

APPLYING FOR  
**OPEN DOOR**  
AFFORDABLE  
RENTAL HOUSING  
PROGRAM

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## A. Introduction

Private and non-profit affordable housing organizations are encouraged to apply to *Open Door Program* to create affordable rental housing for Torontonians.

Please read the Open Door Guidelines prior to making an application to familiarize yourself with available resources and to determine your project's eligibility.

## B. Completing and Submitting Your Application Package

To apply for capital funding, financial incentives and Open Door Planning Service, you will need to complete and submit the Open Door Application package.

***Open Door Application* package includes one (1) original (clearly marked as such on its cover or first page) and eight (8) identical photocopies, plus a digital copy on CD/DVD or a USB Flash Drive (with files in PDF format) of:**

- 1. A completed Open Door Application Form signed by an authorized signatory (Section D of this document).**
- 2. All supplementary documents and information (as required in Section E of this document). Please limit your supplementary documents to 16 pages (double sided with minimum 11-point font). You can attach unlimited appendices **with tabs**.**
- 3. All the forms completed as indicated and signed by an authorized signatory (Section F of this document).**

### To submit

- Deliver the complete application package in a sealed envelope or container displaying a full and correct return address. Submissions made by fax, telephone or electronic message will not be accepted.
- Deliver the complete application package no later than 12:00 noon on the closing date of the call for applications to:

Director, Affordable Housing Office  
Metro Hall, 7th Floor  
55 John Street  
Toronto, ON, M5V 3C6

**Please note delays caused by any delivery service (including Canada Post and courier) shall not be grounds for any extension of the closing deadline, and applications that arrive after the closing deadline cannot be accepted.**

## C. Evaluation Criteria

Applications will be assessed on the basis of the criteria set out below. A successful application must score a minimum of 70 points in total.

The City shall not be obliged to accept any applications in response to this Call for Applications.

<b>Criteria</b>	<b>Available Evaluation Points</b>
1 Affordability details (including size and mix of units, and length and depth of affordability as described in the application).	10
2 Development Qualifications	10
3 Management Qualifications	10
4 Corporate Financial Viability	10
5 Project Design	15
6 Capital Funding and Financing Plan	20
7 Operating and Management Plan	20
8 Development Schedule	5
<b>TOTAL</b>	<b>100 Points</b>

# **D. Open Door Application Form for Affordable Rental Housing**



# Applying for Open Door Rental Housing

## Application Form for Affordable Rental Housing

This form should be signed and submitted to:

**Director, Affordable Housing Office**  
**55 John Street, 7th Floor, Toronto, ON, M5V 3C6**

Submission Date (yyyy-mm-dd): \_\_\_\_\_

### A. Applicant Information

A-1	Applicant Name (First, Last)	
A-2	Company Name (if applicable)	
A-3	Business Address	
A-4	Business Telephone Number	
A-5	Alternate Business Telephone/ Fax Number	
A-6	Business Email	
A-7	Contact Person Name (if not the applicant)	
A-8	Contact Person Telephone Number	

### B. Applicant Is:

B-1	Non-Profit or Co-operative Corporation	Registration No.	
B-2	Private Company	Corporation No.	
B-3	Partnerships	Partner(s) Name (First, Last)	
		Partner Business Telephone Number	

# Applying for Open Door Rental Housing

## C. Project Description

C-1	Municipal address			
C-2	Ward number			
C-3	Closest major intersection			
C-4	Total number of units (including affordable units)			
C-5	Total residential area			
C-6	Total non-residential area			
C-7	Total buildable Gross Floor Area			
C-8	Construction start date (yyyy-mm-dd)			
C-9	Expected completion date (yyyy-mm-dd)			
C-10	Number of units by tenure and type		Rental	Ownership
		Bachelor		
		1- bedroom		
		2- bedroom		
		3- bedroom		
		4+ bedroom		
		Total		

# Applying for Open Door Rental Housing

## D. Affordable Portion of the Project

D-1	Number of affordable units		
D-2	Percentage of affordable units		
D-3	Length of affordability		
D-4	Number of affordable accessible units		
D-5	Buildable Gross Floor Area of affordable portion		
D-6	Number of units by type	Bachelor	
		1- bedroom	
		2- bedroom	
		3- bedroom	
		4+ bedroom	
		Total	



# Applying for Open Door Rental Housing

## E. Market Portion of the Project

E-1	Number of market units			
E-2	Percentage of market units			
E-3	Buildable Gross Floor Area of market portion			
E-4	Number of units by tenure and type		Market Rental (rents above 100% AMR)	Ownership
		Bachelor		
		1- bedroom		
		2- bedroom		
		3- bedroom		
		4+ bedroom		
		Total		
E-5	Number of mid-range market rental units (rents between 100% and 150% AMR)			
E-6	Percentage of mid-range market rental units			
E-7	Buildable Gross Floor Area of mid-range market rental portion			
E-8	Number of mid-range market rental units by type	Bachelor		
		1- bedroom		
		2- bedroom		
		3- bedroom		
		4+ bedroom		
		Total		

# Applying for Open Door Rental Housing

## F. What incentives are you seeking for this Project?

Please add estimate value for total of all affordable units.		
F-1	Planning Application Fees Exemption	Refer to Table G below
F-2	Development Charges Exemption	
F-3	Toronto District School Board Levies Exemption	
F-4	Building Permit Fees Exemption	
F-5	Parkland Dedication Fees Exemption	
F-6	Property Tax Exemption (for the first year of occupancy)	

