RECOMMENDATION TO COUNCIL:

WHEREAS City Council directed staff to issue a Request for Proposals (RFP) to obtain detailed pricing and technical functional requirements in order to purchase a new radio system with integrated voice and data capabilities to be shared by Kingston Police Services and Fire & Rescue Services;

AND WHEREAS an Evaluation Committee was set-up, with representatives from Police, Fire & Rescue, Emergency Management, and Operations, to review the request for proposals and recommend a supplier;

AND WHEREAS the City’s technical consultants, Lapp-Hancock and Associates, and the RFP Evaluation Committee have identified a recommended supplier of a new shared radio system;

THEREFORE BE IT RESOLVED THAT staff are hereby authorized to take the necessary steps to procure the recommended radio system from Motorola Canada for the tender amount of $2,987,933 including PST.

AND FURTHER THAT the shortfall in the fire share in the amount of $60,000 be funded from the consolidated fire capital reserve funds.

ORIGIN/PURPOSE:
The purpose of this report is to request Council’s approval of the recommended new radio system to be shared by Kingston Fire & Rescue Services (KFR) and Kingston Police Force (KPF).

This system is designed to include an Emergency Planning Tactical Channel, which is a common channel to be used during emergencies. Radios used by Operations, Police and Fire would be programmed to provide access to this new channel. This would enable these user groups to communicate directly with each other in emergency situations. Communications with other agencies during emergencies would continue to be handled through dispatch.
Background
In order to help arrive at a recommended solution, the City of Kingston and the Police Services Board contracted with Lapp-Hancock and Associates, acknowledged experts in the field of radio communications, to:
- assess the Corporation’s radio systems and recommend solutions to meet the Kingston Police Force and Kingston Fire & Rescue Services current and future voice and data needs;
- prepare a Request for Proposal;
- review and assess the vendor submissions and provide technical expertise and advice to the RFP Evaluation Committee, and;
- identify recommended supplier(s)

The scope of the RFP provided the opportunity for vendors to prepare responses providing for a voice and data system; or a voice system; or a data system. This provided the Committee the opportunity to review various options and identify the most appropriate system, or systems, to address the voice and data requirements of the Kingston Police and Kingston Fire & Rescue Services.

OPTIONS/DISCUSSION:
Public tenders were issued and closed. Lapp-Hancock and Associates and the Evaluation Committee received the following bid submissions:

Bell Mobility – separate voice and data bids;
M/A-COM – integrated digital voice and data solution or digital voice alone;
Motorola – integrated digital voice and data solution or digital voice alone, or digital voice for police and analogue voice for fire;
Time MCI – data only.

Data
The Kingston Police Services Board has selected the data only proposal from Time MCI on the recommendation of its staff. Fire and Rescue will not proceed at this time with this data solution, as its needs in this respect are different than those of Police. If and when Fire and Rescue proceeds with a new Fire CAD/RMS (Computer Aided Dispatch/Records Management System) it will be able to piggyback on the Police data system.

Voice
It was determined that the current and future voice telecommunications needs could best be met by a voice only radio system to be shared by KPF and KFR.

Voice Proposals

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Bid Submission (including PST)</th>
<th>Police/Fire Share *</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Motorola Canada</td>
<td>$2,987,933</td>
<td>Police: $1,707,490</td>
<td>Meets requirements</td>
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<td></td>
<td></td>
<td>Fire: $1,280,443</td>
<td></td>
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<tr>
<td>M/A- COM</td>
<td>$2,934,784</td>
<td>Police: $1,525,377</td>
<td>Meets requirements</td>
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<tr>
<td></td>
<td></td>
<td>Fire: $1,409,407</td>
<td></td>
</tr>
<tr>
<td>Bell Mobility</td>
<td></td>
<td></td>
<td>Did not meet requirements</td>
</tr>
</tbody>
</table>
* Police/Fire Share:*
Lapp-Hancock & Associates was requested to recommend potential cost allocations between KPF and KFR. The totals in the Police/Fire Share column of the foregoing table are the amounts recommended by the consultants and have been agreed to by KFR and KPF.

The apportionment of costs for the radio (voice) system has been separated into two main components - infrastructure and user costs. The infrastructure component is comprised of major categories, including site equipment, dispatch equipment and network control. Site and network equipment would be shared equally since Police and Fire will have the same number of channels. Dispatch centre control equipment costs have been broken out separately. User equipment costs would be allocated directly to the applicable organization. The difference in projected costs to be shared by KPF and KFR is primarily a result of differences in projected user equipment requirements and the fact that KFR will be using analogue equipment that does not require encryption.

**Recommended Option:**
The committee and consultants have determined that the digital/analogue radio system proposed by Motorola Canada is the recommended voice-only system to be shared by KPF and KFR. The system best meets the technical specifications of the RFP although it is approximately $53 K higher than the bid submission from M/A-COM. Kingston Fire & Rescue Services have determined after carefully examining the proposals and the recommendations from the consulting firm that their voice communications needs, particularly in the area of building penetration are best served by an analogue system. In summary, senior officials from both KPF and KFR have determined that the Motorola submission is best suited to meet the radio communications requirements of the KPF and KFR.

