maintenance of a reserve fund for the acquisition of land, the development, management and restoration of parks and open spaces and other recreational needs.

4. The Policy

That the following policy be established for creation of a parkland reserve fund.

- a) Funds received from cash-in-lieu payments for parkland dedication will be maintained in a separate fund and used for the acquisition of land, the development, management and restoration of parks and open spaces and other recreational needs.
- b) The account shall maintain with a minimum balance of \$300,000 for advantageous acquisitions as they may arise.
- c) The City Treasurer will present to Council a public financial statement containing the following:
 - i) the opening and closing balances,
 - ii) any land or machinery acquired with the funds,
 - iii) any buildings erected, improved or repaired with the funds,
 - iv) details of the amount spent, and
 - v) how capital costs for the land, machinery or buildings described above will be funded if the costs are not fully covered by the special fund

APPENDIX B38

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-165-417
being "Demolition Control".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-165-417 being "Demolition Control" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-165-417 being "Demolition Control" is hereby amended by deleting Appendix 'C(84)' to CPOL.-165-417 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Demolition Control

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-165-417)

Last Review Date: June 11, 2018

Service Area Lead: Manager – Urban Regeneration

1. Policy Statement

This policy outlines the process for applications for the demolition of properties designated under the Ontario Heritage Act or listed on the Register of Cultural Heritage Resources. It should be noted that a Notice of Intent to Demolish cannot be withdrawn.

2. Definitions

Not applicable.

3. Applicability

This policy applies to application for the demolition of buildings or structures on properties designated under the Ontario Heritage Act or listed on the Register of Cultural Heritage Resources.

4. The Policy

4.1. Demolition of Buildings or Structures on Heritage Listed or Designated Properties

That the following policies on the demolition of buildings or structures on *properties designated under the Ontario Heritage Act or listed on the Register of Cultural Heritage Resources*:

4.2. Buildings or structures on properties listed on the Register of Cultural Heritage Resources pursuant to Section 27(3) of the Ontario Heritage Act:

- a) The applicant (property owner or authorized agent) contacts a Heritage Planner to notify staff of their intention to demolish the building(s) on their heritage listed property and to schedule a pre-consultation meeting;
- b) Notice of intention to demolish or remove a building or structure from a property listed on the Register of Cultural Heritage Resources is made by the applicant, in writing, and provided to a Heritage Planner and the Clerks department;
- c) The notice of intention to demolish is accompanied by such plans and information as Municipal Council may require, identified at the pre-consultation meeting by a Heritage Planner, including but not limited to: an evaluation of the property's cultural heritage value or interest using the criteria of O. Reg. 9/06 (Cultural Heritage Evaluation Report), a Heritage Impact Assessment, fully sized and scaled site plan and elevation drawings, a title search, structural assessment, and/or engineering reports;
- d) Upon receiving the notice of intention to demolish, and accompanying plans and information, the Heritage Planner will determine if the submission is complete and will issue, in writing, notice of receipt of the request to initiate the 60-day review timeline mandated by Section 27(3) of the *Ontario Heritage Act*;
- e) A notice of intention to demolish for a heritage property will not be deemed to be received or complete unless/until it is accompanied by any plans or information required by Heritage Planning staff, and as identified to the applicant in writing.
- f) The Heritage Planner will notify the Building Division and the City Clerk's Office of the notice of intention to demolish and provide any accompanying information received;

- g) The Heritage Planner will schedule a public participation meeting and letters mailed out to property owners within 120 metres of the subject property advising of the notice of intention to demolish and to provide notice of the public participation meeting; notice of the request is also provided in The Londoner and on the City's website;
- h) The Heritage Planner will prepare a report for the London Advisory Committee on Heritage (LACH), with a recommendation either to remove the property from the Register of Cultural Heritage Resources or to designate the property under the *Ontario Heritage Act*, for the purposes of obtaining feedback from LACH on both the designation and demolition request;
- i) The Heritage Planner will present a report, including the feedback from LACH, with a recommendation to remove the property from the Register of Cultural Heritage Resources or designate the property under the *Ontario Heritage Act*, and a recommendation with respect to the demolition request, at a public participation meeting of the Planning & Environment Committee;
- j) Municipal Council will make the final decision on the designation and notice of intention to demolish:
 - i) If Municipal Council proceeds to designate the property under the *Ontario Heritage Act*, notice will be given in the manner prescribed in the legislation.
 - ii) If Municipal Council proceeds to designate the property, a decision will also be made with respect to the demolition, and notice will be given in the manner prescribed in the legislation.
 - iii) If Municipal Council does not proceed to designate the property, the property may be removed from the Register of Cultural Heritage Resources, and no decision with respect to the demolition will be required.

4.3. Buildings or structures on properties designated under Parts IV and/or V of the Ontario Heritage Act:

- a) The applicant (property owner or authorized agent) contacts a Heritage Planner to notify staff of their intention to demolish the building(s) on their heritage designated property and to schedule a pre-consultation meeting;
- b) Notice of intention to demolish or remove a building or structure from a designated property is made by the applicant, by completing an application form for a Heritage Alteration Permit, and provided to a Heritage Planner;
- c) The Heritage Alteration Permit application is accompanied by such information as Municipal Council may require, identified at the pre-consultation meeting by a Heritage Planner, including but not limited to: a Heritage Impact Assessment, fully sized and scaled site plan and elevation drawings, a title search, structural assessment, and/or engineering reports;
- d) Upon receiving the application, and accompanying information, the Heritage Planner will determine if the submission is complete and will issue, in writing, the notice of receipt of the application to initiate the 90-day review timeline mandated by Section 33(4) and 42(4) of the Ontario Heritage Act;
- e) A notice of intention to demolish for a heritage property will not be deemed to be received or complete unless/until it is accompanied by any plans or information required by Heritage Planning staff, and as identified to the applicant in writing.
- f) The Heritage Planner will notify the Building Division and the City Clerk's Office of the notice of intention to demolish and provide any accompanying information received;
- g) The Heritage Planner will schedule a public participation meeting and letters mailed out to property owners within 120 metres of the subject property advising

of the notice of intention to demolish and to provide notice of the public participation meeting; notice of the request is also provided in The Londoner and on the City's website;

- h) The Heritage Planner will prepare a report for the London Advisory Committee on Heritage (LACH), with a recommendation to either: approve the Heritage Alteration Permit, refuse the Heritage Alteration Permit, or approve the Heritage Alteration Permit with terms and conditions;
- i) The Heritage Planner will present a report, including the feedback from LACH, with a recommendation to either: approve the Heritage Alteration Permit, refuse the Heritage Alteration Permit, or approve the Heritage Alteration Permit with terms and conditions, at a public participation meeting of the Planning & Environment Committee;
- j) Municipal Council will make the final decision on the Heritage Alteration Permit in accordance with the legislated timeline, and either:
 - i) Consent to the application;
 - ii) consent to the application, subject to terms and conditions as may be specified by the Municipal Council; or,
 - iii) refuse the application; and,shall provide notice of decision and appeal rights, in accordance with the legislated requirements.

Please be advised that buildings or structures removed or demolished without the approval of the Municipal Council will result in prosecution or other enforcement in accordance with the *Ontario Heritage Act*, R.S.O. 1990, c. O.18.

This policy is to be used only as guidance to owners wishing to demolish heritage property and does not constitute legal advice. This policy is to be used in conjunction with the legislated requirements of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, to provide direction with respect to internal procedures.

APPENDIX B39

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-166-418 being “Substantially Changed OPA/ZBA Applications”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-166-418 being “Substantially Changed OPA/ZBA Applications” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-166-418 being “Substantially Changed OPA/ZBA Applications” is hereby amended by deleting Appendix ‘C(85)’ to CPOL.-166-418 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Substantially Changed OPA/ZBA Applications

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-166-418)

Last Review Date: June 11, 2018

Service Area Lead: Manager- Current Planning

1. Policy Statement

This policy addresses Official Plan Amendment and/or Zoning By-law Amendment applications that are substantially changed from the application originally submitted and whether or not a new liaison and another public meeting are required.

2. Definitions

Not applicable.

3. Applicability

The policy applies to Official Plan Amendment and/or Zoning By-law Amendment applications where the application has been substantially changed from the application originally submitted.

4. The Policy

That a policy be established whereby an applicant for an Official Plan Amendment or Zoning By-law Amendment shall be required to file a new application when the application has been substantially changed from the application originally submitted to the Committee, unless the Planning & Environment Committee directs otherwise. The application shall be considered to be substantially changed when the Managing Director, Planning and City Planner determines that a new departmental and/or public liaison is required or the Planning & Environment Committee determines that an application has substantially changed to the extent that a new liaison is required and another public meeting is required.

APPENDIX B40

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-167-419
“Urban Design Awards”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-167-419 being “Urban Design Awards” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-167-419 being “Urban Design Awards” is hereby amended by deleting Appendix ‘C(86)’ to CPOL.-167-419 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Urban Design Awards

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-167-419)

Last Review Date: June 11, 2018

Service Area Lead: Manager- Urban Design

1. Policy Statement

The City of London Urban Design Awards Program is intended to recognize, celebrate and inspire design excellence in the City of London. Design Awards will be granted for exceptional projects that represent visionary thinking and “raise the bar” for design excellence in London.

Urban Design Awards will be granted once every two years. Planning Services will be responsible for administering this program in accordance with the Terms of Reference.

At the conclusion of the Design Awards process, a ceremony will be held for the purpose of recognizing and celebrating winners of the Urban Design Awards and for promoting the urban design agenda in the community as a whole.

The winning submission(s) of the London Urban Design Awards will be automatically submitted to the RAIC (Royal Architectural Institute of Canada) National Urban Design Awards program, which are held in the year between of the biennial London Urban Design Awards. This will be an opportunity for local developers, architects, urban designers, as well as the City to showcase their developments and compete for Urban Design Awards at the national level.

The Urban Design Awards Program is intended to recognize, celebrate and inspire excellence in Urban Design in the City of London. Design Awards will be granted for exceptional projects that represent visionary thinking and “raise the bar” for design excellence in London. Award winning projects will compete for Urban Design Awards at the national level through the RAIC National Urban Design Awards Program.

2. Definitions

Not applicable.

3. Applicability

Projects are eligible for an urban design award where they are developed up to 5 years prior to the awards year. Submissions for awards can be submitted by a project owner, a member of the team that is associated with the project, a member of Council, a member of municipal staff, or a member of the general public. To be eligible for an award, submissions must be received by the City of London Planning Services within the prescribed deadline date and all entries must meet submission requirements. It should be clear that public projects, including those developed by the City of London, are eligible for awards.

4. The Policy

4.1. SUBMISSION REQUIREMENTS

Submissions will only be accepted where they meet the following requirements:

- An abstract of the project is provided to explain its design qualities and how this project significantly adds to the quality of the public realm in London. The abstract should also touch on those items that are outlined in the relevant awards category descriptions below (Section 7). This abstract is to be provided in the electronic format specified by the City.
- Two display boards maximum (sizes will be specified).
- A photo slide show, not exceeding 50 photographs, illustrating the design qualities of the project described in the abstract. This slide show is to be

provided in the electronic format specified by the City.

These submissions will allow for submissions to be presented on the City's web site, and also allow for innovative display techniques for the awards ceremony and circulation of the awards.

All materials submitted to the City of London become property of the City of London and will not be returned to the applicant. Furthermore, submission of materials implies consent for the City of London to disseminate such materials at the sole discretion of the City.

4.2. AWARDS PROCESS

A call for submissions will be issued in June/July of an awards year. Planning Services will engage in a rigorous process to raise awareness in the community that the City has issued a call for Urban Design Awards submissions. This may include, but is not limited to, advertising in newspapers, use of the City's web site, mail-outs to members of the design, architecture, landscape architecture, planning, and development industry. It may also include other vehicles, such as the preparation of a poster or other such materials, to raise awareness of the Awards, and the agenda for urban design excellence in London.

Judging of the projects will occur in September of the Awards year. This will allow for judges to view projects including vegetation in a state of full bloom. The jury which will compile a short list of projects from amongst the entries submitted. Planning Services will arrange for the jury to visit the sites of the projects on the short list. Thereafter the jury will reconvene, in camera, to make its awards decisions and will submit its recommendations thereon, in camera, to the Municipal Council for final approval.

It shall be at the sole discretion of the Jury to determine whether or not Awards will be recommended in any or all of the awards categories in a given year. A maximum of 4 urban design awards will be granted, except in exceptional circumstances. Awards will be granted in October/November of the Awards year.

Planning Services will disseminate information relating to the award winning projects through the use of various mediums, including, but not limited to: web site posting, posters or other publications relating to the next design awards call for submissions, displays in prominent public spaces, etc.

4.3. AWARDS PRESENTATION

Awards will be presented to the Urban Design Award winners at a ceremony, which may combine other activities intended to advance the agenda for urban design excellence in London. Those earning honourable mention will also be congratulated at this ceremony. Two awards will be given to each award winning team. Additional awards can be ordered by winners for additional members of the team, at a cost to the winners which covers the expense of the City purchasing these awards.

4.4. URBAN DESIGN AWARDS JURY

An Urban Design Awards Jury, made up as follows, will be established annually by the City.

Voting Members:

- The Chair of the Planning Committee of Council or an appointed designate
- The President of the London Society of Architects or an appointed designate
- The Chair of the Southwestern Ontario District of the Ontario Professional Planners Institute or an appointed designate
- The President of the London Branch of the Ontario Association of Landscape Architects or an appointed designate
- An Urban Designer from outside the community (who is not involved with any projects under consideration)

Limitations:

- No member of the Jury shall serve for more than 3 consecutive design award terms.
- No member of the jury shall be related, in any substantive way, to any projects under consideration.

Chair:

- The jury will elect from amongst its Members a Chair and a Vice-Chair at its first meeting each year.

Designates:

- Designates from any of the above groups will be accepted where jurors disqualify themselves from serving on the jury, where a jury member has already served three consecutive awards terms, or where the above-identified person cannot make himself/herself available for serving on the jury.

4.5. AWARDS CATEGORIES

The following Awards Categories and Awards are hereby established:

4.5.1. Buildings

An individual building, or a composition of buildings, which achieves urban design excellence through its relationship to the public realm, its massing, detailing and pedestrian amenity. Entrants should document and highlight how the building, or group of buildings, contributes to the quality of place. All types of buildings are eligible whether "landmark" or "background," new construction or a restoration/transformation. Building types could include: Main Street Mixed Use, Residential (detached, attached, multi-unit), Commercial, Institutional or Industrial.

The primary criteria for assessing the merit of entries in this category will be:

- Positive contribution to the public realm/quality of place;
- Architectural excellence;
- Demonstration of fulfilling a clearly articulated urban design intent.

4.5.2. Buildings (Small Scale Residential)

A residential building, which achieves urban design excellence through its relationship to the surrounding neighbourhood, its massing, siting and detailing. Entrants should document and highlight how the building, contributes to the overall character as well as to the quality of place in the neighbourhood in which it is located. All types of small scale non-apartment residential buildings are eligible whether new construction or restoration/transformation. Building types could include single detached residential, townhouses, semi's, 2-, 3-, or 4-plexes.

