

4TH REPORT OF THE
GOVERNANCE WORKING GROUP

Meeting held on August 21, 2017, commencing at 1:31 PM, in Committee Room #4, Second Floor, London City Hall.

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

ALSO PRESENT: Councillors M. Salih and T. Park and M. Hayward, G. Barrett, G. Bridge, B. Card, K. Chambers, B. Coxhead, P. D'Hollander, A. Dunbar, K. Graham, L. Livingstone, D. O'Brien, K. Pawelec, J. Smout and S. Stafford.

I. CALL TO ORDER

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

II. CONSENT ITEMS

2. 3rd Report of the Governance Working Group

That the 3rd Report of the Governance Working Group, from its meeting held on July 19, 2017, BE RECEIVED.

3. Terms of Reference and Deferred List

That the Terms of Reference for the Governance Working Group, dated August 1, 2017 and the Deferred List, as of August 9, 2017, BE RECEIVED for information.

III. ITEMS FOR DISCUSSION

4. Municipal Council Resolution - Ranked Ballot Voting Process for Citizen Appointments to Various Committees, Boards and Commissions

That the following actions be taken with respect to a ranked ballot voting process for citizen appointments to various Committees, Boards and Commissions:

- a) the Municipal Council resolution from its meeting held on June 14, 2017 regarding this matter BE RECEIVED for information; and
- b) the City Clerk BE DIRECTED to work with Councillor M. van Holst to draft a policy that is reflective of the ranked ballot process contained in the computer program developed by Councillor M. van Holst and to assist in finalizing the computer program to the satisfaction of the Director, Information and Technology Services and the City Clerk;

it being noted that the Governance Working Group received a demonstration of the ranked ballot computer program from Councillor M. van Holst.

5. Council Policy Review of Chapters 7, 15, 16, 17, 18, 19, and 20

That the following actions be taken with respect to the Council Policy Manual Review:

- a) the attached proposed by-law (Appendix B) BE INTRODUCED at the Municipal Council Meeting to be held on September 19, 2017 to revoke and repeal the following Council policies related to: Collections from Garbage Storage Containers, Weed Control Policy, City Radios in Employees' Cars, Loose Leaf Collection, Road Cuts by Utility Companies, Requests for PCB Destruction, Topsoiling and Seeding Old Landfill Sites, Motorized Vehicles on City Lands, City Initiating Works, Handling of Petitions Administratively, Rates for Private Drain Connections and Sewer Rental, Local Improvement By-laws, Existing Local Improvement Petitions, No Extension of Services Beyond Boundaries, Voters List Not Available for Commercial Purposes, Rewards for Unsolved Murders, Motorcycle Races at Fair Grounds, Outdoor Billboard Rental Rates, Disposing of

City Vehicles, Election Signs on City Property, Special Occasion Permits, Use of the Name "London", Official City Band, Photocopy Charge, Sewage from External Sources, Neighbourhood Watch Program, Municipal Priorities and Provincial Funding Reductions, Distribution and/or Sales of Goods or Services Through Non-Profit Organizations, Accessible Customer Service Policy, London Railway Commission Employees, Granting Employee Suggestion Awards, Value of Employee Suggestion Awards, Sick Leave Payouts, Past Service Pensions, Organizational Structure and Management Committee, Sick Leave Reserve Fund, Code of Ethics, Employment Equity Policy, Employee Absence – Work Related SARS Exposure, Preparation of Zoning By-laws by Clerk, Subdivision of Land by Consent, Subdivision Development, Mobile Home Parks, Dealing with Matters before the O.M.B., Changing Subdivision Policies, Utility Easement to Include Cable T.V., Incomplete Development Applications, Garage Sales, Planning Standards, Parking Requirements for Rooming, Lodging and Boarding Houses, External and Oversized Works, Site Planning Guidelines, Joint Maintenance Agreement Provisions, Minor Variance Guidelines, Non-Conforming Use Guidelines, Severance Guidelines, Part-Lot Control Exemption, Site Plan Approval & Enforcement, Reporting Consent Authority Decisions, Temporary Reduction in Parking for Promotional Events, Large Claims from U.W.R.F., Early Release of Planning Reports, Sewer Rental Charges for Oversized Sewers, Lawyers' Letters, Disposition of School Sites, Heritage Inventory - Removal of Properties, Driveover Curbs and Gutters in New Subdivisions, Provision of Copies of Work Orders to Complainants/Tenants, Completion Date Extensions for Unassumed Subdivisions, Concurrent Processing of Minor Variance and Official Plan and/or Zoning By-law Amendment Applications, and Official Plan and/or Zoning By-law Amendment Applications – Rural Settlement Rural Holding Areas;

- b) the attached revised proposed by-laws (Appendix C) BE INTRODUCED at the Municipal Council Meeting to be held on September 19, 2017 to revoke, repeal and replace the following Council policies related to: Frequency of Garbage, Recyclable Material, Yard Materials and Fall Leaf Collection, Citizens Unable to Take Out Garbage or Recyclable Material, Containerized Garbage Collection Systems, Waiving of Landfill Site Fees, Spills Policy, Blue Box Replacement Policy, Public Notification Policy for Construction Projects, Drawing Review Fees, Assessment, Circulation and Repayment of Road Local Improvements, Flankage Exemptions for Surface Works and Sewers, Absence of Private Drain Connections, Absence of Sewers and Private Drain Connections, Assessing Rectangular Corner Lots, Interest Rate, Commuting Charges, Expediting Charges, Classification of Warranted and Unwarranted Sidewalks and Roadworks, New Sidewalk Installations, Street Services Implementation and Financing, Service Cut Restoration Work by Utilities and Contractors, Deleting Works from Tenders, Noise Attenuation Barriers, Official City Flag, Establishment and Review of Council Policies, Sharing Fence Costs with City, Corporate Identity Policy, Landing of Helicopters, Elsie Perrin Williams Estate, Railway Crossing Protection Drawings, Use of Cenotaph, Monumenting Program, Flags at City Hall, Issuance of Proclamations, Painting of Municipal Address Numbers on City Curbs, Phase Out Use of City-Owned Vehicles, City of London Race Relations Policy, Diversity Policy for the City of London, Public Art Policy, Gateway Structures, Fences and Walls - Ownership & Maintenance, Accessibility Policy, Promotion of Corporate Products to City Staff, Media Protocols Policy, Community Engagement Policy, Telecommunication Facilities Consultation Policy, Illumination of City of London Buildings and Amenities, City of London Records Management Policy, Corporate Sponsorship and Advertising Policy, Asset Transfers To Municipal Services Corporations Policy, Leasing Parkland, Value of Parkland Dedication, Parkland Dedication – Plan of Subdivision, Parkland Dedication Cash-in-lieu, Parkland Dedication – Site Plan, Parkland Dedication – Acquisition of Parkland Outside a Plan of Subdivision, Pathway Corridors, Parkland Accounts, Gender Equity in Recreation Services, Financial Assistance for Program Activity Fees, Inclusion in Recreation Facilities, Parks and Services, Special Events Policies and Procedures Manual, Use of Inflatable Amusement Devices During Rental of City Parks or Other Facilities, Rzone Policy, Policy for Waiving or Reducing Fees for Use of City-Owned Community Centres and Recreation Facilities, Parking Tickets Received by Employees, Retirement Dinners for Department Heads, Staff at Ward Meetings, Hiring of Employees Policy, Temporary Vacancies, Workplace Safety and Insurance Act Claims, Employee Service Recognition Program, Benefits for Non-Union Employees on Long Term Disability, Benefits for Survivors of Employees Killed on the Job, Appointments Requiring Council Approval, Workplace Harassment and Discrimination Prevention Policy, Mayor – Contracted Staff, "No-cut" Employment Agreements, Leaves of Absence Without Pay, Collective

Bargaining Activities, Non-Issuance of Lifetime Golf Memberships, Refunding of Application Fees, Government Agencies to Pay Fees, Survey Documents Suitable for Ontario Basic Mapping, Perfecting Property Titles for which Consents were not Obtained, Assumption of Works and Services, Demolition Control, Substantially Changed OPA/ZBA Applications, Urban Design Awards, Tree Preservation, Street Cleaning in Unassumed Subdivisions, Notices of OPA and ZBA Received From Other Municipalities, Third Party Billing – City of London Contracts, Naturalized Areas and Wildflower Meadows, Conveyance of Sanitary Filled Land, Real Estate Service – MLS, Financing of Sales, Transactions Involving Elected Officials, Property for Capital Works Projects, Internal Review of Property Sales, City-Owned Residential Properties, Property Enquiries to Board of Education, Demolitions of Buildings on Flood Plain Lands, Rental of Lands for Billboards, Leasing and Licencing of City-Owned Land, Real Estate Services, Lands for Public Works Projects, Protocol for Unapproved Aboriginal Burial Sites, Donation of Land and Buildings to the City, Real Property Acquisition Policy;

- c) the Civic Administration BE DIRECTED to report back on additional amendments to the Hiring of Employees Policy to ensure a nepotism free work force through the implementation of nepotism free hiring practices for both internal and external applicants and to provide further clarity so that the Civic Administration and job applicants clearly understand the level of fairness and consistency the Municipal Council expects to be applied to hiring situations, including internal hiring processes; and,
- d) the Civic Administration BE DIRECTED to report back with amendments to the “Code of Conduct for Employees” in order that the Code of Conduct for Employees can be adopted as a Council Policy;

it being noted that the word “Senior” was removed from Council Policy 7(3) “Senior Citizens unable to Take out Garbage or Recyclable Material”;

it being further noted that the Governance Working Group received a Communication dated August 14, 2017 from Councillor M. Salih with respect to the matters confirmed in parts c) and d) above.

6. Council Policy – Payment of Tickets or Entrance Costs that Directly Benefit a Political Party

That the following actions be taken with respect to the Council Policy – Payment of Tickets or Entrance Costs that Directly Benefit a Political Party:

- a) the communication from the Deputy City Clerk, dated August 3, 2017, containing written advice from the City Solicitor’s Office regarding the above-noted matter BE RECEIVED; and,
- b) the attached proposed by law (Appendix D) BE INTRODUCED at the Municipal Council Meeting to be held on September 19, 2017 to revoke and repeal the Council policy related to Payment of Tickets or Entrance Costs that Directly Benefit a Political Party since that Policy has been superseded by other legislation.

7. Council Policy – Urgent Last Minute or “Walk-In” Recommendations

That, the following actions be taken with respect to the Council Policy – Urgent Last Minute or “Walk-In” Recommendations:

- a) the communication from the City Clerk, dated August 3, 2017, regarding the above-noted matter BE RECEIVED; and,
- b) the attached proposed by law (Appendix E) BE INTRODUCED at the Municipal Council Meeting to be held on September 19, 2017 to revoke, repeal and replace the Council policy related to Urgent Last Minute or “Walk-In” Recommendations.

IV. NEXT MEETING DATE

The next meeting will be held on Thursday, September 7, 2017, at 1:30 PM.

V. ADJOURNMENT

The meeting adjourned at 2:44 PM.

Appendix 'B' (Policies being repealed)

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policies related to: Collections from Garbage Storage Containers, Weed Control Policy, City Radios in Employees' Cars, Loose Leaf Collection, Road Cuts by Utility Companies, Requests for PCB Destruction, Topsoiling and Seeding Old Landfill Sites, Motorized Vehicles on City Lands, City Initiating Works, Handling of Petitions Administratively, Rates for Private Drain Connections and Sewer Rental, Local Improvement By-laws, Existing Local Improvement Petitions, No Extension of Services Beyond Boundaries, Voters List Not Available for Commercial Purposes, Rewards for Unsolved Murders, Motorcycle Races at Fair Grounds, Outdoor Billboard Rental Rates, Disposing of City Vehicles, Election Signs on City Property, Special Occasion Permits, Use of the Name "London", Official City Band, Photocopy Charge, Sewage from External Sources, Neighbourhood Watch Program, Municipal Priorities and Provincial Funding Reductions, Distribution and/or Sales of Goods or Services Through Non-Profit Organizations, Accessible Customer Service Policy, London Railway Commission Employees, Granting Employee Suggestion Awards, Value of Employee Suggestion Awards, Sick Leave Payouts, Past Service Pensions, Organizational Structure and Management Committee, Sick Leave Reserve Fund, Code of Ethics, Employment Equity Policy, Employee Absence – Work Related SARS Exposure, Preparation of Zoning By-laws by Clerk, Subdivision of Land by Consent, Subdivision Development, Mobile Home Parks, Dealing with Matters before the O.M.B., Changing Subdivision Policies, Utility Easement to Include Cable T.V., Incomplete Development Applications, Garage Sales, Planning Standards, Parking Requirements for Rooming, Lodging and Boarding Houses, External and Oversized Works, Site Planning Guidelines, Joint Maintenance Agreement Provisions, Minor Variance Guidelines, Non-Conforming Use Guidelines, Severance Guidelines, Part-Lot Control Exemption, Site Plan Approval & Enforcement, Reporting Consent Authority Decisions, Temporary Reduction in Parking for Promotional Events, Large Claims from U.W.R.F., Early Release of Planning Reports, Sewer Rental Charges for Oversized Sewers, Lawyers' Letters, Disposition of School Sites, Heritage Inventory - Removal of Properties, Driveover Curbs and Gutters in New Subdivisions, Provision of Copies of Work Orders to Complainants/Tenants, Completion Date Extensions for Unassumed Subdivisions, Concurrent Processing of Minor Variance and Official Plan and/or Zoning By-law Amendment Applications, Official Plan and/or Zoning By-law Amendment Applications – Rural Settlement Rural Holding Areas.

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 revoke and repeal Council policies pertaining to Collections from Garbage Storage Containers, Weed Control Policy, City Radios in Employees' Cars, Loose Leaf Collection, Road Cuts by Utility Companies, Requests for PCB Destruction, Topsoiling and Seeding Old Landfill Sites, Motorized Vehicles on City Lands, City Initiating Works, Handling of Petitions Administratively, Rates for Private Drain Connections and Sewer Rental, Local Improvement By-laws, Existing Local Improvement Petitions, No Extension of Services Beyond Boundaries, Voters List Not Available for Commercial Purposes, Rewards for Unsolved Murders, Motorcycle Races at Fair Grounds, Outdoor Billboard Rental Rates, Disposing of City Vehicles, Election Signs on City Property, Special Occasion Permits, Use of the Name "London", Official City Band, Photocopy Charge, Sewage from External Sources, Neighbourhood Watch Program, Municipal Priorities and Provincial Funding Reductions, Distribution and/or Sales of Goods or Services Through Non-Profit Organizations, Accessible Customer Service Policy, London Railway Commission Employees, Granting Employee Suggestion Awards, Value of Employee Suggestion Awards, Sick Leave Payouts, Past Service Pensions, Organizational Structure and Management Committee, Sick Leave Reserve Fund, Code of Ethics, Employment Equity Policy, Employee Absence – Work Related SARS Exposure, Preparation of Zoning By-laws by Clerk, Subdivision of Land by Consent, Subdivision Development, Mobile Home Parks, Dealing with Matters before the O.M.B., Changing Subdivision Policies, Utility Easement to Include Cable T.V., Incomplete Development Applications, Garage Sales, Planning Standards, Parking Requirements for Rooming, Lodging and Boarding Houses, External and Oversized Works, Site Planning Guidelines, Joint Maintenance Agreement Provisions, Minor Variance Guidelines, Non-Conforming Use Guidelines, Severance Guidelines, Part-Lot Control Exemption, Site Plan Approval & Enforcement, Reporting Consent Authority Decisions, Temporary Reduction in Parking for Promotional Events, Large Claims from U.W.R.F., Early Release of Planning Reports, Sewer Rental Charges for Oversized Sewers, Lawyers' Letters, Disposition of School Sites, Heritage Inventory - Removal of Properties, Driveover Curbs and Gutters in New Subdivisions, Provision of Copies of Work Orders to Complainants/Tenants, Completion Date Extensions for Unassumed Subdivisions, Concurrent Processing of Minor Variance and Official Plan and/or Zoning By-law Amendment Applications, Official Plan and/or Zoning By-law Amendment Applications – Rural Settlement Rural Holding Areas;

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

1. Any policies of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Collections from Garbage Storage Containers, Weed Control Policy, City Radios in Employees' Cars, Loose Leaf Collection, Road Cuts by Utility Companies, Requests for PCB Destruction, Topsoiling and Seeding Old Landfill Sites, Motorized Vehicles on City Lands, City Initiating Works, Handling of Petitions Administratively, Rates for Private Drain Connections and Sewer Rental, Local Improvement By-laws, Existing Local Improvement Petitions, No Extension of Services Beyond Boundaries, Voters List Not Available for Commercial Purposes, Rewards for Unsolved Murders, Motorcycle Races at Fair Grounds, Outdoor Billboard Rental Rates, Disposing of City Vehicles, Election Signs on City Property, Special Occasion Permits, Use of the Name "London", Official City Band, Photocopy Charge, Sewage from External Sources, Neighbourhood Watch Program, Municipal Priorities and Provincial Funding Reductions, Distribution and/or Sales of Goods or Services Through Non-Profit Organizations, Accessible Customer Service Policy, London Railway Commission Employees, Granting Employee Suggestion Awards, Value of Employee Suggestion Awards, Sick Leave Payouts, Past Service Pensions, Organizational Structure and Management Committee, Sick Leave Reserve Fund, Code of Ethics, Employment Equity Policy, Employee Absence – Work Related SARS Exposure, Preparation of Zoning By-laws by Clerk, Subdivision of Land by Consent, Subdivision Development, Mobile Home Parks, Dealing with Matters before the O.M.B., Changing Subdivision Policies, Utility Easement to Include Cable T.V., Incomplete Development Applications, Garage Sales, Planning Standards, Parking Requirements for Rooming, Lodging and Boarding Houses, External and Oversized Works, Site Planning Guidelines, Joint Maintenance Agreement Provisions, Minor Variance Guidelines, Non-Conforming Use Guidelines, Severance Guidelines, Part-Lot Control Exemption, Site Plan Approval & Enforcement, Reporting Consent Authority Decisions, Temporary Reduction in Parking for Promotional Events, Large Claims from U.W.R.F., Early Release of Planning Reports, Sewer Rental Charges for Oversized Sewers, Lawyers' Letters, Disposition of School Sites, Heritage Inventory - Removal of Properties, Driveover Curbs and Gutters in New Subdivisions, Provision of Copies of Work Orders to Complainants/Tenants, Completion Date Extensions for Unassumed Subdivisions, Concurrent Processing of Minor Variance and Official Plan and/or Zoning By-law Amendment Applications, Official Plan and/or Zoning By-law Amendment Applications – Rural Settlement Rural Holding Areas are hereby revoked.

2. 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 Council policies pertaining to Collections from Garbage Storage Containers, Weed Control Policy, City Radios in Employees' Cars, Loose Leaf Collection, Road Cuts by Utility Companies, Requests for PCB Destruction, Topsoiling and Seeding Old Landfill Sites, Motorized Vehicles on City Lands, City Initiating Works, Handling of Petitions Administratively, Rates for Private Drain Connections and Sewer Rental, Local Improvement By-laws, Existing Local Improvement Petitions, No Extension of Services Beyond Boundaries, Voters List Not Available for Commercial Purposes, Rewards for Unsolved Murders, Motorcycle Races at Fair Grounds, Outdoor Billboard Rental Rates, Disposing of City Vehicles, Election Signs on City Property, Special Occasion Permits, Use of the Name "London," Official City Band, Photocopy Charge, Sewage from External Sources, Neighbourhood Watch Program, Municipal Priorities and Provincial Funding Reductions, Distribution and/or Sales of Goods or Services Through Non-Profit Organizations, Accessible Customer Service Policy, London Railway Commission Employees, Granting Employee Suggestion Awards, Value of Employee Suggestion Awards, Sick Leave Payouts, Past Service Pensions, Organizational Structure and Management Committee, Sick Leave Reserve Fund, Code of Ethics, Employment Equity Policy, Employee Absence – Work Related SARS Exposure, Preparation of Zoning By-laws by Clerk, Subdivision of Land by Consent, Subdivision Development, Mobile Home Parks, Dealing with Matters before the O.M.B., Changing Subdivision Policies, Utility Easement to Include Cable T.V., Incomplete Development Applications, Garage Sales, Planning Standards, Parking Requirements for Rooming, Lodging and Boarding Houses, External and Oversized Works, Site Planning Guidelines, Joint Maintenance Agreement Provisions, Minor Variance Guidelines, Non-Conforming Use Guidelines, Severance Guidelines, Part-Lot Control Exemption, Site Plan Approval & Enforcement, Reporting Consent Authority Decisions, Temporary Reduction in Parking for Promotional Events, Large Claims from U.W.R.F., Early Release of Planning Reports, Sewer Rental Charges for Oversized Sewers, Lawyers' Letters, Disposition of School Sites, Heritage Inventory - Removal of Properties, Driveover Curbs and Gutters in New Subdivisions, Provision of Copies of Work Orders to Complainants/Tenants, Completion Date Extensions for Unassumed Subdivisions, Concurrent Processing of Minor Variance and Official Plan and/or Zoning By-law Amendment Applications, Official Plan and/or Zoning By-law Amendment Applications – Rural Settlement Rural Holding Areas are hereby repealed.

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

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C' (Policies being replaced)

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Frequency of Garbage, Recyclable Material, Yard Waste and Fall Leaf Collection and replace it with a new Council policy entitled Frequency of Garbage, Recyclable Material, Yard Waste 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Frequency of Garbage, Recyclable Material, Yard Waste and Fall Leaf Collection and replace it with a new Council policy entitled Frequency of Garbage, Recyclable Material, Yard Waste and Fall Leaf Collection;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Frequency of Garbage, Recyclable Material, Yard Waste and Fall Leaf Collection is hereby revoked.
2. 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 Frequency of Garbage, Recyclable Material, Yard Waste and Fall Leaf Collection is hereby repealed.
3. The policy entitled "Frequency of Garbage, Recyclable Material, Yard Waste and Fall Leaf Collection", attached hereto as Appendix 'C(1)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(1)'

Frequency of Garbage, Recyclable Material, Yard Waste and Fall Leaf Collection

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.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Senior Citizens Unable to Take Out Garbage or Recyclable Material and to replace it with a new Council policy entitled "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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Senior Citizens Unable to Take Out Garbage or Recyclable Material and replace it with a new Council policy entitled "Citizens Unable to Take Out Garbage or Recyclable Material";

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Senior Citizens Unable to Take Out Garbage or Recyclable Material is hereby revoked.
2. 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 Senior Citizens Unable to Take Out Garbage or Recyclable Material is hereby repealed.
3. The policy entitled "Citizens Unable to Take Out Garbage or Recyclable Material", attached hereto as Appendix 'C(2)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(2)'

Citizens Unable to Take Out Garbage or Recyclable Material

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.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Containerized Garbage Collection Systems and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Containerized Garbage Collection Systems and replace it with a new Council policy entitled Containerized Garbage Collection Systems;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Containerized Garbage Collection Systems is hereby revoked.
2. 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 Containerized Garbage Collection Systems is hereby repealed.
3. The policy entitled "Containerized Garbage Collection Systems", attached hereto as Appendix 'C(3)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(3)'

Containerized Garbage Collection Systems

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's 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;
- (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; and
- (f) any owner electing to rent bulk containers from the City be required to enter into an agreement with the City.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Waiving of Landfill Site Fees and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Waiving of Landfill Site Fees and replace it with a new Council policy entitled Waiving of Landfill Site Fees;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Waiving of Landfill Site Fees is hereby revoked.
2. 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 Waiving of Landfill Site Fees is hereby repealed.
3. The policy entitled "Waiving of Landfill Site Fees", attached hereto as Appendix 'C(4)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(4)'

Waiving of Landfill Site Fees

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.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Spills Policy and replace it with a new Council policy entitled. Spills 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 revoke and repeal Council policy related to Spills Policy and replace it with a new Council policy entitled Spills Policy;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Spills Policy.
2. 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 Spills Policy.
3. The policy entitled "Spills Policy", attached hereto as Appendix 'C(5)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(5)'

Spills Policy

That, in an effort to decrease municipal liability under Part X of the Environmental Protection Act, R.S.O. 1990, Chapter E.19 and the regulations made thereunder, the following policy be established:

(a) Notification and Cleanup of Spills

In order to take all reasonable steps to prevent a spill of pollutant and to take immediate steps to notify the Ontario Ministry of the Environment and Climate Change, and to minimize the negative effects on the environment by containment and cleanup of the spill, the Environmental & Engineering Services Department will provide instructions to Departmental personnel outlining safety procedures, immediate actions to be taken and persons or organizations to be notified in case of a spill.

In this connection, the City's Dispatch telephone number will be published on the City's website and any other applicable media.

(b) Contracts for Purchase of Goods and Services

To minimize the municipality's liability in contracts for the purchase of goods and services, the following should be observed where possible:

- The purchase of potential pollutants should occur at the point of use.
- Where possible, the contractor or supplier should be required to provide evidence of Environmental Impairment Liability (EIL) insurance coverage.
- The transportation and handling of hazardous materials should be entrusted to responsible haulers and handlers.
- To avoid contracts with liability "escape clauses", the municipality should use its own form of purchase order or sales contract or the Legal Services Department should review the terms of the proposed agreement.
- There is a need to be aware of "shell" corporations or the title to goods being transferred to a subsidiary company or carrier having no assets as this could have the effect of discharging responsibilities and liabilities to the municipality.

(c) Purchase or Sale of City Property with Buried Pollutants

Deeds and other property information are to be checked to ensure that no buried pollutants or tanks of pollutants are located on the property and appropriate action taken to protect the City, if possible, since a leak from an underground tank is classified as a spill.

(d) Insurance Coverage

The City's Insurance Policies should be reviewed on a regular basis with respect to Part X of the Environmental Protection Act, R.S.O. 1990, Chapter E.19 with a view to obtaining acceptable Environmental Impairment Liability (EIL) insurance coverage.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Blue Box Replacement Policy and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to a Blue Box Replacement Policy and replace it with a new Council policy entitled Provision of Blue Boxes;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Blue Box Replacement Policy is hereby revoked.
2. 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 Blue Box Replacement Policy is hereby repealed.
3. The policy entitled "Provision of Blue Boxes", attached hereto as Appendix 'C(6)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(6)

Provision of Blue Boxes

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.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Public Notification Policy for Construction Projects and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Public Notification Policy for Construction Projects and replace it with a new Council policy entitled Public Notification Policy for Construction Projects;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Public Notification Policy for Construction Projects is hereby revoked.
2. 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 Public Notification Policy for Construction Projects is hereby repealed.
3. The policy entitled "Public Notification Policy for Construction Projects", attached hereto as Appendix 'C(7)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(7)'

Public Notification Policy for Construction Projects

That this policy be established to provide guidelines for notification to the public for construction projects within the public right of way in an effort to keep the public informed and to obtain input from stakeholders who may be affected by the works.

This policy is intended as a guideline for effective public communication. The General Managers have the ability to adjust the points of public contact to suit the circumstances of each project.

The points of public contact in this policy may be met by the Class Environmental Assessment Process.

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.

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.

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.

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.

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.

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.

Emergency Work:

This policy does not apply to emergency work. In emergency works, due to their nature, notification for water shutdowns will not occur.

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.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Drawing Review Fees and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Drawing Review Fees and replace it with a new Council policy entitled Drawing Review Fees;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Drawing Review Fees is hereby revoked.
2. 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 Drawing Review Fees is hereby repealed.
3. The policy entitled "Drawing Review Fees", attached hereto as Appendix 'C(8)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(8)'

Drawing Review Fees

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 certain conditions have been first met, namely:

- (i) Design Studies clearance under the Subdivision Approval Process has been issued indicating the applicant may progress to drawing submission;
- (ii) 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 two sets of servicing drawing plans, accepted design studies, draft 33-M Plan, any additional calculations and supporting information identified in Design Studies clearance letter, pertinent forms, and fees;
- (iii) Payment of a fee calculated per section d) and the Fees and Charges By-Law A-51 (as amended from time to time),
- (iv) All submissions shall include digital copies of the complete submission, and;
- (v) 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:
 - a) Drawings are legible (i.e. no text-on-top-of-text, text fuzzy or too small, sewer design sheets too small to read).
 - b) 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.
 - c) 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 two 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 City Engineer 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 City Engineer 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 City Engineer 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 City Engineer or designate. A drawing submission fee payment is required for these submissions; however, should only a nominal review be needed the City Engineer 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.

Drawing Review Fee (rounded to nearest dollar) = LB x 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).

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 City Engineer 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.

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.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Assessment, Circulation and Repayment of Road Local Improvements and replace it with a new Council policy entitled Assessment, Circulation and Repayment of Road Local Improvements.

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 revoke and repeal Council policy related to Assessment, Circulation and Repayment of Road Local Improvements and replace it with a new Council policy entitled Assessment, Circulation and Repayment of Road Local Improvements;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Assessment, Circulation and Repayment of Road Local Improvements is hereby revoked.
2. 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 Assessment, Circulation and Repayment of Road Local Improvements is hereby repealed.
3. The policy entitled "Assessment, Circulation and Repayment of Road Local Improvements", attached hereto as Appendix 'C(9)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(9)'

Assessment, Circulation and Repayment of Road Local Improvements

That the following policies be established with respect to roadways in the City of London be adopted:

- (a) asphalt paving be utilized on all streets where curbs and gutters are installed as a local improvement; it being pointed out that this service would comprise a 65mm topping of asphalt over a minimum 300mm granular base;
- (b) property owners be assessed for the full width of a standard 9 metre road on an actual cost basis excluding intersections, exemptions and flankages;
- (c) petitioners be advised that a petition for curbs and gutters must be circulated on both sides of a street to allow the entire construction of the work to be carried out on petition in order that a by-law authorizing the construction of an asphalt pavement may be passed on a two-thirds vote of Council to permit this work to be processed on an actual cost basis under the provisions of the Municipal Act, 2001 rather than at a fixed price per year as has been the case in the past for scarified roadways;
- (d) the cost of an asphalt pavement be levied over a ten-year period rather than a four-year period noting that a cash payment for the charge can be made by the property owners at anytime.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Flankage Exemptions for Surface Works and Sewers and replace it with a new Council policy entitled Flankage Exemptions for Surface Works and Sewers.

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 revoke and repeal Council policy related to Flankage Exemptions for Surface Works and Sewers and replace it with a new Council policy entitled Flankage Exemptions for Surface Works and Sewers;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Flankage Exemptions for Surface Works and Sewers is hereby revoked.
2. 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 Flankage Exemptions for Surface Works and Sewers is hereby repealed.
3. The policy entitled "Flankage Exemptions for Surface Works and Sewers", attached hereto as Appendix 'C(10)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(10)'

Flankage Exemptions for Surface Works and Sewers

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.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Absence of Private Drain Connections and replace it with a new Council policy entitled Absence of 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 revoke and repeal Council policy related to Absence of Private Drain Connections and replace it with a new Council policy entitled Absence of Private Drain Connections;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Absence of Private Drain Connections is hereby revoked.
2. 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 Absence of Private Drain Connections is hereby repealed.
3. The policy entitled "Absence of Private Drain Connections" attached hereto as Appendix 'C(11)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(11)'

Absence of Private Drain Connections

That a policy be established to provide that on those streets where storm sewers have been installed without private drain connections to the property line, the absence of such private drain connections shall not prevent the construction of other street surface works.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Absence of Sewers and Private Drain Connections and replace it with a new Council policy entitled Absence of Sewers and 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 revoke and repeal Council policy related to Absence of Sewers and Private Drain Connections and replace it with a new Council policy entitled Absence of Sewers and Private Drain Connections;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Absence of Sewers and Private Drain Connections is hereby revoked.
2. 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 Absence of Sewers and Private Drain Connections is hereby repealed.
3. The policy entitled "Absence of Sewers and Private Drain Connections", attached hereto as Appendix 'C(12)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(12)'

Absence of Sewers and Private Drain Connections

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 sanitary sewers or sanitary private drain connections, they be authorized to withhold such petition but be required to report the fact to the appropriate standing committee of Council.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Assessing Rectangular Corner Lots and replace it with a new Council policy entitled Assessing Rectangular Corner Lots.