## G. Are you seeking a Planning Application Fee Exemption?

If yes, please select the type of application and the estimated value.		
G-1	Official Plan Amendment (OPA)	
G-2	Zoning By-law Amendment (ZBA)	
G-3	Combined Application- Official Plan & Zoning By-law Amendment	
G-4	Draft Plan of Subdivision (SUB)	
G-5	Site Plan Control (SPA)	
G-6	Part Lot Control Exemption (PLC)	
G-7	Draft Plan of Condominium	Standard/Phased/Leasedhold Condominium
		Common Elements/Vacant Land Condominiums

# Applying for Open Door Rental Housing

## H. Are You Requesting City Capital Funding?

Yes No	
If yes, please add the amount below.	
H-1	How much funding per unit is required to make your project financially viable and affordable?

## I. Are You Requesting Open Door Planning Service?

Yes No	
If yes, at what stage of the planning approvals process is the proposed project?	
I-1	Requires OPA, ZBA, SPA
I-2	Requires ZBA and SPA
I-3	Requires SPA only
I-4	Requires a consent application
I-5	Project has received all planning approvals

## J. Housing Benefits

In addition to providing 10% of the units to households eligible for housing benefits, does your proposed project include reducing rent levels in additional units below the average market rent through either Rent Supplements or Housing Allowances? Yes No

If known at this time, please specify how you propose to reduce rents.

## K. Other Non-residential Uses

Are there other intended non-residential uses for the market portion of the proposed project (e.g. retail, office, recreational, live/work)? Yes No

If yes, please explain:

# Applying for Open Door Rental Housing

## L. Is the Land Leased?

Yes    No	
If yes, please answer the following:	
L-1	Length left on term lease
L-2	Confirm lease permits contemplated development
L-3	Owner Name (First, Last)

## M. Who will manage the property?

M-1	Applicant
M-2	Property Management Company
M-3	Other (Specify)

## N. Other Sources of Government Funding

Are you applying for any other sources of government funding to support your project?  
 Yes    No

If yes, please list the source, purpose and amounts.

## O. Provincial Development Charges Rebate Program

Are you interested in participating in the Provincial Development Charges Rebate Program to include mid-range market housing in your proposed project?  
 Yes    No

If yes, how many units will you be interested in applying for under the new Provincial Development Charges Rebate Program?

# Applying for Open Door Rental Housing

## Applicants Authorization and Certification

The Applicant hereby certifies that the Project or the part of the Project described in this form meets the definition of Affordable Rental Housing and that the information included in this application and in the documents filed with this application is correct.

We have read, understood, and agree with the information provided in the Open Door Guidelines and this Application Package outlining the affordable eligibility criteria for fees and charges exemptions.

Applicant Name (First, Last)	Position Title
Applicant Signature	Date (yyyy-mm-dd)
Applicant Name (First, Last)	Position Title
Applicant Signature	Date (yyyy-mm-dd)

I/We have the authority to bind the corporation.

### Authorization of Agent (if applicable)

\_\_\_\_\_ authorizes  
 \_\_\_\_\_  
 to act as agent and sign applications to the City of Toronto on behalf of the Applicant for the eligible affordable housing for the property at \_\_\_\_\_  
 \_\_\_\_\_

# Applying for Open Door Rental Housing

## Explanatory Notes - Open Door Application Form

Item	Notes
C-5	Includes laundry, storage, offices, amenity space, and corridors.
F	The City provides exemptions on a go forward basis and does not refund municipal fees already paid by the applicant.
F-2	Exemption from development charges for private sector applicants requires Council approval.
F-3	Toronto Catholic District School Board levies are not exempted.
F-6	Property tax relief for both non-profit and private sector applicants requires Council approval.
H-1	The amount should be based on what the Applicant requires to make the operation of the building financially viable in the long term, given the level of mortgage financing that can be supported by revenues after taking into account expected operating costs.

## **E. Supplementary Documents**



# Applying for Open Door Rental Housing

## Supplementary Documents

Please provide the following information in addition to your completed Open Door application form. Please consult the checklist (Appendix 1) to ensure all documents are submitted with your application package.

### 1. Executive Summary

#### 1.1. Letter of Introduction

The Letter of Introduction will introduce the Applicant and the members of the team making the application to the City. The Letter of Introduction should be signed by the person(s) authorized to sign on behalf of the Applicant.

#### 1.2. Table of Contents

Include page numbers and identify all included materials in the application submission including appendices and their tab numbers.

#### 1.3. Summary of Application

The summary should outline in a clear and concise manner the key qualifications of the Applicant and the key features of the proposed project.

### 2. Development Qualifications

Demonstrate the Applicant's experience and capacity to develop a high-quality, affordable rental building, or where applicable, to rehabilitate existing residential buildings to increase or prevent the loss of the affordable housing stock, convert non-residential buildings/units to rental buildings/units or add new units to existing buildings by providing the following:

- An outline that demonstrates the Applicant will have the staff, organizational capacity, and housing development experience to design and develop a project to completion, or rehabilitate, convert, and add new units to existing buildings on the scale and complexity of the proposed project.
- Details of housing developments, or rehabilitations, conversion and addition projects, completed over the last five years by the Applicant, including size, location, residents, tenure, specific features, etc. Please include any specific difficulties which were encountered and outline how they were overcome. Also note the extent to which projects were completed and are operating successfully.
- References for housing developments, or rehabilitations, conversion and addition projects, completed over the past five years by the Applicant. These references must include:
  - i. Name of the reference and relationship to the Applicant.
  - ii. A contact name and position title, postal address, telephone number, email and website, if any.
  - iii. A description of the project - highlighting its date, scale and whether it was completed on schedule and on budget.
  - iv. The timing and duration of the involvement in the project.
  - v. Services provided to or by the reference (i.e., construction, project management, architectural services).