The primary criteria for assessing the merit of entries in this category will be:

- Positive contribution to the character of the existing neighbourhood/quality of place;
- Architectural excellence;
- Demonstration of fulfilling a clearly articulated urban design intent.

4.5.3. Public Realm Enhancements

Elements can be defined as a stand-alone object, or landscape element which contributes significantly to the quality of the public realm. It should provide a memorable image, reinforce the human scale and enhance the character of the surrounding area.

Examples include:

- Benches
- Gateways

- Light fixtures
- Walkways
- Fences
- Work of art

4.5.4. Public Spaces and Landscapes

Public space - generally related to, and defined by, adjacent buildings or natural/manmade elements -- which provides an extension to the public realm in an exemplary way.

Examples are:

- Courtyards
- Plazas
- Forecourts
- Gardens
- Trails
- Mews
- Parks

4.5.5. Large places and neighbourhoods

This includes designs for a new or renovated large-scale areas of the city. The project must be completed to such extent as to allow the jury to clearly understand and evaluate the plan.

The submissions in this category should clearly state the existing conditions and demonstrate how the plan creatively resolves and addresses multiple objectives and competing interests. The submission should also provide evidence of community involvement and acceptance.

Examples are:

- Area plans
- Subdivisions
- Industrial parks
- Campus plans
- Streetscapes

It should be clear that these categories ARE INTENDED TO:

- Explain what types of projects are eligible for an Urban Design Award;
- Describe, in very general terms, how these projects will be evaluated; and
- Help to encourage submissions that are of a very high quality.

It should be equally clear that these categories ARE NOT INTENDED TO:

- Limit the number of awards that can be granted within a single category;
- Require that an award be granted in every category where there is not a submission that warrants an award; and
- Limit a submission to competing only against those projects that are within their category.

Where the Jury deems it to be appropriate, honourable mention will be given to those projects that did not win an award, but exhibited many excellent design traits worthy of recognition.

4.6. NATIONAL URBAN DESIGN AWARDS (HOSTED BY ROYAL ARCHITECTURAL INSTITUTE OF CANADA)

Following the Urban Design Awards ceremony the winning submissions will be given instructions as to how their projects can be submitted to the National Urban Design Awards program. The Submission requirements for the National Urban Design Awards can be found on the RAIC website.

APPENDIX B41

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-168-420
being "Tree Preservation".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-168-420 being "Tree Preservation" for reformatting into the new Council Policy template, review with the gender equity lens and to align with current subdivision processes;

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

1. By-law No. CPOL.-168-420 being "Tree Preservation" is hereby amended by deleting Appendix 'C(87)' to CPOL.-168-420 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Tree Preservation

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-168-420)

Last Review Date: June 11, 2018

Service Area Lead: Manager - Environmental & Parks Planning

1. Policy Statement

To promote the preservation of wooded areas through the subdivision development process where these areas are appropriate for retention as public open space or where they can be retained on privately-owned lands in an economically-viable and reasonable manner.

2. Definitions

Not applicable.

3. Applicability

All applications or proposals for draft plan of subdivision approval submitted to the City of London shall be reviewed by Planning Services, in consultation with Neighbourhood, Children and Fire Services, to determine the applicability of a tree preservation program.

4. The Policy

- i) It is the expectation of the City of London that no trees will be removed from sites proposed for subdivision development prior to City Council's consideration of the subdivision application.
- ii) All applications or proposals for draft plan of subdivision approval submitted to the City of London shall be reviewed by Planning Services, in consultation with Neighbourhood, Children and Fire Services, to determine the applicability of a tree preservation program.
- iii) Criteria for determining the applicability of a tree preservation program shall be as follows:
 - the proposed plan of subdivision contains a wooded area in excess of 0.4 hectares (1 acre) in size; or,
 - the proposed plan of subdivision contains a wooded area contiguous to public open space, or to a wooded area on adjacent lands having a total size in excess of 0.4 hectares (1 acre); or,
 - the proposed plan of subdivision contains a tree stand(s) of less than 0.4 hectares (1 acre) in size that includes trees which, in the opinion of Planning Services and Neighbourhood, Children and Fire Services, may be viable for and worthy of preservation according to their location, species, health and age.
- iv) Where it has been determined that a proposed plan of subdivision will be subject to a tree preservation program, the subdivider will be required to submit to Planning Services and Neighbourhood, Children and Fire Services, prior to the consideration of the application by the Planning & Environment Committee, a tree survey and botanical analysis prepared by a qualified consultant, usually a professional arborist, ecologist or landscape architect. The tree survey and botanical analysis shall include:
 - a plan accurately delineating wooded areas and smaller tree stands containing significant trees (trees in excess of 60 mm. (2.4 in.) calibre

measured 1 m (3.3 ft.) above ground, as well as major shrub groupings, prepared at the same scale as the proposed draft plan of subdivision;

- a general description of the wooded area(s) including species composition, age, vigour, soil, drainage, topographic characteristics, and degree of disturbance. The identification of individual trees in the wooded area is not required unless the consultant is of the opinion that there are unusual species or significant specimens worthy of noting;
- an assessment of the existing health of the wooded area(s), its degree of sensitivity to grade changes, drainage disruption, the effect of any changes to the water table, and other impacts that may be associated with development on adjacent lands, and its long-term prospects for survival. This assessment shall have due regard for preliminary grading information to be supplied by the subdivider;
- an opinion as to the priority (high, medium or low) that should be given to the preservation of the wooded area, having regard for rare, threatened or endangered tree species;
- an inventory of significant trees in smaller tree stands according to their species, size, age, and vigour; and an opinion as to their viability and priority for preservation;
- recommended measures to minimize the impact of development on wooded areas and smaller tree stands identified as having a high priority for preservation;

v) Planning Services and the Neighbourhood, Children and Fire Services shall review the tree survey and botanical analysis and, following consultation with the subdivider, consultant and other agencies as appropriate, shall determine wooded areas and tree stands, or portions thereof, that are worthy of and feasible for preservation, and measures that should be taken to protect these areas. These measures may include but are not limited to the following:

- dedication or purchase of wooded areas as parkland or public open space;
- revisions to the proposed lot structure and road alignments to increase the opportunities for tree preservation;
- modifications to grading and drainage plans to reduce the impact of development on wooded areas and trees to be retained.

The recommendations of Planning Services, Neighbourhood, Children and Fire Services and other appropriate agencies regarding tree preservation will be incorporated in the report of the Managing Director, Planning and City Planner to the Planning and Environment Committee.

vi) Subdividers may be required to undertake measures to prevent damage to wooded areas or tree stands to be preserved, prior to and during the development of the subdivision, such as, but not limited to:

- selective removal of trees along the edge of the wooded area or tree stands prior to construction to minimize windthrow and sunscald damage that occurs when new boundaries to wooded areas are established;
- snow fencing or another suitable barrier shall be placed, at a minimum, along the drip line of the wooded area or tree stand to be preserved prior to the start of construction on the site;
- areas protected shall remain undisturbed and shall not be used for the placement or excavation of fill or topsoil, the storage of debris, construction

material or equipment, or become contaminated by silt from construction activities. Contaminants shall not be dumped or flushed over tree roots. An exception to this provision may be made, under exceptional circumstances, for the installation of services or drainage facilities according to plans that have been approved by the Managing Director Environmental & Engineering Services and City Engineer and the Managing, Director Neighbourhood, Children and Fire Services, using techniques that shall minimize disruption to the tree preservation area;

- where the root systems of trees to be preserved are exposed or damaged by construction work, they shall be neatly trimmed and the area shall be backfilled with appropriate material to prevent drying and desiccation;
 - the grades around wooded areas or tree stands shall not be disturbed. If it is necessary to change grades around treed areas to be preserved, the subdivider may be required to take precautions such as dry welling and root feeding. Filling and grading within the drip line of trees shall be done by hand;
 - installation of permanent fencing; with the necessity, extent and specific location of fencing to be determined in consultation with the Neighbourhood, Children and Fire Services.
- vii) Neighbourhood, Children and Fire Services, with the assistance of other agencies as appropriate, shall inspect the subdivision construction site at appropriate points to ensure that the recommendations of the tree survey and botanical analysis and the requirements of the City of London are complied with. Final assumption of the subdivision may be delayed until such time as these recommendations and requirements have been satisfied.

APPENDIX B42

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-170-422 being “Notices of OPA and ZBA Received From Other Municipalities”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-170-422 being “Notices of OPA and ZBA Received From Other Municipalities” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-170-422 being “Notices of OPA and ZBA Received From Other Municipalities” is hereby amended by deleting Appendix ‘C(89)’ to CPOL.-170-422 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Notices of OPA and ZBA Received From Other Municipalities

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-170-422)

Last Review Date: June 11, 2018

Service Area Lead: Manager - Long Range Planning and Research

1. Policy Statement

This policy directs notice of Official Plans and Zoning By-law amendments from other municipalities to the Managing Director, Planning and City Planner to ensure administrative review with regards to municipal concerns.

2. Definitions

Not applicable.

3. Applicability

This policy applies to the City Clerk, the Managing Director, Planning and City Planner regarding notice of amendments to Official Plans and Zoning By-laws from other municipalities.

4. The Policy

That a policy be established whereby all notices received by the City Clerk from other municipalities concerning proposed or adopted amendments to Official Plans and Zoning By-laws be forwarded directly to the Managing Director, Planning and City Planner for review and action as follows:

- a) where there are no municipal concerns identified by the Managing Director, Planning and City Planner, the Managing Director, Planning and City Planner shall respond directly to the respective municipality advising that the City has no particular comments or concerns related to the proposed or adopted amendment; and
- b) where there are municipal concerns identified by the Managing Director, Planning and City Planner, the Managing Director, Planning and City Planner shall prepare a report for submission to the Planning and Environment Committee that indicates such concerns and recommends a course of action to be taken by the Municipal Council relating to the proposed or adopted amendment.

APPENDIX B43

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-172-424
being "Naturalized Areas and Wildflower Meadows".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-172-424 being "Naturalized Areas and Wildflower Meadows" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-172-424 being "Naturalized Areas and Wildflower Meadows" is hereby amended by deleting Appendix 'C(91)' to CPOL.-172-424 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Naturalized Areas and Wildflower Meadows

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-172-424)

Last Review Date: June 11, 2018

Service Area Lead: Manager - Environmental & Parks Planning

1. Policy Statement

This policy ensures that Naturalized Areas and Wildflower Meadows are in compliance with the Clearing of Land By-law.

2. Definitions

2.1. **Naturalized Area:** means a portion of a lot where a lawn or perennial garden previously maintained by the owner which has been allowed to re-establish a reproducing population of native species, through a combination of natural regeneration and deliberate plantings of species or other species to emulate a natural area.

2.2. **Wildflower Meadow:** means a specialized habitat within a naturalized area, which is dominated by native species of flowers and grasses. The area would require periodic mowing (once or twice per year) in order to prevent the growth and establishment of woody shrubs and trees.

3. Applicability

This policy applies to property owners who have established a Naturalized Area or Wildflower Meadow.

4. The Policy

Where a property owner proposes or has established a Naturalized Area or a Wildflower Meadow, the owner will provide evidence on request to the Environment and Transportation Committee to establish, to the satisfaction of the Committee and Council that the Naturalized Area or Wildflower Meadow is in compliance with the Clearing of Land By-law.

APPENDIX B44

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-232-15 being
“Siting of Cannabis Retail Stores in London”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-232-15 being “Siting of Cannabis Retail Stores in London” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-232-15 being “Siting of Cannabis Retail Stores in London” is hereby amended by deleting Appendix “A” to CPOL.-232-15 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Siting of Cannabis Retail Stores in London

Legislative History: Enacted December 12, 2017 (By-law No. CPOL.-232-15)

Last Review Date: June 11, 2018

Service Area Lead: Managing Director, Planning Services and City Planner

1. Policy Statement

The policy is to establish location, design and engagement measures for the Province or its Agents to consider in the location of cannabis retail stores.

2. Definitions

Not applicable.

3. Applicability

The policy applies to the matters to be considered by the Province or its Agents in the siting of cannabis retail stores.

4. The Policy

It is recognized that the Province and its agents are not bound by policies and by-laws of any municipality. However, it is a policy of the City of London to ask that the Province and its agents implement the following location, design and engagement measures when siting a new cannabis retail store in London:

- 4.1. The property line of any cannabis retail store site be a minimum of 500m away from the property line of any elementary school or secondary school;
- 4.2. The property line of any cannabis retail store be a minimum of 500m away from the property line of any municipal library, pool, arena, community centre or the Western Fairgrounds;
- 4.3. A cannabis retail store be located within the following Place Types in the Council approved London Plan:
 - a) Shopping Areas
 - b) Rapid Transit – Transitional
 - c) Urban Corridor - Transitional
- 4.4. A cannabis retail store's site be designed to accommodate significant volumes of automobile parking - 1 space per 15m² of floor area - and incorporate CPTED (Crime Prevention Through Environmental Design) principles into the site design of the facility and the entire site on which it is located;
- 4.5. The Province be encouraged to undertake appropriate public engagement process when siting a cannabis retail store and to continue this engagement with representatives from the community thereafter to identify and address concerns.

APPENDIX B45

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-233-50 being
“Siting of Safe Consumption Facilities and
Temporary Overdose Prevention Sites in London”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-233-50 being “Siting of Safe Consumption Facilities and Temporary Overdose Prevention Sites in London” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL. -233-50 being “Siting of Safe Consumption Facilities and Temporary Overdose Prevention Sites in London” is hereby amended by deleting “Schedule A” to CPOL.-233-50 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Siting of Safe Consumption Facilities and Temporary Overdose Prevention Sites in London

Legislative History: Enacted January 30, 2018 (By-law No. CPOL.-233-50)

Last Review Date: June 11, 2018

Service Area Lead: Managing Director, Planning Services and City Planner

1. Policy Statement

This policy is to define a Supervised Consumption Facility (SCF) and Temporary Overdose Prevention Site (TOPS), to provide criteria for the siting of these facilities, and to establish an engagement process for proponents of an application to permit these facilities.

2. Definitions

2.1. Supervised Consumption Facility - means a facility that has received an exemption from the Controlled Drugs and Substances Act, where people can bring their illicit drugs to consume in a sterile and safer environment. These sites have equipment and trained staff present to oversee a person’s drug consumption and assist in the event of an overdose or other health risk. These facilities may offer additional health and drug-related support services. These facilities are intended to provide such services on an ongoing, rather than temporary, basis.

2.2. Temporary Overdose Prevention Site - means a temporary facility that has received an exemption from the Controlled Drugs and Substances Act, where people can bring their illicit drugs to consume in a sterile and safer environment. These sites have equipment and trained staff present to oversee a person’s drug consumption and assist in the event of an overdose or other health risk. Unlike supervised consumption facilities, these facilities are to be temporary in nature, existing for two years or less.

3. Applicability

The policy applies to proponents of an application to permit a Supervised Consumption Facility (SCF) or Temporary Overdose Prevention Site (TOPS).