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 revoke and repeal Council policy related to Assessing Rectangular Corner Lots and replace it with a new Council policy entitled Assessing Rectangular Corner Lots;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Assessing Rectangular Corner Lots is hereby revoked.
2. 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 Assessing Rectangular Corner Lots is hereby repealed.
3. The policy entitled "Assessing Rectangular Corner Lots", attached hereto as Appendix 'C(13)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(13)'

Assessing Rectangular Corner Lots

That a policy be established to provide that in all cases of rectangular corner lots being assessed for improvements under the Municipal Act, 2001; Ontario Regulation 586/06 Local Improvement Charges – Priority Lien Status, the frontage of the property is to be determined as the one which has the smaller dimension, rather than the frontage on which the municipal street number is applied, but in all cases Section 16: Reductions and increases in special charges and Section 17: Reduction in special charges of Municipal Act, 2001; Ontario Regulation 586/06 Local Improvement Charges – Priority Lien Status shall apply.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Interest Rate and replace it with a new Council policy entitled Interest Rate.

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 revoke and repeal Council policy related to Interest Rate and replace it with a new Council policy entitled Interest Rate;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Interest Rate is hereby revoked.
2. 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 Interest Rate hereby repealed.
3. The policy entitled "Interest Rate", attached hereto as Appendix 'C(14)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(14)'

Interest Rate

That a policy be established whereby the interest rate to be used in calculating a commutation for a local improvement, or any other service or charges arranged to be repaid over more than one year such as sewer rental, private drain connect or water frontage charge be established at the time of the calculation, by using the interest rate the bank is paying on the Corporation of the City of London's General account at that point in time.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Commuting Charges and replace it with a new Council policy entitled Commuting Charges.

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 revoke and repeal Council policy related to Commuting Charges and replace it with a new Council policy entitled Commuting Charges;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Commuting Charges is hereby revoked.
2. 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 Commuting Charges is hereby repealed.
3. The policy entitled "Commuting Charges", attached hereto as Appendix 'C(15)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(15)'

Commuting Charges

That a policy be established whereby property owners wishing to commute local improvement, sewer rental or water frontage charges will be required to do so prior to January 1 in order to allow an earlier date for the balancing of the local improvement and other charges on the current year's roll by the City Clerk and to permit uniform dates for payment of these charges.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Expediting Charges and replace it with a new Council policy entitled Expediting Charges.

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 revoke and repeal Council policy related to Expediting Charges and replace it with a new Council policy entitled Expediting Charges;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Expediting Charges is hereby revoked.
2. 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 Expediting Charges is hereby repealed.
3. The policy entitled "Expediting Charges", attached hereto as Appendix 'C(16)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(16)'

Expediting Charges

That the following policy in connection with Local Improvement Debentures and the expediting of the charges be established:

- (a) the City Engineer and City Treasurer shall prepare and certify a statement showing the actual cost of the work and finalize local improvements for assessment as soon as the contract is completed and final costs can be established;
- (b) the City Clerk's Office notify the City Engineer of the annual deadline each year for action in (a) above to ensure sufficient time for placing assessments on tax roll;
- (c) the notice of local improvement assessment be increased from the minimum of 14 days to possibly 30 days in order for the property owners to make arrangements to pay cash;
- (d) a separate letter of explanation giving additional details and information for the property owner to fully understand every aspect of the local improvement charge and how it will affect his property be sent out in addition to the minimum statutory local improvement notice;
- (e) the Finance Division and the City Clerk's Office provide all costs applicable to said work prior to the City Engineer certifying the total cost of work.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Classification of Warranted and Unwarranted Sidewalks and Roadworks and replace it with a new Council policy entitled Classification of Warranted and Unwarranted Sidewalks and Roadworks.

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 revoke and repeal Council policy related to Classification of Warranted and Unwarranted Sidewalks and Roadworks and replace it with a new Council policy entitled Classification of Warranted and Unwarranted Sidewalks and Roadworks;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Classification of Warranted and Unwarranted Sidewalks and Roadworks is hereby revoked.
2. 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 Classification of Warranted and Unwarranted Sidewalks and Roadworks is hereby repealed.
3. The policy entitled "Classification of Warranted and Unwarranted Sidewalks and Roadworks" attached hereto as Appendix 'C(17)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(17)'

Classification of Warranted and Unwarranted Sidewalks and Roadworks

That the following policies be established in connection with the Local Improvement process in the City of London:

- (a) two classifications for the construction of sidewalks be created, namely:
 - (i) those petitioned for under the provisions of the Municipal Act and to be designated as "unwarranted";
 - (ii) those which are recommended for construction by the City Engineer to alleviate pedestrian safety problems or other corporate reasons and to be designated as "warranted";

and further, that in respect to "unwarranted" sidewalks, they continue to be considered and assessed under the provisions of the Municipal Act and that a rate of 100% of the actual construction cost be established; that "warranted" sidewalks be constructed under the provisions of the *Municipal Act*; and that the priority for construction in respect to "unwarranted" sidewalks be established by date of receipt of the petition and for "warranted" sidewalks the priority be determined each year on the recommendation of the City Engineer through the appropriate Standing Committee of Council to Council and that the City Engineer be requested to develop the appropriate warrants for sidewalk construction and recommend same to the City Council through the appropriate Standing Committee of Council in those areas where at least a complete block of sidewalk construction is required; new sidewalks may be installed in in-fill situations where the City Engineer deems it necessary as a result of any operational or pedestrian safety concerns;

- (b) two classifications for the construction of asphalt pavement be created, namely:
 - (iii) those petitioned for under the provisions of the Municipal Act, be designated as "unwarranted", and
 - (iv) those which are recommended for construction by the City Engineer as a benefit to the Corporation at large and to be designated as "warranted" and constructed under the provisions of the *Municipal Act*, R.S.O. 1990, c. M.45;

and further, that in respect to "unwarranted" asphalt pavements the rate of 100% of the actual construction cost be established and that their construction priority be determined by date of petition receipt; that in respect to "warranted" asphalt pavements, their construction priority be determined each year on recommendation of the City Engineer through the appropriate Standing Committee of Council to Council and that the City Engineer be requested to develop the appropriate warrants for asphalt pavement and recommend same to the City Council through the appropriate Standing Committee of Council;

- (c) the City Engineer be authorized to construct new curbs and gutters when deemed necessary, at no direct cost to abutting property owners, on those urban streets where major road reconstruction takes place as a result of watermain construction, sewer construction or road rehabilitation works; and further, that the existing policy of installing new curbs and gutters under the Municipal Act be continued in those circumstances where no major maintenance or construction activities are contemplated by the City.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to New Sidewalk Installations and replace it with a new Council policy entitled New Sidewalk Installations;

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 revoke and repeal Council policy related to New Sidewalk Installations and replace it with a new Council policy entitled New Sidewalk Installations;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to New Sidewalk Installations is hereby revoked.
2. 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 New Sidewalk Installations is hereby repealed.
3. The policy entitled "New Sidewalk Installations", attached hereto as Appendix 'C(18)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(18)'

New Sidewalk Installations

That the following policies be established in connection with the installation of new sidewalks:

- (a) new sidewalks be installed in in-fill situations where the City Engineer deems it necessary, as a result of any operational or pedestrian safety concern; and
- (b) the Warranted Sidewalk Program be continued in those areas where at least a complete block of sidewalk construction is required.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Street Services Implementation and Financing and replace it with a new Council policy entitled Street Services Implementation and Financing.

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 revoke and repeal Council policy related to Street Services Implementation and Financing and replace it with a new Council policy entitled Street Services Implementation and Financing;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Street Services Implementation and Financing is hereby revoked.
2. 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 Street Services Implementation and Financing is hereby repealed.
3. The policy entitled "Street Services Implementation and Financing" attached hereto as Appendix 'C(19)' is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(19)'

Street Services Implementation and Financing

- a) That the following policy be established as the new Street Services Implementation and Financing Policy, namely:

<u>Item</u>	<u>Service</u>	<u>Authority</u>	<u>How Paid</u>	<u>Date</u>
1.	Sanitary Sewer & PDC's (new) to property line	O. Reg 586/06	75% cost of construction to property owner and 25% cost of construction to City	Dec. 18/06
2.	Sanitary Sewer & PDC replacement to boulevard	Municipal Act 354(1)53	City cost	
3.	Storm Sewer (new)	Municipal Act 354(1)53	100% cost of *construction assessed to frontage	Mar. 6/95
4.	Storm Sewer & PDC replacement to boulevard	Municipal Act 354(1)53	City cost	
5.	Sidewalks (unwarranted)	O. Reg 586/06	100% cost of *construction assessed to frontage	
6.	Sidewalks (warranted)	Municipal Act 354(1)53 or Capital Levy	City cost	
7.	Sidewalk (replacement)	Municipal Act 354(1)53 or Capital Levy	City cost	
8.	Curbs, gutters & pavement (new unwarranted)	O. Reg 586/06	100% cost of *construction assessed to frontage	Mar. 6/95
9.	Curb and gutters (new, warranted)	Municipal Act 354(1)53 or Capital Levy	City cost	Dec.19/94
10.	Curbs, gutters & pavement (replacement)	Municipal Act 354(1)53 or Capital Levy	City cost	
11.	Street Lighting	O. Reg 586/06	100% cost of *construction assessed to frontage	
12.	Street Lighting	Municipal Act 354(1)53 or Capital Levy	City cost	
13.	Watermain and water services to property line (new)	O. Reg 586/06	75% cost of construction to property owner and 25% cost of construction to City	Dec. 18/06
14.	Watermain and water services (replacement)	Municipal Act 354(1)53 or Capital Levy	City cost.	Mar. 6/95
15.	Noise barriers	O. Reg 586/06	two thirds of the cost of *construction assessed to property owner and one third City cost	Mar. 6/95

it being noted that flankage exemptions etc. established by prior City policy are not affected by these policies.

*construction includes engineering, and all other costs (i.e. drainage) normally associated with these programs.

- b) That the funds required to construct the local improvements outlined in part (a) above will be budgeted during the two (2) year period during which a sufficiently-signed petition is valid.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Service Cut Restoration Work by Utilities and Contractors and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Service Cut Restoration Work by Utilities and Contractors and replace it with a new Council policy entitled Service Cut Restoration Work by Utilities and Contractors;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Service Cut Restoration Work by Utilities and Contractors is hereby revoked.
2. 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 Service Cut Restoration Work by Utilities and Contractors is hereby repealed.
3. The policy entitled "Service Cut Restoration Work by Utilities and Contractors" attached hereto as Appendix 'C(20)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(20)'

Service Cut Restoration Work by Utilities and Contractors

That the following policies be established with respect to service cut restoration work:

- (a) utilities be permitted to undertake works on City road allowances and to undertake and complete permanent surface work restoration including asphalt, curb and gutter and sidewalk restorations; and
- (b) private contractors be permitted to undertake and complete permanent surface work restoration including asphalt, curb and gutter and sidewalk restorations, subject to obtaining the necessary permit and abiding by all terms and conditions stipulated by the City Engineer and forming part of that permit.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Deleting Works from Tenders and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Deleting Works from Tenders and replace it with a new Council policy entitled Deleting Works from Tenders;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Deleting Works from Tenders is hereby revoked.
2. 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 Deleting Works from Tenders is hereby repealed.
3. The policy entitled "Deleting Works from Tenders", attached hereto as Appendix 'C(21)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(21)'

Deleting Works from Tenders

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.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Noise Attenuation Barriers and replace it with a new Council policy entitled Noise Attenuation Barriers.

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 revoke and repeal Council policy related to Noise Attenuation Barriers and replace it with a new Council policy entitled Noise Attenuation Barriers;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Noise Attenuation Barriers is hereby revoked.
2. 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 Noise Attenuation Barriers is hereby repealed.
3. The policy entitled "Noise Attenuation Barriers", attached hereto as Appendix 'C(22)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(22)'

Noise Attenuation Barriers

That the following policies be established with respect to the construction of “retrofit” noise attenuation barriers on roads where adjacent residential development currently exists:

Criteria for Project Qualification

Where a road is not being widened, “retrofit” noise barriers will only be considered:

- (a) Adjacent to arterial roadways whose present traffic volume exceeds 10,000 vehicles per day;
- (b) On a total block basis;
- (c) On receipt of a sufficiently signed petition in conformity with the provisions of the *Municipal Act*.

Criteria for Project Prioritization

Construction priority will be established by:

1. Chronological order of certification by the City Clerk of the sufficiency of the petition in accordance with the provisions of the *Municipal Act*;
2. Sufficient funds being available in the current year's Capital Works Budget.

It is intended that projects will maintain their priority but may be delayed beyond a current year until funding becomes available.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Official City Flag and replace it with a new Council policy entitled Official City Flag.

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 revoke and repeal Council policy related to Official City Flag and replace it with a new Council policy entitled Official City Flag;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Official City Flag is hereby revoked.
2. 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 Official City Flag is hereby repealed.
3. The policy entitled "Official City Flag", attached hereto as Appendix 'C(23)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(23)'

Official City Flag

The City of London shall, for most purposes, use its corporate logo flag consisting of the City logo on the right hand side and a green and silver design element on the left hand side. However, in circumstances requiring more formal protocol for ceremonial representation purposes, the City of London shall use its official flag consisting of a field of Royal Blue silk, measuring 36" x 48", on which is displayed the City of London coat of arms in its natural colours, measuring 15" high x 15" wide.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Establishment and Review of Council Policies and replace it with a new Council policy entitled Establishment and Review of Council 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Establishment and Review of Council Policies and replace it with a new Council policy entitled Establishment and Review of Council Policies;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Establishment and Review of Council Policies is hereby revoked.
2. 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 Establishment and Review of Council Policies is hereby repealed.
3. The policy entitled "Establishment and Review of Council Policies", attached hereto as Appendix 'C(24)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(24)'

Establishment and Review of Council Policies

That a policy be established whereby the responsibility for reviewing policies set out in this Policy Manual be placed with the appropriate Standing Committee of Council on the understanding that such review is to be undertaken on a continuing basis, and further, that all recommendations from Department Heads with respect to policy matters be submitted through the City Manager.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Sharing Fence Costs with City and replace it with a new Council policy entitled Sharing Fence Costs with City.

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 revoke and repeal Council policy related to Sharing Fence Costs with City and replace it with a new Council policy entitled Sharing Fence Costs with City;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Sharing Fence Costs with City is hereby revoked.
2. 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 Sharing Fence Costs with City is hereby repealed.
3. The policy entitled "Sharing Fence Costs with City", attached hereto as Appendix 'C(25)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(25)'

Sharing Fence Costs with City

That a policy be established that the City Treasurer, upon the approval of the General Manager Development and Compliance & Chief Building Official that the bill is justified, be authorized to pay accounts submitted by citizens for fences erected in accordance with the standards provided in By-law No. P.S.-1 for sharing the cost of fences between their lands and lands owned by the City; and further since the City Clerk has been authorized to insert in "Living in the City" the relevant sections of the fence by-law pertaining to cost sharing, it be a part of this policy that strict adherence to the requirements of the by-law is necessary, particularly with regard to notice being given to the City prior to the erection of the fence to ensure that if the City has plans to fence the same property, that duplicated costs will not result.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Corporate Identity Policy and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Corporate Identity Policy and replace it with a new Council policy entitled Corporate Identity Policy;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Corporate Identity Policy is hereby revoked.
2. 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 Corporate Identity Policy is hereby repealed.
3. The policy entitled "Corporate Identity Policy", attached hereto as Appendix 'C(26)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(26)'

Corporate Identity Policy

That the following corporate identity policy relating to the use of the City of London Coat of Arms vs. the City of London Promotional Logo (Tree Logo 1987 – rebranded 2000) be established, namely:

- (a) 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);
- (b) use of the City of London Logo, in print and electronic form, is intended for all other corporate purposes;
- (c) internal permission for the use of the City of London Logo shall be unrestricted as much as it is possible, 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
- (d) 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.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Landing of Helicopters and replace it with a new Council policy entitled Landing of Helicopters.

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 revoke and repeal Council policy related to Landing of Helicopters and replace it with a new Council policy entitled Landing of Helicopters;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Landing of Helicopters is hereby revoked.
2. 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 Landing of Helicopters is hereby repealed.
3. The policy entitled "Landing of Helicopters", attached hereto as Appendix 'C(27)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(27)'

Landing of Helicopters

At such times permission is sought by the City of London to land a helicopter within the City limits, the City Clerk shall be authorized to give permission subject to applicable legislative requirements and consultation with the London Police Service.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Elsie Perrin Williams Estate and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Elsie Perrin Williams Estate and replace it with a new Council policy entitled Elsie Perrin Williams Estate;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Elsie Perrin Williams Estate is hereby revoked.
2. 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 Elsie Perrin Williams Estate is hereby repealed.
3. The policy entitled "Elsie Perrin Williams Estate" attached hereto as Appendix 'C(28)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(28)'

Elsie Perrin Williams Estate

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.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Railway Crossing Protection Drawings and replace it with a new Council policy entitled Railway Crossing Protection Drawings.

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 revoke and repeal Council policy related to Railway Crossing Protection Drawings and replace it with a new Council policy entitled Railway Crossing Protection Drawings;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Railway Crossing Protection Drawings is hereby revoked.
2. 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 Railway Crossing Protection Drawings is hereby repealed.
3. The policy entitled "Railway Crossing Protection Drawings", attached hereto as Appendix 'C(29)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(29)'

Railway Crossing Protection Drawings

That a policy be established whereby the Mayor and City Clerk are hereby authorized in future to sign, on behalf of The Corporation of the City of London, Railway Crossing Protection Drawings at the request of the individual Railway Companies, subject to the City Engineer certifying to the City Clerk, in writing, as to the accuracy of the said drawings.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Use of Cenotaph and replace it with a new Council policy entitled Use of Cenotaph.

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 revoke and repeal Council policy related to Use of Cenotaph and replace it with a new Council policy entitled Use of Cenotaph

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Use of Cenotaph is hereby revoked.
2. 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 Use of Cenotaph is hereby repealed.
3. The policy entitled "Use of Cenotaph", attached hereto as Appendix 'C(30)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(30)'

Use of Cenotaph

- (a) The Cenotaph and an area immediately surrounding shall be reserved for observances to honour Canada's war dead and those of Canada's allies who served in any war or peace keeping operation throughout the world;
- (b) Groups who intend to gather at the Cenotaph as outlined above, shall notify the City Clerk, by letter, two weeks in advance of their intentions, and the City Clerk shall determine if approval shall be granted for the requested use, only when satisfied that the proposed assembly is for a purpose and with a decorum consistent with the symbolism represented by the Cenotaph;
- (c) The management staff person responsible for use of Victoria Park and the City Clerk shall advise one another of known plans for the use of Victoria Park in order to avoid conflict with Cenotaph events;
- (d) The process for acquiring permission to gather at the Cenotaph shall be posted on the City of London's website.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Monumenting Program and replace it with a new Council policy 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Monumenting Program and replace it with a new Council policy entitled Monumenting Program;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Monumenting Program is hereby revoked.
2. 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 Monumenting Program is hereby repealed.
3. The policy entitled "Monumenting Program", attached hereto as Appendix 'C(31)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(31)'

Monumenting Program

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.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Flags at City Hall and replace it with a new Council policy entitled Flags at City 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Flags at City Hall and replace it with a new Council policy entitled Flags at City Hall;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Flags at City Hall is hereby revoked.
2. 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 Flags at City Hall is hereby repealed.
3. The policy entitled "Flags at City Hall", attached hereto as Appendix 'C(32)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(32)'

Flags at City Hall

Flags at Front Entrance of City Hall

- (a) The following flags shall be permitted to be flown at City Hall on the flag poles over the front entrance of City Hall:
 - (i) flags deemed by the City Clerk to be in accordance with the flag etiquette of Canada as established by Heritage Canada (restricted to the flag of the City of London, Canadian provinces, the Canadian flag, the personal flags and standards of the Royal Family and the Governor General and the Lieutenant Governors throughout Canada, the Royal Union flag, and the flags of the United Nations, the North Atlantic Treaty Organization and the Commonwealth); and,
 - (ii) an appropriate flag on the occasion of a visiting dignitary, on the day of the dignitary's visit to London City Hall, as a gesture of respect and friendship;

Community Flag Pole

- (b) The following flags shall be permitted to be flown at City Hall on the Community Flag Pole installed at the northwest corner of City Hall, facing Wellington Street:
 - (i) the Canadian flag at such times as there is no flag of a charitable or non-profit organization to be flown as provided for in (b)(ii), or at such times as the half-masting of a flag is in order, as provided for under (f), below; and
 - (ii) to celebrate achievement, the flag of a charitable or non-profit organization to help increase public awareness of their programs and activities; an organization that has achieved national or international distinction or made a significant contribution to the community, or an organization that has helped to enhance the City of London in a positive manner.
- (c) The following guidelines shall be observed for the flying of flags permitted under (b)(ii), above:
 - (i) flag raisings shall be in connection with a particular event by an organization;
 - (ii) no flags of commercial, religious or political organizations shall be permitted;
 - (iii) no flags of a group or organization whose undertakings or philosophy are contrary to City of London policies or by-laws, or espouse hatred, violence or racism shall be permitted;
 - (iv) an organization's flag shall be flown no more than once per calendar year;
 - (v) organizations shall be required to submit flag raising requests on an annual basis;
 - (vi) a flag shall be flown for a period of up to one week, or for the duration of the associated event, whichever is less; and,
 - (vii) flags shall only be raised and lowered on those business days that City Hall is open.

General

- (d) The City Clerk will administer the policy for the flying of flags at City Hall.
- (e) The following guidelines shall apply to resolving conflicts arising from this policy:
 - (i) conflicts between the flying of flags in accordance with (a)(i) and (a)(ii) shall be settled firstly in favour of those flags being flown in accordance with (a)(i) and secondly in favour of those flags being flown in accordance with (a)(ii);

- (ii) conflicts between the flying of flags in accordance with (b)(i) and (b)(ii) shall be settled firstly in favour of those flags being flown in accordance with (b)(i) and secondly in favour of those flags being flown in accordance with (b)(ii);
 - (iii) conflicts between the dates requested for flags to be flown by two or more organizations on the Community Flag Pole shall be settled in favour of the organization which first made its request;
 - (iv) in the event there is a dispute between an organization and the City Clerk as to the eligibility of a request, the appeal process shall be through the Standing Committee of Council whose mandate it is to deal with such matters, with the Municipal Council having full and final say as to whether or not the request to fly a flag will be granted.
- (f) The following guidelines shall be observed for the half-masting of flags on the Community Flag Pole:

The flying of flags at half-mast denotes a period of official mourning or commemoration.

The City of London will fly the Canadian flag on the Community Flag Pole at half-mast in the event of a death or to commemorate a solemn occasion. The Canadian flag will be lowered at the direction of the Mayor. In consultation with the Mayor, the City Clerk will provide instruction to lower the Canadian flag on the Community Flag Pole.

The position of the Canadian flag when flying at half-mast will depend on its size, the length of the mast and its location; but as a general rule, the centre of the Canadian flag shall be exactly half-way down the mast.

The official period of mourning is defined as the day of passing until the day of the funeral.

The Canadian flag will be flown at half-mast on the Community Flag Pole to commemorate the following occasions:

Date	Occasion
April 28	National Day of Mourning for Persons Killed or Injured in the Workplace
August 9	Peacekeepers' Day
Last Sunday in September	National Peace and Police Officers' Memorial Day
November 11	Remembrance Day* * Half-masting shall occur at 11:00 a.m. or according to the prescribed order of service at the Cenotaph.
December 6	National Day of Remembrance and Action On Violence Against Women

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Issuance of Proclamations and replace it with a new Council policy entitled Issuance of Proclamations.

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 revoke and repeal Council policy related to Issuance of Proclamations and replace it with a new Council policy entitled Issuance of Proclamations;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Issuance of Proclamations is hereby revoked.
2. 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 Issuance of Proclamations is hereby repealed.
3. The policy entitled "Issuance of Proclamations", attached hereto as Appendix 'C(33)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(33)'

Issuance of Proclamations

No proclamations shall be issued on behalf of the City of London, except those required by law to be issued.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Painting of Municipal Address Numbers on City Curbs and replace it with a new Council policy entitled Painting of Municipal Address Numbers on City Curbs.

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 revoke and repeal Council policy related to Painting of Municipal Address Numbers on City Curbs and replace it with a new Council policy entitled Painting of Municipal Address Numbers on City Curbs;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Painting of Municipal Address Numbers on City Curbs is hereby revoked.
2. 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 Painting of Municipal Address Numbers on City Curbs is hereby repealed.
3. The policy entitled "Painting of Municipal Address Numbers on City Curbs" attached hereto as Appendix 'C(34)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(34)'

Painting of Municipal Address Numbers on City Curbs

That the following policy be established to permit the painting of municipal address numbers on City curbs in front of properties throughout the City, subject to the following conditions being applicable to anyone wishing to undertake this work either on their own behalf or as a contractor providing this service to property owners:

- (a) anyone carrying out curb painting being required to obtain a work approval permit from the City Engineer wherein there will be a specification requiring:
 - i) the municipal number to be painted using reflective black paint on a white background or using white paint only and to be 4 inches high; and
 - ii) the style of lettering to be used for the municipal number to be approved by the City Engineer;
- (b) anyone wishing to do this type of work providing adequate liability insurance in a form satisfactory to the City Treasurer;
- (c) the program excluding arterial streets and/or other streets, as may be identified by the City Engineer, where serious traffic disruptions might make the program undesirable;
- (d) the property owner involved being advised by the person carrying out the work that the City of London will not maintain or repair completed works, will not entertain requests for the establishment of No Parking zones and will not enhance the snow removal program as a result thereof;
- (e) the property owner involved being advised that the City and/or any utility authorized to work on the road allowance will not be responsible for damage to and/or removal of such numbering as a result of operations carried out by the City or by an authorized utility;
- (f) the property owner involved being advised that the contract to be entered into does not preclude the property owner's responsibility from ensuring that the municipal address is properly reflected on the dwelling in accordance with the City of London By-law No. B.-1 (the Street Names & Building Numbering By-law); and
- (g) the contract to be entered into between the property owner and the contractor being in a form satisfactory to the City Engineer.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Phase Out Use of City-Owned Vehicles and replace it with a new Council policy entitled Phase Out Use of City-Owned 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 revoke and repeal Council policy related to Phase Out Use of City-Owned Vehicles and replace it with a new Council policy entitled Phase Out Use of City-Owned Vehicles;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Phase Out Use of City-Owned Vehicles is hereby revoked.
2. 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 Phase Out Use of City-Owned Vehicles is hereby repealed.
3. The policy entitled "Phase Out Use of City-Owned Vehicles", attached hereto as Appendix 'C(35)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(35)'

Phase Out Use of City-Owned Vehicles

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.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to City of London Race Relations Policy and replace it with a new Council policy entitled City of London Race Relations 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 revoke and repeal Council policy related to City of London Race Relations Policy and replace it with a new Council policy entitled City of London Race Relations Policy;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to City of London Race Relations Policy is hereby revoked.
2. 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 City of London Race Relations Policy is hereby repealed.
3. The policy entitled "City of London Race Relations Policy", attached hereto as Appendix 'C(36)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(36)'

City of London Race Relations Policy

STATEMENT

There is no room for Racism in London. The people of the City of London believe in the dignity and worth of every person and are committed to making this a reality. To this end, each person has the right to live, work, receive services, and participate fully in an environment free of discrimination and harassment based on race.

CHALLENGES

Racism is alive in our community...let's stop it!! Racism is a learned behaviour. It can be blatant, subtle or hidden, and is often denied. If we don't stop racism, it will destroy us and the community in which we live.

Our challenges are to:

- recognize racist attitudes and behaviours
- recognize attitudes and behaviours that encourage racism
- unlearn racism
- unite against racism
- eliminate racism

PURPOSE

The purpose of this Policy is:

- to promote the City of London as a city that is welcoming of all people;
- to strengthen city-wide awareness of the existence of racism in London, in order that we can eliminate it; and
- to provide an evolving community model, which provides the framework for all Londoners to work together to achieve the Strategic Directions of this Policy.

SCOPE

For the purpose of this Policy, the term RACE shall include: race, ancestry, place of origin, colour, ethnic origin, citizenship and creed (religion), in accordance with the prohibited grounds of the Ontario Human Rights Code, as well as language, accent and dress.

This Policy applies to the Corporation of the City of London, including its Advisory Committees, Agencies, Boards and Commissions and provides expressed values for:

- individuals of the city of London; and,
- the community of the city of London including its agencies, organizations and businesses;
- enabling the entire community to work toward the elimination of racism.

STRATEGIC DIRECTIONS

The London Community including individuals, and the Corporation of the City of London, will work toward enhancing the achievement of the following:

CORPORATION

1. **Develop an Implementation Plan for this Policy** by taking the lead, providing the required resources, and by making it a priority to work in partnership with individuals and the community to realize the intent of this Policy for the elimination of racial discrimination and harassment.
2. **Promote mutual Awareness, Inclusion, Understanding and Appreciation of all people** so that everyone, regardless of race, can have a full and meaningful participation in our community.

3. **Develop and Implement Race Relations Communication and Public Education Strategies** designed to identify and raise awareness of the existence of racism and eliminate all racial barriers.
4. **Ensure that Employment Policies and Practices** are free of racially discriminatory barriers in the workplace.
5. **Enhance The Training, and Education of Staff and Volunteers** to provide them with the skills, and awareness about attitudes, policies, procedures, and practices that may or may not be intentionally discriminatory, but have the impact of being discriminatory, to more effectively provide services to various racial communities.
6. **Involve Londoners in Planning For, Accessing, Providing, and Evaluating Services** which are respectful of the needs of our various racial communities.
7. **Establish Mechanisms to Ensure that Racial Discrimination and Racial Harassment are not Encouraged or Tolerated**, which could apply both internally and externally to any person, business or organization that deals with the Corporation of the City of London.

INDIVIDUALS/COMMUNITY

1. **Support the Development of an Implementation Plan For this Policy** by working in partnership with the Corporation, individuals and the community to realize the intent of this Policy for the elimination of racial discrimination and harassment.
2. **Promote mutual Awareness, Inclusion, Understanding and Appreciation of all people** so that everyone, regardless of race, can have a full and meaningful participation in our community.
3. **Develop & Implement Race Relations Communication and Public Education Strategies** designed to identify and to raise awareness of the existence of racism and eliminate all racial barriers.
4. **Ensure that Employment Policies and Practices** are free of racially discriminatory barriers in the workplace.
5. **Enhance The Training, and Education of Staff and Volunteers** to provide them with the skills, and awareness about attitudes, policies, procedures, and practices that may or may not be intentionally discriminatory, but have the impact of being discriminatory, to more effectively provide services to various racial communities.
6. **Participate in Planning For, Accessing, Providing, and Evaluating Services** which are respectful of the needs of our various racial communities.
7. **Endeavor to Establish Mechanisms to Ensure that Racial Discrimination and Racial Harassment are not Encouraged or Tolerated**, which could apply both internally and externally.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Diversity Policy for the City of London and replace it with a new Council policy entitled Diversity and Inclusion Policy for the City of 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Diversity Policy for the City of London and replace it with a new Council policy entitled Diversity and Inclusion Policy for the City of London;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Diversity Policy for the City of London is hereby revoked.
2. 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 Diversity Policy for the City of London is hereby repealed.
3. The policy entitled "Diversity and Inclusion Policy for the City of London", attached hereto as Appendix 'C(37)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(37)'

Diversity and Inclusion Policy for the City of London

Policy STATEMENT

The City of London and its citizens value diversity and the personal, cultural, social, and economic benefits it brings to the community. As such, the London community enables all people to have equal rights, opportunities, and access for their benefit and well-being including, but not limited to, the domains of employment, education, health, accommodation, and leisure.

