

10TH REPORT OF THE
GOVERNANCE WORKING GROUP

Meeting held on June 11, 2018, commencing at 1:35 PM, in Committee Room #4, Second Floor, London City Hall.

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

ABSENT: Councillors M. Cassidy and P. Squire.

ALSO PRESENT: M. Hayward, A. Anderson, L. Bartlett, A. Codispodi, A. Dunbar, P. Kokkoros, G. Kotisfas, S. Maguire, L. Maitland, S. Mathers, J. Stanford, R. Wilcox and P. Yeoman.

I. CALL TO ORDER

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

II. CONSENT ITEMS

None.

III. ITEMS FOR DISCUSSION

3.1 Council Policy Manual Modernization

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

- a) the attached proposed by-laws (Appendices B1 to B61) BE INTRODUCED at the Municipal Council Meeting to be held on June 26, 2018, to amend the following Council Policies in order to reformat them into the new Council Policy template and to reflect any changes required as a result of the application of the gender equity lens and to make any further updates that were deemed appropriate:
1. Requiring Building Permits for Buildings Constructed More Than One Year Prior
 2. Gateway Structures, Fences and Walls - Ownership & Maintenance
 3. Refunding of Application Fees
 4. Government Agencies to Pay Fees
 5. Subdivision & Development Agreement Security Policy
 6. Assumption of Works and Services
 7. Street Cleaning in Unassumed Subdivisions
 8. Third Party Billing – City of London Contracts
 9. Residential Front Yard and Boulevard Parking
 10. Commemorative Street Naming Policy
 11. Drawing Review Fees
 12. Street Naming - Streets of Honour
 13. Frequency of Garbage, Recyclable Material, Yard Materials and Fall Leaf Collection
 14. Citizens Unable to Take Out Garbage or Recyclable Material
 15. Containerized Garbage Collection Systems
 16. Waiving of Landfill Site Fees

17. Provision of Blue Boxes
18. Public Notification Policy for Construction Projects
19. Deleting Works from Tenders
20. Services for Special Events
21. Catch Basins on Private Property
22. Rear Yard Grading and Drainage
23. Land Dedication
24. Street, Lane and Walkway Closings
25. New Traffic Signal Locations
26. Lane Maintenance Policy
27. Encroachment Policy
28. Traffic & Parking By-law Amendments
29. Elsie Perrin Williams Estate
30. Monumenting Program
31. Telecommunication Facilities Consultation Policy
32. Value of Parkland Dedication
33. Parkland Dedication – Plan of Subdivision
34. Parkland Dedication Cash-in-lieu
35. Parkland Dedication – Site Plan
36. Pathway Corridors
37. Parkland Accounts
38. Demolition Control
39. Substantially Changed OPA/ZBA Applications
40. Urban Design Awards
41. Tree Preservation
42. Notices of OPA and ZBA Received From Other Municipalities
43. Naturalized Areas and Wildflower Meadows
44. Siting of Cannabis Retail Stores in London
45. Siting of Safe Consumption Facilities and Temporary Overdose Prevention Sites in London
46. Grants to Centennial Hall
47. Reduced Rental Rates for Non-Profit Groups
48. Objectives of Centennial Hall
49. Using Centennial Hall for City Sponsored Events
50. Lessee Protection and Non-Competitive Clauses
51. Accounts Receivable and Collections Policy
52. Trust Fund Policy
53. Donations Policy
54. Royal Canadian Legion Branch Property Tax Relief Program Funding
55. Security Policy Regarding Letters of Credit
56. Identification of Operating Surpluses – Boards and Commissions
57. Lease Financing Policy
58. Assessment Growth Policy
59. Debt Management Policy
60. Capital Budget and Financing Policy
61. Affordable Housing Reserve Fund Implementation Policy

b) the attached proposed by-laws (Appendices C1 to C6) BE INTRODUCED at the Municipal Council Meeting to be held on June 26, 2018, to repeal and replace the following Council Policies:

1. Flankage Exemptions for Surface Works and Sewers to be renamed as Flankage Exemptions for Surface Works and Municipal Services
2. Absence of Sewers and Private Drain Connections to be renamed as Absence of Municipal Services
3. Phase Out Use of City-Owned Vehicles to be renamed as Annual Assessment of Underutilized Light Vehicles
4. Private Storm Water Connections to be renamed as Stormwater

Private Drain Connections

5. Parkland Dedication – Acquisition of Parkland Outside a Plan of Subdivision to be renamed as Parkland Dedication – Acquisition of Hazard Lands and/or Open Space Lands
 6. Perfecting Property Titles for which Consents were not Obtained
- c) the attached proposed by-laws (Appendices D1 to D4 and D6) BE INTRODUCED at the Municipal Council Meeting to be held on June 26, 2018, to repeal the following Council Policies which are no longer required:
1. Methane Gas
 2. Unprotected Excavations at Construction Sites
 3. Non-Enforcement of Parking Regulations
 4. Free Downtown Parking During Christmas Season
 6. Service Cut Restoration Work by Utilities and Contractors;
- d) the attached proposed by-law (Appendix D5) being “A by-law to repeal By-law No. CPOL.-78-310, “Enforcement of City Personnel” BE INTRODUCED at a future meeting of Municipal Council after such time as the Standard Operating Procedures have been updated to outline the protocol on by-law investigations being undertaken in accordance with provincial legislation and municipal by-laws; and,
- e) the Civic Administration BE DIRECTED to bring forward a revised “Policy for the Establishment and Maintenance of Council Policies” that acknowledges that all Council Policies are to be reviewed with the gender equity lens.

IV. DEFERRED MATTER/ADDITIONAL BUSINESS

None.

V. ADJOURNMENT

The meeting adjourned at 1:59 PM.

Next Meeting: Monday, June 25, 2018 at 1:30 PM, in Committee Room #4.

APPENDIX B1

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-23-219 being
“Requiring Building Permits for Buildings
Constructed More Than One Year Prior”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-23-219 being “Requiring Building Permits for Buildings Constructed More Than One Year Prior” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-23-219 being “Requiring Building Permits for Buildings Constructed More Than One Year Prior” is hereby amended by deleting Appendix “C(9)” to CPOL.-23-219 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Requiring Building Permits for Buildings Constructed More Than One Year Prior

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-23-219)

Last Review Date: June 11, 2018

Service Area Lead: Chief Building Official

1. Policy Statement

This policy is to ensure existing construction complies with the Building Code.

2. Definitions

Not applicable.

3. Applicability

This policy applies to all buildings within the City of London.

4. The Policy

Based on sentence 36(8)(a) of the Building Code Act, no proceeding shall be commenced more than one year after the facts on which the proceeding is based first came to the knowledge of an officer, where the proceeding is in respect of the enforcement of by-laws passed under section 15.1 of the Act.

Building permits will be required for any work previously carried out without a building permit, when the municipality has evidence that the work was carried out by the current owner.

Building permits will not be requested from the current owner for work carried out by previous owners, unless unsafe conditions are present in accordance with subsection 15.9 of the Building Code Act, and the remedy of said unsafe conditions requires a building permit.

APPENDIX B2

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-121-373 being "Gateway Structures, Fences and Walls - Ownership & Maintenance".

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-121-373 being "Gateway Structures, Fences and Walls - Ownership & Maintenance" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-121-373 being "Gateway Structures, Fences and Walls - Ownership & Maintenance" is hereby amended by deleting Appendix "C(39)" to CPOL.-121-373 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Gateway Structures, Fences and Walls - Ownership & Maintenance

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-121-373)

Last Review Date: June 11, 2018

Service Area Lead: Director, Development Services

1. Policy Statement

The Gateway Structures, Fences and Walls – Ownership and Maintenance Policy is intended to provide clarity and guidance for the installation of these structures in residential subdivisions.

2. Definitions

“**Gateway**” means a built structure and associated components used as an entrance feature to a subdivision, generally providing the subdivision name and landscaping.

3. Applicability

This policy applies to land developers and other property owners that construct Gateway structures, fences and walls as part of any subdivision or site plan development.

4. The Policy

The following policy shall apply to matters concerning gateway structures, fences and walls:

- a) ornamental gateways to subdivisions shall not be allowed on City lands and the City shall assume no responsibility for their maintenance;
- b) privacy fences shall be placed on private properties, where required by the proponents. Fencing designs will be consistent with City Fence By-law PS-6 and shall be the responsibility of the individual property owners; and
- c) “retrofit” noise walls that are required as a result of a road widening adjacent to existing residential uses shall be placed on City property in accordance with Council’s Noise Barriers on Arterial Roads Policy.

APPENDIX B3

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-161-413
being "Refunding of Application Fees".

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-161-413 being "Refunding of Application Fees" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-161-413 being "Refunding of Application Fees" is hereby amended by deleting Appendix "C(80)" to CPOL.-161-413 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Refunding of Application Fees

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-161-413)

Last Review Date: June 11, 2018

Service Area Lead: Director, Development Services

1. Policy Statement

The Refunding of Application Fees Policy is intended to provide direction for situations where requests are received to refund fees for certain development applications made under the *Planning Act*.

2. Definitions

Not applicable.

3. Applicability

This policy applies to applications to amend the Official Plan and Zoning By-law.

4. The Policy

In the event that a request is received for a refund of application fees, no refunds will be made to Zoning By-law amendment and/or Official Plan amendment fees if any work has commenced on the application.

APPENDIX B4

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-162-414
being "Government Agencies to Pay Fees".

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-162-414 being "Government Agencies to Pay Fees" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-162-414 being "Government Agencies to Pay Fees" is hereby amended by deleting Appendix "C(81)" to CPOL.-162-414 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Government Agencies to Pay Fees

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-162-414)

Last Review Date: June 11, 2018

Service Area Lead: Director, Development Services

1. Policy Statement

The Government Agencies to Pay Fees Policy is intended to provide direction for the payment of *Planning Act* application fees by any government agency (Federal, Provincial or Local Board/Commission), except for Municipal Council.

2. Definitions

Not applicable.

3. Applicability

This policy applies to all Federal and Provincial agencies and Local Boards/Commissions.

4. The Policy

All governmental agencies are required to pay the established fees for development applications made under the *Planning Act*, except in cases where the City Council is the applicant.

APPENDIX B5

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-13-114 being
“Subdivision & Development Agreement Security
Policy”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-13-114 being “Subdivision & Development Agreement Security Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-13-114 being “Subdivision & Development Agreement Security Policy” is hereby amended by deleting Council Policy 19(18) to CPOL.-13-114 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Subdivision & Development Agreement Security Policy

Legislative History: Enacted April 4, 2017 (By-law No. CPOL.-13-114)

Last Review Date: June 11, 2018

Service Area Lead: Director, Development Services

1. Policy Statement

This policy document has been developed to assist Developers (herein after referred to as the Owner), City staff, consulting engineers and associated stakeholders understand the processes and procedures associated with security requirements for land development projects in the City of London (herein after referred to as the City). The City requires that security is provided for all development (subdivision, site plans, condominiums...etc.) projects in the City. This is to ensure that the City has sufficient money available to complete any outstanding works required for the development in the event that the Owner does not/cannot complete the works required of them under their respective Agreement(s).

To assist in the security requirement/reduction process, flow charts for both Subdivision and Development Agreement (Site Plans, Condominiums) processes can be found in Appendix “A”.

Information related to the calculation of security for Subdivisions, Consent and Site Alteration Agreements can be found in **Chapter 1**.

Information related to the calculation of security related to Development Agreements can be found in **Chapter 2**.

Information specific to the processes related to the reduction of security, timing of reductions, dealing with deficient works and release of long-held security by the City can be found in **Chapter 3**.

2. Definitions

2.1. Acceptance of External Works (formerly FINAL) - An Owner is eligible to apply for “Acceptance of External Works” once all of the works external to the subdivision are complete. Similar to “assumption”, at this stage the City takes responsibility for maintenance, repair and liability of the accepted works & services.

Important to note:

- Only applicable to works constructed on streets external to a subdivision which have already been assumed by the City.
- A by-law is not required; however the one (1) year warranty on workmanship and materials for the works and services is as documented on the certificate of acceptance of external works (see “end of warranty”).
- Security can be reduced upon issuance of the certificate of acceptance of external works.

2.2. Assumption - the point at which City Council passes a by-law to accept responsibility for maintenance, repair and liability of the installed works & services of the plan of subdivision, subject to requirements for ‘end of warranty’.

Assumption is considered when:

- All works & services are constructed as per the approved plans, and appropriate certification(s) have been provided.
- Owner has complied with all requirements of the Subdivision Agreement to the satisfaction of the City.
- A minimum of seventy (70%) of the lots and blocks fronting the street to be assumed have been built on or seven (7) years have elapsed from the date of registration of the Subdivision Agreement.

- 2.3. Claimable Works** - shall be considered any work &/or services as required by an Agreement which are to be undertaken by an Owner at their entire expense, as a capital cost incurred on behalf of the City and as authorized by the City.

Claimable Works shall be any work &/or services as noted above which may be claimable from any fund (i.e. Urban Works Reserve Fund (UWRF), City Services Reserve Fund (CSRF)) or any Capital Project.

- 2.4. Conditional Approval** - may be issued when the City is satisfied that a development complies with the applicable legislation (Planning Act...etc.), the requirements for conditional approval of the Subdivision Agreement have been met and when the roads and services are completed and functional within a development.

By issuing "Conditional Approval", the City is confirming that full building permits for new home construction may be issued in a subdivision or a portion thereof.

'Conditional Approval' is considered when:

- The City has confirmed that underground works (including storm, sanitary and water) and all streets (to a granular level "B") have been constructed as per the approved servicing drawings and Municipal standards.
- All works & services have been constructed as per the approved plans and appropriate certification(s) have been provided.
- Owner has complied with all requirements of Conditional Approval as they relate to the Subdivision Agreement to the satisfaction of the City.

- 2.5. Construction Lien Act Holdback** - The statutory requirement of Part IV of the 'Construction Lien Act' (R.S.O. 1990) demands that each payer on a contract or subcontract retain a 'holdback' (security) of ten per cent (10%) of the price of the services or materials. This holdback is to be maintained until all liens that may be claimed against the contracted works have expired or have otherwise been satisfied or discharged.

Important to Note:

- As per the Act, release of the 10% holdback is available when the contractor has published a copy of the certificate of substantial performance in a construction trade newspaper, provided proof of this advertisement to the City and the mandatory forty-five (45) day notice period has expired.

- 2.6. End of Warranty** - a triggering mechanism which signifies the Council mandated one (1) year post-assumption warranty period has lapsed. At this point, all remaining obligations of the relevant Agreement are to have been satisfied and any/all defective works are to have been corrected to the satisfaction of the City.

Key Indicators:

- One year warranty period initiation requires the passing of a by-law at Council.

- 2.7. Erosion and Sediment Control Measures** - shall be a security to be provided as an allowance for use by the City in the event of deficient erosion and sediment control measures and/or a failure of a site's erosion and sediment control measures. The "Erosion and Sediment Control Measures" shall ensure sufficient funds are available to complete remedial work in the event of a breach to the "Erosion and Sediment Control Measures" including any installation and repair of the erosion and sediment control measures, clean-up costs and complete replacement and/or repairs to the erosion and sediment control measures.

- 2.8. Miscellaneous Items** - works required to be completed but not covered under the definition of either surface or underground works, including but not limited to;
- Tree planting;
 - Tree preservation, turning circle removal, privacy fencing;

- Erosion and sediment control measures;

Important to Note:

- All “Miscellaneous Items” have no extra taxes or fees.

2.9. Urgent Deficiency - any defect related to materials or workmanship in the works and services (underground, surface or miscellaneous works) considered an immediate safety, environmental or operational risk, hazard or concern by the City.

Examples:

- Water service breaks;
- Leaning or tilted streetlight pole;
- Sediment breach into a natural watercourse;

2.10. Other Deficiencies - any defect in materials or workmanship in the works and services (underground, surface or miscellaneous works) which is not considered an immediate safety or operational risk, hazard or concern by the City.

Other Deficiencies shall also be considered as any failure by the Owner to comply with any covenant, term, condition or requirement of the relevant Agreement.

Examples:

- Installation of fencing within one (1) year of plan registration as per the Subdivision Agreement;
- Grading, seeding & servicing of park blocks;
- Minor cracks in segments of curbs and/or sidewalks;

2.11. Surface Works - consist of all works and services constructed by the Owner under a relevant Agreement where the final locations are at, and/or above finished grade. This includes but is not limited to the following items:

- Base & surface asphalt, curb and gutter, sidewalk, traffic islands;
- Driveway ramps, fences, landscaping, boulevards, asphalt walkways;
- Street signs;

2.12. Underground Works - consist of all works and services constructed by the Owner as required by a relevant Agreement which are located primarily below grade with the exception of any underground utilities including gas, electric services and telecommunications.

These works are typically constructed in the initial stages of construction, including but not limited to the following items:

- Sanitary sewers and private drain connections including all appurtenances (manholes...etc.);
- Storm sewers and private drain connections including all appurtenances (manholes, catchbasins, catchbasin leads...etc.);
- Water mains and services including all appurtenances (valves, hydrants...etc.);
- Granular road base including “Granular B”.

2.13. Works & Services - consist of all Surface Works and Underground Work constructed or required by the Owner under the relevant Agreement.

Important to Note:

Contingency (5%), engineering (10%) and HST (13%) are applied to all works & services.

3. Applicability

This policy applies to property owners that are developing land through a subdivision, condominium, consent, site plan, or site alteration process.

4. The Policy

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Chapter 2	Development Agreements
Chapter 3	Logistics

Appendices

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Appendix B	Subdivision Security Calculation
Appendix C	Subdivision Security Reduction Calculation
Appendix D	Example Letter of Credit
Appendix E	Development Agreement Security Calculation
Appendix F	Development Agreement Security Reduction Calculation

4.1. Subdivisions, Site Alteration & Consent Agreements

The following Chapter of this policy document provides information related to:

- 4.1.1 How to calculate security & what security is required for
- 4.1.2 How security is reduced
- 4.1.3 Maintenance holdbacks
- 4.1.4 End of warranty holdbacks

4.1.1 Security Calculation

4.1.1.1 General Information

- The Security Calculation provides a determination of the security which is to be provided by the Owner to the City which shall guarantee 100% of the value of work to be completed for all “works & services” and “miscellaneous items” as required under the relevant Agreement.
- It is calculated using the standard form shown in Appendix “B” (Security Calculation).
- The Owner’s Professional Engineer provides cost estimates for all works, services and miscellaneous items as required under the Subdivision Agreement, the approved servicing drawings and City standards and by-laws all to the satisfaction of the City.
- Estimated cost for works & services are to be provided on a street by street basis, based on a fully constructed right-of-way (property line to property line) including all works & services installed there on (i.e. sanitary and storm sewers, watermains, private drain connections, roads [granulars, asphalt, curbs, sidewalk, boulevards], streetlights, electric services, etc.).
- Works & services also include separate items which are not included in the calculations for streets (i.e. street tree planting, noise attenuation measures, pumping stations, miscellaneous items, etc.).
- Claimable works are included in the compiled costs for the individual streets (i.e. trunk sewers...etc.), unless otherwise approved by the City.
- Security for “Erosion and Sediment Control Measures” shall be provided to the satisfaction of the City, for all plans of subdivision and site alteration agreements based on the size (in hectares) of the development as follows:
 - Less than 5.0 ha – \$40,000;
 - Greater than or equal to 5.0 ha - \$60,000;
- In the event that Security for “Erosion and Sediment Control Measures” has been previously provided by the Owner under a subsequent phase of a Subdivision, the City may at its option on a case by case basis, consider accepting a reduced security for subsequent phases for the purpose of the “Erosion and Sediment Control Measures” subject to acceptable site specific conditions including, but not limited to, having minimal topography and no adjacent sensitive natural features.
- The City may increase the security required for “Erosion and Sediment Control Measures” when site specific conditions (adjacent to a watercourse, Environmentally Sensitive Area, steep topography...etc.) contribute to an increased possibility of a sediment discharge and/or an increased possibility of

an increase to the cost for any necessary remedial works.

- The Security Calculation form breaks down the security by street and individual elements for calculation purposes only. The full security is held in one pool for the performance of all requirements in the subdivision agreement.
- The Security Calculation determines the CASH portion of the required security. The CASH portion is required prior to execution of the agreement. The CASH portion also covers the requirements of the Construction Lien Act (10% Statutory Holdback).
- The Security Calculation also calculates the BALANCE (formerly the BOND) portion. The BALANCE portion provides security against the remaining value of works & services and miscellaneous items.
- Prior to the City issuing any Certificate of Conditional Approval or the first building permit for any of the lots and blocks within a Plan of Subdivision, the Owner shall ensure that both the CASH and BALANCE portion have been supplied to the satisfaction of the City, taking into account the requirements, conditions and procedures as set out in the Subdivision (Site Alteration or Consent) Agreement.

4.1.1.2 Security Calculation Information

Section 1 - Cost Estimate

- Section 1 of the Security Calculation provides estimated costs to construct the works, services and miscellaneous items for the subdivision.
- Includes allowances for contingency (5%), engineering (10%) and HST (13%) for works & services.
- “HST”, “contingency” and “engineering” are not applied to “Miscellaneous Items” as these are typically items to which allowance and applicable taxes are already included (Erosion and Sediment Control Maintenance, temporary turning circles, etc.).

Section 2 - Security Requirements

- Summarizes total costs of works and services and miscellaneous works as shown in Section 1.
- Provides value for Total Security Required. This equals (works & services) + (miscellaneous items).

Section 3 - Security Calculation

- Provides calculations for CASH Portion = 15% of “Total Security Required” (as per Section 2).
- Provides calculation for BALANCE Portion = 100% of (Total Security Required) Less (CASH Portion of security).

4.1.2 Security Reduction Calculation

4.1.2.1 General Information

- Typical “Security Reduction Calculation” used for all security reductions.
- Standard form shown in Appendix “C”.
- Security Reductions related to Site Alteration Agreements shall be subject to the requirements of the relevant agreement.

4.1.2.2 Calculation Information

Section 1 - Cost Estimate - Tracking Summary

- The “Tracking Summary” tracks works & services which have been completed based on estimates provided by the Owner’s professional engineer.
- It includes allowances for contingency (5%), engineering (10%) and HST (13%) for works & services.
- Also tracks miscellaneous items completed; tallied separately based on separate formula (no HST, contingency or engineering applied).
- Items shall be added as necessary (which were not included in the initial security calculation) that have been reasoned to be required only as details of which have become known due to the progress of the work and by sound engineering practice.

- Deficiencies may be added to the Security Reduction Calculation and summary as determined by The City in accordance with the Subdivision Agreement.
- Security for identified deficiencies can be added to the “Security Reduction Calculation” form under Section 1.

Section 2 - Security Requirements

- Summarizes requirements based on the calculated value of work remaining, as shown in Section 1.
- An adjustment for inflation is calculated based on the “Statistics Canada Index” meaning the Statistics Canada Quarterly Construction Price Statistics, catalogue number 62-007, Non-residential building construction price indexes - Toronto, Ontario herein after referred to as “Construction Price Index”.
- This information is available on-line at the following link: <http://www.statcan.gc.ca>
- Adjustment for inflation is calculated based on the Value of Work Remaining (incl. Contingency, Engineering & HST) multiplied by the difference in change indexation values in the Construction Price Index (Year of Reduction LESS Year of Plan Registration)/100.

Example:

Value of Work Remaining = \$100,000 (Section 2 – Line 1)

Construction Price Index:

Year Plan Registered: 2009 = 142.501¹

Current Year²: 2012 = 151.501¹

= \$100,000 x ((151.50-142.50)/100)

= \$9,000

¹Values as per Annual Averages – “Statistics Canada Index” meaning the Statistics Canada Quarterly Construction Price Statistics, catalogue number 62-007, Non-residential building construction price indexes – Toronto, Ontario.

²The value used for the Current Year index is to be taken from the tables as the closest year available in which security is being calculated.

- The calculated adjustment for inflation is added to the total value of security required as shown in Appendix ‘C’ – Section 2 – Security Requirements – Line 3.
- The City reserves the right to revise the values of work remaining to ensure that sufficient security is being maintained to complete the outstanding works & services.
- Holdbacks are applied to works & services which have been completed including:
 - “Construction Lien Act” Holdback: 10% of value of completed works & services;
 - “Maintenance Holdback”: 5% of value of completed works & services;
 - “End of Warranty Holdback”: 2.5% of value of completed works & services.

Section 3 - Security Reduction Summary

- Summarizes current security held (CASH/BALANCE – i.e. Cash, Letters of Credit, etc.).
- Identifies available reduction(s) based on total security required (calculated in Section 2) and the current security holdings.

4.1.3 Maintenance Holdback

- Released at “Assumption”, based on the percentage of works & services assumed not until the passing of a by-law to assume works & services within a subdivision, unless otherwise approved by the City.
- The Maintenance Holdback is a guaranteed holdback for material and defects in workmanship equal to 5% of the total value of the works & services completed by the Owner under the Subdivision Agreement (including claimable works).

N.B. The 5% maintenance holdback is calculated based on an estimated value to correct deficiencies in the Works & Services prior to Assumption.

4.1.4 End of Warranty Holdback

- The End of Warranty Holdback is a guaranteed holdback for material and defects in workmanship equal to 2.5% of the value of the works & services completed by the Owner under the Subdivision Agreement (Including any claimable works).
- Released at End of Warranty based on the percentage of works & services which have satisfied the warranty requirements of the City and an “End of Warranty” certificate has been issued by The City.
- The End of Warranty Holdback will not be released prior to the end of the one (1) year warranty period as mandated in the Council Assumption By-law.

N.B. *The 2.5% end of warranty holdback is calculated based on an estimated value to correct deficiencies in the Works & Services after Assumption and prior to End of Warranty.*

4.2. Development Agreements

The following Chapter of this policy document provides information related to:

- 2.1 Security requirements & calculation common for Site Plans & Condominiums
- 2.2 Security reduction requirements & calculation for Site Plans & Condominiums
- 2.3 Security requirements & reductions applicable only to Condominiums

4.2.1 Security Calculation

4.2.1.1 General Information

- The Security Calculation provides a determination of the security which is to be provided by the Owner to the City. Based upon the total cost estimate for all internal “works & services” and “miscellaneous items” the required security for all site plans and condominiums will be calculated as follows, unless otherwise noted herein.
 - For developments in which the total estimated internal is equal to or less than \$50,000, the Owner shall guarantee 100% of the value of work to be completed.
 - For developments in which the total estimated cost is greater than \$50,000, the Owner shall guarantee the greater of 50% of the value of work to be completed or \$50,000.
- The Owner’s Professional Engineer shall provide a cost estimate for all works & services and miscellaneous items as required under the Development Agreement, the approved drawings and City standards and by-laws all to the satisfaction of the City.
- For the purposes of development projects considered under this Chapter, the works & services shall generally include, but are not limited to, ‘Surface Works’ unless otherwise herein provided, all to the satisfaction of the City.
- The Owner shall guarantee 100% of the value of works and services required for all Claimable Works (as applicable), unless otherwise approved by the City.
- The Owner shall guarantee 100% of all external works for all site plans and condominiums
- Security requirements shall be calculated using the standard form shown in Appendix “E”.
- The security calculation breaks the security down into individual elements for calculation purposes only. The full security is to be held in one pool for the performance of all requirements in the Development Agreement.
- The security calculation includes provisions for Contingency, Engineering and HST.
- In the event a site plan or condominium will be developed in phases, the City may, at its discretion, allow for alternative calculation for the required securities. This is further outlined in section 4.3.1.3.
- The full value of the required security shall be provided to the City prior to execution of the Development Agreement, unless otherwise herein provided, all to the satisfaction of the City.

4.2.1.2 Security Calculation Information

The standard site plan security calculation form is shown in Appendix “E”

Section 1 - Cost Estimate

- Section 1 of the Security Calculation provides estimated costs to construct the internal works & services and miscellaneous items for the development as well as external works (including claimable works).
- Includes allowances for contingency (5%), engineering (10%) and HST (13%) for internal and external works & services.
- “HST”, “contingency” and “engineering” are not applied to “Miscellaneous Items” which are therefore calculated separately.

Section 2 - Security Requirements

- Summarizes the required security required for internal and external works tabulated in Section 1.
- The required security for internal works is calculated as follows:
 - If the Total Internal Works (Line 18) is equal to or less than \$50,000, the required internal works security is equal to the total value of the works
 - If the Total Internal Works (Line 18) is greater than \$50,000, the required internal works security is equal to either 50% of the total internal works or \$50,000, whichever is greater
- The required security for external works is equal to the 100% of the value of the work (Line 25)
- Provides value for Total Security Required. This equals (Internal Works) + (External Works).

4.2.1.3 Security for Phased Developments

In the case of larger developments, Owners may choose to phase the site plan approval as a means of staging securities in line with their plan for buildout.

First Phase

- Securities for the first phase of development will be calculated as outlined in Section 4.3.1.2 and site plan approval will be granted only the secured phase of development
- The Owner shall also provide an additional security of \$5,000/ha for all future phases of the site plan or condominium. This “future phase” security is to address any unauthorized activity that may occur on the future phases.

Subsequent Phases

- To develop subsequent phase(s), an application for site plan amendment will be required to approve the additional phases and update the development agreement. At this time the Owner is required to provide full securities, calculated as per section 4.3.1.2, for the additional phases and the “future phase” security as outlined above will be released.

4.2.2 Security Reduction Calculation

4.2.2.1 General Information

- Typical “Security Reduction Calculation” used for all security reductions.
- Standard form shown in Appendix “F”.

4.2.2.2 Security Reduction Calculation Information

Section 1 - Cost Estimate - Tracking Summary

- The “Tracking Summary” tracks works & services which have been completed based on estimates provided by the Owner’s professional engineer.
- It includes allowances for contingency (5%), engineering (10%) and HST (13%) for works & services.
- Also tracks miscellaneous items completed; totaled separately based on separate formula (no HST, contingency or engineering applied).
- Deficiencies may be added to the Security Reduction and summary as determined by The City in accordance with the Development Agreement.

Section 2 - Security Requirements

- Summarizes requirements based on the calculated value of work remaining, as tabulated in Section 1.

- An adjustment for inflation is calculated based on the “Statistics Canada Index” meaning the Statistics Canada Quarterly Construction Price Statistics, catalogue number 62-007, Non-residential building construction price indexes - Toronto, Ontario herein after referred to as “Construction Price Index”.
- This information is available on-line at the following link:
<http://www.statcan.gc.ca>
- Adjustment for inflation is calculated based on the Value of Work Remaining (incl. Contingency, Engineering & HST) multiplied by the difference in change indexation values in the Construction Price Index (Year of Reduction LESS Year of Plan Registration)/100.

Example:

Works & Services - Value of Work Remaining = \$100,000 (Section 2 – Line 1)
Construction Price Index:

Year Plan Registered: 2009 = 142.50¹

Current Year²: 2012 = 151.50¹

= \$100,000 x ((151.50-142.50)/100)

= \$9,000

¹Values as per Annual Averages – “Statistics Canada Index” meaning the Statistics Canada Quarterly Construction Price Statistics, catalogue number 62-007, Non-residential building construction price indexes – Toronto, Ontario.

²The value used for the Current Year index is to be taken from the tables as the closest year available in which security is being calculated.

- The calculated adjustment for inflation is added to the total value of security required as shown in Appendix ‘F’ – Section 2 – Security Requirements – Line 3.

Section 3 - Security Reduction Summary

- Summarizes current security held and identifies available reduction(s) based on total security required (calculated in Section 2) and the current security holdings.

4.2.3 Condominiums

- The Security Calculation for Condominiums (Vacant Land Condominiums and Standard (Phased) Condominiums) shall be based on the of the value of work to be completed for all common elements associated with the accepted drawings for the plan of condominium.
- Common elements will generally include (but not limited to) the following items:
 - Surface Works;
 - Underground Works;
 - Illumination;
 - Stormwater Management ;
 - Tree Planting;
 - Community Amenities (gazebos...etc.)
 - External Works;
 - Other – (As required on a case specific basis);
- Security for any vacant land condominium town house development shall be provided as follows:
 - 15% of Total Security Required at execution of the Development Agreement;
 - The Developer shall provide to the City, all outstanding security, as calculated from time to time, prior to the registration of the Condominium Declaration;
- A maintenance holdback (5% of the value of common elements completed) will be held until such time as 100% of the units in the vacant land condominium have been developed; a certificate of completion of the works and a final lot grading certificate have been received from the Owner’s Professional Engineer and accepted by the City, to the satisfaction of the City.

4.3. Logistics

The following Chapter of this policy document is applicable to subdivision, site alteration, consent, and development agreements unless otherwise noted herein. This Chapter provides information related to:

- 3.1 Acceptable forms of security;
- 3.2 Process for security reductions;
- 3.3 Reduction milestones and timing (Subdivisions only)
- 3.4 Reduction milestones and timing (Development Agreement only)
- 3.5 Process to deal with deficient works
- 3.6 Process to release long-held security;

4.3.1 Acceptable Forms of Security

4.3.1.1 Cash or Certified Cheque (the following conditions apply to Cash or Certified Cheque as security):

- Acceptable for use under the CASH and/or BALANCE portion.

4.3.1.2 Letter of Credit (the following condition applies to letters of credit used as security):

- Acceptable for use under the CASH and/or BALANCE portion.
- Letters of Credit are to be irrevocable and unconditional and shall conform to the example shown in Appendix "D" all to the satisfaction of the City.

4.3.1.3 Land (the following conditions apply to land as security):

- "Land" will be considered as an acceptable form of security for Subdivisions only.
- Property must be transferred to and registered in the name of the City of London.
- Land must be free and clear of any encumbrance, condition, restriction, easement or right-of-way except those acceptable to the City.
- Value of Land shall be equal to 150% of the amount being secured by such land.
- Land is only accepted for use as the BALANCE portion of security.
- Value of "land" shall be calculated as per the appraised value of the property under consideration as determined by the City.
- An appraisal of the Land held as security will be completed by the City every two (s) years from the date of the previous appraisal.