4. The Policy

4.1. Siting of Supervised Consumption Facilities

It is a policy of the City of London to ask that any proponent of a supervised consumption facility (SCF) implement the following location, design and engagement measures through the process of siting their facility:

4.1.1. Location Criteria to Benefit Those Who Use Such Facilities

For the benefit of those who use supervised consumption facilities, they should be sited in a location that is:

- Within close proximity to, or near, communities where drug consumption is prevalent
- Well serviced by transit
- Discrete, allowing for reasonable privacy for those using the facility
- Separated from busy pedestrian-oriented commercial areas
- Separated from public spaces that generate pedestrian traffic or may generate crowds from time to time
- Close to an area with other drug addiction related support services

4.1.2. Location Criteria to Avoid Land Use Conflicts

In addition to those criteria listed in Part 1, above, to avoid land use conflicts, supervised consumption facilities should be sited in a location that is:

- Separated from busy commercial areas or active public spaces that could generate conflicts between the general public and those leaving these facilities after consuming
- Separated from parks
- Separated from key pedestrian corridors in the Core Area
- Separated from public elementary or secondary school properties
- Separated from municipal pools, arenas and community centres and the Western Fairgrounds
- Not within the interior of a residential neighbourhood

4.1.3. Site Design Criteria

In addition to those location criteria listed in Part 1 and Part 2 of this policy, supervised consumption facilities should be designed to:

- Incorporate Crime Prevention Through Environmental Design (CPTED) principles
- Meet municipal bylaws and provincial regulations for accessibility
- Orient building entrances to allow for reasonably discrete entry and exit
- Ensure that building waiting areas and vestibules are adequately sized to avoid line-ups or waiting outside of the building
- Allow for easy visual surveillance of the facility and its surrounding site from the street
- Avoid opportunities for loitering, such as the installation of seating areas or landscape features that can be used for seating.

4.1.4. Engagement Measures

Consultation processes required by the Federal and Provincial governments must be met. In addition, proponents of supervised consumption facilities should host a meeting with property owners, business owners, and residents within a minimum of 120m of the proposed site to describe the proposal and operational procedures planned for the facility, hear the neighbouring property owners concerns, allow for consideration of measures that could be taken to mitigate these concerns, and establish a system for ongoing communication with the community.

4.2. Siting of Temporary Overdose Prevention Sites (TOPS)

It is recognized, through this policy, that temporary overdose prevention sites are intended to address a public health emergency. In addition, they are intended to be temporary in nature. Accordingly, it is understood that all of the siting and design criteria identified in Part A, above, may not be achievable. However, any proponent of a temporary overdose prevention site should ensure that the majority of these location and design criteria are met and that the facility is not located within the interior of a residential neighbourhood or near a public elementary or secondary school.

The engagement measures identified for supervised consumption facilities in Part A, above, should be implemented for temporary overdose prevention sites, but may occur after the facility has been established.

The Province has indicated that, to address a public health emergency, temporary overdose prevention sites may be approved by the Ministry of Health and Long Term Care on a time limited basis (3 to 6 months) with the possibility of extension. To recognize this temporary status, Council requests that applications to the Province for extensions of temporary overdose prevention sites not be approved if they result in such uses existing for more than two years.

Rather, the need for such services should be addressed through a supervised consumption facility.

APPENDIX B46

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-29-225 being
“Grants to Centennial Hall”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-29-225 being “Grants to Centennial Hall” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-29-225 being “Grants to Centennial Hall” is hereby amended by deleting Appendix “C(18)” to By-law CPOL.-29-225 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Grants to Centennial Hall

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-29-225)

Last Review Date: June 11, 2018

Service Area Lead: Senior Financial Business Administrator, Business Administration

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on grants to Centennial Hall.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to the use of Centennial Hall as it relates to organizations receiving financial assistance from the City.

4. The Policy

That a policy be established to provide that should City Council wish to support an organization using Centennial Hall, City Council should give direct financial assistance to that organization without any reference to Centennial Hall (as contemplated in Section 7 of the Proposals of the Provincial Government for Ontario Tax Reform).

It should also be pointed out that by following this procedure, the organization receiving the financial assistance from the City would be expected to deal directly with the Management of Centennial Hall on the same basis as any other individual or group wishing to use the Hall and its facilities.

It should be further pointed out that the following concepts and understandings are hereby accepted by the City Council with respect to Centennial Hall, namely:

- a) Centennial Hall was constructed as a multi-purpose building and because of this fact its diversity is its strength, permitting it to cater to a cross-section of the community; and
- b) the original intention of City Council was that Centennial Hall would be managed as closely as possible in a private enterprise manner, and the City Council continues to support the Centennial Hall Management in this concept.

APPENDIX B47

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-30-226 being
“Reduced Rental Rates for Non-Profit Groups”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-30-226 being “Reduced Rental Rates for Non-Profit Groups” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-30-226 being “Reduced Rental Rates for Non-Profit Groups” is hereby amended by deleting Appendix “C(19)” to By-law CPOL.-30-226 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Reduced Rental Rates for Non-Profit Groups

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-30-226)

Last Review Date: June 11, 2018

Service Area Lead: Senior Financial Business Administrator, Business Administration

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on the rental of Centennial Hall to non-profit groups.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to all non-profit organizations that are booking events at Centennial Hall.

4. The Policy

That a policy be established whereby the rental of the auditorium to non-profit organizations which book a series of events, in advance, (at least six events per calendar year) and which require a very limited amount of set-up and maintenance is at a reduced rate. Such reduced rates will be included in the Rental Schedule for Centennial Hall as approved annually by City Council.

APPENDIX B48

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-31-227 being
“Objectives of Centennial Hall”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-31-227 being “Objectives of Centennial Hall” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-31-227 being “Objectives of Centennial Hall” is hereby amended by deleting Appendix “C(20)” to By-law No. CPOL.-31-227 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Objectives of Centennial Hall

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-31-227)

Last Review Date: June 11, 2018

Service Area Lead: Senior Financial Business Administrator, Business Administration

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on the operation of Centennial Hall.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to the operation of Centennial Hall.

4. The Policy

That the following objectives pertaining to the operation of Centennial Hall be established:

- a) to strive to operate the Hall on at least a "break-even basis";
- b) to provide for the public hall needs of non-profit community groups and organizations;
- c) to establish a rental fee structure for non-profit community groups and organizations that will permit continued use of the facilities by such groups and organizations;
- d) to maximize revenues within a fee structure that recognizes reduced rentals for non-profit community groups and organizations;
- e) to provide for the public hall needs of entrepreneurs and others for the promotion of business, conventions, cultural, entertainment, industrial and religious events;
- f) to actively market the use of the facilities to increase revenues;
- g) to carry out improvements to the facilities that will enhance the use of the facilities and increase the revenue potential; and
- h) to maintain a high standard of maintenance of the facilities in keeping with the Civic Centre Complex.

APPENDIX B49

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-32-228 being
“Using Centennial Hall for City Sponsored Events”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-32-228 being “Using Centennial Hall for City Sponsored Events” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-32-228 being “Using Centennial Hall for City Sponsored Events” is hereby amended by deleting Appendix “C(21)” to By-law No. CPOL.-32-228 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Using Centennial Hall for City Sponsored Events

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-32-228)

Last Review Date: June 11, 2018

Service Area Lead: Senior Financial Business Administrator, Business Administration

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on the use of Centennial Hall for City-sponsored or co-sponsored receptions or gatherings.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to the use of Centennial Hall for City-sponsored or co-sponsored receptions or gatherings.

4. The Policy

That a policy be established whereby the use of Centennial Hall for all City-sponsored or co-sponsored receptions or gatherings would be encouraged, where reasonable, and provided that the facility is competitive in price, available and capable of accommodating the event.

APPENDIX B50

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-33-229 being
“Lessee Protection and Non-Competitive Clauses”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-33-229 being “Lessee Protection and Non-Competitive Clauses” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-33-229 being “Lessee Protection and Non-Competitive Clauses” is hereby amended by deleting Appendix “C(22)” to By-law No. CPOL.-33-229 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Lessee Protection and Non-Competitive Clauses

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-33-229)

Last Review Date: June 11, 2018

Service Area Lead: Senior Financial Business Administrator, Business Administration

1. Policy Statement

The purpose of this policy is to formalize and clarify practices for the negotiation of lessee protection or non-competitive clauses as it relates to events at Centennial Hall.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to the planning of events at Centennial Hall.

4. The Policy

That a policy be established whereby the Manager of Centennial Hall is authorized to negotiate such lessee protection or non-competitive clauses, not exceeding thirty days between events having the same or similar audience appeal, as may be appropriate in the sole discretion of the Manager.

APPENDIX B51

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-10-99 being
“Accounts Receivable and Collections Policy”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-10-99 being “Accounts Receivable and Collections Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-10-99 being “Accounts Receivable and Collections Policy” is hereby amended by deleting Schedule “A” to By-law No. CPOL.-10-99 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Accounts Receivable and Collections Policy

Legislative History: Enacted March 21, 2017 (By-law No. CPOL.-10-99)

Last Review Date: June 11, 2018

Service Area Lead: Director, Financial Services

1. Policy Statement

- 1.1. This policy constitutes The City of London’s (the “City”) statement of policies and goals relating to the procedures and collection of accounts receivable.

This policy is to provide authorization and guidelines for the write-off of uncollectible miscellaneous and POA receivables. It identifies the steps to be taken to collect payment of invoices, establishes conditions under which an invoice may be cancelled or written-off and defines authorization levels for write-offs.

1.2. Purpose

- To establish the responsibilities, internal controls, authorizations and procedures for the accurate and timely preparation and collection of customer invoices for goods and services rendered by the City.
- To ensure that all revenues earned by the City and all Accounts Receivables owed to the City, are accounted for and recognized in the financial statements according to Canadian Generally Accepted Accounting Principles (GAAP).
- To guide the management of accounts receivables to ensure timely collections of financial assets in order to maintain a positive cash flow.
- To minimize the financial exposure to bad debts and maximize revenue recoveries.

2. Definitions

- 2.1. **Accounts Receivables** – are generally represented by a sales invoice or some other form. Under generally accepted accounting principles, accounts receivable are assets that are recognized when the revenues are earned.
- 2.2. **Receivables** – represent claims for money, goods, services and/or other non-cash assets.
- 2.3. **Write-off** – means to remove an account receivable from the City’s accounts receivable records.

3. Applicability

The scope of this document is intended to cover the various aspects of the collection process for Provincial Offences Act fines and miscellaneous revenue.

4. The Policy

4.1. Statement of Policies and Goals

- a) **COLLECTION ADMINISTRATION OF PROVINCIAL OFFENCES ACT FINES
– PART I AND III**

As per the *Provincial Offences Act* the payment of a fine is in default if any part of it is due and unpaid for fifteen days or more.

A *defaulted* fine remaining outstanding for 91 days from the date of the offence is subject to collection activities as regulated in section a) of this policy.

The collection process for these defaulted fines may include all or some of the following steps:

- Scrubbing or cleaning the data, through skip trace processes to identify new addresses, telephone numbers, such as:
 - search for place of employment,
 - search for property,
 - credit bureau searches,
 - corporate searches,
 - Ministry of Transportation searches using driver licenses and plate number
- Automated phone campaign
- Letter campaign
- Civil litigation such as:
 - filing of Certificate of Default in Small Claims Court and Superior Court,
 - filing of Writs of Seizure and Sale of Lands,
 - filing of Garnishments
- Placement with collection agencies.

Outstanding accounts are sent to a collection agency as soon as it is determined that internal collection efforts will not satisfy the debt.

b) COLLECTION ADMINISTRATION OF MISCELLANEOUS ACCOUNTS RECEIVABLES

Invoices

Invoices are issued for services or items provided by the City and payment is not received prior to or at the moment of the transaction. Invoices are required to be prepared and authorized by the originating service area in a timely manner. Invoices should be issued immediately after the delivery of the goods or service to the customer, and in any case not later than 30 days from such date. Invoices should be mailed out within 3 business days of issuance as the interest calculation period is based on the invoice date.

Returned Items

Returned items are cheques received by the City and returned by the bank as not negotiable (i.e. insufficient funds, stop payments, account frozen, etc) or credit card transactions declined or illegitimately refused by the cardholder. Financial Services will advise the originating service area within 6 business days from the date of notification from the financial institution that a cheque was not negotiable or a credit card transaction was declined or refused. The originating service area should attempt a first collection step notifying the customer in writing of the returned cheque or of the declined/disputed credit card transaction.

Returned items may be subject to an administration fee as regulated by the City's Various Fees and Charges By-law.

Collection of Overdue Invoices

The collection process for these miscellaneous accounts receivable may include all or some of the following steps:

- Issuance of monthly statements
- Direct contact with customers with overdue accounts
- Letter and phone campaign
- Placement with collection agencies
- Transfer of balance to the tax roll
- Offset against invoices owed to them by the City
- Further civil enforcement through the City Solicitor's office.

c) EXTERNAL COLLECTION EFFORTS: COLLECTION AGENCIES

A collection agency is a third party organization engaged by the City for the collection of defaulted accounts. Section 304 of the *Municipal Act* authorizes the use by a Municipality of a registered collection agency for the recovery of a debt.

Third party registered collection agencies shall be authorized for the collections of defaulted accounts. To maximize collection efforts the City may use multiple collection agencies.

The collection agency utilizes various collection techniques and tools to locate debtors and obtain payment of the debt. The collection agencies may also place trade lines on the debtors, which may affect their credit rating.

The City defaulted accounts listed with an agency that remain outstanding after an established period of time may be transferred to another agency for further collection activities.

The transfer of the accounts to different agencies ensures that accounts remaining outstanding are worked by more than one collection agency to maximize collection recovery.

Defaulted accounts may be transferred to more than one collection agency before they are recalled back to the City for write-off authorization.

At no time will more than one collection agency attempt collection of the same debt.

Administration fee added to defaulted accounts forwarded to a collection agency:

Collection agencies charge a percentage commission fee on the amount collected on behalf of the City.

The charge of an administration fee to all defaulted accounts that are transferred to a collection agency is authorized as approved in the City's Various Fees and Charges By-law.

The administration fee offsets the cost of employing collection agency commission fee by recovering those fees directly from the debtors.

d) CEASE COLLECTION AND WRITE-OFF OF UNCOLLECTIBLE ACCOUNTS

Civic Administration shall prepare two reports for City Council's information on an annual basis prior to December 31st of every year. One report will be with respect to collections of POA Accounts Receivable and the second report will be with respect to the collection of Miscellaneous Accounts Receivable. The two reports will include a list of recommended accounts for ceasing collection efforts and write-off.

Report A – Request for Write-off of Provincial Offence Act (POA) Accounts Receivable

This report seeks authorization to cease collections efforts and removal of the fine from the electronic record for POA Accounts Receivable deemed uncollectible.

Report B – Request for Write-off of Miscellaneous Accounts Receivable

This report seeks authorization to cease collections efforts and write-off in the General Ledger for Miscellaneous Accounts Receivable deemed uncollectible.

Provincial Offences Act (POA) Fines (Parts I and III) deemed uncollectible

An outstanding POA fine (Part I and III) that is deemed uncollectible will be recommended to Council for ceasing collection efforts and removing from the electronic system.