The City of London and its citizens also recognize the human and economic costs associated with discrimination on the basis of individual or cultural differences. As such, the London community does not condone any form of discrimination or harassment. We endorse and embrace both the Canadian Charter of Rights and Freedoms and Ontario's Human Rights Code, where Code prohibits discriminatory practices because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status, receipt of public assistance, or disability.

WHY Diversity?

When we understand and accept diversity, we lower barriers and achieve important benefits.

- When we encourage the full and active participation of every person, we are drawing on the diverse life experiences and points of view of our fellow citizens. This leads to more innovative solutions.
- When we promote London as a diverse city that is welcoming of all people, the city is more competitive in the global marketplace and more attractive as a destination for visitors and new residents. This benefits our economy.
- When we respect, value, and nurture diversity as an exciting and integral part of our collective experience and identity we can strengthen and create a safe, healthy, and vibrant community. This benefits our society.

In order to enjoy the benefits of a diverse community, we need to address barriers that impede equal participation, work toward the elimination of bias, prejudice and discrimination (which can be intentional, unintentional or systemic) and promote diversity and foster inclusion.

VALUING Diversity and Inclusion

- We can pursue more inclusive strategies for members of the community by recognizing the barriers and discrimination faced by all people.
- We can maximize the potential of each person by promoting an environment of inclusion within the community and within the Corporation for all people.

What will The CORPORATION of the City of London do?

Recognizing that The Corporation of the City of London (including its agencies, boards, commissions, and advisory committees) plays a role in leadership and education in the community, the Corporation is committed to:

- promoting the Diversity and Inclusion Policy both internally and for the community of the City of London;
- ensuring that organizations and individuals have access to this policy;
- encouraging and recognizing excellence in corporate and community citizenship in the areas of diversity and inclusion;
- encouraging public and private organizations to respect and adhere to the objectives of this policy; and
- leading by example.

What can ORGANIZATIONS in the community do?

Recognizing that The Corporation of the City of London, organizations, businesses, and community agencies (including businesses and organizations that provide services, supplies or products, to, or on behalf of The Corporation of the City of London) set the tone for the community, the Corporation will do the following and encourage other organizations to do so:

- ensure that this policy is widely communicated and that all employees, and others to whom the policy applies, understand its intent;
- ensure that existing policies and practices, including employment policies, are built upon non-discriminatory bases such as merit; that future policies and practices meet the objectives of this policy; and that revisions are communicated to the entire organization;
- review current practices to ensure that every person is treated without discrimination and to eliminate barriers in accessing goods and services;
- seek opportunities to involve people of diverse backgrounds in the design, use and evaluation of goods and services;
- provide training and involve staff and volunteers in activities designed to promote awareness, acceptance, celebration of diversity and of fostering empathy and inclusion;
- establish mechanisms to ensure that discrimination and harassment are not encouraged or tolerated;
- monitor organizational compliance with this policy; and
- lead by example.

What can you as an INDIVIDUAL do?

Recognizing that social change begins with individual change, you can, as a resident or visitor to the City of London:

- evaluate your own actions and preconceived ideas about individuals and groups;
- educate yourself, volunteer your time, and participate in activities which will broaden your experience and understanding of diversity;
- encourage and support the development of programs and projects that promote harmony and inclusion;
- advocate both the elimination of discrimination, fostering inclusion and the celebration of diversity within your own workplace or community;
- challenge discrimination when you experience it or are aware of its existence; and
- lead by example.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Public Art Policy and replace it with a new Council policy entitled Public Art 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 revoke and repeal Council policy related to Public Art Policy and replace it with a new Council policy entitled Public Art Policy;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Public Art Policy is hereby revoked.
2. 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 Public Art Policy is hereby repealed.
3. The policy entitled "Public Art Policy", attached hereto as Appendix 'C(38)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Public Art Policy

TABLE OF CONTENTS

CITY OF LONDON PUBLIC ART PROGRAM

INTRODUCTION

• Public Art: Capturing the Value of London’s Heritage, Culture, Arts and Diversity	2
• Public Art: Building Upon a Strong Foundation	2
• Public Art: Attracting Interest and Investment	2
• Public Art: Contributing to the Urban Character	3
• Public Art: Benefiting the Entire Community	3
• Summary	4
• Acknowledgements	4

CITY OF LONDON PUBLIC ART POLICY

Section 1: POLICY STATEMENT

1.0 Policy Statement	5
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Section 2: ADMINISTRATION

2.0 Principles	5
2.1 Public Art – Purpose, Definitions and Exclusions	5
2.1.1 Purpose of Public Art	5
2.1.2 Definition of Public Art on Municipally-Owned Public Space	6
2.1.3 Public Art Exclusions	6
2.1.4 Definition of Professional Artist	7
2.2 Purpose of the Public Art Policy	7
2.2.1 Permanent and Temporary Types of Public Art	7
2.2.2 Placement of Outdoor Art on Privately-Owned Space	7
2.3 Application and Management Process	7
2.3.1 Administering Public Art	7
2.3.2 Acquiring Public Art	8
2.3.3 Site Selection	8
2.3.4 Selection Process	9
2.3.5 Implementation of Public Art	9
2.3.6 Maintenance and Conservation/Restoration	10
2.3.7 De-Accessioning	10

Section 3: FUNDING

3.0 Municipal Budget Funding	10
3.1 Public Art Acquisition Reserve Fund	11
3.2 Public Art Maintenance Reserve Fund	11

INTRODUCTION

Public Art: Capturing the Value of London’s Heritage, Culture, Arts and Diversity

London’s City Council, at its meeting on September 17, 2007, approved its Strategic Plan for the next four years (2007 – 2010). One of the strategic priorities identified is, “Creative, Diverse and Innovative City: Capturing the value of London’s heritage, culture, arts and diversity. Our goal is to define and strengthen the city’s unique identity.”

A high quality Municipal Public Art Program is important to achieving this goal. Successful Public Art Programs help communities develop and express their unique sense of place and character, and in turn, draw tourism and investment activity to the city.

The primary purpose of the Municipal Public Art Policy, which guides the Public Art Program, is to provide a mechanism through which the City of London acquires public art for municipally-owned public space through its purchase, commission or donation.

The Creative City Task Force (CCTF) made the creation of a Public Art Policy one of its key recommendations, noting that, “London is falling behind in some areas, and the community has to change and improve if it is going to prosper and grow in the future.” This report goes on to note that, “London’s assessment growth, future prosperity and downtown development will be driven in large part by the creative industries and the people who work in them.”

Public Art: Building Upon a Strong Foundation

For nearly 50 years, North American cities have engaged in Municipal Public Art Programs. The first Public Art Program was introduced in Philadelphia in 1959. Currently, there are over 300 American cities with public art ordinances as part of their planning and culture mandates, in private and public projects, including: Seattle, San Francisco, Portland, Dallas, San Jose, Chicago and New York City.

In Canada, the first Public Art Program began in the 1950s when the Province of Quebec introduced its Art in Architecture Program. Today, over 50 Canadian municipalities have Public Art Policies and Programs including: Vancouver, Edmonton, Calgary, Richmond, Winnipeg, Montreal, Ottawa and Thunder Bay. The best of these programs have created visionary plans for the strategic placement of public art in their communities.

Public Art: Attracting Interest and Investment

As public art provides a distinctive cachet that can attract new residents and businesses, property values may increase, and the art can become a destination draw for visitors who will contribute to the local economy in its shops, cafes and businesses.

The feasibility of a Public Art Program is governed by the available funding. Council, through its operating budget, is requested to provide annual funding for the Public Art Program, noting that it is proposed that this funding amount be increased annually by the operating budget target factor to ensure its ongoing capacity to meet the intent of the program. The requested funding is based on a 1% rolling five year average of the City of London’s applicable capital projects. Council will review the funding level every five years to ensure its continued capacity to fulfill the intent of the Public Art Policy. This model, which is a common practice found in Public Art Programs in North America, Europe and other countries, is the “tried and true” target that enables public art to have an impact on a city in relation to the other 99% of building budgets.

Public art is recognized both nationally and internationally as a significant tool for city building, economic development and beautification. From Pittsburgh to Vancouver to Vienna to Birmingham to Canberra, public art is part of the planning process to rejuvenate and enliven new city districts for the benefit of residents and tourists alike.

For private development, the benefits of public art may include increased property values, enhanced marketing of the units or floor space and enhanced aesthetics of the development leading to an improved public image for the developer.

Though not addressed specifically in the City of London Public Art Policy, the City recognizes that there are many examples of non-municipal outdoor artworks located in privately-owned space across London that contribute to the identity and character of our community.

Public Art: Contributing to the Urban Character

Works of public art in public space engage people in their everyday lives and provide an opportunity for dialogue and social interaction that is at the heart of a vibrant city. Public art demonstrates that a city is proud, interesting and informed. A Public Art Program helps to create visible works of art and sets high aesthetic standards for all types of building projects. Further, it fosters an environment that promotes creativity, the pursuit of excellence in cultural experiences, public access to those experiences and the preservation and enhancement of diverse cultural identities.

Public art can reaffirm or reveal a sense of place in a symbolic and visually stimulating way by evoking some aspect of the social, natural, cultural, physical, political, economical or historical context of the site and its locale. Different public art sites provide artists with the ability to engage

fully in the city building process, adding richness and variety to the urban environment. Public art can also influence the design of a development proposal, affecting the layout of open spaces, public connections to adjacent features such as streets, parks and open spaces, and related requirements for setbacks and streetscaping.

Public Art: Benefiting the Entire Community

Benefits of public art include, but are not limited to:

- defining identity;
- building strong communities;
- promoting development;
- enlivening social spaces; and,
 - encouraging discussion and debate.

Summary

London's Public Art Policy will be a significant tool for the beautification of the community, encouraging economic development, and for creating a sense of enhanced civic pride.

As outlined in the Introduction, the primary purpose of the Public Art Policy, which guides the Public Art Program, is to provide a mechanism through which the City of London acquires public art for municipally-owned public space through its purchase, commission or donation.

The Creative City Task Force Report recognizes the important contribution of public art to the quality of the public realm and to city building. The Report also recognizes the need for the City of London to finance the acquisition, conservation and inventory of public art. Public art helps to make buildings, open spaces and neighbourhoods attractive and memorable places where people want to visit, live, work and play. The Policy represents an important tool for securing high quality installations of public art.

The City of London Public Art Policy is divided into three parts as follows:

Section 1: Policy Statement

Section 2: Policy

Section 3: Funding

Acknowledgements

The creation of the new Public Art Policy has been a process that has occurred over a number of years. It was initiated by the Advisory Committee for the Arts of London City Council. This Policy is no longer current. Subsequently, the London Arts Council's Public Art Task Force assumed the responsibility for assisting the City of London with the creation of a new Public Art Policy.

The London Arts Council is dedicated to enhancing the quality of life and the creative vitality of London by nurturing awareness of, involvement in, and commitment to, excellence of all levels of arts and culture. The support and dedication of volunteer members of the London Arts Council's Public Art Task Force are gratefully acknowledged. Your commitment and passion for the arts and the City of London will be honoured through the many artistic works our city will bring to life in the years to come.

The work of the current Public Art Policy Development Group of the City of London which included membership from the London Arts Council and Museum London, as well as representation from various City departments are also gratefully acknowledged.

CITY OF LONDON PUBLIC ART POLICY

SECTION 1: POLICY STATEMENT

1.0 Policy Statement

The City of London supports the display of art 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 celebrates and honours our culture, history, people, events and locations while enhancing our economic vibrancy. Public art impacts many aspects of

community living. Public art enriches daily life through visual experiences and attracts people to art-enriched places.

SECTION 2: ADMINISTRATION

2.0 Principles

Public art is significant to the City of London because it:

- enriches public spaces for the enjoyment of all;
- serves the city as a whole;
- engages the community, and visitors;
- can yield proven economic benefits;
- demonstrates excellence and a wide range of artistic expression;
- is integrated conceptually and physically into the local context;
- may involve local artists;
- is relevant to London and Londoners;
- is accessible with daily living, work, and play;
- commemorates events of local, national and provincial significance;
- is a part of major capital investment projects in London;
- recognizes outstanding achievements of Londoners or their community;
- is presented in a manner that responds to their unique requirements for care, conservation and safety; and,
- is preserved for the enjoyment of future generations through management policies and guidelines.

2.1 Public Art – Purpose, Definitions and Exclusions

2.1.1 Purpose of Public Art

Public art is 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 on municipally-owned public space will be viewed by citizens and visitors with a keen sense of pleasure, 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.

2.1.2 Definition of Public Art on Municipally-Owned Public Space

The Public Art Policy considers "Public Art" to be art that is displayed on municipally-owned public space.

Municipally-owned public space is considered to be 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.

Public art may include, but is not limited to:

1. sculpture;
2. murals;
3. memorials, monuments, historic objects or artifacts such as the Cenotaph, cannons etc.;
4. fountains or water features that contribute aesthetically to their surroundings (i.e. not spray pads);
5. hard and soft landscaping components which are not a mere extension of the landscape architecture;

6. special engineering or architectural features of existing capital projects that contribute aesthetically to their surroundings; and,
7. community public art related to neighbourhood beautification.

Public art 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.

2.1.3 Public Art Exclusions

Examples of public art that are excluded under the scope of this policy are:

1. directional elements such as super graphics, signage or colour coding, except where these elements are integral parts of the original work of art or public art project;
2. art objects which are mass-produced of standard design such as playground equipment, or statuary objects;
3. landscape architecture and landscape gardening except where these elements are an integral part of the original work of art, or are the result of collaboration among design professionals including at least one artist; and,
4. easily-moveable art works such as paintings, drawings, models and books.

2.1.4 Definition of Professional Artist

A professional artist is a person who is critically recognized as an artist: he or she possesses skill, training and/or experience in an artistic discipline, is active in and committed to his or her art practice and has a history of public presentation.

2.2 PURPOSE OF THE PUBLIC ART POLICY

The primary purpose of this Policy is to provide a mechanism through which the City of London acquires significant pieces of public art for municipally-owned public space through their purchase, commission or donation. The City may authorize public art 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.

2.2.1 Permanent and Temporary Types of Public Art

This Policy is applicable to both permanent and temporary installations of public art. Permanent works of art 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 of public art 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 a work of art will be displayed on municipally-owned public space.

2.2.2 Placement of Outdoor Art on Privately-Owned Space

Though not addressed specifically in this Policy, the City of London believes in encouraging the inclusion of outdoor art in privately-owned space across the city. It is recognized that this art has significant appeal and can contribute to the identity and character of our community.

2.3 APPLICATION AND MANAGEMENT PROCESS

2.3.1 Administering Public Art

The Public Art Policy will be administered by the City of London's Culture Office. The Culture Office may delegate the administration; including making recommendations to Council for the prioritization of expressions of interest for public art projects and the selection of qualified artists, to a knowledgeable community arts organization. Council will be responsible for the prioritization of public art projects to be developed annually.

The Culture Office may also delegate responsibility for site selection, implementation, maintenance and conservation/restoration of public art to other City departments or knowledgeable community arts organizations.

2.3.2 Administering Public Art

Public art, collected for municipally-owned public space, may be acquired through:

- purchase, commission or donation; or,
- creation of community art projects.

Purchase, Commission or Donation of Public Art

All works of public art that are to be purchased, commissioned or donated by the City of London will be subject to the terms and conditions of the Public Art Policy. Purchased art is existing artwork that is bought by the City from an artist, agent, gallery or through another direct method. Commissioned art is a work of art created by a selected artist and for a specific site. Donated art is existing artwork given to the City in the form of a bequest, a gift, or a sponsored acquisition.

When public art is acquired through donation, in accordance with the criteria established in the Income Tax Act (Canada), the City of London may issue a tax receipt to the donor. Independent appraisal costs will be the responsibility of the donor. The Donation Policy of Museum London will be used to guide the City to determine which donations, gifts or bequests of works of art will be accepted.

Donation of Funding to Acquire or Maintain Public Art

The City will encourage the private sector through bonusing and other donation mechanisms to contribute financially to the Public Art Program.

Donated art will also include a funding donation for the maintenance and conservation/restoration of the work being donated, the amount of which will be negotiated as part of an acceptance agreement.

Should a donation of funding from the public or private sector be received for the City of London's Public Art Program, this funding would be treated similarly to the annual contribution allocated by Council outlined in Section 3.1 and 3.2 of this Policy. Donations must be free and clear of conditions and restrictions imposed by the donors regarding the City's use of these funds for the City of London's Public Art Program.

2.3.3 Site Selection

The Culture Office will coordinate the site selection of appropriate locations for the installation of public art on municipally-owned public space. This will include creating a visionary plan for the strategic placement of public art in London.

For locating a specific piece of public art, a qualified conservator may be consulted. The Utility Coordinating Committee will be consulted by the City when a work of public art is to be on a road allowance.

2.3.4 Selection Process

Applications for proposed public art projects will be received from City departments and from external applicants. For City of London capital projects over the value of a million dollars, investment in public art should be considered as part of that project. It is recognized that there should be some flexibility for City departments to determine if a piece of public art is appropriate for a particular capital project.

The applicant for the project will be responsible for hosting a significant public engagement process, before the selection of the public art, to identify if there are major objections from the community to the public art being proposed. The intent of this engagement process is to create the opportunity for accessible public dialogue and education about public art.

The Public Art Program is primarily focused on the installation of significant public art pieces in our community. The Culture Office, or its designate, will establish a Public Art Jury (Jury) of knowledgeable community representatives.

1. The Jury will review applications for significant pieces of public art and prioritize the work to be done in that year based on available funding. The Jury will recommend their prioritization of

public art projects to Council for approval. The Jury will also be responsible for the selection of qualified artists to create public art, if not identified in the original application.

2. The Jury will also receive applications for smaller community art projects; noting that any individual community art project will not be eligible for more than \$10,000 in funding. The Jury will determine whether or not the community art project should proceed and, if so, to what extent funding should be provided.

2.3.5 Implementation of Public Art

The Culture Office, or its designate, will oversee the implementation of public art on municipally-owned public space. Implementation will include overseeing processes, contract negotiations, site planning and individual Public Art Project Plan preparation, installation, insurance for installation, long-term insurance, and maintenance of acquired public art on municipally-owned public space.

The City of London will respect the right of authorship and the integrity of the public art. Not all art placed on City property will become the property of the City of London. When art is not owned by the City of London, the City Solicitor's office will determine the type of agreement required between the owner and the City prior to installation of the artwork on municipally-owned public space.

2.3.6 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. Maintenance and conservation/restoration requirements will be included within the Public Art Project Plan for each piece of public art and captured within a future City of London Public Art Conservation Plan and Master Inventory of Public Art.

The Culture Office may delegate the responsibility for the creation of the City of London's overall Public Art Conservation Plan and Master Inventory of public art to a knowledgeable community arts organization. This organization will consult with EESD to determine maintenance and conservation/restoration requirements and actions for public art on an ongoing basis.

2.3.7 De-Accessioning

The Culture Office will consider candidates for the de-accessioning of permanent and temporary public art, report its findings and recommend the method of de-accessioning to London City Council. The de-accessioned art may be moved, sold, returned to the artist or destroyed, with any monies received through the sale of art being placed in the Public Art Acquisition Reserve Fund.

SECTION 3: FUNDING

This section of the Public Art Policy is intended to provide direction related to the funding of public art in municipally-owned public space.

3.0 Municipal Budget Funding

London City Council, through its annual operating budget, will consider an amount for the operation of the Public Art Program. The 2008 funding amount was developed based on calculating the 1% rolling five year average applicable capital projects in the City of London's annual capital budget process.

These applicable capital projects include:

- publicly accessible above ground buildings including all major municipal buildings;
- parks;
- industrial parks; and,
- new or major upgrades to bridges

This funding will be increased annually by the operating budget target factor to ensure its ongoing capacity to meet the intent of the Public Art Policy. This will be reviewed by the Culture Office every five years, as part of a review of the Public Art Program, to ensure its ongoing capacity to fulfill the intent of the Public Art Policy.

Principles that were used as the basis for selecting the eligible capital works were:

1. Eligible projects for defining budget should be theoretically eligible funding enhancements;
2. Eligible projects should be projects that provide good public exposure. Such projects would be new works or major upgrades;
3. Industrial parks see significant public traffic and should be candidates for public art; therefore, they should be included in the eligible list;
4. Property purchases for locations of future public exposure are simply advance projects costs for otherwise logical, eligible projects; therefore, those budgets set up simply for property purchase should be candidates for the eligible list;
5. Straightforward repairs should not be candidates for eligible capital works; and,
6. No road projects should be considered.

Any operating funding required for the ongoing operation of specific pieces of public art must be approved by Council on a case by case basis.

3.1 Public Art Acquisition Reserve Fund

Public art funding will be annually allocated by Council to a Public Art Acquisition Reserve Fund for the purchase, commission and donation of public art.

A drawdown of up to 10% from the public art funding annually allocated by Council to the Public Art Acquisition Reserve Fund will be used for the administration of the Public Art Policy, which will depend upon specific public art project requirements.

The Public Art Acquisition Reserve Fund may also accept donations of funding from the public or private sector toward the City's Public Art Program, noting that this funding will be treated similarly to the annual contribution allocated by Council. Donations must be free and clear of conditions and restrictions imposed by the donors regarding the City's use of these funds for the City of London's Public Art Program.

3.2 Public Art Maintenance Reserve Fund

In addition there will be an annual drawdown of 10% from the public art funding annually allocated by Council to the Public Art Acquisition Reserve Fund for the Public Art Maintenance Reserve Fund, noting that from time to time, the Culture Office may recommend that this drawdown percentage be increased to meet specific public art maintenance requirements.

The use of this fund will be administered by the Culture Office, in conjunction with the Environmental and Engineering Services Department, to ensure specific maintenance requirements for individual pieces of public art are met. Incidental maintenance that is part of the expected City of London operating budgets, including graffiti and site clean-up, will not be funded from this reserve fund.

Donated art will also include a funding donation for the maintenance and conservation/restoration of the work being donated, the amount of which will be negotiated as part of an acceptance agreement.

Where funds are donated from the public or private sector for the City of London's Public Art Program, this donation will also include a funding donation for maintenance and conservation/restoration, the amount of which will be negotiated as part of an acceptance agreement.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Gateway Structures, Fences and Walls - Ownership & Maintenance and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Gateway Structures, Fences and Walls - Ownership & Maintenance and replace it with a new Council policy entitled Gateway Structures, Fences and Walls - Ownership & Maintenance;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Gateway Structures, Fences and Walls - Ownership & Maintenance is hereby revoked.
2. 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 Gateway Structures, Fences and Walls - Ownership & Maintenance is hereby repealed.
3. The policy entitled "Gateway Structures, Fences and Walls - Ownership & Maintenance", attached hereto as Appendix 'C(39)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(39)'

Gateway Structures, Fences and Walls - Ownership & Maintenance

That the following Gateway Structures, Fences and Walls - Ownership and Maintenance Policy be established:

- (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.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Accessibility Policy and replace it with a new Council policy entitled Accessibility 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 revoke and repeal Council policy related to Accessibility Policy and replace it with a new Council policy entitled Accessibility Policy;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Accessibility Policy is hereby revoked.
2. 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 Accessibility Policy is hereby repealed.
3. The policy entitled "Accessibility Policy", attached hereto as Appendix 'C(40)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(40)'

Accessibility Policy

The Corporation of the City of London is committed to providing quality goods, services, and facilities that are accessible to all persons we serve. We will continue to work with the community and allocate appropriate resources toward the elimination of accessibility barriers in customer service, information and communication, employment, transportation and the design of public spaces and are committed to meeting the requirements of applicable legislation, including the Accessibility for Ontarians with Disabilities Act and the Ontario Human Rights Code.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Promotion of Corporate Products to City Staff and replace it with a new Council policy entitled Promotion of Corporate Products to City Staff.

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 revoke and repeal Council policy related to Promotion of Corporate Products to City Staff and replace it with a new Council policy entitled Promotion of Corporate Products to City Staff;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Promotion of Corporate Products to City Staff is hereby revoked.
2. 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 Promotion of Corporate Products to City Staff is hereby repealed.
3. The policy entitled "Promotion of Corporate Products to City Staff", attached hereto as Appendix 'C(41)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(41)'

Promotion of Corporate Products to City Staff

That the following policy be adopted to establish a consistent approach for the promotion of corporate products and services to employees:

- a) no promotional events or direct solicitation by individuals, groups, and companies wishing to provide incentives to employees to purchase their products or services shall be permitted in City owned or occupied facilities;
- b) individuals, groups, and companies wishing to promote off-site incentives to employees to purchase their products or services must first obtain written approval from the Corporation of the City of London;
- c) requests should be submitted in writing to the Human Resources Division and will be reviewed by a cross-functional team that may include representatives from the following Corporate Services Areas: Finance, Human Resources and Legal for propriety and to ensure that any offer:
 - i) would be made available to all employees;
 - ii) does not conflict or contravene the Corporation of the City of London Policies; including, but not limited to, the Procurement of Goods and Services Policy and the Code of Conduct for Employees; and
 - iii) does not place the Corporation of the City of London in any type of financial risk.
- d) notice of any off-site incentives to employees to purchase products or services shall be subject to the approval of the cross-functional team for placement on the City's Intranet; and

this policy does not apply to Corporation of the City of London sponsored programs such as the Corporate Wellness Program, technology purchasing programs or any other promotions or sponsorships approved in writing by the City Manager.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Media Protocols Policy and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Media Protocols Policy and replace it with a new Council policy entitled Media Protocols Policy;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Media Protocols Policy is hereby revoked.
2. 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 Media Protocols Policy is hereby repealed.
3. The policy entitled "Media Protocols Policy", attached hereto as Appendix 'C(42)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(42)'

Media Protocols Policy

Definitions

"Media" are defined as:

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

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.

Media Access to City Staff, Facilities and Work Locations

The media are expected to conduct themselves in accordance with the following guidelines when visiting 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, he or she does 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 City of London facilities or work locations.

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.

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 his/her manager or supervisor to discuss any issues and remediation.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Community Engagement Policy and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Community Engagement Policy and replace it with a new Council policy entitled Community Engagement Policy;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Community Engagement Policy is hereby revoked.
2. 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 Community Engagement Policy is hereby repealed.
3. The policy entitled "Community Engagement Policy", attached hereto as Appendix 'C(43)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(43)'

Community Engagement Policy

Policy Statement:

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

London City Council and Civic Administration recognize that decisions are improved by engaging citizens. We are committed to meaningful engagement that is open, accessible, inclusive and responsive, and within the City's ability to finance and resource.

Vision:

All Londoners working together for a better future.

Mission:

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

Definitions of 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.

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.

Mutual Respect and Inclusion

All participants will listen and respect different opinions, be flexible in how we interact and be open to considering alternatives.

Accessibility

Information and communications are easy to find, access and understand.

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.

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.

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.

Responsiveness

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

Community Engagement Framework:

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

Inform

Purpose of this Type of Engagement

Provide detailed information and awareness to the public.

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

We will keep you informed by providing you with timely, accurate and accessible information.

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

We are 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

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"

We will listen to you, acknowledge your concerns and seek to listen to diverse perspectives.

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

We will participate and share our knowledge and views. We 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.

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"

We will work with you to ensure your 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"

We will participate in the process and share our knowledge and views. We will provide input and receive direct feedback regarding how our 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
- 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

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"

We will facilitate a two way conversation which is collaborative and work with you to address your concerns and incorporate your advice.

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

We will provide advice and share knowledge. We will cooperate with you to formulate solutions and recommendations.

Guideposts for Use of This Level of Engagement

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

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"

We will encourage and support citizens in identifying issues, developing priorities and implementing decisions. We will support and accept your decisions.

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

We will actively participate and we will 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
- City may facilitate or support implementation

Evaluation Outcomes:

The City of London is committed to ensuring that the Community Engagement Policy stays relevant and achieves its intended outcomes. We will know if we have 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

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Telecommunication Facilities Consultation Policy and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Telecommunication Facilities Consultation Policy and replace it with a new Council policy entitled Telecommunication Facilities Consultation Policy;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Telecommunication Facilities Consultation Policy is hereby revoked.
2. 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 Telecommunication Facilities Consultation Policy is hereby repealed.
3. The policy entitled "Telecommunication Facilities Consultation Policy", attached hereto as Appendix 'C(44)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Telecommunication Facilities Consultation Policy

Introduction

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.

This policy applies to:

- 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 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.

Section 1 – Objectives

1. To facilitate, coordinate and influence the planning and site selection process for telecommunication facilities in the City;
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;
3. To provide a process for public consultation as specified by this policy on all applications; and

4. To inform applicants and the public about the guidelines for the location and design of telecommunication facilities.

Section 2 – Submission Requirements (Applicant/Proponent)

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.
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.
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. 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.
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.
6. A completed Application form including the application fee as set out in Section 4, a cheque payable to the City Treasurer.

Section 3 – Public Consultation Process

3.1 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:

1. Maintenance of an existing telecommunication facility, including painting or lighting in order to comply with Transport Canada's requirements;
2. Maintenance of existing radio apparatus including the antenna system, transmission line, mast, tower or other antenna-supporting structure;
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. 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;
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;
6. Ground supported towers less than 16.6 metres (54.5) 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;

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
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.

3.2 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.

1. The proposed location of the telecommunication tower(s) on the subject site,
2. A description of the proposed telecommunication structure including its height, dimension, type, design, and colour.
3. A letter demonstrating compliance with exclusion criteria identified in Industry Canada's CPC-2-0-03 or in this procedure.
4. Site plan showing the tower.
5. Supporting drawings.

3.3 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.

1. Public consultation is required for:
 - i. Antenna systems or platforms co-located on existing towers where the overall height of the structure is increased by more than 25%;
 - ii. 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;
 - iii. 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,
 - iv. New antenna systems that are located on located on a property designated under Part IV or Part V of the Ontario Heritage Act.

3.4 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
- 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.

3.5 Public Information Meeting and Review

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.
2. The Proponent shall conduct the public meeting.
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. 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.

Section 4 – Completion of Review

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.
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.

Section 5 – 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.

Section 6 – Site Location Guidelines

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.
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.
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. 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.
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.
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.

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.
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.
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.
10. The procedure requires all requests for the installation of telecommunication equipment on City lands to be submitted to the Realty Services Division.
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.

Section 7 – Definitions

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.

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. Example include whip, omnidirectional, microwave, and panel antennas.

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.

Broadcasting - means any radiocommunication in which the transmissions are intended for direct reception by the general public.

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.

Co-location - The placement of multiple telecommunications antenna systems or other platforms on a building, structure or tower by two or more proponents.

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.

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 installations highest point including any antenna, lighting, lightning rod or other attached device.

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

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).

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.

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.

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.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Illumination of City of London Buildings and Amenities and replace it with a new Council policy entitled Illumination of City of London Buildings and Amenities.