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## 2. Development Qualifications cont'd

- A list of key consultants and individuals on the proposed development team (e.g., environmental consultant, architectural team, cost consultant, development consultant, etc.), citing their experience and expertise in relation to similar projects and indicating the duties and responsibilities to be assumed in the development of the proposed project.
- Resumes for key consultants and individuals as an appendix to the supplementary documents. Include a signed consent form authorizing the disclosure of personal information to the City, or its designated agent(s), for each resume that is submitted. However, the Applicant will accept all liability for disclosure if any consent is not provided to the City.

## 3. Management Qualifications

Demonstrate the Applicant's or an alternative property manager's experience in operating good quality rental housing, providing property management services, maintaining a portfolio of rental housing in a state of good repair and the ability to provide appropriate supports to residents where needed, by providing the following:

- An outline that demonstrates the Applicant or the alternative property manager has the experience to effectively manage the project over the proposed affordability period.
- References for housing projects managed over the past five years by the Applicant or the alternative property manager including:
  - Name of the reference and their relationship to the applicant or the alternative property manager.
    - i. A contact name and position title, postal address, telephone number, email and website, if any.
    - ii. A description of the project, highlighting the number of units, location, type of residents, tenure, age of building, specific features, etc.
    - iii. Services provided to the reference and for what period. Note any specific difficulties encountered in the management of the project, if applicable, and outline how they were overcome.
- A list of key consultants, organizations and individuals known at this time that would be involved in property management and support services, if any, their experience and expertise in relation to similar projects and an outline of the duties and responsibilities to be assumed in the operation and management of the proposed project.
- Resumes for the consultants and individuals involved in property management and any proposed support service provision as an appendix to the supplementary documents. Include a signed consent authorizing the disclosure of personal information to the City, or its designated agent, for each resume that is submitted. However, the Applicant will accept all liability for disclosure if any consent is not provided to the City.

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### 3. Corporate Financial Viability

Demonstrate that the Applicant is a financially sound and viable organization that has the experience and capability to obtain the necessary financing to complete the proposed project by providing the following:

- Proof of Financial Viability:
  - i. Audited financial statements or annual report for the two (2) most recent years available including reserve funds.  
OR
  - ii. A letter from its financial institution or accountant providing assurance to the City that the Applicant has been, and is financially viable and solvent as a going concern, it has the financial capacity to complete this project, and that the undertaking of this project will not put any undue financial burden on the Applicant.
- Copies of the organization’s Articles of Incorporation or Letters Patent, the general and borrowing bylaws, and a list of the directors.
- If the Applicant has been formed through a partnership or other joint venture form to develop and/or manage this project, information about each member organization. Describe the legal nature of the relationship and the roles and responsibilities of each party. Provide details of how and when the parties have worked together in the past.
- If a subsidiary corporation is to be used for development or management purposes, information on both the parent and subsidiary corporations.

### 5. Project Design

Demonstrate that the proposed development, rehabilitation, conversion or addition project incorporates sound planning principles in its design, complies with the current site specific zoning, and exemplifies good architecture that fits within the neighbourhood context<sup>1</sup>:

- If a planning application has not been initiated, a Pre-Application Meeting with City Planning to discuss and get preliminary feedback on the development proposal is required. The words “OPEN DOOR PROPOSAL” should be included in the proposal description on the Pre-Application Meeting Request Form to ensure a meeting can be scheduled within 15 days. The Pre-Application Planning Checklist prepared by City Planning resulting from that meeting must be included with the Open Door application. City Planning will not indicate support or objection to your proposal, but will identify potential challenges with policies or standards related to your proposal as well as outline the development application submission requirements and application process/timelines. There is no fee for a Pre-Application meeting. [City Planning Pre-Application Consultation Request Forms and Submission Requirements](#) can be found on the City’s website.

<sup>1</sup>You can refer to City of Toronto’s [Affordable Rental Housing Design Guidelines](#) for more information.

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## 5. Project Design cont'd

- Concept drawings that clearly illustrate the site plan context, main floor level, typical and unique floors, including parking level(s), if applicable, with building sections and elevations. Provide dimensioned unit plans and size (metric units only).
- A description of the overall approach to the design of the proposed project and how it integrates with the immediate neighbourhood; i.e. how the development will be designed and massed to fit harmoniously into the existing context while minimizing impacts on neighbouring streets, parks, open spaces and properties. Particular attention will need to be paid to shadow impacts.
- Details of how the durability and quality of the building will be achieved in order to reduce maintenance costs and prolong the life of the building.
- Details of the approach taken to achieve an integrated green building design; design must at least comply with the minimum requirements of the environmental elements noted in the [Toronto Green Development \(TGS\) Standard 2014 V.2.0](#).
- Information on any anticipated minor variances sought from the Site Specific Zoning and other development plan information. Include information that highlights the Applicant's ability to achieve the variances they propose, such as details of any Committee of Adjustment applications in the last five years and the results of the applications.