A POA fine is deemed uncollectible when:

- a) all appropriate collection steps as per this policy have been exhausted, and
- b) the account is older than 6 years + current year

An exception to the above would be in the event that:

- A death certificate of the debtor is received; or
- A sworn affidavit indicating that the fine was previously paid is received; or
- A clerical adjustment is required due to settlement of the account

Provincial Offences Act (POA) Accounts Receivable

Provincial Offences Act (POA) accounts receivables which are deemed uncollectible, the authorization for write-off of "uncollectible" POA accounts receivable will be as follows:

Dollar Value of POA Account	Person or Body Responsible for Deciding Further Action
\$0 to \$2000.00	Manager III, Courts Administration or delegate and Director, Financial Services or delegate
\$2000.01 to \$10,000.00	City Treasurer or delegate and City Manager or delegate
over \$10,000.00	City Council

Miscellaneous Accounts Receivables - deemed uncollectible

Miscellaneous accounts receivable are deemed uncollectible and therefore recommended for write-off when all appropriate collection steps have been exhausted.

An exception to the above would be in the event that:

- Request in writing from the originating department indicating that the account was billed in error is received
- Death certificate of the debtor is received
- Sworn affidavit indicating that the account was previously paid is received
- Bankruptcy notice is received
- Clerical adjustment is required due to the settlement of the account

Miscellaneous Accounts Receivables

Accounts receivable which are deemed uncollectible, the authorization for write-off of "uncollectible" miscellaneous accounts receivable will be as follows:

Dollar Value of Account	Person or Body Responsible for Deciding Further Action
\$0 to \$2000.00	Manager II, Accounting or delegate and Director, Financial Services or delegate
\$2000.01 to \$15,000.00	City Treasurer or delegate and City Manager or delegate
over \$15,000.00	City Council

4.2. Accountability and Administration:

The City Treasurer or delegate is authorized to implement and/or modify any procedures as necessary to comply with this policy.

APPENDIX B52

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-40-236 being
“Trust Fund Policy”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-40-236 being “Trust Fund Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-40-236 being “Trust Fund Policy” is hereby amended by deleting Appendix “C(29)” to By-law No. CPOL.-40-236 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Trust Fund Policy

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-40-236)

Last Review Date: June 11, 2018

Service Area Lead: Director, Financial Services

1. Policy Statement

To set out the guidelines under which the City will establish, hold, maintain and administer trust funds held by it.

2. Definitions

- 2.1 **Auditor** – means the City’s auditor appointed under section 296 of the *Municipal Act, 2001*;
- 2.2. **City** – means The Corporation of the City of London;
- 2.3. **City Treasurer** – means the City’s Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, or designate;
- 2.4. **Donation** – A gift, bequest, financial contribution, or in-kind contributions of tangible property such as art, furniture, equipment, material of historical interest, which has been given voluntarily and without compensation or non-monetary consideration such as advertising, promotion or services;
- 2.5. **Trust Fund** – means a financial account which holds donations received by the City that have conditions and/or legal requirements for use agreed upon by the donor and the City.
- 2.6. **Trust Document** – means the written instrument to establish the terms and conditions of the Donation and includes without limitation a will or an agreement between the donor and the City.

3. Applicability

This policy applies to all Trust Funds held by the City.

4. The Policy

- 4.1. The City Treasurer shall establish, hold, maintain and administer Trust Funds in accordance with:
 - a) all applicable statutes, regulations and any related policies of the City; and
 - a) the Trust Document that governs the Trust Fund.
- 4.2. Legislated Trusts

Trust accounts established and maintained by the City for residents of the Dearness Home under the *Long-Term Care Homes Act, 2007*, S.O., c.8 shall be administered in accordance with that Act, any regulations made under it and any policy established by the City that may be required under the Act.
- 4.3. General
 - a) The City Treasurer shall be responsible for establishing and administering all Trust Funds under this Policy.
 - b) For all Donations except bequests, a Trust Document signed by the donor and the City shall be required prior to opening a new Trust Fund.

- c) This policy should be read in conjunction with the City's Donations Policy which is applicable to all Donations received by the City of London.

4.4. Management and Reporting of Trust Funds

- a) All investment of Trust Funds shall be in accordance with the *Trustee Act, R.S.O. 1990, C. T.23*, the *Municipal Act, 2001*, any other applicable legislation and the City's Investment Policy.
- b) Interest on short term investments shall be credited to each Trust Fund not less than semi-annually, in arrears. The interest credited to said trust funds shall be equal to the amount earned by the City by the deposit or investment of said funds on an individual or pooled basis.
- c) Interest on long term investments shall be accounted for on a "cash" basis (i.e. credited to Trust Funds, in arrears, based on the timing of receipt of interest proceeds for each specific fund).
- d) The accounting policies for Trust Funds shall follow generally accepted accounting principles as set out in the CPA Canada Public Sector Accounting (PSA) Handbook and conform to the City's accounting policies prescribed from time to time by the City Treasurer with the exception of accounting for interest on long term investments as outlined in subsection (4.4)(c) above.
- e) In accordance with all applicable legislation, the City Treasurer shall have the financial records of all Trust Funds audited annually by the City's Auditor.
- f) The City Treasurer shall report to Municipal Council once each year, as at December 31 on the financial position and income and expenditures of trust funds administered during that period. The report format will be consistent with that required under the CPA Canada Public Sector Accounting (PSA) Handbook.

APPENDIX B53

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-41-237 being
“Donations Policy”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-41-237 being “Donations Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-41-237 being “Donations Policy” is hereby amended by deleting Appendix “C(30)” to By-law No. CPOL.-41-237 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Donations Policy

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-41-237)

Last Review Date: June 11, 2018

Service Area Lead: Director, Financial Services

1. Policy Statement

The purpose of this policy is to set out in accordance with the Income Tax Act and the Canada Revenue Agency guidelines and standards for:

- acceptance of Donations;
- issuing Official Income Tax Receipts to donors for income tax purposes; and,
- collection, recording and disbursement of Donations.

2. Definitions

- 2.1. **City** – means The Corporation of the City of London;
- 2.2. **City Treasurer** - means the City’s Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, or designate;
- 2.3. **CRA** – means the Canada Revenue Agency;
- 2.4. **Donation** – means a gift, bequest, financial contribution, or in-kind contributions of tangible property such as art, furniture, equipment, material of historical interest, which has been given voluntarily and without compensation or non-monetary consideration such as advertising, promotion or services;
- 2.5. **Gifts in-Kind** – means a gift of tangible property, other than cash, that are eligible donations;
- 2.6. **Fair Market Value (or Valuation)** – means the highest dollar value that a property would bring in an open and unrestricted market, between the willing buyer and the willing seller who are acting independently of each other. The fair market value of a property does not include taxes paid; taxes are costs incurred by the buyer;
- 2.7. **Non-Qualifying Donations** – means donations for which an Official Income Tax Receipt cannot be issued in accordance with CRA guidelines;
- 2.8. **Official Income Tax Receipt** – means a receipt issued by the City as a Qualified Donee under the Income Tax Act, for a Donation made to the City, which may be used by the donor to claim a tax credit on their income tax return.
- 2.9. **Qualified Donee** – An organization that under the Income Tax Act may issue Official Income Tax Receipts for Donations it receives from individuals and corporations and registered charities.

3. Applicability

This policy applies to all Donations to the City to support projects, programs or services offered by the City. This policy does not apply to Donations of Land and Buildings.

4. The Policy

4.1. Accepting Donations

- a) The City reserves the right in its sole discretion to accept or decline any Donation. The City Treasurer has the authority to refuse any Donation up to \$100,000 where it is determined that it is not in the City’s best interest

to accept the Donation. Donations exceeding \$100,000 will be presented to City Council. If a Donation is declined, the City Treasurer shall advise the donor in writing of the reason.

- b) Donations must be for purposes consistent with the City's mandate, programs, services and activities and must be deemed by the City to be in the public interest.
- c) Donations are only to be accepted if the City has, in its sole discretion, the capacity to meet the initial and ongoing costs and obligations associated with the Donation.
- d) The City shall not accept a Donation where any advantage will accrue to the donor or to any person not dealing at arm's length to the donor as a result of the Donation. The City may decline Donations from any donor who in the opinion of Council, represents a reputational risk to the City through involvement in activities that are contrary to the values of the City. Examples include but are not limited to:
 - Proven or suspected criminal organizations; and
 - Organizations that promote hatred against individuals or groups.
- e) The City may not accept Donations from individuals or organizations currently in litigation against the City.
- f) The City will accept Donations from community groups, organizations and individuals subject to general direction. Donations where the purpose is not specified are deemed to be undesignated and become contributions to general revenue of the City.
- g) The City will accept the involvement of charitable organizations and community groups in fundraising activities for projects related to the repair, enhancement or construction of City-owned facilities.
- h) Where the donor requests that conditions be placed on the use of the Donation, Legal Services must be consulted to ensure that the appropriate agreements are prepared prior to accepting the Donation.

4.2. Gifts In-Kind

- a) In-kind Donations to the City must be free and clear of all encumbrances, conditions and restrictions and shall provide that use of the property shall be entirely at the discretion of the City.
- b) Final acceptance of an in-kind Donation will require a transfer of title or ownership through a written agreement as to the future use and disposition except with respect to applicable legislation on preservation, copyright and/or resale. An agreement, satisfactory to the City Treasurer, signed by the Donor and the City shall be required prior to the acceptance of the in-kind Donation.
- c) In the event of a significant Donation of land and/or buildings to the City, the Donation of Land and Buildings to the City Policy as amended from time to time shall apply.
- d) Written valuations of in-kind Donations shall be submitted with an external appraisal by an independent arm's length qualified appraiser or other third party supporting documentation, satisfactory to the City Treasurer to substantiate fair market value.

4.3. Official Income Tax Receipts

- a) The City will issue an Official Income Tax Receipt for Donations for City programs or projects that qualify as Charitable Gifts in accordance with the Income Tax Act, regulations and CRA guidelines. The Treasurer shall be responsible for the issuance of all Official Income Tax Receipts in accordance with the following:
 - i) Official receipts for income tax purposes shall be authorized by the City Treasurer for eligible gifts and gifts-in-kind made to the City.
 - ii) For gifts in-kind, the fair market value of the Donation must be supported by an independent arm's length appraisal or other third party supporting documentation, satisfactory to the City Treasurer;
 - iii) Receipts shall be made in the name of the donor only;
 - iv) Receipts shall be issued for all Donations having a value of \$20.00 or more, if requested by the donor.
- b) Non-Qualifying Donations, in accordance with the Income Tax Act, regulations and CRA guidelines include:
 - i) Intangibles such as services, time, skills and effort;
 - ii) Donations that are given to the City intended as a flow through to a specified recipient who does not have charitable organization status (a Qualified Donee);
 - iii) Donation of business marketing products such as supplies and merchandise;
 - iv) Sponsorship in the form of cash, goods or services toward an event, project program or corporate asset in return for commercial benefit.

4.4. Records

- a) The City shall maintain proper books and records supporting all Official Income Tax Receipts issued.
- b) Copies of Official Income Tax Receipts issued must be retained and filed in accordance with the City's records retention policy.

4.5. Accounting

- a) Where Donations are received by the City, the funds will be recorded in the appropriate account by the City Treasurer.
- b) Donations directed for specific operations or for specific capital projects (such as to a community or recreational centre) shall be deposited to the donation revenue account of the appropriate program.
- c) Donations may be disbursed only for their intended purpose and in accordance with the terms, conditions, restrictions or any agreement governing the use of the Donation.

APPENDIX B54

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-6-31 being
“Royal Canadian Legion Branch Property Tax Relief
Program Funding”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-6-31 being “Royal Canadian Legion Branch Property Tax Relief Program Funding” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-6-31 being “Royal Canadian Legion Branch Property Tax Relief Program Funding” is hereby amended by deleting section 3. to By-law No. CPOL.-6-31 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Royal Canadian Legion Branch Property Tax Relief Program Funding

Legislative History: Enacted December 19, 2016 (By-law No. CPOL.-6-31)

Last Review Date: June 11, 2018

Service Area Lead: Director, Financial Services

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on the Royal Canadian Legion Branch Property Tax Relief Program as it relates to the annual allocation in the City's Operating Budget.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to the Royal Canadian Legion Branch Property Tax Relief Program as it relates to the consideration of property tax relief for the organization during annual budget deliberations.

4. The Policy

An annual allocation shall be included in the City's Operating Budget to fund an annual "Royal Canadian Legion Branch Property Tax Relief Program", on the understanding that this funding policy shall be subject to annual review during budget deliberations and that should the Municipal Council decide in any one year to not include property tax exempt funding in the annual Operating Budget for this Program, then this Program shall be deemed to be collapsed for the following year.

APPENDIX B55

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-42-238 being
“Security Policy Regarding Letters of Credit”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-42-238 being “Security Policy Regarding Letters of Credit” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-42-238 being “Security Policy Regarding Letters of Credit” is hereby amended by deleting Appendix “C(31)” to By-law No. CPOL.-42-238 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Security Policy Regarding Letters of Credit

Legislative History: Enacted June 13, 2017 (By-law No. CPOL. -42-238)

Last Review Date: June 11, 2018

Service Area Lead: Manager III, Financial Planning & Policy

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on the acceptance of letters of credit from banks and other financial institutions.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to the acceptance of letters of credit by the City from banks and other financial institutions.

4. The Policy

4.1. The City continues to accept letters of credit from Schedule I & II banks who have a credit rating of R1 middle or higher.

4.2. For "Other Financial Institutions", the City accepts only letters of credit from trust companies or credit unions subject to the following:

4.2.1. where the institution can demonstrate a credit rating provided by a nationally recognized rating agency of R1 middle or higher (or equivalent), letters of credit with no aggregate limit, otherwise,

4.2.2. the greater of:

a) where the institutions provided letters of credit security to the City during 2001, letters of credit, the aggregate of which do not exceed the highest total amount of security provided during the year 2001 (i.e. the "grandfather provision"); OR

b) 3% of the Owner's Equity as reported on the most recent audited financial statement, but in any case, not to exceed a limit of \$1.5 million per institution, and subject in all cases to the following restrictions:

i) the financial institution shall provide a copy of the most recent audited financial statements which financial statements must contain an "unreserved" opinion regarding the fairness of the financial statements presented and shall not contain any negative opinion or comment regarding the ability of the institution to conduct business on a going concern basis; and

ii) issuing financial institution must have a corporate presence in the municipality (i.e. head office or branch office located within the City of London); and

iii) notwithstanding the above limitations on the amount of security the City will accept, administration may reject any letters of credit from a financial institution based on information it obtains that may suggest the financial organization is not in good standing with federal, provincial

or municipal authorities (or similar reasons); and

- iv) new credit unions or trust companies that otherwise meet all the requirements above may be permitted, subject to the prior approval of the City Treasurer, to submit development security on behalf of its clients; and
- c) new credit unions or trust companies (i.e. that did not have a previous history of providing letters of credit to the City of London prior to December 31, 2001) that otherwise meet the requirements of the policy as described above and whose equity exceed \$15 million may, subject to prior approval of the City Treasurer, be provided the opportunity to submit letters of credit. In granting the approval, the City Treasurer shall determine through whatever means they deem appropriate, whether the subject institution represents an “acceptable credit risk”. That determination will include, as a minimum, a review of audited financial statements of the corporation, and confirmation that the institution’s deposits are insured by either the Canada Deposit Insurance Corporation or Deposit Insurance Corporation of Ontario (as applicable).