**Next Steps**
- As part of the 2004 budget deliberations, KFR requested that Council approve the creation of one full-time position for a Radio Communications Supervisor position. Council directed the Commissioner of Community Services and the Fire Chief to staff this position from within the existing City staff complement. KFR is undertaking steps to attempt to staff this vital function from within.
- KFR and KPF will obtain technical consulting services to assist with the negotiation of the contract with the approved bidder and the implementation of the shared radio system.
- The recommended system will be implemented within approximately 12 to 15 months of Council's final approval.

**EXISTING POLICY/BY-LAW:**
Purchasing By-law 2000-134 and delegated authority of Council subject to approval

**LINK TO THE STRATEGIC PLAN:**
Not applicable.

**FINANCIAL考虑:**
The Kingston Police share of the radio system is approximately $1.707 M and is to be debt financed in the Police capital envelope. There are sufficient funds reflected in this capital envelope.
The Kingston Fire & Rescue share of the radio system is approximately $1.280 M to be debt financed in the capital envelope. A total of $1.220 M has been approved in the 2003 and 2004 KFR capital envelope towards this project. The Finance Division has indicated that there are sufficient funds in the consolidated fire capital reserve funds to fund the projected $60,000 shortfall.

CONTACTS:
Deputy Chief Dan Murphy, Kingston Police, 549-4660
Chief Harold Tulk, Fire & Rescue Services, 548-4001
John Cross, Manager, Policy and Support Services, 546-4291

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:
The following were actively involved at various stages of the review process and their concerns/interests reflected in the recommended radio solutions:

CAO/Department Heads
Kingston Police Services Board
Kingston Police Services
Kingston Fire & Rescue Services
Utilities Kingston
Department of Operations
Finance Division, Department of Corporate Services
Legal Division, Department of Corporate Services
Purchasing Division, Department of Corporate Services
Department of Planning & Development Services
Lapp-Hancock & Associates Limited

NOTICE PROVISIONS:
N/A

APPENDICES:
N/A
Lance Thurston
Commissioner, Department of Community Services

Bert Meunier
Chief Administrative Officer
TO: Bert Meunier, Chief Administrative Officer
FROM: Terry Willing, Acting Commissioner, Planning and Development Services
PREPARED BY: Peter Huigenbos, Development Supervisor, Engineering Division
DATE OF MEETING: July 13, 2004
SUBJECT: SIGNING AUTHORITY FOR ENCROACHMENT OVER EASEMENT AGREEMENTS WITH PRIVATE PROPERTY OWNERS

RECOMMENDATION TO COUNCIL:

Whereas the Engineering Division currently has no process to approve plot plan applications that propose encroachments over servicing easements in favour of the municipality, and
Whereas easement documents allow for encroachments subject to written consent of the municipality,

Therefore be it resolved that Council hereby grants the Manager of Engineering delegated authority to approve Encroachment Over Easement Agreements with private property owners in a form satisfactory to the Legal Services Division,

And further that Council hereby authorizes the Mayor and Clerk to sign Encroachment Over Easement Agreements.

ORIGIN/PURPOSE:

The purpose of an Encroachment Over Easement Agreement with a private property owner is to allow an owner to erect a fence or similar removable structure on its portion of property that is encumbered by a servicing easement in favour of the municipality. Delegating the authority to approve the agreements will provide the Engineering Division the opportunity to approve plot plan applications that propose encroachments over easements. Authorizing the Mayor and Clerk to sign the agreements provides the opportunity to register the agreements on title.

A servicing easement allows the municipality the right to enter onto private property to maintain, repair or replace infrastructure within the easement. The purposes of the easements vary from underground infrastructure such as storm or sanitary sewer to overland stormwater flow routes.

The current process for review of plot plans proposing an encroachment over an easement is rejection. In order to approve the encroachment, a report to council would be necessary seeking approval for the municipality to enter into an agreement with the property owner. This report proposes to delegate the authority to approve an agreement to the Manager of Engineering and the authority to sign an agreement to the Mayor and Clerk.
OPTIONS/DISCUSSION:

The Engineering Division currently reviews approximately one thousand Plot Plan applications every year (1,006 in 2003). Approximately one hundred of the applications are for the approval of pool and fence installations in back yards, with about 10% (six to 10 every year) proposing fencing within a servicing easement. These easements are typically for storm or sanitary sewer purposes and run along the side yard at a width of 1.5m to 3.0m (5 to 10 feet).

Existing easement documents are in place from all three former municipalities with new ones continuing to being registered with new subdivision developments. A typical clause common to easement documents from all three former municipalities is as follows:

"The Grantee [the subdivision developer, eventually the property owner] shall not excavate, drill, install, erect, build or permit to be excavated, drilled, installed, erected or built, on, in, over, through or under the said lands comprising this easement, any pit, well, pavement, building, structure or other obstruction of any nature whatsoever without the prior written consent of the Grantee [the City], but otherwise the Grantor shall have the right fully to use and enjoy the said lands subject always to and so as not to interfere with the rights and easement hereby granted to the Grantee. Such written consent by the Grantee shall not be unreasonably withheld."

