

## Report to Corporate Services Committee

**To:** Chair and Members  
Corporate Services Committee  
**From:** Michael Schulthess, City Clerk  
**Subject:** City of London Days at Budweiser Gardens – United Way  
Elgin and Middlesex  
**Meeting on:** May 9, 2022

## Recommendation

That, on the recommendation of the City Clerk and in accordance with Council's City of London Days at Budweiser Gardens Policy, the request from the United Way Elgin & Middlesex to host the annual Stairclimb on November 3, 2022, **BE APPROVED** as a City of London Day at Budweiser Gardens.

## Executive Summary

Municipal Council may grant up to five rent-free days per year to community organizations wishing to use Budweiser Gardens, subject to the conditions of Council's Policy. United Way of Elgin & Middlesex has requested a City of London Day at Budweiser Gardens. The organization was last granted a rent-free day in 2020 for the United Way Harvest Lunch and Campaign Kick-Off, but was unable to hold the event because of the COVID-19 pandemic. This is the first time the United Way of Elgin & Middlesex has requested a City of London Day for the United Way Stair Stairclimb. Given that four City of London Days remain in 2022, the Civic Administration recommends approval.

## Analysis

### 1.0 Background Information

#### 1.1 Previous reports related to this matter

- Corporate Services Committee – May 7, 2013
- Corporate Services Committee – March 25, 2014
- Corporate Services Committee – February 3, 2015
- Corporate Services Committee – February 2, 2016
- Corporate Services Committee – February 7, 2017
- Corporate Services Committee – February 6, 2018
- Corporate Services Committee – April 16, 2019

#### 1.2 Agreement between City of London and Budweiser Gardens

The City of London agreement with the London Civic Centre (LP) provides for five community days annually for community use at the Budweiser Gardens. The agreement makes the following provisions:

“The Landlord and the Tenant acknowledge and agree that each of them shall permit the City to have exclusive use of the Project (excluding areas over which the London Knights or other subtenants or licensees have exclusive possession) on five (5) days in each calendar year on sixty (60) days' notice prior to the Tenant and the Landlord on an entirely rent-free basis, except as set out in this subsection, for the purpose of community events which are primarily “not for profit” in nature, on dates which do not conflict or compete with events previously arranged or booked by the Tenant for the Project. The City shall be entitled to all ticket revenue and any revenue generated by special concession at such events, and all other revenue normally derived from the Project, such as from the food and beverage facilities, shall be included in Gross Revenue. The City shall pay

for all out-of-pocket direct costs incurred by the Tenant for such occasion, such as the costs of staffing, security, janitorial and maintenance services. However, the City shall not be required to pay costs that the Tenant would have incurred anyway even if the City's event had not been held. For these purposes, "community events" means events which are primarily for civic purposes, high school, university or college sports and events, celebrations or charity events and shall include without limitation, high school and college graduations, community banquets and receptions and speaker programs but shall not include any events which have previously used the Project in accordance with normal rental or use arrangements"

## **2.0 Discussion and Considerations**

### **2.1 Request from United Way of Elgin & Middlesex**

On behalf of the United Way of Elgin & Middlesex, Jennepher Cahill has submitted the attached correspondence, requesting a "rent-free" day at the Budweiser Gardens for the annual United Way Stairclimb on November 3, 2022.

The United Way of Elgin & Middlesex has held fundraising events using the City of London Days at Budweiser Gardens annually since 2009. Council's City of London Days at the Budweiser Gardens Policy makes an exception for the United Way Harvest Lunch and Campaign Kick-Off to the clause in the policy that restricts groups from having more than two event days over a consecutive five-year period.

United Way of Elgin & Middlesex is changing the Harvest Lunch and Campaign Kick-Off venue to Victoria Park in 2022, to accommodate health and safety guidelines with the COVID-19 pandemic. Therefore, the organization will not be requesting a City of London Day for this event in 2022. Budweiser Gardens has been identified as a location with suitable space as an alternative to the pre-COVID Stairclimb location of One London Place.

This is the organization's first request to hold the Stairclimb as a City of London Day at Budweiser Gardens and the only request it will make this year. The attached letter from Kelly Ziegner, President & Chief Executive Officer, explains the rationale for this one-year change. "At this point, the plan is considered a "pivot" to help the organization bring Stairclimb, and the revenue it generates, back for our community," said Jennepher Cahill in her email correspondence submitting the request.

Council's policy exempts the Harvest Lunch and Campaign Kick-off from the limits of the policy. The organization, the United Way of Elgin & Middlesex, is still subject to the limits. However, this request for Stairclimb is the first request in a 5-year period made by the United Way of Elgin & Middlesex for a City of London Day at Budweiser Gardens that is not an exempt event. Therefore, the request meets the requirements of the policy, notwithstanding its limits on organizations.

