

AGENDA

LONDON & MIDDLESEX COMMUNITY HOUSING (LMCH)

Board of Directors Meeting

**Corporate Boardroom
1299 Oxford Street East, Unit 5C5
London, Ontario**

Thursday, March 18, 2021

5:30 PM – 6:20 PM

Board Members:

Aynsley Anderson

John Millson

Paul Yeoman

Rosanna Wilcox

Item	P.	Lead	Time
1. Call to Order		P. Yeoman	5:30
2. Recognition of Indigenous Peoples and Lands	3	P. Yeoman	
3. Completion and Acceptance of Agenda		P. Yeoman	
4. Disclosures of Interest		P. Yeoman	
5. Approval of the Minutes of Previous Meetings		P. Yeoman	5:33
a. February 18, 2021	4	P. Yeoman	
6. Communications		None	5:35
7. Delegation		None	
8. Consent			5:40
a. CEO Update (February) b. Staff Report 2021-10: Vacancy Management c. Staff Report 2021-11: March 2021 Portfolio Regeneration Report for March 2021 (Reimagine Southdale)	6 8 10	A.Mackenzie O.Gryn S.Chowns	
9. Reports and Business		P. Yeoman	
a. Staff Report 2021- 12: Information Technologies Policy b. Staff Report 2021-13: Use of Force Policy c. Staff Report 2021-14: Balcony Repairs at 241 Simcoe St. d. Governance Review: Sub-Committee Duties and Timelines	12 24 35 56	D.Taplashvily O.Gryn A.Mackenzie R. Wilcox	5:45 5:48 5:55 6:05
10. New Business / Enquires		P. Yeoman	
11. In Camera Matters		P. Yeoman	
12. Meeting Adjourn		P. Yeoman	6:20

Recognition of Indigenous Peoples and Lands Statement

We would like to begin by acknowledging the treaty territory of the Anishnaabeg, which is defined within the pre-confederation treaty known as the London Township Treaty of 1796. Throughout time, this region has also become the current home to the Haudenosaunee and Lenni-Lenape Nations.

BOARD OF DIRECTORS MEETING

Thursday, February 18, 2021 at 5:30 PM
London & Middlesex Community Housing
Board Room, 1299 Oxford Street East, Unit 5C5, London, ON.

Board Members Present:

Paul Yeoman
Board Chair

Rosanna Wilcox
Board Vice-Chair

John Millson
Board Member

Aynsley Anderson
Board Member

Senior Staff Present:

A. Mackenzie	Interim CEO
S. Chowns	Director, Assets & Property Services
O. Gryn	Interim Director, Tenant Services
D. Taplashvily	Director, Finance & Corporate Services
L. Palmer	Executive Assistant

Meeting to Order	P. Yeoman called the meeting to order at 5:34 p.m.
Recognition of Indigenous Peoples and Lands	<p>P. Yeoman provided the following recognition address:</p> <p><i>We would like to begin by acknowledging the treaty territory of the Anishnaabeg, which is defined within the pre-confederation treaty known as the London Township Treaty of 1796. Throughout time, this region has also become the current home to the Haudenosaunee and Leni-Lenape Nations.</i></p>
Completion and Acceptance of the Agenda	<p>With regard to the completion and acceptance of the agenda, R. Wilcox moved, seconded by A. Anderson that the agenda BE ACCEPTED and APPROVED as presented.</p> <p>CARRIED.</p>
Declaration of Conflict of Interest	P. Yeoman called for declaration of conflict of interest with respect to the agenda. There were no conflict of interests declared.
Board Meeting Minutes of January 21, 2021	<p>With regard to the Board Meeting Minutes of January 21, 2021, J. Millson moved, seconded by R. Wilcox, that the Minutes BE APPROVED.</p> <p>CARRIED.</p>
Communications	

HDN 2021-252 Arrears Policy Regarding Eligibility for RGI Subsidy	With regard to HDN 2021-252 Arrears Policy Regarding Eligibility for RGI Subsidy, A. Anderson moved, seconded by R. Wilcox that Housing Division Notice 2021-252 BE RECEIVED . CARRIED.
HDN 2021-253 In-Situ Policy	With regard to HDN 2021-253 In-Situ Policy, A. Anderson moved, seconded by R. Wilcox that Housing Division Notice 2021-253 BE RECEIVED . CARRIED.
Notice to Tenants: Rent Geared to Income Housing-Changes to RGI Impacting You	With regard to the Notice to Tenants: Rent Geared to Income Housing-Changes to RGI Impacting You, A. Anderson moved, seconded by R. Wilcox that the Notice to Tenants BE RECEIVED . CARRIED.
Consent	With regard to consent items on the agenda, A. Anderson moved, seconded by R. Wilcox that the following items BE RECEIVED FOR INFORMATION : <ul style="list-style-type: none"> i. CEO Report (February 2021) ii. Staff Report 2021-05: Vacancy Report iii. Staff Report 2021-06: Key Performance Indicators iv. Staff Report 2021-07: December 2020 Financial Results Summary- Operating v. Staff Report 2021-08: Portfolio Regeneration Report for February 2021, "Reimagine Southdale" vi. Staff Report 2021- 09: Capital Work Status Report, January 2021 CARRIED.
Date of Next Board Meeting	The Board scheduled the next meeting for March 18, 2021 at 5:30 p.m.
Adjournment	R. Wilcox moved, seconded by A. Anderson that the meeting BE ADJOURNED at 5:46 p.m. CARRIED.

P. Yeoman, Board Chair

Andrea Mackenzie, Interim CEO

Update from the CEO

Board Meeting of March 18, 2021

a) Government Relations & Sector Engagement	<p>The Housing Partnership Canada group met on February 25, we discussed the partnerships 2021 workplan, the Housing Professionals Mentorship program and had updates on the International Housing Partnership as well as the opportunity for our group to participate in a stakeholder engagement session March 31, 2021 around the Agency for Cooperative Housing's benchmarking feasibility study.</p> <p>LMCH participated in the CMHC Funding announcement March 11, with Minister Hussen, Minister of Families, Children and Social Development, MP Kate Young, MP Peter Fragiskatos, Mayor Holder. This announcement is in recognition of LMCH having received a Letter of Intent from CMHC as outlined in our Multi-year budget business case to the City of London for Repair and Renew dollars to invest in both energy improvements as well as a significant investment in making more of our units, especially those in our senior's portfolio accessible.</p> <p>We have also been asked to participate on March 13, 2021 in a roundtable discussion with the Minister and MP's Kate Young and Peter Fragiskatos as Minister Hussen wants housing stakeholders to share perspectives on recent housing measure and to collect information on further needs.</p>
b) Organizational Plans/Regeneration	<p>The tenant engagement work for our Reimagine Southdale project is on going and the Community Engagement team is now in Phase 2 of the engagement which includes the development and distribution of a newsletter to provide updates to the Southdale community and also includes online engagement via Facebook group that will allow us to sustain our engagement efforts, gather continuous feedback and help build a virtual community.</p>
c) Labour Relations	<p>The first full Union/Management meeting for 2021 has been scheduled for March 12, 2021 items on the agenda include our Employee Assistance Plan, Lead Hand Pay, Health and Safety Chain of Command and Work Order Relocations.</p>

<p>d) Community & Tenant Engagement</p>	<p>With the lifting of restrictions in the London Middlesex area as of February 16, 2021 we have started to see a return of key partners to many of our communities. CMHA and Thames Valley Addiction Services staff are back on site at our Simcoe Street location and CMHA is providing supports at William Street. The education enhancement program at Southdale is back as well. The VON and the Boys & Girls Club have been in contact and are working to have their programs restart shortly.</p> <p>An agreement has been finalized as well with CMHA to partner with us and provide on-site services for their clients and to the broader community at 580 Dundas. Construction of office space for CMHA staff is scheduled to be completed by April 1, 2021.</p>
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STAFF REPORT 2021 – 10

TO: LMCH Board of Directors

FROM: Olesya Gryn, Interim Director of Tenant Services and Shellie Chowns, Director of Assets and Property Services

SUBJECT: Vacancy Management Update

DATE: March 18, 2021

RECOMMENDATION:

That the Vacancy Management Update report **BE RECEIVED** for information.

Purpose:

To update the Board, Shareholder and Service Manager regarding the status of LMCH's Vacancy Management progress with the objective of achieving a three percent (3%) total vacancy.

February 2021 Progress (Reported as of February 28th, 2021)

1. **Total Vacancy:** This includes all units within LMCH portfolio that are not occupied. It is inclusive of units that are Non-Rentable or in Active Restoration and Rent Ready Stock. (Target: 3%)

Total Vacancy: 4.3% or 141 units

Future Leased: 0.6% or 19 units

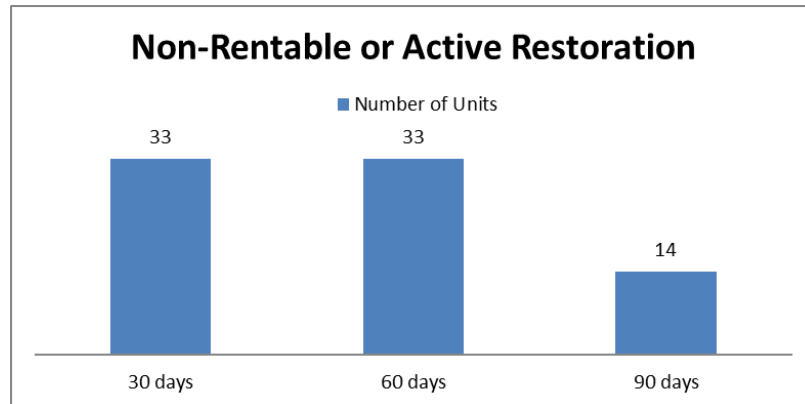
Final Vacancy: 3.7% or 122 units

2. **Active Rental Stock:** These are all units that are rent ready and available to offer. Units leave this category when they are future leased or leased (when the actual lease is signed and keys are handed to the new tenant). (Target: 1%)

Active Rental Stock: 1.3% or 42 units

3. **Non-Rentable or in Active Restoration:** This category includes all remaining units that have suffered catastrophic loss (e.g., fire, flood, or other insurable damage), units that are in pre-pest clearance as well as any units that are pest cleared and are now in active restoration. (Target: 2%)

Non-Rentable or in Active Restoration: 2.4% or 80 units



Conclusion:

LMCH had 26 units confirmed vacant in the month of February, which have been added to the active restoration stock.