The clause is clear that the City must not approve a Plot Plan that proposes a fence or any other structure within an easement, unless the City provides written consent. Authorizing the Mayor and Clerk to provide written consent by way of signing an agreement with a property owner will provide property owners with the ability to encroach on easements. Each agreement will be registered on title and terms of the agreement will be to the satisfaction of Legal Services and the Engineering Division and will include, without limitation, clauses to the effect that:

The owner indemnifies and saves harmless the City from and against all claims and lawsuits arising from the permitted Encroachment;

The owner transfers the agreement to any successor or future purchaser of the property;

The owner is responsible for all costs associated with the repair of the infrastructure in the easement should any damage be discovered;

The City has the authority to remove any or all of the Encroachment in order to access the easement and that the owner is to provide any temporary fencing as required;

The City is not required to replace or rebuild any or all removed portions of the Encroachment.

Aside from granting delegated authority to the Manager of Engineering (to approve) and the Mayor and Clerk (to sign), there are two existing options available for property owners proposing to encroach upon easements:

1. Engineering staff can prepare a report to council for each property owner making an application to encroach over an easement;

--or--
2. Engineering staff continues to have no ability to process any plot plan proposing an encroachment over an easement.

The first option is feasible, however it would be time consuming for staff and could lead to significant delays for applicants depending on the council meeting schedule. The second option provides no alternative for applicants wishing to legally encroach upon an easement. Options 1 and 2 do not reflect the City of Kingston’s Mission Statement:

To enhance the quality of life for present and future generations by providing progressive, professional services and leadership that reflects the needs of all those who work, live, visit, or play in the City of Kingston.

It is recommended that Council delegate authority to approve Encroachment over Easement Agreements to the Manager of the Engineering Division and authorize the Mayor and Clerk to sign to. This means that minor encroachments may be allowed subject to approval of the Engineering Division, and that an agreement can be registered on title to the satisfaction of Legal Services. Given the volume of plot plans reviewed each year and the number of property owners wishing to encroach on serving easements, we believe this is a delegation of authority that makes sense.

To further streamline this process, we plan to re-examine future easement documents that are registered through new subdivision agreements so that we may possibly eliminate the need for Encroachment Over Easement Agreements altogether. This project would be in conjunction with Legal Services.

EXISTING POLICY/BY-LAW:

No policy exists to allow encroachment over easements.
There is existing policy to allow the Mayor and Clerk to sign agreements on behalf of the Corporation.

LINK TO STRATEGIC PLAN:

Getting Our House in Order – “Increased citizen satisfaction with municipal services is our primary objective.”
This initiative is an example of “organizational effectiveness and service excellence” as per the Local Governance section of Focus Kingston, April 2003.

FINANCIAL CONSIDERATIONS:

All engineering, legal and registration costs are the responsibility of the property owner. No direct costs to the City. Considerable staff time will be saved by offering a viable, quick alternative to a proposed encroachment rather than explaining that there is no process to allow the encroachment and discussing alternatives with the applicant.

CONTACTS:

Speros Kanellos, P.Eng., Manager, Engineering Division, 384-1770 ext. 3133
Peter Huigenbos, Development Supervisor, Engineering Division, 384-1770 ext. 3148
DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:

Department of Corporate Services, Tony Fleming, Senior Legal Counsel, 546-4291 ext. 1293
Department of Corporate Services, Alan McLeod, Senior Legal Counsel, 546-4291 ext. 1237

NOTICE PROVISIONS:

None required.

APPENDICES:

None.

Terry Willing
Acting Commissioner, Planning & Development Services

Bert Meunier
Chief Administrative Officer
REPORT TO COUNCIL

REPORT No.: 04-251

TO: Bert Meunier, Chief Administrative Officer
FROM: Denis Leger, Commissioner of Corporate Services
PREPARED BY: Pat Carrol, Manager of Taxation & Revenue
DATE OF MEETING: 2004-07-13
SUBJECT: CANCELLATION, REDUCTION OR REFUND OF TAXES
PURSUANT TO THE MUNICIPAL ACT, 2001

RECOMMENDATION TO COUNCIL:
That Council approve the cancellation, reduction or refund of taxes pursuant to Section 357 of the Municipal Act, 2001 totaling $135,293.81, of which $55,541.92 is recoverable from the School Boards, and $500.24 is recoverable from the Downtown Business Improvement Area Board; as listed in Appendix I attached.

ORIGIN/PURPOSE:
The purpose of this report is to recommend the approval of the cancellation, reduction or refund of property taxes pursuant to the provisions of Sections 357 of the Municipal Act, 2001.

OPTIONS/DISCUSSION:
Council is allowed to cancel, reduce or refund taxes for certain reasons, pursuant to Section 357 (1) of the Municipal Act, 2001:

a) the property or a portion of the property is eligible to be reclassified in a different property class;
b) the land has become vacant land or excess land;
c) the property has become exempt from taxation;
d) a building was destroyed or damaged;
e) a mobile unit was removed from the property;
f) a person was overcharged due to a gross or manifest clerical error; or

g) the property could not be used for at least three months due to repair or renovations.
Applications were received by taxation staff and forwarded to the Municipal Property Assessment Corporation (MPAC) for review. Upon receiving comments from MPAC, staff calculates the amount for tax cancellation, prepares the recommendation for the cancellation to Council, and advises the applicant of the tax amount to be cancelled. Applicants have been provided notice of the recommendation, which is now before Council. Applicants may wish to attend the meeting, which will be scheduled immediately prior to the Council meeting. Once Council renders its decision, staff will process the tax adjustments and issue notices of decision to the applicants. The applicant may, within 35 days of Council’s decision, appeal the decision to the Assessment Review Board.