APPENDIX B56

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-43-239 being
“Identification of Operating Surpluses – Boards and
Commissions”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-43-239 being “Identification of Operating Surpluses – Boards and Commissions” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-43-239 being “Identification of Operating Surpluses – Boards and Commissions” is hereby amended by deleting Appendix “C(32)” to By-law No. CPOL.-43-239 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Identification of Operating Surpluses – Boards and Commissions

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-43-239)

Last Review Date: June 11, 2018

Service Area Lead: Manager III, Financial Planning & Policy

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on the identification of operating surpluses by the City’s Boards and Commissions.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to the City’s Boards and Commissions as it relates to the submission of their operating budgets.

4. The Policy

That a policy be established requiring the City’s Boards and Commissions to identify operating surpluses from the year ending at the time that they submit their operating budgets to the City of London for the next year on the understanding that the use or disposition of any surpluses will be determined through collaboration between the City and the particular Board or Commission.

APPENDIX B57

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-44-240 being
“Lease Financing Policy”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-44-240 being for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-44-240 being “Lease Financing Policy” is hereby amended by deleting Appendix “C(33)” to By-law No. CPOL.-44-240 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Lease Financing Policy

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-44-240)

Last Review Date: June 11, 2018

Service Area Lead: Manager III, Financial Planning & Policy

1. Policy Statement

1.1. This policy constitutes The City of London's (the "City") statement of policies and goals relating to the use of Lease Financing Agreements, in accordance with Ontario Regulation 653/05 made under the *Municipal Act, 2001*.

1.2. Purpose

The purpose of this policy is to provide guidance to staff when contemplating Lease Financing Agreements for the provision of municipal equipment and facilities. Lease Financing Agreements may be preferred to outright purchase and/or debt financing of equipment and facilities. The City may enter into Lease Financing Agreements in order to acquire the rights to use capital property and equipment, including some or all of the benefits and risks of ownership for specific periods of time and stipulated rental payments.

2. Definitions

2.1. **Combined Material Impacts** - means the costs or risks of a proposed Non-Material Lease which when combined with all other Non-Material Leases entered into or proposed to be entered into in a particular year by the City.

2.2. **Lease Financing Agreement** - means a financial agreement for the purposes of obtaining long term financing of a capital undertaking of the municipality.

2.3. **Material Impact** - means the costs or risks that significantly affect, or would reasonably be expected to have a significant effect, on the City's debt and financial obligation limit as determined by O. Reg. 403/02.

2.4. **Material Lease** - means a Lease Financing Agreement that is not a Non-Material Lease.

2.5. **Non-Material Lease** - means a Lease Financing Agreement that will not result in a Material Impact on the finances of the City and includes:

- i) rental agreements which have a term of less than one year and the cancellation of which results in no financial penalty to the City;
- ii) commercial real property leases with a term of five years or less;
- iii) Lease Financing Agreements requiring annual payments for an individual lease of less than \$250,000;
- iv) Lease Financing Agreements, where the net present value of all lease payments, including possible extensions, renewals and bargain purchase options, is less than \$2 million in the year the Lease Financing Agreement is entered into.

3. Applicability

This policy applies when Civic Administration is contemplating Lease Financing Agreements for the provision of municipal equipment and facilities.

4. The Policy

4.1 Statement of Goals and Objectives

- a) The following goals and objectives will be used in the consideration and evaluation of all Lease Financing Agreements:
 - i) The City shall only consider Lease Financing Agreements that prioritize the City of London's governing principles;
 - ii) Lease Financing Agreements shall be entered into with care and prudence, applying experience and professional judgement to each agreement reviewed, with the best interest of the City's ratepayers in mind;
 - iii) All lease financing activities shall adhere to statutory requirements as governed by the Ontario *Municipal Act, 2001* as well as other Council approved policies;
 - iv) Consideration will be given to its impact on future ratepayers in order to achieve an appropriate balance between lease financing and other forms of funding; and
 - v) The City shall manage the exposure to financial risk and the financial impact the Lease Financing Agreements will have on current and future fiscal years.
- b) Without limitation, the City may enter into Lease Financing Agreements:
 - i) for the purpose of obtaining long-term financing of a capital undertaking;
 - ii) to finance equipment, buildings, land or other assets that the City does not have a long-term interest in or may not be able to acquire through other means; or
 - iii) where a lease provides material and measurable benefits compared with other forms of financing.
- c) It is the opinion of the Council and the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer or designate that the category of Lease Financing Agreements defined as Non-Material Leases in this policy will not result in a Material Impact for the City.
- d) It is the opinion of the Council and the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer or designate that Non-Material Leases that require or may require the City to make payments after the expiry of the term for which the Council authorizing the agreement was elected and that have a Combined Material Impact less than 20% of the City's annual debt and financial obligation limit determined in accordance with O. Reg. 403/02 will not result in a Material Impact for the City.

4.2. Application of the Policy (General Provisions - All Lease Financing Agreements)

- 4.2.1. All Lease Financing Agreements shall be reviewed by the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer or designate who shall determine:
 - a) if this policy applies;
 - b) if the Lease Financing Agreement is a Material or Non-Material Lease;
 - c) the financial and other risks of the Lease Financing Agreement, compared to other forms of financing, which shall include:

- i) The ability for lease payment amounts to vary if based on changes in an underlying benchmark debt instrument (generally expressed as a particular Government of Canada Bond);
- ii) The ability for lease payments to vary based on changes in the assumed residual values of the asset being leased;
- iii) Uncertainty over leasing costs if contract needs are to be extended or renewed. The normal practice of the City will be to negotiate these costs prior to the Lease Financing Agreement being executed; and
- iv) The potential for the seizure and removal of leased equipment if the leasing company goes into default of its obligations to creditors, and its creditors have the legal right to seize assets of the leasing company. The practice of the City will be to assess the financial strength of the normal leasing company prior to the leasing agreement being executed.

4.2.2. All Lease Financing Agreements shall include a schedule of all fixed payments, if any, required for the term and any extensions or renewal.

4.2.3. The requirements in section 4.3 apply to all Lease Financing Agreements except;

- a) Non-Material Leases that do not or may not require the City to make payments after the expiry of the term for which the Council authorizing the agreement was elected; or
- b) Non-Material Leases that require or may require the City to make payments after the expiry of the term for which the Council authorizing the agreement was elected and that have a Combined Material Impact less than 20% of the City's annual debt and financial obligation limit determined in accordance with O. Reg. 403/02.

4.2.4. A Lease Financing Agreement to which this policy does not apply must comply with any other applicable City policies or procedures, including without limitation to any requirements for review, approval and reporting to Council.

4.3. Lease Financing Agreements Approval Process

4.3.1. This section applies to:

- a) all Material Leases; and
- b) all Non-Material Leases that require or may require the City to make payments after the expiry of the term for which the Council authorizing the agreement was elected and that have a Combined Material Impact greater than 20% of the City's annual debt and financial obligation limit determined in accordance with Ontario Regulation 403/02.

4.3.2. Before entering into a Lease Financing Agreement the Corporation shall:

- a) have the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer or designate prepare a report with a recommendation assessing, in their opinion, the costs and financial and other risks associated with the proposed Lease

Financing Agreement including any possible extensions or renewals which report shall include:

- i) a comparison between the fixed and estimated costs and the risks associated with the proposed Material Lease and those associated with other methods of financing;
- ii) a statement summarizing, as may be applicable, the effective rate or rates of financing for the Material Lease, the ability for lease payment amounts to vary, and the methods or calculations, including possible financing rate changes, that may be used to establish that variance under the lease;
- iii) a statement summarizing any contingent payment obligations under the lease that, in the opinion of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer or designate, would result in a Material Impact for the municipality, including lease termination provisions, equipment loss, equipment replacement options and guarantees and indemnities;
- iv) a summary of the assumptions applicable to any possible variations in the lease payment and contingent payment obligations; and
- v) any other matters the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer or designate or City Council considers advisable.

4.3.3. Obtain legal advice and financial advice with respect to the proposed agreement.

4.3.4. Consider if the scope of the proposed transaction warrants obtaining legal advice or financial advice with respect to the proposed agreement that is from a source independent of the source of the advice mentioned in paragraph 4.3.3 above.

4.3.5. Consider, as of the date of the report under paragraph 4.3.2 a) above, whether the costs of financing for the proposed agreement are lower than other methods of financing available to the City and whether the risks associated with the proposed agreement are reasonable. Costs of any legal or financial advice would also be included in the costs of financing.

4.3.6. If at any time after a report is made but before the proposed Lease Financing Agreement is entered into, the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer or designate becomes of the opinion that a changed circumstance with respect to the proposed Lease Financing Agreement may result in a Material Impact for the City, the report shall to updated as soon as reasonably possible and present the updated report to Council.

4.4. **Annual Report to Council**

4.4.1. Once in every fiscal year or more often if Council requires, the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer or designate shall provide a report to Council containing the following:

- a) a description of the estimated proportion of the total financing arrangements of the municipality that is undertaken through Lease Financing Agreements to the total long-term debt of the City;

- b) a description of the change, if any, in that estimated proportion since the previous year's report;
- c) a statement by the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer or designate as to whether, in their opinion, all Lease Financing Agreements were made in accordance with this policy; and
- d) any other information that may be requested by Council or that, in the opinion of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer or designate, should be recorded.

APPENDIX B58

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-47-243 being
“Assessment Growth Policy”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-47-243 being “Assessment Growth Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-47-243 being “Assessment Growth Policy” is hereby amended by deleting Appendix “C(36)” to By-law No. CPOL.-47-243 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Assessment Growth Policy

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-47-243)

Last Review Date: June 11, 2018

Service Area Lead: Manager III, Financial Planning & Policy

1. Policy Statement

The purpose of this policy is to establish a priority framework for the allocation of assessment growth funds.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to the property tax supported budget.

4. The Policy

4.1. Principles

- 4.1.1. Civic service areas, boards and commissions that incur costs to provide existing core services to new growth areas are required to submit business cases to the Managing Director, Corporate Services & City Treasurer, Chief Financial Officer or designate.
- 4.1.2. The first available assessment growth funds are applied to business cases approved by the Managing Director, Corporate Services & City Treasurer, Chief Financial Officer or designate.
- 4.1.3. If business cases submitted by civic service areas, boards and commissions exceed available assessment growth funding then:
 - a) Approved business cases will be allocated funding according to the following priority order, it being noted that funding allocations to service areas for costs due to a growing and expanding City may be either one-time or permanent in nature:
 - i) Flow through costs for business cases funded through assessment growth in the prior year;
 - ii) Services that are aligned with those supported through Development Charges; and,
 - iii) Business cases will be evaluated as to whether the service and/or funding could be deferred to next year and whether significant service disruptions would occur if the service did not receive the current year growth funding.
 - b) Unfunded business cases will be resubmitted for consideration in the following year.
- 4.1.4. If assessment growth funding exceeds the accumulated growth costs of civic service areas, boards and commissions in any one budget year, the balance available will be applied in that year as follows:
 - a) 50% to reducing authorized debt on a one-time basis; and,

- b) 50% to the Capital Infrastructure Gap Reserve Fund on a one-time basis to mitigate growth in the infrastructure gap.

4.1.5. Excess assessment growth funding not allocated permanently, will be carried forward to the following year as a permanent source for future growth costs.

4.2. Budgeting for Assessment Growth

4.2.1. For forecast purposes, assessment growth will be assumed to be fully allocated to growth costs. Assessment growth and its allocation will be reported annually after the assessment roll is finalized.

4.3. Policy Review

This policy shall be presented to Council for review every four years, in the first year of each elected Council.

APPENDIX B59

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-48-244 being
“Debt Management Policy”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-48-244 being “Debt Management Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-48-244 being “Debt Management Policy” is hereby amended by deleting Appendix “C(37)” to By-law No. CPOL.-48-244 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Debt Management Policy

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-48-244)

Last Review Date: June 11, 2018

Service Area Lead: Manager III, Financial Planning & Policy

1. Policy Statement

1.1. Purpose

The purpose of this policy is to establish objectives for debenture and other forms of financing necessary to meet The Corporation of the City of London’s (the “City”) infrastructure and operating requirements as prescribed by the relevant sections of the Municipal Act, 2001, c 25 (the “Act”), specifically Part XIII Debt and Investment, and the applicable regulations thereunder.

This policy also establishes strategies for managing debt, including establishing parameters related to new debt being authorized or issued and ensuring that debt is at a level that will not impair the financial position or the credit rating of the City.

1.2. Objectives

The primary objectives of this policy are as follows;

a) Adherence to statutory requirements

The City shall secure temporary or long-term borrowing for municipal purposes as prescribed by the Act, specifically Part XIII Debt and Investment and the applicable regulations thereunder, including, but not limited to Ontario Regulation 403/02 Debt and Financial Obligation Limits; Ontario Regulation 438/97 Eligible investments and Related Financial Agreements; Ontario Regulation 247/01 Variable Interest Rate Debentures and Foreign Currency; and Ontario Regulation 276/02 Bank Loans, as amended.

b) Minimize long-term cost of financing

The City shall ensure that the debt program uses a systematic approach that minimizes the impact of debt servicing costs on the tax levy.

2. Definitions

2.1. **Annual Repayment Limit:** Under Regulation 403 /02: Debt and Financial Obligation Limits, this limit represents the maximum amount which the municipality has available to commit to payments relating to debt and financial obligations without seeking the approval of the Ontario Municipal Board. This limit is provided annually to a municipality by the Ministry of Municipal Affairs and Housing, additionally this limit must be updated by the City Treasurer prior to Council authorizing any increase in debt financing for capital expenditures.

2.2. **Authorized Debt:** Council approved debt financing as a source of funding for capital projects.

2.3. **Capital Financing:** A generic term for the financing of capital assets. This can be achieved through a variety of sources such as tax levy, grants, reserve funds and debt.

2.4. **Capital Plan:** The budget for capital projects i.e. the expenditures and resources required for capital projects.

- 2.5. **City Treasurer** – means the City’s Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, or designate;
- 2.6. **Debenture:** A formal written obligation to pay specific sums on certain dates. In the case of a municipality debentures are typically unsecured i.e. backed by general credit rather than by specified assets.
- 2.7. **Debt Management Policy:** Refers to this document.
- 2.8. **Debt Program:** Refers to the practices related to authorizing debt, issuing debt and monitoring debt. For example, part of the debt program includes issuing debt and the particulars related to issuing debt specifically the amount, timing and structure of the issuance. The debt program is derived from the objectives and strategies in debt policy.
- 2.9. **Debt Servicing Costs:** Cash that is required to cover the repayment of interest and principal on a debt and other costs associated with issuing debt.
- 2.10. **Financial Guarantee:** An agreement whereby the City will take responsibility for the payment of debt in the event that the primary debtor fails to perform.
- 2.11. **Growth Project:** Projects that extend services into newly developed areas of the City, for example road widening to handle additional traffic from new subdivisions.
- 2.12. **Internal Debt Financing Cap:** The City’s internal limit on debt as a source of capital financing for capital projects which is set by the City Treasurer. This limit is not referring to limits imposed by the Act or regulations thereunder.
- 2.13. **Issued Debt:** A fixed obligation, such as a debenture, notes or other agreements between the issuer (the borrower) and the lender. Municipalities issue debt to finance a variety of projects such as infrastructure projects.
- 2.14. **Lease Financing Agreement:** A financial lease agreement for the purposes of obtaining long term financing of a capital undertaking of the municipality. For example leasing of computer equipment.
- 2.15. **Letter of Credit:** A binding document from a bank guaranteeing that a buyer’s payment to a seller will be received on time and for the correct amount. In the event that the buyer is unable to make payment on the purchase, the bank will be required to cover the full or remaining amount of the purchase (debt).
- 2.16. **Lifecycle Renewal Project:** Projects that maintain the infrastructure that is in place today, for example resurfacing roads or replacing roofs.
- 2.17. **Service Improvement Project:** Projects that provide a new or improved level of service or address an emerging need, for example purchasing property for industrial land.