LMCH leased 23 units in the month of February, and future leased 19 units.

PREPARED and RECOMMENDED BY:	PREPARED and RECOMMENDED BY:
OLESYA GRYN, INTERIM DIRECTOR, TENANT SERVICES	SHELLIE SHOWNS, DIRECTOR, ASSETS AND PROPERTY SERVICES
RECOMMENDED BY:	
ANDREA MACKENZIE, INTERIM CHIEF EXECUTIVE OFFICER	

Staff Report 2021-11

TO: LMCH Board of Directors

FROM: Shellie Chowns, Director Assets & Property Services

SUBJECT: Portfolio Regeneration Report for March 2021

"REIMAGINE Southdale"

DATE: March 18, 2021

RECOMMENDATION:

That the March 2021 Portfolio Regeneration Report on the Reimagine Southdale project **BE RECEIVED** for information.

BACKGROUND:

An overview of LMCH Project Reimagine Southdale was presented at the Cities Rapid Housing SWOT Team meeting February 24. This was an introduction to the project to many of the members and was well received.

Scott Robertson is now on-board full time as the Reimagine Southdale Project Manager. He joined the organization March 1.

LMCH requires a concept on which the rest of the project can be designed, including development and procurement of all significant contracts. Concept designs facilitate consultation with the city SWOT group on the various project requirements such as site plan, engineering, traffic, urban design, etc. Concept designs will also assist in determining the financial feasibility of the project through unit quantity and mix.

Neither LMCH or members of the extended city "family" of development and/or housing services has the expertise or professionals in-house to execute concept design work. Therefore, LMCH met with architects on March 8 to discuss concept design and has entered into an agreement to develop a conceptual site plan, building designs including unit mixes and a basic project phasing strategy. The work will be performed on a T&M basis and kept to the basic requirement.

LMCH has now secured a date and time to meet with the Cities planning department for a site-plan pre-consultation meeting where the basic concept will be discussed and LMCH will have the opportunity to hear the Cities ideas and requirements.

A more comprehensive project schedule will be developed to reflect the milestones shared last year.

All project information and contact will now be channeled through Scott.

PREPARED and SUBMITTED BY:	REVIEWED and CONCURRED BY:
SHELLIE CHOWNS DIRECTOR, ASSETS & PROPERTY SERVICES	ANDREA MACKENZIE INTERIM CHIEF EXECUTIVE OFFICER

STAFF REPORT 2021-12

TO: LMCH Board of Directors

FROM: Diana Taplashvily, Director Finance and Corporate Services

SUBJECT: Information Technology Policy

DATE: March 18, 2021

RECOMMENDATION

That the Board of Directors **APPROVE** the Information Technology Policy.

PURPOSE:

This policy provides scope, definitions, and application of responsible use of technology.

The following changes were made to the Information Technologies Policy in response to the suggestions at the Committee of the Whole meeting on February 11, 2021:

- Acknowledgement that some employees will need to research certain topics which may be considered inappropriate but acceptable within a context of their work and a requirement to notify direct supervisor and Manager of People and Culture (Section 4.9 paragraph one).

SIGNATURE:

PREPARED BY:	RECOMMENDED BY:
JASON FLANAGAN MANAGER, INFORMATION TECHNOLOGIES	DIANA TAPLASHVILY DIRECTOR, FINANCE AND CORPORATE SERVICES
	RECOMMENDED BY:
	ANDREA MACKENZIE INTERIM CHIEF EXECUTIVE OFFICER

RELATED DOCUMENTATION

Legislation	<ul style="list-style-type: none"> Human Rights Code www.ohrc.on.ca Bill 168 & 132 (Workplace Violence and Harassment) https://www.labour.gov.on.ca/english/hs/topics/workplaceviolence.php Occupational Health and Safety Act, 1990 www.labour.gov.on.ca/english/hs/laws/regulations.php Municipal Freedom of Information and Protection of Privacy Act
Collective Agreement	The employee will be responsible to comply with all of the provisions in the Collective Agreement
Forms	N/A
Policies	<ul style="list-style-type: none"> Code of Conduct Policy Workplace Anti-Violence, Harassment, and Sexual Harassment Policy Conflict of Interest Policy Health and Safety Policy Diversity Policy Social Media Policy Working Remotely Policy Working Remotely for Business Continuity Policy
Other Resources	<ul style="list-style-type: none"> Criminal Code of Canada LMCH Vision, Mission, Values

1.0 POLICY STATEMENT

To identify acceptable use, restrictions on use, and usage procedures for all those using Corporate Technology. This Policy also applies to the components, systems, software, and hardware related to Corporate Technology including, but not limited to, the internet, electronic messaging such as email, and other media and social networking sites.

2.0 SCOPE

This Procedure applies to all Corporation employees and other users (non- Corporation employees, volunteers and/or contractors, as well as clients who are authorized to use or have access to Corporate Technology). This Policy applies to usage during and outside work hours.

3.0 DEFINITIONS

Corporate Technology: includes, but is not limited to, software, desktop computers, laptops, tablet or pad style computers, telephones, wireless handheld devices, mobile media such as USB keys, cellular phones, smartphones printers, scanners, photocopiers, and fax machines as well as messaging systems such as email, instant messaging, social media, SMS and MMS text, voice and voicemail, and any other technology provided by or accessed through the Corporation (including internet-based systems and services).

4.0 APPLICATION

4.1 Overall Principles:

1. Corporate Technology is provided to improve productivity and facilitate the business activities of the Corporation. Every employee and user of Corporate Technology is responsible for ensuring such technology is used in an appropriate manner in accordance with this Policy and all other applicable Corporation policies.
2. Corporate Technology is provided for Corporation business purposes and is not intended for personal use. Incidental and occasional personal use of Corporate Technology is permitted, provided such limited use:
 - Does not result in any unauthorized expense to the Corporation including time or materials;
 - Does not interfere with and/or negatively impact productivity;
 - Does not interfere and/or conflict with the intended business uses of Corporate Technology;
 - Is not for illegal purposes, or to gather or transmit information to support illegal activities;
 - Is in accordance with all applicable laws, regulations, and/or by-laws;
 - Complies with this and all other applicable Corporation policies including, but not limited to, the LMCH Code of Conduct and Social Media Policy;
 - Does not require the installation of software that has not been acquired by the corporation.

Under no circumstances is Corporate Technology to be used for accessing sites for viewing, accessing, downloading, storing, and/or distribution (via email, hardcopy, images, texts, video clips

or otherwise) of inappropriate material, as determined by the Corporation. Inappropriate material includes, but is not limited to, sites containing material which is obscene/pornographic (including sexually explicit material, full or partial nudity, sexually explicit jokes, sexually degrading material), racially /degrading, defamatory, discriminatory, hate propaganda or otherwise inappropriate as determined by the Corporation.

3. Monitoring and reporting of abuses of this Procedure is a function of the Information Technology Department.

All computer network traffic (including email and internet activity) and data stored on all storage mediums is subject to random inspection. The Information Technology Department will monitor computer related activities on a random basis, or upon management's request for various purposes, including but not limited to, technical maintenance and repair, production of Corporate records, to improve business processes and manage productivity, to prevent employee misconduct and ensure compliance with the law and Corporate policies. All communications, including those marked confidential and/or personal may be monitored by the Corporation.

Employees and other users shall not have any expectation of privacy when using Corporate Technology whether for business or personal use. With the authorization of the Manager of People and Culture (Human Resources), the CEO or the Manager, Information and Technologies or their designates, the Corporation may access or monitor individual user activities, internet usage, files, including archived and "deleted" material of present and former employees, without the user's consent or knowledge.

The use of Corporate Technology for personal use in accordance with this Procedure is the choice of employees and other users. If a private means of accessing, creating and/or communicating information for personal use is required or desired, a personal technological device unconnected to Corporate Technology and the Corporation's network should be used.

4. All documents created through the use of and/or retained on Corporate Technology, whether for business or personal use, including, but not limited to, emails and other communications may be subject to the access and privacy provisions of the *Municipal Freedom of Information and Protection of Privacy Act* ("MFIPPA"). All such documents and communications shall therefore be managed by employees in accordance with MFIPPA and in accordance with any restrictions placed upon their use by the Corporation, by the sender of the communication or by the creator/supplier of the document.

5. Information or data cannot be copied to mobile media (e.g., USB key, CD/DVD and personal devices such as MP3 recorders) or communicated electronically to another individual, agency, public or private corporation, for any purpose other than approved Corporate business. Should an employee have any doubt about the appropriateness of a request for information, the advice of their manager and/or the Privacy Officer shall be obtained.
6. Corporate Technology cannot be used for any activity for which an employee receives remuneration or "in-kind" service or other personal benefit other than that received directly from the Corporation, whether during or outside work hours.
7. No computer software, hardware and/or telecommunications equipment (including internet-based or "cloud" systems and/or services) will be purchased, installed, or deployed without the completion of appropriate Information Technology reviews as determined by Information Technology Services and the expressed authorization, in writing, of the Manager, Information Technologies or their designate.
8. Employees and other users of Corporate Technology are prohibited from uninstalling, modifying or otherwise disabling any technology installed on computers or other devices that have been installed by the Corporation unless expressly authorized in writing by the Manager, Information Technologies Services or designate to do so.
9. Any proposed solution from vendors to resolve a technical issue on any corporate owned system that requires configuration changes to any hardware, software, or the installation of any update, plug-in or additional software must be validated by the Information Technology Department prior to deployment to corporate owned hardware or software.
10. Employees and other users bringing personal computers or other technology into the workplace shall ensure their use of such devices is in compliance with this and all other applicable Corporate policies.
11. Employees shall not connect personal computers or other personal technology to Corporate Technology unless expressly authorized in writing by the Manager, Information Technologies or their designate. Employees should only connect their personal technologies to the guest wireless network and never to the corporate network.