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 revoke and repeal Council policy related to Illumination of City of London Buildings and Amenities and replace it with a new Council policy entitled Illumination of City of London Buildings and Amenities;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Illumination of City of London Buildings and Amenities is hereby revoked.
2. 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 Illumination of City of London Buildings and Amenities is hereby repealed.
3. The policy entitled "Illumination of City of London Buildings and Amenities", attached hereto as Appendix 'C(45)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(45)'

Illumination of City of London Buildings and Amenities

The illumination of City of London buildings and amenities with multi-colour capable LED lighting installations provides a unique opportunity to display the official colour associated with a charitable or non-profit organization or a City of London event, in order to create awareness of and/or celebrate an organization or a City of London event.

The following illumination guidelines shall be observed:

Eligibility:

- a) Outside organizations requesting the illumination of City of London buildings and amenities with multi-colour capable LED lighting installations must be charitable or non-profit organizations.
- b) Outside organizations requesting the illumination of City of London buildings and amenities with multi-colour capable LED lighting installations must have undertakings or philosophies that are in keeping with City of London policies or by-laws, and do not espouse hatred, violence or racism.
- c) City of London buildings and amenities with multi-colour capable LED lighting installations shall not be illuminated for political, religious or for-profit organizations or purposes.

Frequency/Timing:

- d) City of London buildings and amenities with multi-colour capable LED lighting installations shall be illuminated no more than once per calendar year, per eligible outside organization, in order to maximize access to all eligible outside organizations.
- e) City Hall will be illuminated for a period of up to one week, or for the duration of the associated event, whichever is less; noting that conflicts between two or more organizations would be settled in favour of the organization which first made its request, with City of London events taking precedence in all instances.
- f) The period of illumination of City of London buildings and amenities with multi-colour capable LED lighting installations will commence and terminate only on those business days that City Hall is open given the staff resources required to program the lighting. All City of London buildings and amenities with multi-colour capable LED lighting installations shall be illuminated in a consistent manner to the extent that programming allows.
- g) Outside organizations will be required to submit illumination requests on an annual basis.

Exemptions:

- h) There shall be no restriction on the number of times, or the period for which, the City of London illuminates its buildings and amenities with multi-colour capable LED lighting installations.
- i) The City of London may, at its discretion, illuminate each of its buildings or amenities with multi-colour capable LED lighting installations in a manner which is unique from one venue to the next.
- j) Notwithstanding the above, City of London buildings and amenities with multi-colour capable LED lighting installations shall be illuminated on the following occasions:

DATE	OCCASION	COLOUR
July 1	Canada Day	Red & White
November (except the period of Remembrance Day Events)	Shine the Light on Woman Abuse	Purple
December	Lighting of the Lights in Victoria Park	Red & Green

Administration of Policy:

- k) The City Clerk will administer the policy for the illumination of City of London buildings and amenities with multi-colour capable LED lighting installations.
- l) In the event there is a dispute between an outside organization and the City Clerk as to the eligibility of a request, the appeal process will be through the Corporate Services Committee and Municipal Council shall have full and final say as to whether or not the request to illuminate City of London buildings and amenities with multi-colour capable LED lighting installations will be granted.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to City of London Records Management Policy and replace it with a new Council policy entitled City of London Records 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to City of London Records Management Policy and replace it with a new Council policy entitled City of London Records Management Policy;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to City of London Records Management Policy is hereby revoked.
2. 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 City of London Records Management Policy is hereby repealed.
3. The policy entitled "City of London Records Management Policy", attached hereto as Appendix 'C(46)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(46)'

City of London Records Management Policy

1. DEFINITIONS

Active Record	A record that is referred to and used on a regular basis and generally stored in the users' office area. Most frequently used in the context of paper records.
Archival Record	A record that has been appraised for permanent retention because of its historical, fiscal, legal (including evidential), operational, or administrative value. The long term value of the record justifies its preservation.
Archives	A repository for archival records.
Classification System	A systematic method of coding and categorizing records for ease of use, retrieval, and disposal.
Corporate Records	Any record created, received, deposited or held by any office, department, division, unit, service area, committee, agency board or commission reporting to or responsible to the Council of the City of London, but does not include Councillor constituency records. In general, any record created or received by an employee in the course of business and used to support a City function or to conduct City business.
Disposition	The final phase of the records life cycle. Usually meaning the disposal of records that have no further value, or the transfer of archival records to permanent storage.
Disposition Authority	The individual responsible for the records under the care and control of a particular departmental business unit. Typically the "Disposition Authority" is a Service Area Manager or Director with signing authority.
Document	The smallest unit of filing.
File / Folder	A group of related documents. Can be hardcopy or electronic.
File Plan	A logical systematic method for the description and classification of records.
Inactive Record	A record that is referred to infrequently and usually kept in a lower cost storage facility until final disposition. Most frequently used in the context of paper records.
Life Cycle	The life span of a record from its creation or receipt throughout its active and inactive stage to final disposition.
Metadata	Data that provides information about a record's content, making it easier to retrieve, use, or manage. Metadata includes, but is not limited to: means of creation of the data, purpose of the data, time and date of creation, creator or author of data.
<i>Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)</i>	Ontario legislation which, with some limitations, provides the public with a right of access to records held by the City and protects the privacy of personal and third party information held by an institution.
Physical Record	A record of information in physical form, which includes but is not limited to: correspondence, a memorandum, a book, a plan, a map, a drawing, a diagram, a pictorial or graphic work, a photograph.

Record	Information, however recorded or stored, whether in printed form, on film, by electronic means, or otherwise, that can include: correspondence, a memorandum, a book, a plan, a map, a drawing, a diagram, a pictorial or graphic work, a photograph, a film, a microfilm, a sound recording, a videotape, a machine readable record, any other documentary material, regardless of physical form or characteristics, and any copy thereof; and subject to the regulations, any record that is capable of being produced from a machine readable record under the control of an institution by means of computer hardware and software or any other information storage equipment and technical expertise normally used by the institution.
Record Series	A group of related files that are normally used and filed together.
Records Centre	A storage facility to house inactive records until their final disposition; usually in a lower cost, off-site location. Most frequently used in the context of paper and other physical records.
Records Classification System	A system to promote the effective use of City information by providing a consistent standard for the description and management of corporate records and improving control and accessibility.
Records Coordinator	An employee within each business unit who acts as records management liaison and representative for the business unit, administers and supports the business unit's records management program and participates in all necessary training for the performance of this role.
Records Management	The process of planning, organizing, directing, and controlling all the steps involved in the life cycle of records.
Retention Schedule	A Council-approved timetable that prescribes a life span to recorded information from its creation to final disposition.
Transitory Records	Records that have temporary usefulness and are only required for the completion of a routine action, or the preparation of another record. They are not an integral part of a records series and are not filed regularly with standard records or filing systems. They are not required to meet statutory obligations or to sustain administrative or operational functions.
Vital Records	Records that are essential to resume or continue the operations of an organization after an emergency; those necessary to recreate the corporation's legal and financial position; and/or those necessary to preserve the rights of the corporation, its employees, customers, and ratepayers.

2. PURPOSE

The purposes of this policy are:

- a) To ensure that the records of The Corporation of the City of London are retained and preserved in a secure and accessible manner.
- b) To foster government accountability and transparency by promoting and facilitating good recordkeeping.

3. POLICY STATEMENT

The records and information holdings of The Corporation of the City of London (the "City") are valuable corporate assets needed to support effective decision making, meet operational requirements, protect legal, fiscal and other interests of the City, and to adhere to the requirements of the *Municipal Act, 2001* as amended and the *Municipal Freedom of Information and Protection of Privacy Act, 1990* as amended.

The City will manage its information holdings by adopting a records management program that will be administered by the Office of the City Clerk.

All City records holdings in the custody and control of City employees and service areas are the property of The Corporation of the City of London.

The retention of records is usually dependent on the subject matter of the records, and not the format in which the records are stored. The Records Management Policy and Records Retention Schedule will focus on hardcopy/paper records and electronic records management practices. The policy will be applied to all records in the custody and control of the City – including electronic records (i.e. e-mails, files saved on staff computers and networks, files saved on CD's and DVD's, etc.).

4. OBJECTIVES

A records management program applies systematic controls and standards to the creation, security, use, retention, conversion, disposition and preservation of recorded information. A standardized records management program will allocate sufficient resources to:

- 4.1) manage the information life cycle to meet all legislated requirements for record keeping, including those of the *Municipal Act, 2001* and the *Municipal Freedom of Information and Protection of Privacy Act, 1990*;
- 4.2) manage information holdings, making them readily available for decision making and to meet information access requests, including those made under the *Municipal Freedom of Information and Protection of Privacy Act, 1990*;
- 4.3) protect the integrity and authenticity of records so that they may be relied upon as evidence of organizational activity and administrative decisions and thereby meet legal, evidential and accountability requirements;
- 4.4) ensure that records are protected and are not destroyed or removed from the custody and control of The Corporation of the City of London unless authorized by the City's Records Retention Schedule, or through contractual agreement;
- 4.5) ensure the identification and preservation of permanently valuable records and the destruction of records that have surpassed their retention, in a timely, secure, and environmentally sound manner;
- 4.6) promote organizational efficiency and economy through sound record keeping practices, including reducing storage costs through the use of records storage centres and appropriate technology; and
- 4.7) establish and define accountability, responsibility and roles for this program, as appropriate to level of involvement with records management.

5. GENERAL DIRECTIVES

- 5.1) All records created or received by an employee of The Corporation of the City of London in the course of official business are subject to City records management practices and procedures.
- 5.2) It is the responsibility of every City employee holding or maintaining City records to deliver all such records to his or her successors or to the City Clerk upon leaving office or employment.
- 5.3) Transfer of original City records into the possession of private organizations or individuals is prohibited except for the purposes of microfilming, imaging, duplication, format conversion, binding, conservation, or other records management and preservation procedures or where authorized by bylaw, legislation or contractual agreement.

6. OWNERSHIP OF RECORDS AND INFORMATION

- 6.1) Records created or accumulated by City Councillors acting in their political or constituency capacity are not corporate records where these records are stored and managed separately from City records.
- 6.2) Records in the custody of consultants, contractors, and private service providers performing work for the City may be under the control of the City and subject to the *Municipal Freedom of Information and Protection of Privacy Act, 1990*.
- 6.3) Records created by volunteers or part time workers performing work under the direction of a City employee are corporate records subject to this policy and to the provisions of the *Municipal Freedom of Information and Protection of Privacy Act, 1990*.

7. CHANGES OF CUSTODY, CONTROL OR OWNERSHIP

- 7.1) When physical custody of original corporate records is transferred to another institution not covered by this policy, a protocol agreement must be in place. The agreement must identify the records in question, define the rights retained by the City and ensure that the records will be managed in accordance with government legislation, by-laws, regulations, policies, standards and records schedules. Protocol agreements may contain the following provisions:
- a) the City may restrict access to or the disposition of records transferred or those created after the transfer;
 - b) new records created or documentation added to existing records may become City property;
 - c) records must be returned to the City once they are no longer required or if the information is requested by the City; and
 - d) intellectual property rights (such as patents, copyright, etc.) must be retained by the City.

8. INFORMATION SECURITY

- 8.1) Security measures must be implemented to ensure that records are created, acquired, updated, handled, used, transmitted, transported, filed stored and destroyed in a manner appropriate to their sensitivity. These security measures must ensure the integrity of the records, protect sensitive information and personal information from unauthorized access or disclosure and protect vital records from damage or loss.

9. RECORDS CLASSIFICATION SYSTEM

- 9.1) The Ontario Municipal Records Management System (TOMRMS), as amended, will be used as the City's records classification system and retention schedule.

10. RETENTION AND DISPOSITION OF CORPORATE RECORDS

- 10.1) All corporate records will be retained and disposed of according to the Council-approved Corporate records schedule
- 10.2) In order to reduce the use of office space and file equipment, inactive physical records will be stored in records centres coordinated by the City Clerk's Office.
- 10.3) Employees will use the Corporate approved CityHub/SharePoint electronic documents and records management system to store and manage electronic records not already stored in other approved database applications.
- 10.4) In accordance with the approved retention schedule, final disposition action will take place in a timely manner at the end of the retention period for each record series.

11. PRESERVATION OF ARCHIVAL RECORDS

- 11.1) Archival records will be managed for preservation throughout the information life cycle.
- 11.2) Archival records will be created in formats that ensure the longest possible life of records or of the information contained in them. They will be handled and stored in a manner that minimizes damage and deterioration while in use.
- 11.3) Archival records will be preserved in formats appropriate to their retention periods and final disposition. Information of enduring value must be preserved using durable storage media.

12. TRANSITORY RECORDS

- 12.1) After a final record has been produced and incorporated into the regular filing system, the working materials involved may become superseded or obsolete transitory records and may be destroyed unless otherwise legislated or specified in the records retention schedule.
- 12.2) Working materials which are required for ongoing legal, fiscal, audit, administrative or operational purposes are not transitory records.

- 12.3) Transitory records that are the subject of ongoing legal proceedings or a request under the Municipal Freedom of Information and Protection of Privacy Act must not be destroyed until after the legal proceeding or request has been completed and all possible appeals have been resolved.

13. RECORDS MANAGEMENT TRAINING

- 13.1) The objective of staff training is to enable City staff to implement, use and maintain standardized systems for managing their record holdings.
- 13.2) Training must be appropriate to the level of involvement with recordkeeping systems. This involves basic training for all employees and specialized training for business unit records coordinators.
- 13.3) Business unit records coordinators will receive training in the following areas:
- a) principles of recordkeeping;
 - b) information management terminology and processes;
 - c) security of information holdings;
 - d) access rights and privacy protection;
 - e) management of special types of records (e.g. transitory records, special media, etc.);
 - f) classification of records;
 - g) records search and retrieval;
 - h) records retention and disposition schedules;
 - i) file operations and records storage.

14. DESTRUCTION OF RECORDS

- 14.1) Destruction of records may occur at the end of a record's life cycle as described in the approved records retention schedule. Destruction includes deletion, garbage, shredding, and paper recycling.
- 14.2) Records shall be destroyed using a method appropriate to their medium and to their content. Records containing confidential and/or personal information shall be destroyed through a process that achieves definitive obliteration of information.
- 14.3) Destruction operations must maintain the confidentiality of information and protect the privacy of individuals whose personal information may be contained in the records.
- 14.4) Records must be destroyed promptly following the expiration of approved retention periods. Exceptions to this planned destruction process include records still required for the ongoing functions of a municipal program and records that are the subject of a request under the *Municipal Freedom of Information and Protection of Privacy Act* and records required for ongoing legal purposes.

15. AUTHORITY AND RESPONSIBILITY

- 15.1) The Senior Leadership Team will:
- a) provide corporate leadership and support for the records management program.
- 15.2) The City Clerk will:
- a) provide leadership for records management with respect to vision, mission, policy, standards, strategic planning, training, quality assurance, and facilitate the development, maintenance and improvement of records keeping solutions, tools and systems; and
 - b) make recommendations to the Senior Leadership Team and Council regarding policy requirements and records retention and disposal schedules, as required.
- 15.3) The Manager of Records and Information Services will:
- a) coordinate the corporate wide program for records management;
 - b) recommend and implement policies;
 - c) provide direction, training and technical advisory services;
 - d) provide storage and retrieval services for inactive physical records;
 - e) identify the tools, facilities and staff necessary for service delivery;
 - f) create and maintain procedure manuals and supporting documentation; and
 - g) ensure the currency of the records retention schedule.

- 15.4) The Director of Information Technology Services will:
- a) provide technical support for the installation, maintenance and upgrading of records management software and related programs to ensure compliance and access within the City's networked systems; and
 - b) ensure the security and integrity of electronic records systems.
- 15.5) Service Area Managers/Directors will:
- a) recommend retention schedules relating to records in their business unit's custody and control to ensure the schedule meets the business unit's operational requirements;
 - b) use the records storage and retrieval services coordinated by the City Clerk's Office for storage of inactive physical records;
 - c) ensure business unit staff is fully trained and carrying out their records management obligations;
 - d) as the Disposition Authority, review and sign off the destruction of records that have reached their scheduled disposition date. If destruction sign-off is not provided, the Disposition Authority shall provide written justification for the request to extend destruction dates;
 - e) when a business function is being transferred to another business unit as a result of a reorganization, transfer to the business unit all records needed to carry out the function, or, when the business unit ceases to carry out a function and the function is not transferred to another business unit, transfer all records relating to that function to the City Clerk;
 - f) inform the City Clerk of breaches of records management policy (e.g. damage, theft, misuse, privacy complaints or unauthorized disposition of records); and
 - g) designate an employee in each business unit to act as the records coordinator.
- 15.6) Business Unit Records Coordinators will:
- a) oversee and be responsible for preparing inactive records for transfer to the City Clerk's Records Unit for storage;
 - b) be aware of the location all current records and information stored in his/her business unit, regardless of format;
 - c) assist employees in their business unit to understand the corporate records management program and procedures and act as "champion" for the program within their business unit; and
 - d) assist the Manager of Records and Information Services to deliver and to audit the records management program within their business unit.
- 15.7) All City Employees will:
- a) ensure that the records they create or receive in the course of business that are used to support a City function or to conduct City business will be maintained and preserved as required by this policy and the records management program.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Corporate Sponsorship and Advertising Policy and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Corporate Sponsorship and Advertising Policy and replace it with a new Council policy entitled Corporate Sponsorship and Advertising Policy;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Corporate Sponsorship and Advertising Policy is hereby revoked.
2. 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 Corporate Sponsorship and Advertising Policy is hereby repealed.
3. The policy entitled "Corporate Sponsorship and Advertising Policy", attached hereto as Appendix 'C(47)' is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(47)'

Corporate Sponsorship and Advertising Policy

PURPOSE OF THIS POLICY

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.

DEFINITIONS:

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.

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.

City – The term "City" refers to The Corporation of the City of London.

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.

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.

SCOPE OF THIS POLICY

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.

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
 - a. Not directly compete with charitable organizations or with existing private businesses in close proximity to the City program, service or facility; and
 - b. 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.

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.

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.

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.

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.

1.0 GUIDING PRINCIPLES

The following principles will guide the decision-making and operational processes related to sponsorship and/or advertising relationships with an external party:

- 1.1 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.
- 1.2 All sponsorship and advertising agreements must be consistent with the mandate, policies, and objectives of the City.
- 1.3 Sponsorship agreements must benefit the City, and should also benefit the community, and the sponsor or advertiser.

- 1.4 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.
- 1.5 The sponsorship and/or advertising opportunity should be appropriate to the identified target audience.
- 1.6 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.
- 1.7 Agreements shall not in any way invoke future considerations, influence, or be perceived to influence the day-to-day business of the City.
- 1.8 The City will maintain control over the planning and delivery of all sponsorship and advertising opportunities and activities in accordance with this Policy.
- 1.9 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.
- 1.10 The term of all agreements shall not exceed ten years unless authorized by City Council.
- 1.11 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.
- 1.12 Advertisement of a product or service does not act as the City's endorsement of any product or service.

2.0 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:

- 2.1 The City reserves the right to restrict sponsorships and/or advertising to certain services and to exclude any products and industries at its discretion.
- 2.2 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.
- 2.3 Sponsorship rights and/or advertisements will not be accepted if they unnecessarily promote the commercialization of public space.

3.0 SPONSORSHIP AND ADVERTISING AGREEMENTS:

- 3.1 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.
- 3.2 Sponsorship and advertising agreement templates shall be reviewed by the City Solicitor to ensure protection from risk and compliance with legislation.
- 3.3 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

4.0 SPONSORSHIP AND ADVERTISING SOLICITATION

- 4.1 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.
- 4.2 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.
- 4.3 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.
- 4.4 The City reserves the right to reject any unsolicited proposal that has been offered to the City.
- 4.5 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.

5.0 RESPONSIBILITIES:

- 5.1 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.
- 5.2 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.
- 5.3 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.

6.0 DELEGATION OF AUTHORITY:

- 6.1 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.
- 6.2 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.

6.3 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.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Asset Transfers To Municipal Services Corporations Policy and replace it with a new Council policy entitled Asset Transfers To Municipal Services Corporations 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 revoke and repeal Council policy related to Asset Transfers To Municipal Services Corporations Policy and replace it with a new Council policy entitled Asset Transfers To Municipal Services Corporations Policy;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Asset Transfers To Municipal Services Corporations Policy is hereby revoked.
2. 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 Asset Transfers To Municipal Services Corporations Policy is hereby repealed.
3. The policy entitled "Asset Transfers To Municipal Services Corporations Policy", attached hereto as Appendix 'C(48)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(48)'

Asset Transfers To Municipal Services Corporations Policy

1. Policy Statement

This policy is intended to address asset transfers to corporations as required under section 7 of Ontario Regulation 599/06 under the Municipal Act, 2001. as amended from time to time

2. Purpose

The purpose of this policy is to permit transfers of municipal assets to municipal services corporations incorporated by the Municipality under the authority of the Municipal Act, 2001 as amended from time to time.

3. Definitions

“Act” – *Municipal Act, 2001*, including Regulations made under it, as amended from time to time.

“Asset(s)” – real property and personal property of the Municipality.

“Corporation” - a corporation incorporated in accordance with section 203 of the Act and Section 3 of Ontario Regulation 599/06 made under the Act.

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

“Municipality” – The Corporation of the City of London.

4. Application

Assets may be transferred to a Corporation at any time, and from time to time, as authorized by Council, on such terms and conditions as Council may determine.

5. General Provisions

The Municipality may transfer such Assets as it sees fit to Corporations on the following terms:

- (a) The Municipality shall ensure that all applicable legislation, including but not limited to the *Municipal Act, 2001*, is adhered to in any Asset transfer;
- (b) Any Asset transfer must be approved by the Council in advance of the transfer;
- (c) The Council shall be permitted to attach such terms and conditions to the Asset transfer as it deems necessary, including but not limited to:
 - i. Specifying the permitted use of the Assets;
 - ii. Providing for an obligation on the Corporation to transfer back to the Municipality the Asset upon the happening of an event or events;
 - iii. Restricting or prohibiting further transfers of the Assets by the Corporation;
 - iv. Attaching a purchase price of the Asset, to be paid or owed to the Municipality by the Corporation;
 - v. Such other terms or conditions as the Council deems advisable and appropriate.

6. Goals

In considering whether to authorize a proposed transfer of Assets to a Corporation, Council may have regard, among other matters, to the extent to which the proposed transfer will achieve one or more of the following objectives:

- (a) Optimize the use and value of Assets;
- (b) Advance the City's economic development and its economic competitiveness;
- (c) Attract targeted industries, stimulate the creation of desirable employment, regenerate neighbourhoods and advance employment opportunities;
- (d) Achieve sustainable growth and the regeneration of infrastructure and land use;
- (e) Ensure stewardship of the natural environment;
- (f) Support the creation of new affordable housing; and/or

- (g) Achieve social objectives and an enhanced quality of life for the citizens of London.

7. Exclusions

This policy is not applicable to Asset transfers within departments or service areas of the Municipality.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Leasing Parkland and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Leasing Parkland and replace it with a new Council policy entitled Leasing Parkland;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Leasing Parkland is hereby revoked.
2. 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 Leasing Parkland is hereby repealed.
3. The policy entitled "Leasing Parkland", attached hereto as Appendix 'C(49)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(49)'

Leasing Parkland

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."

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Value of Parkland Dedication and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Value of Parkland Dedication and replace it with a new Council policy entitled Value of Parkland Dedication;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Value of Parkland Dedication is hereby revoked.
2. 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 Value of Parkland Dedication is hereby repealed.
3. The policy entitled "Value of Parkland Dedication", attached hereto as Appendix 'C(50)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(50)'

Value of Parkland Dedication

That the following policy for establishing a value for 5% land dedications or the payment of cash in lieu in accordance with the market value 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 a certified property appraiser, 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) The Realty Services Division will retain an independent appraiser to undertake the review and through the Planning and Development Department to make recommendations to Council on the appropriate amendments; and
- (c) Appraisal of commercial land value will be undertaken through the Realty Service Division. The applicant will be advised of the appraised value. The applicant retains the opportunity to dispute the appraisal through their own independent certified land appraiser.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Parkland Dedication – Plan of Subdivision and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Parkland Dedication – Plan of Subdivision and replace it with a new Council policy entitled Parkland Dedication – Plan of Subdivision;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Parkland Dedication – Plan of Subdivision is hereby revoked.
2. 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 Parkland Dedication – Plan of Subdivision is hereby repealed.
3. The policy entitled “Parkland Dedication – Plan of Subdivision”, attached hereto as Appendix ‘C(51)’, is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(51)'

Parkland Dedication – Plan of Subdivision

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 Official plan policies 16.3.2 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;
 - 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.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Parkland Dedication Cash-in-lieu and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Parkland Dedication Cash-in-lieu and replace it with a new Council policy entitled Parkland Dedication Cash-in-lieu;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Parkland Dedication Cash-in-lieu is hereby revoked.
2. 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 Parkland Dedication Cash-in-lieu is hereby repealed.
3. The policy entitled "Parkland Dedication Cash-in-lieu", attached hereto as Appendix 'C(52)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(52)'

Parkland Dedication Cash-in-lieu

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 a certified property appraiser, 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) The Realty Services Division will retain an independent appraiser to undertake the review and through the Parks Planning and Design Division to make recommendations to Council on the appropriate amendments;
- (c) The valuation of Table 1 will take into account the market 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)
Ration 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 Corporation for parkland use	\$/hectare (\$/acre)

- (d) The revised Table 1 of By-law CP-9 will be implemented on the first Tuesday of January, 2011; and
- (e) Appraisal of commercial land value will be undertaken through the Realty Service Division. The applicant will be advised of the appraised value. The applicant retains the opportunity to dispute the appraisal through their own independent certified land appraiser.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Parkland Dedication – Site Plan and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Parkland Dedication – Site Plan and replace it with a new Council policy entitled Parkland Dedication – Site Plan;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Parkland Dedication – Site Plan is hereby revoked.
2. 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 Parkland Dedication – Site Plan is hereby repealed.
3. The policy entitled “Parkland Dedication – Site Plan”, attached hereto as Appendix ‘C(53)’, is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(53)'

Parkland Dedication – Site Plan

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 included within the site plan approval agreement; 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.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Parkland Dedication – Acquisition of Parkland Outside a Plan of Subdivision and replace it with a new Council policy entitled Parkland Dedication – Acquisition of Parkland Outside a 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Parkland Dedication – Acquisition of Parkland Outside a Plan of Subdivision and replace it with a new Council policy entitled Parkland Dedication – Acquisition of Parkland Outside a Plan of Subdivision;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Parkland Dedication – Acquisition of Parkland Outside a Plan of Subdivision is hereby revoked.
2. 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 Parkland Dedication – Acquisition of Parkland Outside a Plan of Subdivision is hereby repealed.
3. The policy entitled “Parkland Dedication – Acquisition of Parkland Outside a Plan of Subdivision”, attached hereto as Appendix ‘C(54)’, is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(54)'

Parkland Dedication – Acquisition of Parkland Outside a Plan of Subdivision

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 land is 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.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Pathway Corridors and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Pathway Corridors and replace it with a new Council policy entitled Pathway Corridors;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Pathway Corridors is hereby revoked.
2. 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 Pathway Corridors is hereby repealed.
3. The policy entitled "Pathway Corridors", attached hereto as Appendix 'C(55)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(55)'

Pathway Corridors

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 shall be a minimum width of 5 metres. Land included above the 5 metres will form part of the required parkland dedication.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Parkland Accounts and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Parkland Accounts and replace it with a new Council policy entitled Parkland Accounts;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Parkland Accounts is hereby revoked.
2. 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 Parkland Accounts hereby repealed.
3. The policy entitled "Parkland Accounts", attached hereto as Appendix 'C(56)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(56)'

Parkland Accounts

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 shall be a minimum width of 5 metres. Land included above the 5 metres will form part of the required parkland dedication.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Gender Equity in Recreation Services and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Gender Equity in Recreation Services and replace it with a new Council policy entitled Gender Equity in Recreation Services;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Gender Equity in Recreation Services is hereby revoked.
2. 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 Gender Equity in Recreation Services is hereby repealed.
3. The policy entitled "Gender Equity in Recreation Services", attached hereto as Appendix 'C(57)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(57)'

Gender Equity in Recreation Services

That the following policy statement with respect to gender equity in recreation services for the City of London be established:

"That gender equity in recreation 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."

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Financial Assistance for Program Activity Fees and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Financial Assistance for Program Activity Fees and replace it with a new Council policy entitled Financial Assistance for Program Activity Fees;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Financial Assistance for Program Activity Fees is hereby revoked.
2. 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 Financial Assistance for Program Activity Fees is hereby repealed.
3. The policy entitled "Financial Assistance for Program Activity Fees", attached hereto as Appendix 'C(58)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(58)'

Financial Assistance for Program Activity Fees

FINANCIAL ASSISTANCE FOR PROGRAM ACTIVITY FEES

Scope:

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.

Statement of Intent:

The intent of the policy is to:

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. 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. 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.

Policy Conditions:

1. London residents/taxpayers who considers themselves or their families unable to pay the full registration fee can apply for financial assistance (self-declaration).
2. Financial assistance is limited to a maximum value of \$300 per individual per 12 month period.
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:

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:

To determine the process for and amount of financial assistance that may be provided for eligible persons to participate in City of London recreation and leisure programs but who are unable to afford the associated program fees.

Application Process:

1. 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.

2. 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.
3. After data entry, all documentation will be kept confidential and stored in a locked file cabinet in the Recreation Customer Service area.
4. 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.
5. 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:

1. 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.
2. The amount of the fund will vary yearly as determined by the City's budgeting process.
3. 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. Demand for the fund and other indicators will be tracked and used for future forecasting of funding needs for financial assistance.

Communication Process:

1. 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.
2. City staff will continue to work with the community to monitor the accessibility of recreation and leisure opportunities for low income Londoners.

Appeal Process:

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:

1. Full name, address, telephone number, date of initial application for financial assistance;
2. Reason for request for reconsideration (e.g., extraordinary expenses); and
3. All supporting documents (e.g. receipts, medical notes, etc.).

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.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Inclusion in Recreation Facilities, Parks and Services and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Inclusion in Recreation Facilities, Parks and Services and replace it with a new Council policy entitled Inclusion in Recreation Facilities, Parks and Services;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Inclusion in Recreation Facilities, Parks and Services is hereby revoked.
2. 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 Inclusion in Recreation Facilities, Parks and Services is hereby repealed.
3. The policy entitled "Inclusion in Recreation Facilities, Parks and Services" attached hereto as Appendix 'C(59)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(59)'

Inclusion in Recreation Facilities, Parks and Services

INCLUSION OF PEOPLE WITH DISABILITIES IN RECREATION FACILITIES, PARKS AND SERVICES POLICY FOR THE CITY OF LONDON

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.

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.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Special Events Policies and Procedures Manual and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Special Events Policies and Procedures Manual replace it with a new Council policy entitled Special Events Policies and Procedures Manual;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Special Events Policies and Procedures Manual is hereby revoked.
2. 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 Special Events Policies and Procedures Manual is hereby repealed.
3. The policy entitled "Special Events Policies and Procedures Manual", attached hereto as Appendix 'C(60)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(60)'

Special Events Policies and Procedures Manual

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

- 2.1 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

- 3.1 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.
- 3.2 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.

Definition of Special Events

- 4.1 A Special Event is 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:

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)

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.

March, Parade or Walk

A one-off or recurring sporting, cultural or other type of march, parade, walk or run that does not utilize City of London properties as the start or finish of the event.

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>

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.

Powers of the Managing Director

- 5.1 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.

- 5.2 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.
- 5.3 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.
- 5.4 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.
- 5.5 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.
- 5.6 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 City of London property.