4.3.1.4 Combinations (the following conditions apply when combining forms of security):

- The total security requirements may be comprised of a combination of acceptable forms of security as outlined in Section 4.4.1.1 to 4.4.1.3.

4.3.1.5 Alternative Arrangements

- Alternative security arrangements may be considered at the discretion of the Approval Authority on a case by case basis to be captured in the Development Agreement.

4.3.2 Security Reduction

4.3.2.1 General

- Security may be reduced, at the discretion of the City, from time to time based on an estimated value of the works and services completed as certified by the Owner's Professional Engineer in the form as shown in Appendix "C" & "F" respectively, to the satisfaction of the City.
- The City reserves the right to reject or modify any security reduction request to ensure that sufficient security has been retained.
- The City reserves the right to add items at any time to the security reduction calculation related to items of non-compliance.
- The final release of security shall be subject to the submission of all certifications, as-constructed drawings and the fulfilment of all requirements of an Agreement between the Owner and the City, to the satisfaction of the City.

4.3.2.2 Order of Release

- Instruments of security will be reduced (and released) in the following order:
 - 1) Land
 - 2) Letter of Credit
 - 3) Cash

- Security is reduced (and released) in the following order (Subdivisions, Site Alterations & Consents only):
 - 1) “BALANCE” Portion
 - 2) “CASH” Portion

4.3.2.3 Requirements

The following will be required prior to any consideration for the reduction or release of securities:

- A completed Appendix “C” or “F” (depending on the type of agreement) Security Reduction form completed by the Owners Professional Engineer;
- A determination by the City that the Owner has to date, complied with all provisions of the relevant Agreement;

4.3.3 Reduction Milestones & Timing (Subdivisions only)

The following highlights the expectations and requirements for the reduction of security at the various milestones of the subdivision development process:

4.3.3.1 Conditional Approval

- The Owner is permitted to apply for a reduction in security otherwise required as per Schedule “E” of the Subdivision Agreement prior to Conditional Approval as a significant value of the works and services (underground works) have been completed subject to the satisfaction of the City.
- Applicable holdbacks are applied to all works and services completed by the Owner (Construction Lien Act, Maintenance Holdback, End of Warranty Holdback).
- Release of the Construction Lien Act Holdback for applicable completed works may be considered upon submission of proof of advertising and expiration of the mandatory holdback period all in accordance with the Construction Lien Act.

4.3.3.2 Interim Reduction(s) in Security

- An interim reduction in security will be considered as any reduction in securities occurring in the period after Conditional Approval and prior to Assumption based on the progress of the work completed.
- Interim reductions in security will be considered once per calendar year at the request of the Owner (and their Professional Engineer), except as agreed to by the City.
- Interim reductions will only be processed after the City has confirmed compliance with the relevant Agreement, including any timed requirements.
- Reductions estimated to be less than \$25,000 will not be processed, except as agreed to by the City.
- Release of the Construction Lien Act Holdback may be considered upon submission of proof of advertising and expiration of the mandatory holdback period in accordance with the Construction Lien Act.

4.3.3.3 Assumption

- A security reduction at “Assumption” will only be processed after an assumption by-law has been passed by City Council.
- In the event that a subdivision is assumed in stages, a percentage of the works & services assumed will be calculated based on the value of the works and services to be assumed and the total value of works and services.
- The reduction of securities at “Assumption” may include:
 - Release of the Construction Lien Act Holdback;
 - Release of the “Maintenance Holdback”;
 - Release of the “Erosion and Sediment Control Measures” security;

4.3.3.4 End of Warranty

- A security reduction at “End of warranty” will only be processed after all outstanding deficiencies have been corrected and all requirements of the Subdivision Agreement have been met and upon receipt of an “End of Warranty” certificate.
- In the event that portions of a subdivision achieve end of warranty in stages, a percentage of the works & services which have cleared end of warranty will be calculated based on the value of the works and services which have cleared end of warranty and the total value of works and services.
- The reduction of securities at End of Warranty may include:
 - Release of Tree Planting security;
 - Release of the End of Warranty Holdback;

4.3.4 Reduction Milestones and Timing (Development Agreements Only)

The following highlights the expectations and requirements for the reduction of security at the various milestones of the development agreement process. It should be noted that reductions will not be considered until at least 50% of the agreed upon works have been completed to the satisfaction of the City of London. Additionally, an alternative schedule for security reductions may be used at the discretion of the City if the minimum holdback is deemed insufficient based on the size and/or complexity of the development.

Initial Reduction: Following the adequate completion of at least 50% of the agreed upon works, the Owner may apply for a first security reduction to the value of estimated outstanding works or the minimum holdback, whichever is greater

Midpoint Reduction: Following the adequate completion of at least 75% of the agreed upon works, the Owner may apply for a midpoint security reduction to either the estimated value of outstanding work or the minimum holdback, whichever is greater

Final Reduction: Upon final completion of all works to the satisfaction of the City of London the minimum holdback of 15% of the total estimated works or \$15000, whichever is greater, will be released.

4.3.5 Work on behalf of the Owner – Subdivisions & Site Alterations

The City may, at its option, undertake any work and/or service including maintenance or remedy any defective work on behalf of an Owner when the Owner has failed to complete such work as required as part of a Subdivision or Site Alteration Agreement. The City at its option may use the security provided under a Subdivision or Site Alteration Agreement to recover any and all costs incurred by the City in relation to the completion of the work. The value of security to be used by the City will be determined based on the total costs incurred by the City in relation to the completion of work on behalf of the Owner. The total costs will include all labour and materials costs (City and contracted forces), taxes, permitting fees and administrative costs as applicable.

The undertaking of work by City forces and the recovery of costs through the use of an Owner’s securities in accordance with this policy shall not be considered by the City as a final default as defined within the Subdivision Agreement. However, the City reserves its right to deem any breach of any covenant, term, condition or requirement of the Subdivision Agreement as a default of said agreement as defined therein.

If the Owner’s security is used by the City as noted herein, the Owner may be required to provide the City with additional security if deemed necessary by the City.

4.3.5.1 Urgent Deficiency

The following is the process the City shall use to have any works completed in the event that the Owner has not taken measures to correct, repair or complete works considered as an “Urgent Deficiency” (as described in Chapter 1):

- 1) An “urgent deficiency” is brought to the attention of the City;
- 2) The City will provide immediate notification via telephone, fax or email to the Owner requesting to have the works and services completed or repaired.
- 3) The Owner will be required to provide a response, within 24 hours of notification, identifying when the works and services shall be completed or repaired;
- 4) If a response has not been received by the City from the Owner with an anticipated schedule to complete the work within 24 hours and the work has not been completed in an acceptable timeframe thereafter, the City will immediately schedule the work to be completed by the City with no further notice to the Owner;
- 5) Upon completion of the work by the City, the Owner will be invoiced for the total cost incurred by the City to complete the work;
- 6) If payment by the Owner remains outstanding for a period greater than 30 days, the City will draw upon the security provided in relation to the Subdivision Agreement with no further notice to the Owner;

4.3.5.2 Other Deficiencies

The following is the process the City shall use to have any works completed in the event that the Owner has not taken measures to correct, repair or complete works considered as “Other Deficiencies” (as described in Chapter 1):

- 1) A deficiency which does not fit the definition provided for an “urgent deficiency” is brought to the attention of the City;
- 2) The City will provide notification via telephone, fax, email or registered mail to the Owner requesting to have the works and services completed or repaired. The letter shall request that the Owner complete the work to the satisfaction of the City within a timeframe as specified by the City;
- 3) If the work has not been completed in the specified timeframe, the City will immediately schedule the work to be completed by the City with no further notice to the Owner;
- 4) Upon completion of the work by the City, the Owner will be invoiced for the total costs incurred by the City to complete the work;
- 5) If payment by the Owner remains outstanding for a period greater than 30 days, the City will draw upon the security provided in relation to the Subdivision Agreement with no further notice to the Owner to recover costs associated with this work;

4.3.6 Work on behalf of the Owner – Development Agreements (Site Plans, Condominiums, Consents)

The City may, at its option, undertake any work and/or service including maintenance or remedy any defective work on behalf of an Owner when the Owner has failed to complete such work as required as part of a Development Agreement, Condominium Agreement or Consent Agreement and shall follow the process to undertake this work as outlined in the Development Agreement, Condominium Agreement or Consent Agreement.

4.3.7 Long-Held Security

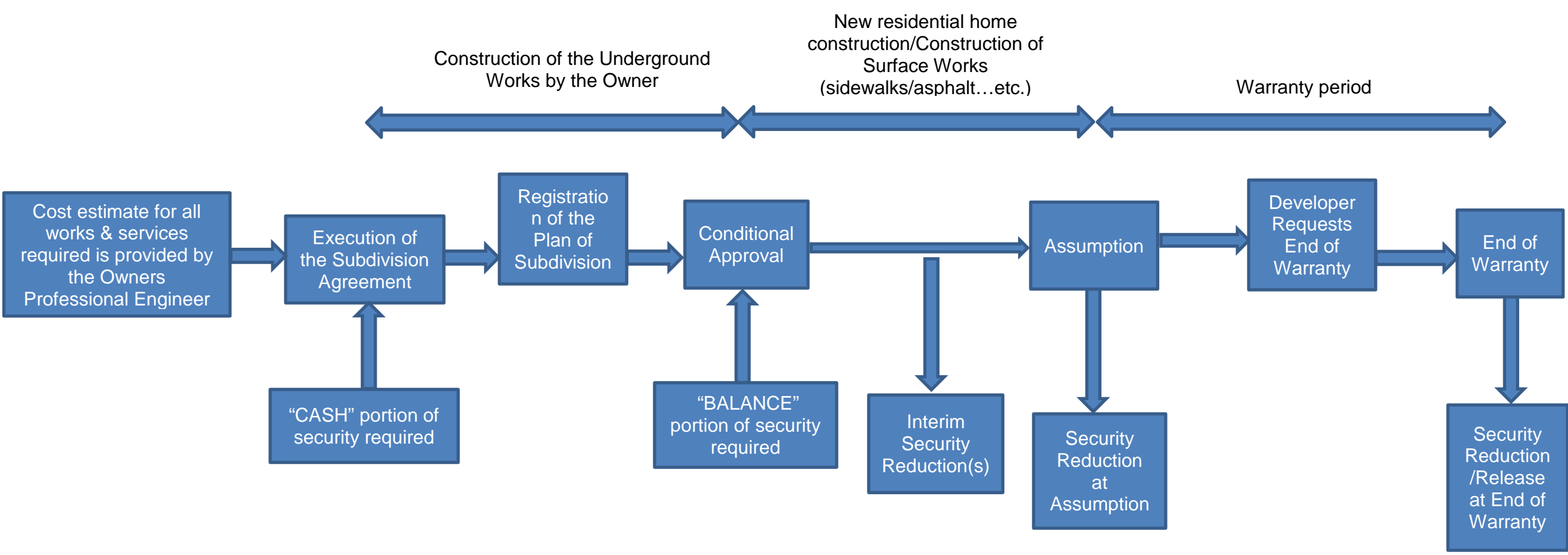
In the event an Owner has deposited security with the City and the security is still

available to the City after seven (7) years of receipt of such security, with no activity (correspondence...etc.) related to the development within the preceding two (2) years, the City may at its option, follow the below procedure for clearing such security:

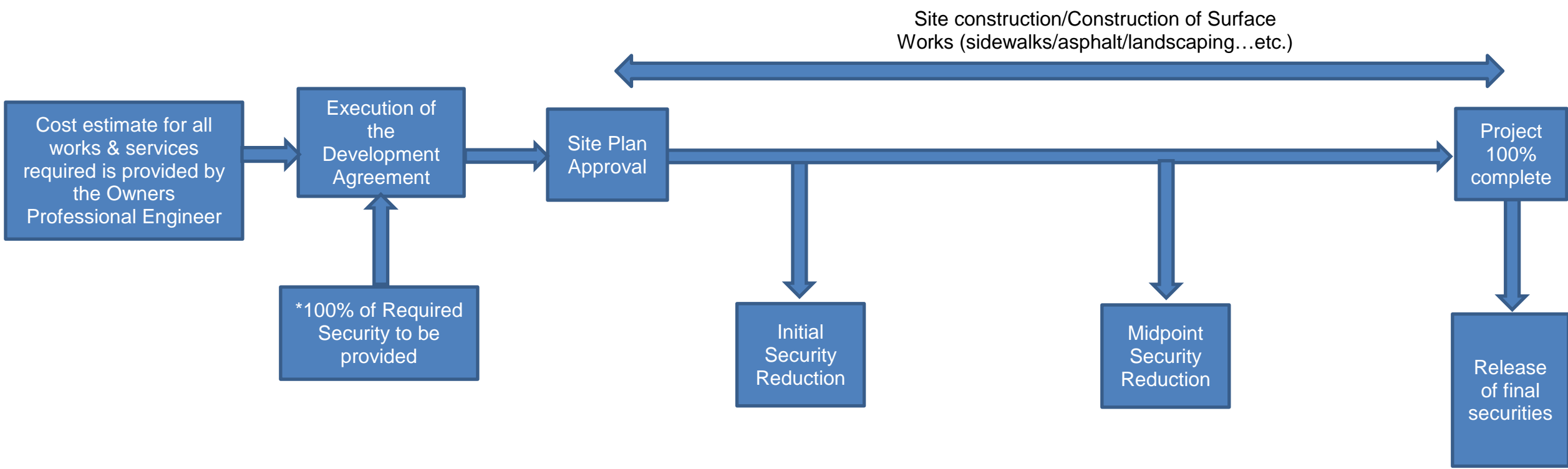
- 1) The City will review the applicable agreement to determine the need to retain the security in question;
- 2) The City shall provide notification to the Owner advising that the City is still holding security related to a development and advising the Owner of the requirements which would be required to be satisfied prior to release of securities. The letter shall request that the Owner provide acknowledgement within 60 days of said notification;
- 3) If the Owner acknowledges the letter in (4.6(2)) and provides sufficient information indicating steps to be taken by the Owner to satisfy the remaining requirements of the relevant agreement, then no further action will be taken;
- 4) If no acknowledgement is received within the 60 days specified, the City will provide notice in a local weekly newspaper (i.e. "The Londoner") identifying that security is still being held with respect to the development and indicating for parties with an interest in such security to contact the City as appropriate to arrange for the release of security subject to the completion of any outstanding obligations of the relevant agreement, to the satisfaction of the City. A date will be provided in the advertisement by which to contact the City.
- 5) If left unclaimed, the security will be drawn and deposited into a designated City account and the Owner shall be deemed to forfeit any further right to release of such security.

Appendix - A

Subdivision & Development Agreement
Process Flow Charts



SUBDIVISION SECURITY
PROCESS FLOW CHART



**The timing of the deposit of security for development agreements shall be as per Chapter 2 – Development Agreements*

DEVELOPMENT AGREEMENT
SECURITY PROCESS FLOW
CHART



Appendix - B

Subdivision Security Calculation



SUBDIVISION SECURITY CALCULATION

Subdivision Name:
33M#:
Developer:
No. of Lots:

Date of Plan Registration:
Date:
Reduction #:
No. of Blocks:

SECTION 1		COST ESTIMATE	
ITEM #	ITEM	TOTAL COST OF WORK	NOTES
Works & Services			
1	Street "A"	\$0	
2	Street "B"	\$0	
3	Street "C"	\$0	
4	Street "D"	\$0	
5	Parkland & Open Space	\$0	
6	Noise Attenuation	\$0	
7	External Road Works	\$0	
8	Other:	\$0	
9	Other:	\$0	
10	Other:	\$0	
11	<i>SUBTOTAL - Works & Services</i>	<i>\$0</i>	
12	Contingency (5%)	\$0	
13	Engineering (10%)	\$0	
14	HST (13%) on Lines 11-13	\$0	
15	<i>TOTAL - Works & Services</i>	<i>\$0</i>	
Miscellaneous Items			
16	Tree Planting	\$0	
17	Temporary Turning Circle Removal	\$0	
18	SWM Maintenance & Monitoring	\$0	
19	Erosion and Sediment Control Measures	\$0	
20	Other:	\$0	
21	<i>TOTAL - Miscellaneous Items</i>	<i>\$0</i>	

SECTION 2		SECURITY REQUIREMENTS
1	Works & Services	\$0
2	Miscellaneous Items	\$0
3	TOTAL SECURITY REQUIRED:	\$0

SECTION 3		SECURITY CALCULATION
CASH Calculation:		
<i>(Provided prior to execution of the subdivision agreement)</i>		
15% of Total SECURITY REQUIRED:		\$0
TOTAL CASH:		\$0
BALANCE Calculation:		
<i>(Provided prior to issuance by the City of a "Certificate of Conditional Approval")</i>		
100% of Total Security Required:		\$0
(Less) CASH Portion:		\$0
TOTAL BALANCE:		\$0

APPENDIX – C

Subdivision Security Reduction Calculation



SUBDIVISION SECURITY REDUCTION CALCULATION

Subdivision Name:
33M#:
Developer:
No. of Lots:

Date of Plan Registration:
Date:
Reduction #:
No. of Blocks:

SECTION 1 COST ESTIMATE - TRACKING SUMMARY						
ITEM #	ITEM	TOTAL COST OF WORK	VALUE OF WORK COMPLETED TO DATE	VALUE OF WORK REMAINING	PERCENTAGE COMPLETED TO DATE	NOTES
Works & Services						
1	Street "A"	\$0	\$0	\$0	0%	
2	Street "B"	\$0	\$0	\$0	0%	
3	Street "C"	\$0	\$0	\$0	0%	
4	Street "D"	\$0	\$0	\$0	0%	
5	Parkland	\$0	\$0	\$0	0%	
6	Noise Attenuation	\$0	\$0	\$0	0%	
7	External Road Works	\$0	\$0	\$0	0%	
8	Other:	\$0	\$0	\$0	0%	
9	Other:	\$0	\$0	\$0	0%	
10	Other:	\$0	\$0	\$0	0%	
	SUBTOTAL - Works & Services	\$0	\$0	\$0	0%	
12	Contingency (5%)	\$0	\$0	\$0	0%	
13	Engineering (10%)	\$0	\$0	\$0	0%	
14	HST (13%) on Lines 11-13	\$0	\$0	\$0	0%	
	TOTAL-Works & Services	\$0	\$0	\$0	0%	
Miscellaneous Items						
16	Tree Planting	\$0	\$0	\$0	0%	
17	Temporary Turning Circle Removal	\$0	\$0	\$0	0%	
18	SWM Maintenance & Monitoring	\$0	\$0	\$0	0%	
19	Erosion and Sediment Control Measures	\$0	\$0	\$0	0%	
20	Other:	\$0	\$0	\$0	0%	
	TOTAL - Miscellaneous Items	\$0	\$0	\$0	0%	

SECTION 2 SECURITY REQUIREMENTS							
1	Works & Services	<i>(Value of Work Remaining - Section 1 - Line 15)</i>				\$0	
2	Miscellaneous Items	<i>(Value of Work Remaining - Section 1 - Line 21)</i>				\$0	
3	Adjustment for Inflation					\$0	
4	Construction Lien Act Holdback	Advertised:				\$0	
		Un-Advertised:				\$0	\$0
5	Maintenance Holdback <i>(5% of Works & Services completed to date)</i>	Percentage of Work Assumed:				0%	\$0
6	End of Warranty Holdback <i>(2.5% of Works & Services completed to date)</i>	Percentage of Work Out of Warranty:				0%	\$0
7	TOTAL SECURITY REQUIRED:					\$0	

SECTION 3 SECURITY REDUCTION SUMMARY							
1	CASH :	<i>(insert financial information here i.e. CASH, Letter of Credit#...etc)</i>				\$0	
2							
3	BALANCE :	<i>(insert financial information here i.e. CASH, Letter of Credit#...etc)</i>				\$0	
					TOTAL SECURITY HELD:	\$0	
					TOTAL SECURITY REQUIRED:	\$0	
					TOTAL REDUCTION:	\$0	

APPENDIX – D

Example Letter of Credit

IRREVOCABLE AND UNCONDITIONAL LETTER OF CREDIT

TO: The Corporation of the City of London (DATE)
P.O. Box 5035
London, ON N6A 4L9

Pursuant to the request of our customer (**name of Subdivider/Developer**) we the undersigned (**name of Financial Institution**) hereby establish unconditionally an irrevocable line of credit in your favour in the total amount of (**amount of Security**) which may be drawn on by you to the extent required in connection with every term and condition of the (**type of Agreement: Subdivision/Development**) Agreement with you dated (**Date**) and registered (**Date**) as Number (**Registration Number**) pertaining to [**For Subdivision Insert: Registered Plan (Plan Number)**], otherwise called (**Subdivision Name**)/(for Development insert type and municipal address of Development).

The amount of this credit may be reduced from time to time as advised by notice in writing given by you to the undersigned. It is understood that this obligation is between (**Name of Financial Institution**) and the Corporation of the City of London and any such notice shall not be used for any other purpose than set forth herein.

Drawings under this letter of credit shall be in the form of a written demand for payment made by the Corporation of the City of London. We shall pay to you the amount stated in the said demand, to be payable to you by way of our draft, without enquiring whether you have a right to such amount as between yourself and our customer, provided that such amount, together with other amounts paid to you under this letter of credit, if any, does not exceed in the aggregate that total amount of this letter of credit, reduced if at all in accordance with your written notice referred to above.

This letter of credit shall continue up to (**Expiry Date**) and will expire on that date and you may call for payment of the full amount outstanding under this letter of credit at any time prior to that date. This letter of credit and every extension thereof shall be deemed to be automatically extended without amendment to such expiry date or any future expiration date, unless at least 60 days prior to any expiration date that we notify you in writing by registered mail that we elect not to extend this Irrevocable and Unconditional Letter of Credit or any extension thereof after it expires. Upon receipt by you of such notice, you may draw hereunder by means of your demand accompanied by your written certification that the amounts drawn will be retained and used by you to meet obligations incurred or to be incurred in connection with the matter referred to in the first paragraph above; further, that you will release any amount not required by you.

Except so far as otherwise expressly stated, this credit is subject to the Uniform Customs and Practice for Documentary Credits (1993 Revision), International Chamber of Commerce, Publication No. 500.

FOR: (FINANCIAL INSTITUTION)

(Authorized Signatures)

APPENDIX – E

Development Agreement Security Calculation



DEVELOPMENT AGREEMENT SECURITY CALCULATION

Development Address:
Agreement No.:
Developer:

Date:

SECTION 1		COST ESTIMATE - TRACKING SUMMARY	
ITEM #	ITEM	TOTAL COST OF WORK	NOTES
INTERNAL WORKS			
<i>Works & Services</i>			
1	Curbs	\$0	
2	Surface Asphalt	\$0	
3	Base Asphalt	\$0	
4	Sidewalks	\$0	
5	Topsoil & Sod	\$0	
6	Illumination	\$0	
7	Signage	\$0	
8	Landscaping	\$0	
9	Other:	\$0	
10	SUBTOTAL - Works & Services	\$0	
11	Contingency (5%)	\$0	
12	Engineering (10%)	\$0	
13	HST (13%) on Lines 10-12	\$0	
14	TOTAL - Works & Services	\$0	
<i>Miscellaneous Items</i>			
15	Tree Preservation	\$0	
16	Other:	\$0	
17	TOTAL - Miscellaneous Items	\$0	
18	TOTAL - Internal Works	\$0	
<i>External Works</i>			
19	External Road Works	\$0	
20	Other:	\$0	
21	SUBTOTAL - External Works	\$0	
22	Contingency (5%)	\$0	
23	Engineering (10%)	\$0	
24	HST (13%) on Lines 21-23	\$0	
25	TOTAL - External Works	0.00	
SECTION 2		SECURITY REQUIREMENTS	
1	Internal Works	\$0	
2	External Works	\$0	
3	TOTAL SECURITY REQUIRED:	\$0	



DEVELOPMENT AGREEMENT SECURITY REDUCTION CALCULATION

Development Address:
Agreement No.:
Developer:

Date:
Reduction No.:

SECTION 1 COST ESTIMATE - TRACKING SUMMARY						
ITEM #	ITEM	TOTAL COST OF WORK	VALUE OF WORK COMPLETED TO DATE	VALUE OF WORK REMAINING	PERCENTAGE COMPLETED TO DATE	NOTES
Works & Services						
1	Curbs	\$0	\$0	\$0	0%	
2	Surface Asphalt	\$0	\$0	\$0	0%	
3	Base Asphalt	\$0	\$0	\$0	0%	
4	Sidewalks	\$0	\$0	\$0	0%	
5	Topsoil & Sod	\$0	\$0	\$0	0%	
6	Illumination	\$0	\$0	\$0	0%	
7	Signage	\$0	\$0	\$0	0%	
8	Landscaping	\$0	\$0	\$0	0%	
9	External Road Works	\$0	\$0	\$0	0%	
10	Other:	\$0	\$0	\$0	0%	
11	SUBTOTAL - Works & Services	\$0	\$0	\$0	0%	
12	Contingency (5%)	\$0	\$0	\$0	0%	
13	Engineering (10%)	\$0	\$0	\$0	0%	
14	HST (13%) on Lines 7-9	\$0	\$0	\$0	0%	
15	TOTAL-Works & Services	\$0	\$0	\$0	0%	
Miscellaneous Items						
16	Tree Preservation	\$0	\$0	\$0	0%	
17	Other:	\$0	\$0	\$0	0%	
18	TOTAL - Miscellaneous Items	\$0	\$0	\$0	0%	

SECTION 2 SECURITY REQUIREMENTS			
1	Works & Services	<i>(Value of Work Remaining - Section 1 - Line 15)</i>	\$0
2	Miscellaneous Items	<i>(Value of Work Remaining - Section 1 - Line 19)</i>	\$0
3	Adjustment for Inflation		\$0
4	TOTAL SECURITY REQUIRED:		\$0

SECTION 3 SECURITY REDUCTION SUMMARY		
1		
2	<i>(insert financial information here i.e. CASH, Letter of Credit#...etc)</i>	\$0
3		
		TOTAL SECURITY HELD: \$0
		TOTAL SECURITY REQUIRED: \$0
		TOTAL REDUCTION: \$0

APPENDIX B6

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-164-416
being "Assumption of Works and Services".

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-164-416 being "Assumption of Works and Services" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-164-416 being "Assumption of Works and Services" is hereby amended by deleting Appendix 'C(83)' to CPOL.-164-416 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Assumption of Works and Services

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-164-416)

Last Review Date: June 11, 2018

Service Area Lead: Director, Development Services

1. Policy Statement

The Assumption of Works and Services Policy is intended to outline the formal assumption of works and services by the City of London.

2. Definitions

Not applicable.

3. Applicability

This policy applies to all works and services that are assumed by the City from land developers.

4. The Policy

By-laws to assume works and services in part, or all, of a subdivision will be included on the Orders of the Day upon receipt of advice from the City Engineer that the works and services have been completed to the City's specifications.

APPENDIX B7

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-169-421
being "Street Cleaning in Unassumed Subdivisions".

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-169-421 being "Street Cleaning in Unassumed Subdivisions" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-169-421 being "Street Cleaning in Unassumed Subdivisions" is hereby amended by deleting Appendix 'C(88)' to CPOL.-169-421 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Street Cleaning in Unassumed Subdivisions

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-169-421)

Last Review Date: June 11, 2018

Service Area Lead: Director, Development Services

1. Policy Statement

The Street Cleaning in Unassumed Subdivisions Policy is intended to provide direction in circumstances that street cleaning is required by the City of London to address dirty conditions and situations whereby a developer fails to respond to a direction from the City.

2. Definitions

Not applicable.

3. Applicability

This policy applies to subdivision land developers for the period until streets are assumed by the City.

4. The Policy

That following matters shall apply to the cleaning of streets in unassumed subdivisions:

- a) when the City Engineer or designate believes that dirty street conditions in unassumed subdivisions require such streets to be cleaned by the developer involved, the City Engineer or designate will first contact the responsible developer and ask for their co-operation in remedying the conditions;
- b) where developers fail to respond in a timely manner and the unacceptable conditions persist, the City Engineer or designate be authorized to clean the dirty streets without further notice to the developer and to bill them for the costs of cleaning on the understanding that if the invoice is not paid, City held securities will be applied to pay the invoice;
- c) the City Engineer or designate be directed to notify developers in the City of London, in writing, about the policy set out herein before it is implemented.

APPENDIX B8

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-171-423 being "Third Party Billing – City of London Contracts".

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-171-423 being "Third Party Billing – City of London Contracts" to for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-171-423 being "Third Party Billing – City of London Contracts" is hereby amended by deleting Appendix 'C(90)' to CPOL.-171-423 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Third Party Billing – City of London Contracts

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-171-423)

Last Review Date: June 11, 2018

Service Area Lead: Director, Development Services

1. Policy Statement

The Third Party Billing – City of London Contracts Policy is intended to clarify that the City of London will not be responsible for the payment of accounts for third parties performing work for an entity or individual under contract with the City.

2. Definitions

Not applicable.

3. Applicability

This policy applies to third parties performing work for an entity or individual under contract with the City and to the contractor.

4. The Policy

When third parties are having work performed under City of London contracts, including all tenant upgrades for third parties, the contractor will be instructed to bill any such third parties directly rather than having the City pay the accounts and then recover the amounts paid from the third party.

APPENDIX B9

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-223-475 being "Residential Front Yard and Boulevard Parking".

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-223-475 being "Residential Front Yard and Boulevard Parking" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-223-475 being "Residential Front Yard and Boulevard Parking" is hereby amended by deleting Appendix 'C(32)' to CPOL.-223-475 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Residential Front Yard and Boulevard Parking

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-223-475)

Last Review Date: June 11, 2018

Service Area Lead: Director, Development Services

1. Policy Statement

The Residential Front Yard and Boulevard Parking Policy sets out Council's position with respect to the creation of Front Yard and Boulevard Parking in the City. These two types of parking are allowed by the City only on an "exception basis", and this policy includes criteria for consideration of such exceptions, standards relating to these types of parking, an approval process, a standard form agreement and an enforcement process.

Zoning or Minor Variance Exception

Front yard portions of private land may be used for parking areas according to the regulations and standards set out in the City of London Comprehensive Zoning By-law(s) or as a result of an approved minor variance.

Combined Zoning/Minor Variance and Boulevard Parking Agreement Exception

When a situation exists where the proposed parking area is partly on the owner's land and partly on the boulevard portion of the public highway, the owner must obtain both a minor variance and a boulevard parking agreement. In these cases if the Committee of Adjustment grants the minor variance it will contain a condition requiring the owner to enter into the boulevard parking agreement without a separate approval for it being required from the Council.

Boulevard Parking Agreement Exception

Boulevard portions of public highways may be used for parking areas with the approval of Council and in accordance with terms and conditions set out in an agreement that is entered into between the City and the owner of the property adjoining the boulevard part of the highway/street.

The Corporation of the City of London generally prohibits the use of the front yard or of the boulevard for the parking of motor vehicles in single detached, semi-detached, duplex, triplex or street townhouse residential areas. Exceptions to this policy may only be granted where the applicant has obtained approval for a minor variance from the Committee of Adjustment or for use of the boulevard from Council, and where such parking complies with the policies outlined herein.

2. Definitions

- 2.1. **Boulevard** - shall mean that portion of every road allowance within the limits of the City of London that is not used as a sidewalk, driveway, travelled roadway or shoulder.
- 2.2. **City** - shall mean the geographical area of the City of London.
- 2.3. **Corporation** - shall mean The Corporation of the City of London.
- 2.4. **Council** - shall mean the Municipal Council of the City of London.
- 2.5. **Driveway** - shall mean the physically designated area lying between the roadway and the lot line on the boulevard and between the lot line and the parking area on the lot used primarily for vehicular ingress from the roadway to the private property or for vehicular egress from the property to the roadway.

- 2.6. **Front Yard** - shall mean those lands extending across the full width of a lot between the front lot line and the nearest main wall of any building or structure on the lot.
- 2.7. **Owner** - shall mean any property owner or their authorized agent who applies to the Corporation for permission to park on a portion of the Corporation's boulevard.
- 2.8. **Parking Area** - shall mean that area which, in whole or part uses the front yard and/or boulevard for the temporary parking of motor vehicles accessory to a permitted use.
- 2.9. **Roadway** - shall mean the part of a highway that is improved, designated or ordinarily used for vehicular traffic, but does not include the shoulder, and where a highway includes two or more separate roadways, the term "Roadway" refers to any one road way separately and not to all the roadways collectively.

3. **Applicability**

This policy applies to Owners seeking an opportunity to park on a portion of the Corporation's Boulevard.

4. **The Policy**

4.1. GENERAL

The following provides for the transitional provisions from the existing boulevard parking agreements to new ones where a "grandfathering" option is chosen by the property owners:

- a) property owners with residential boulevard parking agreements be required to pay any outstanding rental charges for existing residential boulevard parking up to December 31, 1995 on the understanding that rental charges remitted to the City by that date will make those owners eligible for the "grandfathering" of existing residential boulevard parking agreements; and
- b) eligible property owners with existing residential boulevard parking agreements wishing to "grandfather" such parking arrangements in order to allow them to be continued, be required to enter into a revised Standard Form Boulevard Parking Agreement on the understanding that the by-law authorizing the execution of these revised agreements will be registered by the City Clerk on the title of the abutting property at the expense of the owner involved as regards the payment of the \$50.00 registration fee.