All tax amounts approved for cancellation, reduction, or refund will be charged-back, in proportion to the amounts levied, to the City, School Board(s), and Downtown Business Improvement Association. In addition, late payment charges will be adjusted, as required, in accordance with Section 345(7) of the Municipal Act.

LINK TO STRATEGIC PLAN:
N/A

EXISTING POLICY/BY-LAW:
Municipal Act, 2001, S.O. 2001, c. 25, as amended

FINANCIAL CONSIDERATIONS:
Provisions exist in the annual budget estimates to account for these types of adjustments.

CONTACTS:
Gerard Hunt  Manager of Finance  546-4291  2205
Pat Carrol  Manager of Taxation & Revenue  546-4291  2468
Jeff Walker  Supervisor of Taxation & Cashiering  546-4291  2484

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:
Finance Division
Municipal Property Assessment Corporation (MPAC)

NOTICE PROVISIONS:
Not Applicable
APPENDICES:

Appendix I  – Property Listing – Section 357(1) Tax Adjustments

Denis Leger
Commissioner of Corporate Services

Bert Meunier
Chief Administrative Officer
### CITY OF KINGSTON

**Property Listing - Section 357(1) Tax Adjustments**

<table>
<thead>
<tr>
<th>App. #</th>
<th>From</th>
<th>To</th>
<th>Explanation</th>
<th>Property Tax Class</th>
<th>Assessed Value</th>
<th>Amount of Tax Cancellation</th>
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<td>327</td>
<td>11-Apr-02</td>
<td>27-Aug-02</td>
<td>supp date correction</td>
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<td>-52,000</td>
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<td>C</td>
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<td>28-Feb-02</td>
<td>31-Dec-02</td>
<td>I</td>
<td>-976,844</td>
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<td>R</td>
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<td>358</td>
<td>17-Apr-03</td>
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<td>362</td>
<td>01-Mar-03</td>
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<td>01-Jan-03</td>
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### Property Tax Adjustments

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<th>Property Tax Class</th>
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</tbody>
</table>

**Note 1** - tax cancellation includes portion for BIA

**Note 2** - O.Reg. 55/04 revoked assessment of trailers in campgrounds

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E = Exempt  
R = Residential  
C = Commercial  
I = Industrial
TO: Bert Meunier, Chief Administrative Officer

FROM: Lance Thurston, Commissioner, Department of Community Services

PREPARED BY: Greg Grange, Manager, Housing Division

DATE OF MEETING: 2004-07-13

SUBJECT: City of Kingston Nomination to Social Housing Services Corporation (SHSC) Board of Directors

RECOMMENDATION TO COUNCIL:
WHEREAS the Social Housing Services Corporation (SHSC) has requested all Consolidated Municipal Service Managers (CMSM’s) and District Social Services Administration Boards (DSSAB’s) to each submit the names of two individuals (one member of Council and one staff person) for consideration to fill vacancies on the SHSC Board of Directors for a two year term, effective January 1, 2005;

IT IS HEREBY RECOMMENDED THAT Council consider nominating only a Member of Council for appointment to the Board of Directors of the Social Housing Services Corporation, and respectfully decline to nominate a staff person at this time.

ORIGIN/PURPOSE:
The Social Housing Services Corporation (SHSC) is seeking to fill vacancies on its Board of Directors. This report outlines the details of the request and the implications of this request on the City of Kingston as Service Manager for social housing.

OPTIONS/DISCUSSION:
The Social Housing Services Corporation
SHSC is an independent corporation created by the province under the Social Housing Reform Act (SHRA) when social housing was transferred to the municipal level. Some aspects of the SHSC’s operating environment are set out in legislation, including the composition of the SHSC Board of Directors.

The SHSC has four key legislated responsibilities for provincially transferred programs as prescribed under Section 141 of the Act:
- to co-ordinate insurance programs for prescribed housing providers under prescribed housing programs;
- to manage the pooling of capital reserve funds for prescribed housing providers;
c. to establish and manage schemes for the joint purchase of goods and services by prescribed housing providers under prescribed housing programs;
d. to undertake studies and provide advice to the province, service managers and prescribed housing providers with respect to the establishment and use of benchmarks and best practices to achieve the efficient and effective provision of housing.

The Board of Directors
The role and powers of the Board of Directors are specified under Section 142 of the Act and presume direct involvement into SHSC governance and policy development for prescribed housing providers under the SHSC mandate, including:

- establishing SHSC governing by-laws
- managing the SHSC funds on behalf of prescribed housing providers
- establishing investment policies for pooling capital reserves
- establishing policies and processes for providing insurance and tender for insurance programs
- studying the costs and processes used in the provision of housing under the SHRA and advising service managers on best practices
- providing of education and training programs to service managers

SHSC is governed by a very operational board. SHSC has an executive committee, an audit committee and a separate board committee for each business line. Board members are expected to serve on at least one committee in addition to their board duties. SHSC holds approximately five board meetings annually, as well as one strategic planning session. Committee meetings are held more regularly. Board meetings have historically been held on Fridays. The schedule of board meetings for the year will be set after the first meeting of the new board.