12. Employees shall not connect new or relocated assets to the corporate network without first receiving written authorization from the Manager, Information Technologies or their designate.
13. Employees and other users accessing Corporate Technology remotely, whether during or outside work hours, are required to comply with this Procedure and all other applicable Corporate policies with respect to the use of Corporate Technology.
14. All corporate technological solutions will be designed to work exclusively on the corporate network. Where possible, the Information Technology Department will strive to make those technical solutions available over a secured VPN. This policy does not guarantee that those solutions will work from any other location other than the corporate network and requests to support connectivity issues from any location other than the corporate network will be denied.
15. All employees have a responsibility to report policy and procedure violations to their manager. Managers then have a responsibility to report such matters to Human Resources and Information Technology Services. Inappropriate, irregular, and/or suspicious activities must be reported by managers to the Manager, People and Culture (Human Resources) or designate and the Manager, Information Technologies or designate. Monitoring and reporting of abuses of this Policy will not distinguish between business and personal use.
16. All Corporate Technology must be returned to Information Technology Services when an employee departs the Corporation. In the event that an employee is on an extended leave of absence, access to Corporate Systems will be removed and Corporate Technology must be returned to Information Technology Services. Exceptions to this will be made on a case by case basis on consultation with the employee, their Manager and Director.
17. The Corporation, in its sole discretion, reserves the right to:
 - Remove or limit any user's use of and/or access to Corporate Technology;
 - Block internet access, entirely or in part, for all users, specific users, and/or locations;
 - Restrict access to some or all social networking sites through Corporate Technology;
 - and

- Take any other measures it deems necessary to protect the confidentiality, integrity, and availability of Corporate Technology, including but not limited to mandating the completion of training on safe use of such systems.

4.2. Mobile Equipment:

Employees in possession of portable Corporate Technology equipment must not leave it unattended at any time when outside Corporate facilities unless it has been secured.

All cases of loss or theft of portable Corporate Technology must be reported to the Information Technology Services immediately when known.

4.3 Software Licenses and Copyrights:

All software installed on any Corporate Technology equipment must have a valid license. This includes freeware and shareware programs obtained from the internet and/or other sources. All non-standard software must also be approved in writing for use in the Corporation environment by the Manager, Information Technologies or designate.

Licensed software shall be used in compliance with the manufacturer's intended usage and according to the legally licensed copyright and must not be copied or duplicated, except as explicitly allowed in the license terms and conditions. No programs or files from an external source (including the internet), licensed or unlicensed, are to be personally obtained and installed unless it has been investigated and approved in writing by the Manager, Information Technologies or designate. This Procedure likewise applies to text, images, audio, and all other manner of copyrighted materials.

4.4 Social Media:

Employees are reminded that even though they are using social media for personal purposes, some Corporation policies, including, but not limited to, the Workplace Harassment/Discrimination Prevention Policy, Code of Conduct for Employees, and the Workplace Violence Prevention Policy may be applicable to off duty conduct. Please refer to LMCH's Social Media Policy for more information.

4.5 Passwords and Other Login Security:

Every user of Corporate Technology is provided with a user ID. Associated with each user-ID is a password, which must be used to authenticate the person accessing the application, system,

network, and remote connections. Passwords must be treated as confidential information, and must not be disclosed or stored in places where they can be easily accessible by unauthorized people.

Passwords must not be shared, unless there are exceptional and legitimate business reasons, in which case the approval of the Manager of People & Culture and Manager, Information Technologies, or their designates, must be received. In such cases, the employee should thereafter change their password as soon as reasonable. All individuals are responsible for all activity performed under their user-ID. Generic Accounts will not be issued unless a full ITS

Passwords will conform to Corporate standards as defined by Information Technology Services, which may change from time to time.

Passwords are primarily intended for purposes of securing Corporation records and information and to identify users of Corporate Technology. Passwords are not intended to preclude the Corporation's access to Corporate Technology.

Beyond passwords, the Corporation may require the use of additional or alternate login security measures to further secure access to Corporate Technology. Any such additional login security measures used for alternate and/or multi-factor authentication are subject to the same requirements as passwords.

4.6 System Timeout (automatic lock):

Each user-ID and/or computer will utilize a time-out which will lock the computer in use after a specified period of inactivity. Exceptions to this Procedure will only be considered by providing a written business case to the Manager, Information Technologies explaining the need. Written approval from the Manager, Information Technologies or delegate is required for such an exception.

4.7. Storage of Files on Local Drives:

All Corporate files must be stored on network drives or on approved cloud storage systems to ensure they are backed up. The storage of Corporate files on local drives is not permitted unless a network drive is unavailable. Local drives are not backed up and the Corporation accepts no responsibility for their protection.

4.8. Storage of Personal Files:

The storage of personal files on network drives is not permitted. This includes MP3 and other audio files, MPEG and other video files, and JPEGs and other photography file formats.

Local drives are not backed up and the Corporation accepts no responsibility for their protection. Additionally, when a computer is replaced due to the end of its lease or for other reasons, it will be the responsibility of the employee to transfer any personal files. The Information Technology Services will not be responsible for transferring personal files to a new computer.

4.9. Internet:

Internet access is a Corporate resource provided to employees and other users for research or system support purposes relevant to the Corporation's business and to provide such information to tenants, potential tenants, businesses, etc.

Employees **shall not**:

- Access internet sites that contain material which is: obscene/pornographic (including sexually explicit material, full or partial nudity, sexually explicit jokes, sexually degrading material); racially offensive/degrading; defamatory; discriminatory; hate propaganda or which is otherwise inappropriate as determined by the Corporation, without the express written authorization of the Manager of People & Culture or designate. Where an objectionable or inappropriate site is accessed accidentally, the employee shall report, in writing, such access to his or her manager and/or the Information Technology Department as soon as possible. The corporation acknowledges that some employees will need to research certain topics which may be considered inappropriate under this policy but acceptable within the context of your work. Should you feel that this is the case for you, please notify your manager as well as the Manager of People and Culture about the topics and timeline of your research project;
- Send or receive any material which is: obscene/pornographic (including sexually explicit material, full or partial nudity, sexually explicit jokes, sexually degrading material); racially offensive/degrading; defamatory; discriminatory; hate propaganda; annoying; harassing, intimidating, or threatens another person or group of persons, or which is otherwise inappropriate as determined by the Corporation without the express written authorization of the Manager of People & Culture Officer or designate. Where an employee unwillingly receives material of this nature he or she shall report it, in writing, to his or her manager and/or the Information Technology Department as soon as possible;

- Access, download, view, store, or distribute (via email, hardcopy, images, text, video clips, or otherwise), any material which is: obscene/pornographic (including sexually explicit material, full or partial nudity, sexually explicit jokes, sexually degrading material); racially offensive/degrading; defamatory; discriminatory; hate propaganda; harassing; threatening, or which is otherwise inappropriate (including jokes, images or video clips) as determined by the Corporation, without the express written authorization of the Manager of People & Culture Officer or designate.

Executable software may not be downloaded without written authorization from the employee's manager and the Manager, Information Technologies or designate. Downloading of non-executable files for business use is permitted where appropriate and meets the criteria outlined in this Procedure. These include, but are not limited to, reports, Adobe "PDF" files, spreadsheets, information flyers, etc.

4.10. Email and Other Messaging Systems:

Email and other messaging system records are like any other records that are created to correspond with customers and co-workers. Professional business practices and applicable Corporate policies shall be adhered to in the creation and content of email and other messaging system records.

The following guidelines shall be adhered to:

- Use only business-like language;
- Do not express personal opinions about individuals or situations, unless it is a specific task or requirement as part of your position or job function;
- In general, do not include any text or information that would not be suitable under this and other Corporate policies. Confidential information should not be included unless it is necessary for Corporate business purposes. If there is a need to include confidential information, clearly mark your text as "confidential". Text containing or commenting upon legal opinion or strategy shall be marked "privileged and confidential" and should not be forwarded to co-workers or others within the Corporation unless express authorization to do so is first obtained by the solicitor providing the advice. Text containing or commenting upon legal opinion or strategy cannot be sent to third parties except as expressly directed by Municipal Council or as required by law;
- Email and other messaging systems cannot be used to send any material which is obscene/pornographic (including sexually explicit material, full or partial nudity, sexually

explicit jokes, sexually degrading material); racially offensive/degrading, defamatory; discriminatory; hate propaganda; harassing, threatening, or otherwise inappropriate as determined by the Corporation; Employees are prohibited from monitoring, intercepting, or tampering with another employee's email or other messaging system communication except as authorized by this Procedure.

4.11. Procedure Violation:

A violation of this Procedure may result in corrective and/or disciplinary action. Such action may include, but is not limited to, an apology, coaching or counselling, education or training, warning, suspension or leave without pay, demotion, transfer or termination of employment.

In all cases, the Manager of People & Culture or designate and/or the Manager, Information Technologies Services or designate will investigate any alleged violations of the Policy. Interim measures, including, but not limited to, de-activating or limiting a user's account may be taken pending an investigation.

Where a violation is substantiated, any corrective and/or disciplinary action taken will be placed in the employee's personnel file.

5.0 DOCUMENT CONTROL

Date Drafted	February 2021
Date Approved	
Date Revised	
To be reviewed	
Inquiries to Policy Owner	

STAFF REPORT 2021 – 13

TO: LMCH Board of Directors

FROM: Olesya Gryn, Interim Director, Tenant Services

SUBJECT: Use of Force Policy

DATE: March 18, 2021

RECOMMENDATION:

That the Board of Directors **APPROVE** the Use of Force Policy.

PURPOSE:

- To create an organizational Use of Force policy to help provide and maintain a safe environment for all tenants, visitors, and employees.
- Implement a Use of Force policy and a corresponding Use of Force Training program including training on the various force options and proportional responses to potentially violent situations.
- Educate and certify Community Safety Specialists in both the theoretical and practical aspects of the application of force to mitigate the liability to the organization.
- Create a guideline and provide best practice standards for Community Safety Specialists to safely facilitate an arrest to reduce the risk of injury to the subject, bystanders, and the Specialist.

In response to the suggestions made by the Committee of the Whole on February 11, 2021, the following steps were taken to put the Use of Force policy through the anti-racism and anti-oppression lens:

- A number of relevant resources and legislation were reviewed, including the Anti-Racism Act, 2017 (ARA), Ontario's Data Standards for the Identification and Monitoring of Systemic Racism, City of London's Equity & Inclusion Lens Handbook, etc.
- City of London's Use of Force Policy was reviewed.
- Use of Force Policy Consultation was held with the LMCH's Community Engagement Team.