4.2. CRITERIA FOR CONSIDERATION OF EXCEPTIONS

4.2.1. Suitable Alternatives

The approval of front yard or boulevard parking will not be supported by Council where a suitable alternative exists for parking entirely on the owner's property, as described in one or more of the following situations:

- a) Tandem parking is available in a legal existing driveway when the land use is single detached dwellings;
- b) The use of rear service lanes is possible where such lanes are accessible and in use by more than one property owner;
- c) The removal of, alteration to or relocation of accessory buildings or structures, fences and landscaping will result in the accommodation of parking entirely on the owner's property; and/or

- d) The side and/or rear yard of the lot can be used for a parking area, provided such parking area does not occupy more than 25% of the total lot area.

4.2.2. Criteria for Approval of an Exception

The approval of a front yard or boulevard parking exception may be supported by Council where the application for an exception meets the following criteria:

- a) None of the parking area alternatives described in Section 3.1 of this policy are available;
- b) The parking area exception conforms to the general intent and purpose of the Official Plan policies and Zoning By-law regulations;
- c) The parking area exception is generally in compliance with the purpose and intent of the Streets By-law;
- d) The change to the Zoning By-law regulations for the residential parking area is minor;
- e) The parking area is generally in keeping with the scale and form of parking on surrounding properties and will have minimal negative impact on existing vegetation and/or municipal services.

4.2.3. Front Yard and Boulevard Parking Standards

The following minimum and maximum standards apply to parking area exceptions. They are intended to generally reflect the standards currently found in the Zoning By-law as they apply to parking areas for single, semi-detached, duplex, converted two (2) unit type dwellings.

No parking area will be approved which conflicts with any by-laws or regulations of the City of London.

- a) Number of Boulevard Parking Spaces (max.) - 1 per legal dwelling unit
- b) Parking Area size (min.) - 2.7 meters (8.8 feet) wide by 5.5 meters (18.0 feet) long.
- c) Parking Area and Driveway Width (max.) - maximum 6.0 m. (19.7 feet) or 40% of the front lot line whichever is less but in no case less than 2.7 meters (8.8 feet).
- d) Parking Area Lot Coverage (max.) - 40% of the land area between the front of the main building and the roadway.
- e) The Parking Area length shall not be permitted parallel to the street line.
- f) The Parking Area shall not be permitted closer than 1.0 m. (3.0 feet) from an existing or future public sidewalk.
- g) In the case of corner properties, where a driveway would be constructed within 10 meters (30 feet) from the intersecting road allowance, approval for permission will be at the discretion of the City Engineer subject to the provisions of the Streets By-law (By-law S-1).
- h) All parking areas and driveways shall be provided and maintained with a stable surface, treated to prevent the raising of dust or loose particles, such as any asphalt, concrete or other hard-surfaced material.

- i) The Corporation reserves the right to require landscaping, fencing and buffering on and around the parking area and/or to require the preparation by the owner of a site plan for the parking area.

4.3. EXCEPTION POSSIBILITIES

- 4.3.1. Where the parking area is entirely in the front yard of private lands, an application to the Committee of Adjustment for a minor variance to the Zoning By-law is required. No Boulevard Parking Agreement is required for part of a driveway leading to a legal on-site parking space.
- 4.3.2. When any part of the parking area can be accommodated on private lands, this too requires an application to the Committee of Adjustment for a minor variance to the applicable Zoning By-law. In addition, as a condition of minor variance approval, the owner must enter into a Standard Form Boulevard Parking Agreement with the Corporation. The final approval of the minor variance will allow the City Clerk to prepare an agreement between the Corporation and the applicant without further approvals.
- 4.3.3. Where the parking area can only be accommodated entirely on the public boulevard, an application to the Planning and Environment Committee of the Council, through the City Clerk's Office for boulevard parking is required. Development Services will prepare and present a report to the Planning and Environment Committee at a public meeting. The Planning and Environment Committee will then recommend approval or refusal of the application to the Council, and the Council will make the final decision.

4.4. PROCESS FOR CONSIDERATION OF EXCEPTIONS TO FRONT YARD AND BOULEVARD PARKING

The decision to grant front yard and/or boulevard parking is based on a process which includes comments from the applicant, municipal staff, neighbouring property owners, and the public. This approach recognizes the standards set out in Section 2 of this policy and the possibility of unique neighbourhood expectations about the parking area.

- 4.4.1. The application fees for both a minor variance and a boulevard parking agreement are set in the Fees and Charges By-law, as amended from time to time. All application fees are non-refundable. Where the exception involves a boulevard parking agreement, the applicant must also provide the City Clerk with a cheque in the required amount made payable to the City Treasurer to cover the costs for the registration of the agreement on title through a by-law instrument.
- 4.4.2. Any application for front yard and boulevard parking must include a plan prepared to scale showing the location of the buildings, trees, public utilities, landscaping, adjoining properties and building locations where possible and the dimensions of the proposed parking area. This plan must be suitable for inclusion in the Standard Form Boulevard Parking Agreement to be entered into between the owner and the Corporation. It is strongly recommended that the plan be based on a survey drawing of the property because it is the responsibility of the owner to ensure that there are no encroachments onto adjacent properties.
- 4.4.3. Applications that are going to the Committee of Adjustment because they require a minor variance will be circulated by the Secretary-Treasurer of the said Committee in accordance with the Regulations under the *Planning Act* (to various Civic Departments, outside agencies and to all property owners within 60 meters (200 feet) of the applicant's property). Applications that are going to a public participation meeting of the Planning and Environment Committee because a boulevard parking agreement is required will also be

circulated to all property owners within 60 meters (200 feet) of the applicant's property and to the Environmental and Engineering Services, and Development Services.

4.4.4. A public meeting of either the Committee of Adjustment or of the Planning and Environment Committee is normally held within 30 days of the application being received, at which the applicant and any interested surrounding property owners would be invited to comment on the appropriateness and desirability of the front yard or boulevard parking application.

4.4.5. For minor variance exceptions to front yard parking, the decision of the Committee of Adjustment may be appealed to the Ontario Municipal Board. For boulevard parking exception applications, the decision of Council is final and binding.

4.5. BOULEVARD PARKING AGREEMENT

4.5.1. The conditions of agreement will be those contained in the Standard Form Boulevard Parking Agreement adopted by City Council as amended from time to time.

4.5.2. When the Boulevard Parking Agreement has been fully executed by the applicant, the City Clerk will prepare and submit to the Council a standard form executory by-law to authorize the execution of the Boulevard Parking Agreement by the Corporation. Upon enactment of the by-law by the Council, the Corporation will sign the Agreement after which, and subject to

- a) the receipt from the applicant by the City Clerk of the registration fee referred to in section 4.1 of this Policy; and
- b) written advice from Development Services that it is appropriate to proceed

the City Clerk will register the Boulevard Parking By-law and Agreement on the title of the property. The City Clerk will provide the applicant with a copy of the registered by-law/agreement showing all the registration particulars.

4.5.3. Boulevard Parking Agreements will be without a term certain and will run with the land upon which they are registered provided the parties to the agreement are in accord, and all of the conditions of Corporation as set out in the agreement have been and are being complied with to the satisfaction of the City Engineer.

4.6. CONSTRUCTION OF THE PARKING AREA

4.6.1. The removal of a City curb is to be done by City Forces at the owner's expense after a curb cut permit is obtained from the City Engineer. Paving, removal of trees and relocation of utilities, or any other construction work is to be arranged by the owner through the affected City Department, utility or agency, at the owner's expense, on the understanding that the approval of the City Engineer must be obtained before commencement of any construction work that is required.

4.6.2. In the event that trees or utilities must be removed or relocated, written approval must be obtained by the owner from the appropriate authority before the application will be processed.

4.7. FRONT YARD AND BOULEVARD PARKING ENFORCEMENT

4.7.1. Parking on the boulevard or in the front yard shall not begin:

- a) in the case of parking under a boulevard parking agreement, until the City Clerk has completed registration of the by-law/boulevard parking agreement instrument in the Registry Office, or
- b) in the case of parking under a minor variance, until the decision of the Committee of Adjustment (or of the Ontario Municipal Board where there is an appeal) is final.

4.7.2. Violations of any of the provisions in the Zoning By-law, the Traffic By-law or the Streets By-law with respect to front yard and boulevard parking shall be enforced at the discretion of the municipal enforcement agencies.

4.7.3. In situations where a decision is reached not to approve front yard or boulevard parking, the City Engineer may close illegal accesses with proper curbing and restore the appearance of the area as a proper boulevard at the expense of the offending property owner.

4.7.4. Where no boulevard parking agreement has been finalized on the basis outlined in paragraph 4.5.2 of this policy, the Corporation reserves the right to erect, temporarily, any obstacles necessary to prevent the use of the boulevard for parking, and, at the same time, the City Clerk may recommend to the Planning and Environment Committee that the original approval for such owner's agreement to park on the boulevard be rescinded.

APPENDIX B10

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-215-467
being "Commemorative Street Naming Policy".

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-215-467 being "Commemorative Street Naming Policy" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-215-467 being "Commemorative Street Naming Policy" is hereby amended by deleting Appendix 'C(24)' to CPOL.-215-467 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Commemorative Street Naming Policy

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-215-467)

Last Review Date: June 11, 2018

Service Area Lead: Director, Development Services

1. Policy Statement

The Commemorative Street Naming Policy is intended to provide guidance for the naming of commemorative streets after:

- person(s) associated with the City of London;
- commemorative local history, organizations, places, events or culture;
- demonstration of excellence, courage, or exceptional service to the citizens of the City of London;
- significant financial contributions to a park or facility and the contribution significantly benefits the community that the park or facility serves that would not have been possible otherwise;
- neighbourhood identity and community commitment; and,
- recognized native wildlife, flora, fauna or natural features related to the community and the City of London.

2. Definitions

Not applicable.

3. Applicability

This policy applies to all proposals for commemorative street naming in the City of London.

4. The Policy

- a) Proposals for commemorative street names shall be submitted to the Director, Development Services for consideration.
- b) Commemorative streets shall not use corrupted or modified names, or names associated with controversial or divisive persons or views;
- c) A short list of names shall be randomly selected on an annual basis and reviewed for conflicts with existing street names;
- d) Streets so chosen to be identified as a commemorative street shall bear an approved commemorative street sign;
- e) Approval of a proposed commemorative street name shall be the responsibility of the Director, Development Services, or their designate, in consultation with the Municipal Addressing Advisory Group (MAAG); and,
- f) This policy is not a substitution of recognition for that of the Streets of Honour Street Name Policy and this policy operates independently of that policy.

APPENDIX B11

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-90-342 being
“Drawing Review Fees”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-90-342 being “Drawing Review Fees” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-90-342 being “Drawing Review Fees” is hereby amended by deleting Appendix ‘C(8)’ to CPOL.-90-342 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Drawing Review Fees

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-90-342)

Last Review Date: June 11, 2018

Service Area Lead: Director, Development Services

1. Policy Statement

The Drawing Review Fees policy is intended to establish the requirements for engineering drawing review and the parameters for fees associated with the review.

2. Definitions

Not applicable.

3. Applicability

This policy applies to land owners and their engineering consultants that are submitting designs for acceptance by the City as part of the subdivision development process.

4. The Policy

4.1. ENGINEERING DRAWING SUBMISSION REQUIREMENTS AND REVIEW FEES FOR PLANS OF SUBDIVISION

Whenever an applicant submits servicing plans, drawings or specifications related to the detailed design of approved plans of subdivision for review and acceptance by the City, the following requirements are to be met:

a) 1st Submission Minimum Criteria

1st submission servicing drawings will not be received and/or deemed complete by the City until:

- i) The submission shall meet the requirements for a Complete Servicing Drawing Package submission defined under the File Manager Subdivision Approval Process including, but not limited to, the Engineering Drawing 1st Submission Manifest, minimum of six sets of servicing drawing plans, supporting analysis, accepted design studies (as applicable), draft 33-M Plan, any additional calculations and supporting information, pertinent forms, and fees;
- ii) Payment of a fee calculated per section d) and the Fees and Charges By-Law A-51 (as amended from time to time),
- iii) All submissions shall include digital copies of the complete submission, and;
- iv) Submissions are put through a cursory review for base quality standards in an effort to ensure drawings are of a level of clarity that allows the drawing reviewer to conduct their review. Drawings are reviewed for quality with a focus on any obvious omissions, ambiguities or illegibility that could notably hinder a review. For example:
 - Drawings are legible (i.e. no text-on-top-of-text, text fuzzy or too small, sewer design sheets too small to read).
 - Drawings include supporting design details for obvious elements (i.e. pump stations, retaining walls, booster stations, road cross sections, SWM pond details, check valve detail, etc.). In some

cases, missing elements may not be determined until detailed review.

- Drawings are stamped by a Professional Engineer.

b) Subsequent Submissions

- i) The submission shall meet the requirements for a Complete Servicing Drawing Package submission defined under the File Manager Subdivision Approval Process including, but not limited to, minimum of four sets of servicing drawing plans, additional information identified in the redline comments letter, redline comment letter response, pertinent forms and fees;
- ii) Payment of a fee calculated per section d) and the Fees and Charges By-Law A-51 (amended from time to time),
- iii) All submissions shall include digital copies of the complete submission.

c) Subdivision Drawing Review Fee Policy

- i) The Managing Director, Development and Compliance Services or designate shall determine the required fees for the service provided by the review calculated in accordance with section d) of this Policy and the Fees and Charges By-Law A-51 (as amended from time to time) and the applicant shall pay such fees. The fees are reflective of the principle that the fees are based on the scale of the development and the associated servicing designs to be reviewed.
- ii) Any fees paid under this Policy are not eligible for claim from any City sources of financing such as a Development Charges Reserve Fund. Any failure to pay all or part of any fee paid under this Policy is not eligible for interest charges or other penalties. However any such failure will result in submissions returned to the applicant without review.
- iii) In all cases the fee must be provided with the submission in order to deem the submission package complete. However under special circumstances as outlined in section c)(iv) of this Policy, the Managing Director, Development and Compliance Services or designate may elect to exempt any or all of the fees at their discretion in which case all or part of the fee will be returned. The fee will be held until the review has been completed.
- iv) In the case of withdrawal of a submission, the abandonment of all or a portion of the work, the non-commencement of any review, or a nominal review of a submission, pursuant to this Policy, the fees that may be refunded as follows:
 - a) Fees shall be 100% refunded if the submission is withdrawn prior to commencement of review.
 - b) If the review has commenced, no refund shall be made of the fees paid except as allowed under this Policy.
 - c) Under special circumstances, the Managing Director, Development and Compliance Services or designate shall determine whether a portion of the paid fees may be refunded to the applicant and may elect to refund said portion at their discretion.
 - d) Some minor adjustments or 'final polishing' may occur at the acceptance stage at the discretion of the Managing Director, Development and Compliance Services or designate. A drawing

submission fee payment is required for these submissions; however, should only a nominal review be needed the Managing Director, Development and Compliance Services or designate shall determine the amount of paid fees that may be refunded to the applicant, if any, in accordance with this Policy.

d) Fee Calculation

The drawing review fees shall be calculated in accordance with the Fees and Charges By-Law A-51 (as amended from time to time), based on the formula given below, unless otherwise specified in this schedule.

$$\text{Drawing Review Fee (rounded to nearest dollar)} = \text{LB} \times \text{LB Rate}$$

Where **LB** = the total number of lots and blocks in the subdivision exclusive of 0.3m reserve blocks and **LB Rate** = the rate as identified in the Fees and Charges By-Law A-51 (as amended from time to time).

4.2. INTERPRETATION

The following explanatory notes are to be observed in the calculation of drawing review fees:

- a) Fees for the review of subdivision servicing drawings not described or included in this schedule shall be determined by the Managing Director, Development and Compliance Services or designate.
- b) Lots and blocks mean any tracts of land within the subdivision defined by a PIN (property identification number) and do not include properties external to the subdivision or 0.3m reserve blocks.
- c) Submission #1 refers to the first time a set of drawings is submitted for review. Submission #2 refers to the first revised set with changes resulting from the first review. Submission #3 refers to the second revised set with changes resulting from the second review. And so on.
- d) Fees for drawings submitted in pursuit of a revised acceptance (i.e. drawings submitted for review after the drawings have already been accepted by the City in order to reflect a change in the design or the plan of subdivision) shall be reviewed on a case by case basis. Minor revisions will not be subject to any drawing review fees and will therefore not require a drawing review fee be provided with the submission in order to deem the submission complete.
- e) Above data includes only drawings related to subdivisions and does not include other types of submissions such as drawings related to capital works projects, consents, site plans, servicing agreements and Ministry of Environment and Climate Change Environmental Compliance Approvals.

4.3. PROJECT FEE EXAMPLE

If a consultant submits a set of drawings containing 45 Lots and 5 Blocks for review they would be charged the following:

1st submission - \$60 per Lot or Block for a total of \$3000.
2nd submission - \$60 per Lot or Block for a total of \$3000.
3rd submission (if needed) - \$60 per Lot or Block for a total of \$3000.
Total = \$9000

The above calculation assumes a LB Rate of \$60 per Lot or Block. Refer to Fees and Charges By-Law A-51 (as amended from time to time) for the current LB Rate.

APPENDIX B12

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-208-460
being "Street Naming - Streets of Honour".

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-208-460 being "Street Naming - Streets of Honour" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-208-460 being "Street Naming - Streets of Honour" is hereby amended by deleting Appendix 'C(17)' to CPOL.-208-460 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Street Naming - Streets of Honour

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-208-460)

Last Review Date: June 11, 2018

Service Area Lead: Director, Development Services

1. Policy Statement

The Street Naming – Streets of Honour Policy is intended to encourage the naming of new streets after City residents who served in the Armed Forces or the City Police or Fire Departments or Emergency Measures Services; City of London Employees, Council and Committee members who have served the City for a period of 25 years or more, and are retired and/or deceased; and recipients of the Mayor's Honour List.

2. Definitions

- 2.1. **Deceased Service People** - City residents who lost their lives in action while serving for the Armed Forces or the City Police or Fire Departments or Emergency Measures Services;
- 2.2. **War Veteran** - that person who has served in a war or as a peacekeeper and is from the City of London, who served with distinction, but does not necessarily need to be deceased; and is nominated by a Veterans Organization;
- 2.3. **The London Police Services, the London Fire Department and Emergency Measures Services** - includes names of deceased and/or retired members

3. Applicability

This policy applies to all proposals for Streets of Honour in the City of London.

4. The Policy

- a) Proposals for Streets of Honour shall be submitted to the Director, Development Services for consideration.
- b) Veteran Affiliates such as the Royal Canadian Legion, Canadian Armed Forces, etc., are requested to submit eligible names of people who have served at any time;
- c) The London Police Association, London Professional Fire Fighter's Association and City related Union Locals are requested to submit eligible names of people who have served at any time;
- d) A short list of names shall be randomly selected on an annual basis and reviewed for conflicts with existing street names;
- e) Subdivision developers shall be encouraged to draw upon the Streets of Honour list in their submissions for street name approval;
- f) Street names chosen as Streets of Honour shall be identified by a poppy or a City logo on the street sign.
- g) Where a development of 5 or more streets is being created, the developer shall be requested to name at least one street utilizing a street name on the Streets of Honour list.
- h) Except in exceptional circumstances, the Street Naming – Streets of Honour Policy shall not be applied retroactively to any street names.

APPENDIX B13

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-83-335 being
“Frequency of Garbage, Recyclable Material, Yard
Materials and Fall Leaf Collection”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-83-335 being “Frequency of Garbage, Recyclable Material, Yard Materials and Fall Leaf Collection” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-83-335 being “Frequency of Garbage, Recyclable Material, Yard Materials and Fall Leaf Collection” is hereby amended by deleting Appendix ‘C(1)’ to CPOL.-83-335 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Frequency of Garbage, Recyclable Material, Yard Materials and Fall Leaf Collection

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-83-335)

Last Review Date: June 11, 2018

Service Area Lead: Director – Environment, Fleet & Solid Waste

1. Policy Statement

The policy establishes the frequency of various collection services.

2. Definitions

Not Applicable.

3. Applicability

The policy applies to locations receiving various collection services.

4. The Policy

That the following policies be established in connection with the frequency of various collection services, namely:

- a) for large multi-family buildings, generally 25 units or more, garbage collection from any one point or building will be limited to a maximum of two per week, the second collection to be provided if requested by the building owner/representative. The second pickup is subject to a service fee established by Council through the Fees and Charges By-law;
- b) for large multi-family buildings, generally 25 units or more, recycling collection from any one point or building will be limited to once per week;
- c) the City provides one garbage and one recycling collection every six business days, excluding Statutory Holidays, for all other residences and commercial properties on residential curbside collection routes;
- d) the City provides nine (9) Green Week collections for yard waste, fall leaves and Christmas trees.

APPENDIX B14

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-84-336 being
“Citizens Unable to Take Out Garbage or Recyclable
Material”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-84-336 being “Citizens Unable to Take Out Garbage or Recyclable Material” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-84-336 being “Citizens Unable to Take Out Garbage or Recyclable Material” is hereby amended by deleting Appendix ‘C(2)’ to CPOL.-84-336 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Citizens Unable to Take Out Garbage or Recyclable Material

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-84-336)

Last Review Date: June 11, 2018

Service Area Lead: Director – Environment, Fleet & Solid Waste

1. Policy Statement

The policy establishes a protocol for citizens that are unable to take their garbage and/or recyclable material to the streetline.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to citizens that are unable to take their garbage and/or recyclable material to the streetline.

4. The Policy

That the following policies to accommodate citizens unable to take their garbage and/or recyclable material to the streetline be established, namely:

- a) persons wishing special accommodation for garbage and/or recyclable materials collection must make written application to the City Engineer or designate. All garbage to be collected from the property must be in regulation size polyethylene garbage bags and not in excess of 20 kilograms (44 lbs). The maximum number of garbage bags that will be collected per collection day from within the property is three (3). Yard waste, lawn cuttings, fall leaves or other refuse will only be collected from the curb;
- b) each application so received will be investigated and approved or rejected in writing by the City Engineer or designate;
- c) applicants will be required to set out in the application circumstances requiring special collection, location of collection point and number of residents to be served;
- d) each application must be accompanied by a note from a physician identifying that the applicant is not able to carry garbage and/or recyclable material to the curb; and
- e) in all cases where a special collection has been approved, polyethylene bags must be used by the householder for setting out their garbage.

APPENDIX B15

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-85-337 being
“Containerized Garbage Collection Systems”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-85-337 being “Containerized Garbage Collection Systems” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-85-337 being “Containerized Garbage Collection Systems” is hereby amended by deleting Appendix ‘C(3)’ to CPOL.-85-337 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Containerized Garbage Collection Systems

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-85-337)

Last Review Date: June 11, 2018

Service Area Lead: Director – Environment, Fleet & Solid Waste

1. Policy Statement

The policy establishes practices associated with containerized garbage collection systems.

2. Definitions

Not Applicable.

3. Applicability

The policy applies to owners and/or users of containerized garbage collection systems

4. The Policy

That the following policies be established in connection with containerized garbage collection systems, namely:

- a) present systems of garbage storage for all existing apartment buildings, and proposed apartment buildings for which a building permit has been issued or for which a development agreement has received Council approval, may be retained at the option of the owners and with concurrence by the City Engineer or designate;
- b) all owners of apartment buildings or apartment complexes or institutional buildings, existing or proposed, wishing to use the containerized garbage collection system, be required to use bulk containers that meet the requirements of the City Engineer or designate drawings and specifications for bulk containers;
- c) all owners of apartment buildings or apartment complexes or institutional buildings, existing or proposed, not wishing to use the containerized garbage collection system but requesting that the City provide collection services, must have the waste storage and collection area approved by the City Engineer or designate;
- d) apartment and institutional building owners who will be using the containerized system have the option of purchasing and maintaining the bulk containers or of renting the containers from the City at a rental rate of \$25.00 per month with the City maintaining the rented containers; this rental rate to be revised from time to time to cover the City's costs through the Fees and Charges By-law;
- e) owners purchasing the containers be required to maintain them to the satisfaction of the City Engineer or designate; and
- f) any owner electing to rent bulk containers from the City be required to enter into an agreement with the City.

APPENDIX B16

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-86-338 being
“Waiving of Landfill Site Fees”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-86-338 being “Waiving of Landfill Site Fees” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-86-338 being “Waiving of Landfill Site Fees” is hereby amended by deleting Appendix ‘C(4)’ to CPOL.-86-338 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Waiving of Landfill Site Fees

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-86-338)

Last Review Date: June 11, 2018

Service Area Lead: Director – Environment, Fleet & Solid Waste

1. Policy Statement

The policy establishes the criteria to be met for disposal fees at the City's sanitary landfill site to be waived.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to registered charitable organizations that apply for disposal fees at the City's sanitary landfill site to be waived.

4. The Policy

That the following policy for the waiving of disposal fees at the City's sanitary landfill site be established:

- a) the applicant must be a registered charitable organization operating and having premises within the City of London;
- b) the applicant must, as a primary function, be engaged in the reuse and/or recycling of waste materials resulting in reduced volumes of waste being disposed of at the City's sanitary landfill site;
- c) only solid wastes generated on the premises from the reuse and/or recycling operation will qualify for the exemption;
- d) the applicant must deliver the residential materials of no value in a dedicated vehicle and not be mixed with any other waste materials from other businesses, institutions or charitable organizations; and
- e) any registered charitable organizations wishing to avail themselves of free disposal at the City's sanitary landfill sites must meet all of the requirements set out in sections (a) to (d) above, and must in addition make written application to the City Engineer or designate for such exemption from disposal fees, and the decision of the City Engineer or designate on such applications shall be final.

APPENDIX B17

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-88-340 being
“Provision of Blue Boxes”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-88-340 being “Provision of Blue Boxes” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-88-340 being “Provision of Blue Boxes” is hereby amended by deleting Appendix ‘C(6)’ to CPOL.-88-340 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Provision of Blue Boxes

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-88-340)

Last Review Date: June 11, 2018

Service Area Lead: Director – Environment, Fleet & Solid Waste

1. Policy Statement

The policy establishes the situations and/or occurrences for which Blue Boxes will be provided.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to the situations in which Blue Boxes will be provided.

4. The Policy

That the following “Blue Box” provision policy be established:

- a) Two Blue Boxes be provided to residents of newly constructed homes at no cost;
- b) Blue Boxes damaged by collection vehicles or snow plows be replaced at no cost;
- c) Blue Boxes delivered to residents in 2011 have a seven year warranty and will be replaced at no cost as they become broken from normal wear and tear;
- d) Blue Boxes may be provided by City staff at no cost as part of a promotion or campaign to increase recycling and to encourage correct sorting of recyclables (maximum allocated in this category per year is 1,000 Blue Boxes); and
- e) Blue Boxes may be purchased at City of London EnviroDepots and the maximum number purchased at one time is two.

APPENDIX B18

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-88-340 being
“Public Notification Policy for Construction Projects”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-88-340 being “Public Notification Policy for Construction Projects” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-88-340 being “Public Notification Policy for Construction Projects” is hereby amended by deleting Appendix ‘C(6)’ to CPOL.-88-340 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Public Notification Policy for Construction Projects

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-88-340)

Last Review Date: June 11, 2018

Service Area Lead: Director – Roads & Transportation

1. Policy Statement

This policy provides guidelines for public notification and communication regarding construction projects within the public right of way. The Project Manager has the ability to adjust the points of public contact to suit the circumstances of each project.

2. Definitions

Not applicable.

3. Applicability

This policy applies to construction projects within the public right of way.

4. The Policy

4.1. Maintenance Activities:

This type of activity includes cleaning, adjusting, monitoring, repairing, or installing infrastructure on a short term basis. Minor road works and mill and pave operations are included in this category. No notice to the public is required unless there are tree removals or where a water shutdown is necessary.

- a) If a tree needs to be removed under this category, a written notification will be posted on front doors of adjacent property owners within a 30 meter radius of the removal on the same side of the street. Multi-unit dwellings will receive one notice.
- b) If there is a planned water service shutdown, written notification will be provided to the affected property owners. Multiple copies of the same notice will be delivered to the landlord/superintendent of multi-unit dwellings to enable them to notify their tenants.

4.2. Rehabilitation Projects:

This type of project includes pipe rehabilitation, trenchless technology works, road rehabilitations, and road reconstructions not involving the reconstruction of sewers or water mains.

- a) A preconstruction letter will be provided to each household, business, and property owner within a 30m radius of the project one week in advance of commencement notifying the occupant of the work to be done and providing telephone numbers for contact with the Department.
- b) If there is a planned water service shutdown, written notification will be provided to the affected property owners. Multiple copies of the same notice will be delivered to the landlord/superintendent of multi-unit dwellings to enable them to notify their tenants.

4.3. Reconstruction Projects:

This type of project includes at least one block of underground sewer or watermain construction or reconstruction.

- a) An information letter will be provided to each household, business, and property owner within a 30m radius of the project a minimum of 3 months prior to commencement of construction. The notice will inform the occupant of the work to be undertaken, the persons to contact for enquiries, the approximate timing of proposed works, and if any costs to the homeowner are anticipated.
- b) If there is a planned water service shutdown, written notification will be provided to the affected property owners. Multiple copies of the same notice will be delivered to the landlord/superintendent of multi-unit dwellings to enable them to notify their tenants.
- c) If the Environmental and Engineering Services Department is aware of a Community Association or Business Association, they will be contacted at the same time.
- d) A public information centre will be held prior to the commencement of the proposed works to inform the households, businesses, and property owners what to expect during the project, to gather community input, to identify tree removals, and to identify any new fire hydrant locations.
- e) If the project is on a primary collector or arterial, a billboard sign will be erected on the site including the name of the project, name of the consultant (if available), name of the contractor, and the approximate timeframe of the project.
- f) A preconstruction letter will be provided to each household, business, and property owner within a 30m radius of the project one week in advance of the proposed works notifying the occupant of the work to be done and providing telephone numbers for contact with the City. Multiple copies of the same notice will be delivered to the landlord/superintendent of multi-unit dwellings to enable them to notify their tenants.
- g) During the progress of the work, an inspector will be available to respond to enquiries as required.

4.4. Warranted Sidewalks

This type of project includes sidewalks and associated restoration works installed under the warranted sidewalk program.

- a) An information letter will be provided to each household, business, and property owner abutting the proposed sidewalk after the budget is approved and sufficient design information is available. The notice will provide the limits and location of the sidewalk, information on the program and the safety needs it addresses, and the persons to contact for enquiries.
- b) If residents or affected stakeholders request, a public information centre may be held to discuss the project.

4.5. Early Warning Signs:

For projects on arterial roads that will exceed one week in duration, two early warning signs should be installed 2 weeks prior to construction. The signs should indicate the anticipated start and end date of construction.

4.6. Developer Led Projects:

Projects within opened right of ways that are led by developers, should conform to all of the required steps within this policy. Permits for approved works (PAW) will be granted conditional on the developer or their agents meeting all necessary communication steps to the satisfaction of the General Manager of Environmental and Engineering Services and City Engineer.

4.7. Emergency Work:

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

4.8. Notice to Multi-unit buildings:

For multi-unit building, enough copies of pertinent letters are to be provided to the superintendent or landlord so that they can deliver a copy to each household. When the letter pertains to financial requests or commitments from the owner, it will be delivered only to that owner and not each household.

APPENDIX B19

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-103-355
being "Deleting Works from Tenders".

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-103-355 being "Deleting Works from Tenders" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-103-355 being "Deleting Works from Tenders" is hereby amended by deleting Appendix 'C(21)' to CPOL.-103-355 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Deleting Works from Tenders

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-103-355)

Last Review Date: June 11, 2018

Service Area Lead: Director – Water and Wastewater

1. Policy Statement

This policy establishes that certain work (or works) may be deleted from the tender in order that the remainder of the works may be constructed in accordance with the project schedule for the given year.

2. Definitions

Not applicable.

3. Applicability

This policy applies to local improvement works being constructed as part of a given year's Capital Works Budget which may experience difficulty completing any of the administrative acts for.

4. The Policy

That a policy be established to provide that, in the event that any difficulty is experienced in completing any of the administrative acts which are required in connection with local improvement works being constructed as part of a given year's Capital Works Budget, such individual work (or works) be deleted from the tender in order that the remainder of the works may be constructed in accordance with the project schedule for the given year.

APPENDIX B20

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-192-444
being "Services for Special Events".

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-192-444 being "Services for Special Events" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-192-444 being "Services for Special Events" is hereby amended by deleting Appendix 'C(1)' to CPOL.-192-444 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Services for Special Events

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-192-444)

Last Review Date: June 11, 2018

Service Area Lead: Director – Environment, Fleet & Solid Waste

1. Policy Statement

The policy establishes the conditions which must be met for municipal services to be supplied to special events.

2. Definitions

Not Applicable.

3. Applicability

This policy is applicable to special event organizers that are seeking municipal funds to cover the costs of associated municipal services.

4. The Policy

That the following policy be established with respect to the provision of municipal services for special events, namely:

4.1. funds be appropriated annually by the Council to cover the costs of municipal services for special events, such as garbage collection, barricade erection and removal, street cleaning, etc., and provided that funds are available within the appropriated amount, the provision of such services to be supplied at the cost of the City be approved by the City Manager, on the recommendation of the City Engineer, provided that, in their opinion, the event falls within the qualifying categories listed in Section (b) below;

4.2. provided funds are available in the Current Budget, the following events be considered as qualifying for municipal services, namely:

- a) events are of International, National or Provincial significance, which meet the following criteria:
 - i) are non-profit or non-commercial in nature;
 - ii) attract large numbers of spectators;
 - iii) may expect to gain local and national publicity for the municipality;
- b) events sponsored by Local Organizations which meet both the following criteria:
 - i) are non-profit or non-commercial in nature;
 - ii) are deemed to be in the interests of the community in that their main objectives are charitable or civic oriented in nature and contribute to the culture, entertainment, education or information of the citizens of London;

provided, however, that approval under this program is not deemed to be an endorsement of any such event per se by the City of London;

- c) The City Engineer be authorized to recommend refusal of all applications that do not qualify under this policy for municipal services, on the understanding that any applicant may appeal such decision in writing

within ten (10) days after having received same; and on the further understanding that such services may be provided by the City at the applicant's expense, subject to the approval of the City Engineer.