General Policies

- 6.1 All legislation, bylaws and regulations must be adhered to by the Special Event Operator.
- 6.2 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.
- 6.3 The Special Event Operator is required to provide evidence of all necessary licenses/permits required to operate the event.
- 6.4 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.
- 6.5 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.
- 6.6
- (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.
- 6.7
- (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.
- 6.8 Hot air balloons will not be allowed to launch from any City of London property adjacent to City of London property used during a Special Event without the permission of the City of London and the Special Event Operator.
- 6.9 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.
- 6.10 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).
- 6.11 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).
- 6.12 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.
- 6.13 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.
- 6.14 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).
- 6.15 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

- 7.1 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.
- 7.2 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.
- 7.3 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.
- 7.4 Peace Garden: Rental of the Peace Garden will be limited to events associated with Tolpuddle, 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:

- 8.1 Victoria Park will be limited to nine major Special Events with produced amplified concerts per year between June 1st and Labour Day in September.
- 8.2 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.
- 8.3 Alcoholic beverages may be allowed in Victoria Park under the following conditions:
- The Special Event Operator will work with staff to identify preapproved locations for the beer garden(s) in the park.
 - 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.
 - 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.
 - 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.
 - The Operator must apply for a liquor license and comply with all the Alcohol and Gaming Commission regulations.
 - Compliance with the City of London's Alcohol Policy
 - Having a beer tent in the park does not preclude the Special Event Operator from having one on the road.
 - 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.
- 8.4 In order for the park to rejuvenate, City of London will strive to allow 10 days between each major event in Victoria Park.
- 8.5 Parking of cars, trucks, food stock trailers, or sleeping quarters are not allowed in Victoria Park.

- 8.6 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.
- 8.7 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

- 9.1 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.
- 9.2 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.
- 9.3 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 Pavillion must be approved prior to the event by the Manager of Special Events.

Insurance, Indemnity & Financial Security

- 10.1
- (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 City of London property may be required to submit an audited event statement.

Sound Policy

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:

- *New Year's Eve Event will be limited to the hours of 9:00 a.m. – 12:00 midnight*
- *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*
- *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 (ie: music could not begin until 9:00 am)*

11.1

- (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.

11.2 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.

11.3 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).

11.4 Labatt Park: Will not be used for amplified concerts.

11.5 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.
- 11.6 Victoria Park:
- (a) Will be limited to nine Special Events with produced amplified concerts between June 1st and Labour Day in September.
- 11.7 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.
- 11.8 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.
- 11.9 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 rain delay occurs on the day of the Special Event;
 - a power failure delay occurs on the day of the Special Event;
 - 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.

Definitions:

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.

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.

Crescendo: means a passage gradually increasing in loudness or intensity

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).

Admission Policy

12.1 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.

12.2 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 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.
- 12.3 Sale of tickets to a Special Event or concert held on 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

- 13.1 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 London website at: <http://www.london.ca/city-hall/special-event-planning/Pages/Special-Events---Cover-Sheet.aspx>
- 13.2
- (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 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.
- 13.3 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% of 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.

- 13.4 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.

- 13.5 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).
- 13.6 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
- 13.7 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.
- 13.8 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.
- 13.9 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.
- 13.10 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.
- 13.11 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.
- 13.12 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.
- 13.13 The Special Event Operators are encouraged to approach parking lot Operators, located downtown, to provide assistance for parking during Special Events.
- 13.14 The Special Event Operators are encouraged to advertise parking locations in the vicinity of the event.
- 13.15 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).
- 13.16 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

Definition: 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.

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 section 13.0 Policy for Street Closure and Bagging of Meters of the Special Events Policies.

- 14.1 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>
- 14.2 Fee - An administration fee will be applied to each contract.
- 14.3 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.
- 14.4 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.
- 14.5 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.
- 14.6 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.
- 14.7 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.

- 14.8 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 clear 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.

- 14.9 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.
- 14.10 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.
- 14.11 The Noise Policy as outlined in Section 11 of the Special Events Policies will apply to the neighbourhood street closure event.
- 14.12 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:
1. 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.
 2. 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.

15.1

- (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.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Use of Inflatable Amusement Devices During Rental of City Parks or Other Facilities and replace it with a new Council policy entitled Use of Inflatable Amusement Devices During Rental of City Parks or Other 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Use of Inflatable Amusement Devices During Rental of City Parks or Other Facilities and replace it with a new Council policy entitled Use of Inflatable Amusement Devices During Rental of City Parks or Other Facilities;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Use of Inflatable Amusement Devices During Rental of City Parks or Other Facilities is hereby revoked.
2. 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 Use of Inflatable Amusement Devices During Rental of City Parks or Other Facilities is hereby repealed.
3. The policy entitled "Use of Inflatable Amusement Devices During Rental of City Parks or Other Facilities", attached hereto as Appendix 'C(61)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(61)'

Use of Inflatable Amusement Devices During Rental of City Parks or Other Facilities

Scope:

This Policy applies to private rentals of City of London facilities or parks where the event host wishes to utilize inflatable amusement devices as an activity of the event. These events may represent community/neighbourhood festivals and/or private rental events such as birthday parties etc.

This Policy does not apply to the use of such devices at Special Events under the Special Events Policy.

Purpose of the Policy:

This policy outlines the conditions under which inflatable amusement devices may be used during private rentals of recreation facilities or parks in order to:

- reduce the safety risks of users of these devices;
- manage the liability and financial risks to the Corporation.

Inflatable Amusement Devices- When they may be used:

Inflatable amusement devices may be used during rentals on City property (other than Special Events falling under the City's Special Events Policy) subject to the following conditions:

- The rental contract requires standard terms and conditions, including insurance requirements meeting City specifications, including the City being named as an additional insured;
- The rental contract holder provides evidence of at least \$5 million general liability insurance from the inflatable amusement device Provider, which includes bodily injury and property damage and which does not include any exclusionary clauses regarding use of the device(s) at the rental event.
- Prior to the rental, the renter provides the City with evidence of the TSSA-issued license to operate an amusement device;
- Prior to the rental, the renter provides the City with evidence of the TSSA-issued Amusement Device Operating Permit for the amusement device;
- The provisions of the Technical Standards and Safety Act, 2000, and its Regulations are complied with;
- All inflatable amusement devices provided for the event are:
 - Regularly inspected and carry Technical Standards and Safety Authority (TSSA) certification
 - Installed by the Provider
 - Supervised while in use by trained attendants provided by the Provider.
- All employees of the Provider are insured under Workplace Safety and Insurance Board (WSIB) coverage
- At the City's sole discretion, the specific park or recreation facility, and/or location within the park or recreation facility, is deemed operationally suitable to accommodate an inflatable amusement device, or the sort of device under consideration

Definitions

For purposes of this policy:

"Event host" means the party who is responsible for the rental event and who signs the rental contract.

"Inflatable amusement device" means an amusement device having an air supported structure. The amusement device typically is designed to allow users to bounce slide or climb on them and are referred to as 'bouncy castles' or 'bounce houses'.

"Provider" means the person holding the TSSA-issued License and Permit to operate the inflatable amusement device(s).

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Rzone Policy and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Rzone Policy and replace it with a new Council policy entitled Rzone Policy;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Rzone Policy is hereby revoked.
2. 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 Rzone Policy is hereby repealed.
3. The policy entitled "Rzone Policy", attached hereto as Appendix 'C(62)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(62)'

Rzone Policy

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 City of London recreation facilities.

Purpose of Rzone Policy

The City of London (the "City") wishes to promote:

- City recreation facilities that are free from violence, disrespect, and other inappropriate behaviours;
- the safety, security and dignity of attendees at City recreation facilities;
- an environment of **Respect** for others, and **Responsibility** for one's actions for all those attending City recreation facilities;
- reduced vandalism, violence and other inappropriate behaviours at City recreation facilities, through enforcement of the *Trespass to Property Act*; and
- positive individual and public benefits of recreation for City residents and visitors.

Legislative Authority

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*.

Scope of Policy

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.
2. The Rzone Policy applies to all attendees at City recreation facilities.
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).
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.
5. Nothing in this Policy shall affect any person's obligations under a contract with the City, or under any applicable law.

Prohibited Inappropriate Behaviour

The Rzone Policy prohibits inappropriate behaviour at City facilities. For the purpose of this Policy, prohibited inappropriate behaviours include:

- A) Violence or harassment, including:
 - the exercise of physical force by a person against another person that causes or could cause physical injury to the other person;
 - an attempt to exercise physical force against another person that could cause physical injury to the other person;
 - 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;
 - the use of profane or abusive language and racial or ethnic slurs;
 - threats and/or attempts to intimidate;
 - throwing of articles or objects in a deliberate or aggressive manner that endangers or causes injury or damage to any person or property;
 - attempts to goad or incite violence;
 - 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

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

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

1. 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.
2. **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.
3. **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.

- 1) 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).
- 2) 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.
- 3) All acts of a criminal nature must be reported to the police.

ACTION TAKEN TO ADDRESS INCIDENTS OF PROHIBITED INAPPROPRIATE BEHAVIOUR

IMPORTANT NOTES:

- 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.

In an effort to successfully achieve the Rzone Policy goals and purpose, the City of London will make efforts to:

- educate attendees of City recreational facilities (that are not 'rented' under permit or licence) about Rzone expectations of behaviour and penalties for inappropriate behaviours
- establish and maintain cooperative relationships with outside organizations committed to supporting Rzone
- include Rzone compliance clauses in contracts and permits for use of City facilities
- consider appropriate penalties

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 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

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.

Definitions

For the purposes of the Rzone Policy:

- **"attendees"** means those attending an event, and includes patrons, guests, clients, visitors, spectators, coaches, officials, players, members, parents, volunteers, invitees, participants and users;
- **"ban"** means the prohibition of an individual from entering or attending specific City facilities for a specific duration;
- **"harassment"** means engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known, to be unwelcome;
- **"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.
- **"vandalism"** means the malicious, willful, and deliberate destruction, damage or defacing of property.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Policy for Waiving or Reducing Fees for Use of City-Owned Community Centres and Recreation Facilities and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Policy for Waiving or Reducing Fees for Use of City-Owned Community Centres and Recreation Facilities and replace it with a new Council policy entitled Policy for Waiving or Reducing Fees for Use of City-Owned Community Centres and Recreation Facilities;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Policy for Waiving or Reducing Fees for Use of City-Owned Community Centres and Recreation Facilities is hereby revoked.
2. 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 Policy for Waiving or Reducing Fees for Use of City-Owned Community Centres and Recreation Facilities is hereby repealed.
3. The policy entitled "Policy for Waiving or Reducing Fees for Use of City-Owned Community Centres and Recreation Facilities", attached hereto as Appendix 'C(63)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(63)'

Policy for Waiving or Reducing Fees for Use of City-Owned Community Centres and Recreation Facilities

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.

(*“rental fee” 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.)

1.0 Eligibility to Apply

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.

2.0 Administration

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;
- d) refuse to issue an approval, or revoke or suspend an approval, in accordance with this

2.2 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.

2.3 Requests for use of space as approved under this Policy will be accommodated within un-booked capacity within regular operating hours of facilities.

3.0 Application for Waiver or Reduction of Fees

3.1 Every application for a waiver or reduction of fees shall be made to the Managing Director on the forms provided by the Managing Director.

Without limitation, every application shall include the following information:

- a) the name, municipal address and telephone number of each applicant;

- b) if the applicant is a partnership, the name, address and telephone number of each partner; and
- c) if the applicant is a corporation, the address of its head office, and the name, address and telephone number of each director and officer.

3.2 The application must be submitted in a timely manner, as determined by the Managing Director, with the minimum submission deadline being at least two weeks prior to the rental.

3.3 Every person applying for a waiver or reduction of fees shall provide in full at the time the application is submitted all of the information requested on the application form as well as:

- a) if the applicant is a corporation, a copy of the incorporating documentation, a copy of the last initial notice or notice of change which has been filed with the provincial or federal government and a Certificate of Status issued by the Ministry of Government and Consumer Services dated no later than fifteen (15) days prior to the date of the application;
- b) if the applicant is a partnership, details of each partner's interest in the partnership; and
- c) any other documentation or information as may be required in any other part of this Policy or by the Managing Director (including but not limited to event financial statements, certificates of insurance, etc.).

3.4 Every application may be subject to investigations by and comments or recommendations from the municipal or provincial departments or agencies as the Managing Director deems necessary including but not limited to:

- a) the London Police Services;
- b) the Manager of By-law Enforcement.

4.0 Issuance of Approvals for Waiver or Reduction of Fees

4.1 Every approval of a waiver or reduction of fees is subject to the following conditions of obtaining, and continuing to hold an approval, all of which shall be performed and observed by the applicant:

- a) the applicant must pay the Facility Rental Contract fee, if any;
- b) the applicant must pay all fees and fines owed by the applicant to the City;
- c) the applicant must enter into a Facility Rental Contract for the event;
- d) the applicant must meet all the requirements of this Policy and any applicable By-laws.

4.2 An approval under this Policy shall be valid only for the period of time for which it was issued, and in any event no longer than one year.

5.0 Authority of the Managing Director - Waiver or Reduction of Fees

5.1 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.

5.2 The Managing Director may refuse to issue an approval to waive or reduce fees, or may revoke or suspend an approval, or impose a term or condition on an approval, on one or more of the following grounds:

- a) the applicant does not meet the conditions of eligibility to apply as set out in section 1.0;
- b) 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.
- 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, or are being, conducted or promoted, or the applicant is not in compliance with City policies or by-laws, or provincial or federal laws, or any conditions imposed on the approval;
- g) all regulatory approvals have not been obtained (i.e. alcohol, lottery licence, etc.) or the applicant will not provide documentation or information as may be required in any other part of this Policy, or by the Managing Director (including but not limited to event financial statements or evidence of required insurance);

- 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 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 their business in accordance with the law or with honesty or integrity;
- j) 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;
- k) any information contained in the original application form, or any other information provided to the Managing Director, has ceased to be accurate and the applicant has not provided up-to-date accurate information to the Managing Director to allow the Managing Director to conclude that the approval should continue;
- l) the applicant, (or officer or director of the corporation or partner in a partnership), has been convicted of any 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;
- m) the request for use of space cannot be accommodated within un-booked capacity within regular operating hours of the facilities.

5.3 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.

5.4 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.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Parking Tickets Received by Employees and replace it with a new Council policy entitled Parking Tickets Received by Employees.

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 revoke and repeal Council policy related to Parking Tickets Received by Employees and replace it with a new Council policy entitled Parking Tickets Received by Employees;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Parking Tickets Received by Employees is hereby revoked.
2. 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 Parking Tickets Received by Employees is hereby repealed.
3. The policy entitled "Parking Tickets Received by Employees", attached hereto as Appendix 'C(64)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(64)'

Parking Tickets Received by Employees

That a policy be established to provide that in cases where employees receive parking tickets in the performance of their duties, the tickets be given to the Managing Director or designate, who may, at their discretion, pay the parking ticket out of their Petty Cash Account.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Retirement Dinners for Department Heads and replace it with a new Council policy entitled Retirement Dinners for Department Heads.

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 revoke and repeal Council policy related to Retirement Dinners for Department Heads and replace it with a new Council policy entitled Retirement Dinners for Department Heads;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Retirement Dinners for Department Heads is hereby revoked.
2. 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 Retirement Dinners for Department Heads is hereby repealed.
3. The policy entitled "Retirement Dinners for Department Heads", attached hereto as Appendix 'C(65)' is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(65)'

Retirement Dinners for Department Heads

That a policy be established whereby the City of London will not sponsor individual retirement dinners for Service Area Leads; and that such Service Area Leads be recognized at the Annual City of London Retirement Dinner held for all retiring employees of the municipality.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Staff at Ward Meetings and replace it with a new Council policy entitled Staff at Ward Meetings.

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 revoke and repeal Council policy related to Staff at Ward Meetings and replace it with a new Council policy entitled Staff at Ward Meetings;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Staff at Ward Meetings is hereby revoked.
2. 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 Staff at Ward Meetings is hereby repealed.
3. The policy entitled "Staff at Ward Meetings", attached hereto as Appendix 'C(66)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(66)'

Staff at Ward Meetings

That the following policy with respect to the attendance of administrative staff at public meetings, ward meetings, in a resource capacity, be established, namely:

“That the attendance of Members of the Civic Administration at meetings other than at the direction of City Council or Standing Committees, shall be a matter of decision on the part of the Service Area Lead concerned, with the concurrence of the City Manager, except in such circumstances where attendance falls within the guidelines pertaining to the Council Members' support staff. In either case, restrictions on the use of corporate resources during a municipal election period must be adhered to.”

Bill No.
2017

By-law No.

A by-law to amend By-law No. A.-6151-17, being a by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001*.

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

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

AND WHEREAS on December 17, 2007 the Municipal Council of The Corporation of the City of London enacted By-law A.-6151-17, being a by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001* (the "Council Policy By-law");

AND WHEREAS it is deemed expedient to amend Schedule B – Hiring of Employees Policy to By-law No. A.-6151-17;

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

1. Schedule "B" to By-law No. A.-6151-17, being the "Hiring of Employees Policy", is hereby repealed and replaced with the revised Schedule "B" – Hiring of Employees Policy, attached as Appendix 'C(67)', which shall be Schedule "B" to By-law A.-6151-17.
2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(67)'

Hiring of Employees Policy

As an employer, the Corporation of the City of London (the "Corporation") is committed to workplace diversity and inclusion. Having a wide variety of people in our workplace helps our organization to be more flexible, creative and responsive. It helps us provide better service to our diverse community. The Corporation is committed to building a supportive and diverse workplace, representative of our community.

The Corporation recognizes that every applicant has a right to equal treatment with respect to recruitment and employment without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability.

The Corporation is committed to maintaining accessible hiring and recruitment practices including providing accommodations in all parts of the hiring process for people with disabilities.

Every bona fide application will be considered by the Human Resources Division.

The purpose of the recruitment section of the Human Resources Division includes securing the best available applicant for every staff vacancy based on the skills, qualifications and experience required for the position.

All employees will be encouraged to live within the corporate limits of the City of London.

Applicants having close relatives already in the employ of the City of London shall not be excluded from consideration of employment with the City of London.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Temporary Vacancies and replace it with a new Council policy entitled Temporary Vacancies.

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 revoke and repeal Council policy related to Temporary Vacancies and replace it with a new Council policy entitled Temporary Vacancies;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Temporary Vacancies is hereby revoked.
2. 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 Temporary Vacancies is hereby repealed.
3. The policy entitled "Temporary Vacancies", attached hereto as Appendix 'C(68)' is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(68)'

Temporary Vacancies

That a policy be established to provide that the Service Area Lead concerned, with the concurrence of the Chief Human Resources Officer, be authorized to decide on all requests for the filling of temporary vacancies provided that sufficient funds are available in the budget of the Service Area concerned to meet the costs involved.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Workplace Safety and Insurance Act Claims and replace it with a new Council policy entitled Workplace Safety and Insurance Act Claims.

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 revoke and repeal Council policy related to Workplace Safety and Insurance Act Claims and replace it with a new Council policy entitled Workplace Safety and Insurance Act Claims;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Workplace Safety and Insurance Act Claims is hereby revoked.
2. 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 Workplace Safety and Insurance Act Claims is hereby repealed.
3. The policy entitled "Workplace Safety and Insurance Act Claims", attached hereto as Appendix 'C(69)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(69)'

Workplace Safety and Insurance Act Claims

This procedure is designed to ensure that the Managing Director, Corporate Services and City Solicitor is made aware of all cases that have the potential of giving the Corporation a right of action against a third party as provided for by the Workplace Safety and Insurance Act R.S.O. 1997, so that proper action can be taken in that regard.

- (i) Whenever an employee of the Corporation is involved in an accident which involves a third party and may be entitled to Workplace Safety and Insurance benefits, a copy of the Workplace Safety and Insurance Form 7 (employer's report of accidental injury or industrial disease) when completed, must be forwarded to the Risk Management Division as well as any other information relevant to the claim (e.g. Supervisor's Report of Incident, Police Report, etc.). While a major portion of the City's Form 7's are processed within the Human Resources Division, managers at other locations such as the Dearness Home, Fire Department and Police Department will be held equally responsible for reviewing all W.S.I.B. claims and forwarding documentation to the Risk Management Division.
- (ii) The Workplace Safety and Insurance Board upon reviewing the Form 7 will determine if the claim meets the criteria of a Third Party Rights of Action claim. The Workplace Safety and Insurance Board will then send an Election Form to the employee where applicable. The Election Form allows the employee the opportunity to elect to claim W.S.I.B. benefits or the right to bring an action for damages against a third party.

Once the employee elects to claim Workplace Safety and Insurance Benefits, the employee transfers his right of actions as against a third party to his employer.

The original Election Form once completed, is returned by the employee directly to W.S.I.B. A copy of the completed Election Form is then forwarded to the employer. Once received, a copy of the completed Election Form should be forwarded promptly to the Risk Management Division.

- (iii) It shall be the responsibility of the Risk Management Division to scrutinize all W.S.I.B. forms submitted to them as potential third party claims and to bring to the attention of the Managing Director, Corporate Services and City Solicitor all cases that have the potential of giving the Corporation a right of action against a third party, as provided for by the *Workplace Safety and Insurance Act R.S.O. 1997*.
- (iv) The Risk Management Division upon assessing the value of the claim from information gathered from the Human Resources Division will then commence negotiation with the third party insurers in an attempt to obtain a reasonable offer of settlement.
- (v) Whenever an offer of settlement is received, the Managing Director, Corporate Services and City Solicitor shall be asked for an opinion as to its reasonableness.
- (vi) The Managing Director, Corporate Services and City Solicitor reviews the offer and provides an opinion in writing to the Risk Management Division as to reasonableness of the offer with regard to the interests of the City and its employee.
- (vii) A by-law shall be introduced authorizing designated members of the Finance Division to execute release with respect to settled claims.
- (viii) The Managing Director, Corporate Services and City Solicitor shall take appropriate action whenever the Risk Management Division is unable to settle a claim.
- (ix) Any amounts recovered by the Corporation that exceed its actual expenses, which expenses shall include a reasonable fee for obtaining recovery, shall be released to the employee or survivor pursuant to the Workplace Safety and Insurance Act R.S.O. 1997.
- (x) When an employee receives an award as outlined in Item 9, the employee will be asked to execute an "Acknowledgment". A copy of which is annexed hereto. This Form is to prevent any misunderstanding on the part of the employee, since future compensation entitlement for the same injury will be reduced by the amount of such award, as provided for in the Workplace Safety and Insurance Act R.S.O. 1997

(xii) In carrying out this procedure, the Administration shall, whenever practical, take into consideration the recommendations and desires of the injured employee, but in doing so the Administration shall bear in mind that it is representing the Corporation of the City of London, whose exclusive right it is to maintain, abandon, or compromise its cause of action at its sole discretion.

W.S.I.B. Claim No. _____

and
THE CORPORATION OF THE CITY OF LONDON

JOB TITLE:
DATE OF ACCIDENT:
PLACE OF ACCIDENT:
AMOUNT RECOVERED: \$
AMOUNT PAID BY THE CORPORATION OF THE
CITY OF LONDON ON BEHALF OF EMPLOYEE:
Wages \$
Medical Aid
Fringe Benefits
Physician's Reports
Disbursements Re Action
Managing Director, Corporate Services and City Solicitor Costs _____
TOTAL CITY OF LONDON EXPENSES _____
SURPLUS AMOUNT PAYABLE TO: \$

=====

I hereby acknowledge receipt of the sum of \$ _____ and in consideration of this payment I agree that if I should become entitled to further compensation as a result of this accident The Corporation of the City of London will be entitled from the compensation that would then be payable. I understand that this is in conformity with the provisions of the *Workplace' Safety and Insurance Act R.S.O. 1997.*

WITNESS: _____)
)
_____))
_____)

Copies to:
Date _____
Employee Number _____
Workplace Safety and Insurance Board
Managing Director, Corporate Services and Chief Human Resources Officer
Managing Director, Corporate Services, City Treasurer and Chief Financial Officer
Employee's Managing Director

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Employee Service Recognition Program and replace it with a new Council policy entitled Employee Service Recognition 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Employee Service Recognition Program and replace it with a new Council policy entitled Employee Service Recognition Program;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Employee Service Recognition Program is hereby revoked.
2. 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 Employee Service Recognition Program hereby repealed.
3. The policy entitled "Employee Service Recognition Program", attached hereto as Appendix 'C(70)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(70)'

Employee Service Recognition Program

That the following policy be established with respect to Civic Retirement and Twenty-five Year Club for the purpose of honouring those persons who retire from civic service and those with 25 years of continuous service with the Corporation of the City of London, namely:

(a) That an annual dinner be sponsored by the City of London honouring all employees of the Corporation of the City of London, including employees of the London Police, to be attended by each employee retiring in the calendar year, along with a guest, in accordance with the following;

- with at least 10 years of service:
 - at age 65 (normal retirement)
 - as a result of the 90 factor
 - as a result of the "30 years and out" retirement option,

or

- with at least 25 years of service:
 - as a result of the "early retirement" option
 - as a result of the "Disability Pension" provision

as well as members of City Council and appropriate members of the Civic Administration, including a guest of each. The City's gifts to the retiring employees shall be presented at this dinner.

(b) That employees of the Corporation, including those of the London Police Commission, who have attained 25 years of continuous service with the municipality, be invited, with their guests, to attend a regular meeting of the City Council for the presentation by the Mayor or the presiding officer, of the City of London 25 Year Club Awards, and that the said employees and their guests be invited to join the members of City Council for dinner in the City Hall Dining Lounge on the evening of the presentation.

(c) That an annual reunion dinner and reception be sponsored by the City of London for all retired employees of the Corporation of the City of London, including retired employees of the London Police, and similarly, all members of the 25 Year Club. Gifts and awards will not be presented by the City at this event because those employees being honoured with such awards and gifts in the year in which they retire or attain 25 years service with the Corporation, will not qualify to attend this reunion, dinner and reception until the year following.

(d) That the City of London awards and gifts to employees who have attained 25 years of continuous service with the Corporation, including the London Police, be established as follows, namely:

- (i) a 25 Year Club Pin;
- (ii) a scroll indicating membership in the City of London 25 Year Club; and
- (iii) a watch, a 25 Year Club ring, or other suitable gift.

(e) That the City of London awards and gifts to employees retiring from service with the Corporation of the City of London, including the London Police:

- with at least 10 years of service:
 - at age 65 (normal retirement)
 - as a result of the 90 Factor
 - as a result of the "30 years and out" retirement option,

or

- with at least 25 years of service:
 - as a result of the "early retirement" option
 - as a result of the "Disability Pension" provision

established as follows, namely:

- (i) a city of London walnut/bronze plaque, suitably engraved, in recognition of the employee's years of service;
- (ii) a gift of silver, copper, pewter or crystal in the line of stemware, beer steins, trays, etc., with approximate value as follows:
 - 10 - 19 years of service - \$250.00
 - 20 - 29 years of service - \$500.00
 - 30 - 39 years of service - \$750.00
 - 40 years of service and over - \$1000.00
- (f) That, notwithstanding the above policies, retiring Service Area Leads of the Corporation of the City of London will be presented with an additional retirement gift not to exceed \$1000 in value by the Corporation of the City of London.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Benefits for Non-Union Employees on Long Term Disability and replace it with a new Council policy entitled Benefits for Non-Union Employees on Long Term Disability.

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 revoke and repeal Council policy related to Benefits for Non-Union Employees on Long Term Disability and replace it with a new Council policy entitled Benefits for Non-Union Employees on Long Term Disability;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Benefits for Non-Union Employees on Long Term Disability is hereby revoked.
2. 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 Benefits for Non-Union Employees on Long Term Disability is hereby repealed.
3. The policy entitled "Benefits for Non-Union Employees on Long Term Disability", attached hereto as Appendix 'C(71)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(71)'

Benefits for Non-Union Employees on Long Term Disability

That the following policy be established with respect to the payment of premiums for various insurance benefits applying to non-union employees who have exhausted sick leave accumulations and are unable to return to employment with the Corporation, and become eligible for Long Term Disability benefits in accordance with the terms of that insurance policy, namely:

- (a) the existing Extended Health Care Benefit, Deluxe Travel Plan and Dental Care Plan Benefit will continue to be provided to the employee on a premium-free basis by the Insurer until such time as the employee is able to return to work, reaches normal retirement age, or dies - whichever occurs first;
- (b) the Life Insurance Benefit for the employee will be continued by the Insurer in accordance with the terms of the Policy providing for the continuation of such coverage under a "Waiver of Premium" provision;
- (c) pension Benefits under the OMERS Pension Plan, will be continued on behalf of the employee under the "Waiver of Premium" Benefit provided by the terms of the Pension Plan.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Benefits for Survivors of Employees Killed on the Job and replace it with a new Council policy entitled Benefits for Survivors of Employees Killed on the Job.

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 revoke and repeal Council policy related to Benefits for Survivors of Employees Killed on the Job and replace it with a new Council policy entitled Benefits for Survivors of Employees Killed on the Job;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Benefits for Survivors of Employees Killed on the Job is hereby revoked.
2. 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 Benefits for Survivors of Employees Killed on the Job is hereby repealed.
3. The policy entitled "Benefits for Survivors of Employees Killed on the Job", attached hereto as Appendix 'C(72)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(72)'

Benefits for Survivors of Employees Killed on the Job

That a policy be established that supplementary financial assistance beyond any proceeds from insurance policies, OMERS, Canada Pension Plan, Workplace Safety and Insurance benefits, or any other plan, not be granted to survivors of City employees who are killed while carrying out their duties.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Appointments Requiring Council Approval and replace it with a new Council policy entitled Appointments Requiring Council Approval and/or Consultation.

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 revoke and repeal Council policy related to Appointments Requiring Council Approval and replace it with a new Council policy entitled Appointments Requiring Council Approval and/or Consultation;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Appointments Requiring Council Approval is hereby revoked.
2. 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 Appointments Requiring Council Approval is hereby repealed.
3. The policy entitled "Appointments Requiring Council Approval and/or Consultation", attached hereto as Appendix 'C(73)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(73)'

Appointments Requiring Council Approval and/or Consultation

- (a) The following positions be identified as those for whose appointment require a recommendation to Council, as outlined below:
- 1) City Manager
 - 2) Managing Director, Corporate Services & City Treasurer & Chief Financial Officer
 - 3) City Clerk
 - 4) Other Statutory Officers required to be appointed by by-law
 - 5) Managing Director, Environmental & Engineering Services & City Engineer
 - 6) Managing Director, Corporate Services & City Solicitor
 - 7) Managing Director, Housing, Social Services & Dearness Home
 - 8) Managing Director, Planning & City Planner
 - 9) Managing Director, Corporate Services & Chief Human Resources Officer
 - 10) Managing Director, Neighbourhood, Children & Fire Services
 - 11) Managing Director, Parks & Recreation
 - 12) Managing Director, Development & Compliance Services & Chief Building Official
- (b) "Vacancy" means a vacancy which occurs in cases such as promotion, resignation, retirement, discharge or death;
- (c) In the case of position number 1 under subclause (a) above, the Corporate Services Committee shall make a recommendation on its nomination to Council;
- (d) In the case of positions numbered 2 through 4 under subclause (a) above, the City Manager shall make a recommendation to the Corporate Services Committee with respect to the appointment; The Corporate Services shall make a recommendation on its nomination to Council;
- (e) In the case of positions numbered 5 through 12 under subclause (a) above, the City Manager will nominate a shortlist of candidates for interview with the Corporate Services Committee. The Corporate Services Committee will consult with the City Manager, and on the advice of the City Manager, will make a recommendation on its nomination to Council;
- (f) All positions noted in subclause (a), 1 through 12, shall be appointed by By-law of the Council
- (g) In the case of all other management positions not mentioned in subclause (a) above, appointments may be made by the Service Area Lead in which the vacancy occurs.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Workplace Harassment and Discrimination Prevention Policy and replace it with a new Council policy entitled Workplace Harassment and Discrimination Prevention 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 revoke and repeal Council policy related to Workplace Harassment and Discrimination Prevention Policy and replace it with a new Council policy entitled Workplace Harassment and Discrimination Prevention Policy;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Workplace Harassment and Discrimination Prevention Policy is hereby revoked.
2. 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 Workplace Harassment and Discrimination Prevention Policy hereby repealed.
3. The policy entitled "Workplace Harassment and Discrimination Prevention Policy", attached hereto as Appendix 'C(74)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(74)'

Workplace Harassment and Discrimination Prevention Policy

1.0 Policy Statement

The Corporation of the City of London ("the Corporation") is committed to fulfilling its obligation to provide every employee with a work environment that is safe and free from harassment and discrimination on the grounds set out in the *Ontario Human Rights Code* (the "Code").