Board members are expected to regularly attend board and committee meetings and commit time to preparing for and being an active participant at each meeting. Board members must attend meetings personally and cannot send alternatives on their behalf. In recognition of the time commitment involved in this position, board members are eligible for a modest per diem for lost wages and some preparation time for meetings that they attend. This is an important and influential appointment and considerable commitment of time.

The Nomination Process
The Social Housing Services Corporation is seeking nominations from all 47 municipal service managers and DSSAB’s (in northern Ontario) to fill four (4) vacant positions on the SHSC Board of Directors for a two-year term commencing January 1, 2005 and ending December 31, 2006.

In issuing the Call for Nominations, the SHSC Board of Directors drew on the following key principles:

- **Transparency of process**: The process to be communicated consistently, clearly and in a timely fashion.
- **Equal access**: All service managers to have the same opportunity to submit nominations and participate in the process.
- **Representation**: Nominations to be reviewed against board composition criteria which ensure that the service manager board members are representative of the various regions across Ontario, of both service manager housing staff and elected officials and a range of skills and experience.
These same principles will be used in the selection of nominees to serve on the Board of Directors. The exact process for the final selection of nominations has not yet been established. The Board of Directors met on May 21st and requested that the Governance Committee of the Board establish a transparent selection process for review at the September 10th Board meeting.

While the exact process is still in development, the overall method is in place. The Board of Directors will name a Nominating Committee consisting of at least 5 members. Every effort will be made to ensure that this committee includes “independent” individuals so that the board is not viewed self-generating. The Nominating Committee will review all nominations against the established criteria which has been included in the Call for Nominations. These are:

- Knowledge of social housing which has been gained through direct management experience, or by serving on municipal housing committees or non-profit provider boards.
- Demonstrated commitment to SHSC’s objectives.
- Proven team-building abilities.
- Commitment to customer focused initiatives and approaches.
- Knowledge of the social housing system, housing policies and programs, SHSC’s stakeholders and/or the Municipal service manager/Housing Provider relationship.

The Nominating Committee will also ensure that all nominees represent service managers which are “clients” of SHSC; namely that they participate in SHSC’s programs and services. Finally, in reviewing nominees there will be recognition that some board re-appointments are desirable in order to protect corporate memory and ensure the continuity of SHSC’s mission and objectives.

Once the process to accomplish this review has been approved by the Board in September, it is the intention to provide the templates to all nominees for their information.

Section 143 of the Social Housing Reform Act is explicit in terms of the composition of the SHSC Board of Directors, particularly as it relates to the service manager representatives. The legislation states that the Board of Directors must include four persons selected by the district social services administration boards and the councils of the municipal service managers.

To this end, SHSC is seeking two (2) nominations, one staff person and one elected official from the City of Kingston to possibly fill one of these four positions.

The legislation requires that the municipal service manager representatives on the SHSC Board must be selected by the councils of their respective municipalities. The SHSC Board of Directors recommends that this process be managed through the CAO of each municipality.

Please find attached Appendices “A” & “B” which provides you with detailed information on SHSC, the function and qualifications of SHSC’s Board of Directors, and on the nomination process itself.

Commissioner’s Comment
Council has the option of nominating one member of Council and one staff member; one member of Council only; one member of staff only; or to decline submitting any nominations at this time.

Municipal representation on the Board of Directors of the Social Housing Services Corporation is a key aspect of the ongoing success of the Corporation. It provides municipalities an opportunity to influence
many significant and potentially costly elements of the social housing sector, namely: group insurance; bulk purchasing; and, mortgage financing.

As one would expect of such an influential position, being a member of the Board of Directors involves a considerable commitment of time. It is for that reason that we are recommending that Council not nominate a member of staff at this time. Staff resources are stretched thinly now in meeting our current responsibilities to Council; adding the responsibilities and obligations of a Board appointment would over-extend staff and compromise our service to Council and the community. Under other circumstances City staff would welcome the opportunity to stand for nomination to the Board of Directors. It is hoped that in the future we will be in a position to pursue this opportunity.

If a Member of Council is interested in pursuing a position on the Board of Directors staff would heartily encourage such a nomination and would certainly provide the necessary staff support to the Member should they be appointed to the Board.

EXISTING POLICY/BY-LAW:
There are no existing Policies/By-laws concerning this subject, on record, to date.

LINK TO STRATEGIC PLAN:
Kingston Community Strategic Plan identified the need to develop affordable housing strategy and find the solutions to accommodate housing needs of the community specifically targeted to youth, seniors, persons with special needs and low-income families.

FINANCIAL CONSIDERATIONS:
No financial implications are considered in this report.

CONTACTS:
Greg Grange, Manager, Housing Division (613)546-4291 ext. 1265

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:
Lindsey Reed, Executive Director, SHSC
Alan McLeod, Legal Services
Mila Kolokolnikova, Supervisor of Program, Policy & Research, Housing Division
Lawrence Cleary, Supervisor of Finance, Housing Division
*Comments received have been incorporated and/or revised in the report.

NOTICE PROVISIONS:
There are no existing notice requirements under the Municipal Act concerning this subject, on record, to date.

APPENDICES:
Appendix "A" - Briefing Material for Councillors on SHSC
Appendix "B" – Call for Nomination forms
Lance Thurston,
Commissioner, Department of Community Services

Bert Meurier
Chief Administrative Officer
Briefing Material for Councillors on Social Housing Services Corporation

What’s the Social Housing Services Corporation?