APPENDIX B21

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-197-449
being "Catch Basins on Private Property".

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-197-449 being "Catch Basins on Private Property" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-197-449 being "Catch Basins on Private Property" is hereby amended by deleting Appendix 'C(6)' to CPOL.-197-449 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Catch Basins on Private Property

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-197-449)

Last Review Date: June 11, 2018

Service Area Lead: Director – Water and Wastewater

1. Policy Statement

The policy states provides direction regarding the maintenance, repair, and replacement of rear lot catch basins on private property.

2. Definitions

Not applicable.

3. Applicability

This policy applies to private property which contains a rear yard catch basin and catch basin lead within the City of London.

4. The Policy

That the following policy be established with respect to the maintenance, repair and replacement of rear lot catch basins and catch basin leads on private property:

- a) on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer easements shall not be taken for rear lot catch basins and drains which provide drainage for lots in plans of subdivision;
- b) private property owners be advised that cleaning catch basin grates and repairing any erosion around the rear yard catch basin located in their rear yards are their own responsibility; and
- c) the City of London assume responsibility for the repair or replacement of the rear yard catch basins and leads that service rear yard catch basins on private property subject to the City being able to obtain the necessary consent of any private property owner to enter upon their lands and undertake such work when repair or replacement situations occur. Repair activities may include reparging of the rear yard catch basin and repairing the catch basin lead connection to the rear yard catch basin.

APPENDIX B22

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-197-449
being "Rear Yard Grading and Drainage".

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-197-449 being "Rear Yard Grading and Drainage" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-197-449 being "Rear Yard Grading and Drainage" is hereby amended by deleting Appendix 'C(6)' to CPOL.-197-449 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Rear Yard Grading and Drainage

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-197-449)

Last Review Date: June 11, 2018

Service Area Lead: Director – Water and Wastewater

1. Policy Statement

This policy establishes that rear yard grading and drainage on private property is not the responsibility of the City of London.

2. Definitions

Not applicable.

3. Applicability

This policy is applicable to private properties with rear yard grading and drainage.

4. The Policy

That a policy be established whereby establishment, maintenance and control of rear yard grading and drainage is not the responsibility of the City of London, except as provided in By-law No. WM-4, or when the lack of drainage creates a public health nuisance or public health hazard, but is a private matter involving only those persons who contribute storm run-off to any given drainage systems.

APPENDIX B23

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-205-457
being "Land Dedication".

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-205-457 being "Land Dedication" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-205-457 being "Land Dedication" is hereby amended by deleting Appendix 'C(14)' to CPOL.-205-457 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Land Dedication

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-205-457)

Last Review Date: June 11, 2018

Service Area Lead: Director – Roads & Transportation

1. Policy Statement

This policy sets out the criteria for acquiring land dedications for road allowances relating to development approvals.

2. Definitions

Not applicable.

3. Applicability

Applies to all "development" as per in Section 41 of the *Planning Act*, R.S.O. 1990, and By-law C.P.-1213-340.

4. The Policy

The following policy be established and implemented in conjunction with development approvals and Consents

Development Requiring Road Widening

- a) All development as defined "development" in Section 41 of the *Planning Act*, R.S.O. 1990, and By-law C.P.-1213-340 which implements it, or a Consent as defined in Section 53 (1) of the *Planning Act*, R.S.O. 1990, where the subject property is impacted by a road widening identified by the Official Plan and as implemented by Z-1 Zoning Bylaw, the widening will be conveyed immediately as a condition of development approval or Consent, as the case may be, other than land occupied by buildings or structures that will not otherwise be removed as part of the development, with the intent that the widening lands be conveyed unencumbered and at no cost to the City.

Use of Dedicated Land by Donor

- b) Where the conveyance of a road widening creates a parking or other encroachment, the City may consider entering into an agreement with the owner allowing for the continued use of the widening lands until such time as the widening is needed for Municipal purposes. Any such agreement will be made in accordance with City's bylaws, policies and practices at the time of the application or subsequent renewal.
- c) Upon receipt and acceptance of the road widening, a dedication bylaw will be passed as soon as practically possible. During the interim, the owner may continue to use the widening lands for ingress and egress to their property provided the access existed prior to the transfer.

Outstanding Deferred Road Widening Agreements

- d) In regards to outstanding deferred widening agreements currently registered on title, the City will be responsible for all technical requirements and have ultimate approval of the required widening and will provide the reference plan, if required, to convey the widening. The City will offer reimbursement of reasonable legal costs upon acceptance of the road widening and proof of legal expenses being paid provided such costs have been pre-approved by the City Solicitor.

APPENDIX B24

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-207-459
being "Street, Lane and Walkway Closings".

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-207-459 being "Street, Lane and Walkway Closings" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-207-459 being "Street, Lane and Walkway Closings" is hereby amended by deleting Appendix 'C(16)' to CPOL.-207-459 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Street, Lane and Walkway Closings

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-207-459)

Last Review Date: June 11, 2018

Service Area Lead: Director – Roads & Transportation

1. Policy Statement

This policy establishes the criteria for legally closing Streets, Lanes, and Walkways as public highway.

2. Definitions

Not applicable.

3. Applicability

This policy applies to all municipally owned Streets, Lanes, and Walkways designated public highway, whether assumed or not.

4. The Policy

- a) Closings of streets, lanes or walkways shall be by way of Council by-law, regardless of whether they are assumed by the City or not.
- b) Applications to close streets, lanes or walkways must be made with the intention of purchasing the said street, lane or walkway.
- c) Where required, easements shall be conveyed by the City to utility owners upon the closing of the street, lane or walkway.
- d) The closing of a street that results in the total loss of a property’s access to public highway shall require the consent of the property owner.
- e) The process for closing a publically traveled street shall include public notice provisions satisfactory to the City Clerk.
- f) In order to preserve and protect the existing streetscape, the City shall not approve the partial closing of boulevards.
- g) The City shall not approve of the closing of a lane unless all of the lane in the block bounded by the four intersecting streets is included in the application.
- h) The City shall not approve of the closing of any lanes that provide access to properties fronting on arterial or collector streets.
- i) The City shall not approve the closing of any lanes that provide access to properties having inadequate sideyards which do not permit vehicles to be driven from the abutting street onto private property.
- j) The closing of a lane shall require the consent of every property owner affected by the closing.
- k) The City will not approve the closing of a public walkway unless land use changes in the immediate vicinity render the walkway redundant.

APPENDIX B25

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-213-465
being "New Traffic Signal Locations".

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-213-465 being "New Traffic Signal Locations" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-213-465 being "New Traffic Signal Locations" is hereby amended by deleting Appendix 'C(22)' to CPOL.-213-465 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: New Traffic Signal Locations

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-213-465)

Last Review Date: June 11, 2018

Service Area Lead: Director - Roads and Transportation

1. Policy Statement

This policy authorizes the design, installation and maintenance of Council approved traffic signals.

2. Definitions

Not applicable.

3. Applicability

This policy applies to traffic signals and pedestrian signals on highways under the jurisdiction of the City of London.

4. The Policy

That following Council’s approval of a new traffic signal or pedestrian signal location, the City Engineer or designate be authorized to approve the design, installation and operation of traffic signals at intersections on highways under the jurisdiction of the City of London.

APPENDIX B26

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-214-466
being "Lane Maintenance Policy".

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-214-466 being "Lane Maintenance Policy" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-214-466 being "Lane Maintenance Policy" is hereby amended by deleting Appendix 'C(23)' to CPOL.-214-466 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Lane Maintenance Policy

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-214-466)

Last Review Date: June 11, 2018

Service Area Lead: Director – Roads & Transportation

1. Policy Statement

This policy establishes the upper threshold of maintenance for City owned unassumed public lanes.

2. Definitions

- 2.1. **Limited surface maintenance** - may include such things as filling pot holes, grading, and the application of gravel or asphalt as necessary, but does not include full restoration, the installation of drainage systems or remedial drainage works, the removal of obstructions including snow removal or any other activities normally associated with formal assumption.

3. Applicability

The following lane maintenance policy applies only to City owned public lanes that are currently traveled but are not formally assumed by bylaw for maintenance. Private driveways built on or across lanes or unimproved road allowances are specifically exempt from this policy. This policy does not contemplate formal assumption of public lanes, but rather establishes the criteria for performing limited surface maintenance by the City.

4. The Policy

- 4.1. Unless a City owned public lane has been formally assumed by bylaw for maintenance, the City shall not be responsible for the lane's condition or usage.
- 4.2. Clause 1 notwithstanding, on an as-requested basis the City will attempt to perform limited maintenance in a manner commensurate with the lane's existing condition, provided that;
- a) maintenance activities shall not be construed as an intent to formally assume the lane for full-fledged maintenance;
 - b) all lane maintenance shall be limited in nature and will not include full restoration or the installation of any underground or surface drainage works either on the lane or on private property;
 - c) the lane must be traveled, dedicated for public usage, and owned by the City;
 - d) the lane serves at least two abutting property owners;
 - e) the lane is not being used as a private driveway;
 - f) the lane is physically accessible with the equipment needed to perform the maintenance without the need to encroach onto private property;
 - g) snow ploughing and snow removal services are expressly excluded from this policy; and
 - h) the City Engineer or their designate, shall have the absolute discretion to determine the appropriate level, manner, extent and schedule for the requested work.

APPENDIX B27

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-217-469
being "Encroachment Policy".

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-217-469 being "Encroachment Policy" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-217-469 being "Encroachment Policy" is hereby amended by deleting Appendix 'C(26)' to CPOL.-217-469 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Encroachment Policy

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-217-469)

Last Review Date: June 11, 2018

Service Area Lead: Director – Roads & Transportation

1. Policy Statement

- 1.1. All existing and proposed privately owned encroachments onto streets and road allowances under the jurisdiction of the City of London shall be subject to this Encroachment Policy.

The City’s Encroachment Policy governs the application and approval procedure for the authorization of encroachments onto municipal streets and road allowances. If approved, the property owner and The Corporation of the City of London shall enter into an Encroachment Agreement.

The Encroachment Policy establishes the process for terminating an existing Encroachment Agreement with the City.

- 1.2. The Encroachment Policy is designed to act as a companion document to By-law S.-3775-94 (‘Sign & Canopy By-law’), By-law S-1 (‘Streets By-law’) and By-law PS-6 (‘Fence By-law’).

The purpose of the Encroachment Policy is to formalize and clarify the procedure for granting encroachments onto City streets and road allowances. A codified policy mitigates the City’s exposure to risk and liability and protects the City’s rights and obligations with respect to the subject highway. Outlining the City’s process for granting and terminating encroachments also serves to provide standards and guidelines for members of Civic Administration and transparency and simplicity for property owners.

2. Definitions

- 2.1. **City Engineer** - means the employee of the Corporation of the City of London holding the title of City Engineer, or his or her designate.
- 2.2. **City Solicitor** - means the employee of the Corporation of the City of London holding the title of City Solicitor.
- 2.3. **City Treasurer** - means the employee of the Corporation of the City of London holding the title of City Treasurer.
- 2.4. **City** - means The Corporation of the City of London.
- 2.5. **Council** - means the Municipal Council of the Corporation/means the Council of the City.
- 2.6. **Encroachment** - means any type of vegetation, man-made feature or object or item of personal property of a person which exists wholly or partly upon, or extends from a property owner’s premises onto streets or road allowances and shall include any aerial, surface or subsurface encroachments;
- 2.7. **Encroachment Agreement** - means a binding agreement between the City and the property owner, prepared by the City, granting authorization for a property owner to erect and maintain an encroachment on a City street or road allowance.
- 2.8. **Property Owner** - means the registered owner of the property.

3. Applicability

This policy applies to all municipally owned road allowances including Streets and Lanes, whether assumed or not.

4. The Policy

4.1. Standards for Assessing Encroachments on Streets and Road Allowances

The general nature of encroachments to be considered under this policy are that they are of a permanent or semi-permanent nature, not easily removable and that do not involve an area enclosed for exclusive use. Temporary encroachments, fence encroachments, area occupations and encroachments involving Condominium Corporations are to be processed as applications for licence agreement by Realty Services and are not covered under this policy.

The City of London considers the following non-exhaustive list of factors when considering the appropriateness of an encroachment:

- The encroachment interferes with the City's use, enjoyment or purpose in holding the City-owned highway;
- The creation of unsafe or hazardous conditions if the encroachment is permitted;
- The encroachment provides valuable commercial benefit;
- The encroachment interferes with any current or future plans, initiatives or works of the City to the subject highway;
- The encroachment interferes with a utility or similar installation located on the subject highway;
- The encroachment diminishes the right of public usage;
- The encroachment is deemed incompatible with established neighbourhood esthetics, particularly in designated heritage districts;
- The encroachment creates liabilities for which the City cannot assign sufficient responsibility to the owner of said encroachment or threatens to nullify the City's blanket insurance coverage;
- Encroachments onto City owned lanes and walkways will generally not be approved due to the limited space available.
- Special consideration will be given to encroachments over the 40m wide road allowances on Crown Plan 30.

It should be noted that encroachments already under construction or recently constructed prior to receiving approval will not increase the likelihood of an approval being granted.

4.2. Approval Process

Prior to making a formal application for permission to encroach onto a street or road allowance, property owners shall contact the City Engineer who shall determine if the encroachment can be approved. The proposed encroachment will be reviewed and assessed using the standards listed in "Standards for Assessing Encroachments on Streets and Road Allowances" and any other relevant criteria that may apply. Requests for encroachment agreements are carefully scrutinized and there are many situations where the City will not approve the requested encroachment. Encroachments may be allowed in some areas but prohibited in others due to local circumstances. The refusal to approve an existing encroachment may result in the owner having to remove the encroachment from the road allowance.

The City Engineer, at their complete discretion, may circulate the request to other members of Civic Administration including, but not limited to, the Chief Surveyor, the City Planner and the City Solicitor, where the City Engineer deems it necessary for the purposes of consultation and approval.

There are three possible outcomes:

4.2.1. Acceptable Encroachments that comply with City standards. The property owner will be advised that the proposed encroachment complies with City

standards and that a formal application for encroachment agreement will be accepted subject to any applicable conditions.

4.2.2. Unacceptable Encroachments that do not comply with City Standards.

Encroachments that create an unacceptable risk or otherwise interfere with the use of the street or road allowance by either the public, the City or utility company operations, now or in the future, will not be permitted and, if existing, must be removed by the owner forthwith. Examples include sight obstructions, any obstacle that creates a trip or fall or snow plough hazard near the publically travelled portion of the street, and anything that unduly interferes with access to or has the potential to damage existing or proposed City services or utility infrastructure.

4.2.3. Minor Encroachments that do not comply with City Standards.

Encroachments that do not comply with City Standards that otherwise do not create a significant risk to the public or City or utility companies will not be considered for an encroachment agreement but may remain temporarily at the City's sole and absolute discretion, it being understood that the property owner is fully responsible for the encroachment and that neither the City nor utility companies will be responsible for damage caused thereto or for the complete loss of the encroachment no matter how caused. Examples of minor encroachments include irrigation systems, hedges, shrubbery and simple landscaping at grade.

4.3. Submitting a Formal Application

Formal applications for encroachment agreements are to be made in writing to the Clerk's Office and include the following:

- A plan drawn to scale deemed acceptable by the Chief Surveyor that adequately depicts the extent of the encroachment onto the City road allowance fully dimensioned in both plan and profile including heights and underground footings and utility locations, if applicable.
- PIN (Property Identifier Number) printout for the property which will benefit from the agreement.
- Full name, address, telephone number and email address of the owner and owner's Solicitor.
- Application fee plus any one-time amount as determined by Realty Services. (Annual charges will be added to property taxes).

Property owners may make one application per proposed encroachment. Completed applications accompanied by the application fee should be delivered to:

City Clerk's Office
City Hall, 3rd Floor
300 Dufferin Avenue
P.O. Box 5035
London, ON N6A 4L9

4.4. Approved Applications and Encroachment Agreements

The City Engineer is responsible for reviewing street encroachment applications and granting approvals. Before approving an application for an encroachment onto a street or road allowance, the City Engineer shall be satisfied that the encroachment meets City standards.

Upon approval by the City Engineer, the application will be forwarded to the City's Legal Department where the Encroachment Agreement will be drafted and sent to the applicant's lawyer for execution. Pending building permits or development approvals will not be issued until the executed agreement is returned from the applicant's lawyer complete with proof of insurance and payment for any charges owing.

The executed agreement is registered against the applicant's adjoining property after it is returned to the City. Registration fees are the responsibility of the City and are included in the application fee. Encroachment Agreements may be subject to an annual rental or one-time fee to be updated from time to time and listed in the Fees and Charges By-law.

Where the City Engineer deems it appropriate to approve an encroachment and depending upon the nature of the encroachment the agreement may contain a "removal clause" that requires the property owner remove the encroachment and restore the road allowance to its original condition upon written notice being given by the City Engineer.

4.5. Denied Applications

If the City Engineer denies an application, the property owner can request a report explaining the application and reasons for denial be submitted to the appropriate standing committee and ultimately City Council for review.

4.6. Delegated Authority for Approving Encroachments

The City Engineer shall have delegated authority to approve or reject applications, authorize encroachments, execute on behalf of the City Encroachment Agreements and terminate existing Encroachment Agreements, whether City initiated or upon property owner request, on streets and road allowances pursuant to Section 23.2(1)(c) and Section 23.2(4) of the *Municipal Act, 2001* SO 2001, c.25.

4.7. Insurance and Indemnity

The encroacher must be capable of holding adequate insurance in perpetuity and indemnifying the City from all claims that may result by reason of the existence of the encroachment.

The applicant shall provide proof of insurance in a form and amount satisfactory to the Manager of Risk Management in the minimum amount of \$2 million or such other higher amount as determined by the Manager of Risk Management, naming The Corporation of the City of London as an additional insured. The Certificate of Insurance shall be submitted to the City at the time the executed Encroachment Agreement is returned to the City. The Certificate of Insurance must be satisfactory in form and content to the Manager of Risk Management. The onus is on the landowner to carry the insurance in perpetuity and to provide the City with proof of insurance at each renewal of coverage.

The applicant agrees to indemnify and hold harmless The Corporation of the City of London from and against all liability in respect to all claims that may arise or be made against the City resulting from the encroachment.

All approved encroachments are considered to be placed at the property owner's own risk. The City is not responsible for repairing or replacing an encroachment or providing damages arising as a result of clearing and removing litter, graffiti, posters, snow or ice, or as a result of repairs or reconstruction.

4.8. Termination of Existing Encroachment Agreement

To terminate an existing Encroachment Agreement with the City the property owner must have their lawyer submit the appropriate Discharge of Agreement document along with proof that the encroachment no longer exists, to the City Engineer.

Where a property owner has removed the encroachment to the satisfaction of the City Engineer, the discharge document will be executed and returned to the property owner's lawyer for registration. Proof of registration must be provided to the City to delete any ongoing charges from the property's tax register. Charges relating to the agreement will continue until the City is formally advised. Any rental fees paid will not be refunded in whole or in part as the result of the

termination of the agreement.

Where an existing encroachment agreement approved by by-law has been grandparented into this policy, the City Engineer will request the Clerks Office arrange to have the necessary rescinding by-law submitted directly to Council.

4.9. Form of Agreement

Attached as Exhibit 'A' to this policy is the Form of Agreement to be used in cases where an encroachment has been approved. Minor deviations not impacting the nature of the agreement shall be allowed at the City Engineer's discretion.

4.10. Grandparenting

Any approved outstanding non-registered agreements as of the date this policy is adopted will be accepted as-is and registered under the provisions of this policy. For termination purposes, all existing agreements are grandparented under this policy. Otherwise, the Encroachment Policy *does not* apply to encroachments approved before the date that the Encroachment Policy is adopted, provided that such encroachments continue to comply with the terms of their original approvals and agreements.

4.11. EXHIBIT 'A'

THIS AGREEMENT made in duplicate this day of .

B E T W E E N:

THE CORPORATION OF THE CITY OF LONDON

(hereinafter called the "City")

OF THE FIRST PART

A N D

(hereinafter called the "Owner")

OF THE SECOND PART

WHEREAS the Owner represent that they are the registered owner of certain lands and premises in the City of London, in the County of Middlesex, which abut on the side of [STREET], known municipally as [ADDRESS], in the City of London, County of Middlesex, and being more particularly described in Appendix "A" attached hereto;

AND WHEREAS [DESCRIBE ENCROACHMENT], hereinafter referred to as "Encroachment", has been wholly or partly constructed on the [STREET] road allowance by the Owner in the City of London;

AND WHEREAS the Owner has petitioned the Municipal Council of The Corporation of the City of London that they be allowed to maintain and use the said encroachment;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and the sum of TWO DOLLARS (\$2.00) of lawful money of Canada, now paid by the Owner to the City, the receipt whereof is hereby acknowledged, the Owner covenants and agrees with the City as follows:

1. The Owner, their executors, administrators, successors and assigns, are hereby allowed to use and maintain the Encroachment, for so long as the Encroachment

shall remain in its present location.

2. Upon demolition or removal of the Encroachment, all parts of the Encroachment upon the road allowance for [ADDRESS] shall be removed by the Owner to the satisfaction of the City at the expense of the Owner.
3. In the event of failure by the Owner to remove the encroachment as required by Clause 2 hereof, the same may be removed by the forces of the City and the cost of said removal shall be a first lien upon the Owner's lands abutting on the side of and may be recovered in a like manner as taxes.
4. The Owner shall pay to the City Treasurer, so long as the said encroachment is used and maintained upon the road allowance the sum of [\$SUM] as an [ANNUAL CHARGE OR ONE TIME FEE] for such privilege and such fee or charge shall form a charge upon the lands of the Owner of the said lands, his executors, administrators, successors and assigns, and upon default of payment after reasonable notice may be recovered as a lien upon the said lands in a like manner as taxes.
5. **[optional clause]** If, during the term of this Agreement, the City requires the use of part or all of the Encroachment lands for any municipal purpose, the City may terminate this Agreement and require the Owner to remove the Encroachment at the Owner's expense upon 90 days written notice being given to the Owner by the City Engineer. The Owner shall not make any claim against the City on account of such removal and will restore the Encroachment lands to a safe and proper condition satisfactory to the City Engineer. Provided that if the Owner neglects, refuses or fails so to do within the time specified, the City Engineer may remove the Encroachment and restore the lands to a safe and proper condition and may charge the cost thereof to the Owner of which cost the certificate of the City Engineer shall be final and the City may recover such cost from the Owner in any court of competent jurisdiction as a debt due by the Owner to the City. In addition, any fees due and any costs incurred upon termination of this Agreement shall be a first lien upon the said lands herein described and may be recovered in like manner as municipal taxes. No remedy conferred upon or reserved to the City is intended to be exclusive of any other remedy whether given herein or not, but every such remedy shall be cumulative and shall be in addition to every other remedy.
6. **for companies**
The Owner shall at their own expense obtain and maintain during the term of this Agreement, and provide the City with evidence of comprehensive general liability insurance for an amount not less than Five Million (\$5,000,000.00) Dollars and shall include the City as an additional insured with respect to the Owners' use and operations on the property described in this Agreement; such policy to include non-owned automobile liability, personal injury, broad form property damage, contractual liability, owners' and contractors' protective, completed operations, contingent employers liability, cross liability and severability of interest clauses. The aforementioned policy will not be cancelled or permitted to lapse unless the insurer notifies the City in writing at least thirty (30) days prior to the date of cancellation or expiry. The Owner will provide that evidence of such insurance shall be delivered to the City promptly at inception of this Agreement and thereafter on the insurance renewal date.

for homeowners

The Owner shall at their own expense obtain and maintain during the term of this Agreement, and provide the City with evidence of general liability insurance (homeowners) for an amount not less than Two Million (\$2,000,000.00) Dollars and shall include the City as an additional insured with respect to the Owners' use and operations on the property described in this Agreement. The aforementioned policy will not be cancelled or permitted to lapse unless the insurer notifies the City in writing at least thirty (30) days prior to the date of cancellation or expiry. The Owner will provide that evidence of such insurance

shall be delivered to the City promptly at inception of this Agreement and thereafter on the insurance renewal date.

7. The Owner, their heirs, executors, administrators, successors and assigns, as Owner and occupiers from time to time of the said lands described in Appendix "A" attached hereto, will at all times indemnify and save harmless the City of and from all loss, costs and damages which the City may suffer, be at or be put to, for or by reason of or on account of the existence of, use, maintenance or repair, or lack of repair of the said encroachment or anything done or purported to be done pursuant to this Agreement, or any act or neglect in carrying out anything to be done pursuant to this Agreement.
8. Such sums as may become due or for which the Owner may be obligated under this Agreement respecting the said encroachment shall be a first lien and charge upon the said lands and premises described in Appendix "A" attached hereto in priority to all other claims, liens, mortgages or charges.
9. The Owner covenants and agrees that this Agreement shall cover the encroachment upon the road allowance for of the adjacent to the said lands described in Appendix "A" attached hereto, and shall not grant any permission to erect any part of any new building on the said encroachment, or enlarge or extend the said encroachment.
10. This agreement shall be binding upon the Owner, their heirs, executors, administrators, successors and assigns, as Owner and occupier from time to time of the lands and premises described in Appendix "A" attached hereto and the covenants herein contained shall be deemed to run with the lands and premises and bind the owners and occupiers thereof from time to time.

IN WITNESS WHEREOF the Owner hereto has hereunto set their hand and seal.

THE CORPORATION OF THE CITY
OF LONDON

Name:
Title:
I have authority to bind the corporation

(OWNER)

Name:
Title:
I have authority to bind the corporation

APPENDIX B28

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-222-474
being "Traffic & Parking By-law Amendments".

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-222-474 being "Traffic & Parking By-law Amendments" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-222-474 being "Traffic & Parking By-law Amendments" is hereby amended by deleting Appendix 'C(31)' to CPOL.-222-474 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Traffic & Parking By-law Amendments

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-222-474)

Last Review Date: June 11, 2018

Service Area Lead: Director - Roads and Transportation

1. Policy Statement

This policy provides direction on amendments to the Traffic & Parking By-law.

2. Definitions

Not applicable.

3. Applicability

The policy applies to the Traffic & Parking By-law.

4. The Policy

4.1. That the City Engineer (or designate) be authorized to initiate changes to all schedules in the Traffic & Parking By-law directly through the City Clerk and City Council in the form of by-law amendments in accordance with Table "A" Traffic & Parking By-law Amendments and that staff continue to process supportive reports relating to changes to by-laws on all those matters where an awareness of public concern has been identified, or significant changes are contemplated which would normally require extensive public liaison and/or matters which involve significant expenditures in current or capital budgets.

4.2. Table "A" Traffic & Parking By-law Amendments

<u>Item</u>	<u>Existing Policy, Criteria and/or Warrant</u>	<u>Council Approval Required</u>
New Traffic Signals	OTM and Council approved warrant	Yes
Pedestrian Crossover Systems	Council approved warrant	No
All-way Stops (new)	Council approved warrant	No
Speed Limits	Council approved policy	No
Truck Routes	Council adopted policy	No
One-way Designations	OTM	Yes
Turn Prohibitions	OTM	No
Stop/Yield Controls	OTM	No
School Bus Loading Zone	OTM	No
On-street Parking Regulations	See Appendix "B" Below	No

OTM = Ontario Traffic Manual

*where no objections are received.

4.3. Table "B" Criteria Relating To On-Street Parking Regulations

4.3.1. NO STOPPING

No stopping zones will be utilized where it has been determined that the stopping of vehicles on roadways is interfering with the safe and efficient movement of traffic.

4.3.2. NO PARKING

No Parking zones will be utilized to provide safe and efficient traffic movement and/or adequate site lines at intersections. The "No Parking" provisions in the By-law do permit short term stopping for the purposes of loading. The City's policies in the past have utilized 20 m No Parking zones for end zone clearance and parking has normally been banned on one side of streets with a width of less than 7.3 m.

4.3.3. LIMITED PARKING\METERED

Limited Parking zones ranging from 15 min. to 4 hrs. in duration will be utilized where studies have indicated a need to regulate on-street parking to ensure maximum utilization and turn-over. Limited Parking zones are normally initiated through inquiries or complaints regarding all day parking and the time durations are established through parking reviews to identify the required interval of parking frequency.

4.3.4. LOADING ZONES

Loading Zone designations will be instituted where a review of loading practices has identified the need for such designations. Studies to determine Loading Zone requirements normally include liaison with the abutting businesses to establish business loading requirements.

4.3.5. TAXI ZONES

Taxi Zones will be established pursuant to requests and subsequent to studies which identify the need for the storage of taxis to assure the proper performance of their service. The zones are normally located in curb parking areas, where parking is already permitted and hence the zone in itself does not create an obstruction to the movement of traffic.

4.3.6. HOTEL OR THEATRE ZONES

Hotel or Theatre Zones are installed adjacent to the entrances to public facilities (mainly hotels and theatres) where it is considered essential that parked vehicles not obstruct emergency evacuation of buildings etc. Zone lengths are kept to a minimum but normally will permit occupancy by no less than two vehicles.

APPENDIX B29

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-110-362
being "Elsie Perrin Williams Estate".

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-110-362 being "Elsie Perrin Williams Estate" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-110-362 being "Elsie Perrin Williams Estate" is hereby amended by deleting Appendix 'C(28)' to CPOL.-110-362 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Elsie Perrin Williams Estate

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-110-362)

Last Review Date: June 11, 2018

Service Area Lead: Manager - Environmental & Parks Planning

1. Policy Statement

This policy ensures that the Elsie Perrin Williams Estate is maintained in such a manner so as to respect the Will of the late Elsie Perrin Williams.

2. Definitions

Not applicable.

3. Applicability

This policy applies to the lands of the Elsie Perrin Williams Estate and its use.

4. The Policy

That the following policies in respect to the Elsie Perrin Williams Estate be established, namely:

- a) first consideration for the future use of the Elsie Perrin Williams Estate be given to park and museum uses as provided for in the Will of the late Elsie Perrin Williams and subsequent private legislation;
- b) the estate be maintained as a passive park with major emphasis on preservation of the natural landscape of the Medway River valley and slopes; and
- c) the use of the estate house be offered to various public bodies for museum-related uses

APPENDIX B30

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-113-365
being "Monumenting Program".

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-113-365 being "Monumenting Program" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-113-365 being "Monumenting Program" is hereby amended by deleting Appendix 'C(31)' to CPOL.-113-365 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Monumenting Program

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-113-365)

Last Review Date: June 11, 2018

Service Area Lead: Manager - Environmental & Parks Planning

1. Policy Statement

This policy provides direction for the City's Monumenting Program.

2. Definitions

Not applicable.

3. Applicability

This policy applies to the location, inspection and maintenance of boundary demarcation monuments on City-owned property.

4. The Policy

That the following policy be established with respect to the City's Monumenting Program, namely:

- a) The City of London monuments, consistent with current standard details, be installed along the boundary of City-owned land abutting private property, on an "as required" basis in order to accommodate special circumstances;
- b) Realty Services be requested to maintain appropriate annual inspections of City-owned property for the purpose of identifying existing or potential encroachment difficulties; and
- c) the Managing Director of Legal and Corporate Services & City Solicitor and/or the Managing Director of Environmental and Engineering Services & City Engineer be instructed to "assert the City's possession" of City-owned property, as required, by ensuring the removal of encroachments on City-owned property.

APPENDIX B31

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-126-378 being "Telecommunication Facilities Consultation Policy".

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-126-378 being "Telecommunication Facilities Consultation Policy" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-126-378 being "Telecommunication Facilities Consultation Policy" is hereby amended by deleting Appendix 'C(44)' to CPOL.-126-378 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Telecommunication Facilities Consultation Policy

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-126-378)

Last Review Date: June 11, 2018

Service Area Lead: Manager - Long Range Planning and Research

1. Policy Statement

The purpose of this policy is to provide guidelines to be followed by applicants for all facilities to which Industry Canada’s CPC-2-0-03 is applicable within the City of London. Industry Canada is responsible for approving and licensing radiocommunication facilities. As part of the approval process, Industry Canada requires applicants of significant antenna structures to confer with the local land use authority prior to the issuance of a license. The City of London’s Telecommunication Facilities Consultation Policy institutes a consultation procedure between telecommunication carriers and the City which provides an opportunity for public consultation in the site selection process. These procedures are intended to provide opportunities for public feedback regarding the location of telecommunication facilities.

The City will provide applicants of new telecommunication towers, subject to the application review process, with a Letter of Concurrence within 45 days of a complete application if the City is satisfied that its telecommunication consultation process has been followed.

The participation of the City of London or the public in the consultation process does not convey the right to prevent the location of a telecommunications facility. Local By-laws cannot prevent a telecommunication facility from being built since Industry Canada has the final authority provided to them under the Radiocommunication Act. This procedure is intended to identify sensitive locations, promote appropriate design, and promote co-located facilities to be located in areas away from residential neighbourhoods where possible. The decision to grant a license for a telecommunications facility ultimately rests with Industry Canada. Industry Canada only intervenes i.e. makes a decision if the condition requiring concurrence cannot be met. As such, issuance may be delayed for a period of time to or the licenses may not be issued for the wireless facility.

Objectives

- 1.1. To facilitate, coordinate and influence the planning and site selection process for telecommunication facilities in the City;
- 1.2. To encourage consultation between the City and telecommunication carriers on all applications, and to expedite the review process on applications for new telecommunications sites;
- 1.3. To provide a process for public consultation as specified by this policy on all applications; and
- 1.4. To inform applicants and the public about the guidelines for the location and design of telecommunication facilities.