### **2.2 Other requests received for 2022**

Four City of London Days remain to be granted for 2022, and no other requests are pending for the use of a City of London Day at the Budweiser Gardens. The one commitment this year is:

- October 22, 2022: Showdown in the Downtown – Knock Out Kidney Disease

## **3.0 Financial Impact/Considerations**

### **3.1 No financial impact or consideration**

The current agreement with Budweiser Gardens provides for up to five rent free days, so there is no financial impact or consideration.

## **4.0 Key Issues and Considerations**

### **4.1. Council Policy: City of London Days at Budweiser Gardens**

The policy for City events at the Budweiser Gardens is attached as Schedule “A” for information purposes.

## **5.0 Conclusion**

The Civic Administration recommends approval of the request to use a City of London Day at the Budweiser Gardens for the United Way Stairclimb on November 3, 2022.

<b>Prepared by:</b>	<b>Michael Schulthess, City Clerk</b>
<b>Submitted by:</b>	<b>Michael Schulthess, City Clerk</b>
<b>Recommended by:</b>	<b>Michael Schulthess, City Clerk</b>



# City of London Days at Budweiser Gardens Policy

Please refer to the “City of London Days at Budweiser Gardens” Council Policy on page 2 for related guidelines. Requests may be mailed to: City Clerk, PO Box 5035, London, ON, N6A 4L9 or emailed to ClerksApprovalRequests@london.ca. Phone enquiries should be directed to the City Clerk's Office at (519) 661-2489 Ext. 4937.

## Organization information

Organization Name	Charitable registration number (if applicable)	Request Date (YYYYMMDD)
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## Contact information

Contact name	Title	
Address		
Telephone number	/ extension	E-mail address

## Event details

Event Name	Date of event (YYYYMMDD)
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Event description (maximum 1,000 characters, attach additional details if needed)

## Event eligibility

- City of London sponsored event
- Not-for-profit sporting event of provincial or national significance
- Major community-wide, not-for-profit civic event
- Major community-wide, not-for-profit charity event

## Confirmations

- This event has not previously used the facility in accordance with normal rental or use arrangements
- Budweiser Gardens has confirmed that this date is available

# CITY OF LONDON DAYS AT BUDWEISER GARDENS POLICY

## 1. Policy Statement

- 1.1 This policy establishes the general guidelines for utilization of City of London Days at the Budweiser Gardens for the purpose of up to five community-sponsored events on a “rent-free basis” provided the City or event sponsor pay for all direct and out-of-pocket expense incurred by the London Civic Centre Corporation.

## 2. Definitions

- 2.1 Not applicable.

## 3. Applicability

- 3.1 This policy applies to event(s) which meet the eligibility criteria set out in this policy.

## 4. The Policy

### 4.1 Eligible Events

The following types of events will be eligible:

- a) City of London-sponsored events such as opening ceremonies for sporting events and major community celebrations, which have not previously used the facility in accordance with normal rental or use arrangements.
- b) Not-for-profit sporting events which are of a provincial or national significance, including championships for high schools, colleges or universities located within the City of London, which have not previously used the facility in accordance with normal rental or use arrangements.
- c) Major not-for-profit civic events which are celebrations or charity events of a local, community-wide nature and have a direct benefit to the London community, which have not previously used the facility in accordance with normal rental or use arrangements.

### 4.2 Maximum Event Days

- a) The City is limited to five event days each year.
- b) No group can have more than one event day per year.
- c) No group can have more than two event days over a five-year consecutive period, with the exception of the annual United Way Harvest Lunch and Campaign Kick-Off, unless an exemption is approved by the Municipal Council due to unique circumstances.

### 4.3 Event Dates

The City of London shall provide sixty (60) days prior notice to Budweiser Gardens for use of the facility for a community-sponsored event, and the date of the event may not conflict or compete with events previously arranged or booked by Budweiser Gardens.

### 4.4 Requirements of User Groups

- a) The user group will be responsible for all direct and out-of-pocket expenses which are incurred.
- b) The user group will be responsible for entering into an agreement with the Budweiser Gardens for use of the facility and all obligations arising from that agreement.
- c) The user group will be responsible for all advertising, sponsorship and ticketing for the event subject to any conditions set out by the Budweiser Gardens.

### 4.5 City Contact

The City Clerk will be the primary contact for user groups and will be delegated responsibility to administer this policy.

### 4.6 Event Approval

City Council approval is required for all City of London Days at Budweiser Gardens events.

April 12, 2022

Anastasia Bush, Administrative Assistant  
City Clerk's Office  
City of London  
300 Dufferin Avenue  
London, ON N6A 4L9

**Re: Corporate Services Committee – City of London Day**

Dear Committee Members,

On behalf of United Way Elgin Middlesex, I thank you for the wonderful support of the City of London for our annual community campaign. As part of that support, the City has generously granted United Way Elgin Middlesex (UWEM) an annual City of London Day usage of Budweiser Gardens since 2003.