The Social Housing Services Corporation (SHSC) is an independent corporation created by the province when social housing was devolved to the local level. Our mandate is to provide value-added housing-related services province-wide.

Who runs SHSC?

SHSC is governed by a 15-member board with eight service manager, five housing provider, and two provincial representatives. Currently, the service manager representatives on the board comprise a mix of elected officials and senior housing staff.

The founding board was appointed in early 2002 by the former Minister of Municipal Affairs and Housing. By the end of 2004, 13 of 15 members – service manager and housing provider representatives – will have been chosen by their peers.

Call for Nominations

SHSC is currently calling for nominations for the 8 service manager representatives on their board of directors. The term for the new board members will commence January 1, 2005 and end December 31, 2006. SHSC is seeking two nominations from each service manager: one staff person and one elected official.

What programs does SHSC offer?

SHSC has a mandate to provide four programs. Within each, we offer a range of services.

- **Investing housing providers’ pooled capital reserve funds**: Our investment program, managed by a subsidiary corporation, SHSC Financial Inc., offers a portfolio of mutual funds specifically created to meet housing providers’ needs, along with an extensive capital planning and investing education program.

- **Group Insurance for housing providers**: Our insurance program offers a comprehensive package of coverage at competitive rates. We can also source other coverage housing providers may need, such as builder’s risk.

- **Bulk purchasing**: Our bulk purchasing program includes a natural gas purchasing program for local housing corporations, transferred from the provincial government.

- **Research and Best Practices**: We’re currently working with municipal and housing organizations to develop a user-friendly, web-based performance measurement system that both service managers and housing providers can use to continuously improve performance. We have developed a Registered Consultants Directory of individuals and firms providing housing-related services for service managers and housing providers.
How is SHSC funded?

The province committed $1 million a year for SHSC’s first three years (2002 through 2004). After that, SHSC must be self-sufficient.

SHSC’s board agrees that once put in place, SHSC’s programs should be self-supporting – for example, that the insurance program should cover the costs of managing that program, without being expected to subsidize the investment program.

What’s the service manager’s relationship with SHSC?

Under legislation, all service managers are members of SHSC. As funders and administrators of social housing, and as local governments addressing affordable housing needs in your community, service managers have a stake in SHSC’s success!

While many SHSC programs are offered directly to housing providers, we keep service managers closely informed about what we’re doing, so that they’re aware of what we’re offering to and asking of housing providers in their service areas. Where possible, we work collaboratively with service manager staff to flow information to providers and receive feedback. Under legislation, some housing providers are required to participate in certain SHSC programs. Service managers have a role in supporting compliance in this area.

How does SHSC hear from service managers?

We’ve been consulting service managers extensively since we were created in 2002. The composition of SHSC’s board is made up of a majority of service managers; in addition, we have been conferring with service managers through a standing resource group, and less formally at meetings where we’re invited to discuss housing issues.

What can SHSC do for service managers?

We want to support service managers and housing providers in managing and administering housing as cost-effectively as possible.

We encourage you to see SHSC as a resource as you administer existing social housing programs and address affordable housing needs. Talk to us about how we can be useful to you.

Where does SHSC fit in with other municipal and housing organizations?

Our board is committed to forming partnerships – if it’s already being done well, we don’t want to duplicate it. We work in cooperation with other groups involved in municipal and housing issues. We’ve forged a partnership with OMNI (the Ontario Municipal CAO’s Benchmarking Initiative) to fulfill our best practices mandate, and we’ve talked regularly with AMO, NOSDA, and other municipal organizations. We’ve also been working with the Ontario Non-Profit Housing Association, Co-operative Housing Federation of Canada, and others to develop and deliver effective programs.
Make a Difference
Call for Nominations
SHSC Board of Directors
2005-2006

Social Housing Services Corporation
Make a Difference

The Social Housing Services Corporation is seeking nominations from individuals who want to make a difference in the housing sector in Ontario. We are looking for committed, dynamic service manager (municipal and DSSAB) representatives for our board of directors.

Who we are

Social Housing Services Corporation (SHSC) was created by provincial law to provide housing-related services to municipal service managers and social housing providers across Ontario. SHSC is in fact the only Province-wide organization that provides a forum for both municipal service managers and providers.

SHSC is governed by a 15-member board of directors with representation from municipal service managers, housing providers and the Province. Currently, the service manager representatives on the board comprise a mix of elected officials and senior housing staff.

What we do

SHSC is committed to helping housing providers and service managers manage housing programs better. We provide Province-wide programs, offer education and training, undertake studies and facilitate processes to help our clients provide service effectively and reduce costs.

SHSC has four legislated mandates:
- Coordination of Group Insurance
- Bulk Purchasing
- Managing Capital Reserve Program
- Housing Research & Best Practices

Help Shape the Future

The operating environment for SHSC changes dramatically in 2005. SHSC’s first three years of operation were transitional. As of January 1, 2005, many provisions outlined in legislation and our funding agreement end. SHSC is not an agent of the crown and is an independent and distinct entity. SHSC has designed its operations to be self-sufficient through value-added programs.

