

TO:	CHAIR AND MEMBERS COMMUNITY AND PROTECTIVE SERVICES COMMITTEE MEETING ON JULY 16, 2018
FROM:	SCOTT STAFFORD MANAGING DIRECTOR, PARKS & RECREATION & LYNNE LIVINGSTONE MANAGING DIRECTOR, NEIGHBOURHOOD, CHILDREN, & FIRE SERVICES
SUBJECT:	APPROVAL OF STANDARD FORM LICENCE AGREEMENT FOR USE OF RECREATION SPACES OR ASSETS AND DELEGATION OF AUTHORITY TO EXECUTE LICENSE AGREEMENTS

RECOMMENDATION

That, on the recommendation of the Managing Director, Parks and Recreation and the Managing Director, Neighbourhood, Children, and Fire Services, the attached proposed by-law (Appendix A) **BE INTRODUCED** at the Municipal Council meeting to be held on July 24, 2018 to:

- a.) approve and adopt the standard form for Licence Agreements between The Corporation of the City of London and individuals or incorporation organizations requesting to use a recreation space or asset; and
- b.) to authorize the Managing Director, Parks and Recreation or the Managing Director, Neighbourhood, Children and Fire Services to insert information and execute Licence Agreements for the use of recreation spaces and assets which employ the above-noted Agreement, when the Agreement dollar value does not exceed \$10,000; and,
- c.) repeal By-law No. A.-6690-195, A by-law to approve and adopt the standard form for Office/Storage Space Licence Agreements.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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July 20, 2011 Finance and Administration Committee. Standard Licence Agreement for Office and Storage Space at City Facilities.

BACKGROUND

Parks and Recreation and Neighbourhood, Children and Fire Services enter into licence agreements with organizations for the co-use/shared use/dedicated use of recreation spaces or assets for a defined period of time. There are approved Office/Space and Lease Agreements which are largely the same agreements and are both used depending on the nature of the arrangement. Generally, these agreements are low dollar, no cost, or utility share agreements which currently must be executed by the Mayor and the City Clerk. Examples of these low-dollar agreements include: Girl Guides weekly use of Boyle Community Centre at no cost; London Canoe Club's use of the McManus Boathouse for 35% of total utility costs annually (\$2,510 in 2018); or the use of an office at T Block by the London Air Show for \$530.45 a year.

A single Licence Agreement template has been developed (Schedule "A") which allows details to be inserted based on the specifics of the Agreement, eliminating the need for two separate Agreements, and allowing flexibility should additional agreements evolve that would not fit into the previous formats.

Given that these Agreements and their associated fees are low-dollar, Civic Administration is proposing that the Managing Director, Parks and Recreation or the Managing Director, Neighbourhood, Children and Fire Services, or their written delegate be authorized through bylaw to execute these License Agreements, it being noted that any agreements that exceed the \$10,000.00 threshold would follow the Document Execution By-Law.

APPENDIX A

Bill No.
2018

By-law No. A.-

A by-law to approve and adopt a standard form Licence Agreement for the use of recreation spaces and assets; and to authorize the Managing Director, Parks and Recreation or the Managing Director Neighbourhood, Children and Fire Services, or their written designate, to insert information and execute Licence Agreements not exceeding \$10,000, for the use of recreation spaces and assets, which employ this form and to repeal By-law No A.-6690-195 and any amendments thereto.

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

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

AND WHEREAS section 10 of the *Municipal Act, 2001* provides that the City may provide any service or thing that the City considers necessary or desirable for the public, and may pass by-laws respecting same, and respecting economic, social and environmental well-being of the City, and the health, safety and well-being of persons;

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

1. The standard form Licence Agreement to be entered into between The Corporation of the City of London and individuals or incorporated organizations requesting to use a recreation space or asset in the care and control of the City of London, attached as Schedule "A" to this by-law, is approved and adopted as the standard form for all such Licence Agreements.
2. If the dollar value of the agreement does not exceed \$10,000, The Managing Director, Parks and Recreation, or Managing Director Neighbourhood, Children and Fire Services, or their written designate, is hereby authorized to:
 - (1) insert the following information into the standard form License Agreement approved in section 1 above:
 - (a) name of licensee;
 - (b) recreation space or asset;
 - (c) term of Agreement;
 - (d) fees, additional fees;
 - (d) licensee address; and
 - (2) execute the License Agreement approved under section 1 above.
3. By-law No. A.-6690-195 entitled "A by-law to approve and adopt the standard form for Office /Storage Space Licence Agreements; and to authorize the Executive Director of Community Services to execute contracts which employ this form", and its amendments, are hereby repealed.
4. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First reading – July 24, 2018
Second reading – July 24, 2018
Third reading – July 24, 2018