**Note:** You are encouraged to make a minimum of five per cent (5%) of the affordable units fully accessible, in addition to the 15% barrier-free or "visitability" units required under the Ontario Building Code.

## 6. Schedule

To demonstrate that the Applicant is able to begin work and start construction in a timely manner, please provide the following:

Description of how and when staff, consultants and other resources will be hired and/or mobilized to begin work on the project.

Information on the status of planning approvals required, if any.

A legible Gantt Chart (or similar) indicating specific dates for the development milestones, including, planning and building permit approvals, contract tendering and closing, first permit, start of construction, full building permit, completion of structural framing, substantial completion and occupancy of the units.

## 7. Capital Funding and Financing Plan

To support and justify Open Door financial contributions, please provide:

- A completed capital budget form (using the form attached as Appendix 2) with detailed notes on assumptions used to arrive at cost figures. Include costs for the entire development and describe the method used to estimate costs.
- A detailed rationale for capital funding requested through the Open Door Program.

# Applying for Open Door Rental Housing

## 7. Capital Funding and Financing Plan cont'd

- Details of all other capital funding for the project, such as construction financing, mortgage financing and contributions or grants from other sources. Provide proof that these financial contributions will be secured or explain how and when proof will be provided.
- Details of the equity to be contributed by the Applicant (if applicable).
- A monthly cash flow plan for all sources of capital funding in keeping with the development timetable from Section 6. Schedule which indicates the major development milestones from anticipated City Council approval in October 2017 to occupancy.

## 8. Operating and Management Plan

Demonstrate that your proposed project is financially viable for the term of the agreement with the City, in addition to keeping the building in a state of good repair and continuing to provide quality, affordable, rental housing throughout the term, by providing the following:

- A completed Proposed Rents and Building Average Market Rent Calculation (using the form attached as Appendix 3) to show the range of proposed rents by unit type and ability to achieve a maximum 100% AMR building average for units receiving Open Door benefits.
- An Access Plan proposing how residents are to be selected, including any details on agreements with non-profit organizations (e.g. Referral Agreements or Head Leases).
- This plan must be finalized with the City six months prior to the first occupancy.
- A completed operating budget form (using the form attached as Appendix 4) with detailed notes on assumptions to arrive at cost figures. Include costs for the entire development, including both the proposed affordable rental, market rental (if applicable) and any non-residential.

**Note:** Upon Council approval, all affordable units will receive a property tax exemption for the affordability period.

**Note:** Operating budgets are to be based on 2017 costs, showing assumptions for escalation till time of occupancy.

## 9. Community Consultation and Communication Outreach Plan

Demonstrate the Applicant's capacity and plans to engage and consult with the local community and relevant stakeholders and to facilitate the integration of the proposed housing and its residents into the community, by providing the following:

- An outline of any specific neighborhood issues identified by the Applicant which may require particular attention in the consultation and communications plan.

**9. Community Consultation and Communication Outreach Plan** cont'd

- An outline of the proposed community consultation and communications plan to be implemented at appropriate times over the life-cycle of the project (i.e., pre-conversion, conversion and occupancy phases). The plan should take into account the Planning Act and City Council Planning Policy<sup>2</sup>.
- Information on specific services that residents may need to access, including schools, libraries, sports and recreational facilities etc.
- A list of any key consultants, organizations or individuals that may be involved in the community consultation process, their experience and expertise with similar projects and their duties and responsibilities regarding the project.
- Resumes for key consultants and/or individuals that may be involved in community consultation and communications as an appendix to the supplementary documents. Include signed consent forms authorizing the disclosure of personal information to the City, or its designated agent(s), for any resumes submitted. However, the Applicant will accept all liability for disclosure if consents are not provided to the City.

<sup>2</sup> See the City report "[Improving the Community Planning Process through Public Engagement](http://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-64267.pdf)" available at: [www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-64267.pdf](http://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-64267.pdf)

## F. Appendices



# Applying for Open Door Rental Housing

## Appendix 1- Open Door Application Package Checklist

Submissions must include One (1) original version (clearly marked as such on its first page) of the Application Package (as described in Section A and all appendices) and eight (8) identical copies.

**Note:** All items listed below are mandatory and must be included with the Applicant’s submission.

### Documents Checklist

Proposal Submission Forms (Appendix 5) (Completed and signed by an authorized official of the Applicant - preferably included at the front of your submission)	Community Consultation and Communications Outreach Plan
Open Door Application Form (Section D of this document)	Appendix 2 - Capital Budget Form and Notes
Letter of Introduction	Appendix 3 - Proposed Rents and Building AMR Calculation
Table of Contents	Appendix 4 - Operating Budget Form and Notes
Summary of Proposal	Appendix 6 - Policy to Exclude Bids from External Parties involved in the Preparation or Development of a Specific Call/Request
Development Qualifications	Appendix 7 - Declaration Confirming the Absence of Any Conflicts of Interest
Management Qualifications	Appendix 8 - Declaration of Compliance with Anti-Harassment/ Discrimination Legislation & City Policy
Corporate Financial Viability	Appendix 9 - Restrictions on the Hiring and use of Former City of Toronto Management Employees for City Contracts
Project Design	Appendix 10 - Environmentally Responsible Procurement Statement
Schedule	
Capital Funding and Financing Plan	
Operating and Management Plan	