As a result, the following changes were made to the Use of Force Policy:

1. De-escalation section added as Section 6.
2. Steps that should be taken if an arrest is to be made by a Community Safety Specialist revised and expanded in Section 7.IV, including use of force only being utilized as a last resort in Section 7.IV.e).
3. Approach to reviewing of use of force incidents by the Security Manager and the role of HR added in the second paragraph of Section 9.
4. Data Collection section added as Section 10. LMCH does not have the authority under the Anti-Racism Act, 2017 (ARA) to collect self-identified race for use of force reports. An option similar to the practice in policing was explored to collect race-based data based on a Community Safety Specialist's best assessment of an individual's race. However, implementation of such approach of data collection would capture perception and may not provide accurate statistical data. Therefore, LMCH will collect, use and disclose information contained in the use of force incident reports in accordance with the Municipal Freedom of Information and Protection of Privacy Act.
5. Additional training added in Section 16.2 and Section 16.8.

PREPARED BY:	RECOMMENDED BY:
BRYCE PORTER, SECURITY MANAGER	OLESYA GRYN, INTERIM DIRECTOR, TENANT SERVICES
	RECOMMENDED BY:
	ANDREA MACKENZIE, INTERIM CHIEF EXECUTIVE OFFICER

Legislation	Trespass to Property Act, R.S.O. 1990, c. T.21 Occupiers' Liability Act, R.S.O. 1990, c. O.2 Occupational Health and Safety Act, R.S.O. 1990, c. O.1 Criminal Code R.S.C., 1985, c. C-46 Residential Tenancies Act, 2006, S.O. 2006, c. 17 Personal Information Protection and Electronic Documents Act Municipal Freedom of Information and Protection of Privacy Act Private Security and Investigative Services Act, 2005
Collective Agreement	n/a
Forms	Safe and Respectful Conduct Signage LMCH Trespass Notice
Policies/Procedures	Trespassing Procedure Closed-Circuit Television (CCTV) Procedure Notebook and Notetaking Procedure Privacy and Confidentiality Policy Retention and Disposal Procedure
Other Resources	Appendix A – National Use of Force Model

1. POLICY STATEMENT

London and Middlesex Community Housing (LMCH) is committed to providing and maintaining housing in a safe and supportive environment to meet the needs of the people we serve in our communities. LMCH places the highest value on the health and safety of its tenants, visitors and employees. Individuals who display disruptive behaviours, who are trespassing or threaten the health and safety of anyone on LMCH property will be removed and/or issued a trespass notice or arrested, based on the seriousness of the offence(s). Community Safety Specialists have a responsibility to only use the force which is reasonably necessary to bring an incident under control effectively and safely.

2. PURPOSE

This policy assists in creating and maintaining a safe environment for all tenants, visitors and employees. To promote a safe environment, it may be necessary for Community Safety Specialists to direct individuals to leave LMCH property, to escort individuals off LMCH property or to facilitate an arrest. Community Safety Specialists shall utilize the National Use of Force Model to aid their continuous critical assessment and evaluation of every situation.

3. SCOPE

This policy applies to all Community Safety Specialists and assists in making use of a variety of force options to respond to potentially violent situations. It is not intended to serve as a justification for a Community Safety Specialists' use of force, nor does it prescribe specific response options appropriate to a given situation. The National Use of Force Model provides a valuable framework for understanding and articulating the events associated with an incident involving a Community Safety Specialists' use of force. Each Community Safety Specialist shall hold a valid license under the PSISA and carry that license while on duty.

4. DEFINITIONS

PIPEDA

Personal Information Protection and Electronic Documents Act, S.C. 2000, c. 5

MFIPPA

Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56

PSISA

Private Security and Investigative Services Act, 2005, S.O. 2005, c. 34

PERSONAL INFORMATION

Means recorded information about an identifiable individual, including:

- Information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual
- Information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions
- Any identifying number, symbol or other particular attribute assigned to the individual
- The address and telephone number of the individual

PREMISES

Means any land or structure owned or operated by LMCH and includes trailers and portable structures designed or used for temporary residence, business space or shelter, and vehicles.

LOITERING

As defined by LMCH is to stand or wait around idly or without apparent purpose, to move slowly, making purposeless stops, or being masked with apparent intent to disguise one's identity.

TRESPASSING

Is defined by LMCH as being on LMCH property without an apparent purpose, not being invited onto the property by a tenant, when an individual is on the property with a valid trespass notice on file, loitering, displaying disruptive behaviour and as defined in section 2(1) of the Trespass to Property Act, R.S.O. 1990, c. T.21.

DISRUPTIVE BEHAVIOUR

Is defined by LMCH as the use of profanity, yelling and/or abusive language, aggressive, violent or threatening behaviour, panhandling, theft, damaging property, wearing or displaying gang related colours or clothing, possession of weapons or anything intended to be used as a weapon, possession of controlled substances (not prescribed) or any activity in contravention of the Criminal Code of Canada, the Residential Tenancies Act, and any other federal or provincial laws or municipal by-laws.

5. APPROVED EQUIPMENT

Handcuffs

LMCH will issue handcuffs to employees in the Community Safety Specialist role in compliance with O. Reg. 366/07. LMCH will record and file the serial numbers of the handcuffs assigned to each employee. Community Safety Specialists must comply with O. Reg. 366/07.

These devices shall only be used in accordance with their training, the Criminal Code and the National Use of Force Model.

Employees shall not use anything other than LMCH issued handcuffs to restrain a subject.

Batons

LMCH will issue batons to employees in the Community Safety Specialist role in compliance with O. Reg. 366/07. LMCH will record and file the serial numbers of the batons assigned to each employee. Community Safety Specialists must comply with O. Reg. 366/07.

These devices shall only be used in accordance with the training, the Criminal Code and the National Use of Force Model.

Employees shall use batons for defensive purposes only in compliance with O. Reg. 366/07, Section 2(1).

6. DE-ESCALATION

Community Safety Specialists will be providing services to LMCH communities; therefore, they will proactively engage in community projects and initiatives, where possible, to build trust with LMCH tenants and community members.

Community Safety Specialists will use de-escalation techniques and other alternatives to use of force consistent with their training whenever reasonably possible and appropriate before resorting to force.

Community Safety Specialists will allow an individual time and opportunity to submit to verbal commands before force is used, whenever reasonably possible or feasible, providing that such delay will not compromise the safety of the Community Safety Specialists or another person(s) and will not result in destruction of evidence, escape, or commission of a crime.

7. ARRESTS

There may be times when the Community Safety Specialists will need to make arrests. These responsibilities will be carried out as follows:

- I. In compliance with the requirements of section 494 of the Criminal Code, the Community Safety Specialists, as persons authorized by the owner, may only arrest a person if they find them committing a criminal offence on or in relation to the property, and
 - a) the arrest is made at the time the person is found committing the criminal offence, or
 - b) the arrest is made within a reasonable time after the offence is committed and it is believed on reasonable grounds that it is not feasible in the circumstances for a peace officer to make the arrest.
- II. In addition to sections 25 and 494 of the Criminal Code, Community Safety Specialists, as persons authorized by the occupier of the premises, may arrest a person they believe on reasonable and probable grounds to be on the premises in contravention of section 2 of the Trespass to Property Act (under section 9 of the Act).
- III. If a Community Safety Specialist arrests a person, whether pursuant to the Criminal Code or the Trespass to Property Act, they are required to forthwith deliver the person to a peace officer. The Community Safety Specialist will contact the police immediately after an arrest is made, but if there is a situation which may require use of force and/or arrest, police should always be called as soon as is feasible.
- IV. The following steps should be taken if an arrest is to be made by a Community Safety Specialist:
 - a) Identify yourself as a Security Guard and as an employee of LMCH;
 - b) Tell the person plainly that they are being placed under arrest and that they will be held until the police arrive;
 - c) Tell the person the reason for their arrest;
 - d) Ask explicitly for the person's cooperation until the police arrive and apply handcuffs in accordance with the LMCH approved training;
 - e) Avoid using force, if possible. Only use force as a last resort, and use it to the minimum possible extent which is reasonably necessary to bring an incident under control effectively and safely;

- f) Escort the arrested person to a private area for safety and to protect their privacy and dignity;
- g) Read the person their rights to counsel verbatim from the LMCH provided notebook;
- h) Call the police. If the person sustained injuries from the arrest, or advises they have a medical condition that needs immediate attention call EMS;
- i) Do not question or search the person's possessions. Community Safety Specialists may conduct a "Search Incident to Arrest" which may only be conducted to ensure that the person does not have any weapons or tools of escape;
- j) Document, in detail, what happened including the times of all steps in the LMCH provided notebook in accordance with the *Notebook and Notetaking Procedure*;
- k) When police arrive, explain in detail what happened.

8. EXCESSIVE FORCE

Excessive force shall not be tolerated. Community Safety Specialists shall only use the force which is reasonably necessary to bring an incident under control effectively and safely.

Community Safety Specialists shall only use force in accordance with their training, the National Use of Force Model, and in compliance with section 25 of the Criminal Code.

All complaints of excessive force will be investigated by the Security Manager. Specialists shall be held responsible for any excessive force in accordance with Section 26 of the Criminal Code. Use of force reports may be used to recommend re-training or be used in disciplinary matters up to and including suspension or termination of employment.

Under certain circumstances, information regarding incidents requiring the use of force may be provided to police (or other competent authority) with the intention to prosecute criminal offences. LMCH may also provide information to our legal representatives in defense of legal claims, or in pursuance of civil recovery, with the intention of providing evidence before the courts.

9. REPORTING USE OF FORCE INCIDENTS

Community Safety Specialists shall report any amount of force used on any individual or animal in the provision of their job. They shall submit a use of force report when handcuffs, a baton or any other type of weapon, or any other kind of force is used. Community Safety Specialists shall also submit a use of force report if they draw a baton in the presence of a member of the public.

Each Community Safety Specialist must complete a separate use of force report if more than one Specialist was involved in a single incident. Once the report is completed, it must be

reviewed by the Security Manager and the Specialist involved. The Security Manager will review every use of force incident and consider the event in its entirety, looking for ways to improve communications, tactics, policy, training, and/or equipment. If a potential policy violation is identified during the use of force review, the Security Manager will provide a report outlining the violation(s) to Human Resources. Employees shall not make or retain a copy of the use of force report for any purpose, they are the property of LMCH and will be retained in accordance with legislation and this policy.

10. DATA COLLECTION

Collection, use and disclosure of personal information contained in the use of force incident reports will be in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*.

LMCH will ensure that personal information or any relevant statistics will not to be used under any circumstances to stigmatize, ascribe criminality to, make value judgments on or otherwise stereotype any tenant or community member based on group characteristics.