Our focus has been and will continue to be ensuring that SHSC provides relevant and value-added services to our clients. Some of the initiatives included in SHSC’s strategic plan are:
- Pursuing the transfer of the mortgage administration function to the municipal realm, via SHSC.
- Facilitating the creation of services to generate new housing supply.
- Researching the state of housing provider’s capital reserves and providing tools to municipal service managers to address shortfalls, and
- Investigating opportunities to improve energy efficiency and reduce costs.

The 2005-06 board will play an integral role in determining how SHSC supports service managers and housing providers: both in the short and long terms.

Do you qualify?

SHSC is looking for individuals with the following skills to serve on its board of directors:
- Knowledge of social housing which has been gained through direct management experience, or by serving on municipal housing committees or non-profit provider boards.
- Demonstrated commitment to SHSC’s objectives.
- Proven team-building abilities.
- Commitment to customer-focused initiatives and approaches.
- Knowledge of the social housing system, housing policies and programs, SHSC’s stakeholders and/or the Municipal Service Manager/Housing Provider relationship.

In order to serve on the SHSC board, you must represent a client of SHSC. In the case of municipal service managers, in order to qualify to be on the board, the housing providers under your administration must participate in SHSC’s investment, insurance or gas programs.
Our Board’s Composition

SHSC represents a diverse group of clients Province-wide. Not only are we the only body bringing both housing providers and service managers together, but within each group there is tremendous diversity — large and small non-profits, co-ops, and local housing corporations; small rural counties, large cities and remote northern communities. It is critical that the overall composition of our board continues to reflect this range.

In terms of skill level, SHSC wishes to ensure that the board is composed of individuals with legal, financial, political, governmental and social housing experience. For service manager representatives, SHSC also wishes to ensure that the board includes a mix of elected officials, CAOs, housing managers and other appropriate senior housing staff. As such, SHSC is requesting that each municipal service manager forward two nominations — one elected official and one staff person.

A Nominating Committee will review all nominations against a matrix of geographical location, size of municipality, and the individual’s skills, experience and position, then make selections which provide the best mix, recognizing the need for some continuity term-to-term.

What does it mean to be a Board Member

SHSC has a very active and hands-on board. SHSC has an executive committee, an audit committee and, a separate board committee for each program. Board members are expected to serve on at least one committee in addition to their board duties. SHSC holds approximately five board meetings annually, as well as one strategic planning session. Committee meetings are held more regularly.

Board members are expected to regularly attend board and committee meetings and commit time to preparing for and being an active participant at each meeting. Board members must attend each meeting themselves and cannot send alternatives on their behalf. In recognition of the time commitment involved in this position, board members are eligible for a modest per diem for lost wages and some preparation time for meetings that they attend.

Board members are also asked to champion SHSC locally and provincially. Current board members liaise with SHSC’s stakeholders, promote SHSC in their municipalities and share information between SHSC and their municipal service manager area. Serving as an SHSC board member means being an active participant in the decisions which drive the organization and which determine the services that we provide to our clients.

How do you apply?

The SHSC Nominating Committee is requesting two nominations from each municipal service manager: one staff person and one elected official.

Legislation requires that the municipal service manager representatives on the board must be selected by the councils of their respective municipalities. The SHSC Board of Directors recommended that this process be managed through the CAO of each municipality. To apply, please send a completed nomination form (see over), along with a copy of your resume to the CAO of your municipality. The CAO’s office will coordinate the receipt of all nominations and ensure that the nominations are forwarded to council so that two may be selected — one elected official and one staff person.

The deadline for the submission of nominations to SHSC is October 1, 2004. The SHSC Nominating Committee will review all nominations and make their final selections for review at the December 17th SHSC board meeting. The term for the new municipal service manager representatives will commence January 1, 2005 and end December 31, 2006.
NOMINATION FORM
(Please also attach a copy of your resume)

NAME:

TITLE:

SERVICE MANAGER YOU REPRESENT:

MAILING ADDRESS:

EMAIL ADDRESS: TELEPHONE: FAX:

Please write a brief paragraph outlining why you are interested in serving on the SHSC board of directors:

________________________________________________________________________________________
________________________________________________________________________________________
________________________________________________________________________________________
________________________________________________________________________________________
________________________________________________________________________________________
________________________________________________________________________________________

Please indicate what contributions you feel you can make on the SHSC board of directors:

________________________________________________________________________________________
________________________________________________________________________________________
________________________________________________________________________________________
________________________________________________________________________________________
________________________________________________________________________________________
________________________________________________________________________________________

Please indicate which of the following best represents your 2 key areas of background/experience:

☐ legal ☐ financial ☐ political ☐ government ☐ social housing

To apply, please send a completed nomination form, along with a copy of your resume to the CAO of your municipality. If you have any questions about the process, please contact the SHSC office (Daily Lighthouse) at 416.394.9225 or 1.888.461.3333.
TO: Bert Meunier, Chief Administrative Officer
FROM: Lance Thurston, Commissioner, Community Services
PREPARED BY: Greg Grange, Manager, Housing Division
DATE OF MEETING: 2004-07-13
SUBJECT: Shareholder Agreement for Kingston & Frontenac Housing Corporation

RECOMMENDATION TO COUNCIL:
WHEREAS the Province of Ontario transferred the Kingston & Frontenac Housing Authority to the City of Kingston on January 1, 2001; and

WHEREAS the Authority was a newly created corporation incorporated under the Business Corporation Act thereby known as Kingston & Frontenac Housing Corporation (K&FHC); and

WHEREAS the City of Kingston was named as the sole shareholder of the Housing Corporation; and

WHEREAS no shareholder agreement was required under former provincial administration; and

WHEREAS under the Social Housing Reform Act, 2000 (SHRA) the Service Manager must establish rules governing the accountability of the local housing corporation to the Service Manager to ensure the performance of duties under the SHRA; and

WHEREAS it was necessary to develop a shareholder agreement to clearly define the rules and responsibilities of the K&FHC in relation to the City of Kingston as Shareholder and visa versa;

THEREFORE IT IS RECOMMENDED THAT Council adopts the Shareholder Agreement as contained in Appendix “A” to Staff Report No. 04-261; and hereby authorizes the Mayor and City Clerk to execute the agreement.