## Appendix 2- Capital Budget Form

Project Name/Address: \_\_\_\_\_

### HARD COSTS including HST

	Construction Costs	Total Cost	Per Unit
1	Total Base Construction Cost (incl. HST, landscaping etc.)		
2	Environmental Remediation Cost (if any)		
3	Appliances/ Furniture and Equipment		
4	Other (e.g. not included in line 1, list)		
5	Contingency & Escalation (insert % of line 1)		
<b>A</b>	<b>Hard Costs Total</b>		

### SOFT COSTS including HST

	Consultants	Percentage Fee	Total Cost	Per Unit
6	Architectural			
7	Structural (indicate if in Architectural fee)			
8	Mechanical & Electrical (indicate if in Architectural fee)			
9	Landscape			
10	Fire/Code/Cost/Quantity Surveyor			
11	Environmental			



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	Consultants cont'd	Percentage Fee	Total Cost	Per Unit
12	Traffic			
13	Development (non-profits only)			
14	Other (specify- e.g. acoustical)			
<b>B</b>	<b>Soft Costs Consultants Sub-total</b>			

	Site	Total Cost	Per Unit
15	Building and Property Appraisal		
16	Land Survey/ Topographical Survey		
17	Geotechnical Assessment		
18	Environmental Assessment		
<b>C</b>	<b>Soft Costs Site Sub-total</b>		

	Legal and Organizational	Total Cost	Per Unit
19	Legal Fees - Development Approvals		
20	Legal Fees- Contracts and Agreements		
21	Organizational Expenses (specify- e.g. rent-up)		
22	Community Consultation and Communications		

# Applying for Open Door Rental Housing

	Legal and Organizational cont'd	Total Cost	Per Unit
23	Insurance during Construction and Final Cost Audit		
<b>D</b>	<b>Soft Costs Legal &amp; Organizational Sub-total</b>		

	Financing Cost	Total Cost	Per Unit
24	Construction Loan Interest Only		
25	Other (specify- e.g. lenders fees)		
<b>E</b>	<b>Soft Costs Financing Costs Sub-total</b>		

	Fees & Permits	Total Cost	Per Unit
26	Building Permit Fees (estimate)		
27	Planning Application Fees (estimate)		
28	Development Charges (estimate)		
29	Parkland Dedication Fees		
30	Education Development Charges for the Toronto District School Board		
31	Educational Development Charges for the Toronto District Catholic School Board		
32	Hydro & Water Connection Fee (indicate if included in line 1)		

# Applying for Open Door Rental Housing

	Fees & Permits cont'd	Total Cost	Per Unit
33	Property Taxes During Construction (estimate)		
34	Other (specify- e.g. storm water management, trees)		
<b>F</b>	<b>Fees and Permits Sub-total</b>		

	Soft Cost Summary	Total Cost	Per Unit
G	Soft Costs Subtotal (B+C+D+E+F)		
35	Contingency (insert % as well as cost)		
<b>H</b>	<b>Soft Costs Total</b>		

	Total Project Cost	Total Cost	Per Unit
I	Hard Cost Total (A)		
J	Soft Cost Total (H)		
<b>K</b>	<b>TOTAL PROJECT COST (total above 2 lines)</b>		
L	HST included in Total Project Cost		

# Applying for Open Door Rental Housing

## CONTRIBUTIONS

		Total Cost	Per Unit
36	Building Permit Fees Waived (estimate)		
37	Planning Application Fees Waived (estimate)		
38	Development Charges Waived (estimate)		
39	Parkland Dedication Fee Waived		
40	Education Development Charges for the Toronto District School Board Waived		
41	Applicant Equity (if applicable)		
42	Capital Funding Requested		
43	Other Government/Private Contributions		
44	Mortgage Financing		
45	HST Rebate - for non-profits and private sector % and amount %		
<b>M</b>	<b>TOTAL CONTRIBUTIONS</b>		
N	Total Contributions Less Total Project Costs +/-		

## Applying for Open Door Rental Housing

### Explanatory Notes - Capital Budget Form

Please explain in details how you arrived at your estimates for each of the requested lines. Costs are to be based on 2017 rates inflated to time they will occur, e.g. construction costs are based on 2017 costs inflated to 2018.

Line Item	Description	Explanation
1	Specify what is included in the Construction Cost estimate and with HST. Provide proof of estimate if available e.g. cost consultant report.	
3	Include the cost of fridges, stoves and laundry equipment for units and common areas as well as the offices for housing management only (if applicable).	
4	Specify items not included in line 1, necessary for completion of construction e.g. bonding, construction management fees, etc.	
5	Include reasoning for contingency percentage giving consideration to the type of construction contract.	
6-14	Specify the basis of budgeted fee for the consultants (e.g. a percentage of base construction costs, flat fee, etc. plus costs).	
	Note the City will consider prevailing market trends for fees when scoring the budget for feasibility, not necessarily those fees proposed by the Applicant.	
13	Non-profit Applicants only are eligible to include the cost of a development consultant as this is not a part of their normal business.	
15	Include your calculations for the budgeted costs for an appraisal for financing purposes and HST self-assessment.	
16	Include your calculations for land survey or topographical survey costs if necessary or title insurance costs.	
18	Include your calculations for the budgeted costs to carry out, as applicable, a Phase 1 ESA, a Phase 2 ESA and/or a Record of Site Condition.	
21	Include your calculations for the budgeted costs to carry out the development process to occupancy including costs such as marketing and rent up loss prior to full occupancy.	
26-30	Include your calculation for costs associated with development approvals. These costs are based on prevailing Building Permit, Planning Application and other fees.	