3. **Applicability**

This policy applies to all financial obligations made by the City on its own behalf and on behalf of its agencies, boards and commissions as well as Elgin Area Primary Water Supply and Huron Primary Water Supply System in the City’s capacity as the Administering Municipality, in accordance with the Transfer Orders issued September 15, 2000.

The following types of financial obligations are excluded from this policy;

- a) Lease Financing Agreements;
- b) Financial Guarantees; and
- c) Letters of Credit

4. The Policy

4.1. Strategy

4.1.1. Limiting and Reducing Authorized Debt

- a) The City shall limit the amount of debt authorized on an annual basis by applying debt financing to projects in the capital plan in a manner consistent with the following;
 - i) Debt financing shall be avoided as a source of funding for lifecycle renewal projects;
 - ii) Debt financing may be utilized as a source of funding for growth projects; and
 - iii) Debt financing may be utilized as a source of funding for service improvement projects.
- b) The City Treasurer shall have the authority to change the above application of debt financing as a source of funding for projects in the capital plan.
- c) The City shall limit debt financing as a source of funding in the capital plan by way of an internal debt cap. The City Treasurer shall have the authority to set and modify the internal debt cap such that the internal debt cap meets the City's long-term financing strategies and does not contravene the Act or regulations thereunder.
- d) Authorized debt shall be reduced as follows;
 - i) As prescribed by the Council approved Surplus/Deficit and Assessment Growth Policies.
 - ii) By the amount of surplus in the capital financing budget in a given year, unless otherwise directed by the City Treasurer.

4.1.2. Minimizing Risk Associated with Issuing Debt

- a) The City shall not issue long-term financing on projects/capital works until they are substantially complete or a discernable phase is complete.
- b) The timing and amount of debt issued in a given year shall be at the discretion of the City Treasurer or designate after consideration of cash flow requirements, budget constraints, and market conditions. This discretion must be exercised in accordance with the Act and the regulations.
- c) The City's general practice shall be to issue debt that is denominated in Canadian dollars with fixed interest rates over the term. Notwithstanding, if a borrowing structure is presented for which there is a material financial advantage and/or it is deemed prudent for the City to issue debt that is subject to interest rate fluctuations, the City may, at the discretion of the City Treasurer, consider entering into this type of arrangement. Variable interest rate structures must be in accordance with Ontario Regulation 247/01.
- d) Debt financing shall be secured for either a temporary or long-term basis as follows;

- i) Temporary financing instruments may be issued either for operating or capital purposes. Temporary financing for amounts that the City considers necessary to meet the expenses during the current fiscal year until the receipt of taxes and other revenues shall be in accordance with section 407 of the Act and the temporary borrowing by-law passed by Council each year.
- ii) Long-term financing of capital works which are deemed neither temporary operating and/or temporary capital financing may be secured from sources that comply with the Act and the regulations thereunder.

4.1.3. Minimizing Debt Servicing Costs

- a) The City Treasurer shall set debt servicing cost targets for each rate base (i.e. property tax supported, wastewater, water, and development charges) and these targets shall be a general guideline and utilized in the development of the City's budgets. These targets shall align with the City's long-term financing strategies and be subject to the requirements of the Act.
- b) The City shall strive to maintain a strong credit rating to assist in securing a favourable cost of borrowing.
- c) The City shall have a term preference of 10 years for debentures or other types of long-term financing for capital works. The term of long-term financing shall not extend beyond the lifetime of the capital work for which the debt was incurred and shall not exceed 40 years in accordance with Section 408 (3) of the Act. The term preference as well as structure of long-term financing instruments will be at the discretion of the City Treasurer or designate and subject to the requirements of the Act.
- d) The City shall monitor debt servicing costs and annual repayment limits as prescribed under Ontario Regulation 403/02: Debt and Financial Obligation Limits. The City shall also utilize other benchmarks, measures, indicators, ratios and limits as determined relevant and appropriate by the City Treasurer or designate to monitor debt levels and servicing costs. These measures shall include, but are not limited to debt servicing costs as a percentage of gross operating expenditures, debt financing as a percentage of the capital budget, debt per household and debt servicing costs as a percentage of revenue.

4.2. Reporting

In addition to any information requested by Council, or any information that the City Treasurer considers appropriate, the following shall be reported to Council;

- a) The status of issued and authorized debt as well as debt servicing costs through the capital and operating monitoring reports;
- b) Projections for debt levels and debt servicing costs through the budget process; and
- c) Debenture issuances.

4.3. Policy Review

This debt management policy shall be reviewed at a minimum every four years by the City Treasurer and be updated as deemed appropriate or required.

APPENDIX B60

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-52-248 being
“Capital Budget and Financing Policy”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-52-248 being “Capital Budget and Financing Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-52-248 being “Capital Budget and Financing Policy” is hereby amended by deleting Appendix “D(4)” to By-law No. CPOL.-52-248 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Capital Budget and Financing Policy

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-52-248)

Last Review Date: June 11, 2018

Service Area Lead: Manager III, Financial Planning & Policy

1. Policy Statement

The purpose of this policy is to establish a framework for capital budgeting and financing in order to ensure capital investments are budgeted and monitored with a consistent approach, financed in a manner to ensure a funding mix that places a priority on maintaining long-term financial sustainability, and guidelines are established for closing out capital projects.

2. Definitions

- 2.1. **City** – means The Corporation of the City of London;
- 2.2. **City Treasurer** – means the City’s Managing Director, Corporate Services and City Treasurer, Chief Financial Officer;
- 2.3. **Development Charges Background Study** – means the background study undertaken by the City for its current Development Charges By-law;
- 2.4. **Growth** – means a capital project that will service growth and is included in the Development Charges Background Study;
- 2.5. **Life Cycle Renewal** – means a capital project for the rehabilitation or renewal of existing infrastructure due to obsolescence, health and safety concerns, or general deterioration of assets related to use or age;
- 2.6. **Service Improvement** – means a capital project that provides a new or expanded level of service to the municipality or enhances an operational service area.

3. Applicability

This policy applies to all capital projects undertaken or administered by the City or capital projects that received funding from the City and are undertaken or administered by any of the City’s Local Boards, Commissions, Agencies or Corporations.

4. The Policy

4.1. Standard of Care

The City Treasurer shall have overall responsibility for the capital budget and financing program. The City Treasurer or designate shall have the authority to implement the capital budget and financing program and establish procedures consistent with this Policy.

4.2. Principles

4.2.1. Capital Budget Classifications

- a) Each capital project shall be classified as:
 - i) Lifecycle Renewal;
 - ii) Growth; or,
 - iii) Service Improvement

4.2.2. Capital Budget Financing

The following guidelines be used when determining the funding mix for each capital budget classification:

4.2.2.1. Lifecycle Renewal

The funding options for Lifecycle Renewal capital budgets shall be allocated in the following 'priority order':

- a) Non Tax/Rate Supported
 - i) Eligible non-tax funding sources such as senior government funding.
- b) Tax/Rate Supported
 - i) Capital levy.
 - ii) Eligible reserve funds, subject to adequate balances as determined by the City Treasurer or designate.
 - iii) Debt financing for Lifecycle Renewal capital budgets shall only be authorized after all other funding options have been applied and exhausted, noting that the objective is to phase out debt financing from this classification.

4.2.2.2. Growth

The funding options for the non-growth component of the Growth capital budgets, as determined by the Development Charges Background Study, shall be allocated in the following 'priority order':

Non Tax/Rate Supported

- i) Eligible non-tax funding sources such as senior government funding, provided that non-tax funding sources are used first to reduce the total expenditure before the growth/non-growth funding splits are applied.

Tax/Rate Supported

- ii) Capital Levy after consideration is first given to Lifecycle Renewal capital budgets.
- iii) Eligible reserve funds, subject to adequate balances as determined by the City Treasurer or designate.
- iv) Debt financing, provided that all other funding sources are exhausted.

The funding options for the growth component of the Growth capital budgets, as determined by the Development Charges Background Study, shall be funded from development charges supported funding sources, such as but not limited to eligible restricted reserve funds and debt financing.

4.2.2.3. Service Improvement

The funding options for Service Improvement capital budgets shall be allocated in the following 'priority order':

- a) Non Tax/Rate Supported
 - i) Eligible non-tax funding sources such as senior government funding.

- b) Tax/Rate Supported
 - i) Capital Levy after consideration is first given to Lifecycle Renewal capital budgets.
 - ii) Eligible reserve funds, subject to adequate balances as determined by the City Treasurer or designate.
 - iii) Debt financing, provided that all other funding sources are exhausted.

The City Treasurer or designate shall have the authority to set and adjust administrative capital financing targets that support the general guidelines identified above.

4.2.3. Capital Budget Development

The capital budget shall be developed in accordance with the following guidelines:

- a) A rolling ten (10) year capital plan shall be developed and maintained.
- b) The expenditure for each capital project shall be budgeted in the year spending is reasonably anticipated to occur.
- c) The budget for capital projects shall include all reasonably known or anticipated costs each year the budget is requested, including but not limited to the impacts of inflation and non-refundable HST and a reasonable contingency.
- d) New capital budget funding requests that are introduced outside of the budget process shall be referred to the next budget cycle unless the request is directed to be brought forward by Municipal Council or is deemed urgent by the City Treasurer.
 - i) New capital budget requests that meet the criteria noted above, shall include a recommended source of financing as deemed appropriate by the City Treasurer or designate.
- e) Debt financing shall be applied in accordance with the Council approved Debt Management Policy.

4.2.4. Capital Budget Monitoring and Close Out

- a) The City Treasurer or designate may close out of capital project accounts that are greater than three (3) years old calculated from the budget year the capital project was initially approved by Municipal Council.
- b) The City Treasurer or designate shall allocate the net disposition of surplus funding for all closed capital projects as follows:
 - i) Capital levy surplus shall be transferred to the capital receipts account to be used as a potential funding source for unfunded capital requests and that Water and Wastewater & Treatment rates be returned to the appropriate reserve fund.
 - ii) The City Treasurer or designate shall review the balance of the reserve fund which originally funded the capital project and shall determine if funding is allocated back to the respective reserve fund or allocated to the capital receipts account to be used as a potential funding source for unfunded capital requests.

- iii) Debt financing shall be released resulting in a reduction of authorized debt.
- c) If during the capital budget monitoring process it is determined that a capital project will be significantly over budget, a separate report and associated source of financing shall be brought forward for Municipal Council approval or be brought forward during the multi-year budget process, including annual budget updates.
- d) Civic Administration shall submit two monitoring reports to Municipal Council which will be known as the Mid-Year Monitoring Report and Year-End Monitoring Report and shall include:
 - i) A summary of the life-to-date capital budget.
 - ii) A listing of capital projects to be closed, including an explanation of capital projects with a variance greater than \$50,000, noting that capital projects with a variance to budget of less than \$1,000 shall be reported in aggregate only.

APPENDIX B61

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-75-307 being
“Affordable Housing Reserve Fund Implementation
Policy”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-75-307 being “Affordable Housing Reserve Fund Implementation Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-75-307 being “Affordable Housing Reserve Fund Implementation Policy” is hereby amended by deleting Appendix “D(23)” to By-law No. CPOL.-75-307 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Affordable Housing Reserve Fund Implementation Policy

Legislative History: Enacted August 22, 2017 (By-law No. CPOL.-75-307)

Last Review Date: June 11, 2018

Service Area Lead: Manager III, Financial Planning & Policy

1. Policy Statement

The purpose of the Reserve Fund is to provide capital grants on a per unit basis to eligible not-for-profit organizations or partnerships of not-for-profit organizations and the private sector to assist in the development of:

- a) Affordable permanent housing targeted to low income individuals or families determined to be in deep core housing need; or
- b) Transitional housing that will facilitate the movement of individuals and families from situations of homelessness or risk of homelessness to longer-term, independent housing with the consent of the Community and Protective Services Committee and Municipal Council.

The intent of the funding is to create an environment in which the private sector and community providers will be willing and able to develop affordable housing that does not involve direct City operating subsidies, for people with a range of housing needs that are not currently being met in the market.

It is not intended that all monies be allocated to one form of housing. The City’s goal is to provide affordable housing which meets the long term housing needs of those least able to find accommodation within the private sector. Until a review of funding allocation is undertaken at the end of 2002, fifty percent (50%) of available funds will be reserved for each of permanent and transitional housing.

It is not intended that the Reserve Fund will serve as a sole source of funding support for affordable housing projects. Reserve Fund contributions are intended to supplement funding or in-kind supports provided by senior levels of government, sponsor groups, service providers, businesses, community organizations and private donors.

Provisions will be put in place to accommodate donations, from the private sector and individuals, to the Reserve Fund.

The objectives of the Reserve Fund are to:

- Increase the supply of affordable housing in the City of London for those households most in need.
- Promote partnerships in support of affordable housing development.
- Leverage the contribution of federal and provincial funds, not-for-profit and private sector financing for affordable housing development.
- Target municipal investment in affordable housing development to individuals and families in greatest need.
- Create replicable models for affordable rental projects.
- Develop projects which are self-sustaining and do not require a municipal contribution to operating costs beyond those available through social assistance programs.

2. Definitions

Not Applicable.

3. Applicability

Eligibility Criteria

Affordable housing development proposals that will be considered for Reserve Fund contributions include the construction of new affordable housing, the acquisition and conversion of non-residential buildings to affordable housing, the acquisition and rehabilitation of substandard residential buildings and the expansion of existing affordable housing stock to provide adequate, affordable housing. Projects may include a mix of affordable rental units and units that exceed affordable rent levels. However, the consideration of funding will be limited only to those units that will satisfy the affordability criteria.

The focus of the Reserve Fund contributions will be the creation of affordable rental units.

Reserve Fund contributions will also be available to assist the development of transitional housing to meet the needs of individuals or families who are moving from a situation of homelessness or near homelessness. Transitional housing addresses needs that extend beyond affordability to include various social and health-related support services that facilitate the transition to longer-term, independent housing.