ORIGIN/PURPOSE:
The purpose of the report is to seek Council’s approval of a Shareholder Agreement that will govern the management and operating relationship between the City of Kingston and the Kingston &Frontenac Housing Corporation.
OPTIONS/DISCUSSION:
What is a Shareholder Agreement?

A Shareholder Agreement is neither a business plan nor an operating agreement. A Shareholder Agreement is a document that sets out the objectives and principles guiding the operation of the corporation, directions etc. that a shareholder has for its company. A shareholder agreement should identify the following broad objectives:

- business that the corporation should be engaged in
- governance structure
- outcomes expected of the corporation
- shareholder accountabilities
- limitations the shareholder may place on the operation of the corporation

Once the Shareholder Agreement has been provided to the corporation, the Board of Directors of the corporation is required to develop a business plan to accomplish the shareholder directions. In our circumstance, the shareholder agreement defines the Service Manager’s accountability rules and addresses the operations and activities of the local housing corporation to ensure the performance in the local housing corporation’s duties and compliance with the SHRA and corresponding Regulations.

Why a Shareholder Agreement as Opposed to an Operating Agreement?

Under Part III of the SHRA, local housing corporations were defined and the broad governance framework of newly formed public housing corporations under the Business Corporation Act was established. The SHRA did not define the operating framework of the local housing corporation. Provincial transfer orders however, entrenched the operating policy and procedures formerly defined by the Ministry of Municipal Affairs and Housing (MMAH) and the Ontario Housing Corporation as the operating principles for the new corporation.

The transfer orders also assigned 100 shares in Kingston & Frontenac Housing Corporation to the City of Kingston as the sole shareholder. As no shareholder agreement existed under the old rules, it was necessary to develop an agreement which clearly defined the roles and responsibilities of the housing corporation in relation to the shareholder and visa versa.

As prescribed by Section 32(1) of the SHRA, the Service Manager must establish rules governing the accountability of the local housing corporation to the Service Manager. It is legislated that the Service Manager’s accountability rules shall address operational issues including such matters as:

- reporting requirements,
- budgeting,
- funding,
- maintenance of the housing projects,
- audits,
- investigations,
- the exchange of information and other matters as the Service Manager may consider appropriate to ensure compliance with the Act and Regulations.
By establishing a Shareholder Agreement, the Shareholder ensures that there is clarity in direction provided to the Board of Directors of the Housing Corporation and its staff. The principles used in the management of the corporation are defined. The role of the Board of Directors in overseeing the operational management of the corporation is clearly established.

The Board of Directors is responsible for the development of polices and managing the operations of the K&FHC within the parameters set by the shareholder (Council). The Corporation will do this by developing business strategies and detailed business plans. The City’s Housing Division staff identified key content categories that have been incorporated into the Shareholder Agreement, based on extensive review and consultation with provincial officials, housing experts, and city legal and finance staff.

The solicitor for the Housing Corporation has reviewed the shareholder agreement and provided recommendations, and the draft Shareholder Agreement revised accordingly. The City’s Legal division has also reviewed the Shareholder Agreement and appropriate amendments, recommendations, and revisions have been incorporated into the agreement.

The Shareholder Agreement between the City of Kingston and K&FHC being recommended reflects a comprehensive broad development and consultative process within the framework of legislative, operational, and tenant matters.

EXISTING POLICY/BY-LAW:
There are no existing Policies/By-laws concerning this subject, on record, to date.

LINK TO THE STRATEGIC PLAN:
Kingston Community Strategic Plan identified the need to develop affordable housing strategy and find the solutions to accommodate housing needs of the community specifically targeted to youth, seniors, persons with special needs and low-income families.

FINANCIAL CONSIDERATIONS:
There are no financial considerations noted in this report.

CONTACTS:
Greg Grange, Manager, Housing Division

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:
*Hal Linscott, Legal Services
*Alan McLeod, Legal Services
*Francyne Givogue, Kingston & Frontenac Housing Corporation
*John R.A. Wilson, Wilson & Wilson Barristers & Solicitors, Lawyer for K&FHC
*Note: Comments received have been incorporated and/or revised in the report.

NOTICE PROVISIONS:
There are no existing notice requirements under the Municipal Act concerning this subject, on record, to date

APPENDICES:
A – Shareholder Agreement
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<th>Signature</th>
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<tr>
<td>Lance Thurston</td>
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<tr>
<td>Commissioner, Department of Community Services</td>
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<tr>
<th>Signature</th>
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<tbody>
<tr>
<td>Bert Meunier</td>
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<td>Chief Administrative Officer</td>
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