## Applying for Open Door Rental Housing

### Explanatory Notes - Capital Budget Form cont'd

Line Item	Description	Explanation
31	Include your calculation for Educational Development Charges for the Toronto Catholic School Board. Please note these costs cannot be waived by the City.	
32	Include your calculation for the costs associated with the hydro, sewer and water connections/ upgrade to the property. These costs can be considered as part of the Base Construction Cost.	
36-40	Include your calculation for the estimated amounts of waived fees (from the total amounts in lines 26-30).	
43	Specify amounts received from other sources of funding. Provide written confirmation of each, where possible.	
44	Provide details such as lender, interest rate, term and amortization period.	

# Applying for Open Door Rental Housing

## Appendix 3- Proposed Rents and Building AMR Calculations

Project Name/Address \_\_\_\_\_

Unit Type	Number of units	Unit Size (m <sup>2</sup> )	Dwelling type (apartment, townhouse)	Proposed monthly rent		% of AMR		Total rent for this line	Total 100% AMR for this line
				For units where rent includes hydro	For units where residents pay the hydro costs	For units where rent includes hydro	For units where residents pay the hydro costs		
Market Portion over 150% AMR									
Mid-Range Market Portion (between 100-15% AMR)									
Affordable Portion (At or below 100% AMR)									

# Applying for Open Door Rental Housing

## Appendix 4- Operating Budget Form

Project Name/Address: \_\_\_\_\_

### Project Revenue (Per Year)

		Amount/Year
1	Gross Rental Income	
2	Laundry Income	
3	Parking Income	
4	Other Sources of Revenue	
5	Gross Project Revenue	
6	Minus Vacancy Allowance (specify %)	
7	Minus allowance for Bad Debt (specify %)	
<b>A</b>	<b>NET PROJECT REVENUE</b>	

### Project Expenses (Per Year)

		Amount/Year
8	Administration Costs (e.g. bookkeeping, audit, legal, phone, office supplies, etc.)	
9	Property Management (as per proposed model)	
9-a	Staff Salaries/Benefits	
9-b	Management Company Contract Costs (if applicable)	



# Applying for Open Door Rental Housing

**Project Expenses (Per Year) cont'd**

		Amount/Year
10	Utilities	
10-a	Heat (common areas and units)	
10-b	Electricity (common areas and units)	
10-c	Water/Sewer	
10-d	Garbage Levy	
10-e	Other (common areas and units)	
11	Maintenance Staff Salaries and Benefits	
12	Repairs and Maintenance (supplies, trades and service contracts including sprinklers, snow removal etc.)	
13	Other Operating Expenses (e.g. Insurance)	
14	Capital Replacement Reserve	
15	Other (specify)	
16	Contingency (minimum 1% of expenses less mortgage payment)	
17	Sub-Total Operating Expenses	
18	Mortgage payments	
<b>B</b>	<b>TOTAL PROJECT EXPENSES</b>	
<b>C</b>	<b>OPERATING SURPLUS/DEFICIT</b> (i.e. Net Project Revenue less Total Project Expenses)	

# Applying for Open Door Rental Housing

## Explanatory Notes - Operating Budget Form

Please explain in details how you arrived at your estimates for each of the requested lines. Costs are to be based on 2017 costs inflated to time of occupancy with notes explaining assumptions for escalation.

Line Item	Description	Explanation
1	<p>Include your calculations for Gross Rental Income</p> <p>Note this amount must match the proposed unit rent allocations as noted in Appendix 3 and must not exceed 100% of Canada Mortgage and Housing Corporation's Average Market Rents on average for the affordable units.</p>	
3	<p>Identify the number of parking spaces and the proposed monthly charge per space.</p>	
4	<p>Specify amounts received from other revenue sources.</p> <p>Provide written confirmation of each, where possible.</p>	
10-d	<p>Building owners are now required to pay a fee for garbage collection based on how much garbage is set out by building residents. To estimate this amount, go to: <a href="http://www.toronto.ca/garbage/multi/pdf/calculator.xls">www.toronto.ca/garbage/multi/pdf/calculator.xls</a></p>	
12	<p>Specify budgeted expenses under Repairs and Maintenance category.</p> <p>Note that sprinkler systems are now mandatory in all affordable housing funded buildings.</p>	

**Applying for Open Door Rental Housing****Appendix 5- Proposal Submission Form**

Development and Operation of Affordable Rental Housing at:

I/we hereby submit my/our application for the development and operation of affordable rental housing at \_\_\_\_\_  
as described within this application for the above named project.

I/we have carefully examined the documents and have a clear and comprehensive knowledge

of the requirements and have submitted all relevant data. I/we agree, if selected to provide those goods and/or services to the city in accordance with the terms, conditions and specifications contained in the proposal document and our submission. I/we agree that this submission is being made without any collusion or fraud.

Acknowledge receipt of addenda by number and issue date:

Addendum Number \_\_\_\_\_ Dated (yyyy-mm-dd) \_\_\_\_\_

Addendum Number \_\_\_\_\_ Dated (yyyy-mm-dd) \_\_\_\_\_

Addendum Number \_\_\_\_\_ Dated (yyyy-mm-dd) \_\_\_\_\_

Submitted by:

Applicant Full Legal Name (First, Last)

Business Address: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

\_\_\_\_\_ Fax Number \_\_\_\_\_

\_\_\_\_\_ Email: \_\_\_\_\_

\_\_\_\_\_ Date (yyyy-mm-dd): \_\_\_\_\_

Authorized Signing Officer Signature

Authorized Signing Officer Name (Print - First, Last)

**This form must be signed and submitted with your Application or your Application will not be considered.**

## Appendix 6- Policy to Exclude Bids From External Parties Involved in the Preparation or Development of a Specific Call/Request

To ensure Fair and Equal Treatment in its competitive procurements, the City of Toronto will undertake to:

- Disallow Applicants from submitting an Application in which the Applicant has participated in the preparation of the call document

Did you, the Applicant, assist the City of Toronto in the preparation of this call for Applications?