2.0 General Information

Ontario Human Rights Code Provisions

The following provisions of the Code form the framework of this Policy.

Employment

Every person has a right to equal treatment with respect to employment without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability.

Harassment in employment

Every person who is an employee has a right to freedom from harassment in the workplace by the employer or agent of the employer or by another employee because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability.

Harassment because of sex in workplaces

Every person who is an employee has a right to freedom from harassment in the workplace because of sex, sexual orientation, gender identity or gender expression by their employer or agent of the employer or by another employee.

Sexual solicitation by a person in position to confer benefit, etc.

Every person has a right to be free from,

- a) a sexual solicitation or advance made by a person in a position to confer, grant or deny a benefit or advancement to the person where the person making the solicitation or advance knows or ought reasonably to know that it is unwelcome; or
- b) a reprisal or a threat of reprisal for the rejection of a sexual solicitation or advance where the reprisal is made or threatened by a person in a position to confer, grant or deny a benefit or advancement to the person.

Reprisal/Retaliation

Reprisal/retaliation is also unlawful and will not be tolerated. Discriminating against an individual for:

- a) invoking this Policy (on behalf of themselves or another individual); or
- b) participating or cooperating in an investigation under this Policy; or
- c) associating with a person who has invoked this Policy or participated in these procedures;

will be treated as a violation of the Policy and will be dealt with accordingly. In such a case the offender may be subject to the same corrective and/or disciplinary action listed below.

3.0 Definitions

Discrimination: Actions or behaviours that result in unfavourable or adverse treatment because of one or more of the prohibited grounds.

Employee: All individuals employed by the Corporation, including, managerial, supervisory, full-time, part-time, temporary, casual, and students on placement.

Harassment: Engaging in a course of vexatious comment or conduct that is known or reasonably ought to be known to be unwelcome.

Harassment/Discrimination Response Team: Shall be comprised of: the City Manager, relevant Managing Director, Chief Human Resources Officer or their designates, and a member of the City Solicitor's Office.

Prohibited Grounds: Include race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability.

"Age", "disability", "family status", "marital status", and "record of offences" shall be as defined in the Code.

Workplace: All of the Corporation's facilities and work sites, including vehicles and any other land, premises, locations or things at, upon, in or near where the business of the Corporation is being conducted. Included in this definition are Corporate-related activities, including Corporation-sanctioned social functions, or business performed at any other location away from the Corporation's facilities, during or outside of normal working hours.

4.0 Examples of Prohibited Conduct

Discrimination

Differential or unequal treatment based on one or more of the prohibited grounds.

Examples could include but are not limited to:

- exclusion from workplace activities
- refusal to work with another employee
- denial of hiring, promotion, work assignment, career development or training
- denial of services to any individual or group of individuals

Sexual harassment

Examples could include but are not limited to:

- comments, jokes, slurs, innuendos or taunting about a person's body, attire or sex
- comments or conduct of a sexual nature (verbal, written, physical)
- jokes of a sexual nature which cause awkwardness or embarrassment
- displaying pornographic pictures or other offensive material
- attaining, viewing, retaining or distributing pornographic information/materials from the internet or other sources
- inappropriate touching, gestures, leering, staring or sexual flirtations
- sexual/physical assault (also an offence under the Criminal Code)
- persistent unaccepted solicitations for dates (including unwelcome contact subsequent to the end of an intimate relationship)
- solicitation(s) made by a person in a position to confer or deny a workplace benefit or advancement on the recipient
- unwelcome comments or questions about a person's sex life

Racial/Ethnic Discrimination/Harassment

Examples could include but are not limited to:

- remarks, jokes, slurs, innuendos, or taunting about a person's racial or ethnic background
- name calling including derogatory racial or ethnic slurs
- the display of racist pictures or graffiti

- refusing to work or interact with an employee because of her or his racial or ethnic background
- insulting comments, gestures or jokes based on racial or ethnic grounds
- inappropriate comments, gestures or jokes about a person's racial or ethnic background
- attaining, viewing, retaining or distributing racist information from the internet or other sources

Other Discrimination/Harassment (based on any other prohibited ground):

Examples could include but are not limited to:

- pornographic or sexist remarks, jokes, slurs, innuendos or taunting
- vandalism of property
- interference with a person's ability to perform their work responsibilities
- offensive communication via any means (e.g. electronic mail, voice mail, print or radio)
- displaying pornography, sexist, derogatory or offensive pictures or material

What Is Not Harassment:

- the performance of management functions such as but not limited to:
 - performance reviews/appraisals;
 - performance management (including coaching, counselling, discipline);
 - organizational changes/restructuring;
 - shift/vacation scheduling; and,
 - work assignments/work location;
- stressful events encountered in the performance of legitimate duties
- consensual romantic relationships, except where one participant is in a position to confer or deny a workplace benefit on the other

5.0 Responsibilities

Every individual to whom this Policy applies has a responsibility to ensure that the work environment is safe and free from workplace harassment and discrimination by:

- a) refraining from any form of workplace harassment or discrimination;
- b) advising the Intake Administrator or Specialist, Talent Management or any member of management of an incident of apparent workplace harassment or discrimination, or any incident of retaliation against any person for invoking this Policy; and
- c) co-operating in an investigation and handling of any incident of harassment or discrimination.

Parties are further reminded to consider their responsibilities with respect to workplace harassment or workplace sexual harassment under the Corporation's Code of Conduct for Employees and the *Occupational Health and Safety Act*.

Managers

Managers are responsible for providing a workplace free from harassment and discrimination. They must act immediately on observations or allegations of harassment/discrimination. A manager may be held responsible if they were aware of an incident involving harassment or discrimination but did not take any steps to resolve or address it.

Managers must be aware of what constitutes harassment and discrimination and the procedures that are in place for dealing with allegations/complaints.

Managers must ensure that their own acts adhere to this Policy.

Human Resources Division

The Human Resources Division can assist managers in responding to matters under this Policy. Human Resources can also make referrals to agencies for counselling and assistance where required. The Division is also responsible for: maintaining and updating this Policy, training on the Policy, receiving and acting on complaints (including investigating and mediating complaints, and the implementation of resolutions), and all reporting relating to the Policy.

Human Rights Division

The Human Rights Division provides support for the intake, tracking and processing of inquiries, complaints and investigations under this Policy. In addition, the Human Rights Division can also make referrals to agencies for counselling and assistance when required.

Unions/Associations

Union/Association officials are available for confidential consultation and to provide representation to both complainants and respondents, if they are Union/Association members. Union/Association officials can also make a referral to agencies for counselling and assistance when required.

Community Agencies

Community agencies are available to provide confidential advice to individuals affected by complaints.

6.0 Complaints Involving the City Manager/Managing Directors/Intake Administrator

If an employee believes that a Managing Director or Intake Administrator has engaged in conduct contrary to this Policy, the employee is encouraged to advise the City Manager or Chief Human Resources Officer as soon as possible. If an employee believes that the individual holding the position of City Manager has engaged in conduct contrary to this Policy, the employee is encouraged to advise the Chief Human Resources Officer as soon as possible. Upon being advised of a complaint, the City Manager or the Chief Human Resources Officer, as the case may be, will immediately refer the complaint to an external investigator. The external investigator will perform all the functions assigned to the Human Rights Division and Human Resources Division as described in this Policy and the Formal Investigation Process and will provide their investigation report and recommendations, if any, to the Committee designated by the Municipal Council to deal with such matters. The Committee, after consultation with the external investigator, shall make recommendations to the Municipal Council relating to corrective and/or disciplinary actions, and the Municipal Council shall consider, adopt or otherwise deal with the recommendations from the Committee.

In all other respects, the Resolution/Complaint Procedures set out below will apply to the processing of the complaint.

7.0 Resolution/Complaint Procedures

- (a) Individual Action (Optional)
- (b) Informal Action
- (c) Mediation (Optional)
- (d) Formal Investigation

(a) Individual Action - OPTIONAL

If an employee believes that they are being harassed or discriminated against contrary to this Policy, it is recommended, but not required by the Policy, that the respondent be told as soon as possible that their behaviour/actions are unwelcome and must stop.

It is not necessary for the complainant to advise the respondent directly. The communication may be done verbally, via e-mail, in writing, or other suitable means. It is recommended that if the communication is done verbally, what was said, as well as the date, time and place, be recorded.

The Intake Administrator, a Union/Association representative, a Specialist, Talent Management, any member of management or a trusted friend may assist.

Documentation: It is recommended that the complainant maintain a detailed, written record of incidents of harassment/discrimination, including the number of occurrences, date(s), time(s), place(s), nature of the offensive behaviour(s), names of individuals who may have observed the incidents and all actions taken.

(b) Informal Action

If an employee is not comfortable confronting the respondent or if the harassment or discrimination continues, they shall advise one of the following: the Intake Administrator, a

Specialist, Talent Management or any member of management of their complaint, preferably in writing. A Specialist, Talent Management or member of management will report the matter to the Intake Administrator. The Chief Human Resources Officer, or designate, in consultation with the Intake Administrator, and with the employee if appropriate, may determine an appropriate informal course of action which will effectively resolve the complaint in a timely and fair manner.

Circumstances in which an informal course of action may be appropriate include, but are not limited to, the following:

- Where the alleged misconduct is minor in nature.
- Where all the facts necessary for resolution are known without the need for further inquiry.
- Where no other resources or special expertise are required for an impartial and timely resolution.

Upon becoming aware of a complaint, the Corporation will determine whether the subject matter falls under this Policy or is more appropriately dealt with under another policy (e.g. Code of Conduct for Employees, Workplace Violence Prevention), and whether further action and/or investigation is warranted.

(c) Mediation - OPTIONAL

Mediation is a voluntary process whereby the complainant and respondent meet with a trained mediator to determine whether the complaint can be resolved in a mutually satisfactory manner.

The Corporation recognizes that mediation is not appropriate in all circumstances, such as when there are allegations of severe discrimination/harassment which, if substantiated, would result in disciplinary action. Accordingly, where the Corporation deems mediation appropriate it will be offered to the parties but will only be conducted with the consent of both the complainant and the respondent. It is preferable that mediation be attempted prior to a formal investigation but will remain available to the parties throughout the investigation process.

During the mediation process, the complainant and the respondent may, if desired, be accompanied by a Union/Association representative or a trusted friend.

If a mediated settlement is reached, the terms of the settlement shall be reduced to writing and signed by the complainant, respondent and the mediator. If the settlement requires any action on the part of the Corporation, the agreement of the Chief Human Resources Officer will be required.

Discussions between the parties at the mediation will be treated as discussions carried out with a view to effecting a settlement and will be treated as privileged and confidential to the full extent permitted by law.

(d) Formal Investigation

If mediation or other informal attempts to resolve the complaint are not appropriate or prove ineffective or where the Corporation determines that further inquiry is warranted, a formal investigation into the matter will be conducted.

An investigation into a potential breach of this Policy may also be initiated by the Corporation where it deems appropriate, including where allegations of harassment or discrimination that, in the Corporation's assessment, warrant further action/investigation are made by someone other than the alleged victim and the alleged victim does not wish to submit a complaint.

Formal investigations and communication of the findings from such investigations will be conducted in accordance with the Corporation's Formal Investigation Process.

8.0 General Provisions

Interim Measures

In certain circumstances such as where safety is at issue, it may be necessary to take immediate measures. In such a case, interim measures shall be determined by the Chief Human Resources Officer, or designate, in consultation, where appropriate, with other members of the Harassment/Discrimination Response Team, the Corporate Security and Emergency Management Division and/or the London Police Service, if applicable. Interim measures may

include but are not limited to relocating a party, or placing a party on a non-disciplinary suspension with pay, pending the resolution of the complaint or outcome of the investigation.

Support for Parties

The Corporation recognizes that involvement in a harassment/discrimination investigation may be stressful and emotionally upsetting. Complainants, respondents and other affected employees may access the counselling services and support provided by the Corporation's employee assistance provider. Additionally, complainants may wish to access counselling and support through outside agencies.

9.0 Corrective Action and/or Disciplinary Action

Where a finding of discrimination or harassment has been made, the Harassment/Discrimination Response Team will determine what the appropriate corrective action and/or disciplinary actions will be.

Where it is determined that corrective action or disciplinary action is to be taken against an employee of the Corporation, such action may include, but is not limited to, the following:

- an apology
- coaching or counselling
- education or training
- warning
- suspension or leave without pay
- demotion
- transfer
- termination of employment

Where there has been a finding of harassment or discrimination, a manager will implement any corrective or disciplinary actions.

Where it is determined that corrective action is to be taken against members of Council, volunteers (including members of Advisory Committees, Special Committees, and Task Forces), students on placements, individuals contracted by the Corporation on a "purchase of service" agreement, clients or customers, the Corporation will take such corrective action as is reasonable in the circumstances and permitted by law to ensure that the harassment or discrimination stops.

The Corporation may also implement any systemic remedies as it may deem appropriate.

Where Complaint Not Substantiated

Where there is insufficient evidence to prove that harassment or discrimination occurred, no record of the complaint shall be placed in the respondent's Human Resources file.

Vexatious/Bad Faith Complaints

Where it is determined that the complainant has made a vexatious/bad faith complaint or an individual makes allegations knowing them to be false, the Harassment/Discrimination Response Team will take appropriate corrective and/or disciplinary action which may include the same corrective and/or disciplinary actions noted above.

Timing

The complaint should be made as soon as possible after the harassment or discrimination occurred, preferably within one year after the last incident of harassment or discrimination occurred unless there are reasons why it was not practicable to bring it forward sooner. Where failure to make a complaint in a timely fashion affects the ability of the Corporation to conduct a full and complete investigation, the Corporation may decline to deal with the complaint.

10.0 Related Criminal Proceedings

Where criminal proceedings are initiated against a respondent based on the allegations in a complaint of harassment or discrimination that fall within the ambit of this Policy, the Corporation will conduct its own independent investigation, if possible, into the allegations and make its own determination in accordance with this Policy.

11.0 Confidentiality And Record Of Disciplinary/Corrective Action

The administration of this Policy will also be in accordance with *the Municipal Freedom of Information and Protection of Privacy Act* and the *Occupational Health and Safety Act*. All complaints received under this Policy will be considered strictly confidential subject to the Corporation's obligation to safeguard employees, to conduct a thorough investigation and take appropriate corrective and/or disciplinary action.

The parties to the complaint and any witnesses are expected to maintain confidentiality. Unwarranted breaches of confidentiality will result in corrective and/or disciplinary action.

Where an investigation results in corrective and/or disciplinary action against an employee, a record of such action will be placed in the employee's Human Resources file.

12.0 Recourse to Human Rights Tribunal or Grievance Arbitration

A complainant who is not satisfied with the findings made through the investigation process may refer their complaint to the Ontario Human Rights Tribunal or may file a grievance under the relevant collective agreement, if applicable.

13.0 Policy Review Process

The Corporation is committed to continuing to enhance its harassment/discrimination policies, practices and procedures. This Policy shall be reviewed as required. Employees and their representatives are encouraged to provide input and feedback to a Specialist, Talent Management or the Intake Administrator.

14.0 Harassment and Discrimination Prevention Training

Employees of the Corporation will receive mandatory training on this Policy upon hire. Thereafter, as appropriate, employees will receive refresher training or in-service with respect to specific rights and/or obligations arising from the Human Rights Code and/or the Occupational Health and Safety Act and will be reminded of the complaint mechanism to enforce those rights contained in this Policy and any substantial changes.

15.0 Application

The Corporation will not tolerate harassment or discrimination on the grounds set out above of any of its employees in any of its workplaces, by anyone, including: other employees of the Corporation, non-employees, clients and customers of the Corporation. Accordingly, this Policy applies to all of the Corporation's employees, Members of Council, volunteers (including members of Advisory Committees, Special Committees and Task Forces), students on placements, individuals contracted by the Corporation on a "purchase of service" agreement, clients and customers.

The Policy shall be posted on the Corporation's intranet, on the Corporation's website and in the Corporation's workplaces.

16.0 Related Policies

Accommodation of Employees with Disabilities Guideline
Code of Conduct for Employees
Use of Technology Policy
Time Off for Religious Observances Guideline
Workplace Violence Prevention
Formal Investigation Process

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Mayor – Contracted Staff and replace it with a new Council policy entitled Mayor – Contracted Staff.

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 revoke and repeal Council policy related to Mayor – Contracted Staff and replace it with a new Council policy entitled Mayor – Contracted Staff;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Mayor – Contracted Staff is hereby revoked.
2. 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 Mayor – Contracted Staff is hereby repealed.
3. The policy entitled “Mayor – Contracted Staff”, attached hereto as Appendix ‘C(75)’, is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(75)'

Mayor – Contracted Staff

The Mayor is authorized to retain the services of contracted employees for periods not to exceed the current term of the Mayor, subject to the following:

- a) the selection and salary of the contracted employees will be at the discretion of the Mayor;
- b) the contract and conditions of employment for the contracted employees will be in accordance with City of London Human Resource practices and policies; and
- c) the compensation and benefits of the contracted employees will be accommodated within the approved budget of the Mayor's office.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to "No-cut" Employment Agreements and replace it with a new Council policy entitled Fixed Term Employment 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to "No-cut" Employment Agreements and replace it with a new Council policy entitled Fixed Term Employment Agreements;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to "No-cut" Employment Agreements is hereby revoked.
2. 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 "No-cut" Employment Agreements is hereby repealed.
3. The policy entitled "'Fixed Term Employment Agreements", attached hereto as Appendix 'C(76)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(76)'

Fixed Term Employment Agreements

That a policy be established that requires The Corporation of the City of London and those local boards and commissions which are accountable to the Municipal Council to include an early termination provision in all fixed-term employment agreements.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Leaves of Absence Without Pay and replace it with a new Council policy entitled Leaves of Absence Without Pay.

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 revoke and repeal Council policy related to entitled Leaves of Absence Without Pay.and replace it with a new Council policy entitled Leaves of Absence Without Pay;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Leaves of Absence Without Pay is hereby revoked.
2. 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 Leaves of Absence Without Pay is hereby repealed.
3. The policy entitled "Leaves of Absence Without Pay", attached hereto as Appendix 'C(77)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(77)'

Leaves of Absence Without Pay

That a policy be established to encourage civic employees to take leaves of absence without pay to the extent possible while maintaining a qualified work force, provided that:

- (a) the leave of absence, encouragement, approval, or related process do not conflict with management policies, collective agreements or constitute unfair labour practice;
- (b) Service Area Leads retain the right to refuse any request for a leave of absence for operational reasons;
- (c) employees may elect to have regular payroll deductions in advance of the approved leave observance, with a balance of hours (not rate of pay) only; and
- (d) when an approved leave of absence is less than three months in duration, there will be no impact on service related benefits or credits.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Collective Bargaining Activities and replace it with a new Council policy entitled Collective Bargaining Activities.

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 revoke and repeal Council policy related to Collective Bargaining Activities and replace it with a new Council policy entitled Collective Bargaining Activities;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Collective Bargaining Activities is hereby revoked.
2. 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 Collective Bargaining Activities is hereby repealed.
3. The policy entitled "Collective Bargaining Activities", attached hereto as Appendix 'C(78)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(78)'

Collective Bargaining Activities

That a policy be established that the Mayor and Members of Council not participate in Collective Bargaining activities, it being noted that this responsibility will continue to rest with the appropriate members of the Civic Administration.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Non-Issuance of Lifetime Golf Memberships and replace it with a new Council policy entitled Non-Issuance of Lifetime Golf Memberships.

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 revoke and repeal Council policy related to Non-Issuance of Lifetime Golf Memberships and replace it with a new Council policy entitled Non-Issuance of Lifetime Golf Memberships;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Non-Issuance of Lifetime Golf Memberships is hereby revoked.
2. 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 Non-Issuance of Lifetime Golf Memberships is hereby repealed.
3. The policy entitled "Non-Issuance of Lifetime Golf Memberships", attached hereto as Appendix 'C(79)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(79)'

Non-Issuance of Lifetime Golf Memberships

The City of London will not issue lifetime golf memberships to any individual.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Refunding of Application Fees and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Refunding of Application Fees and replace it with a new Council policy entitled Refunding of Application Fees;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Refunding of Application Fees is hereby revoked.
2. 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 Refunding of Application Fees is hereby repealed.
3. The policy entitled "Refunding of Application Fees", attached hereto as Appendix 'C(80)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(80)'

Refunding of Application Fees

That a policy be established to provide that no refunds be made under the Zoning By-law amendment and/or Official Plan amendment fees if any work has been commenced on the application.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Government Agencies to Pay Fees and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Government Agencies to Pay Fees and replace it with a new Council policy entitled Government Agencies to Pay Fees;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Government Agencies to Pay Fees is hereby revoked.
2. 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 Government Agencies to Pay Fees is hereby repealed.
3. The policy entitled "Government Agencies to Pay Fees", attached hereto as Appendix 'C(81)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(81)'

Government Agencies to Pay Fees

That a policy be established to require all governmental agencies to pay the usual fee for an amendment to the Official Plan and/or zoning by-laws except in cases where the City Council is the applicant.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Survey Documents Suitable for Ontario Basic Mapping and replace it with a new Council policy entitled Survey Documents Suitable for Ontario Basic Mapping.

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 revoke and repeal Council policy related to Survey Documents Suitable for Ontario Basic Mapping and replace it with a new Council policy entitled Survey Documents Suitable for Ontario Basic Mapping;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Survey Documents Suitable for Ontario Basic Mapping is hereby revoked.
2. 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 Survey Documents Suitable for Ontario Basic Mapping is hereby repealed.
3. The policy entitled "Survey Documents Suitable for Ontario Basic Mapping", attached hereto as Appendix 'C(82)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(82)'

Survey Documents Suitable for Ontario Basic Mapping

That the following policies be established relating to the land survey component of submissions to the City for any matter under the City's jurisdiction or requiring the City's approval:

- (a) The City shall require all survey plans or plans containing a legal, topographical or engineering component to be referenced to the City's horizontal and vertical control networks.
- (b) The City may request that a condition be attached to the granting of consents to require that a reference plan include both the severed and retained parcels be submitted to Consent Authority prior to the issuance of the certificate of consent approval.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Assumption of Works and Services and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Assumption of Works and Services and replace it with a new Council policy entitled Assumption of Works and Services;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Assumption of Works and Services is hereby revoked.
2. 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 Assumption of Works and Services Policy is hereby repealed.
3. The policy entitled "Assumption of Works and Services", attached hereto as Appendix 'C(83)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(83)'

Assumption of Works and Services

That a policy be established that by-laws to assume works and services in part, or all, of a subdivision 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.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Demolition Control and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Demolition Control and replace it with a new Council policy entitled Demolition Control;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Demolition Control is hereby revoked.
2. 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 Demolition Control is hereby repealed.
3. The policy entitled "Demolition Control", attached hereto as Appendix 'C(84)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(84)'

Demolition of Buildings or Structures on Heritage Listed or Designated Properties

That the following policies on the demolition of buildings or structures on heritage listed or designated properties be established:

Buildings or structures on properties listed on the Register of Cultural Heritage Resources pursuant to Section 27(3) of the Ontario Heritage Act:

- (a) a request is made to demolish or remove a building or structure from a property listed on the Register of Cultural Heritage Resources by the property owner;
- (b) the request is accompanied by such plans and information as Municipal Council may require, which may include but is 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);
- (c) upon receiving the request, and accompanying plans and information, the Heritage Planner will issue notice of receipt of the request to initiate the 60-day review timeline mandated by Section 27(3) of the Ontario Heritage Act;
- (d) the Heritage Planner will notify the Building Division of the request and provide any engineering reports received;
- (e) 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 request 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;
- (f) the Heritage Planner prepares a report 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 and consults with the London Advisory Committee on Heritage (LACH);
- (g) the Heritage Planner prepares a report with a recommendation to remove the property from the Register of Cultural Heritage Resources or designate the property under the Ontario Heritage Act and presents at the public participation meeting at the Planning & Environment Committee;
- (h) Municipal Council makes the final decision on the request.

Buildings or structures on properties designated under Parts IV or V of the Ontario Heritage Act:

- (a) an application for a Heritage Alteration Permit is submitted to the Heritage Planner;
- (b) the Heritage Alteration Permit application is accompanied by such information as Municipal Council may require, which may include but is not limited to: a Heritage Impact Assessment;
- (c) upon receiving the application, and accompanying information, the Heritage Planner will issue the notice of receipt of the application to initiate the 90-day review timeline mandated by 33(4) and 42(4) of the Ontario Heritage Act;
- (d) the Heritage Planner will notify the Building Division of the request and provide any engineering reports received;
- (e) 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 request 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;
- (f) the Heritage Planner prepares a report with a recommendation to: approve the permit, refused the permit, or approve the permit with terms and conditions, and consults with the London Advisory Committee on Heritage (LACH);
- (g) the Heritage Planner prepares a report with a recommendation to: approve the permit, refused the permit, or approve the permit with terms and conditions, and presents at the public participation meeting at the Planning & Environment Committee;

- (h) Municipal Council makes the final decision on the request (appealable to the Conservation Review Board or Ontario Municipal Board).

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Substantially Changed OPA/ZBA Applications and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Substantially Changed OPA/ZBA Applications and replace it with a new Council policy entitled Substantially Changed OPA/ZBA Applications;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Substantially Changed OPA/ZBA Applications is hereby revoked.
2. 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 Substantially Changed OPA/ZBA Applications is hereby repealed.
3. The policy entitled "Substantially Changed OPA/ZBA Applications", attached hereto as Appendix 'C(85)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(85)'

Substantially Changed OPA/ZBA Applications

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 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 Committee determines that an application has substantially changed to the extent that a new liaison is required and another public meeting is required.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Urban Design Awards and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Urban Design Awards and replace it with a new Council policy entitled Urban Design Awards;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Urban Design Awards is hereby revoked.
2. 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 Urban Design Awards is hereby repealed.
3. The policy entitled "Urban Design Awards", attached hereto as Appendix 'C(86)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(86)'

Urban Design Awards

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. The Department of Planning and Development 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 into 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.

1. PURPOSE

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. ELIGIBILITY

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 Division 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.

3. 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. AWARDS PROCESS

A call for submissions will be issued in June/July of an awards year. The Planning Division 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. The Planning Division 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.

The Planning Division 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.

5. 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.

6. 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.

7. AWARDS CATEGORIES

The following Awards Categories and Awards are hereby established:

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.

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.

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. 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

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 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.

8. 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.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Tree Preservation and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Tree Preservation and replace it with a new Council policy entitled Tree Preservation;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Tree Preservation is hereby revoked.
2. 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 Tree Preservation is hereby repealed.
3. The policy entitled "Tree Preservation", attached hereto as Appendix 'C(87)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(87)'

Tree Preservation

OBJECTIVE

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.

POLICIES

- (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 the Planning Division, in consultation with the Community Services Department, 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 the Planning Division and the Community Services Department, 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 the Planning Division and the Community Services Department, prior to the consideration of the application by the Planning 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) The Planning Division and the Community Services Department 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 the Planning Division, the Community Services Department and other appropriate agencies regarding tree preservation will be incorporated in the report of the General Manager of Planning and Development to the Planning 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 General Manager of Environmental Services & City Engineer and the General Manager of Community Services, using techniques that shall minimize disruption to the tree preservation area;
- where the root system of trees to be preserved are exposed or damaged by construction work, they shall be neatly trimmed and the area 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 Community Services Department.

(vii) The Community Services Department, 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.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Street Cleaning in Unassumed Subdivisions and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Street Cleaning in Unassumed Subdivisions and replace it with a new Council policy entitled Street Cleaning in Unassumed Subdivisions;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Street Cleaning in Unassumed Subdivisions hereby revoked.
2. 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 Street Cleaning in Unassumed Subdivisions is hereby repealed.
3. The policy entitled "Street Cleaning in Unassumed Subdivisions", attached hereto as Appendix 'C(88)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(88)'

Street Cleaning in Unassumed Subdivisions

That the following policy be established with respect 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.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Notices of OPA and ZBA Received From Other Municipalities and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Notices of OPA and ZBA Received From Other Municipalities and replace it with a new Council policy entitled Notices of OPA and ZBA Received From Other Municipalities;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Notices of OPA and ZBA Received From Other Municipalities is hereby revoked.
2. 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 Notices of OPA and ZBA Received From Other Municipalities is hereby repealed.
3. The policy entitled "Notices of OPA and ZBA Received From Other Municipalities", attached hereto as Appendix 'C(89)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(89)'

Notices of OPA and ZBA Received From Other Municipalities

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, then 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, then the Managing Director, Planning and City Planner shall prepare a report for submission to the Planning 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.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Third Party Billing – City of London Contracts and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Third Party Billing – City of London Contracts and replace it with a new Council policy entitled Third Party Billing – City of London Contracts;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Third Party Billing – City of London Contracts is hereby revoked.
2. 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 Third Party Billing – City of London Contracts is hereby repealed.
3. The policy entitled “Third Party Billing – City of London Contracts”, attached hereto as Appendix ‘C(90)’, is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(90)'

Third Party Billing – City of London Contracts

That a policy be established to provide that 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.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Naturalized Areas and Wildflower Meadows and replace it with a new Council policy entitled 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Naturalized Areas and Wildflower Meadows and replace it with a new Council policy entitled Naturalized Areas and Wildflower Meadows;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Naturalized Areas and Wildflower Meadows is hereby revoked.
2. 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 Naturalized Areas and Wildflower Meadows is hereby repealed.
3. The policy entitled "Naturalized Areas and Wildflower Meadows", attached hereto as Appendix 'C(91)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(91)'

Naturalized Areas and Wildflower Meadows

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.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Conveyance of Sanitary Filled Land and replace it with a new Council policy entitled Conveyance of Sanitary Filled Land.

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 revoke and repeal Council policy related to Conveyance of Sanitary Filled Land and replace it with a new Council policy entitled Conveyance of Sanitary Filled Land;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Conveyance of Sanitary Filled Land is hereby revoked.
2. 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 Conveyance of Sanitary Filled Land is hereby repealed.
3. The policy entitled "Conveyance of Sanitary Filled Land", attached hereto as Appendix 'C(92)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(92)'

Conveyance of Sanitary Filled Land

The City Solicitor shall ensure, wherever possible, that the conveyances of sanitary filled land in the City of London include a covenant to the effect that the land contains sanitary fill.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Real Estate Service – MLS and replace it with a new Council policy entitled Real Estate Service – MLS.