2. Definitions

- 2.1. **Amateur Radio Service** – means a radiocommunication service in which radio apparatus are used for the purpose of self-training, intercommunication or technical investigation by individuals who are interested in radio technique solely with a personal aim and without pecuniary interest.
- 2.2. **Antenna** – An exterior supporting structure upon which receiving and transmitting antennas are mounted, and also include towers, supporting cables, guy wires, small buildings containing antenna switching gear and other radio frequency circuitry. These antennas are designed for various uses such as cell

phones, radio, and satellite television communications by sending and/or receiving radio signals. Examples include whip, omnidirectional, microwave, and panel antennas.

- 2.3. **Antenna System** – means all the components and equipment required on a site, including an antenna and, if required, its supporting tower and an equipment shelter, for the operation of a wireless communication network, but does not include a residential use antenna system.
- 2.4. **Broadcasting** - means any radiocommunication in which the transmissions are intended for direct reception by the general public.
- 2.5. **Carrier** - A company, organization or person which offers, provides or operates wireless communication services to the general public and includes, but is not limited to companies which have a radio authorization from Industry Canada. Examples include Bell Mobility, Aliant, Rogers Telecom, and TELUS.
- 2.6. **Co-location** - The placement of multiple telecommunications antenna systems or other platforms on a building, structure or tower by two or more proponents.
- 2.7. **Equipment Shelters** - A shelter containing electronic equipment such as radios, electronic and other equipment necessary to support the operation of the communications site to receive or transmit signals and which is not staffed on a permanent basis and only requires periodic maintenance.
- 2.8. **Height** – means the vertical distance between the grade at the base of the tower, or if the installation is located on a building or structure, the average grade abutting the building or structure, to the installation's highest point including any antenna, lighting, lightning rod or other attached device.
- 2.9. **Industry Canada** - Is the Federal Department, which is responsible for radio frequency spectrum management. Information outlining the federal process relating to the location of telecommunication and broadcasting antenna systems is available at: www.ic.gc.ca/antenna
- 2.10. **London Advisory Committee on Heritage** - Is an advisory committee to London City Council, responsible for recommending the designation of individual heritage features such as structures, spaces, archaeological sites, and natural elements, which together form a significant type of heritage form, distinctive from that of its basic elements or parts. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; and villages, parks, gardens, battlefields, mainstreets and neighbourhoods and neighbourhood, cemeteries, trailways, and industrial complexes of cultural heritage value. (PPS, 2005).
- 2.11. **Stealth Design** – the blending in or hiding of an antenna system within surrounding buildings, structures or landscaping such as camouflaging antenna systems within church steeples, clock towers, flagpoles or lighting standards.
- 2.12. **Radiocommunication or Radio** - means any transmission, emission or reception of signs, signals, writing, images, sounds or intelligence of any nature by means of electromagnetic waves of frequencies lower than 3000 GHz propagated in space without artificial guide.
- 2.13. **Telecommunication Tower** - A structure used to support one or more antenna systems or other platform for the purpose of radio telecommunications and which may include, but is not limited to guyed towers, self support towers, monopole towers, poles, masts or other structures which are used to support telecommunication facilities and which may be located at ground level or on the roof of a building.

3. Applicability

- Antenna systems or platforms co-located on existing towers where the overall height of the structure is increased by more than 25%;
- Rooftop structures, such as antennas or related equipment, on buildings where the structure is more than 25% of the height of the building or the greater of 16.6 metres (54.5 feet) in height;
- New antennas systems that are located on a new, purpose-built tower or structure that is greater than 16.6 metres (54.5 feet) above ground level;
- Any modification (e.g. increasing the height) to existing structures greater than 16.6 metres (54.5 feet) above ground level in residential areas or is located less than 120 metres from a residential dwelling, residential zone or lands designated as Residential in the Official Plan;
- New antenna systems that are located on a property designated under Part IV or Part V of the Ontario Heritage Act.

The CPC-2-0-03, Section 1.2 states “The requirements of this document apply to anyone regardless of the type of installation or service. This includes, amongst others, Personal Communications Services (PCS) and cellular, fixed wireless, broadcasting, land-mobile, licence-exempt and amateur radio from other radiocommunication antenna structures, and as such the exclusion criteria outlined in Section 6 of the CPC-2-0-03 applies to amateurs as well.

4. The Policy

Submission Requirements (Applicant/Proponent)

- 4.1. A brief written explanation of the telecommunications proposal. The Applicant (carrier) should demonstrate the steps taken to investigate all non-tower and co-location options in the vicinity of the proposed site, and reasons why a tower option is the only feasible alternative in that location. A description of the design elements proposed to minimize the visual impact of the support structure is also required. Pre-consultation with Building Division staff is recommended, particularly where accessory structures are contemplated or for rooftop locations.
- 4.2. A survey of the subject property (or leased portion of the property) drawn to a metric scale showing site grading, location of existing property lines, existing or proposed buildings, fences, existing and proposed landscaping, access, and the type and height of the proposed tower structure. While the City of London recognizes that Industry Canada is the final approval authority for telecommunication facilities, it is also recognized that Industry Canada directs telecommunication providers to consult with the local municipality prior to erecting any non-exempt telecommunication towers.
- 4.3. A location map showing the horizontal distance between the proposed support structure installation and the nearest residential dwelling, residential zone or area designated for current or future residential uses at an appropriate scale to show the context of the facility location and the surrounding area..
- 4.4. A building permit is required for:
 - a) Equipment shelters that exceed 10 square metres of gross floor area.
 - b) A tower and/or equipment building attached to or constructed on an existing building that is greater than 10 square metres.
 - c) Towers that exceed 16.6 metres above ground level where they are not used for federally regulated broadcasting and telecommunications undertakings.
- 4.5. Refer to conformity with site location guidelines and any drawings as required by the Building Division for a new telecommunication tower which are not exempt from the requirement for municipal consultation, as specified in Section 6 - Site

Location Guidelines.

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

Public Consultation Process

- 4.7. Exemptions to the City of London Municipal Concurrence and Public Consultation Process

In an attempt to simplify approvals, the following proposals will be exempt from the City's Telecommunications Facilities Consultation Policy:

- 4.7.1. Maintenance of an existing telecommunication facility, including painting or lighting in order to comply with Transport Canada's requirements;
- 4.7.2. Maintenance of existing radio apparatus including the antenna system, transmission line, mast, tower or other antenna-supporting structure;
- 4.7.3. Proposals for the addition to, reconstruction of, or modification of an antenna systems provided that addition, reconstruction or modification does not result in an overall height increase above the existing antenna of 25% or more of its original height;
- 4.7.4. Proposals of temporary antennas that are portable or mobile and used for public uses, public demonstration or public education purposes, and not exceeding a 3 months duration;
- 4.7.5. Proposals for new ground mounted antenna systems including masts, towers or other antenna-supporting structure, with a height less than 15 metres above ground level;
- 4.7.6. Ground supported towers less than 16.6 metres (54.5 feet) in height above ground level within industrially-designated lands, excluding designated Secondary Plan areas in the City's Official Plan, and located greater than 300 metres from residentially-designated lands in the Official Plan;
- 4.7.7. Antenna systems on the rooftops of non-residentially zoned buildings that do not exceed 25% of the original height of the building or structure, excluding properties designated under the Ontario Heritage Act; and
- 4.7.8. Amateur radio antenna support structures in residential areas provided:
 - a) they are strictly for personal use;
 - b) the antenna boom or other appurtenances attached to the antenna are more than 1 metre from any property line;
 - c) no structure is placed in a front yard; and
 - d) the antenna and associated equipment is less than 16.6 metres (54.5 ft.) in height.

A Letter of Concurrence shall be provided by the City Planner within 45 days of receiving a complete application to notify the Applicant whether the City's requirements have been satisfied. If an application affects a property designated under the Ontario Heritage Act, staff will notify the City's Heritage Planner and the London Advisory Committee on Heritage (LACH), and will inform the Applicant of LACH's comments or concerns.

- 4.8. Submission Requirements for Public Consultation Exemptions

If the proposal meets the requirements for public consultation exemptions, it is requested that the proponents of new telecommunications installations that are exempt still provide the City of London with information on the installation for information purposes only. This will provide staff the ability to provide information to residents and Ward Councillor(s) if any questions or concerns emerge.

4.8.1. The proposed location of the telecommunication tower(s) on the subject site,

4.8.2. A description of the proposed telecommunication structure including its height, dimension, type, design, and colour.

4.8.3. A letter demonstrating compliance with exclusion criteria identified in Industry Canada's CPC-2-0-03 or in this procedure.

4.8.4. Site plan showing the tower.

4.8.5. Supporting drawings.

4.9. Procedure of Notification When Public Consultation Is Required

The public consultation process consists of providing public notice and arranging a public information meeting. Public consultation will be required, and Proponents will be required to demonstrate that they have complied with this policy. This will ensure that the public is made aware of the proposal and are given opportunity to provide their opinions and concerns.

4.9.1. Public consultation is required for:

- a) Antenna systems or platforms co-located on existing towers where the overall height of the structure is increased by more than 25%;
- b) New antennas systems that are located on a new, purpose-built tower or structure that is greater than 16.6 metres (54.5 feet) above ground level;
- c) Any modification (e.g. increasing the height) to existing structures greater than 16.6 metres (54.5 feet) above ground level in residential areas or is located less than 120 metres from a residential dwelling, residential zone or lands designated as Residential in the Official Plan; and,
- d) New antenna systems that are located on a property designated under Part IV or Part V of the Ontario Heritage Act.

4.10. Requirements for Public Notice

For applications that are not exempt from the requirements identified in Section 3.1 of the City of London Telecommunication Process, the proponent shall provide to the City, concurrently with submission requirements, a complete package containing the following information:

- a) The proposed location of the telecommunication tower(s) on the subject site,
- b) Physical details of the tower (e.g. height, colour, type, design and lighting),
- c) The time and location of the public information meeting, the names and telephone numbers of contact persons employed by the Carrier and the City of London,

- d) The purpose of the proposed telecommunication structure, the reasons why an existing telecommunication structure or other infrastructure cannot be used, a list of other telecommunication structures that were considered unsuitable and future co-location possibilities for the proposed telecommunication structure.
- e) A survey plan which shows the location of the tower and any associated structures, and a map showing the site within the required circulation area.
- f) Transport Canada's and Navigation Canada's aeronautical obstruction marking requirement if applicable.
- g) Written confirmation that the proposed structure will be in compliance with Health Canada's Safety Code 6 including combined effects within the local environment at all times.
- h) Notice that general information relating to antenna systems is available on Industry Canada's Spectrum Management and Telecommunications website (<http://strategis.ic.gc.ca/antenna>).
- i) A statement from a communications specialist or an engineer specializing in propagation patterns should provide a statement indicating the need for the height proposed height as well location.
- j) Closing date for the submission of written public comments, not less than 20 days from the date of the public information meeting.
- k) Fees – see "Application Fees" section of this policy.
- l) The applicant will provide notice of both the application and the time and date of the Public Information Meeting, by regular mail to all property owners located within a radius of three times the tower height, measured from the base or the outside perimeter of the supporting structure, or 120 metres from the property boundary, whichever is greater. The applicant shall also provide notice to the Ward Councillor(s), Industry Canada, Ratepayer's Association (if existing), and the Urban League.
- m) The proponent shall provide notice at their expense in the local newspaper where the proposed antenna system is:
 - i) to be 30 metres or more in height;
 - ii) after an addition, the facility will measure 30 metres or more in height; or,
 - iii) is expected to contain medium or high with intensity lighting for the purpose of satisfying Transport Canada requirements,

The notice shall be in accordance with the requirements of Industry Canada's CPC-2-0-03. The notice shall also provide the time, date, and location of the Public Information Meeting. The notice shall be published a minimum of 10 days before the Public Information Meeting.

4.11. Public Information Meeting and Review

- 4.11.1. The public meeting shall occur no sooner than 10 days or more than 30 days from the date that notices are mailed to area residents. The applicant/proponent will maintain the minutes of the meeting and assemble a record of names, addresses and phone numbers of all participants.
- 4.11.2. The Proponent shall conduct the public meeting.
- 4.11.3. In addition to the application details provided in the notice, the

Applicant shall also make available at the public meeting, the drawings and diagrams required in a display sized format.

- 4.11.4. Following the meeting, the Applicant shall provide a follow-up letter to the City to indicate their formal response to the concerns raised during the public meeting. If any modifications to the proposed structure or mitigation measures arise from the consultation, then further details (e.g. revised plans or drawings) shall be provided to the City.

4.12. Completion of Review

- 4.12.1. Following the completion of the application review process, the City Planner shall either:
- i) Provide a Letter of concurrence, conditional concurrence or non-concurrence to the Applicant within 30 days of the public meeting to advise whether adequate public consultation has been conducted by the proponent and to indicate the City's recommendation based on probable land use impacts.
 - ii) For applications that, in the opinion of the City, are not appropriate based on probable land use impacts, a report will be prepared for the Planning and Environment Committee.
 - iii) Comments and concerns from the Planning and Environment Committee will be added to the City's response to the Applicant for Industry Canada's consideration.
 - iv) The whole procedure will not take longer than 120 days to complete, as described in Industry Canada's publication CPC-2-0-03 ("Telecommunication and Broadcasting Antenna Systems", June 2007). Applications that do not need public consultation are anticipated to be completed in less than 60 days.
- 4.12.2. Following the completion of public consultation, the City shall provide a copy of the City's response to interested parties, neighbourhood associations and Ward Councillors.

4.13. Application Fees

If the proposal requires public consultation, the proponent shall be responsible for the cost associated with the public consultation process fee for services as invoiced by the City, i.e. maps, labels, list for residents, or any other public information required. The fee shall be \$125.00 or the actual costs associated with the mapping, labels and circulation lists prepared by the City, and required for the application, whichever is greater.

Note - Building permit fees are not included in the above application fees.

4.14. Site Location Guidelines

- 4.14.1. The location of new commercial and institutional telecommunication towers in lands designated as Residential in the City of London Official Plan will be discouraged.
- 4.14.2. Proponents of towers are encouraged to protect the natural and cultural landscape at all times. Where appropriate, landscaping at the tower site to enhance the character of the surroundings is recommended. Sites within designated Heritage Conservation Districts (e.g. East Woodfield, West Woodfield, Bishop Hellmuth, and Old East Village Heritage Conservation Districts) and properties within the Natural Heritage System or an Environmentally Significant Area as

identified on Schedule "A" Land Use of the City of London Official Plan should be avoided.

- 4.14.3. New telecommunication towers or antennas are greatly discouraged within 120 metres of any Residential Zone or elementary or secondary school, unless required for engineering or network purposes. If a new tower or antenna is planned to be located within 120 metres of a Residential Zone or a school, a detailed rationale for the necessity of this location is to be provided in the justification report of the submission requirements in Section 2.
- 4.14.4. Locations should be selected that will reduce the necessity to construct new telecommunication towers in the City. Locating towers on existing structures or buildings or co-location on an existing telecommunications tower are encouraged. Options to integrate an antenna into the design of a new building or structure are to be explored by the applicant. Support for the construction of a new telecommunication tower will be permitted only when other alternatives to accommodate the telecommunication tower are not feasible.
- 4.14.5. The development or redevelopment of telecommunication towers and equipment shelters should be of a colour and design that diminishes the visual impact and avoids disturbance of significant natural features. Towers and accessory structures are to reflect the context of the surrounding area. Tower designs that mimic other characteristics normally found in the area surroundings, such as stealth (camouflage) towers or monopole designs are encouraged where suitable.
- 4.14.6. Lighting on a telecommunication structure is discouraged except when required by Transport Canada, Navigation Canada, or for the health and safety of the proponents' employees. Where Transport Canada requires a telecommunication antenna structure to be lit, the lighting should be limited to the minimum number of lights and the lowest illumination allowable. Any required strobe lighting should be set to the maximum strobe interval allowed by Transport Canada.
- 4.14.7. Towers shall accommodate only communication antennas. Signs or other material not directly related to this equipment or required by Industry Canada shall not be permitted on the site.
- 4.14.8. The preferred location of new towers within the City is in industrial and agricultural designations which are away from existing or future residential developments. Commercial land use designations may also be considered. New telecommunication towers located on agricultural land should use the smallest area of land permitted by the structure type, and must have access to a public road for maintenance.
- 4.14.9. Towers should be located a minimum three times the tower height away from any public road or right-of-way, including pathways, walkways, and bicycle paths. Towers should also be located a minimum distance of three times the tower height away from a residential zone, school, or dwelling.
- 4.14.10. The procedure requires all requests for the installation of telecommunication equipment on City lands to be submitted to Realty Services.
- 4.14.11. The City may consider permitting private telecommunication facilities on City-owned lands that are not designated as parkland or components of the Natural Heritage System.

APPENDIX B32

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-132-384
being "Value of Parkland Dedication".

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-132-384 being "Value of Parkland Dedication" for reformatting into the new Council Policy template, review with the gender equity lens and to require that an accredited appraiser be retained by the applicant;

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

1. By-law No. CPOL.-132-384 being "Value of Parkland Dedication" is hereby amended by deleting Appendix 'C(50)' to CPOL.-132-384 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Value of Parkland Dedication

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-132-384)

Last Review Date: June 11, 2018

Service Area Lead: Manager - Environmental & Parks Planning (Manager - Long Range Planning and Research)

1. Policy Statement

This policy establishes the method for determining the value of land for 5% land dedications or the payment of cash in lieu.

2. Definitions

Not applicable.

3. Applicability

This policy establishes the value of parkland for dedication or the payment of cash in lieu to the City of London.

4. The Policy

That the following policy for establishing a value for 5% land dedications or the payment of cash in lieu be established:

- a) Cash-in-lieu of parkland dedication values will be set out in Table 1 of By-law CP-9, Parkland Dedication. These values will be evaluated by an Accredited Appraiser (AACI), of the City’s choice, on a biennial basis (every 2 years) to ensure the values of the by-law reflect the current market value;
- b) Realty Services will retain an independent Accredited Appraiser (AACI) to undertake the review and through Planning Services to make recommendations to Council on the appropriate amendments; and
- c) For non-residential cash-in-lieu of parkland payments, an appraisal shall be undertaken by an Accredited Appraiser (AACI) and be submitted to Development and Compliance Services and Realty Services for review and confirmation.

APPENDIX B33

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-133-385
being "Parkland Dedication – Plan of Subdivision".

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-133-385 being "Parkland Dedication – Plan of Subdivision" for reformatting into the new Council Policy template, review with the gender equity lens and to change the rate of dedication for parkland;

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

1. By-law No. CPOL.-133-385 being "Parkland Dedication – Plan of Subdivision" is hereby amended by deleting Appendix 'C(51)' to CPOL.-133-385 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Parkland Dedication – Plan of Subdivision

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-133-385)

Last Review Date: June 11, 2018

Service Area Lead: Manager, Development Services (Subdivisions)

1. Policy Statement

This policy establishes criteria for determining the amount hazard and/or open space dedication of parkland using section 51.1 of the Planning Act, R.S.O. 1990, Chapter P.13, where an application has been made for approval of a plan of subdivision.

2. Definitions

Not applicable.

3. Applicability

The policy applies to the dedication of parkland using section 51.1 of the Planning Act, R.S.O. 1990, Chapter P.13, and the implementation of associated Official Plan policies.

4. The Policy

That, with regard to the dedication of parkland using section 51.1 of the Planning Act, R.S.O. 1990, Chapter P.13, where an application has been made for approval of a plan of subdivision, regard shall be had to the Official Plan policies concerning requirements for land dedication or cash-in-lieu.

Consistent with the Official Plan where City Council determines that the conveyance of parklands is desired, land in the amount of 2% for commercial or industrial purposes and land for all other purposes at a rate of one hectare for each 300 dwelling units or in the amount of 5% of the land proposed for subdivision, whichever is greater, will be described in the subdivision agreement and conveyed upon registration:

- a) The City will require that all hazard and /or open space lands within the land holdings of the owner are included in the application for development;
- b) Lands defined and determined to be hazard or open space in a staff approved ecological or environmental report will not be included within the in the calculations for parkland dedication provided the lands are acquired/dedicated, in some form, to the City;
- c) The City retains the right not to accept the conveyance of land that is considered not suitable or required for park and recreation purposes including but not limited to the size of the parcel, hazard lands, wet lands, hydro lands, easements or other encumbrances that would restrict the City's use of the land. Where the City **does not request the Owner to convey table land**, the City may:
 - i) accept the equivalent of land in cash value as determine in By-law CP-9 Parkland Dedication or at a rate of 1 hectare per 500 residential units;
 - ii) accept hazard land and/or open space lands included within the application at a rate consistent with their value as determined in By-law CP-9 Parkland Dedication; or
 - iii) accept a transfer of an over dedication of parkland in a neighbouring plan of subdivision under the same ownership as outlined in Official Plan Policy 16.3.2 v).
- d) Lands that have been identified, to the satisfaction of the City, as hazard or open space and that are not included as parkland dedication will be acquired by the

City at a rate determined in By-law CP-9. The City reserves the right to determine if the hazard and/or open space lands will form the part of the required parkland dedication;

- e) Where the city is to acquire large tracks of hazard and/or open space lands the following price index shall be applied:

Size in Ha	Size Multiplier
0 to 9.99	1
>10	0.69 (31%)

- f) The parkland dedications from applications for consent to create additional building lots will also fall under this policy. Where an application to register a condominium is caused by "development" rather than solely by conversion of an existing building, parkland dedications will be sought according to Council policy; and
- g) Industrial development or division of industrial lands (consents, plan of subdivision) will not be subject to a 2% parkland dedication rate except where the City has an interest in acquiring natural heritage features as a land dedication.

APPENDIX B34

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-134-386
being "Parkland Dedication Cash-in-lieu".

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-134-386 being "Parkland Dedication Cash-in-lieu" for reformatting into the new Council Policy template, review with the gender equity lens and to require an accredited appraiser be retained by the applicant;

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

1. By-law No. CPOL.-134-386 being "Parkland Dedication Cash-in-lieu" is hereby amended by deleting Appendix 'C(52)' to CPOL.-134-386 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Parkland Dedication Cash-in-lieu

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-134-386)

Last Review Date: June 11, 2018

Service Area Lead: Manager - Environmental & Parks Planning

1. Policy Statement

The policy establishes the valuation of cash in lieu of parkland dedicated to be provided to the City of London under Section 42, 51.1 and 53 of the Planning Act, R.S.O. 1990, Chapter P.13.

2. Definitions

Not applicable.

3. Applicability

This policy applies to the valuation of cash-in-lieu of parkland dedicated to the City under Section 42, 51.1 and 53 of the Planning Act, R.S.O. 1990, Chapter P.13.

4. The Policy

That the following policy be established for the valuation of cash-in-lieu of parkland dedicated to the City under Section 42, 51.1 and 53 of the Planning Act, R.S.O. 1990, Chapter P.13,:

- a) Cash-in-lieu of parkland dedication values will be set out in Table 1 of By-law CP-9, Parkland Dedication. These values will be evaluated by an Accredited Appraiser (AACI), of the City's choice, on a biennial basis (every 2 years) to ensure the values of the by-law reflect the current market value;
- b) Realty Services will retain an independent Accredited Appraiser (AACI) to undertake the review and through Environmental & Parks Planning make recommendations to Council on the appropriate amendments;
- c) The valuation of Table 1 will take into account the value of residential, hazard and open space lands on a city-wide basis on the day before the day of draft approval. The following values are to be considered in the valuation:

Column I	Column II
Average Value of Land	\$/hectare (\$/acre)
Residential Detached Units	
Up to 11.99m lot frontage	\$
12m -14.99m lot frontage	\$
15m -17.99m lot frontage	\$
18m or greater lot frontage	\$
**Where lot frontage is defined under Zoning By-law Z.-1	
Cluster detached / Semi-detached / duplex	\$
Attached Rowhousing	\$
Attached Apartments	\$
Value of Parkland	
Hazard land	\$/hectare (\$/acre)
Open space land	\$/hectare (\$/acre)
Ratio of hazard Land to table land	** to 1
Ratio of open space land to table land	** to 1
Table land to be purchased by the	\$/hectare (\$/acre)

Corporation for parkland use	
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- d) The revised Table 1 of By-law CP-9 will be implemented on the first Tuesday of January, 2011; and
- e) For non-residential cash-in-lieu of parkland payments, an appraisal shall be undertaken by an Accredited Appraiser (AACI) and be submitted to Development and Compliance Services and Realty Services for review and confirmation.

APPENDIX B35

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-135-387
being "Parkland Dedication – Site Plan".

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-135-387 being "Parkland Dedication – Site Plan" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-135-387 being "Parkland Dedication – Site Plan" is hereby amended by deleting Appendix 'C(53)' to CPOL.-135-387 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Parkland Dedication – Site Plan

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-135-387)

Last Review Date: June 11, 2018

Service Area Lead: Manager, Development Services (Site Plan)

1. Policy Statement

This policy establishes the process for decision on whether dedication of parkland or cash-in-lieu of parkland to the City under Section 42 of the Planning Act, R.S.O. 1990, Chapter P.13, is to be undertaken, where an application has been made for site plan approval.

2. Definitions

Not applicable.

3. Applicability

This policy applies to the decision to accept parkland dedication or cash in lieu of parkland dedication where an application has been made for site plan approval.

4. The Policy

That the following policy be established for the dedication of parkland or cash-in-lieu of parkland to the City under Section 42 of the Planning Act, R.S.O. 1990, Chapter P.13, where an application has been made for site plan approval:

- a) Where commercial, residential or other land use is developed under Section 42 of the Planning Act, R.S.O. 1990, Chapter P.13, has not made previous contributions to parkland dedication, a condition for fulfillment of the parkland dedication will be a condition of site plan approval; and
- b) Where land is not desired or available for the municipality, cash-in-lieu of parkland will be required prior to the issuance of a building permit and valued at the day before the day of issuance of the building permit.

APPENDIX B36

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-137-389
being "Pathway Corridors".

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-137-389 being "Pathway Corridors" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-137-389 being "Pathway Corridors" is hereby amended by deleting Appendix 'C(55)' to CPOL.-137-389 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Pathway Corridors

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-137-389)

Last Review Date: June 11, 2018

Service Area Lead: Manager, Development Services (Subdivisions)

1. Policy Statement

This policy establishes requirements for the granting of pathway corridors under Section 51(25) of the Planning Act, R.S.O. 1990, Chapter P.13.

2. Definitions

Not applicable.

3. Applicability

This policy applies to the granting of pathway corridors as part of the required parkland dedication.

4. The Policy

That the following policy be established for the granting of pathway corridors under Section 51(25) of the Planning Act, R.S.O. 1990, Chapter P.13

- a) The City may require the granting of pedestrian pathways and bicycle pathways in developments where these pathways and corridors have been shown on the Bicycle Master Plan, an area plan, a secondary plan or other planning document or Environmental Assessment study;
- b) These pathway corridors will not be included as part of the required parkland dedication; and
- c) Pathway corridors shall be a minimum width of 5 metres. Land included above the 5 metres will form part of the required parkland dedication.

APPENDIX B37

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-138-390
being "Parkland Accounts".

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-138-390 being "Parkland Accounts" for reformatting into the new Council Policy template, review with the gender equity lens and to include new provisions for parkland accounts as noted in Bill 73;

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

1. By-law No. CPOL.-138-390 being "Parkland Accounts" is hereby amended by deleting Appendix 'C(56)' to CPOL.-138-390 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Parkland Accounts

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-138-390)

Last Review Date: June 11, 2018

Service Area Lead: Manager - Environmental & Parks Planning

1. Policy Statement

This policy establishes a parkland reserve fund.

2. Definitions

Not applicable.

3. Applicability

This policy applies to the maintenance of a reserve fund for the acquisition of land, the development, management and restoration of parks and open spaces and other recreational needs.

4. The Policy

That the following policy be established for creation of a parkland reserve fund.

- a) Funds received from cash-in-lieu payments for parkland dedication will be maintained in a separate fund and used for the acquisition of land, the development, management and restoration of parks and open spaces and other recreational needs.
- b) The account shall maintain with a minimum balance of \$300,000 for advantageous acquisitions as they may arise.
- c) The City Treasurer will present to Council a public financial statement containing the following:
 - i) the opening and closing balances,
 - ii) any land or machinery acquired with the funds,
 - iii) any buildings erected, improved or repaired with the funds,
 - iv) details of the amount spent, and
 - v) how capital costs for the land, machinery or buildings described above will be funded if the costs are not fully covered by the special fund

APPENDIX B38

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-165-417
being "Demolition Control".

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-165-417 being "Demolition Control" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-165-417 being "Demolition Control" is hereby amended by deleting Appendix 'C(84)' to CPOL.-165-417 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Demolition Control

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-165-417)

Last Review Date: June 11, 2018

Service Area Lead: Manager – Urban Regeneration

1. Policy Statement

This policy outlines the process for applications for the demolition of properties designated under the Ontario Heritage Act or listed on the Register of Cultural Heritage Resources. It should be noted that a Notice of Intent to Demolish cannot be withdrawn.

2. Definitions

Not applicable.

3. Applicability

This policy applies to application for the demolition of buildings or structures on properties designated under the Ontario Heritage Act or listed on the Register of Cultural Heritage Resources.

4. The Policy

4.1. Demolition of Buildings or Structures on Heritage Listed or Designated Properties

That the following policies on the demolition of buildings or structures on *properties designated under the Ontario Heritage Act or listed on the Register of Cultural Heritage Resources*:

4.2. Buildings or structures on properties listed on the Register of Cultural Heritage Resources pursuant to Section 27(3) of the Ontario Heritage Act:

- a) The applicant (property owner or authorized agent) contacts a Heritage Planner to notify staff of their intention to demolish the building(s) on their heritage listed property and to schedule a pre-consultation meeting;
- b) Notice of intention to demolish or remove a building or structure from a property listed on the Register of Cultural Heritage Resources is made by the applicant, in writing, and provided to a Heritage Planner and the Clerks department;
- c) The notice of intention to demolish is accompanied by such plans and information as Municipal Council may require, identified at the pre-consultation meeting by a Heritage Planner, including but not limited to: an evaluation of the property's cultural heritage value or interest using the criteria of O. Reg. 9/06 (Cultural Heritage Evaluation Report), a Heritage Impact Assessment, fully sized and scaled site plan and elevation drawings, a title search, structural assessment, and/or engineering reports;
- d) Upon receiving the notice of intention to demolish, and accompanying plans and information, the Heritage Planner will determine if the submission is complete and will issue, in writing, notice of receipt of the request to initiate the 60-day review timeline mandated by Section 27(3) of the *Ontario Heritage Act*;
- e) A notice of intention to demolish for a heritage property will not be deemed to be received or complete unless/until it is accompanied by any plans or information required by Heritage Planning staff, and as identified to the applicant in writing.
- f) The Heritage Planner will notify the Building Division and the City Clerk's Office of the notice of intention to demolish and provide any accompanying information received;

- g) The Heritage Planner will schedule a public participation meeting and letters mailed out to property owners within 120 metres of the subject property advising of the notice of intention to demolish and to provide notice of the public participation meeting; notice of the request is also provided in *The Londoner* and on the City's website;
- h) The Heritage Planner will prepare a report for the London Advisory Committee on Heritage (LACH), with a recommendation either to remove the property from the Register of Cultural Heritage Resources or to designate the property under the *Ontario Heritage Act*, for the purposes of obtaining feedback from LACH on both the designation and demolition request;
- i) The Heritage Planner will present a report, including the feedback from LACH, with a recommendation to remove the property from the Register of Cultural Heritage Resources or designate the property under the *Ontario Heritage Act*, and a recommendation with respect to the demolition request, at a public participation meeting of the Planning & Environment Committee;
- j) Municipal Council will make the final decision on the designation and notice of intention to demolish:
 - i) If Municipal Council proceeds to designate the property under the *Ontario Heritage Act*, notice will be given in the manner prescribed in the legislation.
 - ii) If Municipal Council proceeds to designate the property, a decision will also be made with respect to the demolition, and notice will be given in the manner prescribed in the legislation.
 - iii) If Municipal Council does not proceed to designate the property, the property may be removed from the Register of Cultural Heritage Resources, and no decision with respect to the demolition will be required.

4.3. Buildings or structures on properties designated under Parts IV and/or V of the Ontario Heritage Act:

- a) The applicant (property owner or authorized agent) contacts a Heritage Planner to notify staff of their intention to demolish the building(s) on their heritage designated property and to schedule a pre-consultation meeting;
- b) Notice of intention to demolish or remove a building or structure from a designated property is made by the applicant, by completing an application form for a Heritage Alteration Permit, and provided to a Heritage Planner;
- c) The Heritage Alteration Permit application is accompanied by such information as Municipal Council may require, identified at the pre-consultation meeting by a Heritage Planner, including but not limited to: a Heritage Impact Assessment, fully sized and scaled site plan and elevation drawings, a title search, structural assessment, and/or engineering reports;
- d) Upon receiving the application, and accompanying information, the Heritage Planner will determine if the submission is complete and will issue, in writing, the notice of receipt of the application to initiate the 90-day review timeline mandated by Section 33(4) and 42(4) of the Ontario Heritage Act;
- e) A notice of intention to demolish for a heritage property will not be deemed to be received or complete unless/until it is accompanied by any plans or information required by Heritage Planning staff, and as identified to the applicant in writing.
- f) The Heritage Planner will notify the Building Division and the City Clerk's Office of the notice of intention to demolish and provide any accompanying information received;
- g) The Heritage Planner will schedule a public participation meeting and letters mailed out to property owners within 120 metres of the subject property advising

of the notice of intention to demolish and to provide notice of the public participation meeting; notice of the request is also provided in The Londoner and on the City's website;

- h) The Heritage Planner will prepare a report for the London Advisory Committee on Heritage (LACH), with a recommendation to either: approve the Heritage Alteration Permit, refuse the Heritage Alteration Permit, or approve the Heritage Alteration Permit with terms and conditions;
- i) The Heritage Planner will present a report, including the feedback from LACH, with a recommendation to either: approve the Heritage Alteration Permit, refuse the Heritage Alteration Permit, or approve the Heritage Alteration Permit with terms and conditions, at a public participation meeting of the Planning & Environment Committee;
- j) Municipal Council will make the final decision on the Heritage Alteration Permit in accordance with the legislated timeline, and either:
 - i) Consent to the application;
 - ii) consent to the application, subject to terms and conditions as may be specified by the Municipal Council; or,
 - iii) refuse the application; and,shall provide notice of decision and appeal rights, in accordance with the legislated requirements.