**Specify: Yes    No**

For a copy of the [City of Toronto Policy](http://www.toronto.ca/citybusiness/pdf/bidsfromexternalparties.pdf), visit the website at:  
[www.toronto.ca/citybusiness/pdf/bidsfromexternalparties.pdf](http://www.toronto.ca/citybusiness/pdf/bidsfromexternalparties.pdf)

**Appendix 7- Declaration Confirming the Absence  
of Any Conflicts of Interest**

I, \_\_\_\_\_  
Applicant Name or an Authorized Signing Officer Name (Print - First, Last)

hereby acknowledge that it is the Applicant's responsibility to ensure that all contracts are entered into, with respect to the parties with whom the development and operation of affordable rental housing at \_\_\_\_\_ are to be at arm's length from both the Applicant and other contracting parties, and that any contracts with parties with whom the Applicant or other contracting parties are not at arm's length will be considered a conflict of interest and will disqualify the Applicant for funding.

Further, I understand that the City of Toronto reserves the right to verify any information provided in the Application.

Applicant Signature: \_\_\_\_\_

Applicant Name (First, Last): \_\_\_\_\_

Date (yyyy-mm-dd): \_\_\_\_\_

## Applying for Open Door Rental Housing

### Appendix 8- Declaration of Compliance with Anti-Harassment/ Discrimination legislation & City Policy

Organizations/individuals in Ontario, including the City of Toronto, have obligations under the Ontario Human Rights Code, the Occupational Health and Safety Act, the Employment Standards Act, the Accessibility for Ontarians with Disabilities Act, the Criminal Code of Canada and the Charter of Rights and Freedoms. In addition, the City of Toronto also has policies that prohibit discrimination on the additional grounds of political affiliation or level of literacy, subject to the requirements of the Charter.

Organizations are required to have and post policies, programs, information, instruction, plans and/or other supports, and an appropriate internal process available to their employees and service recipients to prevent, address and remedy discrimination, racism, harassment, hate and inaccessibility complaints under the applicable legislation and including the additional grounds of discrimination prohibited under City policy. Individuals are obliged to refrain from harassment/hate activity.

The City of Toronto requires all organizations and individuals that contract with the City to sign the following Declaration of Compliance with Anti-Harassment/Discrimination Legislation & City Policy. This Declaration must be signed by your organization and submitted. The name of your organization and the fact that you have signed this declaration may be included in a public report to City Council.

**Declaration:**

I/we uphold our obligations under the above provincial and federal legislation. In addition, I/we uphold our obligations under City policies which prohibit harassment/discrimination on a number of grounds including political affiliation and level of literacy.

WHERE LEGALLY MANDATED I/we have in place the necessary policies, programs, information, instruction, plans and/or other supports that are consistent with our obligations, and I/we have an internal process available to my/our employees and service recipients to prevent, address and remedy discrimination, racism, harassment, hate and inaccessibility complaints. I/we agree that I/we shall, upon the request of the City, provide evidence of the policies, programs, information, instruction, plans and other supports and an appropriate internal complaint resolution process required under this Declaration which is sufficient to allow the City to determine compliance. I/We acknowledge that failure to demonstrate compliance with this declaration to the satisfaction of the operating Division, in consultation with the City Solicitor, may result in the termination of the contract.

Complete Address: \_\_\_\_\_ Email: \_\_\_\_\_

Postal Code: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Authorized Signing Officer Name or Applicant Name \_\_\_\_\_ Fax Number: \_\_\_\_\_  
(First, Last)

Position Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date (yyyy-mm-dd): \_\_\_\_\_  
Authorized Signing Officer or Applicant

[Multilingual Services: 311](http://www.toronto.ca/diversity.ca) and [TTY 416-338-0889](tel:416-338-0889). Further information: [www.toronto.ca/diversity.ca](http://www.toronto.ca/diversity.ca)

**For Office Use**

Group/Vendor/Individual: \_\_\_\_\_ Date: \_\_\_\_\_

## Applying for Open Door Rental Housing

### Appendix 9- Restrictions on the Hiring and Use of Former City of Toronto Management Employees for City Contracts

The purpose of this Policy to ensure that former City of Toronto management employees who took part in a separation program or received a retirement package, are prohibited from participating in contracts directly or indirectly related to the City of Toronto or its special purpose bodies for a period of two years starting from an employee's separation date.

Former employees covered by this policy are prohibited from participating in contracts directly or indirectly related to the City of Toronto or its special purpose bodies for a period of two years starting from the employee's separation date. This would include, but not be limited to, for example, the following roles:

- As an independent contractor/consultant;
- As a contractor/consultant on City project work for a company/firm (but, the firm may compete); or
- As a contractor/consultant on City project work for a company/firm that has been sub-contracted by another company/firm.

Respondents are to state the name(s) of any former City of Toronto management employee(s) hired/used by your firm, if any, who have left the employ of the City or its special purpose bodies within the last two years.