11. EXCLUSION LIST

When an arrest is made by a Community Safety Specialist, the individual arrested will be issued a written trespass notice and added to the exclusion list in accordance with the *Trespassing Procedure*.

12. SIGNAGE

Internal and external common areas shall have posted signage identifying prohibited conduct in accordance with the *Trespassing Procedure*.

13. RETENTION AND DISPOSAL

Records produced due to the use of force, the subsequent incident notes, and/or occurrence reports shall be kept in a secure, locked facility, or manner, and managed appropriately by LMCH to maintain compliance with all legal obligations under the PIPEDA, the MFIPPA and the PSISA.

All records shall be retained according to the respective site. The Security Manager, Privacy Officer or designate must authorize access to all records in accordance with section 31(1) of MFIPPA.

Records shall be kept for a minimum of 10 years, or until the record is no longer required for the purpose of collection. All records shall be disposed of in a secure manner; records shall either be erased or shredded.

14. RELEASE OF INFORMATION

Records may be released to third parties or applicants in accordance with the provisions contained in MFIPPA and any rules or regulations thereunder.

15. FREEDOM OF INFORMATION REQUESTS

An individual has the right to request access to their records in accordance with the provisions contained under the MFIPPA or PSISA; requests shall be made through the LMCH Privacy Officer or designate.

Any person who wants access to a record must write to the LMCH Privacy Officer or designate as soon as possible after the record was made. The person requesting the record must identify where and when the record was created.

When a person asks to see a record, that person can only access their own records. As with all requests for records, LMCH will ensure that any other details pertaining to other individuals are redacted.

Requests for access to a record may be denied in certain circumstances as set out in MFIPPA and any other applicable laws. As with all such requests a fee may be applicable.

Freedom of information details will be available and easily accessible on the LMCH website as per the requirements of section 29(2) of MFIPPA.

16. TRAINING

All Community Safety Specialists shall receive use of force training from a recognized provider, in accordance with the PSISA - O. Reg. 434/07.

No Community Safety Specialist shall use force on another person in the provision of their job unless they have successfully completed the LMCH approved use of force training program. Community Safety Specialists must recertify in the approved training program annually.

When a use of force option is utilized, its application shall be in keeping with the training received.

Training will include, but is not limited to, the following:

- 1) Use of Force training by a recognized provider
 - i) Effective Communications
 - ii) Crisis Management
 - iii) Complaint/Active Subject Control
 - iv) Expandable Baton
 - v) Sharp-Edged Weapons Defense
- 2) Mental Health First Aid
- 3) Situational Awareness

- 4) Trespass to Property Act
- 5) LMCH Trespassing Procedure
- 6) LMCH Privacy and Confidentiality Policy
- 7) All relevant legislation
- 8) A combination of internal and external training on poverty, addictions, mental health, cultural awareness and humility, diversity and inclusion, unconscious bias, and anti-oppression.

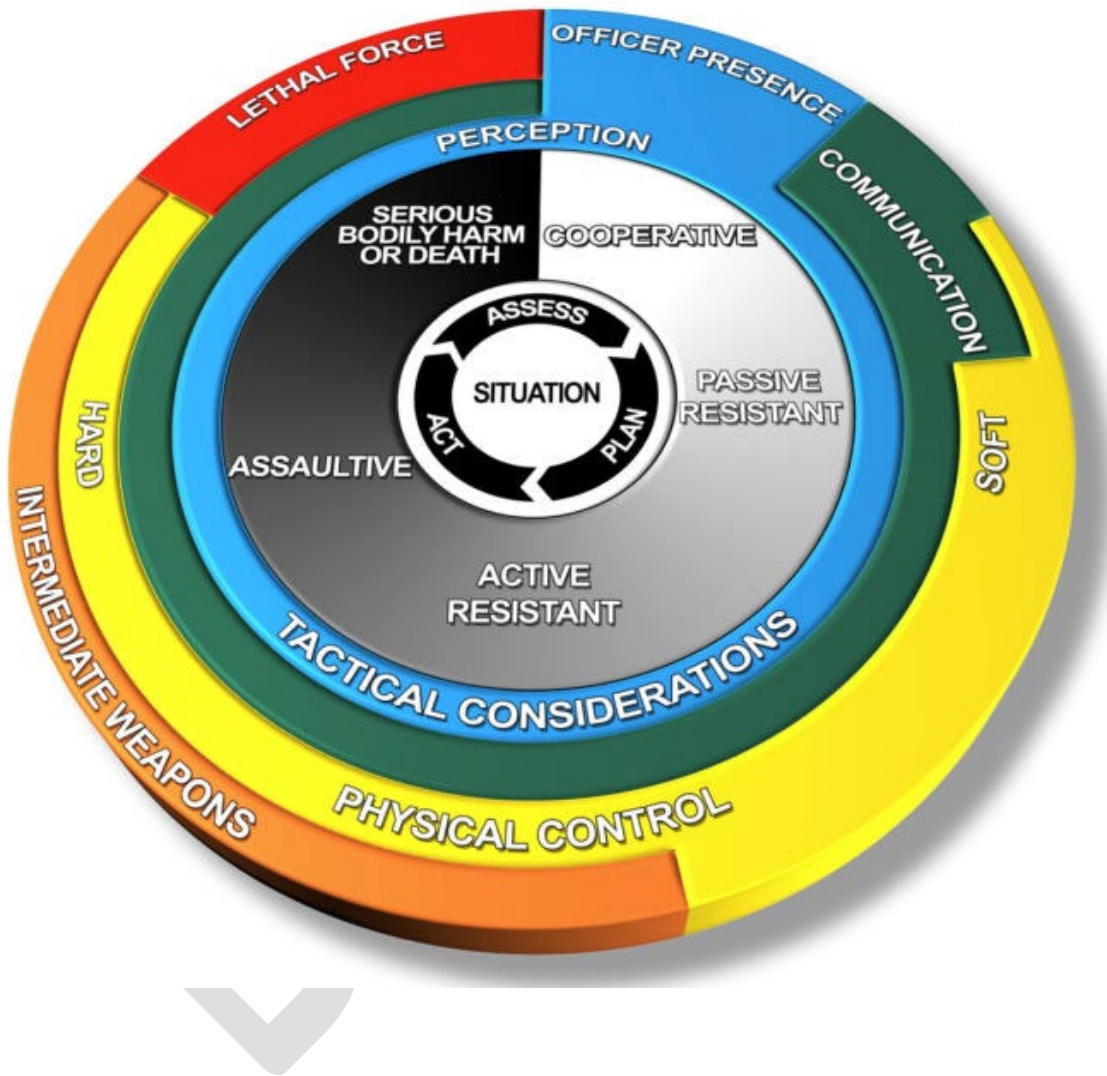
17. RESPONSIBILITY

The Security Manager, or designate, will be responsible to manage and audit the use of force reports and shall follow up with each employee involved in a use of force incident as soon as possible based on the seriousness of the incident.

The Use of Force Policy will be reviewed by the Security Manager on an annual basis, or sooner, if an amendment is needed due to operational requirements or legislative changes.

APPENDIX A

National Use of Force Model:



Date Drafted	February 2021
Date Approved	
Date Revised	
To be reviewed	
Inquiries to Policy Owner	Security Manager

STAFF REPORT 2021-14

TO: LMCH Board of Directors

FROM: Shellie Chowns, Director, Property Services & Asset Management

SUBJECT: Project 2021-0002, Balcony Repairs at 241 Simcoe St., London

DATE: March 18, 2021

RECOMMENDATION:

That the Board of Directors **APPROVE** the recommendation to award a subcontract to Riviera Restoration Services Ltd. as the low / qualifying bidder to perform balcony restoration and railing replacement work at 241 Simcoe St. in the amount of \$855,540 CAD + HST. This value falls within the approved capital budget for this project.

Note: The recommendation includes:

- Base bid per the tender documents.
- Extra for solid panel balcony guards (to provide additional security from scaling).
- Extra for painting the metal decking soffits above the 12th floor balconies to match floors 1-11.
- Contingency allowance.

BACKGROUND:

In 2020, LMCH worked with IRC Group Engineering to undertake a comprehensive assessment of balconies and guard railings at several LMCH properties, including 241 Simcoe St.

The assessment of the Simcoe property identified several deficiencies including but not limited to delaminating concrete, cracking, and exposed rebar. None of the deficiencies were considered an immediate danger to the public or tenants but warranted corrective action in the near-term.

Together with IRC Group Engineering, LMCH issued a public tender for balcony restoration, membrane installation, rebar replacement, paint, and railings at 241 Simcoe St. 15 qualifying bids were received.

IRC Group Engineering assessed the bids to ensure they were complete and met the specifications laid out in the tender and then made a formal recommendation to LMCH to award the work to Riviera Restoration Services Ltd.

This contractor has committed to mobilization within 15 days of authorization and completing the work by November 30, 2021, which meets LMCH's operational and financial requirements for the 2021 fiscal year.

PREPARED and SUBMITTED BY:	REVIEWED and CONCURRED BY:
SHELLIE CHOWNS DIRECTOR, PROPERTY SERVICES & ASSET MANAGEMENT	ANDREA MACKENZIE CHIEF EXECUTIVE OFFICER (INTERIM)

Appendix A: IRC Engineering Group balcony condition assessment report, 241 Simcoe.

Appendix B: IRC Engineering Group balcony remediation bid summary and recommendation

**IRC Building Sciences Group**

4026 Meadowbrook Drive, Unit 133
London, Ontario, N6L 1C7
Tel: 519.652.5985, Fax: 519.652.9926
Toll Free: 1.888.607.5245

London & Middlesex Housing Corporation
1299 Oxford St. E. Unit C5C
London ON
N5Y 4W5

DRAFT

September 8, 2020

Tel: 519-434-2765
Fax: 519-456-1710
bleslie@lmch.ca

Attention: Bill Leslie

RE: Preliminary Investigation of Balconies
IRC Project No. 23421-LB20-032CR
241 Simcoe St.
London, Ontario

Dear Mr. Leslie,

1 Terms of Reference

IRC Building Sciences Group (IRC) was authorized by Bill Leslie of the London & Middlesex Housing Corporation to perform a Preliminary Investigation of Balconies at 241 Simcoe St. in London, Ontario.