Please be advised that buildings or structures removed or demolished without the approval of the Municipal Council will result in prosecution or other enforcement in accordance with the *Ontario Heritage Act*, R.S.O. 1990, c. O.18.

This policy is to be used only as guidance to owners wishing to demolish heritage property and does not constitute legal advice. This policy is to be used in conjunction with the legislated requirements of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, to provide direction with respect to internal procedures.

APPENDIX B39

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-166-418 being “Substantially Changed OPA/ZBA Applications”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-166-418 being “Substantially Changed OPA/ZBA Applications” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-166-418 being “Substantially Changed OPA/ZBA Applications” is hereby amended by deleting Appendix ‘C(85)’ to CPOL.-166-418 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Substantially Changed OPA/ZBA Applications

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-166-418)

Last Review Date: June 11, 2018

Service Area Lead: Manager- Current Planning

1. Policy Statement

This policy addresses Official Plan Amendment and/or Zoning By-law Amendment applications that are substantially changed from the application originally submitted and whether or not a new liaison and another public meeting are required.

2. Definitions

Not applicable.

3. Applicability

The policy applies to Official Plan Amendment and/or Zoning By-law Amendment applications where the application has been substantially changed from the application originally submitted.

4. The Policy

That a policy be established whereby an applicant for an Official Plan Amendment or Zoning By-law Amendment shall be required to file a new application when the application has been substantially changed from the application originally submitted to the Committee, unless the Planning & Environment Committee directs otherwise. The application shall be considered to be substantially changed when the Managing Director, Planning and City Planner determines that a new departmental and/or public liaison is required or the Planning & Environment Committee determines that an application has substantially changed to the extent that a new liaison is required and another public meeting is required.

APPENDIX B40

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-167-419
“Urban Design Awards”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-167-419 being “Urban Design Awards” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-167-419 being “Urban Design Awards” is hereby amended by deleting Appendix ‘C(86)’ to CPOL.-167-419 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Urban Design Awards

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-167-419)

Last Review Date: June 11, 2018

Service Area Lead: Manager- Urban Design

1. Policy Statement

The City of London Urban Design Awards Program is intended to recognize, celebrate and inspire design excellence in the City of London. Design Awards will be granted for exceptional projects that represent visionary thinking and “raise the bar” for design excellence in London.

Urban Design Awards will be granted once every two years. Planning Services will be responsible for administering this program in accordance with the Terms of Reference.

At the conclusion of the Design Awards process, a ceremony will be held for the purpose of recognizing and celebrating winners of the Urban Design Awards and for promoting the urban design agenda in the community as a whole.

The winning submission(s) of the London Urban Design Awards will be automatically submitted to the RAIC (Royal Architectural Institute of Canada) National Urban Design Awards program, which are held in the year between of the biennial London Urban Design Awards. This will be an opportunity for local developers, architects, urban designers, as well as the City to showcase their developments and compete for Urban Design Awards at the national level.

The Urban Design Awards Program is intended to recognize, celebrate and inspire excellence in Urban Design in the City of London. Design Awards will be granted for exceptional projects that represent visionary thinking and “raise the bar” for design excellence in London. Award winning projects will compete for Urban Design Awards at the national level through the RAIC National Urban Design Awards Program.

2. Definitions

Not applicable.

3. Applicability

Projects are eligible for an urban design award where they are developed up to 5 years prior to the awards year. Submissions for awards can be submitted by a project owner, a member of the team that is associated with the project, a member of Council, a member of municipal staff, or a member of the general public. To be eligible for an award, submissions must be received by the City of London Planning Services within the prescribed deadline date and all entries must meet submission requirements. It should be clear that public projects, including those developed by the City of London, are eligible for awards.

4. The Policy

4.1. SUBMISSION REQUIREMENTS

Submissions will only be accepted where they meet the following requirements:

- An abstract of the project is provided to explain its design qualities and how this project significantly adds to the quality of the public realm in London. The abstract should also touch on those items that are outlined in the relevant awards category descriptions below (Section 7). This abstract is to be provided in the electronic format specified by the City.
- Two display boards maximum (sizes will be specified).
- A photo slide show, not exceeding 50 photographs, illustrating the design qualities of the project described in the abstract. This slide show is to be

provided in the electronic format specified by the City.

These submissions will allow for submissions to be presented on the City's web site, and also allow for innovative display techniques for the awards ceremony and circulation of the awards.

All materials submitted to the City of London become property of the City of London and will not be returned to the applicant. Furthermore, submission of materials implies consent for the City of London to disseminate such materials at the sole discretion of the City.

4.2. AWARDS PROCESS

A call for submissions will be issued in June/July of an awards year. Planning Services will engage in a rigorous process to raise awareness in the community that the City has issued a call for Urban Design Awards submissions. This may include, but is not limited to, advertising in newspapers, use of the City's web site, mail-outs to members of the design, architecture, landscape architecture, planning, and development industry. It may also include other vehicles, such as the preparation of a poster or other such materials, to raise awareness of the Awards, and the agenda for urban design excellence in London.

Judging of the projects will occur in September of the Awards year. This will allow for judges to view projects including vegetation in a state of full bloom. The jury which will compile a short list of projects from amongst the entries submitted. Planning Services will arrange for the jury to visit the sites of the projects on the short list. Thereafter the jury will reconvene, in camera, to make its awards decisions and will submit its recommendations thereon, in camera, to the Municipal Council for final approval.

It shall be at the sole discretion of the Jury to determine whether or not Awards will be recommended in any or all of the awards categories in a given year. A maximum of 4 urban design awards will be granted, except in exceptional circumstances. Awards will be granted in October/November of the Awards year.

Planning Services will disseminate information relating to the award winning projects through the use of various mediums, including, but not limited to: web site posting, posters or other publications relating to the next design awards call for submissions, displays in prominent public spaces, etc.

4.3. AWARDS PRESENTATION

Awards will be presented to the Urban Design Award winners at a ceremony, which may combine other activities intended to advance the agenda for urban design excellence in London. Those earning honourable mention will also be congratulated at this ceremony. Two awards will be given to each award winning team. Additional awards can be ordered by winners for additional members of the team, at a cost to the winners which covers the expense of the City purchasing these awards.

4.4. URBAN DESIGN AWARDS JURY

An Urban Design Awards Jury, made up as follows, will be established annually by the City.

Voting Members:

- The Chair of the Planning Committee of Council or an appointed designate
- The President of the London Society of Architects or an appointed designate
- The Chair of the Southwestern Ontario District of the Ontario Professional Planners Institute or an appointed designate
- The President of the London Branch of the Ontario Association of Landscape Architects or an appointed designate
- An Urban Designer from outside the community (who is not involved with any projects under consideration)

Limitations:

- No member of the Jury shall serve for more than 3 consecutive design award terms.
- No member of the jury shall be related, in any substantive way, to any projects under consideration.

Chair:

- The jury will elect from amongst its Members a Chair and a Vice-Chair at its first meeting each year.

Designates:

- Designates from any of the above groups will be accepted where jurors disqualify themselves from serving on the jury, where a jury member has already served three consecutive awards terms, or where the above-identified person cannot make himself/herself available for serving on the jury.

4.5. AWARDS CATEGORIES

The following Awards Categories and Awards are hereby established:

4.5.1. Buildings

An individual building, or a composition of buildings, which achieves urban design excellence through its relationship to the public realm, its massing, detailing and pedestrian amenity. Entrants should document and highlight how the building, or group of buildings, contributes to the quality of place. All types of buildings are eligible whether "landmark" or "background," new construction or a restoration/transformation. Building types could include: Main Street Mixed Use, Residential (detached, attached, multi-unit), Commercial, Institutional or Industrial.

The primary criteria for assessing the merit of entries in this category will be:

- Positive contribution to the public realm/quality of place;
- Architectural excellence;
- Demonstration of fulfilling a clearly articulated urban design intent.

4.5.2. Buildings (Small Scale Residential)

A residential building, which achieves urban design excellence through its relationship to the surrounding neighbourhood, its massing, siting and detailing. Entrants should document and highlight how the building, contributes to the overall character as well as to the quality of place in the neighbourhood in which it is located. All types of small scale non-apartment residential buildings are eligible whether new construction or restoration/transformation. Building types could include single detached residential, townhouses, semi's, 2-, 3-, or 4-plexes.

The primary criteria for assessing the merit of entries in this category will be:

- Positive contribution to the character of the existing neighbourhood/quality of place;
- Architectural excellence;
- Demonstration of fulfilling a clearly articulated urban design intent.

4.5.3. Public Realm Enhancements

Elements can be defined as a stand-alone object, or landscape element which contributes significantly to the quality of the public realm. It should provide a memorable image, reinforce the human scale and enhance the character of the surrounding area.

Examples include:

- Benches
- Gateways

- Light fixtures
- Walkways
- Fences
- Work of art

4.5.4. Public Spaces and Landscapes

Public space - generally related to, and defined by, adjacent buildings or natural/manmade elements -- which provides an extension to the public realm in an exemplary way.

Examples are:

- Courtyards
- Plazas
- Forecourts
- Gardens
- Trails
- Mews
- Parks

4.5.5. Large places and neighbourhoods

This includes designs for a new or renovated large-scale areas of the city. The project must be completed to such extent as to allow the jury to clearly understand and evaluate the plan.

The submissions in this category should clearly state the existing conditions and demonstrate how the plan creatively resolves and addresses multiple objectives and competing interests. The submission should also provide evidence of community involvement and acceptance.

Examples are:

- Area plans
- Subdivisions
- Industrial parks
- Campus plans
- Streetscapes

It should be clear that these categories ARE INTENDED TO:

- Explain what types of projects are eligible for an Urban Design Award;
- Describe, in very general terms, how these projects will be evaluated; and
- Help to encourage submissions that are of a very high quality.

It should be equally clear that these categories ARE NOT INTENDED TO:

- Limit the number of awards that can be granted within a single category;
- Require that an award be granted in every category where there is not a submission that warrants an award; and
- Limit a submission to competing only against those projects that are within their category.

Where the Jury deems it to be appropriate, honourable mention will be given to those projects that did not win an award, but exhibited many excellent design traits worthy of recognition.

4.6. NATIONAL URBAN DESIGN AWARDS (HOSTED BY ROYAL ARCHITECTURAL INSTITUTE OF CANADA)

Following the Urban Design Awards ceremony the winning submissions will be given instructions as to how their projects can be submitted to the National Urban Design Awards program. The Submission requirements for the National Urban Design Awards can be found on the RAIC website.

APPENDIX B41

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-168-420
being "Tree Preservation".

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-168-420 being "Tree Preservation" for reformatting into the new Council Policy template, review with the gender equity lens and to align with current subdivision processes;

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

1. By-law No. CPOL.-168-420 being "Tree Preservation" is hereby amended by deleting Appendix 'C(87)' to CPOL.-168-420 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Tree Preservation

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-168-420)

Last Review Date: June 11, 2018

Service Area Lead: Manager - Environmental & Parks Planning

1. Policy Statement

To promote the preservation of wooded areas through the subdivision development process where these areas are appropriate for retention as public open space or where they can be retained on privately-owned lands in an economically-viable and reasonable manner.

2. Definitions

Not applicable.

3. Applicability

All applications or proposals for draft plan of subdivision approval submitted to the City of London shall be reviewed by Planning Services, in consultation with Neighbourhood, Children and Fire Services, to determine the applicability of a tree preservation program.

4. The Policy

- i) It is the expectation of the City of London that no trees will be removed from sites proposed for subdivision development prior to City Council's consideration of the subdivision application.
- ii) All applications or proposals for draft plan of subdivision approval submitted to the City of London shall be reviewed by Planning Services, in consultation with Neighbourhood, Children and Fire Services, to determine the applicability of a tree preservation program.
- iii) Criteria for determining the applicability of a tree preservation program shall be as follows:
 - the proposed plan of subdivision contains a wooded area in excess of 0.4 hectares (1 acre) in size; or,
 - the proposed plan of subdivision contains a wooded area contiguous to public open space, or to a wooded area on adjacent lands having a total size in excess of 0.4 hectares (1 acre); or,
 - the proposed plan of subdivision contains a tree stand(s) of less than 0.4 hectares (1 acre) in size that includes trees which, in the opinion of Planning Services and Neighbourhood, Children and Fire Services, may be viable for and worthy of preservation according to their location, species, health and age.
- iv) Where it has been determined that a proposed plan of subdivision will be subject to a tree preservation program, the subdivider will be required to submit to Planning Services and Neighbourhood, Children and Fire Services, prior to the consideration of the application by the Planning & Environment Committee, a tree survey and botanical analysis prepared by a qualified consultant, usually a professional arborist, ecologist or landscape architect. The tree survey and botanical analysis shall include:
 - a plan accurately delineating wooded areas and smaller tree stands containing significant trees (trees in excess of 60 mm. (2.4 in.) calibre

measured 1 m (3.3 ft.) above ground, as well as major shrub groupings, prepared at the same scale as the proposed draft plan of subdivision;

- a general description of the wooded area(s) including species composition, age, vigour, soil, drainage, topographic characteristics, and degree of disturbance. The identification of individual trees in the wooded area is not required unless the consultant is of the opinion that there are unusual species or significant specimens worthy of noting;
- an assessment of the existing health of the wooded area(s), its degree of sensitivity to grade changes, drainage disruption, the effect of any changes to the water table, and other impacts that may be associated with development on adjacent lands, and its long-term prospects for survival. This assessment shall have due regard for preliminary grading information to be supplied by the subdivider;
- an opinion as to the priority (high, medium or low) that should be given to the preservation of the wooded area, having regard for rare, threatened or endangered tree species;
- an inventory of significant trees in smaller tree stands according to their species, size, age, and vigour; and an opinion as to their viability and priority for preservation;
- recommended measures to minimize the impact of development on wooded areas and smaller tree stands identified as having a high priority for preservation;

v) Planning Services and the Neighbourhood, Children and Fire Services shall review the tree survey and botanical analysis and, following consultation with the subdivider, consultant and other agencies as appropriate, shall determine wooded areas and tree stands, or portions thereof, that are worthy of and feasible for preservation, and measures that should be taken to protect these areas. These measures may include but are not limited to the following:

- dedication or purchase of wooded areas as parkland or public open space;
- revisions to the proposed lot structure and road alignments to increase the opportunities for tree preservation;
- modifications to grading and drainage plans to reduce the impact of development on wooded areas and trees to be retained.

The recommendations of Planning Services, Neighbourhood, Children and Fire Services and other appropriate agencies regarding tree preservation will be incorporated in the report of the Managing Director, Planning and City Planner to the Planning and Environment Committee.

vi) Subdividers may be required to undertake measures to prevent damage to wooded areas or tree stands to be preserved, prior to and during the development of the subdivision, such as, but not limited to:

- selective removal of trees along the edge of the wooded area or tree stands prior to construction to minimize windthrow and sunscald damage that occurs when new boundaries to wooded areas are established;
- snow fencing or another suitable barrier shall be placed, at a minimum, along the drip line of the wooded area or tree stand to be preserved prior to the start of construction on the site;
- areas protected shall remain undisturbed and shall not be used for the placement or excavation of fill or topsoil, the storage of debris, construction

material or equipment, or become contaminated by silt from construction activities. Contaminants shall not be dumped or flushed over tree roots. An exception to this provision may be made, under exceptional circumstances, for the installation of services or drainage facilities according to plans that have been approved by the Managing Director Environmental & Engineering Services and City Engineer and the Managing, Director Neighbourhood, Children and Fire Services, using techniques that shall minimize disruption to the tree preservation area;

- where the root systems of trees to be preserved are exposed or damaged by construction work, they shall be neatly trimmed and the area shall be backfilled with appropriate material to prevent drying and desiccation;
 - the grades around wooded areas or tree stands shall not be disturbed. If it is necessary to change grades around treed areas to be preserved, the subdivider may be required to take precautions such as dry welling and root feeding. Filling and grading within the drip line of trees shall be done by hand;
 - installation of permanent fencing; with the necessity, extent and specific location of fencing to be determined in consultation with the Neighbourhood, Children and Fire Services.
- vii) Neighbourhood, Children and Fire Services, with the assistance of other agencies as appropriate, shall inspect the subdivision construction site at appropriate points to ensure that the recommendations of the tree survey and botanical analysis and the requirements of the City of London are complied with. Final assumption of the subdivision may be delayed until such time as these recommendations and requirements have been satisfied.

APPENDIX B42

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-170-422 being “Notices of OPA and ZBA Received From Other Municipalities”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-170-422 being “Notices of OPA and ZBA Received From Other Municipalities” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-170-422 being “Notices of OPA and ZBA Received From Other Municipalities” is hereby amended by deleting Appendix ‘C(89)’ to CPOL.-170-422 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Notices of OPA and ZBA Received From Other Municipalities

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-170-422)

Last Review Date: June 11, 2018

Service Area Lead: Manager - Long Range Planning and Research

1. Policy Statement

This policy directs notice of Official Plans and Zoning By-law amendments from other municipalities to the Managing Director, Planning and City Planner to ensure administrative review with regards to municipal concerns.

2. Definitions

Not applicable.

3. Applicability

This policy applies to the City Clerk, the Managing Director, Planning and City Planner regarding notice of amendments to Official Plans and Zoning By-laws from other municipalities.

4. The Policy

That a policy be established whereby all notices received by the City Clerk from other municipalities concerning proposed or adopted amendments to Official Plans and Zoning By-laws be forwarded directly to the Managing Director, Planning and City Planner for review and action as follows:

- a) where there are no municipal concerns identified by the Managing Director, Planning and City Planner, the Managing Director, Planning and City Planner shall respond directly to the respective municipality advising that the City has no particular comments or concerns related to the proposed or adopted amendment; and
- b) where there are municipal concerns identified by the Managing Director, Planning and City Planner, the Managing Director, Planning and City Planner shall prepare a report for submission to the Planning and Environment Committee that indicates such concerns and recommends a course of action to be taken by the Municipal Council relating to the proposed or adopted amendment.

APPENDIX B43

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-172-424
being "Naturalized Areas and Wildflower Meadows".

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-172-424 being "Naturalized Areas and Wildflower Meadows" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-172-424 being "Naturalized Areas and Wildflower Meadows" is hereby amended by deleting Appendix 'C(91)' to CPOL.-172-424 in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Naturalized Areas and Wildflower Meadows

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-172-424)

Last Review Date: June 11, 2018

Service Area Lead: Manager - Environmental & Parks Planning

1. Policy Statement

This policy ensures that Naturalized Areas and Wildflower Meadows are in compliance with the Clearing of Land By-law.

2. Definitions

2.1. **Naturalized Area:** means a portion of a lot where a lawn or perennial garden previously maintained by the owner which has been allowed to re-establish a reproducing population of native species, through a combination of natural regeneration and deliberate plantings of species or other species to emulate a natural area.

2.2. **Wildflower Meadow:** means a specialized habitat within a naturalized area, which is dominated by native species of flowers and grasses. The area would require periodic mowing (once or twice per year) in order to prevent the growth and establishment of woody shrubs and trees.

3. Applicability

This policy applies to property owners who have established a Naturalized Area or Wildflower Meadow.

4. The Policy

Where a property owner proposes or has established a Naturalized Area or a Wildflower Meadow, the owner will provide evidence on request to the Environment and Transportation Committee to establish, to the satisfaction of the Committee and Council that the Naturalized Area or Wildflower Meadow is in compliance with the Clearing of Land By-law.

APPENDIX B44

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-232-15 being
“Siting of Cannabis Retail Stores in London”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-232-15 being “Siting of Cannabis Retail Stores in London” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-232-15 being “Siting of Cannabis Retail Stores in London” is hereby amended by deleting Appendix “A” to CPOL.-232-15 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Siting of Cannabis Retail Stores in London

Legislative History: Enacted December 12, 2017 (By-law No. CPOL.-232-15)

Last Review Date: June 11, 2018

Service Area Lead: Managing Director, Planning Services and City Planner

1. Policy Statement

The policy is to establish location, design and engagement measures for the Province or its Agents to consider in the location of cannabis retail stores.

2. Definitions

Not applicable.

3. Applicability

The policy applies to the matters to be considered by the Province or its Agents in the siting of cannabis retail stores.

4. The Policy

It is recognized that the Province and its agents are not bound by policies and by-laws of any municipality. However, it is a policy of the City of London to ask that the Province and its agents implement the following location, design and engagement measures when siting a new cannabis retail store in London:

- 4.1. The property line of any cannabis retail store site be a minimum of 500m away from the property line of any elementary school or secondary school;
- 4.2. The property line of any cannabis retail store be a minimum of 500m away from the property line of any municipal library, pool, arena, community centre or the Western Fairgrounds;
- 4.3. A cannabis retail store be located within the following Place Types in the Council approved London Plan:
 - a) Shopping Areas
 - b) Rapid Transit – Transitional
 - c) Urban Corridor - Transitional
- 4.4. A cannabis retail store’s site be designed to accommodate significant volumes of automobile parking - 1 space per 15m² of floor area - and incorporate CPTED (Crime Prevention Through Environmental Design) principles into the site design of the facility and the entire site on which it is located;
- 4.5. The Province be encouraged to undertake appropriate public engagement process when siting a cannabis retail store and to continue this engagement with representatives from the community thereafter to identify and address concerns.

APPENDIX B45

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-233-50 being
“Siting of Safe Consumption Facilities and
Temporary Overdose Prevention Sites in London”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-233-50 being “Siting of Safe Consumption Facilities and Temporary Overdose Prevention Sites in London” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL. -233-50 being “Siting of Safe Consumption Facilities and Temporary Overdose Prevention Sites in London” is hereby amended by deleting “Schedule A” to CPOL.-233-50 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Siting of Safe Consumption Facilities and Temporary Overdose Prevention Sites in London

Legislative History: Enacted January 30, 2018 (By-law No. CPOL.-233-50)

Last Review Date: June 11, 2018

Service Area Lead: Managing Director, Planning Services and City Planner

1. Policy Statement

This policy is to define a Supervised Consumption Facility (SCF) and Temporary Overdose Prevention Site (TOPS), to provide criteria for the siting of these facilities, and to establish an engagement process for proponents of an application to permit these facilities.

2. Definitions

2.1. Supervised Consumption Facility - means a facility that has received an exemption from the Controlled Drugs and Substances Act, where people can bring their illicit drugs to consume in a sterile and safer environment. These sites have equipment and trained staff present to oversee a person's drug consumption and assist in the event of an overdose or other health risk. These facilities may offer additional health and drug-related support services. These facilities are intended to provide such services on an ongoing, rather than temporary, basis.

2.2. Temporary Overdose Prevention Site - means a temporary facility that has received an exemption from the Controlled Drugs and Substances Act, where people can bring their illicit drugs to consume in a sterile and safer environment. These sites have equipment and trained staff present to oversee a person's drug consumption and assist in the event of an overdose or other health risk. Unlike supervised consumption facilities, these facilities are to be temporary in nature, existing for two years or less.

3. Applicability

The policy applies to proponents of an application to permit a Supervised Consumption Facility (SCF) or Temporary Overdose Prevention Site (TOPS).

4. The Policy

4.1. Siting of Supervised Consumption Facilities

It is a policy of the City of London to ask that any proponent of a supervised consumption facility (SCF) implement the following location, design and engagement measures through the process of siting their facility:

4.1.1. Location Criteria to Benefit Those Who Use Such Facilities

For the benefit of those who use supervised consumption facilities, they should be sited in a location that is:

- Within close proximity to, or near, communities where drug consumption is prevalent
- Well serviced by transit
- Discrete, allowing for reasonable privacy for those using the facility
- Separated from busy pedestrian-oriented commercial areas
- Separated from public spaces that generate pedestrian traffic or may generate crowds from time to time
- Close to an area with other drug addiction related support services

4.1.2. Location Criteria to Avoid Land Use Conflicts

In addition to those criteria listed in Part 1, above, to avoid land use conflicts, supervised consumption facilities should be sited in a location that is:

- Separated from busy commercial areas or active public spaces that could generate conflicts between the general public and those leaving these facilities after consuming
- Separated from parks
- Separated from key pedestrian corridors in the Core Area
- Separated from public elementary or secondary school properties
- Separated from municipal pools, arenas and community centres and the Western Fairgrounds
- Not within the interior of a residential neighbourhood

4.1.3. Site Design Criteria

In addition to those location criteria listed in Part 1 and Part 2 of this policy, supervised consumption facilities should be designed to:

- Incorporate Crime Prevention Through Environmental Design (CPTED) principles
- Meet municipal bylaws and provincial regulations for accessibility
- Orient building entrances to allow for reasonably discrete entry and exit
- Ensure that building waiting areas and vestibules are adequately sized to avoid line-ups or waiting outside of the building
- Allow for easy visual surveillance of the facility and its surrounding site from the street
- Avoid opportunities for loitering, such as the installation of seating areas or landscape features that can be used for seating.

4.1.4. Engagement Measures

Consultation processes required by the Federal and Provincial governments must be met. In addition, proponents of supervised consumption facilities should host a meeting with property owners, business owners, and residents within a minimum of 120m of the proposed site to describe the proposal and operational procedures planned for the facility, hear the neighbouring property owners concerns, allow for consideration of measures that could be taken to mitigate these concerns, and establish a system for ongoing communication with the community.

4.2. Siting of Temporary Overdose Prevention Sites (TOPS)

It is recognized, through this policy, that temporary overdose prevention sites are intended to address a public health emergency. In addition, they are intended to be temporary in nature. Accordingly, it is understood that all of the siting and design criteria identified in Part A, above, may not be achievable. However, any proponent of a temporary overdose prevention site should ensure that the majority of these location and design criteria are met and that the facility is not located within the interior of a residential neighbourhood or near a public elementary or secondary school.

The engagement measures identified for supervised consumption facilities in Part A, above, should be implemented for temporary overdose prevention sites, but may occur after the facility has been established.

The Province has indicated that, to address a public health emergency, temporary overdose prevention sites may be approved by the Ministry of Health and Long Term Care on a time limited basis (3 to 6 months) with the possibility of extension. To recognize this temporary status, Council requests that applications to the Province for extensions of temporary overdose prevention sites not be approved if they result in such uses existing for more than two years.

Rather, the need for such services should be addressed through a supervised consumption facility.

APPENDIX B46

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-29-225 being
“Grants to Centennial Hall”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-29-225 being “Grants to Centennial Hall” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-29-225 being “Grants to Centennial Hall” is hereby amended by deleting Appendix “C(18)” to By-law CPOL.-29-225 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Grants to Centennial Hall

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-29-225)

Last Review Date: June 11, 2018

Service Area Lead: Senior Financial Business Administrator, Business Administration

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on grants to Centennial Hall.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to the use of Centennial Hall as it relates to organizations receiving financial assistance from the City.

4. The Policy

That a policy be established to provide that should City Council wish to support an organization using Centennial Hall, City Council should give direct financial assistance to that organization without any reference to Centennial Hall (as contemplated in Section 7 of the Proposals of the Provincial Government for Ontario Tax Reform).

It should also be pointed out that by following this procedure, the organization receiving the financial assistance from the City would be expected to deal directly with the Management of Centennial Hall on the same basis as any other individual or group wishing to use the Hall and its facilities.

It should be further pointed out that the following concepts and understandings are hereby accepted by the City Council with respect to Centennial Hall, namely:

- a) Centennial Hall was constructed as a multi-purpose building and because of this fact its diversity is its strength, permitting it to cater to a cross-section of the community; and
- b) the original intention of City Council was that Centennial Hall would be managed as closely as possible in a private enterprise manner, and the City Council continues to support the Centennial Hall Management in this concept.

APPENDIX B47

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-30-226 being
“Reduced Rental Rates for Non-Profit Groups”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-30-226 being “Reduced Rental Rates for Non-Profit Groups” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-30-226 being “Reduced Rental Rates for Non-Profit Groups” is hereby amended by deleting Appendix “C(19)” to By-law CPOL.-30-226 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Reduced Rental Rates for Non-Profit Groups

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-30-226)

Last Review Date: June 11, 2018

Service Area Lead: Senior Financial Business Administrator, Business Administration

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on the rental of Centennial Hall to non-profit groups.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to all non-profit organizations that are booking events at Centennial Hall.

4. The Policy

That a policy be established whereby the rental of the auditorium to non-profit organizations which book a series of events, in advance, (at least six events per calendar year) and which require a very limited amount of set-up and maintenance is at a reduced rate. Such reduced rates will be included in the Rental Schedule for Centennial Hall as approved annually by City Council.

APPENDIX B48

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-31-227 being
“Objectives of Centennial Hall”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-31-227 being “Objectives of Centennial Hall” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-31-227 being “Objectives of Centennial Hall” is hereby amended by deleting Appendix “C(20)” to By-law No. CPOL.-31-227 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Objectives of Centennial Hall

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-31-227)

Last Review Date: June 11, 2018

Service Area Lead: Senior Financial Business Administrator, Business Administration

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on the operation of Centennial Hall.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to the operation of Centennial Hall.

4. The Policy

That the following objectives pertaining to the operation of Centennial Hall be established:

- a) to strive to operate the Hall on at least a "break-even basis";
- b) to provide for the public hall needs of non-profit community groups and organizations;
- c) to establish a rental fee structure for non-profit community groups and organizations that will permit continued use of the facilities by such groups and organizations;
- d) to maximize revenues within a fee structure that recognizes reduced rentals for non-profit community groups and organizations;
- e) to provide for the public hall needs of entrepreneurs and others for the promotion of business, conventions, cultural, entertainment, industrial and religious events;
- f) to actively market the use of the facilities to increase revenues;
- g) to carry out improvements to the facilities that will enhance the use of the facilities and increase the revenue potential; and
- h) to maintain a high standard of maintenance of the facilities in keeping with the Civic Centre Complex.

APPENDIX B49

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-32-228 being
“Using Centennial Hall for City Sponsored Events”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-32-228 being “Using Centennial Hall for City Sponsored Events” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-32-228 being “Using Centennial Hall for City Sponsored Events” is hereby amended by deleting Appendix “C(21)” to By-law No. CPOL.-32-228 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Using Centennial Hall for City Sponsored Events

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-32-228)

Last Review Date: June 11, 2018

Service Area Lead: Senior Financial Business Administrator, Business Administration

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on the use of Centennial Hall for City-sponsored or co-sponsored receptions or gatherings.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to the use of Centennial Hall for City-sponsored or co-sponsored receptions or gatherings.

4. The Policy

That a policy be established whereby the use of Centennial Hall for all City-sponsored or co-sponsored receptions or gatherings would be encouraged, where reasonable, and provided that the facility is competitive in price, available and capable of accommodating the event.

APPENDIX B50

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-33-229 being
“Lessee Protection and Non-Competitive Clauses”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-33-229 being “Lessee Protection and Non-Competitive Clauses” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-33-229 being “Lessee Protection and Non-Competitive Clauses” is hereby amended by deleting Appendix “C(22)” to By-law No. CPOL.-33-229 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Lessee Protection and Non-Competitive Clauses

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-33-229)

Last Review Date: June 11, 2018

Service Area Lead: Senior Financial Business Administrator, Business Administration

1. Policy Statement

The purpose of this policy is to formalize and clarify practices for the negotiation of lessee protection or non-competitive clauses as it relates to events at Centennial Hall.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to the planning of events at Centennial Hall.

4. The Policy

That a policy be established whereby the Manager of Centennial Hall is authorized to negotiate such lessee protection or non-competitive clauses, not exceeding thirty days between events having the same or similar audience appeal, as may be appropriate in the sole discretion of the Manager.

APPENDIX B51

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-10-99 being
“Accounts Receivable and Collections Policy”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-10-99 being “Accounts Receivable and Collections Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-10-99 being “Accounts Receivable and Collections Policy” is hereby amended by deleting Schedule “A” to By-law No. CPOL.-10-99 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Accounts Receivable and Collections Policy

Legislative History: Enacted March 21, 2017 (By-law No. CPOL.-10-99)

Last Review Date: June 11, 2018

Service Area Lead: Director, Financial Services

1. Policy Statement

- 1.1. This policy constitutes The City of London’s (the “City”) statement of policies and goals relating to the procedures and collection of accounts receivable.

This policy is to provide authorization and guidelines for the write-off of uncollectible miscellaneous and POA receivables. It identifies the steps to be taken to collect payment of invoices, establishes conditions under which an invoice may be cancelled or written-off and defines authorization levels for write-offs.

1.2. Purpose

- To establish the responsibilities, internal controls, authorizations and procedures for the accurate and timely preparation and collection of customer invoices for goods and services rendered by the City.
- To ensure that all revenues earned by the City and all Accounts Receivables owed to the City, are accounted for and recognized in the financial statements according to Canadian Generally Accepted Accounting Principles (GAAP).
- To guide the management of accounts receivables to ensure timely collections of financial assets in order to maintain a positive cash flow.
- To minimize the financial exposure to bad debts and maximize revenue recoveries.

2. Definitions

- 2.1. **Accounts Receivables** – are generally represented by a sales invoice or some other form. Under generally accepted accounting principles, accounts receivable are assets that are recognized when the revenues are earned.
- 2.2. **Receivables** – represent claims for money, goods, services and/or other non-cash assets.
- 2.3. **Write-off** – means to remove an account receivable from the City’s accounts receivable records.