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 revoke and repeal Council policy related to Real Estate Service – MLS and replace it with a new Council policy entitled Real Estate Service – MLS;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Real Estate Service – MLS is hereby revoked.
2. 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 Real Estate Service – MLS is hereby repealed.
3. The policy entitled “Real Estate Service – MLS”, attached hereto as Appendix ‘C(93)’, is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(93)'

Real Estate Service – MLS

When the City wishes to list properties for lease with the Real Estate brokerage community, the properties shall be listed with the London and St. Thomas Association of Realtors using the Multiple Listing Service.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Financing of Sales and replace it with a new Council policy entitled Financing of Sales.

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 revoke and repeal Council policy related to Financing of Sales and replace it with a new Council policy entitled Financing of Sales;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Financing of Sales is hereby revoked.
2. 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 Financing of Sales is hereby repealed.
3. The policy entitled "Financing of Sales", attached hereto as Appendix 'C(94)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(94)'

Financing of Sales

The City of London shall not entertain requests for the provision of long term financing on the sale of City-owned land and/or buildings as it is not a function of the Municipality to provide mortgage funds.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Transactions Involving Elected Officials and replace it with a new Council policy entitled Transactions Involving Elected Officials.

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 revoke and repeal Council policy related to Transactions Involving Elected Officials and replace it with a new Council policy entitled Transactions Involving Elected Officials;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Transactions Involving Elected Officials is hereby revoked.
2. 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 Transactions Involving Elected Officials is hereby repealed.
3. The policy entitled "Transactions Involving Elected Officials", attached hereto as Appendix 'C(95)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(95)'

Transactions Involving Elected Officials

In those instances where property transactions involve Elected Officials:

- (a) the Manager of Realty Services shall obtain an independent third party fee appraisal and review this to ascertain if the report contains the information required and that the value arrived at is supported by pertinent facts;
- (b) the Manager of Realty Services shall be authorized to encourage the individual involved to obtain their own independent third party fee appraisal from a recognized appraiser;
and
- (c) the Manager of Realty Services shall be authorized to determine a fair compensation using the two values so obtained.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Property for Capital Works Projects and replace it with a new Council policy entitled Property for Capital Works 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Property for Capital Works Projects and replace it with a new Council policy entitled Property for Capital Works Projects;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Property for Capital Works Projects is hereby revoked.
2. 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 Property for Capital Works Projects is hereby repealed.
3. The policy entitled "Property for Capital Works Projects", attached hereto as Appendix 'C(96)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(96)'

Property for Capital Works Projects

- (1) The Manager of Realty Services, at the request of the City Engineer, will provide the City Engineer with an in-house estimate of property cost for all capital works projects at the preliminary engineering stage; it being noted that the validity of such estimates will be restricted to a specific time frame, based on an evaluation of property market conditions by the Realty Services Division.
- (2) The initiating report on a capital works project will contain a recommendation that expropriation procedures be initiated by the Realty Services Division if, in the opinion of the Realty Services Division, such action is necessary following approval by Council of the initiating report. The Civic Administration in this event is automatically authorized to take all administrative action required to carry out the expropriation.
- (3) As soon as possible after the City Council approves the initiating report, the Environmental & Engineering Services Department will supply the Realty Services Division with the following:
 - (a) a Property Request Plan and Property Request Form; a property plan (registered deposit plan) prepared by an Ontario Land Surveyor and registered--details of shape; size; measurements; bearings; R.P. lot no.; registered owner; instrument number; area in square feet and acres, of land required;
 - (b) a project conceptual plan prepared by the Environmental & Engineering Services Department or consultant containing present property lines and improvements; the exact location of trees, hedges, fences, driveways, buildings, fire hydrants, hydro poles; proposed new property lines and improvements;
 - (c) a schematic drawing of structures to be erected on or adjacent to private property; and
 - (d) a proposed project schedule containing the timetable for property acquisition, tender call, start and completion of the project.
- (4) On receipt of the property plans from the City Engineer, the Realty Services Division will prepare a project property report for submission "in camera" to the appropriate Standing Committee, listing all properties required with an estimate of the value of each property. When all property is acquired, a completed project property report will be submitted "in camera" to the appropriate Standing Committee, giving the estimated and actual price paid for each property and an explanation of any major variance.
- (5) On receipt of the required information from the City Engineer, the Realty Services Division will contact all property owners involved and attempt to negotiate a fair settlement in the form of an Agreement of Purchase and Sale executed by the registered owner.

Agreements of Purchase Sale shall be subject to the following:

- (a) the Agreement shall name the Solicitor acting on behalf of the Offeror;
- (b) a deposit of \$2.00 will be paid, and a receipt given at the time of the execution of the document;
- (c) all acceptable conditions will be included and will form part of the Agreement;
- (d) all subsequent changes to an Agreement shall be initialed by all parties;
- (e) the acceptance time of an Agreement shall cover a minimum of two City Council meetings; and
- (f) all signatures shall be sealed and witnessed at the time of assignment.

- (6) All Agreements as received will be processed in keeping with applicable legislation through the appropriate Standing Committee and City Council, and shall be accompanied by the following:
- (a) the approval of the Realty Services Division and/or the City Solicitor as to the form of the Agreement;
 - (b) the approval of the Environmental & Engineering Services Department with regard to conditions relative to engineering matters; and
 - (c) a letter to the appropriate Standing Committee from the City Treasurer, containing a clear recommendation, plus the following background material: - project title; account number; availability of funds; assessment and current taxes, where practical; legal description; size; conditions of sale; registered owners; R.D.P. and Part No.; municipal no. and location; file no.; building description and the estimate of property value prepared by the Realty Services Division or by an independent third party fee appraisal.
- (7) Following the initial contact with all registered owners, and after consultation with the Environmental & Engineering Services Department, the Realty Services Division will initiate expropriation procedures, if required, and advise the appropriate Standing Committee and the City Engineer of the estimated effect on property costs and project scheduling of this action.
- The initiation of expropriation procedure will not preclude further negotiations by the Realty Services Division to acquire the property.
- (8) Copies of the City Council's resolution and the accepted Agreement signed by the Mayor and the City Clerk shall be forwarded to the City Solicitor for closing of the transaction. The Realty Services Division will maintain liaison with the City Solicitor and if Agreements are not closed within the prescribed time limit, both parties to the Agreement will record an agreement to extend the time of closing and the City Solicitor will advise the Realty Services Division of such time extension.
- (9) On completion of a capital works project, the Realty Services Division shall review all land surplus to the project requirement and if the enquiry procedure carried out by the Realty Services Division indicates no further public use for such land, the Realty Services Division will attempt to dispose of the land in accordance with the prescribed policy.
- (10) A monthly meeting will be held by the Realty Services Division and/or the City Solicitor's Office staff to review the monthly Property Status Report and ensure adequate liaison on all property matters affecting Capital Works Projects.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Internal Review of Property Sales and replace it with a new Council policy entitled Internal Review of Property Sales.

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 revoke and repeal Council policy related to Internal Review of Property Sales and replace it with a new Council policy entitled Internal Review of Property Sales;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Internal Review of Property Sales is hereby revoked.
2. 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 Internal Review of Property Sales is hereby repealed.
3. The policy entitled "Internal Review of Property Sales", attached hereto as Appendix 'C(97)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(97)'

Internal Review of Property Sales

That a policy be established such that no City-owned property, unless covered by a specific policy, be offered for sale or long-term lease until an internal review of that property is carried out by the Administration and a recommendation as to its designation is formulated and approved by the appropriate Standing Committee and City Council.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to City-Owned Residential Properties and replace it with a new Council policy entitled City-Owned Residential Properties.

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 revoke and repeal Council policy related to City-Owned Residential Properties and replace it with a new Council policy entitled City-Owned Residential Properties;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to City-Owned Residential Properties is hereby revoked.
2. 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 City-Owned Residential Properties is hereby repealed.
3. The policy entitled "City-Owned Residential Properties", attached hereto as Appendix 'C(98)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(98)'

City-Owned Residential Properties

(1) Inspection and Repair of Premises:

- (a) Immediately on acquisition of land that includes a residential building the Realty Services Division will carry out an inspection of the property and complete a Property Inspection Report.
- (b) On the termination of any existing tenancy the Realty Services Division will carry out an immediate inspection of the property; but in any event all city-owned residential premises will be inspected once per year.
- (c) Upon acquisition of property or the termination of an existing tenancy, the Realty Services Division will examine the premises and secure, adjust, or make safe, all electrical, heating, gas, oil and water systems.
- (d) If repairs are indicated from the inspection, the Realty Services Division shall obtain an estimate of the cost of such repairs.
- (e) Where repairs are required and the estimate is reasonable in view of the continuing viability of the property, the Realty Services Division will issue a work order with the cost to be charged to the Maintenance of Rented Property Account. In the event the property is considered in poor condition, with a low future anticipated income, and repair costs are economically prohibitive, the Realty Services Division will recommend to Council that the premises be sold for removal from the land or demolished.

(2) Renting Procedure:

- (a) After inspection of a new residential property and the completion of improvements the Realty Services Division will establish a monthly rent comparable to the existing market conditions for residential units in the City.
- (b) On termination of any existing tenancy the Realty Services Division will review the monthly rent; but in any event the rents charged on all City-owned residential property will be reviewed once per year.
- (c) Upon receiving vacant possession of a residential property in adequate condition to rent, the Realty Services Division will publicly advertise the property.
- (d) Applicants for rental accommodation shall submit a rental application and the Realty Services Division will carry out any enquiries deemed necessary with the references indicated by the applicant, inclusive of a credit check.
- (e) Unless otherwise approved by City Council, no residential lease will be for more than one year, and satisfactory applicants will be required to sign a Rental Agreement Form witnessed by a member of the Realty Services Division and accompanied by payment of the first and last months' rent, before being allowed to enter the premises.
- (f) A copy of the Rental Agreement will be retained by the Realty Services Division, which will be responsible for recording, collecting and following up on all rents.
- (g) In the case of non-payment of rent, the Realty Services Division will:
 - (i) After 15 days a reminder notice will be sent;
 - (ii) After 30 days of original due date a final notice will be sent requesting immediate payment or notice of termination of lease will be forthcoming;
 - (iii) After 45 days of the original due date the City Solicitor will be notified and requested to proceed to terminate the lease and undertake eviction proceedings if necessary, in accordance with applicable legislation. A copy of this correspondence shall be filed with the Realty Services Division.

(3) Disposal or Demolition of Buildings:

- (a) Where it is the opinion of the Realty Services Division that the cost of maintaining a property suitable for renting is economically prohibitive the Realty Services Division shall recommend to City Council:
 - (i) Where there is a possibility of removing the buildings from the land, that the Purchasing Agent be authorized to call tenders for the sale of the building;
 - (ii) Where conditions warrant demolition that the Purchasing Agent be authorized to request bids for the demolition of the buildings where warranted under the prescribed delegated authority and associated limits.
- (b) Before making a recommendation to City Council on the disposal or demolition of a building, the Realty Services Division will carry out an enquiry procedure with relevant departments, boards and commissions to ascertain any alternative use for the building.
- (c) Where the building has been advertised for sale and no bids are forthcoming, the Purchasing Agent is authorized to proceed to call tenders for demolition.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Property Enquiries to Board of Education and replace it with a new Council policy entitled Property Enquiries to Board of Education.

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 revoke and repeal Council policy related to Property Enquiries to Board of Education and replace it with a new Council policy entitled Property Enquiries to Board of Education;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Property Enquiries to Board of Education is hereby revoked.
2. 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 Property Enquiries to Board of Education is hereby repealed.
3. The policy entitled "Property Enquiries to Board of Education", attached hereto as Appendix 'C(99)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(99)'

Property Enquiries to Board of Education

Local Boards of Education shall be allowed a period of 90 days to reply to any property enquiries forwarded to it by the City of London as a reciprocal arrangement in view of the fact that the local Boards of Education presently allow the City of London a similar period of time to reply to their enquiries, as required by Ontario Regulation 444/98 of the Education Act.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Demolitions of Buildings on Flood Plain Lands and replace it with a new Council policy entitled Demolitions of Buildings on Flood Plain 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 revoke and repeal Council policy related to Demolitions of Buildings on Flood Plain Lands and replace it with a new Council policy entitled Demolitions of Buildings on Flood Plain Lands;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Demolitions of Buildings on Flood Plain Lands is hereby revoked.
2. 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 Demolitions of Buildings on Flood Plain Lands is hereby repealed.
3. The policy entitled "Demolitions of Buildings on Flood Plain Lands", attached hereto as Appendix 'C(100)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(100)'

Demolitions of Buildings on Flood Plain Lands

That the following policy be established with regard to the demolition of buildings on flood plain lands:

- (a) should an inspection reveal a City-owned structure on Flood Plain to be in need of major repairs, the Realty Services Division will request an estimate for adequate repairs from the Facilities or an independent contractor;
- (b) upon receipt of this estimate, and noting the economic feasibility of retaining the subject building, the Realty Services Division will prepare a report for to the appropriate Standing Committee, including a property description, cost of repairs and a recommendation with respect to possible demolition.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Rental of Lands for Billboards and replace it with a new Council policy entitled Rental of Lands for Billboards.

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 revoke and repeal Council policy related to Rental of Lands for Billboards and replace it with a new Council policy entitled Rental of Lands for Billboards;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Rental of Lands for Billboards is hereby revoked.
2. 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 Rental of Lands for Billboards is hereby repealed.
3. The policy entitled "Rental of Lands for Billboards", attached hereto as Appendix 'C(101)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(101)'

Rental of Lands for Billboards

The rental of City-owned properties for billboards and all other properties in the City of London, shall be subject to the following guidelines:

- (a) Such use should be in conformity with the Zoning By-law and should respect the height and setback regulations for structures.
- (b) Such use should be in conformity with the Official Plan policies which relate to billboards.
- (c) Such use should be in conformity with the Sign By-law.
- (d) Billboard locations which were in conformity with the Zoning By-law when originally leased but which are now not in conformity with the Zoning By-law or the Official Plan shall be phased out at the termination of the lease so that the billboard industry can adjust to the situation and make alternate plans. Open space areas in City ownership generally should not be leased for billboards but such use could be considered where the open space area lacks natural amenity and will not be put into developed parkland in the near future or where the billboard can be considered to screen unsightly industrial or commercial uses.
- (e) Special consideration should be given to billboards at the major approaches to the Central Business District and in the "Forks Area". It is desirable to eliminate the billboards from such locations particularly where they are obscuring a desirable vista or view. They may be considered permissible where they are compatible with adjacent uses and do not interfere with any vista.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Leasing and Licencing of City-Owned Land and replace it with a new Council policy entitled Leasing and Licencing of City-Owned Land.

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 revoke and repeal Council policy related to Leasing and Licencing of City-Owned Land and replace it with a new Council policy entitled Leasing and Licencing of City-Owned Land;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Leasing and Licencing of City-Owned Land is hereby revoked.
2. 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 Leasing and Licencing of City-Owned Land is hereby repealed.
3. The policy entitled "Leasing and Licencing of City-Owned Land", attached hereto as Appendix 'C(102)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(102)'

Leasing and Licencing of City-Owned Land

VACANT CITY-OWNED LANDS

1. When an application has been received, the Realty Services Division initiates action to rent vacant City-owned and/or controlled lands for other than agricultural purposes, the Realty Services Division will ascertain if there are any restrictions or conditions on renting that may be imposed by any City Department, Board or Commission, and further confirm that the intended use is permitted under the existing Zoning By-laws with due consideration being given to the Official Plan.
2. If there are no objections from the Administration, the Realty Services Division will contact the abutting property owner(s) where possible, and advise them that the City intends to rent the lands and of the proposed use.
3. If there are no objections from the abutting owner(s), and providing the term is for one year or less, with a 60 day cancellation clause, the Realty Services Division will estimate market rent and after giving the abutting owner(s) an opportunity to rent on those terms and if not accepted by the abutting owner(s), advertise the property for rent.
4. Should objections be received from the abutting owner(s), the Realty Services Division will first contact the objectors and attempt to answer the objections and failing that, forward its recommendations with the objections to the appropriate standing committee for consideration.
5. If authority is then received to rent, advertising will commence to rent the property in accordance with Council's instructions with all Offers to Rent received, delivered to the Manager of Realty Services.
6. Where a prospective Lessee requests a term of more than one year, the Realty Services Division will prepare a lease and forward the same lease along with its recommendations through the Managing Director to the appropriate standing committee and Council for their consideration.
7. Collection of revenue and Policy regarding non-payment of rent will follow existing policy.

RENTING OF VACANT CITY-OWNED LANDS FOR AGRICULTURAL PURPOSES

1. When an application has been received, the Realty Services Division initiates action to rent vacant City-owned and/or controlled lands for other than agricultural purposes. The Realty Services Division will ascertain if there are any restrictions or conditions on renting that may be imposed by any City Department, Board or Commission, and further confirm that the intended use is permitted under the existing Zoning By-laws with due consideration being given to the Official Plan.
2. If there are no objections from the Administration on renting the lands, the Realty Services Division, will prepare specifications and recommend to City Council that the Manager of Purchasing be authorized to call tenders for the rental of the property, with such bids to indicate the price, terms and the intended crop or use.
3. Upon the opening of the tenders the Manager of Purchasing shall forward them to the Realty Services Division for recommendation.
4. Collection of revenue and steps for non-payment of rent will follow existing Policy.
5. Persons renting City-owned farm land shall pay to the City 100% of the annual rental fee at the time of the signing of the lease/rental agreement.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Real Estate Services and replace it with a new Council policy entitled Real Estate 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 revoke and repeal Council policy related to Real Estate Services and replace it with a new Council policy entitled Real Estate Services;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Real Estate Services is hereby revoked.
2. 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 Real Estate Services is hereby repealed.
3. The policy entitled "Real Estate Services", attached hereto as Appendix 'C(103)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(103)'

Real Estate Services

At the discretion of the Manager, Realty Services, real estate services, where required, will utilize the established Broker of Record where practical to do so. Should a Broker of Record not be established, on the recommendation of the Manager, Realty Services an alternate service provider may be selected. The services to be provided include listing surplus properties currently offered by the City of London, strategic advisory and consulting, transaction management, research and analysis and project management. Brokerage fees associated with the services commissioned will be negotiated by the Manager, Realty Services, subject to existing agreements in compliance with the City's prescriptive delegation of authority provisions.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Lands for Public Works Projects and replace it with a new Council policy entitled Lands for Public Works 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Lands for Public Works Projects and replace it with a new Council policy entitled Lands for Public Works Projects;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Lands for Public Works Projects is hereby revoked.
2. 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 Lands for Public Works Projects is hereby repealed.
3. The policy entitled "Lands for Public Works Projects", attached hereto as Appendix 'C(104)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(104)'

Lands for Public Works Projects

The following Frequently Asked Questions (FAQs) shall be provided by the Civic Administration in connection with the acquisition of properties required for public works projects:

1. DOES THE CITY DO ANYTHING BEFORE IT EXPROPRIATES PROPERTY?

Yes it does. The City makes every effort to negotiate a fair agreement of purchase and sale with a property owner before resorting to expropriation. The City's objective is to ensure that individual rights are respected and protected and to provide fair compensation for any property acquired within the framework of the Expropriations Act. When a project is to be constructed in phases, the City will generally try to acquire those properties that are needed first, but will nonetheless negotiate for property in any phase if the owner wishes to sell.

This is typically how it's done. A City Realty Services representative contacts the owner to discuss acquisition terms after the City has had an independent appraisal firm appraise the agreement. The owner has the option to obtain another independent appraisal to assist them in assessing the offer of compensation, as well. (See Questions 2 and 12 below regarding owner costs).

2. WHAT HAPPENS IF AN AGREEMENT IS REACHED?

The owner is usually then asked to execute an "Agreement of Purchase and Sale" offering to sell their property to the City, which is then recommended to City Council for acceptance. In some extenuating situations, the City may make an offer to purchase. In either case, once the offer is accepted, a binding agreement of purchase and sale exists between the owner and the City. When a mutually acceptable agreement is reached, it is the City's practice to pay the owner's reasonable legal and appraisal costs after the completion of the transaction.

3. WHAT CAN I EXPECT TO BE PAID FOR?

The amount that an owner receives covers such things as:

- the market value of the land,
- damages due to disturbance,
- . damages for injurious affection, and
- . any special difficulties in relocating.

4. WHAT IS MEANT BY "MARKET VALUE"?

"Market value" is the amount that might be expected if the property were sold in the open market by a willing seller to a willing buyer. An additional allowance may be considered for improvements, the value of which may not be reflected in the property's market value, such as trees and landscaping.

5. WHAT DOES "DAMAGES DUE TO DISTURBANCE" INCLUDE?

Where the owner resides on the property, "damages attributable to disturbance" include:

- . any reasonable costs that naturally and reasonably result from the City's acquiring the property;
- . an allowance for inconvenience;
- . an allowance (up to 5 % of the property's market value) toward the cost of finding another residence, provided the property is not already being offered for sale when the City acquires it.

6. WHEN ARE "DAMAGES FOR INJURIOUS AFFECTION" PAID?

Where only a portion of the property is acquired rather than everything, "damages for injurious affection" are based upon the reduction in the market value of the remaining property after the partial property purchase.

7. WHAT IS INCLUDED IN "RELOCATION COSTS"?

"Relocation costs" are usually only paid when the entire property is acquired. This may include reasonable moving, legal, survey and other non-recoverable expenses incurred in the property owner acquiring other premises.

8. WHAT CAN AN OWNER DO WHO DOESN'T FEEL EXPROPRIATION IS JUSTIFIED?

If following every effort to negotiate a fair agreement, it is necessary for the City expropriate a property, a "notice of intention to expropriate" is sent to the owner. Within 30 days, the owner may request a hearing of necessity into whether the taking of the property is "fair, sound and reasonably necessary" to achieve the City's objectives. The owner can appear alone or with a lawyer before the inquiry which is conducted by a provincially-appointed inquiry officer. The inquiry officer does not have authority to deal with the property's value but they must give the City Council a written opinion with reasons as to whether the expropriation is justified. After considering the report, City Council decides whether to go ahead with expropriation.

9. IN AN EXPROPRIATION, WHEN DOES THE CITY OWN AND OCCUPY THE PROPERTY?

The City takes title to the property by registering an expropriation plan in the Land Registry Office. Within 30 days after that, the City serves the owner with an expropriation notice. Although the City, or its appointed appraiser, can inspect the property to appraise its value, the City cannot actually take possession until the owner has been given at least three months' advance notice. Court proceedings are available to the owner to postpone the possession date and to the City to overcome resistance to allowing possession.

10. DOES THE CITY MAKE ANY FURTHER OFFER OF MONEY FOR THE PROPERTY?

Within three months of registering the expropriation plan and before taking possession, the City must offer the owner an amount in full compensation together with the appraisal report upon which the offer is based. If the owner agrees with the amount offered, the matter can be settled at this point. If not, the owner can still have the money paid to them and have the value established by the Board of Negotiation or the Ontario Municipal Board.

11. HOW DOES THE QUESTION OF COMPENSATION GET BEFORE THE ONTARIO MUNICIPAL BOARD?

Two separate boards exist to deal with property value: the Board of Negotiation and the Ontario Municipal Board. Either the owner or the City can apply to either board. The Board of Negotiation meets with the owner and a City representative at the property and attempts in an informal way to negotiate a complete settlement. The Board of Negotiation recommendation is not binding on either part. If a settlement is not reached at the Board of Negotiation hearing, the Ontario Municipal Board can arbitrate the dispute. The matter can go directly to the Ontario Municipal board, but only if the owner and the City agree to by-pass the Board of Negotiation. The OMB decision is binding, unless appealed by either party to the Divisional Court.

12. WHO PAYS THE OWNER'S COSTS IN HAVING COMPENSATION DETERMINED?

If the amount determined by the Ontario Municipal Board represents 85 per cent or more of the amount offered by the City before expropriation, the owner is entitled to be reimbursed for reasonable legal, appraisal and other costs actually incurred for determining compensation. The owner is also entitled to be paid interest on any outstanding difference between the Board's award and any payment made previously by the City.

NOTE: This brochure answers the most common questions an owner may have whose property is affected by a public works project. Because this has been prepared for information and convenience only, it is not intended to be an authoritative digest of expropriation law or of the City's policies and procedures. A lawyer should be consulted for specific legal advice; however any further questions you may have about this subject may be directed to:

Manager of Realty Services
Realty Services Division

The Corporation of the City of London
P.O. Box 5035
London, Ontario N6A 4L9
(519) 661-5442

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Protocol for Unapproved Aboriginal Burial Sites and replace it with a new Council policy entitled Protocol for Unapproved Aboriginal Burial 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 Council of The Corporation of the City of London wishes to revoke and repeal Council policy related to Protocol for Unapproved Aboriginal Burial Sites replace it with a new Council policy entitled Protocol for Unapproved Aboriginal Burial Sites;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Protocol for Unapproved Aboriginal Burial Sites is hereby revoked.
2. 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 Protocol for Unapproved Aboriginal Burial Sites is hereby repealed.
3. The policy entitled "Protocol for Unapproved Aboriginal Burial Sites", attached hereto as Appendix 'C(105)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(105)'

Protocol for Unapproved Aboriginal Burial Sites

PROTOCOL STATEMENT:

The City of London encourages consultation with First Nations communities, recognizing and respecting traditional First Nations customs.

PROTOCOL PURPOSE:

It is the goal of this protocol to establish a protocol available to private land owners in the City of London and First Nations communities as options for stewardship of unapproved aboriginal burial sites discovered on land within the boundary of the City of London.

SCOPE:

Traditional First Nations' customs should be accommodated and consultations between First Nations communities and private/public land owners should be encouraged.

APPLICATION:

The protocol is available as a framework for negotiations towards an agreement for stewardship of an unapproved aboriginal burial site.

BACKGROUND:

As the urban development of the City of London has expanded, human burial sites have been discovered in land that had previously been natural or used for agricultural purposes. Some of these burial sites include remains of aboriginal persons; some of the burial sites include the remains of persons who were settlers in the area.

The Province of Ontario enacted legislation for the protection of discovered unapproved burial sites including unapproved aboriginal burial sites: the *Cemeteries Act (Revised)*, R.S.O. 1990, c. C.4, as amended (*the "Cemeteries Act (Revised)" or the "Act"*) and its regulations. The Act and the regulations provide procedures for the identification of sites as "unapproved aboriginal peoples' cemetery", the representation of the people whose remains are located, for either establishing the lands either as a cemetery or for entering into a site disposition agreement between the land owner and the representative, and a dispute resolution mechanism.

The Act and its regulations also expressly provide that, unless consent is given by a representative of the person whose remains were discovered, the remains shall not be removed from the site nor shall scientific analysis of the remains or associated artifacts be conducted.

Historically, when human remains, regardless of cultural origin, have been discovered in the municipal boundaries of the City of London during urban development, the remains were typically removed to local approved cemeteries (and in the case of aboriginal remains, may have been removed to an aboriginal cemetery located within the municipal boundaries of the City of London or a cemetery located on a nearby first nations reserve).

Traditional practices and customs with respect to the stewardship of burial sites may vary depending on the First Nations community involved. The protocol seeks to engage the parties in notifying potential modern representatives of the find and providing them with any evidence regarding the culture of the interred persons.

One stewardship option available to the private land owner and the representative of the aboriginal person whose remains have been discovered is the participation of the City of London in a joint ownership programme with the representative with respect to those burial sites located within the boundaries of the City of London.

Recognizing that the private land owner is entitled to a number of rights and remedies available to him/her/it under the *Cemeteries Act (Revised)* as described above, this protocol is available to private land owners as a guide to resolving a site disposition agreement between the relevant parties.

Two of the highlights of this protocol are:

- (1) it acknowledges that, depending on the nominee, there may be a question as to legal capacity nominee of the representative of the aboriginal person whose remains have been discovered, in respect of conveying title. One of the options of stewardship is joint ownership of the burial site between the City of London and the representative. In the joint ownership option, in the event that future title of the lands should ever fail for any reason, title to the lands would revert to the City of London and the lands will remain as a burial site for the aboriginal person whose remains were discovered; and
- (2) the protocol requires the consensus and participation of all parties including the private land owner, the representative of the aboriginal person whose remains have been discovered, and, where relevant to the stewardship option chosen, the City.

THE PROTOCOL:

The protocol is generally a non-binding framework intended to guide private land owners who discover remains on their property. The roles and responsibilities are to be interpreted in the context of the framework's underlying principles of consultation, accommodation, and negotiation.

Nothing in this protocol is intended to abrogate the rights or obligations of any party under the *Cemeteries Act (Revised)*.

If the site is identified as an unapproved aboriginal peoples' cemetery, and if the private land owner wishes to invoke this protocol, the private land owner may enter into negotiations with the representative of the person whose remains have been discovered (and the City if a joint ownership option is pursued) for a site disposition agreement that may include the following matters:

- (a) for the delivery of a copy of any documents connected with or related to investigations conducted in accordance with the *Cemeteries Act (Revised)* if requested by the parties to the agreement;
- (b) in addition to any notice requirements under the *Cemeteries Act (Revised)*, to send notice to potentially interested parties of the discovery of the human remains that are of aboriginal origin;
- (c) for delivery of a copy any notices given under this protocol, including any responses, if requested by the parties to the agreement;
- (d) for the cost of rezoning, if necessary, of the subject lands to a zone that is appropriate for cemetery use;
- (e) for obtaining an up to date survey of the lands that are the subject of the burial site;
- (f) for the preparation and registration of a reference plan showing the lands that is the subject of the site disposition agreement;
- (g) for providing reasonable and appropriate landscaping of the burial site and to allocate the cost of such landscaping;
- (h) for providing for the manner in which the human remains may be disinterred and reinterred;
- (i) for conveying title to the burial including but not limited to conveying title to the Corporation of the City of London in joint ownership with the representative of the person whose remains have been discovered;
- (j) for providing for future stewardship of the burial site.

A sample draft agreement is set out at Appendix "A" attached for the joint ownership option.

If the joint ownership option is pursued, then title to the lands shall be transferred from the private land owner to the Corporation of the City of London, and then transferred from the Corporation of the City of London to the nominee of the representative and the Corporation jointly.

In so far as the City has the power to do so, will treat the lands as exempt from taxation pursuant to sections 3(2) and 3(9) of the *Assessment Act*, R.S.O. 1990, c. A.31 as amended, and any other enabling successor legislation or regulation.

If the parties wish to amend the draft form of site disposition agreement as attached as Appendix "A", any and all amendments shall be on the consent of all parties to the agreement.

If the parties are unable to resolve the draft form of site disposition agreement, the parties shall be entitled to the arbitration remedies available under the *Cemeteries Act (Revised)*.
Protocol for Unapproved Aboriginal Burial Sites

APPENDIX "A"
Sample Draft Site Disposition Agreement

This site disposition agreement was made this _____ day of _____, 200_ between [name of private land owner] as Owner, [name of the representative] as the representative of the aboriginal person(s) whose remains are interred, as the Representative, and the Corporation of the City of London as the City.

WHEREAS the Owner has uncovered the remains of a person or persons whose cultural identity has determined upon investigation as an aboriginal person with a close cultural affinity to the Representative;

AND WHEREAS the Representative is willing to act as a representative in defined by the *Cemeteries Act (Revised)*, R.S.O. 1990, c. C.4, as amended;

AND WHEREAS the Representative desires to have the remains of the person interred left in proximity to where they are interred and the Owner can accommodate such an intention;

AND WHEREAS the City and the Representative have agreed to take title in the subject lands identified below jointly;

AND IN CONSIDERATION of the payment of two dollars (\$2.00) by the Owner each to the City and the Representative, in addition to other consideration, the receipt and sufficiency of which is hereby acknowledged;

THE PARTIES AGREE as follows:

1. LEGAL DESCRIPTION OF THE LANDS

[insert legal description]

2. MANNER IN WHICH THE REMAINS ARE TO BE DISINTERRED AND REINTERRED

[insert agreement as to internment]

3. PROVISIONS FOR FUTURE MAINTENANCE

The Representative shall assume the stewardship of the burial area and shall ensure that the area continues to be protected, respected, and used in ways that are consistent with the dignity and integrity of a burial ground.