2 Scope of Work

IRC was requested to perform a preliminary investigation of balconies to identify deficiencies and assess the condition of concrete balcony slabs present at 241 Simcoe St. in London, Ontario. Work included the following:

-) Review all available documentation made available to IRC. This would include drawings and any building condition surveys or maintenance records.
-) Investigate current condition of all balconies including exposed roof slabs and soffit canopies. Each of the balconies will be assessed using non destructive techniques to identify defects (spalling, delamination, cracks, exposed reinforcing, etc.) and resonance sounding to determine hidden conditions of the concrete structures.
-) Assessment and review of the condition and connection of all balcony railings and associated components.
-) Prepare a written report, including photos, providing the assessed condition of the balconies and railings including current condition, estimated remaining life, defined repair areas and any other relevant information. Included in the report is a prioritization list of remediation work required immediately as well as on a planned basis in order to maintain these components for the duration of their service lives.
-) Include estimated capital remediation costs as well as phasing options dependent on the current assessed condition.

3 Document Review

Structural Design Drawing – May 1974 – Haas Ruebsam Limited

Unit Layout Drawing

4 Description of Structure

The subject building is a twelve story residential apartment building located at 241 Simcoe Street in London, Ontario. The building has an approximate ground floor area of 12,300 sq.ft.

The building structure consists of poured concrete foundations, concrete block walls and poured concrete floors supported by a Hambro joist system.

The concrete balcony slabs are cantilevered from the building. Balcony slabs are tapered to provide positive drainage slope away from the building. At the edge of the slab the slab thickness is 4-1/2".

Balconies are continuous running along the east and west elevation at each floor. Units ending in 01, 06, 07, 11, 12, 16, 17 and 20 have dimensions of approximately 4' wide by 12' long. Units ending in 02 - 05, 08 - 10, 14 - 15, 18 - 19 have dimensions of approximately 4' wide by 24' long. Balcony slabs are continuous from units ending in 01 - 06, 07 - 11, 12 - 16 and 17 - 20. The total balcony surface area is approximately 15,840 sqft for the entire building. The balconies are located on the east and west elevations only. There is no evidence that a waterproofing membrane has ever been installed on the balcony slabs.

The balcony guards are not original to the building construction. The guards are continuous along the length of the balconies and are anchored directly to the concrete slabs with one, two or four anchor bolts spaced at around 3 feet between posts. The guard rail is also anchored to the brick masonry cladding where it terminates at a wall. The top rail of the guard system is 43" above the balcony deck with vertical pickets spaced at 3-7/8". IRC was not provided with any documentation verifying the guard installation.



Site Layout: Location of building in London, Ontario.



Photo 1: Front entrance of the building (East Elevation).



Photo 2: East elevation, North end.



Photo 3: West elevation, south end.

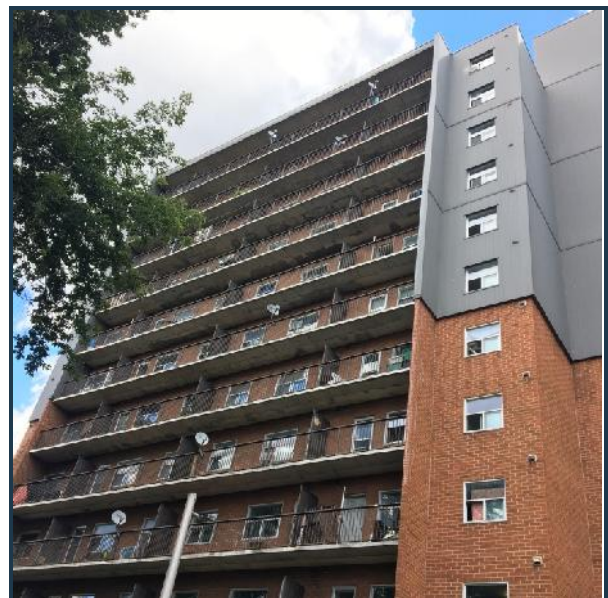


Photo 4: West Elevation, north end.

5 Visual Review and Observations

IRC visited the site on three consecutive days from August 17th to August 19th, 2020 to conduct the review. IRC was able to review 151 of the 209 total balconies or approximately 72% of unit balconies. Some assumptions were made on the condition of balconies not viewed based on evidence either from the soffit below or limited viewing from adjacent units.

The following visual observations were made with respect to the current condition of the balconies and guards.

- .1 At some time in the past the balconies have undergone a series of repairs. This was likely at the time of the installation of the current guard system and is estimated to be 15+ years old. The repairs appear to have been very extensive with evidence visible on almost every unit. The repairs were not done to a high standard. Unevenness and bleed-out was common between the formwork for repairs and the existing concrete slab. In these locations a thin layer of cementitious material is chipped or chipping and should be evened out as part of future repairs at the building. There was no waterproofing membrane or soffit painting element to the past repairs.



Photo 5: Evidence of uneven past repair.



Photo 6: Evidence of chipping past repair.

- .2 Delamination of both the topsides and soffits of the balcony slabs is an issue noted extensively throughout the building. Topside concrete delamination was noted at 64 balconies and soffit concrete delamination was noted at 4 balconies. These deteriorated areas were found using a sounding hammer and chain and did not appear to go all the way through the entire slab. Given the concrete slabs are relatively thin it may not be possible to repair these delamination's without removing the entire thickness of the slab.
- .3 In addition to the damage noted in observation .2 there were 84 units where delamination's had deteriorated to the point that they were visible from both the deck and the soffit of the slab. For the most part these locations consisted of a continuous or series of top surface delaminations along a set of 3 reinforcing bars running parallel to the exterior wall of the building. From the soffits below, long parallel crack or cracks were observed along the same set of reinforcing bars. In many locations the delamination and cracking have gotten to the point where pieces of concrete were separating and will continue to get worse without intervention.
- .4 Delamination is a splitting, cracking or separation within a slab in a plane parallel to the upper surface. It can be caused by trapped air/moisture during initial construction or more likely in this case due to moisture infiltrating the slab from cracks causing corrosion of the rebar or freeze/thaw cycles during the winter. Some areas of delamination could only be identified through sounding of the concrete using chain dragging and hammer tapping which produces a dull or hollowness tone. Other areas of delamination were evident as displacement has already occurred and if left unaddressed will lead to a spall and loss of material.

- .5 Concrete delamination within a balcony soffit may become hazardous when showing signs of displacement, as continued freeze/thaw cycles will cause the loose concrete to spall posing a danger to occupants below. Although a potential fall hazard to occupants below, the extent of the topside and soffit balcony delamination is not considered to be structurally significant as of the time of the site visit and no immediate descaling effort is required.



Photo 7: Topside delamination.



Photo 8: Topside delamination.



Photo 9: Front edge concrete delamination.



Photo 10: Crack running parallel to the exterior wall that requires a through slab repair



Photo 11: Top surface delamination along parallel bars.



Photo 12: Soffit delamination and crack along parallel bars.



Photo 13: Soffit delamination and crack along parallel bars.



Photo 14: Soffit delamination and crack along parallel bars.

- .6 Cracks were observed on balconies with 137 soffits noted to have minor to major severity. Cracks were also observed on 127 of the concrete balcony decks. Many of these cracks have been repaired previously. Many of the previous repairs have failed and will need to be repaired as part of the next repair cycle. The repairs may have failed due to the lack of a waterproofing membrane on the balconies.



Photo 15: Topside crack.



Photo 16: Topside cracks.



Photo 17: Soffit crack.



Photo 18: Soffit cracks.

- .7 Guards are an aluminum system with vertical pickets that are not original to the building. The posts are cantilevered off of the slab and are secured typically with one, two or four bolts anchored into the slab. The use of a variable bolt pattern at the post base plate is not understood given the load requirements of the Ontario Building Code. The top rail is secured to the unit balcony dividers and the brick masonry veneer where the guard terminates at the wall.

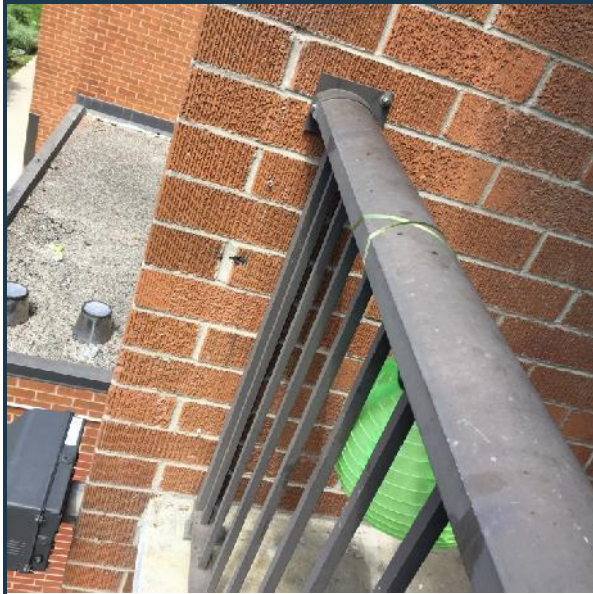


Photo 19: Masonry anchors into brick cladding.



Photo 20: Guard baseplate anchored to concrete deck.

- .8 The height of the guard and the spacing of rails and pickets appear to be in conformance with the requirements of the current Ontario Building Code. The guards are not original to the building. They appear to be an engineered product however IRC has no knowledge of documentation which would justify the system.
- .9 The guards in general appear to be in fair condition except for the paint finish which is fading and chipping in a number of locations.

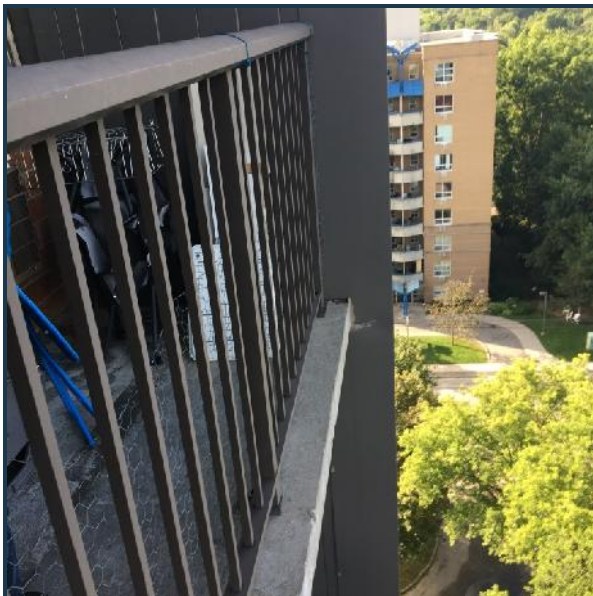


Photo 21: Balcony guard system.