3. Applicability

The scope of this document is intended to cover the various aspects of the collection process for Provincial Offences Act fines and miscellaneous revenue.

4. The Policy

4.1. Statement of Policies and Goals

- a) **COLLECTION ADMINISTRATION OF PROVINCIAL OFFENCES ACT FINES
– PART I AND III**

As per the *Provincial Offences Act* the payment of a fine is in default if any part of it is due and unpaid for fifteen days or more.

A *defaulted* fine remaining outstanding for 91 days from the date of the offence is subject to collection activities as regulated in section a) of this policy.

The collection process for these defaulted fines may include all or some of the following steps:

- Scrubbing or cleaning the data, through skip trace processes to identify new addresses, telephone numbers, such as:
 - search for place of employment,
 - search for property,
 - credit bureau searches,
 - corporate searches,
 - Ministry of Transportation searches using driver licenses and plate number
- Automated phone campaign
- Letter campaign
- Civil litigation such as:
 - filing of Certificate of Default in Small Claims Court and Superior Court,
 - filing of Writs of Seizure and Sale of Lands,
 - filing of Garnishments
- Placement with collection agencies.

Outstanding accounts are sent to a collection agency as soon as it is determined that internal collection efforts will not satisfy the debt.

b) COLLECTION ADMINISTRATION OF MISCELLANEOUS ACCOUNTS RECEIVABLES

Invoices

Invoices are issued for services or items provided by the City and payment is not received prior to or at the moment of the transaction. Invoices are required to be prepared and authorized by the originating service area in a timely manner.

Invoices should be issued immediately after the delivery of the goods or service to the customer, and in any case not later than 30 days from such date. Invoices should be mailed out within 3 business days of issuance as the interest calculation period is based on the invoice date.

Returned Items

Returned items are cheques received by the City and returned by the bank as not negotiable (i.e. insufficient funds, stop payments, account frozen, etc) or credit card transactions declined or illegitimately refused by the cardholder.

Financial Services will advise the originating service area within 6 business days from the date of notification from the financial institution that a cheque was not negotiable or a credit card transaction was declined or refused. The originating service area should attempt a first collection step notifying the customer in writing of the returned cheque or of the declined/disputed credit card transaction.

Returned items may be subject to an administration fee as regulated by the City's Various Fees and Charges By-law.

Collection of Overdue Invoices

The collection process for these miscellaneous accounts receivable may include all or some of the following steps:

- Issuance of monthly statements
- Direct contact with customers with overdue accounts
- Letter and phone campaign
- Placement with collection agencies
- Transfer of balance to the tax roll
- Offset against invoices owed to them by the City
- Further civil enforcement through the City Solicitor's office.

c) EXTERNAL COLLECTION EFFORTS: COLLECTION AGENCIES

A collection agency is a third party organization engaged by the City for the collection of defaulted accounts. Section 304 of the *Municipal Act* authorizes the use by a Municipality of a registered collection agency for the recovery of a debt.

Third party registered collection agencies shall be authorized for the collections of defaulted accounts. To maximize collection efforts the City may use multiple collection agencies.

The collection agency utilizes various collection techniques and tools to locate debtors and obtain payment of the debt. The collection agencies may also place trade lines on the debtors, which may affect their credit rating.

The City defaulted accounts listed with an agency that remain outstanding after an established period of time may be transferred to another agency for further collection activities.

The transfer of the accounts to different agencies ensures that accounts remaining outstanding are worked by more than one collection agency to maximize collection recovery.

Defaulted accounts may be transferred to more than one collection agency before they are recalled back to the City for write-off authorization.

At no time will more than one collection agency attempt collection of the same debt.

Administration fee added to defaulted accounts forwarded to a collection agency:

Collection agencies charge a percentage commission fee on the amount collected on behalf of the City.

The charge of an administration fee to all defaulted accounts that are transferred to a collection agency is authorized as approved in the City's Various Fees and Charges By-law.

The administration fee offsets the cost of employing collection agency commission fee by recovering those fees directly from the debtors.

d) CEASE COLLECTION AND WRITE-OFF OF UNCOLLECTIBLE ACCOUNTS

Civic Administration shall prepare two reports for City Council's information on an annual basis prior to December 31st of every year. One report will be with respect to collections of POA Accounts Receivable and the second report will be with respect to the collection of Miscellaneous Accounts Receivable. The two reports will include a list of recommended accounts for ceasing collection efforts and write-off.

Report A – Request for Write-off of Provincial Offence Act (POA) Accounts Receivable

This report seeks authorization to cease collections efforts and removal of the fine from the electronic record for POA Accounts Receivable deemed uncollectible.

Report B – Request for Write-off of Miscellaneous Accounts Receivable

This report seeks authorization to cease collections efforts and write-off in the General Ledger for Miscellaneous Accounts Receivable deemed uncollectible.

Provincial Offences Act (POA) Fines (Parts I and III) deemed uncollectible

An outstanding POA fine (Part I and III) that is deemed uncollectible will be recommended to Council for ceasing collection efforts and removing from the electronic system.

A POA fine is deemed uncollectible when:

- a) all appropriate collection steps as per this policy have been exhausted, and
- b) the account is older than 6 years + current year

An exception to the above would be in the event that:

- A death certificate of the debtor is received; or
- A sworn affidavit indicating that the fine was previously paid is received; or
- A clerical adjustment is required due to settlement of the account

Provincial Offences Act (POA) Accounts Receivable

Provincial Offences Act (POA) accounts receivables which are deemed uncollectible, the authorization for write-off of "uncollectible" POA accounts receivable will be as follows:

Dollar Value of POA Account	Person or Body Responsible for Deciding Further Action
\$0 to \$2000.00	Manager III, Courts Administration or delegate and Director, Financial Services or delegate
\$2000.01 to \$10,000.00	City Treasurer or delegate and City Manager or delegate
over \$10,000.00	City Council

Miscellaneous Accounts Receivables - deemed uncollectible

Miscellaneous accounts receivable are deemed uncollectible and therefore recommended for write-off when all appropriate collection steps have been exhausted.

An exception to the above would be in the event that:

- Request in writing from the originating department indicating that the account was billed in error is received
- Death certificate of the debtor is received
- Sworn affidavit indicating that the account was previously paid is received
- Bankruptcy notice is received
- Clerical adjustment is required due to the settlement of the account

Miscellaneous Accounts Receivables

Accounts receivable which are deemed uncollectible, the authorization for write-off of "uncollectible" miscellaneous accounts receivable will be as follows:

Dollar Value of Account	Person or Body Responsible for Deciding Further Action
\$0 to \$2000.00	Manager II, Accounting or delegate and Director, Financial Services or delegate
\$2000.01 to \$15,000.00	City Treasurer or delegate and City Manager or delegate
over \$15,000.00	City Council

4.2. Accountability and Administration:

The City Treasurer or delegate is authorized to implement and/or modify any procedures as necessary to comply with this policy.

APPENDIX B52

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-40-236 being
“Trust Fund Policy”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-40-236 being “Trust Fund Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-40-236 being “Trust Fund Policy” is hereby amended by deleting Appendix “C(29)” to By-law No. CPOL.-40-236 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Trust Fund Policy

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-40-236)

Last Review Date: June 11, 2018

Service Area Lead: Director, Financial Services

1. Policy Statement

To set out the guidelines under which the City will establish, hold, maintain and administer trust funds held by it.

2. Definitions

- 2.1 **Auditor** – means the City’s auditor appointed under section 296 of the *Municipal Act, 2001*;
- 2.2. **City** – means The Corporation of the City of London;
- 2.3. **City Treasurer** – means the City’s Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, or designate;
- 2.4. **Donation** – A gift, bequest, financial contribution, or in-kind contributions of tangible property such as art, furniture, equipment, material of historical interest, which has been given voluntarily and without compensation or non-monetary consideration such as advertising, promotion or services;
- 2.5. **Trust Fund** – means a financial account which holds donations received by the City that have conditions and/or legal requirements for use agreed upon by the donor and the City.
- 2.6. **Trust Document** – means the written instrument to establish the terms and conditions of the Donation and includes without limitation a will or an agreement between the donor and the City.

3. Applicability

This policy applies to all Trust Funds held by the City.

4. The Policy

- 4.1. The City Treasurer shall establish, hold, maintain and administer Trust Funds in accordance with:
 - a) all applicable statutes, regulations and any related policies of the City; and
 - a) the Trust Document that governs the Trust Fund.
- 4.2. Legislated Trusts

Trust accounts established and maintained by the City for residents of the Dearness Home under the *Long-Term Care Homes Act, 2007*, S.O., c.8 shall be administered in accordance with that Act, any regulations made under it and any policy established by the City that may be required under the Act.
- 4.3. General
 - a) The City Treasurer shall be responsible for establishing and administering all Trust Funds under this Policy.
 - b) For all Donations except bequests, a Trust Document signed by the donor and the City shall be required prior to opening a new Trust Fund.

- c) This policy should be read in conjunction with the City's Donations Policy which is applicable to all Donations received by the City of London.

4.4. Management and Reporting of Trust Funds

- a) All investment of Trust Funds shall be in accordance with the *Trustee Act, R.S.O. 1990, C. T.23*, the *Municipal Act, 2001*, any other applicable legislation and the City's Investment Policy.
- b) Interest on short term investments shall be credited to each Trust Fund not less than semi-annually, in arrears. The interest credited to said trust funds shall be equal to the amount earned by the City by the deposit or investment of said funds on an individual or pooled basis.
- c) Interest on long term investments shall be accounted for on a "cash" basis (i.e. credited to Trust Funds, in arrears, based on the timing of receipt of interest proceeds for each specific fund).
- d) The accounting policies for Trust Funds shall follow generally accepted accounting principles as set out in the CPA Canada Public Sector Accounting (PSA) Handbook and conform to the City's accounting policies prescribed from time to time by the City Treasurer with the exception of accounting for interest on long term investments as outlined in subsection (4.4)(c) above.
- e) In accordance with all applicable legislation, the City Treasurer shall have the financial records of all Trust Funds audited annually by the City's Auditor.
- f) The City Treasurer shall report to Municipal Council once each year, as at December 31 on the financial position and income and expenditures of trust funds administered during that period. The report format will be consistent with that required under the CPA Canada Public Sector Accounting (PSA) Handbook.

APPENDIX B53

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-41-237 being
“Donations Policy”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-41-237 being “Donations Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-41-237 being “Donations Policy” is hereby amended by deleting Appendix “C(30)” to By-law No. CPOL.-41-237 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Donations Policy

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-41-237)

Last Review Date: June 11, 2018

Service Area Lead: Director, Financial Services

1. Policy Statement

The purpose of this policy is to set out in accordance with the Income Tax Act and the Canada Revenue Agency guidelines and standards for:

- acceptance of Donations;
- issuing Official Income Tax Receipts to donors for income tax purposes; and,
- collection, recording and disbursement of Donations.

2. Definitions

- 2.1. **City** – means The Corporation of the City of London;
- 2.2. **City Treasurer** - means the City’s Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, or designate;
- 2.3. **CRA** – means the Canada Revenue Agency;
- 2.4. **Donation** – means a gift, bequest, financial contribution, or in-kind contributions of tangible property such as art, furniture, equipment, material of historical interest, which has been given voluntarily and without compensation or non-monetary consideration such as advertising, promotion or services;
- 2.5. **Gifts in-Kind** – means a gift of tangible property, other than cash, that are eligible donations;
- 2.6. **Fair Market Value (or Valuation)** – means the highest dollar value that a property would bring in an open and unrestricted market, between the willing buyer and the willing seller who are acting independently of each other. The fair market value of a property does not include taxes paid; taxes are costs incurred by the buyer;
- 2.7. **Non-Qualifying Donations** – means donations for which an Official Income Tax Receipt cannot be issued in accordance with CRA guidelines;
- 2.8. **Official Income Tax Receipt** – means a receipt issued by the City as a Qualified Donee under the Income Tax Act, for a Donation made to the City, which may be used by the donor to claim a tax credit on their income tax return.
- 2.9. **Qualified Donee** – An organization that under the Income Tax Act may issue Official Income Tax Receipts for Donations it receives from individuals and corporations and registered charities.

3. Applicability

This policy applies to all Donations to the City to support projects, programs or services offered by the City. This policy does not apply to Donations of Land and Buildings.

4. The Policy

4.1. Accepting Donations

- a) The City reserves the right in its sole discretion to accept or decline any Donation. The City Treasurer has the authority to refuse any Donation up to \$100,000 where it is determined that it is not in the City’s best interest

to accept the Donation. Donations exceeding \$100,000 will be presented to City Council. If a Donation is declined, the City Treasurer shall advise the donor in writing of the reason.

- b) Donations must be for purposes consistent with the City's mandate, programs, services and activities and must be deemed by the City to be in the public interest.
- c) Donations are only to be accepted if the City has, in its sole discretion, the capacity to meet the initial and ongoing costs and obligations associated with the Donation.
- d) The City shall not accept a Donation where any advantage will accrue to the donor or to any person not dealing at arm's length to the donor as a result of the Donation. The City may decline Donations from any donor who in the opinion of Council, represents a reputational risk to the City through involvement in activities that are contrary to the values of the City. Examples include but are not limited to:
 - Proven or suspected criminal organizations; and
 - Organizations that promote hatred against individuals or groups.
- e) The City may not accept Donations from individuals or organizations currently in litigation against the City.
- f) The City will accept Donations from community groups, organizations and individuals subject to general direction. Donations where the purpose is not specified are deemed to be undesignated and become contributions to general revenue of the City.
- g) The City will accept the involvement of charitable organizations and community groups in fundraising activities for projects related to the repair, enhancement or construction of City-owned facilities.
- h) Where the donor requests that conditions be placed on the use of the Donation, Legal Services must be consulted to ensure that the appropriate agreements are prepared prior to accepting the Donation.

4.2. Gifts In-Kind

- a) In-kind Donations to the City must be free and clear of all encumbrances, conditions and restrictions and shall provide that use of the property shall be entirely at the discretion of the City.
- b) Final acceptance of an in-kind Donation will require a transfer of title or ownership through a written agreement as to the future use and disposition except with respect to applicable legislation on preservation, copyright and/or resale. An agreement, satisfactory to the City Treasurer, signed by the Donor and the City shall be required prior to the acceptance of the in-kind Donation.
- c) In the event of a significant Donation of land and/or buildings to the City, the Donation of Land and Buildings to the City Policy as amended from time to time shall apply.
- d) Written valuations of in-kind Donations shall be submitted with an external appraisal by an independent arm's length qualified appraiser or other third party supporting documentation, satisfactory to the City Treasurer to substantiate fair market value.

4.3. Official Income Tax Receipts

- a) The City will issue an Official Income Tax Receipt for Donations for City programs or projects that qualify as Charitable Gifts in accordance with the Income Tax Act, regulations and CRA guidelines. The Treasurer shall be responsible for the issuance of all Official Income Tax Receipts in accordance with the following:
 - i) Official receipts for income tax purposes shall be authorized by the City Treasurer for eligible gifts and gifts-in-kind made to the City.
 - ii) For gifts in-kind, the fair market value of the Donation must be supported by an independent arm's length appraisal or other third party supporting documentation, satisfactory to the City Treasurer;
 - iii) Receipts shall be made in the name of the donor only;
 - iv) Receipts shall be issued for all Donations having a value of \$20.00 or more, if requested by the donor.
- b) Non-Qualifying Donations, in accordance with the Income Tax Act, regulations and CRA guidelines include:
 - i) Intangibles such as services, time, skills and effort;
 - ii) Donations that are given to the City intended as a flow through to a specified recipient who does not have charitable organization status (a Qualified Donee);
 - iii) Donation of business marketing products such as supplies and merchandise;
 - iv) Sponsorship in the form of cash, goods or services toward an event, project program or corporate asset in return for commercial benefit.

4.4. Records

- a) The City shall maintain proper books and records supporting all Official Income Tax Receipts issued.
- b) Copies of Official Income Tax Receipts issued must be retained and filed in accordance with the City's records retention policy.

4.5. Accounting

- a) Where Donations are received by the City, the funds will be recorded in the appropriate account by the City Treasurer.
- b) Donations directed for specific operations or for specific capital projects (such as to a community or recreational centre) shall be deposited to the donation revenue account of the appropriate program.
- c) Donations may be disbursed only for their intended purpose and in accordance with the terms, conditions, restrictions or any agreement governing the use of the Donation.

APPENDIX B54

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-6-31 being
“Royal Canadian Legion Branch Property Tax Relief
Program Funding”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-6-31 being “Royal Canadian Legion Branch Property Tax Relief Program Funding” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-6-31 being “Royal Canadian Legion Branch Property Tax Relief Program Funding” is hereby amended by deleting section 3. to By-law No. CPOL.-6-31 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Royal Canadian Legion Branch Property Tax Relief Program Funding

Legislative History: Enacted December 19, 2016 (By-law No. CPOL.-6-31)

Last Review Date: June 11, 2018

Service Area Lead: Director, Financial Services

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on the Royal Canadian Legion Branch Property Tax Relief Program as it relates to the annual allocation in the City's Operating Budget.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to the Royal Canadian Legion Branch Property Tax Relief Program as it relates to the consideration of property tax relief for the organization during annual budget deliberations.

4. The Policy

An annual allocation shall be included in the City's Operating Budget to fund an annual "Royal Canadian Legion Branch Property Tax Relief Program", on the understanding that this funding policy shall be subject to annual review during budget deliberations and that should the Municipal Council decide in any one year to not include property tax exempt funding in the annual Operating Budget for this Program, then this Program shall be deemed to be collapsed for the following year.

APPENDIX B55

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-42-238 being
“Security Policy Regarding Letters of Credit”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-42-238 being “Security Policy Regarding Letters of Credit” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-42-238 being “Security Policy Regarding Letters of Credit” is hereby amended by deleting Appendix “C(31)” to By-law No. CPOL.-42-238 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Security Policy Regarding Letters of Credit

Legislative History: Enacted June 13, 2017 (By-law No. CPOL. -42-238)

Last Review Date: June 11, 2018

Service Area Lead: Manager III, Financial Planning & Policy

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on the acceptance of letters of credit from banks and other financial institutions.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to the acceptance of letters of credit by the City from banks and other financial institutions.

4. The Policy

4.1. The City continues to accept letters of credit from Schedule I & II banks who have a credit rating of R1 middle or higher.

4.2. For "Other Financial Institutions", the City accepts only letters of credit from trust companies or credit unions subject to the following:

4.2.1. where the institution can demonstrate a credit rating provided by a nationally recognized rating agency of R1 middle or higher (or equivalent), letters of credit with no aggregate limit, otherwise,

4.2.2. the greater of:

- a) where the institutions provided letters of credit security to the City during 2001, letters of credit, the aggregate of which do not exceed the highest total amount of security provided during the year 2001 (i.e. the "grandfather provision"); OR
- b) 3% of the Owner's Equity as reported on the most recent audited financial statement, but in any case, not to exceed a limit of \$1.5 million per institution, and subject in all cases to the following restrictions:
 - i) the financial institution shall provide a copy of the most recent audited financial statements which financial statements must contain an "unreserved" opinion regarding the fairness of the financial statements presented and shall not contain any negative opinion or comment regarding the ability of the institution to conduct business on a going concern basis; and
 - ii) issuing financial institution must have a corporate presence in the municipality (i.e. head office or branch office located within the City of London); and
 - iii) notwithstanding the above limitations on the amount of security the City will accept, administration may reject any letters of credit from a financial institution based on information it obtains that may suggest the financial organization is not in good standing with federal, provincial

or municipal authorities (or similar reasons); and

- iv) new credit unions or trust companies that otherwise meet all the requirements above may be permitted, subject to the prior approval of the City Treasurer, to submit development security on behalf of its clients; and
- c) new credit unions or trust companies (i.e. that did not have a previous history of providing letters of credit to the City of London prior to December 31, 2001) that otherwise meet the requirements of the policy as described above and whose equity exceed \$15 million may, subject to prior approval of the City Treasurer, be provided the opportunity to submit letters of credit. In granting the approval, the City Treasurer shall determine through whatever means they deem appropriate, whether the subject institution represents an "acceptable credit risk". That determination will include, as a minimum, a review of audited financial statements of the corporation, and confirmation that the institution's deposits are insured by either the Canada Deposit Insurance Corporation or Deposit Insurance Corporation of Ontario (as applicable).

APPENDIX B56

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-43-239 being
“Identification of Operating Surpluses – Boards and
Commissions”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-43-239 being “Identification of Operating Surpluses – Boards and Commissions” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-43-239 being “Identification of Operating Surpluses – Boards and Commissions” is hereby amended by deleting Appendix “C(32)” to By-law No. CPOL.-43-239 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Identification of Operating Surpluses – Boards and Commissions

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-43-239)

Last Review Date: June 11, 2018

Service Area Lead: Manager III, Financial Planning & Policy

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on the identification of operating surpluses by the City’s Boards and Commissions.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to the City’s Boards and Commissions as it relates to the submission of their operating budgets.

4. The Policy

That a policy be established requiring the City’s Boards and Commissions to identify operating surpluses from the year ending at the time that they submit their operating budgets to the City of London for the next year on the understanding that the use or disposition of any surpluses will be determined through collaboration between the City and the particular Board or Commission.

APPENDIX B57

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-44-240 being
“Lease Financing Policy”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-44-240 being for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-44-240 being “Lease Financing Policy” is hereby amended by deleting Appendix “C(33)” to By-law No. CPOL.-44-240 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Lease Financing Policy

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-44-240)

Last Review Date: June 11, 2018

Service Area Lead: Manager III, Financial Planning & Policy

1. Policy Statement

1.1. This policy constitutes The City of London's (the "City") statement of policies and goals relating to the use of Lease Financing Agreements, in accordance with Ontario Regulation 653/05 made under the *Municipal Act, 2001*.

1.2. Purpose

The purpose of this policy is to provide guidance to staff when contemplating Lease Financing Agreements for the provision of municipal equipment and facilities. Lease Financing Agreements may be preferred to outright purchase and/or debt financing of equipment and facilities. The City may enter into Lease Financing Agreements in order to acquire the rights to use capital property and equipment, including some or all of the benefits and risks of ownership for specific periods of time and stipulated rental payments.

2. Definitions

2.1. **Combined Material Impacts** - means the costs or risks of a proposed Non-Material Lease which when combined with all other Non-Material Leases entered into or proposed to be entered into in a particular year by the City.

2.2. **Lease Financing Agreement** - means a financial agreement for the purposes of obtaining long term financing of a capital undertaking of the municipality.

2.3. **Material Impact** - means the costs or risks that significantly affect, or would reasonably be expected to have a significant effect, on the City's debt and financial obligation limit as determined by O. Reg. 403/02.

2.4. **Material Lease** - means a Lease Financing Agreement that is not a Non-Material Lease.

2.5. **Non-Material Lease** - means a Lease Financing Agreement that will not result in a Material Impact on the finances of the City and includes:

- i) rental agreements which have a term of less than one year and the cancellation of which results in no financial penalty to the City;
- ii) commercial real property leases with a term of five years or less;
- iii) Lease Financing Agreements requiring annual payments for an individual lease of less than \$250,000;
- iv) Lease Financing Agreements, where the net present value of all lease payments, including possible extensions, renewals and bargain purchase options, is less than \$2 million in the year the Lease Financing Agreement is entered into.

3. Applicability

This policy applies when Civic Administration is contemplating Lease Financing Agreements for the provision of municipal equipment and facilities.

4. The Policy

4.1 Statement of Goals and Objectives

- a) The following goals and objectives will be used in the consideration and evaluation of all Lease Financing Agreements:
 - i) The City shall only consider Lease Financing Agreements that prioritize the City of London's governing principles;
 - ii) Lease Financing Agreements shall be entered into with care and prudence, applying experience and professional judgement to each agreement reviewed, with the best interest of the City's ratepayers in mind;
 - iii) All lease financing activities shall adhere to statutory requirements as governed by the Ontario *Municipal Act, 2001* as well as other Council approved policies;
 - iv) Consideration will be given to its impact on future ratepayers in order to achieve an appropriate balance between lease financing and other forms of funding; and
 - v) The City shall manage the exposure to financial risk and the financial impact the Lease Financing Agreements will have on current and future fiscal years.
- b) Without limitation, the City may enter into Lease Financing Agreements:
 - i) for the purpose of obtaining long-term financing of a capital undertaking;
 - ii) to finance equipment, buildings, land or other assets that the City does not have a long-term interest in or may not be able to acquire through other means; or
 - iii) where a lease provides material and measurable benefits compared with other forms of financing.
- c) It is the opinion of the Council and the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer or designate that the category of Lease Financing Agreements defined as Non-Material Leases in this policy will not result in a Material Impact for the City.
- d) It is the opinion of the Council and the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer or designate that Non-Material Leases that require or may require the City to make payments after the expiry of the term for which the Council authorizing the agreement was elected and that have a Combined Material Impact less than 20% of the City's annual debt and financial obligation limit determined in accordance with O. Reg. 403/02 will not result in a Material Impact for the City.

4.2. Application of the Policy (General Provisions - All Lease Financing Agreements)

- 4.2.1. All Lease Financing Agreements shall be reviewed by the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer or designate who shall determine:
 - a) if this policy applies;
 - b) if the Lease Financing Agreement is a Material or Non-Material Lease;
 - c) the financial and other risks of the Lease Financing Agreement, compared to other forms of financing, which shall include:

- i) The ability for lease payment amounts to vary if based on changes in an underlying benchmark debt instrument (generally expressed as a particular Government of Canada Bond);
- ii) The ability for lease payments to vary based on changes in the assumed residual values of the asset being leased;
- iii) Uncertainty over leasing costs if contract needs are to be extended or renewed. The normal practice of the City will be to negotiate these costs prior to the Lease Financing Agreement being executed; and
- iv) The potential for the seizure and removal of leased equipment if the leasing company goes into default of its obligations to creditors, and its creditors have the legal right to seize assets of the leasing company. The practice of the City will be to assess the financial strength of the normal leasing company prior to the leasing agreement being executed.

4.2.2. All Lease Financing Agreements shall include a schedule of all fixed payments, if any, required for the term and any extensions or renewal.

4.2.3. The requirements in section 4.3 apply to all Lease Financing Agreements except;

- a) Non-Material Leases that do not or may not require the City to make payments after the expiry of the term for which the Council authorizing the agreement was elected; or
- b) Non-Material Leases that require or may require the City to make payments after the expiry of the term for which the Council authorizing the agreement was elected and that have a Combined Material Impact less than 20% of the City's annual debt and financial obligation limit determined in accordance with O. Reg. 403/02.

4.2.4. A Lease Financing Agreement to which this policy does not apply must comply with any other applicable City policies or procedures, including without limitation to any requirements for review, approval and reporting to Council.

4.3. Lease Financing Agreements Approval Process

4.3.1. This section applies to:

- a) all Material Leases; and
- b) all Non-Material Leases that require or may require the City to make payments after the expiry of the term for which the Council authorizing the agreement was elected and that have a Combined Material Impact greater than 20% of the City's annual debt and financial obligation limit determined in accordance with Ontario Regulation 403/02.

4.3.2. Before entering into a Lease Financing Agreement the Corporation shall:

- a) have the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer or designate prepare a report with a recommendation assessing, in their opinion, the costs and financial and other risks associated with the proposed Lease

Financing Agreement including any possible extensions or renewals which report shall include:

- i) a comparison between the fixed and estimated costs and the risks associated with the proposed Material Lease and those associated with other methods of financing;
- ii) a statement summarizing, as may be applicable, the effective rate or rates of financing for the Material Lease, the ability for lease payment amounts to vary, and the methods or calculations, including possible financing rate changes, that may be used to establish that variance under the lease;
- iii) a statement summarizing any contingent payment obligations under the lease that, in the opinion of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer or designate, would result in a Material Impact for the municipality, including lease termination provisions, equipment loss, equipment replacement options and guarantees and indemnities;
- iv) a summary of the assumptions applicable to any possible variations in the lease payment and contingent payment obligations; and
- v) any other matters the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer or designate or City Council considers advisable.

4.3.3. Obtain legal advice and financial advice with respect to the proposed agreement.

4.3.4. Consider if the scope of the proposed transaction warrants obtaining legal advice or financial advice with respect to the proposed agreement that is from a source independent of the source of the advice mentioned in paragraph 4.3.3 above.

4.3.5. Consider, as of the date of the report under paragraph 4.3.2 a) above, whether the costs of financing for the proposed agreement are lower than other methods of financing available to the City and whether the risks associated with the proposed agreement are reasonable. Costs of any legal or financial advice would also be included in the costs of financing.

4.3.6. If at any time after a report is made but before the proposed Lease Financing Agreement is entered into, the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer or designate becomes of the opinion that a changed circumstance with respect to the proposed Lease Financing Agreement may result in a Material Impact for the City, the report shall to updated as soon as reasonably possible and present the updated report to Council.

4.4. **Annual Report to Council**

4.4.1. Once in every fiscal year or more often if Council requires, the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer or designate shall provide a report to Council containing the following:

- a) a description of the estimated proportion of the total financing arrangements of the municipality that is undertaken through Lease Financing Agreements to the total long-term debt of the City;

- b) a description of the change, if any, in that estimated proportion since the previous year's report;
- c) a statement by the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer or designate as to whether, in their opinion, all Lease Financing Agreements were made in accordance with this policy; and
- d) any other information that may be requested by Council or that, in the opinion of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer or designate, should be recorded.

APPENDIX B58

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-47-243 being
“Assessment Growth Policy”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-47-243 being “Assessment Growth Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-47-243 being “Assessment Growth Policy” is hereby amended by deleting Appendix “C(36)” to By-law No. CPOL.-47-243 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Assessment Growth Policy

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-47-243)

Last Review Date: June 11, 2018

Service Area Lead: Manager III, Financial Planning & Policy

1. Policy Statement

The purpose of this policy is to establish a priority framework for the allocation of assessment growth funds.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to the property tax supported budget.

4. The Policy

4.1. Principles

- 4.1.1. Civic service areas, boards and commissions that incur costs to provide existing core services to new growth areas are required to submit business cases to the Managing Director, Corporate Services & City Treasurer, Chief Financial Officer or designate.
- 4.1.2. The first available assessment growth funds are applied to business cases approved by the Managing Director, Corporate Services & City Treasurer, Chief Financial Officer or designate.
- 4.1.3. If business cases submitted by civic service areas, boards and commissions exceed available assessment growth funding then:
 - a) Approved business cases will be allocated funding according to the following priority order, it being noted that funding allocations to service areas for costs due to a growing and expanding City may be either one-time or permanent in nature:
 - i) Flow through costs for business cases funded through assessment growth in the prior year;
 - ii) Services that are aligned with those supported through Development Charges; and,
 - iii) Business cases will be evaluated as to whether the service and/or funding could be deferred to next year and whether significant service disruptions would occur if the service did not receive the current year growth funding.
 - b) Unfunded business cases will be resubmitted for consideration in the following year.
- 4.1.4. If assessment growth funding exceeds the accumulated growth costs of civic service areas, boards and commissions in any one budget year, the balance available will be applied in that year as follows:
 - a) 50% to reducing authorized debt on a one-time basis; and,

- b) 50% to the Capital Infrastructure Gap Reserve Fund on a one-time basis to mitigate growth in the infrastructure gap.

4.1.5. Excess assessment growth funding not allocated permanently, will be carried forward to the following year as a permanent source for future growth costs.

4.2. Budgeting for Assessment Growth

4.2.1. For forecast purposes, assessment growth will be assumed to be fully allocated to growth costs. Assessment growth and its allocation will be reported annually after the assessment roll is finalized.

4.3. Policy Review

This policy shall be presented to Council for review every four years, in the first year of each elected Council.

APPENDIX B59

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-48-244 being
“Debt Management Policy”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-48-244 being “Debt Management Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-48-244 being “Debt Management Policy” is hereby amended by deleting Appendix “C(37)” to By-law No. CPOL.-48-244 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Debt Management Policy

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-48-244)

Last Review Date: June 11, 2018

Service Area Lead: Manager III, Financial Planning & Policy

1. Policy Statement

1.1. Purpose

The purpose of this policy is to establish objectives for debenture and other forms of financing necessary to meet The Corporation of the City of London’s (the “City”) infrastructure and operating requirements as prescribed by the relevant sections of the Municipal Act, 2001, c 25 (the “Act”), specifically Part XIII Debt and Investment, and the applicable regulations thereunder.

This policy also establishes strategies for managing debt, including establishing parameters related to new debt being authorized or issued and ensuring that debt is at a level that will not impair the financial position or the credit rating of the City.

1.2. Objectives

The primary objectives of this policy are as follows;

a) Adherence to statutory requirements

The City shall secure temporary or long-term borrowing for municipal purposes as prescribed by the Act, specifically Part XIII Debt and Investment and the applicable regulations thereunder, including, but not limited to Ontario Regulation 403/02 Debt and Financial Obligation Limits; Ontario Regulation 438/97 Eligible investments and Related Financial Agreements; Ontario Regulation 247/01 Variable Interest Rate Debentures and Foreign Currency; and Ontario Regulation 276/02 Bank Loans, as amended.

b) Minimize long-term cost of financing

The City shall ensure that the debt program uses a systematic approach that minimizes the impact of debt servicing costs on the tax levy.

2. Definitions

2.1. **Annual Repayment Limit:** Under Regulation 403 /02: Debt and Financial Obligation Limits, this limit represents the maximum amount which the municipality has available to commit to payments relating to debt and financial obligations without seeking the approval of the Ontario Municipal Board. This limit is provided annually to a municipality by the Ministry of Municipal Affairs and Housing, additionally this limit must be updated by the City Treasurer prior to Council authorizing any increase in debt financing for capital expenditures.

2.2. **Authorized Debt:** Council approved debt financing as a source of funding for capital projects.

2.3. **Capital Financing:** A generic term for the financing of capital assets. This can be achieved through a variety of sources such as tax levy, grants, reserve funds and debt.