4. ALLOCATION OF COSTS

The parties agree that costs shall be allocated on the following basis:

- (a) the Owner shall bear the costs of:
 - (i) obtaining a survey of the lands;
 - (ii) preparing and registering a reference plan that shows the lands that are the subject of this agreement;
 - (iii) obtaining rezoning of the lands;
 - (iv) providing for the disinterment and reinterment of the person(s) whose remains are interred on the lands, as set out in paragraph 2 above, including any landscaping as agreed by the parties; and
 - (v) preparation, execution and delivery of all documents necessary to convey title in the subject lands from the Owner to the Corporation of the City of London.
- (b) the Representative shall bear the costs of: stewardship and future maintenance of the subject site.
- (c) the City shall bear the costs of:
 - (i) preparation, execution and delivery of all documents necessary to convey title in the subject lands from the City to the Representative and the Corporation of the City of London jointly; and

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Donation of Land and Buildings to the City and replace it with a new Council policy entitled Donation of Land and Buildings to the City.

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 revoke and repeal Council policy related to Donation of Land and Buildings to the City and replace it with a new Council policy entitled Donation of Land and Buildings to the City;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Donation of Land and Buildings to the City is hereby revoked.
2. 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 Donation of Land and Buildings to the City is hereby repealed.
3. The policy entitled "Donation of Land and Buildings to the City", attached hereto as Appendix 'C(106)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'C(106)'

Donation of Land and Buildings to the City

The following guidelines shall be applied in the event of a significant donation of land and/or buildings to the City:

- (a) The Civic Administration is to submit an initial report to Council through the appropriate Standing Committee at the outset of contact and discussion with the potential property donor. This initial report will, among other things, indicate the nature of any further studies or investigations recommended and provide preliminary estimates of the cost of obtaining outside experts/consultants in assessing the building/property condition. This initial report will be on a confidential basis unless consent for disclosure is received from the potential property donor.
- (b) Based on this initial report, Council may authorize the Civic Administration either to proceed with further discussions and evaluation or to decline the donation.
- (c) Where the Civic Administration is authorized to proceed, the Civic Administration is to evaluate the proposal including:
 - (i) developing a financial model which estimates capital costs and identifies secured revenues, forecasts future operating costs, explores potential use, and any recommended model for restoration/repair where appropriate;
 - (ii) preparing a condition study/building audit for any structures on the subject property, undertaken "in house" by qualified City staff or obtained from a qualified outside consultant;
 - (iii) where appropriate, undertaking a risk assessment analysis and estimated contingency allowance for any forecast expenditures, where the ability to conduct a comprehensive building audit is constrained (i.e. because of existing tenants or third party occupancy);
 - (iv) undertaking a review, if available, of previously obtained building audits, plans and studies completed by the property donor, including historical data on any renovations, alterations, expansions, etc., that have been undertaken;
 - (v) in the case of proposed land donations, where appropriate, preparing "in house" by qualified City staff or obtaining from an outside qualified consultant a Phase I environmental audit and where appropriate a Phase II environmental study report (soil testing and geotechnical investigation); and
 - (vi) where the donated property contains buildings which are recommended for demolition, formulating, where possible, an estimate of the costs of removal of any structures from the property proposed for donation.
- (d) The Civic Administration is to report its evaluation to the Municipal Council with its recommendation for approval or otherwise.
- (e) Where the Municipal Council authorizes proceeding with accepting the donation, the Civic Administration is to obtain and review an independent market value appraisal of the donated property to be completed in accordance with the current regulations of Revenue Canada for the purposes of issuing an income tax receipt.
- (f) It is recognized that this policy may have limited application, if any, to a significant bequest of property to the City under the will of a deceased individual, because of the unique nature of a bequest. The City is not obligated in law to accept a bequest, and the City's acceptance or not of a bequest will be determined on a case-by-case basis.

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal Council policy related to Real Property Acquisition Policy and replace it with a new Council policy entitled Real Property Acquisition 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 revoke and repeal Council policy related to Real Property Acquisition Policy and replace it with a new Council policy entitled Real Property Acquisition Policy;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Real Property Acquisition Policy is hereby revoked.
2. 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 Real Property Acquisition Policy is hereby repealed.
3. The policy entitled "Real Property Acquisition Policy", attached hereto as Appendix 'C(107)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Real Property Acquisition Policy

1.0 POLICY STATEMENT

The City of London acquires real property rights, as required, for municipal purposes consistent with City mandated programs, projects, policies and strategic plans. The general direction for this Policy is set out in Policy 19.11: Land Acquisition, City of London Official Plan (2006). The City of London will acquire real property rights in a transparent, fair and competitive process to ensure the best interest of the City are met.

2.0 PURPOSE

The purpose of this Policy is to establish and maintain a consistent and equitable framework for the acquisition of real property interests that support Council approved projects, programs, policies and strategic plans.

3.0 GOVERNING PRINCIPLES

The Policy is based on the City of London governing principles:

- Good Government
- Respect and Integrity
- Community Engagement
- Fiscal Responsibility

4.0 APPLICATION

This Policy applies where real property rights are acquired by the City of London and includes any right, interest or benefit in land including, but not limited to fee simple acquisitions, leases, licenses, options, air rights, density transfers, permanent easements, rights-of-way, linear corridors, and other limited interests such as joint-use agreements, temporary working easements, access easements, permissions to enter and construct, and any other legal binding agreement related to the acquisition of real property rights. This Policy applies to all City of London employees, and any agents acting on behalf of the City and consultants authorized to acquire real property on behalf of the City.

Real property such as road dedications and easements that are acquired pursuant to the provisions of the Planning Act and any regulations there under will continue to be dealt with as part of that process. Real property acquired through the expropriation process will continue to be dealt with as part of that process and in accordance with the Expropriations Act.

In addition, the following municipal and provincial legislation relate to the acquisition of interests of real property:

- *Municipal Act, 2001*, s. 6, s.8 and s.11
- *City of London Act, 1999*, s.12.3 (1) and s.12.5 (1)
- *Housing Development Act, 1990*, c. H.18, s. 17
- *Ontario Heritage Act, 2005*, s. 36 (1),36 (2) and s. 45
- By-Law No. A-1-11012, February 28, 2011, City of London
- By-Law No. CP-9, January 1, 2011, City of London
- *Municipal Conflict of Interest Act*
- City of London Official Plan, 2006
- City of London Property Policy (Chapter 20)

5.0 POLICY REQUIREMENTS

The City of London, Realty Services , shall undertake the acquisition of real property interests in conformity with this Policy, unless otherwise directed by the City Council (Council).

6.0 SERVICE AREA NEEDS ASSESSMENT

Prior to initiating an acquisition of any real property rights as defined in Schedule A, the client department will prepare on its behalf, or on behalf of a partner agency, a service area acquisition needs assessment. The needs assessment shall:

- a) provide justification and rationale for the proposed acquisition;
- b) state the municipal need or issue the acquisition will satisfy;
- c) evaluate the total cost of ownership including the impact of on-going operating and estimated capital expenditures over the life cycle of the asset;
- d) discuss the risks and benefits of the acquisition;
- e) identify, if any, options to asset acquisition;
- f) evaluate, if required, the lease term and proposed conditions compared to the market;
- g) prepare a Net Present Value analysis (NPV) that considers the financial costs and benefits of these options; and
- h) identify, if any, unique factors that are applicable to the acquisition, including applicable policies, plans or strategies of the City.

All assessments shall be vetted through the Realty Services and Finance in collaboration with the client service area to determine whether the City's existing real property inventory, or any capital works initiatives, may fulfill the client's requirements and determine the impact, if any, on the remainder of the City's real estate portfolio. In the case of leased property, this process shall apply to all potential leased premises and shall be evaluated by Realty Services.

6.1 Service Areas Needs Assessment Exemptions

For real property rights required for infrastructure, environmental acquisition, emergency scenarios and other municipal purposes at the discretion of Realty Services, a service area needs assessment shall not be required prior to completing the transaction.

7.0 COUNCIL APPROVAL

City Council approval of a project shall include authority for the appropriate person(s) or body to initiate and undertake legal surveys, appraisals, environmental assessments, heritage, archaeology, negotiations, expropriations, legal and other such related activities or reports, as may be required. A budget item must be approved for the program or project, including the costs of acquiring a real property and operational budget impacts, before action is taken to acquire property.

8.0 FUNDING

A source of funding for the acquisition of real property, life cycle costs, including ongoing annualized operating costs of the asset, must be identified through a Council approved budget item, specific to the program, project or policy defining the need, or allocated from an approved service area budget, with approval of the City Treasurer.

9.0 METHODS OF ACQUISITION

Realty Services shall make a determination of the most appropriate method of acquisition, taking into account the needs of the City mandated programs, projects, policies and strategic plans and the best interests of the City and the public interest to achieve these objectives in a timely, fiscally responsible manner, adhering to existing policies and procedures, legislation and applicable Council direction, as amended, from time to time.

9.1 Negotiation

Negotiation is the preferred method of obtaining all types of real property rights and interests through a fair and equitable agreement mutually acceptable to all parties. Compensation may be provided as though acquisition was pursuant to the *Expropriations Act*. Negotiations may be conducted with a specific property owner as a result of a direct interest in a particular property or in an emergency situation. Negotiations may originate from a request for proposal with multiple proponents initially, until one is selected for completion of a transaction. Realty staff may negotiate directly with other levels of government, utility companies or other agencies, for direct acquisitions.

9.2 Unsolicited Proposals

Unsolicited proposals relating to real property matters, including either requesting the City to acquire a specific property or enter into a lease agreement, shall be:

- a) subject to the principles of the *Procurement of Goods and Services Policy*;
- b) in compliance with Section 9.14 of this Policy with respect to Emergency Acquisitions;
- c) in compliance with the Delegation By-laws for approval and execution for Sole Source and Single Source; and
- d) in all circumstances, immediately referred to Realty Services for review.

In addition to a service area needs assessment as identified in Section 6.0 of this Policy, all unsolicited proposals under consideration and review by Realty Services must aim to:

- a) stimulate or support the economic development and growth for the City;
- b) illustrate the benefit of acting upon a limited or single opportunity; and
- c) identify budget resources for the acquisition including ongoing annualized operating costs of the asset.

Upon review by Realty Services, a report shall be forwarded to Council.

9.3 Request for Proposal (RFP)

The City of London may initiate the acquisition of a fee simple or lease interest in real property through a request for proposal process. The RFP process shall comply with the *Procurement of Goods and Services Policy*. The City shall not be obligated to enter into negotiations and complete a transaction under this process.

9.4 Expropriation

Where project requirements must be met in a timely manner, or where negotiation is unsuccessful, expropriation may be considered.

The City of London has the authority to expropriate land in accordance with the provisions of the *Expropriations Act*. Expropriation will be used as a last resort for acquisition purposes. Where necessary, service area departments should allow for a minimum of 18 months to 24 months lead time in their project planning, in anticipation that real property acquisition by expropriation may be required.

9.5 Charitable Donations

The City may acquire real property through gifts or donations, subject to Council approval, or that of its delegated authority. Before accepting a gift of real property, an analysis to determine the conditions of the gift, existing restrictions or encumbrances and assumption of liabilities or any tax implications, shall be carried out. A charitable donation receipt may be issued in the amount of the appraised market value of the donated real property. An independent appraisal shall determine the market value of any donated real property. A satisfactory Phase I Environmental Site Assessment will also be required.

9.6 Development Approval Process

This Policy does not apply to acquisitions of real property rights such as parkland dedications, road widening or easements obtained through pursuant to approvals under the Planning Act including conditions of final approval for subdivisions, site plans or consents.

9.7 Tax Sales – Vesting in Municipality

The municipality may acquire real property, pursuant to Part XI of the *Municipal Act*, (Sale of Land for Tax Arrears) by registering a Notice of Vesting. Procedures on the Treatment of Properties That Do Not Sell at Municipal Tax Sales are outlined in Schedule B.

9.8 Land Exchanges

When an acquisition is contemplated in support of the natural heritage system, as provided for in the London Official Plan or the City's parks and open space system or other municipal purposes, and it is determined that an exchange of City-owned surplus real property is in the best interests of the City, negotiation shall be initiated based on the market value of the respective real properties, pursuant to the *Sale and Other Disposition of Land Policy* as set out in Schedule "A" of By-law No. 6151-17. Land Exchanges may be considered for other acquisitions of real property in accordance with a departmental needs assessment.

9.9 Public Private Partnerships (P3)

The City of London may acquire or dispose of an interest in real property as part of a Public-Private Partnership (P3) to provide infrastructure, municipal capital facilities and related services that would benefit the municipality, the private sector and City residents.

9.10 Other Agencies

The City of London may acquire interests in real property as the result of a transfer of jurisdiction from one level of government to another, such as transfer of highways.

9.11 Other Levels of Government and Institutions

The City of London may take advantage of its preferred position as a government agency to acquire interests in real property, prior to property being available on the open market, from other levels of government, school boards and conservation authorities.

9.12 Land Assembly

The City may acquire property with the intent of a land assembly to satisfy a City mandate, policy, project or strategic plan that supports long term economic growth and be in the public interest.

9.13 Acquisition of Real Property by Lease/License

The City of London may, for a specified time period, acquire real property in the form of a lease or license agreement. Leases and licenses may be short or long term, and on terms and conditions satisfactory to Realty Services and the client service area. Lease hold interests may be acquired for a nominal sum from other levels of government or at market value. Leases can be entered into under the following situations:

- In the form of a long term land lease in conjunction with a P3;
- A commercial lease for accommodation for a specific client service area to fulfill a municipal requirement;
- An option to secure a future fee simple acquisition;
- Emergency situations;
- Where no fee simple acquisition is available and a current municipal project is approved;
- As an interim use; or
- As deemed appropriate by Realty Services and the client service area as an alternative to fee simple acquisition that would meet the municipal and City residents requirements without a capital expenditure.

The lease or license agreement shall be in form and content satisfactory to the City Solicitor and Realty Services. Leasehold interests must be obtained through a transparent, fair and competitive process and should include consideration of a RFP procedure.

All lease or license agreements must be in compliance with all aspects of this Policy.

9.14 Emergency Acquisitions

The City of London Realty Services, is authorized, to acquire any interest in real property in an emergency situation for the purposes of this Policy, an emergency situation shall be any unforeseen circumstances identified in Section 14.2 of the *Procurement of Goods and Services Policy*. In these situations, Realty Services shall provide an information report to Council, including source of financing, as soon as possible after the acquisition.

10.0 SPECIAL ACQUISITIONS

10.1 Heritage Properties

Chapter 13 of the City of London Official Plan provides the policy rationale for the acquisition of properties of heritage value and interest. When acquiring real property that may have a heritage designation or historical value, a comprehensive analysis of that property shall be conducted involving Realty Services and appropriate City service areas. The analysis will include:

- Identification of the heritage designation or historical value of the real property (*This should include both buildings and cultural heritage landscapes and “natural heritage”*);
- Confirmation of the City of London program(s) to be implemented at this heritage property;
- Identification of the heritage value of the real property after consultation with the London Advisory Committee on Heritage;
- Identification of the desired long-term use or protection of the real property; Assessment of the impact of the operational costs of the real property on the City; and Development of an asset management plan, which forecasts the capital renewal and re-investment requirements, to preserve the heritage property.

Prior to the acquisition of a heritage property, Realty Services requires confirmation that the client service area and/or City Council have provided the funding and approval for the acquisition.

10.2 Parkland Acquisition

The City of London may acquire real property to ensure the sustainability of its natural heritage system and the connectivity of its parks and open space system, as outlined under Policies 8A2.5 and 16.3 of the Official Plan. The acquisition of parkland to achieve the objectives of this section may occur through purchase, donation, bequest, expropriation, or through dedication as provided for under the *Planning Act*.

A combination of the various methods of acquisition may be required by the City in order to deliver on a specific mandate, policy or plan or to capitalize on an opportunity for the benefit of the City that can be illustrated in the service area needs assessment.

The Parkland Conveyance & Levy By-law, CP-9 effective January 1, 2011 sets out conveyance, levy, and calculation procedures along with prescribed valuation as a condition of development or redevelopment for residential purposes of any land within the city.

11.0 DUE DILIGENCE ACTIVITIES

11.1 Appraisal – Fee Simple or Partial Interest

An appraisal is a formal, written, impartial estimate or opinion of value of an adequately described property, as of a specific date, and supported by the presentation and analysis of relevant data.

All real property acquisitions shall be supported with a current market value appraisal. An appraisal shall be no more than twelve months old or some shorter time-frame at the discretion of the Manager of Realty Services. An appraisal will be completed and the appraisal report executed by an independent real estate professional who is accredited with the Appraisal Institute of Canada or by a qualified City staff appraiser. Where the estimated market value is \$750,000 or greater, a second appraisal will be required, one of which will be undertaken by an independent real estate professional.

Appraisal reports will be based on the “Highest and Best Use” of the property in accordance with current standards of practice within the real estate industry and within the guidelines of the Appraisal Institute of Canada, which may be amended, from time to time.

11.2 Appraisal – Leasehold Interests

Prior to entering into a lease agreement, a market rent study shall be completed by an independent real estate professional or a qualified City staff appraiser at the discretion of the Manager of Realty Services. For the purposes of this Policy market rent is defined as what a willing landlord might reasonably expect to receive, and a willing tenant might reasonably expect

to pay for the tenancy, in comparison with rent levels for similar properties in similar areas, if offered in the competitive market.

11.3 Acquisition at Market Value

Real property rights shall be acquired on the basis of market value, and where applicable, entitlements, as defined by the Expropriations Act, unless other considerations are included in the transaction and approved by City Council. Where there is a variance between the appraised value and the acquisition price, that variance shall be explained in the approval report.

11.4 Environmental Due Diligence

The City of London shall complete a pre-screening on all real property to be acquired to identify potential contamination issues associated with real property e.g., Historical Land Use Inventory (HLUI). When an acquisition involves the entire fee simple interest (total buyout), or where it is deemed necessary by the client service area, for the acquisition of a lesser interest, a Phase I Environmental Site Assessment (ESA) shall be completed.

All such ESAs shall be completed in accordance with the Canadian Standards Association (CSA) and site remediation criteria, as set out by provincial regulations. Whenever possible or appropriate, acquisition agreements may provide for the indemnification of the City of London by the vendor for environmental conditions.

11.5 Compliance with Section 106 of the *Municipal Act*

Section 106 of the *Municipal Act, 2001* states that the City “shall not assist directly or indirectly any manufacturing business or other industrial or commercial enterprise through the granting of bonuses for that purpose.” The municipality shall not grant assistance by:

- a) giving or lending any property of the municipality, including money;
- b) guaranteeing borrowing;
- c) leasing or selling property of the municipality at below fair market value; or
- d) giving a total or partial exemption from any levy, charge or fee.

The acquisition of any real property rights shall comply with Section 106 of the *Municipal Act, 2011*.

12.0 ROLES AND RESPONSIBILITIES

12.1 City Council

Unless otherwise provided for by By-law, City Council approval is required for the acquisition of real property right in accordance with the provisions of this Policy and any and all applicable By-laws and Legislation. In accordance with the approval authority, executing authority is then delegated to the appropriate City officials.

Elected officials, appointed officers and employees shall not knowingly cause or permit anything to be done or communicated to anyone in a manner which is likely to cause any person to have an unfair advantage or disadvantage in obtaining a contract for the acquisition of real property from the City. This also includes a contract with any other municipality, local board or public body involved in the purchase of real property rights either jointly or in co-operation with the City. Council Members shall operate within the conflict of interest guidelines as set out in this Policy and under the *Municipal Conflict of Interest Act*.

Elected officials shall separate themselves from the procurement process and have no involvement whatsoever in specific procurements. Elected officials should not see any documents or receive any information related to a particular procurement while the procurement process is ongoing. Elected officials who receive inquiries from suppliers related to any specific procurement shall immediately direct those inquiries to the Manager of Realty Services, or the City Treasurer.

12.2 Realty Services

Realty Services is responsible for:

- a) Servicing the real estate needs of the client service area and agencies, boards and commissions identified in this Policy which can include real estate acquisitions and consulting services or advice on any real estate matters;

- b) Negotiating and representing the City on behalf of all service areas with perspective buyers, sellers, landlords, tenants and any other business partners with respect to any real property right proposed transaction whether it be a fee simple, partial acquisition, disposition or lease as defined in Schedule A;
- c) Coordinating with the client service area and Finance to review property inventory, prepare a service area needs assessment and conduct all real estate activity related to an acquisition;
- d) Reporting to Committee and Council on real estate transactions, subject to the provisions of this Policy; and
- e) Ensuring completion of real estate transactions and monitoring executed lease agreements to ensure all terms and conditions are adhered to.

12.3 City Solicitor

The City Solicitor or his designate shall act as legal counsel to service areas and advise Council on real property transactions. The City Solicitor has authority to undertake all legal actions required to complete a real property transaction, including expropriation proceedings.

12.4 Client Service Area

The Client Service Area is responsible for:

- a) Requesting the services of the Realty Services when becoming aware of a real property requirement for acquisition of a fee simple, leasehold or partial interest as further defined in Schedule A or consulting purposes;
- b) Reviewing the existing real property inventory and other acquisition initiatives, in consultation through its Realty Services and Finance, to determine if real property needs can be met through current inventory or initiatives, prior to the initiation of an acquisition;
- c) Ensuring that the asset rationalization effort and confirmation that the acquisition requirement satisfies its City-mandated program, that includes participation in the preparation of the service area needs assessment;
- d) Providing confirmation to Realty Services that Capital and Operating Budgets to support an acquisition of real property is available prior to any site search or negotiations are undertaken by Realty Services; and
- e) Referring all third party inquires on real estate acquisition to Realty Service.

12.5 Finance

Finance is responsible for:

- a) Ensuring any and all payments required under a real estate transaction, including leases/licenses are paid in accordance with the terms of the agreement to ensure no potential penalties to the City;
- b) Providing financial analysis and comment in a departmental needs assessment for property acquisitions in collaboration with the client service areas and Realty Services;
- c) Ensuring, in collaboration with the client service areas, that no existing corporate asset will meet the current property initiative;
- d) Identifying sources of funding for any proposed initiative;
- e) Providing leadership for RFP process as required by this Policy; and
- f) Engaging the Purchasing Office to support negotiations, as required.

12.6 Conflict of Interest

No elected official, appointed officer or employee of the City, agency, board or commission, shall have any interest either directly or indirectly of the real property to be acquired or considered for acquisition and must comply with the *Municipal Conflict of Interest Act*. Once known, any interest must be disclosed to Realty Services, Corporate Asset Management. No party having a

Conflict of Interest, even once disclosed, shall have any authority to negotiate the transaction. Direct or indirect interest shall include, but not limited to, being an owner, or partial owner, of the property or a party to financing the asset.

12.7 Monitoring/Contraventions

Realty Services will administer the application of this Policy to ensure that all policy requirements are met.

REFERENCES

City of London Policy Manual, Chapter 20 Property
Sale and Other Disposition of Land Policy
Council Policy 17

Legislative and Administrative Authorities

City of London Delegation of Authority By-law A-1-101007
City of London Execution of Certain Documents By-law A-1-11012
City of London Capital Budget
City of London Official Plan, 2006
Expropriations Act, 1990
Environmental Assessment Act, 1976
Heritage Act, 1975
Housing Development Act, 1990
Municipal Act, 2001
Municipal Tax Sales Act, 1984
Municipal Board Act, 1975
Planning Act, 1990
By-Law CP-9 Parkland Conveyance & Levy By-Law

SCHEDULE “A”

Definitions

Appraisal – An appraisal is a formal, written, impartial estimate or opinion of value of an adequately described property, as of a specific date, and supported by the presentation and analysis of relevant data.

Asset Rationalization – a process to support decision-making related to the acquisition, remediation or disposal of real property, in a cost effective manner, while assuring that essential program and service delivery objectives are not compromised.

Capital Projects – have funding or budgets in place and are included in the City’s Capital Budget.

City Mandated Programs – support City of London initiatives, as reflected in the Official Plan or Capital Program.

Client Department – a City department that is a client of Realty Services and requires a real property for an approved program or project.

Conflict of Interest - a situation in which the personal interests of officers, Council Members and key staff members come into conflict, or appear to come into conflict, with the interests of the City.

Council Approval Report – a report to Council recommending approval of an acquisition by the City of London.

Delegated Authority – authority to approve pursuant to the Delegation of Authority By-law No. A-1-01007, as amended.

Delegated Authority Approval Report – a report to the City Manager, Managing Director - Corporate Asset Management, Manager of Realty Services, and/or, recommending the approval of an acquisition of real property in accordance with the provisions of the Delegation of Authority By-law No. A-1-01007, as amended from time to time.

Service Area Needs Assessment – a client service area’s report documenting the need for and purpose of acquiring real property.

Due Diligence – any activities required prior or during the acquisition of real property that will effectively assist in the decision making process of the acquisition and will provide a thorough understanding of the potential asset.

Easement – a partial interest in real property that is registered on title. An easement reflects the acquisition of property rights either on the surface, above or below ground and can be permanent or temporary and identifies a specific use.

Expropriation – acquiring real property without the consent of the owner, by an expropriating authority in the exercise of its statutory powers.

Highest and Best Use – that use, which, at the time of the appraisal, is most likely to produce the greatest net return, in money or amenities, over a given period of time.

Lease - a legal and binding agreement between two or more parties that specifies a specific property interest, for a specific term, for the right of a specific purpose of use, for a stated consideration and executed by the parties to the agreement.

Market Rent – what a willing landlord might reasonably expect to receive, and a willing tenant might reasonably expect to pay for the tenancy, in comparison with rent levels for similar properties in similar areas, if offered in the competitive market.

Market Value – the most probable price, as of a specified date, in cash, or in terms equivalent to cash, or in other precisely revealed terms, for which the specified property rights should sell after reasonable exposure in a competitive market under all conditions requisite to fair sale, with the buyer and seller each acting prudently, knowledgeably, and for self-interest, and assuming that neither is under undue duress.

Public–Private Partnerships (P3) – legal agreements between government and private sector entities, for the purpose of providing public infrastructure, community facilities and related municipal services.

Real Estate Professional – an individual or firm qualified to provide, in accordance with the City's current standing offer(s), appraisal and/or real estate consulting services.

Real Property - real property includes land, buildings, anything that is erected or growing on or affixed to the surface of the land, minerals and anything subsurface, and all rights issuing out of, annexed to, and exercisable without or about land such as leases, licenses, mortgages, air rights, easements and rights of access.

Request for Proposal (RFP) – a process where a need is identified, but the method by which it will be achieved is not prescribed at the outset. This process allows prospective suppliers to propose solutions or methods to arrive at a desired result.

Real Property Rights - any right, interest or benefit in land, but is not limited to, fee simple acquisitions, leases, licenses, options, permits, air rights, density transfers, permanent easements, rights-of-way, linear corridors, and other limited interests such as joint-use agreements, temporary working easements, access easements, permissions to enter and construct, and any other legal binding agreement related to the acquisition of property rights for the City of London.

Enquiries

For more information on this Policy, contact:
Manager, Realty Services
The Corporation of the City of London
300 Dufferin Avenue, London ON, N6B 1Z2
Tel: 519-661-2500, ext. 5445

SCHEDULE “B”

Procedures on the Treatment of Properties That Do Not Sell at Municipal Tax Sales

- 1) After a failed tax sale, circulate the property to internal departments and external agencies in accordance with City Policy for the sale of City owned properties in order to determine if they have any interest in the property should the City vest the property; (If there is internal or agency interest in a property this interest will be presented to the appropriate Standing Committee of Council and Council for a decision as to whether or

not to take ownership for the department or agency after conducting a Phase 1 and Phase 2 ESA as considered appropriate).

- 2) Conduct a Phase 1 Environmental Site Assessment (ESA).
- 3) Conduct a Phase 2 Environmental Site Assessment where appropriate as indicated by the Phase 1 ESA.
- 4) Report to the Finance and Administration Committee and if there is no internal department or external agency interest in the property, market the property by issuing a Request for Proposal which shall include an evaluation criteria with weighted scoring and a draft Agreement of Purchase and Sale.
- 5) Evaluate the submissions received from the Request for Proposal and prepare a recommendation report for the Standing Committee for the Proponent with the highest technical combined score for the property acquisition.
- 6) Vest property and convey to purchaser after approval of sale agreement by the Standing Committee and Council.
- 7) Apply the proceeds of the sale against the tax arrears, deem any remaining tax arrears uncollectible and write off the remaining tax arrears upon registration of the notice of vesting of the property by the City.

NOTES:

- A) Clauses in a form satisfactory to the City Solicitor will be included in the Agreement of Purchase and Sale to clarify that the property is being sold by the City on an as is, where is basis and that the purchaser acknowledges that the City has regulatory liability limitation from MOE orders under the EPA for the time that it owns the property (for up to five (5) years).
- B) Where encumbrances of the Federal or Provincial Governments or their agencies exist City staff will attempt to negotiate a resolution of the interest as part of or prior to Step 4.
- C) Where it is determined that a property has no environmental risks or liabilities or where the estimated market value will exceed the estimated costs of clean up, City staff may vest the property at any time and follow standard procedures for the designation and sale of surplus City land.
- D) Where it is determined that environmental risks or liabilities are so severe with respect to a property that the City should not vest a property even for the purposes of immediate transfer then a recommendation to take no action with respect to the property will be provided to Council by staff.

Appendix D

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal the Council policy related to Payment of Tickets or Entrance Costs that Directly Benefit a Political Party.

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 revoke and repeal the Council policy related to Payment of Tickets or Entrance Costs that Directly Benefit a Political Party as it has been superseded by other legislation;

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

1. Any policies of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Payment of Tickets or Entrance Costs that Directly Benefit a Political Party are hereby revoked.
2. 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 the Council policy related to Payment of Tickets or Entrance Costs that Directly Benefit a Political Party are hereby repealed.
3. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix E

Bill No.
2017

By-law No. CPOL.-

A by-law to revoke and repeal the Council policy related to Urgent Last Minute or “Walk-In” Recommendations and replace it with a new Council policy entitled “Added Staff Recommendations and Committee Reports”.

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 revoke and repeal Council policy related to Urgent Last Minute or “Walk-In” Recommendations and replace it with a new Council policy entitled “Added Staff Recommendations and Committee Reports”;

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

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Urgent Last Minute or “Walk-In” Recommendations is hereby revoked.
2. 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 Urgent Last Minute or “Walk-In” Recommendations is hereby repealed.
3. The policy entitled “Added Staff Recommendations and Committee Reports”, attached hereto as Appendix ‘E(1)’, is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 19, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 19, 2017
Second Reading – September 19, 2017
Third Reading – September 19, 2017

Appendix 'E(1)'

Added Staff Recommendations and Committee Reports

Where urgent circumstances require consideration by a Standing Committee, or the Municipal Council, of an added staff recommendation or an Added Report from a Committee, the added staff recommendation or Committee Report shall be submitted, in writing, in accordance with the provisions of the Council Procedure By-law. The submission shall include, wherever possible, a written executive summary. When a written executive summary is not possible, a verbal summary shall be provided by the appropriate party. In addition, the Council Members shall be permitted a brief recess, if required, to review the submission, recognizing that they may also choose to defer consideration of the matter to a future date in accordance with the Council Procedure By-law.