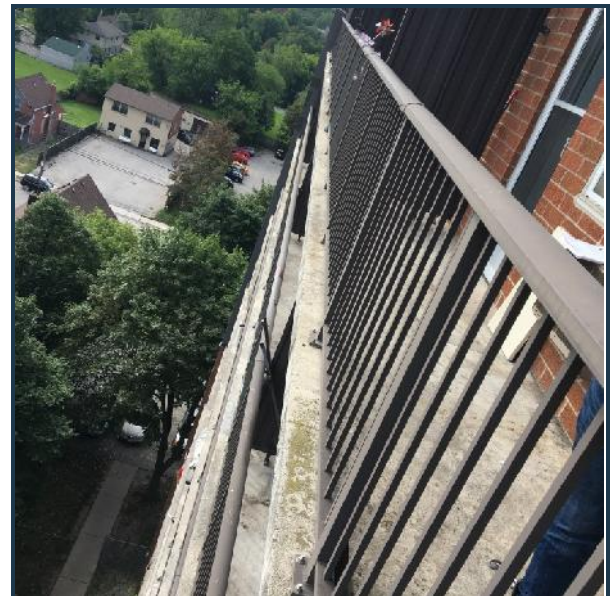


Photo 22: Balcony guard system.

6 Conclusions and Recommendations

The concrete balconies are in poor conditional overall. Based upon visual review during the site visit, there is no evidence to suggest that significant structural failure of any balcony is imminent. Repairs to deficient areas are recommended to avoid further and more widespread damages from occurring.

There is no waterproofing membrane system installed on the balconies. A modern system should be installed to prevent further water infiltration and corrosion of reinforcing steel as soon as part of the concrete repair program. Due to the high mobilization costs and extensive concrete repairs required it is recommended that these items be combined and completed at the same time. A vapour permeable paint should be applied on the balcony soffits to provide a good aesthetic.

The following repair recommended:

- .1 The following scope of work should be followed to address conditions noted within this report:
 - i) Remove all balcony guards and dividers.
 - ii) Repair all concrete deficiencies to topside, soffit and front edges of balconies.
 - iii) Ensure adequate bonding between repair mortar and original concrete at all areas. Edges of repair areas to be saw-cut to the appropriate depth and not feathered out.
 - iv) All exposed reinforcing steel bars are to be cleaned and epoxy coated. Ensure adequate depth coverage with repair mortar. Replace heavily corroded bars as necessary.
 - v) Route and epoxy seal all cracks.
 - vi) Apply a surface level to ensure proper drainage to balcony edge where required.
 - vii) Install new waterproofing system at each balcony. Waterproofing membrane should be upturned onto the adjacent exterior walls and downturned at the slab edge terminating at the drip check.
 - viii) Apply a new vapour-permeable coating to the repaired soffits.
 - ix) Install new balcony guards and dividers.
- .2 A concrete repair program should be implemented to prioritize balcony repairs based on current conditions with the intention to phase out work over multiple years. The following priority ratings have been assigned to each balcony and are identified on the charts in *Appendix A*:
 - i) Immediate: Immediate action is required to remove delaminated and spalled sections of concrete from the soffit and slab edge areas to prevent injury from falling debris.
 - ii) Priority 1: The degree of deficiencies observed at these balconies indicates that repairs should be carried out in the near future to prevent further deterioration of the concrete. Repairs are recommended within the next 3-year period.
 - iii) Priority 2: The degree of deficiencies observed at these balconies indicates that repairs may be anticipated in the next 3 – 5 year period.
 - iv) Priority 3: The degree of deficiencies observed at these balconies indicates that repairs are not required in the near future provided that regular on-going maintenance is sustained. A repair program for these balconies may be anticipated in 5+ years.
- .3 The following is a summary of the unit breakdown with respect to the above priority ratings. Note: the balcony areas were identified by slab definition. Refer to the chart in *Appendix A* for complete details and notes.
 - i) Immediate: There are 15 units that require immediate work.

- ii) Priority 1: Seventy (70) units are recommended to have concrete restoration work completed in the upcoming 0 – 3 year period.
 - iii) Priority 2: Fourty (40) units are recommended to have concrete restoration work completed in the upcoming 3 – 5 year period.
 - iv) Priority 3: There are no units that require work in the upcoming 5 – 10 year period..
- .4 Consideration should also be given to a one-time complete balcony restoration program which would include concrete restoration, new waterproofing and soffit painting grouping all units with recommended restoration work within the next 5-year period. Such a program would provide economies of scale and would limit disruption to tenants to a one time event.
- Costs have been included in the Budget Costing table for this option.

Roof anchors are not present at this building. IRC was informed that balcony work at this building has been completed in the past using a swing stage counterbalance system and there is no consideration to installing anchors at this time or in the future.

7 Budget Costing

Based on the site review, various repairs are required at the building. For an inclusive budget estimate a $\pm 25\%$ variance should be allocated to costs provided in the table below for the recommended remedial repairs. It must be noted that in preparing the budgets for individual items, it has been assumed that a group of repairs will be completed at the same time. If individual repairs are completed increases should be expected.

The cost of repairs is based upon the deterioration present at the time of the investigation and average unit prices obtained from our experience on similar projects in Southern Ontario. It is important to realize that the prices are not based on tendered specifications, but instead on general approaches and assumed quantities. The actual repair costs will depend on the prices received at the time of tendering and/or the actual quantities removed during the repair contract. Please note that the listed prices do not include HST or engineering fees associated with the preparation of specifications, and inspections for conformance with same.

Item	Description of Work	Priority	Budget Cost (2020 Dollars)
.1	Concrete repairs to all balconies, installation of new waterproofing membrane and soffit painting at all units, removal and installation of new balcony guard rail system. (Includes all units within Immediate, Priority 1 and Priority 2 categories)	0 – 2 Years	\$1,000,000 - \$1,200,000

Work Breakdown

Type of Repair	Quantity	Unit	Unit Cost	Total
Through Slab	2948	sqft	\$63.87	\$188,300.54
Topside Delamination	627	sqft	\$40.65	\$25,484.47
Topside Crack	2285	feet	\$5.72	\$13,059.68
Soffit Delamination	66	sqft	\$43.55	\$2,893.22
Soffit Crack	2430	feet	\$6.86	\$16,668.30
Surface Repair	4000	sqft	\$14.52	\$58,064.40
Waterproofing	18340	sqft	\$6.11	\$112,133.15
Soffit Painting	15840	sqft	\$4.00	\$63,360.00
Balcony Guards Replacement	4796	feet	\$112.85	\$541,215.28
Mobilization	1	L.S.	\$80,000.00	\$80,000.00
				\$ 1,101,179.04



8 Limitations

IRC prepared this report solely for the client named. The responsibilities of IRC are as described in the Terms of Reference and the Scope of Work. The material in this report reflects the opinion of IRC at the time of preparation and within the terms of reference as agreed. Any use, which a Third Party makes of this report, or any reliance on decisions based on it, are the responsibility of such Third Party.

The assessment provided is based on visually observed defects at a limited number of locations and our experience with similar types of structures. Deficiencies may exist at other areas not referenced in this report or that are not visually apparent given the level of evaluation. No responsibility is therefore assumed concerning these matters, or for failure to carry out technical or engineering techniques which would be required to discover any inherent or hidden conditions of the property since such an investigation was not included in the scope of work.

We trust that the above is satisfactory for your purposes. If you have any questions or comments concerning the above, please contact the undersigned at your convenience.

Yours Truly,

IRC Building Sciences Group

Prepared By:

Reviewed By:

Blake Schoffer, EIT
Project Coordinator

Brian DeFrias, C.E.T., BSSO
Manager of Building Sciences



Appendix A – Unit Repair Quantities and Notes

Unit	Slab			Soffit above		Notes
	Thru-slab repair	Crack	Delam.	Crack	Delam.	
	ft ²	ft	ft ²	ft	ft ²	
101	n/a	n/a	n/a	5		
102	n/a	n/a	n/a	20		
103	n/a	n/a	n/a	29		
104	n/a	n/a	n/a	16		
105	n/a	n/a	n/a	12		
106	n/a	n/a	n/a	5		
107	n/a	n/a	n/a	8		
108	n/a	n/a	n/a	20		
109	n/a	n/a	n/a	26		
110	n/a	n/a	n/a	25		
111	n/a	n/a	n/a	8		
112	n/a	n/a	n/a	5		
114	n/a	n/a	n/a	25		
115	n/a	n/a	n/a	25		
116	n/a	n/a	n/a	8		
117	n/a	n/a	n/a	8		
118	n/a	n/a	n/a	25		
119	n/a	n/a	n/a	20		
120	n/a	n/a	n/a	14		
201	6	7				
202		25	4	13		
203		35	4	16		
204		30		10		
205		20	4	15		
206		7		5		
207	24					did not review
208	48					did not review
209	48	30	2	25		
210	48	20		15		
211	16	10	1	4		
212		4	4	3		
214	48	10		15		
215	48	16		10		
216		5	10	5		
217		5		5		
218		12	48	10		
219		20	30	10		
220						did not review
301		5	1	10		
302	36	17		20		
303	48	18		12		
304	16	16		12		
305	8	16		10		
306	8	5		6		
307						did not review
308		30		20		slab is painted
309		34	9	25		
310		16	6	25		

Unit	Slab			Soffit above		Notes
	Thru-slab repair	Crack	Delam.	Crack	Delam.	
	ft ²	ft	ft ²	ft	ft ²	
311	14	8		5		
312		7	6	5		
314						did not review
315						did not review
316		9		5		
317						did not review
318		25	1	12		
319	48	14		18		
320		6	6	5		
401	12	10		1		
402						did not review
403	20	18		22		
404	12	16	40	13		
405	20	20		14		
406	24					did not review
407		4	10	7		
408	48					did not review
409	16	30	8	25		
410		35	9	22		
411		2	8	5		
412						did not review
414		21	1	18		
415		28		15		
416		10		6		
417						did not review
418				15		
419						did not review
420		6		6		
501						did not review
502		11	8	13		
503	18	18		7		
504	3	20		15		
505		5	1	10		
506						did not review
507	16	4		8		
508		15	2	20		
509	17	16		23		
510	48					did not review
511						did not review
512		8		5		
514						did not review
515		32	1	20		
516						did not review
517		3		5		
518		30		12		
519		10		20		
520						did not review
601	24			10		