2.4. **Capital Plan:** The budget for capital projects i.e. the expenditures and resources required for capital projects.

- 2.5. **City Treasurer** – means the City’s Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, or designate;
- 2.6. **Debenture:** A formal written obligation to pay specific sums on certain dates. In the case of a municipality debentures are typically unsecured i.e. backed by general credit rather than by specified assets.
- 2.7. **Debt Management Policy:** Refers to this document.
- 2.8. **Debt Program:** Refers to the practices related to authorizing debt, issuing debt and monitoring debt. For example, part of the debt program includes issuing debt and the particulars related to issuing debt specifically the amount, timing and structure of the issuance. The debt program is derived from the objectives and strategies in debt policy.
- 2.9. **Debt Servicing Costs:** Cash that is required to cover the repayment of interest and principal on a debt and other costs associated with issuing debt.
- 2.10. **Financial Guarantee:** An agreement whereby the City will take responsibility for the payment of debt in the event that the primary debtor fails to perform.
- 2.11. **Growth Project:** Projects that extend services into newly developed areas of the City, for example road widening to handle additional traffic from new subdivisions.
- 2.12. **Internal Debt Financing Cap:** The City’s internal limit on debt as a source of capital financing for capital projects which is set by the City Treasurer. This limit is not referring to limits imposed by the Act or regulations thereunder.
- 2.13. **Issued Debt:** A fixed obligation, such as a debenture, notes or other agreements between the issuer (the borrower) and the lender. Municipalities issue debt to finance a variety of projects such as infrastructure projects.
- 2.14. **Lease Financing Agreement:** A financial lease agreement for the purposes of obtaining long term financing of a capital undertaking of the municipality. For example leasing of computer equipment.
- 2.15. **Letter of Credit:** A binding document from a bank guaranteeing that a buyer’s payment to a seller will be received on time and for the correct amount. In the event that the buyer is unable to make payment on the purchase, the bank will be required to cover the full or remaining amount of the purchase (debt).
- 2.16. **Lifecycle Renewal Project:** Projects that maintain the infrastructure that is in place today, for example resurfacing roads or replacing roofs.
- 2.17. **Service Improvement Project:** Projects that provide a new or improved level of service or address an emerging need, for example purchasing property for industrial land.

3. **Applicability**

This policy applies to all financial obligations made by the City on its own behalf and on behalf of its agencies, boards and commissions as well as Elgin Area Primary Water Supply and Huron Primary Water Supply System in the City’s capacity as the Administering Municipality, in accordance with the Transfer Orders issued September 15, 2000.

The following types of financial obligations are excluded from this policy;

- a) Lease Financing Agreements;
- b) Financial Guarantees; and
- c) Letters of Credit

4. The Policy

4.1. Strategy

4.1.1. Limiting and Reducing Authorized Debt

- a) The City shall limit the amount of debt authorized on an annual basis by applying debt financing to projects in the capital plan in a manner consistent with the following;
 - i) Debt financing shall be avoided as a source of funding for lifecycle renewal projects;
 - ii) Debt financing may be utilized as a source of funding for growth projects; and
 - iii) Debt financing may be utilized as a source of funding for service improvement projects.
- b) The City Treasurer shall have the authority to change the above application of debt financing as a source of funding for projects in the capital plan.
- c) The City shall limit debt financing as a source of funding in the capital plan by way of an internal debt cap. The City Treasurer shall have the authority to set and modify the internal debt cap such that the internal debt cap meets the City's long-term financing strategies and does not contravene the Act or regulations thereunder.
- d) Authorized debt shall be reduced as follows;
 - i) As prescribed by the Council approved Surplus/Deficit and Assessment Growth Policies.
 - ii) By the amount of surplus in the capital financing budget in a given year, unless otherwise directed by the City Treasurer.

4.1.2. Minimizing Risk Associated with Issuing Debt

- a) The City shall not issue long-term financing on projects/capital works until they are substantially complete or a discernable phase is complete.
- b) The timing and amount of debt issued in a given year shall be at the discretion of the City Treasurer or designate after consideration of cash flow requirements, budget constraints, and market conditions. This discretion must be exercised in accordance with the Act and the regulations.
- c) The City's general practice shall be to issue debt that is denominated in Canadian dollars with fixed interest rates over the term. Notwithstanding, if a borrowing structure is presented for which there is a material financial advantage and/or it is deemed prudent for the City to issue debt that is subject to interest rate fluctuations, the City may, at the discretion of the City Treasurer, consider entering into this type of arrangement. Variable interest rate structures must be in accordance with Ontario Regulation 247/01.
- d) Debt financing shall be secured for either a temporary or long-term basis as follows;

- i) Temporary financing instruments may be issued either for operating or capital purposes. Temporary financing for amounts that the City considers necessary to meet the expenses during the current fiscal year until the receipt of taxes and other revenues shall be in accordance with section 407 of the Act and the temporary borrowing by-law passed by Council each year.
- ii) Long-term financing of capital works which are deemed neither temporary operating and/or temporary capital financing may be secured from sources that comply with the Act and the regulations thereunder.

4.1.3. Minimizing Debt Servicing Costs

- a) The City Treasurer shall set debt servicing cost targets for each rate base (i.e. property tax supported, wastewater, water, and development charges) and these targets shall be a general guideline and utilized in the development of the City's budgets. These targets shall align with the City's long-term financing strategies and be subject to the requirements of the Act.
- b) The City shall strive to maintain a strong credit rating to assist in securing a favourable cost of borrowing.
- c) The City shall have a term preference of 10 years for debentures or other types of long-term financing for capital works. The term of long-term financing shall not extend beyond the lifetime of the capital work for which the debt was incurred and shall not exceed 40 years in accordance with Section 408 (3) of the Act. The term preference as well as structure of long-term financing instruments will be at the discretion of the City Treasurer or designate and subject to the requirements of the Act.
- d) The City shall monitor debt servicing costs and annual repayment limits as prescribed under Ontario Regulation 403/02: Debt and Financial Obligation Limits. The City shall also utilize other benchmarks, measures, indicators, ratios and limits as determined relevant and appropriate by the City Treasurer or designate to monitor debt levels and servicing costs. These measures shall include, but are not limited to debt servicing costs as a percentage of gross operating expenditures, debt financing as a percentage of the capital budget, debt per household and debt servicing costs as a percentage of revenue.

4.2. Reporting

In addition to any information requested by Council, or any information that the City Treasurer considers appropriate, the following shall be reported to Council;

- a) The status of issued and authorized debt as well as debt servicing costs through the capital and operating monitoring reports;
- b) Projections for debt levels and debt servicing costs through the budget process; and
- c) Debenture issuances.

4.3. Policy Review

This debt management policy shall be reviewed at a minimum every four years by the City Treasurer and be updated as deemed appropriate or required.

APPENDIX B60

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-52-248 being
“Capital Budget and Financing Policy”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-52-248 being “Capital Budget and Financing Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-52-248 being “Capital Budget and Financing Policy” is hereby amended by deleting Appendix “D(4)” to By-law No. CPOL.-52-248 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Capital Budget and Financing Policy

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-52-248)

Last Review Date: June 11, 2018

Service Area Lead: Manager III, Financial Planning & Policy

1. Policy Statement

The purpose of this policy is to establish a framework for capital budgeting and financing in order to ensure capital investments are budgeted and monitored with a consistent approach, financed in a manner to ensure a funding mix that places a priority on maintaining long-term financial sustainability, and guidelines are established for closing out capital projects.

2. Definitions

- 2.1. **City** – means The Corporation of the City of London;
- 2.2. **City Treasurer** – means the City’s Managing Director, Corporate Services and City Treasurer, Chief Financial Officer;
- 2.3. **Development Charges Background Study** – means the background study undertaken by the City for its current Development Charges By-law;
- 2.4. **Growth** – means a capital project that will service growth and is included in the Development Charges Background Study;
- 2.5. **Life Cycle Renewal** – means a capital project for the rehabilitation or renewal of existing infrastructure due to obsolescence, health and safety concerns, or general deterioration of assets related to use or age;
- 2.6. **Service Improvement** – means a capital project that provides a new or expanded level of service to the municipality or enhances an operational service area.

3. Applicability

This policy applies to all capital projects undertaken or administered by the City or capital projects that received funding from the City and are undertaken or administered by any of the City’s Local Boards, Commissions, Agencies or Corporations.

4. The Policy

4.1. Standard of Care

The City Treasurer shall have overall responsibility for the capital budget and financing program. The City Treasurer or designate shall have the authority to implement the capital budget and financing program and establish procedures consistent with this Policy.

4.2. Principles

4.2.1. Capital Budget Classifications

- a) Each capital project shall be classified as:
 - i) Lifecycle Renewal;
 - ii) Growth; or,
 - iii) Service Improvement

4.2.2. Capital Budget Financing

The following guidelines be used when determining the funding mix for each capital budget classification:

4.2.2.1. Lifecycle Renewal

The funding options for Lifecycle Renewal capital budgets shall be allocated in the following 'priority order':

- a) Non Tax/Rate Supported
 - i) Eligible non-tax funding sources such as senior government funding.
- b) Tax/Rate Supported
 - i) Capital levy.
 - ii) Eligible reserve funds, subject to adequate balances as determined by the City Treasurer or designate.
 - iii) Debt financing for Lifecycle Renewal capital budgets shall only be authorized after all other funding options have been applied and exhausted, noting that the objective is to phase out debt financing from this classification.

4.2.2.2. Growth

The funding options for the non-growth component of the Growth capital budgets, as determined by the Development Charges Background Study, shall be allocated in the following 'priority order':

Non Tax/Rate Supported

- i) Eligible non-tax funding sources such as senior government funding, provided that non-tax funding sources are used first to reduce the total expenditure before the growth/non-growth funding splits are applied.

Tax/Rate Supported

- ii) Capital Levy after consideration is first given to Lifecycle Renewal capital budgets.
- iii) Eligible reserve funds, subject to adequate balances as determined by the City Treasurer or designate.
- iv) Debt financing, provided that all other funding sources are exhausted.

The funding options for the growth component of the Growth capital budgets, as determined by the Development Charges Background Study, shall be funded from development charges supported funding sources, such as but not limited to eligible restricted reserve funds and debt financing.

4.2.2.3. Service Improvement

The funding options for Service Improvement capital budgets shall be allocated in the following 'priority order':

- a) Non Tax/Rate Supported
 - i) Eligible non-tax funding sources such as senior government funding.

- b) Tax/Rate Supported
 - i) Capital Levy after consideration is first given to Lifecycle Renewal capital budgets.
 - ii) Eligible reserve funds, subject to adequate balances as determined by the City Treasurer or designate.
 - iii) Debt financing, provided that all other funding sources are exhausted.

The City Treasurer or designate shall have the authority to set and adjust administrative capital financing targets that support the general guidelines identified above.

4.2.3. Capital Budget Development

The capital budget shall be developed in accordance with the following guidelines:

- a) A rolling ten (10) year capital plan shall be developed and maintained.
- b) The expenditure for each capital project shall be budgeted in the year spending is reasonably anticipated to occur.
- c) The budget for capital projects shall include all reasonably known or anticipated costs each year the budget is requested, including but not limited to the impacts of inflation and non-refundable HST and a reasonable contingency.
- d) New capital budget funding requests that are introduced outside of the budget process shall be referred to the next budget cycle unless the request is directed to be brought forward by Municipal Council or is deemed urgent by the City Treasurer.
 - i) New capital budget requests that meet the criteria noted above, shall include a recommended source of financing as deemed appropriate by the City Treasurer or designate.
- e) Debt financing shall be applied in accordance with the Council approved Debt Management Policy.

4.2.4. Capital Budget Monitoring and Close Out

- a) The City Treasurer or designate may close out of capital project accounts that are greater than three (3) years old calculated from the budget year the capital project was initially approved by Municipal Council.
- b) The City Treasurer or designate shall allocate the net disposition of surplus funding for all closed capital projects as follows:
 - i) Capital levy surplus shall be transferred to the capital receipts account to be used as a potential funding source for unfunded capital requests and that Water and Wastewater & Treatment rates be returned to the appropriate reserve fund.
 - ii) The City Treasurer or designate shall review the balance of the reserve fund which originally funded the capital project and shall determine if funding is allocated back to the respective reserve fund or allocated to the capital receipts account to be used as a potential funding source for unfunded capital requests.

- iii) Debt financing shall be released resulting in a reduction of authorized debt.
- c) If during the capital budget monitoring process it is determined that a capital project will be significantly over budget, a separate report and associated source of financing shall be brought forward for Municipal Council approval or be brought forward during the multi-year budget process, including annual budget updates.
- d) Civic Administration shall submit two monitoring reports to Municipal Council which will be known as the Mid-Year Monitoring Report and Year-End Monitoring Report and shall include:
 - i) A summary of the life-to-date capital budget.
 - ii) A listing of capital projects to be closed, including an explanation of capital projects with a variance greater than \$50,000, noting that capital projects with a variance to budget of less than \$1,000 shall be reported in aggregate only.

APPENDIX B61

Bill No.
2018

By-law No. CPOL.-

A by-law to amend By-Law No. CPOL.-75-307 being
“Affordable Housing Reserve Fund Implementation
Policy”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-75-307 being “Affordable Housing Reserve Fund Implementation Policy” for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-law No. CPOL.-75-307 being “Affordable Housing Reserve Fund Implementation Policy” is hereby amended by deleting Appendix “D(23)” to By-law No. CPOL.-75-307 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Affordable Housing Reserve Fund Implementation Policy

Legislative History: Enacted August 22, 2017 (By-law No. CPOL.-75-307)

Last Review Date: June 11, 2018

Service Area Lead: Manager III, Financial Planning & Policy

1. Policy Statement

The purpose of the Reserve Fund is to provide capital grants on a per unit basis to eligible not-for-profit organizations or partnerships of not-for-profit organizations and the private sector to assist in the development of:

- a) Affordable permanent housing targeted to low income individuals or families determined to be in deep core housing need; or
- b) Transitional housing that will facilitate the movement of individuals and families from situations of homelessness or risk of homelessness to longer-term, independent housing with the consent of the Community and Protective Services Committee and Municipal Council.

The intent of the funding is to create an environment in which the private sector and community providers will be willing and able to develop affordable housing that does not involve direct City operating subsidies, for people with a range of housing needs that are not currently being met in the market.

It is not intended that all monies be allocated to one form of housing. The City's goal is to provide affordable housing which meets the long term housing needs of those least able to find accommodation within the private sector. Until a review of funding allocation is undertaken at the end of 2002, fifty percent (50%) of available funds will be reserved for each of permanent and transitional housing.

It is not intended that the Reserve Fund will serve as a sole source of funding support for affordable housing projects. Reserve Fund contributions are intended to supplement funding or in-kind supports provided by senior levels of government, sponsor groups, service providers, businesses, community organizations and private donors.

Provisions will be put in place to accommodate donations, from the private sector and individuals, to the Reserve Fund.

The objectives of the Reserve Fund are to:

- Increase the supply of affordable housing in the City of London for those households most in need.
- Promote partnerships in support of affordable housing development.
- Leverage the contribution of federal and provincial funds, not-for-profit and private sector financing for affordable housing development.
- Target municipal investment in affordable housing development to individuals and families in greatest need.
- Create replicable models for affordable rental projects.
- Develop projects which are self-sustaining and do not require a municipal contribution to operating costs beyond those available through social assistance programs.

2. Definitions

Not Applicable.

3. Applicability

Eligibility Criteria

Affordable housing development proposals that will be considered for Reserve Fund contributions include the construction of new affordable housing, the acquisition and conversion of non-residential buildings to affordable housing, the acquisition and rehabilitation of substandard residential buildings and the expansion of existing affordable housing stock to provide adequate, affordable housing. Projects may include a mix of affordable rental units and units that exceed affordable rent levels. However, the consideration of funding will be limited only to those units that will satisfy the affordability criteria.

The focus of the Reserve Fund contributions will be the creation of affordable rental units.

Reserve Fund contributions will also be available to assist the development of transitional housing to meet the needs of individuals or families who are moving from a situation of homelessness or near homelessness. Transitional housing addresses needs that extend beyond affordability to include various social and health-related support services that facilitate the transition to longer-term, independent housing.

- a) Due to the limited funds, proponents seeking Reserve Fund contributions must focus on those households in the greatest need and must satisfy the following criteria:
- b) Proponents must be not-for-profit organizations acting independently or in partnership with private sector developers or other not-for-profit organizations (or proponents must have a commitment to a not-for-profit designation which must be in place prior to final commitment date).
- c) Proponents must have a mandate that relates to the provision of housing.
- d) Proponents must be able to demonstrate a capacity to implement the project within the timeline and budget proposed.
- e) Proponents must demonstrate the ability to achieve the affordability criteria and agree to maintain rents for a period of not less than twenty-five years below the affordable rent limits specified in Section 6, as adjusted from year to year.
- f) Projects that involve the displacement of any existing tenants will not be considered unless the proponent includes a satisfactory relocation plan.
- g) Proponents must be able to demonstrate that the project to be created, including any proposed support services, will be sustainable.
- h) Projects must be located within the City of London.
- i) Proponents must identify a site or building that can be reasonably developed for its intended purpose. The City may contribute land, subject to Council approval.
- j) Proponents must prepare a tenant selection process that will form part of any agreements with the City and ensure that affordable rental units will be occupied by individuals or households whose household incomes are below the income limits specified in Section 4.4.

4. The Policy

4.1. Evaluation Criteria

Proposed projects will be evaluated for conformity to the purpose and objectives of the Reserve Fund and for compliance to the eligibility criteria listed in Section 3.

In addition, through the evaluation process, preference will be given to projects that include the following characteristics:

Proponent Qualifications:

- Experience and qualifications of the proponent to develop affordable housing/transitional housing.
- Experience and qualifications of the proponent to manage affordable housing/transitional housing.

Financial Plan:

- Level of partnership commitment for funding from other government and philanthropic sources.
- Credibility of cost projections for the development and the ability to finance as required.
- Cost effectiveness and per-unit funding requirement for the proposed project.

Management and Service Plan:

- Tenant placement plan in relation to targeted households (those households in greatest need).
- Extent to which the proposed project's management plan, including staffing and operating cost projections, is developed.
- Extent to which the proposed project's service plan represents an adequate and financially viable response to the target client group.
- Commitment that service providers and funders are making to this project (sustainability of program).

Development Plan:

- Ability to proceed quickly; extent to which a proposed project is ready to go from the perspective of site acquisition, land use approvals and the securing of any additional funding commitments.
- Extent to which the proposed development reflects good land-use planning and responds appropriately to the community context.
- Extent to which architectural design reflects the needs of the target client group.

4.2. Eligible Costs

Contributions from the Reserve Fund are to the total project. There will be no phase funding (ie. land acquisition only). Grants from the Reserve Fund may be applied to the following project capital costs:

Construction costs for the development of new affordable housing or the rehabilitation or conversion of existing buildings for affordable housing including acquisition of land and buildings.

Costs associated with the cost of affordable housing development including architectural, legal, engineering and project management fees; development charges and building permit fees; park fees; connect fees; and interest charges.

4.3. Assistance Levels

Contributions from the Affordable Housing Reserve Fund to selected projects may be approved in amounts of up to \$15,000 per unit plus a grant upon completion of the project to off-set any municipal fees or charges incurred in the development approval process.

4.4. Affordability Criteria

For transitional housing projects, it is expected that rents to be charged will not exceed the maximum shelter component provided under the Ontario Works Act or the Ontario Disability Support Program Act.

For affordable rental housing projects, the maximum rent levels for affordable rental units will be set annually at 70% or below of the CMHC average market rent for rental housing within the City of London. The CMHC core need income thresholds are adjusted to include utilities. Maximum affordable rents for 2002 will be set at:

<u>Unit Type</u>	<u>CMHC at Oct/01</u>	<u>Affordable Rent</u>
Bachelor	\$433	\$303
1 bedroom	\$547	\$383
2 bedroom	\$683	\$478
3 bedroom +	\$852	\$596

For affordable rental housing projects, the maximum household income of the tenant households shall not exceed the following levels:

<u>Percentile</u>	<u>Household Income Cut-off</u>	<u>Rent at 30%</u>
10 th	\$6,983	\$175
20 th	\$11,919	\$298
30 th	\$15,260	\$382
40 th	\$19,270	\$482
50 th	\$24,457	\$611

4.5. Project Selection Process

The intent is to fund those projects that meet the eligibility criteria, with the greatest potential to provide affordable housing for delivery in the short term for the most needy households.

A Request for Proposals for contributions from the Affordable Housing Reserve Fund will be issued at approximately six-month intervals, provided funds are available.

The Director of Housing and the Affordable Housing Development Officer will conduct an information meeting with prospective proponents and housing interest groups to clarify City requirements and facilitate networking and partnerships among proponents and groups.

Proposals will be evaluated by a committee of City staff chaired by the Director of Housing and including:

- the Affordable Housing Development Officer
- the Commissioner of Planning and Development
- the City Treasurer or designate
- the Commissioner of Community Services or designate
- the Manager of Realty Services

The Evaluation Committee will recommend selected proposals to City Council through the Community and Protective Services Committee, for approval subject to the adoption of a funding agreement with the proponent.

The City will prepare the funding agreement and authorizing by-law for Council's approval.

APPENDIX C1

Bill No.
2018

By-law No.

A by-law to repeal Council Policy related By-Law No. CPOL.-92-344 being “Flankage Exemptions for Surface Works and Sewers” and replace it with a new Council policy entitled “Flankage Exemptions for Surface Works and Municipal Services”.

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

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

AND WHEREAS the Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-92-344 being “Flankage Exemptions for Surface Works and Sewers” and replace it with a new Council policy entitled “Flankage Exemptions for Surface Works and Municipal Services”;

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

1. By-law No. CPOL.-92-344 being “Flankage Exemptions for Surface Works and Sewers” is hereby repealed.
2. The Policy entitled “Flankage Exemptions for Surface Works and Municipal Services” attached as Schedule “A” is hereby adopted.
3. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Flankage Exemptions for Surface Works and Municipal Services

Legislative History:

Last Review Date: June 11, 2018

Service Area Lead: Director – Water and Wastewater

1. Policy Statement

The policy establishes the applicable flankage exemptions for properties subject to a local improvement.

2. Definitions

Not applicable.

3. Applicability

This policy applies to properties with flankage subject to a local improvement.

4. The Policy

That a policy be established with regard to all local improvement flankage exemptions to provide that the exemption be 100% of the first 45.72m of available flankage for each applicable property.

APPENDIX C2

Bill No.
2018

By-law No.

A by-law to repeal Council Policy related By-Law No. CPOL.-94-346 being "Absence of Sewers and Private Drain Connections" and replace it with a new Council policy entitled "Absence of Municipal Services".

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

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

AND WHEREAS the Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-94-346 being "Absence of Sewers and Private Drain Connections" and replace it with a new Council policy entitled "Absence of Municipal Services";

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

1. By-law No. CPOL.-94-346 being "Absence of Sewers and Private Drain Connections" is hereby repealed.
2. The Policy entitled "Absence of Municipal Services" attached as Schedule "A" is hereby adopted.
3. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Absence of Municipal Services

Legislative History:

Last Review Date: June 11, 2018

Service Area Lead: Director – Water and Wastewater

1. Policy Statement

The policy establishes that circulation of a petition for a local improvement is at the discretion of the City Engineer.

2. Definitions

Not applicable.

3. Applicability

This policy is applicable to streets subject to a local improvement due to inadequate or unavailable municipal services.

4. The Policy

That a policy be established to provide that in the case where a petition for a local improvement surface work is requested, and the City Engineer is of the opinion that such a petition should not be circulated because of the absence of adequate or available municipal services, the City Engineer be authorized to withhold such petition but be required to report the fact to the appropriate standing committee of Council.

APPENDIX C3

Bill No.
2018

By-law No.

A by-law to repeal Council Policy related By-Law No. CPOL.-117-369 being “Phase Out Use of City-Owned Vehicles” and replace it with a new Council policy entitled “Annual Assessment of Underutilized Light Vehicles”.

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

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

AND WHEREAS the Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-117-369 being “Phase Out Use of City-Owned Vehicles” and replace it with a new Council policy entitled “Annual Assessment of Underutilized Light Vehicles”;

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

1. By-law No. CPOL.-117-369 being “Phase Out Use of City-Owned Vehicles” is hereby repealed.
2. The Policy entitled “Annual Assessment of Underutilized Light Vehicles” attached as Schedule “A” is hereby adopted.
3. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Annual Assessment of Underutilized Light Vehicles

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-117-369)

Last Review Date: June 11, 2018

Service Area Lead: Director – Environment, Fleet & Solid Waste

1. Policy Statement

This policy empowers the City Engineer to pursue alternative transportation solutions in regards to the fleet vehicles.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to vehicles owned by the City of London.

4. The Policy

That a policy be established to empower the City Engineer, through Fleet & Operational Services, to actively pursue and implement alternative transportation solutions for underutilized light vehicles during the vehicle needs assessment process that occurs in two different situations; when a changed use for an existing vehicle is identified or during the vehicle replacement process.

Vehicles less than 5000km/year will be reviewed during the vehicle replacement process to encourage alternative vehicle solutions that may include sharing a vehicle, external car sharing programs, rentals and leasing programs or using a personally owned vehicle for their City business. In the case of personal vehicles, mileage costs will be reimbursed at a rate established by the Municipal council from time to time subject to any alternative agreement defined within collective agreements or employee groups.

APPENDIX C4

Bill No.
2018

By-law No.

A by-law to repeal Council Policy related By-Law No. CPOL.-194-446 being "Private Storm Water Connections" and replace it with a new Council policy entitled "Stormwater Private Drain Connections".

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

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

AND WHEREAS the Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-194-446 being "Private Storm Water Connections" and replace it with a new Council policy entitled "Stormwater Private Drain Connections";

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

1. By-law No. CPOL.-194-446 being "Private Storm Water Connections" is hereby repealed.
2. The Policy entitled "Stormwater Private Drain Connections" attached as Schedule "A" is hereby adopted.
3. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Stormwater Private Drain Connections

Legislative History:

Last Review Date: June 11, 2018

Service Area Lead: Director – Water and Wastewater

1. Policy Statement

This policy is to explain that a storm water private drain connection is to be installed when a storm sewer is installed.

2. Definitions

Not applicable.

3. Applicability

The policy applies to all buildings, not being single family or semi-detached houses, and to all lots zoned for a use other than for single family or semi-detached housing.

4. The Policy

That a policy be established whereby when a storm sewer is installed, a storm water private drain connection be required to be installed to all buildings, not being single family or semi-detached houses, and to all lots zoned for a use other than for single family or semi-detached housing.

APPENDIX C5

Bill No.
2018

By-law No.

A by-law to repeal Council Policy related By-Law No. CPOL.-136-388 being “Parkland Dedication – Acquisition of Parkland Outside a Plan of Subdivision” and replace it with a new Council policy entitled “Parkland Dedication – Acquisition of Hazard Lands and/or Open Space Lands”.

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

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

AND WHEREAS the Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-136-388 being “Parkland Dedication – Acquisition of Parkland Outside a Plan of Subdivision” and replace it with a new Council policy entitled “Parkland Dedication – Acquisition of Hazard Lands and/or Open Space Lands”;

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

1. By-law No. CPOL.-136-388 being “Parkland Dedication – Acquisition of Parkland Outside a Plan of Subdivision” is hereby repealed.
2. The Policy entitled “Parkland Dedication – Acquisition of Hazard Lands and/or Open Space Lands” attached as Schedule “A” is hereby adopted.
3. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule “A”

Policy Name: Parkland Dedication – Acquisition of Hazard Lands and/or Open Space Lands **Legislative History:**

Last Review Date: June 11, 2018

Service Area Lead: Manager, Development Services (Subdivisions) and Manager, Development Services (Site Plan)

1. Policy Statement

This policy establishes the manner of acquisition of hazard lands and/or open space lands outside an application under 42, 51.1 or 53 of the Planning Act, R.S.O. 1990, Chapter P.13.

2. Definitions

Not applicable.

3. Applicability

This policy applies to the acquisition of hazard lands and/or open space lands outside an application under 42, 51.1 or 53 of the Planning Act, R.S.O. 1990, Chapter P.13.

4. The Policy

That the following policy be established for the acquisition of hazard land and/or open space land outside an application under 42, 51.1 or 53 of the Planning Act, R.S.O. 1990, Chapter P.13.

- a) Where hazard lands are to be purchased outside a development application, a rate consistent with Table 1 of By-law CP-9 shall apply; and
- b) Other open space lands may be acquired at a higher value relative to their environmental or recreational value.

APPENDIX C6

Bill No.
2018

By-law No. CPOL.-

A by-law to repeal Council Policy related to “Perfecting Property Titles for which Consents were not Obtained” and replace it with a new Council policy entitled “Perfecting Property Titles for which Consents were not Obtained”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to repeal Council Policy related to “Perfecting Property Titles for which Consents were not Obtained” and replace it with a new Council policy entitled “Perfecting Property Titles for which Consents were not Obtained”;

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

1. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts a Council policy pertaining to “Perfecting Property Titles for which Consents were not Obtained” is hereby repealed.
2. The Policy entitled “Perfecting Property Titles for which Consents were not Obtained” attached as Schedule “A” is hereby adopted.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

Schedule "A"

Policy Name: Perfecting Property Titles for which Consents were not Obtained

Legislative History:

Last Review Date: June 11, 2018

Service Area Lead: Manager, Development Services (Subdivisions) and Manager, Development Services (Site Plan)

1. Policy Statement

The policy provides a process for applications to Council for the enactment of by-laws requesting the Minister of Municipal Affairs to make Orders under the Planning Act, R.S.O. 1990, Chapter P.13, for the purpose of perfecting the title to parcels of land for which the necessary Committee of Adjustment consents were not obtained prior to March 19, 1973.

2. Definitions

Not applicable.

3. Applicability

The policy applies to applications to Council for the enactment of by-laws requesting the Minister of Municipal Affairs to make Orders under the Planning Act, R.S.O. 1990, Chapter P.13, for the purpose of perfecting the title to parcels of land for which the necessary Committee of Adjustment consents were not obtained prior to March 19, 1973.

4. The Policy

That the following policy be established with respect to applications to Council for the enactment of by-laws requesting the Minister of Municipal Affairs to make Orders under the Planning Act, R.S.O. 1990, Chapter P.13, for the purpose of perfecting the title to parcels of land for which the necessary Committee of Adjustment consents were not obtained prior to March 19, 1973.

- a) any such application is to be made to the City Clerk's Office and is to be subject to an application fee equal to the fee charged by the Consent Authority on the application for a consent to sever;
- b) where the Administration recommends that no conditions be imposed in respect to the subject parcel as a condition to the passage of the by-law, the City Clerk is authorized to place the by-law directly before a regular meeting of Council by listing it on the Orders of the Day;
- c) where the Administration recommends that conditions be imposed in respect of the subject parcel as a condition to the passage of the by-law, such recommendation is to be made to Council through the Planning and Environment Committee and the conditions, when adopted by Council, are to be included wherever possible in an Agreement in favour of the City which is to be executed by the Owner of the land and registered prior to the enactment of the by-law;
- d) once such a by-law is passed, the applicant is to be left with the responsibility of applying to the Minister for an Order; and
- e) the Administration is authorized to develop and implement such necessary procedures which are sufficient to carry out the foregoing policy.

APPENDIX D1

Bill No.
2018

By-law No. CPOL.-

A by-law to repeal By-Law No. CPOL.-21-217,
“Methane Gas”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-21-217 being “Methane Gas” as the Municipal Council has determined that this Council Policy is no longer required;

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

1. By-law No. CPOL.-21-217 being “Methane Gas” is hereby repealed.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

APPENDIX D2

Bill No.
2018

By-law No. CPOL.-

A by-law to repeal By-Law No. CPOL.-22-218,
“Unprotected Excavations at Construction Sites”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-22-218, being “Unprotected Excavations at Construction Sites” as the Municipal Council has determined that this Council Policy is no longer required;

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

1. By-law No. CPOL.-22-218, being “Unprotected Excavations at Construction Sites” is hereby repealed.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

APPENDIX D3

Bill No.
2018

By-law No. CPOL.-

A by-law to repeal By-Law No. CPOL.-224-476,
“Non-Enforcement of Parking Regulations”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-224-476, being “Non-Enforcement of Parking Regulations” as the Municipal Council has determined that this Council Policy is no longer required;

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

1. By-law No. CPOL.-224-476, being “Non-Enforcement of Parking Regulations” is hereby repealed.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

APPENDIX D4

Bill No.
2018

By-law No. CPOL.-

A by-law to repeal By-Law No. CPOL.-225-477,
“Free Downtown Parking During Christmas Season”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-225-477, being “Free Downtown Parking During Christmas Season” as the Municipal Council has determined that this Council Policy is no longer required;

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

1. By-law No. CPOL.-225-477, being “Free Downtown Parking During Christmas Season” is hereby repealed.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

APPENDIX D5

Bill No.
2018

By-law No. CPOL.-

A by-law to repeal By-Law No. CPOL.-78-310,
“Enforcement of City Personnel”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-78-310, being “Enforcement of City Personnel” as the Municipal Council has determined that this Council Policy is no longer required;

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

1. By-law No. CPOL.-78-310, being “Enforcement of City Personnel” is hereby repealed.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

APPENDIX D6

Bill No.
2018

By-law No. CPOL.-

A by-law to repeal By-Law No. CPOL.-102-354,
“Service Cut Restoration Work by Utilities and
Contractors”.

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

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-102-354, being “Service Cut Restoration Work by Utilities and Contractors” as the Municipal Council has determined that this Council Policy is no longer required;

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

1. By-law No. CPOL.-102-354, being “Service Cut Restoration Work by Utilities and Contractors” is hereby repealed.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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