- a) Due to the limited funds, proponents seeking Reserve Fund contributions must focus on those households in the greatest need and must satisfy the following criteria:
- b) Proponents must be not-for-profit organizations acting independently or in partnership with private sector developers or other not-for-profit organizations (or proponents must have a commitment to a not-for-profit designation which must be in place prior to final commitment date).
- c) Proponents must have a mandate that relates to the provision of housing.
- d) Proponents must be able to demonstrate a capacity to implement the project within the timeline and budget proposed.
- e) Proponents must demonstrate the ability to achieve the affordability criteria and agree to maintain rents for a period of not less than twenty-five years below the affordable rent limits specified in Section 6, as adjusted from year to year.
- f) Projects that involve the displacement of any existing tenants will not be considered unless the proponent includes a satisfactory relocation plan.
- g) Proponents must be able to demonstrate that the project to be created, including any proposed support services, will be sustainable.
- h) Projects must be located within the City of London.
- i) Proponents must identify a site or building that can be reasonably developed for its intended purpose. The City may contribute land, subject to Council approval.
- j) Proponents must prepare a tenant selection process that will form part of any agreements with the City and ensure that affordable rental units will be occupied by individuals or households whose household incomes are below the income limits specified in Section 4.4.

4. The Policy

4.1. Evaluation Criteria

Proposed projects will be evaluated for conformity to the purpose and objectives of the Reserve Fund and for compliance to the eligibility criteria listed in Section 3.

In addition, through the evaluation process, preference will be given to projects that include the following characteristics:

Proponent Qualifications:

- Experience and qualifications of the proponent to develop affordable housing/transitional housing.
- Experience and qualifications of the proponent to manage affordable housing/transitional housing.

Financial Plan:

- Level of partnership commitment for funding from other government and philanthropic sources.
- Credibility of cost projections for the development and the ability to finance as required.
- Cost effectiveness and per-unit funding requirement for the proposed project.

Management and Service Plan:

- Tenant placement plan in relation to targeted households (those households in greatest need).
- Extent to which the proposed project's management plan, including staffing and operating cost projections, is developed.
- Extent to which the proposed project's service plan represents an adequate and financially viable response to the target client group.
- Commitment that service providers and funders are making to this project (sustainability of program).

Development Plan:

- Ability to proceed quickly; extent to which a proposed project is ready to go from the perspective of site acquisition, land use approvals and the securing of any additional funding commitments.
- Extent to which the proposed development reflects good land-use planning and responds appropriately to the community context.
- Extent to which architectural design reflects the needs of the target client group.

4.2. Eligible Costs

Contributions from the Reserve Fund are to the total project. There will be no phase funding (ie. land acquisition only). Grants from the Reserve Fund may be applied to the following project capital costs:

Construction costs for the development of new affordable housing or the rehabilitation or conversion of existing buildings for affordable housing including acquisition of land and buildings.

Costs associated with the cost of affordable housing development including architectural, legal, engineering and project management fees; development charges and building permit fees; park fees; connect fees; and interest charges.

4.3. Assistance Levels

Contributions from the Affordable Housing Reserve Fund to selected projects may be approved in amounts of up to \$15,000 per unit plus a grant upon completion of the project to off-set any municipal fees or charges incurred in the development approval process.

4.4. Affordability Criteria

For transitional housing projects, it is expected that rents to be charged will not exceed the maximum shelter component provided under the Ontario Works Act or the Ontario Disability Support Program Act.

For affordable rental housing projects, the maximum rent levels for affordable rental units will be set annually at 70% or below of the CMHC average market rent for rental housing within the City of London. The CMHC core need income thresholds are adjusted to include utilities. Maximum affordable rents for 2002 will be set at:

<u>Unit Type</u>	<u>CMHC at Oct/01</u>	<u>Affordable Rent</u>
Bachelor	\$433	\$303
1 bedroom	\$547	\$383
2 bedroom	\$683	\$478
3 bedroom +	\$852	\$596

For affordable rental housing projects, the maximum household income of the tenant households shall not exceed the following levels:

<u>Percentile</u>	<u>Household Income Cut-off</u>	<u>Rent at 30%</u>
10 th	\$6,983	\$175
20 th	\$11,919	\$298
30 th	\$15,260	\$382
40 th	\$19,270	\$482
50 th	\$24,457	\$611

4.5. Project Selection Process

The intent is to fund those projects that meet the eligibility criteria, with the greatest potential to provide affordable housing for delivery in the short term for the most needy households.

A Request for Proposals for contributions from the Affordable Housing Reserve Fund will be issued at approximately six-month intervals, provided funds are available.

The Director of Housing and the Affordable Housing Development Officer will conduct an information meeting with prospective proponents and housing interest groups to clarify City requirements and facilitate networking and partnerships among proponents and groups.

Proposals will be evaluated by a committee of City staff chaired by the Director of Housing and including:

- the Affordable Housing Development Officer
- the Commissioner of Planning and Development
- the City Treasurer or designate
- the Commissioner of Community Services or designate
- the Manager of Realty Services

The Evaluation Committee will recommend selected proposals to City Council through the Community and Protective Services Committee, for approval subject to the adoption of a funding agreement with the proponent.

The City will prepare the funding agreement and authorizing by-law for Council's approval.

APPENDIX C1

Bill No.
2018

By-law No.

A by-law to repeal Council Policy related By-Law No. CPOL.-92-344 being “Flankage Exemptions for Surface Works and Sewers” and replace it with a new Council policy entitled “Flankage Exemptions for Surface Works and Municipal Services”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-92-344 being “Flankage Exemptions for Surface Works and Sewers” and replace it with a new Council policy entitled “Flankage Exemptions for Surface Works and Municipal Services”;

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

1. By-law No. CPOL.-92-344 being “Flankage Exemptions for Surface Works and Sewers” is hereby repealed.
2. The Policy entitled “Flankage Exemptions for Surface Works and Municipal Services” attached as Schedule “A” is hereby adopted.
3. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Flankage Exemptions for Surface Works and Municipal Services

Legislative History:

Last Review Date: June 11, 2018

Service Area Lead: Director – Water and Wastewater

1. Policy Statement

The policy establishes the applicable flankage exemptions for properties subject to a local improvement.

2. Definitions

Not applicable.

3. Applicability

This policy applies to properties with flankage subject to a local improvement.

4. The Policy

That a policy be established with regard to all local improvement flankage exemptions to provide that the exemption be 100% of the first 45.72m of available flankage for each applicable property.

APPENDIX C2

Bill No.
2018

By-law No.

A by-law to repeal Council Policy related By-Law No. CPOL.-94-346 being “Absence of Sewers and Private Drain Connections” and replace it with a new Council policy entitled “Absence of Municipal Services”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-94-346 being “Absence of Sewers and Private Drain Connections” and replace it with a new Council policy entitled “Absence of Municipal Services”;

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

1. By-law No. CPOL.-94-346 being “Absence of Sewers and Private Drain Connections” is hereby repealed.
2. The Policy entitled “Absence of Municipal Services” attached as Schedule “A” is hereby adopted.
3. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Absence of Municipal Services

Legislative History:

Last Review Date: June 11, 2018

Service Area Lead: Director – Water and Wastewater

1. Policy Statement

The policy establishes that circulation of a petition for a local improvement is at the discretion of the City Engineer.

2. Definitions

Not applicable.

3. Applicability

This policy is applicable to streets subject to a local improvement due to inadequate or unavailable municipal services.

4. The Policy

That a policy be established to provide that in the case where a petition for a local improvement surface work is requested, and the City Engineer is of the opinion that such a petition should not be circulated because of the absence of adequate or available municipal services, the City Engineer be authorized to withhold such petition but be required to report the fact to the appropriate standing committee of Council.

APPENDIX C3

Bill No.
2018

By-law No.

A by-law to repeal Council Policy related By-Law No. CPOL.-117-369 being “Phase Out Use of City-Owned Vehicles” and replace it with a new Council policy entitled “Annual Assessment of Underutilized Light Vehicles”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-117-369 being “Phase Out Use of City-Owned Vehicles” and replace it with a new Council policy entitled “Annual Assessment of Underutilized Light Vehicles”;

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

1. By-law No. CPOL.-117-369 being “Phase Out Use of City-Owned Vehicles” is hereby repealed.
2. The Policy entitled “Annual Assessment of Underutilized Light Vehicles” attached as Schedule “A” is hereby adopted.
3. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule “A”

Policy Name: Annual Assessment of Underutilized Light Vehicles

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-117-369)

Last Review Date: June 11, 2018

Service Area Lead: Director – Environment, Fleet & Solid Waste

1. Policy Statement

This policy empowers the City Engineer to pursue alternative transportation solutions in regards to the fleet vehicles.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to vehicles owned by the City of London.

4. The Policy

That a policy be established to empower the City Engineer, through Fleet & Operational Services, to actively pursue and implement alternative transportation solutions for underutilized light vehicles during the vehicle needs assessment process that occurs in two different situations; when a changed use for an existing vehicle is identified or during the vehicle replacement process.

Vehicles less than 5000km/year will be reviewed during the vehicle replacement process to encourage alternative vehicle solutions that may include sharing a vehicle, external car sharing programs, rentals and leasing programs or using a personally owned vehicle for their City business. In the case of personal vehicles, mileage costs will be reimbursed at a rate established by the Municipal council from time to time subject to any alternative agreement defined within collective agreements or employee groups.

APPENDIX C4

Bill No.
2018

By-law No.

A by-law to repeal Council Policy related By-Law No. CPOL.-194-446 being "Private Storm Water Connections" and replace it with a new Council policy entitled "Stormwater Private Drain Connections".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-194-446 being "Private Storm Water Connections" and replace it with a new Council policy entitled "Stormwater Private Drain Connections";

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

1. By-law No. CPOL.-194-446 being "Private Storm Water Connections" is hereby repealed.
2. The Policy entitled "Stormwater Private Drain Connections" attached as Schedule "A" is hereby adopted.
3. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Stormwater Private Drain Connections

Legislative History:

Last Review Date: June 11, 2018

Service Area Lead: Director – Water and Wastewater

1. Policy Statement

This policy is to explain that a storm water private drain connection is to be installed when a storm sewer is installed.

2. Definitions

Not applicable.

3. Applicability

The policy applies to all buildings, not being single family or semi-detached houses, and to all lots zoned for a use other than for single family or semi-detached housing.

4. The Policy

That a policy be established whereby when a storm sewer is installed, a storm water private drain connection be required to be installed to all buildings, not being single family or semi-detached houses, and to all lots zoned for a use other than for single family or semi-detached housing.

APPENDIX C5

Bill No.
2018

By-law No.

A by-law to repeal Council Policy related By-Law No. CPOL.-136-388 being “Parkland Dedication – Acquisition of Parkland Outside a Plan of Subdivision” and replace it with a new Council policy entitled “Parkland Dedication – Acquisition of Hazard Lands and/or Open Space Lands”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-136-388 being “Parkland Dedication – Acquisition of Parkland Outside a Plan of Subdivision” and replace it with a new Council policy entitled “Parkland Dedication – Acquisition of Hazard Lands and/or Open Space Lands”;

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

1. By-law No. CPOL.-136-388 being “Parkland Dedication – Acquisition of Parkland Outside a Plan of Subdivision” is hereby repealed.
2. The Policy entitled “Parkland Dedication – Acquisition of Hazard Lands and/or Open Space Lands” attached as Schedule “A” is hereby adopted.
3. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Parkland Dedication – Acquisition of Hazard Lands and/or Open Space Lands **Legislative History:**

Last Review Date: June 11, 2018

Service Area Lead: Manager, Development Services (Subdivisions) and Manager, Development Services (Site Plan)

1. Policy Statement

This policy establishes the manner of acquisition of hazard lands and/or open space lands outside an application under 42, 51.1 or 53 of the Planning Act, R.S.O. 1990, Chapter P.13.

2. Definitions

Not applicable.

3. Applicability

This policy applies to the acquisition of hazard lands and/or open space lands outside an application under 42, 51.1 or 53 of the Planning Act, R.S.O. 1990, Chapter P.13.

4. The Policy

That the following policy be established for the acquisition of hazard land and/or open space land outside an application under 42, 51.1 or 53 of the Planning Act, R.S.O. 1990, Chapter P.13.

- a) Where hazard lands are to be purchased outside a development application, a rate consistent with Table 1 of By-law CP-9 shall apply; and
- b) Other open space lands may be acquired at a higher value relative to their environmental or recreational value.

APPENDIX C6

Bill No.
2018

By-law No. CPOL.-

A by-law to repeal Council Policy related to “Perfecting Property Titles for which Consents were not Obtained” and replace it with a new Council policy entitled “Perfecting Property Titles for which Consents were not Obtained”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to repeal Council Policy related to “Perfecting Property Titles for which Consents were not Obtained” and replace it with a new Council policy entitled “Perfecting Property Titles for which Consents were not Obtained”;

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

1. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts a Council policy pertaining to “Perfecting Property Titles for which Consents were not Obtained” is hereby repealed.
2. The Policy entitled “Perfecting Property Titles for which Consents were not Obtained” attached as Schedule “A” is hereby adopted.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Schedule "A"

Policy Name: Perfecting Property Titles for which Consents were not Obtained

Legislative History:

Last Review Date: June 11, 2018

Service Area Lead: Manager, Development Services (Subdivisions) and Manager, Development Services (Site Plan)

1. Policy Statement

The policy provides a process for applications to Council for the enactment of by-laws requesting the Minister of Municipal Affairs to make Orders under the Planning Act, R.S.O. 1990, Chapter P.13, for the purpose of perfecting the title to parcels of land for which the necessary Committee of Adjustment consents were not obtained prior to March 19, 1973.

2. Definitions

Not applicable.

3. Applicability

The policy applies to applications to Council for the enactment of by-laws requesting the Minister of Municipal Affairs to make Orders under the Planning Act, R.S.O. 1990, Chapter P.13, for the purpose of perfecting the title to parcels of land for which the necessary Committee of Adjustment consents were not obtained prior to March 19, 1973.

4. The Policy

That the following policy be established with respect to applications to Council for the enactment of by-laws requesting the Minister of Municipal Affairs to make Orders under the Planning Act, R.S.O. 1990, Chapter P.13, for the purpose of perfecting the title to parcels of land for which the necessary Committee of Adjustment consents were not obtained prior to March 19, 1973.

- a) any such application is to be made to the City Clerk's Office and is to be subject to an application fee equal to the fee charged by the Consent Authority on the application for a consent to sever;
- b) where the Administration recommends that no conditions be imposed in respect to the subject parcel as a condition to the passage of the by-law, the City Clerk is authorized to place the by-law directly before a regular meeting of Council by listing it on the Orders of the Day;
- c) where the Administration recommends that conditions be imposed in respect of the subject parcel as a condition to the passage of the by-law, such recommendation is to be made to Council through the Planning and Environment Committee and the conditions, when adopted by Council, are to be included wherever possible in an Agreement in favour of the City which is to be executed by the Owner of the land and registered prior to the enactment of the by-law;
- d) once such a by-law is passed, the applicant is to be left with the responsibility of applying to the Minister for an Order; and
- e) the Administration is authorized to develop and implement such necessary procedures which are sufficient to carry out the foregoing policy.