Unit	Slab			Soffit above		Notes
	Thru-slab repair	Crack	Delam.	Crack	Delam.	
	ft ²	ft	ft ²	ft	ft ²	
602		20	10	15		
603	12	20	2	15		
604	40	15		20		
605	48					did not review
606	12	2		5		
607	10					did not review
608	16	15		30		
609	48					did not review
610	12	15		15		
611	24	10		10		
612		5	6	8		
614		17	10	20		
615		25	8	30		
616						did not review
617						did not review
618		10		30		
619	10	14		20		
620		4		4		
701						did not review
702	26					did not review
703	4					did not review
704	48	15		30		
705	48					did not review
706	8	12		6		
707						did not review
708	8	20	2	20		
709						did not review
710	48					did not review
711	20	20		15		
712	1	5	1	10		
714						did not review
715						did not review
716	20	10		5		
717						did not review
718		10	10	20		
719	18	10		20		
720		2	5	5		
801		4		2		
802		18	20	20		
803						did not review
804	48					did not review
805	48	20		15		
806		4	2	8		
807						did not review
808	48	20		20		
809	30	30	1	20		damage from fire
810	48	20		30		
811	24	10		6		

Unit	Slab			Soffit above		Notes
	Thru-slab repair	Crack	Delam.	Crack	Delam.	
	ft ²	ft	ft ²	ft	ft ²	
812	8	5		2		
814	24	30		20		
815						did not review
816	24	6		12		
817		10	2	5		
818	1	20		10		
819	48					did not review
820	10					did not review
901	3			5		
902	30	5	1	15		
903		10	5	20		
904	15					
905	48	10		28		
906	20			7		
907		2	5			
908	48	4		5		
909	48	20		30		possible full slab replacement
910		22	48	20		
911		5	6			
912						did not review
914	48	17		20		
915	48	5		20		
916	24					did not review
917						did not review
918	48	20		15		
919		15	3	15		
920		2	4	10		
1001		5	2	10		
1002	20		4	31		
1003	20		7	45		
1004		10	3	25		
1005		10	1	20		
1006	4			5		
1007		2		10		
1008	10		10	4		
1009	20			5		
1010	20			2		
1011	10					did not review
1012						did not review
1014	8	10		5	2	
1015	8					did not review
1016	20					did not review
1017		5		5		
1018	6	25		20		
1019	20			15	2	
1020		10	3	5		balcony obstructed with items
1101						
1102		4		15		

Unit	Slab			Soffit above		Notes
	Thru-slab repair	Crack	Delam.	Crack	Delam.	
	ft ²	ft	ft ²	ft	ft ²	
1103		8	1	11		
1104						
1105						did not review
1106			7	3		
1107		6				
1108						did not review
1109		5		5		
1110		10	2	4		
1111		10		10	4	
1112			4			
1114						did not review
1115			4			
1116				3		
1117						did not review
1118						did not review
1119		8		6	40	
1120			1	5		balcony obstructed with items
1201				6		
1202						did not review
1203		10		15		
1204		15		15		
1205		10		10		
1206				5		
1207		2	2			
1208						did not review
1209						did not review
1210			20	5		
1211		5	1			
1212		2	1			
1214		5		3		
1215		5				
1216						did not review
1217			4			
1218						did not review
1219		5	1	3		
1220				4		
TOTAL	2130	1646	452	1665	48	Total for reviewed 151 units
	14.1	10.9	3.0	11.6	0.3	Average repair quantity per unit
	818.1	634.2	174.0	674.5	18.4	Adjustment for missing 58 units
TOTAL	2948.1	2285.2	627.0	2430.5	66.4	Adjusted total estimated for all 209 units



3 March 2021

LONDON MIDDLESEX COMMUNITY HOUSING
241 Simcoe Street
London, Ontario

Attention: London Middlesex Community Housing & Terry Parker

RE: Balcony Remediation Bid Summary
IRC#: LB21-002SP-21421
Client Ref#: Project #2021-0002

Dear Mr. Terry Parker,

We have reviewed the Tender submissions for the above mentioned project. A summary of the tendered prices is attached.

Fifteen (15) contractors submitted bids in response to the public tender, with the lowest bid submission for the base bid being Riviera with a cost of \$800,500.00 + HST for the base bid

The work performance section submitted by Riviera indicates that they are capable of completing large projects in both the private and public sector. Their time estimates indicate that they will be able to **complete the project by November 30, 2021**. This timeline may be difficult to maintain given their estimate of time required to complete work when considering weather delays and material specific temperature restrictions that will come into play late in this year's construction season.

The bid submission from Brook was slightly more expensive at \$831,850.00 + HST. Based on work performance information submitted by Brook they also have the capability of completing large projects in both the private and public sector. Their estimated time to complete the project is considerably less than Riviera and would provide more a buffer for inevitable delays.

Both Riviera and Brook have listed completed work for Toronto Community Housing Corporation in 2020. IRC Group called Ms. Michelle Ackerman to inquire about past experiences with both contractors. Michelle indicated that she had good experiences working with both contractors; however, they are different and have their own strengths and weaknesses. Brook has a large labour force and very responsive management style but they can struggle with complicated, more technical jobs. Michelle mentioned having a very positive experience with a Riviera on a balcony project last year and she placed a lot of trust in their technical knowledge and skills.

IRC recommends adding the separate price option for painting the metal soffits above the 12th floor balconies and the separate price for the metal infill guards. The cost provided to replace the balcony guards with a solid infill panel instead of the picket style is **an extra \$42,240 by Riviera** and from Brook is \$88,000. The metal infill panels will provide added security against climbing the balcony from the exterior.

IRC Group would recommend proceeding with either Riviera or Brook, depending on the weight given to IRC's comments on the timeline, information provided by the Toronto Community Housing reference and also the total project cost.

I trust that the above and attached provides you with the information you require to make an informed decision. If you have any questions, please do not hesitate to contact me.

Yours Truly,

Blake Schoffer
Project Coordinator

15 March 2021

Members and Chair

London Middlesex Community Housing Board of Directors

Re: Establishing a Sub-Committee to undertake next steps as outlined in the approved London Middlesex Community Housing Governance Review

Dear Colleagues,

At the meeting of December 16, 2020, Municipal Council approved the recommendations of the London Middlesex Community Housing (LMCH) Interim Board of Directors Governance Review which looked specifically at the qualifications of directors, composition of the board, appointment process, term, and transitioning from the current interim board to the new board.

The approved Governance Review recommendations also outlined a number of actions to be taken in order to recruit community leaders for the LMCH Board of Directors. These include:

- Establish a sub-committee of the Board of Directors to assist with the recruitment and nomination process. This sub-committee should also include members of LMCH Civic Administration and community members. This sub-committee would then submit nominations to Municipal Council for consideration.
- The sub-committee should consider developing a set of foundational principles to guide the Board recruitment process (for example: anti-racism and anti-oppression, inclusion and participation, good governance, leadership and accountability). The process also needs to be informed by the Shareholder Agreement and the Board Terms of Reference which outlines the authority and responsibility, requirements and general duties of the Board.
- LMCH should assist the City in reaching out to the community seeking applications during the recruitment process.
- A comprehensive onboarding and training program must be developed and should include items such as the Board Terms of Reference, the Board Code of Conduct, policies and regulations governing the corporation, procedures for the holding of meetings, etc. The onboarding and training program will ensure that members of the board have a clear understanding of their roles and responsibilities and any changes to legislation, policy, etc. during their tenure.

Recognizing the importance and urgency of returning to a community-based Board of Directors, I am respectfully requesting that the members of the Board Sub-Committee be selected at the meeting of March 18, 2021. Appendix A provides an outline of the tasks and estimated timelines to be undertaken by the Board Sub-Committee.

Sincerely,

Rosanna Wilcox

Appendix A

Task	Timeline	Lead
Establish LMCH Board Sub-Committee.	March 18, 2021	LMCH Board
Meeting 1 – Developing principles to guide Board recruitment process (for example: anti-racism and anti-oppression, inclusion and participation, good governance, leadership and accountability).	Week of March 29	Board Sub-Committee
Meeting 2 – Developing skillset matrix based on inventory of qualifications of directors as outlined in the Revised Shareholder Agreement and the Board Terms of Reference which outlines the authority and responsibility, requirements and general duties of the Board.	Week of April 5	Board Sub-Committee
Revised Shareholder Agreement submitted to City Council.	April 6, 2021 Strategic Priorities and Policy Committee	City Clerk's Office
Approval of Revised Shareholder Agreement.	April 13, 2021 Municipal Council Meeting	City Clerk's Office
Meeting 3 – Finalizing principles and skillset matrix.	Week of April 26	Board Sub-Committee
Posting of LMCH Board Opportunities.	April 19 – May 14	City Clerk's Office
Meeting 4 – Onboarding and training program. Considerations as noted in governance review: the program must include items such as the Board Terms of Reference, the Board Code of Conduct, policies and regulations governing the corporation, procedures for the holding of meetings, etc. The onboarding and training program will ensure that members of the board have a clear understanding of their roles and responsibilities and any changes to legislation,	Week of May 10	Board Sub-Committee

<p>policy, etc. during their tenure.</p> <p>Consideration should be given to building an inclusive culture where all members are encouraged to bring their perspectives, identity, and life experiences to their role and actions that may be taken to ensure that all Board members are equally engaged, sharing power and responsibility in their work as directors of the board.</p>		
Reviewing/assessing expressions of interest based on matrix.	Week of May 17	Board Sub-Committee
Finalizing recommendations.	Week of May 24	Board Sub-Committee
Special Board meeting to receive and approve recommendations, including nominating two members of the Interim Board of Directors to serve for an additional year as part of the community-based board.	Week of May 31	LMCH Board
Provide recommendations to City Clerk's Office for inclusion in the June 23	June 7	LMCH CEO, Board Chair
Report submission deadline	June 14	LMCH CEO
Shareholder approval of revised Shareholder Agreement with new Directors, LMCH AGM	June 23 SPPC	Board Chair and Vice Chair
Municipal Council approval of the new community-based Board of Directors.	July 6 Council meeting	City Clerk's Office