Prior to COVID-19, we have used our City of London Day to hold our annual Harvest Lunch and campaign kick-off at Budweiser Gardens. This event, which brings together over 2,000 people each year in the third week of September, has become a true London tradition.

However, due to COVID-19 we have been unable to hold the event in-person for the past two years. We therefore made plans to ensure we would be able to do an in-person Harvest lunch for 2022 by working with City of London staff and booking Victoria Park on September 19, 2022 for the event. By having it out of doors, we will have greater flexibility and scalability as well as more opportunity for public participation.

With this in mind, we would like to request the opportunity to continue the tradition of a United Way community event at Budweiser Gardens under the provisions of the City of London Day exemption outlined in policy CPOL.-27(b)-42 , by moving the City's generous support to United Way's Stairclimb event. We have connected with the Spectra team at Budweiser Gardens, they are very supportive of this plan and have already booked us the date of November 3<sup>rd</sup> 2022. This event, which recently celebrated its 25<sup>th</sup> anniversary, has traditionally taken place in the stairwell of One London Place. During the last two years it has not been possible to hold the Stairclimb event in person at all. However, even with the lifting and reduction of many safety restrictions, it is not possible to provide the social distancing or the ventilation required within the staircase across 24 stories that would enable us to hold the event there in 2022. Budweiser Gardens is one of the very few venues that could host 2-3,000 people in a safely spaced, one-way directional flow with at least 142 stairs for participants to climb. Every year we welcome teams from both school boards (from elementary and secondary schools), all the major local employers (Western University, Fanshawe College, LHSC, Canada Life, TD, 3M, StarTech.com, Enbridge Gas, GDLS-C, etc.) as well as from London Fire Service, London Police Service, the RCMP, the OPP, the London Knights and the London Lightning – making this a truly community-wide event. This event traditionally generates over \$200,000 for the United Way

Community Fund – funds that have been absent for two full years and are needed by our local agencies, now even more than ever.

We recognize that this may be an unconventional request, however these are unconventional times. The non-profit and social services sector has had to be hugely flexible and innovative to ensure that services can continue to be provided for our community's most vulnerable members.

We hope that you can help us innovate again this year, through an adapted use of the City of London Day provision.

Thank you for your thoughtful consideration of our request.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kelly Ziegner', with a long horizontal flourish extending to the right.

Kelly Ziegner  
President & Chief Executive Officer

## SCHEDULE "A"



**London**  
CANADA

### **City of London Days at the Budweiser Gardens Policy**

**Policy Name:** City of London Days at the Budweiser Gardens Policy

**Legislative History:** Adopted June 13, 2017 (By-law No. CPOL.-27-223); Amended July 24, 2018 (By-law No. CPOL.-27(a)-397), January 28, 2020 (By-law CPOL.-27(b)-42)

**Last Review Date:** August 10, 2021

**Service Area Lead:** City Clerk

#### **1. Policy Statement**

- 1.1 This policy establishes the general guidelines for utilization of up to five (5) City of London Days at the Budweiser Gardens for community-sponsored events on a “rent-free basis” provided the City or event sponsor pay for all direct and out-of-pocket expense incurred by the London Civic Centre Corporation.

#### **2. Definitions**

- 2.1 Not applicable.

#### **3. Applicability**

- 3.1 This policy applies to event(s) which meet the eligibility criteria set out in this policy.

#### **4. The Policy**

##### **4.1 Eligible Events**

The following types of events will be eligible:

- a) City of London-sponsored events such as opening ceremonies for sporting events and major community celebrations, which have not previously used the facility in accordance with normal rental or use arrangements.
- b) Major not-for-profit, sporting or civic events which are events of a local, community-wide nature and have a direct benefit to the London community.

##### **4.2 Maximum Event Days**

- a) The City is limited to five event days each calendar year.
- b) No group or organization can have more than one event day per calendar year.
- c) No group or organization can have more than two event days over a five-year consecutive period, with the exception of the annual United Way Harvest Lunch and Campaign Kick-Off, unless an exemption is approved by the Municipal Council due to unique circumstances.

##### **4.3 Event Dates**

The City of London shall provide sixty (60) days prior notice to Budweiser Gardens for use of the facility for a community-sponsored event, and the date of the event may not conflict or compete with events previously arranged or booked by Budweiser Gardens.

##### **4.4 Requirements of User Groups**

- a) The user group will be responsible for all direct and out-of-pocket expenses which are incurred.



- b) The user group organization will be responsible for entering into an agreement with the Budweiser Gardens for use of the facility and all obligations arising from that agreement.
- c) The user group or organization will be responsible for all advertising, sponsorship and ticketing for the event subject to any conditions set out by the Budweiser Gardens.

#### 4.5 Administration of Policy

The City Clerk will administer the City of London Days at the Budweiser Gardens Policy, with the exception of those circumstances outlined in section 4.2 c) of this Policy.