APPENDIX D1

Bill No.
2018

By-law No. CPOL.-

A by-law to repeal By-Law No. CPOL.-21-217,
“Methane Gas”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-21-217 being “Methane Gas” as the Municipal Council has determined that this Council Policy is no longer required;

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

1. By-law No. CPOL.-21-217 being “Methane Gas” is hereby repealed.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

APPENDIX D2

Bill No.
2018

By-law No. CPOL.-

A by-law to repeal By-Law No. CPOL.-22-218,
“Unprotected Excavations at Construction Sites”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-22-218, being “Unprotected Excavations at Construction Sites” as the Municipal Council has determined that this Council Policy is no longer required;

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

1. By-law No. CPOL.-22-218, being “Unprotected Excavations at Construction Sites” is hereby repealed.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

APPENDIX D3

Bill No.
2018

By-law No. CPOL.-

A by-law to repeal By-Law No. CPOL.-224-476,
“Non-Enforcement of Parking Regulations”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-224-476, being “Non-Enforcement of Parking Regulations” as the Municipal Council has determined that this Council Policy is no longer required;

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

1. By-law No. CPOL.-224-476, being “Non-Enforcement of Parking Regulations” is hereby repealed.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

APPENDIX D4

Bill No.
2018

By-law No. CPOL.-

A by-law to repeal By-Law No. CPOL.-225-477,
“Free Downtown Parking During Christmas Season”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-225-477, being “Free Downtown Parking During Christmas Season” as the Municipal Council has determined that this Council Policy is no longer required;

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

1. By-law No. CPOL.-225-477, being “Free Downtown Parking During Christmas Season” is hereby repealed.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

APPENDIX D5

Bill No.
2018

By-law No. CPOL.-

A by-law to repeal By-Law No. CPOL.-78-310,
“Enforcement of City Personnel”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-78-310, being “Enforcement of City Personnel” as the Municipal Council has determined that this Council Policy is no longer required;

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

1. By-law No. CPOL.-78-310, being “Enforcement of City Personnel” is hereby repealed.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

APPENDIX D6

Bill No.
2018

By-law No. CPOL.-

A by-law to repeal By-Law No. CPOL.-102-354,
“Service Cut Restoration Work by Utilities and
Contractors”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-102-354, being “Service Cut Restoration Work by Utilities and Contractors” as the Municipal Council has determined that this Council Policy is no longer required;

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

1. By-law No. CPOL.-102-354, being “Service Cut Restoration Work by Utilities and Contractors” is hereby repealed.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

TO:	CHAIR AND MEMBERS STRATEGIC PRIORITIES AND POLICY COMMITTEE MEETING ON JUNE 25, 2018
FROM:	KELLY SCHERR, P.ENG., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL AND ENGINEERING SERVICES AND CITY ENGINEER
SUBJECT:	REVIEW OF THE FUNCTION OF THE PUBLIC UTILITY COMMISSION OF THE CITY OF LONDON

RECOMMENDATIONS

That on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the Civic Administration **BE DIRECTED** to undertake all the administrative acts that are necessary to dissolve the corporate entity known as The Public Utility Commission of the City of London and to transfer all of its assets and liabilities to The Corporation of the City of London.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

None.

BACKGROUND

Purpose

The purpose of this report is to recommend actions regarding the future of the Public Utility Commission of the City of London (PUC).

Context

When the London Hydro-Electric Commission was restructured as a result of the deregulation of the Ontario electricity industry, a decision was made to maintain the PUC to limit the City of London’s liability and responsibilities with respect to certain contaminated lands. An evaluation of the effectiveness and efficiency of this governance model has been undertaken to determine if it should continue on a go-forward basis, given current legislation and operational practices.

DISCUSSION

Contaminated Lands

The current mandate of the PUC is to manage certain contaminated lands and their associated liability. The predecessor to the PUC (the Hydro-Electric Commission of the City of London) adopted a motion at its meeting on March 10, 1998, which confirmed that:

“for the foreseeable future, there are no intended end uses for the Commission’s property contaminated with coal tar, west of Ridout Street, other than to continue with the present uses—employee parking, storage, and the Aboutown Transportation lease.”

The purpose of adopting the motion was to simplify the coal tar site risk assessment process by limiting the end use of the subject property.

Based on a site specific risk assessment by Dillon Consulting in 1999, a parking lot use was assumed to be a suitable long-term solution for management of any coal tar that remained on this site. Over 75% of the site was reported to be within the regional flood lines of the Thames River and, therefore, was assumed to be unsuitable for development. The parking lot is operated by the City under a revenue sharing arrangement with the PUC. In order to prevent the migration of contaminated groundwater from the site, an underground barrier, along with a collection and treatment system, was constructed. The treatment facility continues to be operated by the PUC.

Promissory Note

When the electricity distribution assets of the London Hydro-Electric Commission were transferred to London Hydro on November 1, 2000, an extendible non-interest bearing promissory note for \$95 million, representing approximately 55 percent of the value of the assets, was delivered to the City. The note was then assigned, by way of an undertaking, to the Public Utility Commission of the City of London (PUC), and the PUC retained responsibility for coal tar remediation of the Thames River and adjacent lands.

On August 7, 2001, Council, with the concurrence of the PUC, approved a reduction in the principal amount of the note to \$70 million in order to accommodate London Hydro's proposed revolving line of credit for operating purposes. The contributed capital by the City, as sole shareholder to London Hydro, was correspondingly increased by \$25 million.

The PUC's use of the principle payment made to it under the note are limited to the investigation, remediation, restoration and legal proceedings of the coal tar affected lands owned by the PUC.

In 2014, the note was transferred to the City via a funding agreement between the City and the PUC. The note ensures that \$70 million is held by the City on terms consistent with the original pledge of the undertaking/assignment of the promissory note. These terms include:

- the investigation, remediation, and restoration of the affected lands;
- any related legal proceedings, including proceedings before any court or administrative tribunal; and,
- the Commission's actual and reasonable administrative and incidental costs related, thereto.

Alternative long-term technical solutions were reviewed in 2014, including new cleanup technologies, to confirm that the note's value remains appropriate. A review by Conestoga-Rover Associates concluded that:

- Excavation and off-site disposal of this material is likely the only practical approach to remediate heavily contaminated areas; and,
- The removal of all remaining coal tar impacts would cost in the range of \$60 million, but could be higher depending on "remedial objectives selected (e.g., Generic Standards or Site Specific Property Standards) The extent of contaminant migration that may have occurred since the historic extent of contamination was determined could also impact the cost."

Review of the Function of the PUC

In recent months, work has been undertaken to determine whether the PUC is still relevant, in light of current legislation, and whether the governance model remains effective and efficient. There does not appear to be a sufficient legislative argument to support the PUC's continuance, which in turn suggests that the governance and administrative efforts required to support the entity are not an effective use of resources. As a result, the PUC is recommending that the PUC be dissolved and its assets and liabilities transferred to the City of London. The civic administration is recommending that the PUC be dissolved and is seeking the direction of council to take all actions required to dissolve the PUC.

CONCLUSION

Legislative and operational considerations support the dissolution of the PUC and the transfer of its assets and liabilities to the Corporation of the City of London. The management of the PUC lands and assets are most appropriately undertaken by city staff under the direction and oversight of city council. It is recommended that the civic administration undertake all the administrative acts that are necessary to dissolve the corporate entity known as The Public Utility Commission of the City of London and transfer all of its assets and liabilities to The Corporation of the City of London.

PREPARED BY:	RECOMMENDED BY:
SCOTT MATHERS, MPA, P. ENG. DIRECTOR WATER AND WASTEWATER	KELLY SCHERR, P.ENG., MBA, FEC MANAGING DIRECTOR ENVIRONMENTAL AND ENGINEERING SERVICES AND CITY ENGINEER

File: RPT-SPPC-Public-PUC Dissolution-Jun25'18-1of1-Clerks and Legal.docx

Attach:



London
CANADA

OFFICE
OF MAYOR
MATT BROWN

June 1, 2018

Dear Members of the Strategic Priorities and Policy Committee:

Re: Indigenous Relations Working Group

On October 17, 2017, Municipal Council resolved to establish an Indigenous Relations Working Group with an approved Terms of Reference. Subsequent to the approval, concerns were raised by our First Nations' partners regarding the absence of consultation with them with respect to the establishment of the Working Group. Leaders from our three neighbouring First Nations have reached out to me with respect to this matter. Attached to this communication are letters from the Chippewas of the Thames First Nation, Oneida Nation of the Thames and Munsee Delaware Nation in response to London City Council's proposed Indigenous Relations Working Group.

As you will note in the attached letters, several suggestions are being presented for our consideration. These suggestions include engaging an external facilitator, acceptable to all parties, to assist in identifying commonalities between the parties from which a terms of reference could be established for the proposed Working Group. The proposed Working Group would then establish a schedule of meetings.

I am therefore requesting support of the following recommendation:

That the following actions be taken with respect to the Indigenous Relations Working Group:

a) the attached letters from the Chippewas of the Thames First Nation, Oneida Nation of the Thames and Munsee Delaware Nation
BE RECEIVED;

b) that in accordance with section 13.2 of the Council Procedure By-law the Municipal Council decision of October 17, 2017 with respect to clause 2 of the 17th Report of the Strategic Priorities and Policy Committee, **BE RECONSIDERED;**

300 Dufferin Avenue
P.O. Box 5053
London, ON Canada
N6A 4L9

THE CORPORATION OF
THE CITY OF LONDON

T. 519.661.4920
F. 519.661.5308
mayor@london.ca

LONDON.CA



London
CANADA

OFFICE
OF MAYOR
MATT BROWN

c) the Civic Administration BE DIRECTED to retain an external facilitator, acceptable to all parties, to assist in identifying commonalities between the parties from which a terms of reference could be established for the proposed Working Group; and,

d) upon completion of c) above, the Civic Administration BE DIRECTED to consult with the Administration of the First Nations to establish a meeting schedule for the Working Group.

Respectfully submitted,

Mayor Matt Brown

300 Dufferin Avenue
P.O. Box 5053
London, ON Canada
N6A 4L9

THE CORPORATION OF
THE CITY OF LONDON

T. 519.661.4920
F. 519.661.5308
mayor@london.ca

LONDON.CA



CHIPPEWAS OF THE THAMES FIRST NATION



April 3, 2018

To London City Council,

On behalf of the Chippewas of the Thames First Nation, I submit this letter in response to the desire to establish an Indigenous Relations Working Group with members of London City Council.

While we understand and appreciate the desire to move the relationship between our communities forward in a more formal way, we are deeply concerned that the direction chosen by your council was taken without consultation with First Nations Communities in the London area.

For any meaningful relationship to develop and grow, trust must first be established. Through three years of continued conversations with Mayor Brown and Councillor Cassidy, our communities have worked to establish trust. We believe we have developed a plan that will allow us to work towards a more formal relationship.

As a first step, we request a meeting with a designated and mutually agreed upon facilitator to identify the shared priorities of our two communities in order to develop a framework to establish the Indigenous Working Group.

Chippewas of the Thames First Nation is happy to work toward a greater relationship with the City of London.

Sincerely,

Myeengun Henry

Ogimaa (Chief) Chippewas of the Thames First Nation

Administration Office

320 Chippewa Road, Muncey, ON N0L 1Y0

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ONEIDA NATION OF THE THAMES

POLITICAL OFFICE
2210 ELM AVENUE, RR #2
SOUTHWOLD, ONTARIO
N0L 2G0

TELEPHONE: (519) 652-6161

FAX: (519) 652-2174

April 3rd, 2018

Mayor Matt Brown
The City of London
300 Dufferin Street
London, Ontario
N6B 1Z2

Dear Mayor Brown:

Shekoli Swakwe:ku. I hope that this letter finds you in good spirit and health. I am writing this letter to you as a follow up to our meeting a few weeks ago in our office. First of all, we would like to thank you for your outreach and for taking the time to meet with me and several of our Council members. The meeting was a long time in coming, but I am glad that we have finally had the opportunity to meet.

The original purpose of our meeting was to finally meet with you in person to discuss a path to the establishment of a new relationship with the surrounding First Nations, including the Oneida Nation of the Thames. Our Nation and people are part of a larger Confederacy, the "Iroquois Confederacy" and we are the "Haudenosaunee". While the Confederacy exists for the collective, each Nation still remains an independent entity. We are Onyota'a:ka – the people of the Standing Stone.

Our Settlement, located approximately 25 kms southwest from the City of London, has been in existence since 1839. Our ancestors were forcibly removed from our historical lands located in what is now New York State. After support for the American forces in their wars for Independence, our reward was a racist expulsion from our territory. Several hundred of our people came to the "Beaver Hunting grounds", a land tract that covered millions of acres, including what is known as southwestern Ontario, to establish our Settlement.

We have heard, via the news, and from one of your council members (Ms. Maureen Cassidy), of your Council's efforts to accept, adopt and implement several of the recommendations that stem from the Truth and Reconciliation Commissioner's report. Well, I applaud any positive efforts to reconcile with First Nations communities and peoples, we remain cautious regarding the timing and method being considered for your reconciliation efforts. Although 'WE' cannot and will not dictate to the City of London regarding their own processes and priorities, we would ask that you respectfully slow the pace of your development of an Indigenous working group until you have fully consulted with the First Nations people to assist in its design and mandate. Only then will this initiative achieve success.

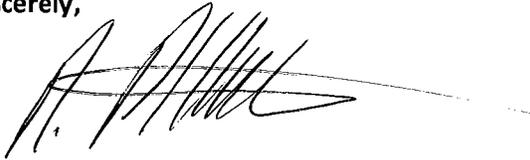
“People of the Standing Stone”

The Oneida Nation of the Thames elected Chief and Council wish to establish this new working relationship with the City of London. However, we would like to establish that relationship independent and separate from any other agreement or relationship that may have been established with other local First Nations. Although we are all neighbors, we all come from different cultures and experiences.

At our preliminary meeting, we had the opportunity to discuss many topics that could be the focal point of relationship issues, and positive progress for future endeavors. We also discussed some of the more challenging and troubling aspects of being an urban First Nations person. We also suggested that it may be appropriate to have an informal meet and greet between our two Councils, as a first step.

Mayor Brown, thank you for your consideration and attention regarding the contents of this letter, I await your positive response.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Phillips', with a long horizontal flourish extending to the right.

Elected Chief Randall Phillips,
Oneida Nation of the Thames.

cc: Oneida Council

cc: Councillor Cassidy

April 30th, 2018

Mayor Matt Brown and London City Council,

I am writing on behalf of Munsee-Delaware Nation in regards to the motion to establish an Indigenous Relations Working Group with local First Nations representatives and members of London City Council.

These efforts to move the relationship between are communities forward are important, however we are deeply concerned that the direction chosen by your City Council was taken without consultation or dialogue with our First Nations communities.

For this to work proceed and for any meaningful relationship to form there first must be established trust. Our community has done so over much time with both Mayor Matt Brown and Councillor Maureen Cassidy.

We look forward to expanding on that and we believe we have a solution that allows us to work toward a moral formal relationship over time, but this must be a collaborative effort.

To move these efforts forward we are requesting a meeting with a facilitator, chosen by both parties. This person will then identify the shared priorities of our communities and set out a framework for the proposed Indigenous Working Group.

Respectfully submitted,

Chief Roger Thomas

Munsee Delaware Nation