---

Name (First, Last)

**Notes:**

(1) Adopted by Council at its meeting of February 4, 5, & 6, 1998, Report No. 2, Clause No. 2 of the Strategic Policies and Priorities Committee, and

(2) Revised by City Council at its meeting of November 26, 27, 28, 2002, Report No. 14, Clause No. 6, Administration Committee.

## Appendix 10- Environmentally Responsible Procurement Statement

The City of Toronto Environmentally Responsible Procurement Policy encourages bidders to use products/services that are environmentally preferred.

Environmentally preferred products/services are those such as durable products, reusable products, energy efficient products, low pollution products/services, products (including those used in services) containing maximum levels of post-consumer waste and/or recyclable content, and products which provide minimal impact to the environment.

An environmentally preferred product is one that is less harmful to the environment than the next best alternative having characteristics including, but not limited to the following:

1. Reduce waste and make efficient use of resources: An Environmentally Preferred Product would be a product that is more energy, fuel, or water efficient, or that uses less paper, ink, or other resources. For example, energy efficient lighting, and photocopiers capable of double sided photocopying.
2. Are reusable or contain reusable parts: These products such as rechargeable batteries, reusable building partitions, and laser printers with refillable toner cartridges.
3. Are recyclable: A product will be considered to be an Environmentally Preferred Product if local facilities exist capable of recycling the product at the end of its useful life.
4. Contain recycled materials: An Environmentally Preferred Product contains post-consumer recycled content. An example is paper products made from recycled post-consumer fibre.
5. Produce fewer polluting by-products and/or safety hazards during manufacture, use or disposal: An EPP product would be a non-hazardous product that replaces a hazardous product.
6. Have a long service-life and/or can be economically and effectively repaired to upgraded.

Bidders shall if requested, provide written verification of any environmental claims made in their bid/Proposal satisfactory to the City of Toronto within five (5) working days of request at no cost to the City. Verification may include, but not be limited to, certification to recognized environmental program (e.g., Environmental Choice Program [ECP]), independent laboratory tests or manufacturer's certified tests. Only proven environmentally preferred products/services shall be offered. Experimental or prototype products/services will not be considered.

For a copy of the [City of Toronto Environmentally Responsible Procurement Policy](http://www.toronto.ca/calldocuments/pdf/environment_procurement.pdf), visit the website at [www.toronto.ca/calldocuments/pdf/environment\\_procurement.pdf](http://www.toronto.ca/calldocuments/pdf/environment_procurement.pdf)

**State if environmentally preferred products are being used: Yes No**

**We encourage the use of environmentally preferred products.**



## Appendix 11- Call For Applications Terms and Conditions

### (I) Applicants Responsibility

It shall be the responsibility of each Applicant:

- to examine all the components of the Call for Applications, including all appendices, forms and addenda;
- to acquire a clear and comprehensive knowledge of the requirements before submitting an Application;
- to become familiar, and (if it becomes the successful Applicant) comply, with all of the [City's Policies and Legislation](http://www.toronto.ca/calldocuments/policy.htm) set out on the City of Toronto website at [www.toronto.ca/calldocuments/policy.htm](http://www.toronto.ca/calldocuments/policy.htm)

The failure of any Applicant to receive or examine any document, form, addendum, Agreement or policy shall not relieve the Applicant of any obligation with respect to its Application or any Agreement entered into based on the Applicant's Application.

### (ii) City Contracts and Questions

The City invites questions concerning this Call for Applications in writing. All questions should be sent by email to Sean Gadon at [sean.gadon@toronto.ca](mailto:sean.gadon@toronto.ca).

No City representative, whether an official, agent or employee, other than those identified "City Contacts" are authorized to speak for the City with respect to this Call for Applications, and any Applicant who uses any information, clarification or interpretation from any other representative does so entirely at the Applicant's own risk. Not only shall the City not be bound by any representation made by an unauthorized person, but any attempt by an Applicant to bypass the Call for Applications process may be grounds for rejection of its Application.

From and after the date of this Call for Applications until the time of an agreement is entered into with the successful Applicant, no communication with respect to this matter shall be made by any Applicant, or its representatives, including a third-party representative employed or retained by it (or any unpaid representatives acting on behalf of either), to promote its Application or oppose any competing Application, nor shall any Applicant, or its representatives, including a third party representative employed or retained by it (or any unpaid representatives acting on behalf of either), discuss the Call for Applications or its Application with any City staff, City officials or Council member(s), other than a communication with the "City Contact" identified on page 1 on this Call for Applications.

**Applicants should be aware that communications in relation to this Call for Applications outside of those permitted by the applicable procurement policies and this Call for Applications document contravene the Lobbying By-law, an offence for which a person is liable to a maximum fine of \$25,000.00 on a first conviction and \$100,000.00 on each subsequent conviction.**

## Applying for Open Door Rental Housing

### (ii) City Contracts and Questions

In addition, the City's Procurement Processes Policy provides that any Applicant found in breach of the policy may be subject to disqualification from this Call for Applications or a future Call for Applications or calls at the discretion of Council.

Notwithstanding anything to the contrary as set out in this document, the obligations as set out in the City of Toronto Municipal Code, Chapter 140 shall apply.

For your information, please find below the links to the City's Procurement Processes Policy,

Lobbying By-Law and Interpretive Bulletin on Lobbying and Procurement:

[www.toronto.ca/citybusiness/pdf/policy\\_procurement\\_process.pdf](http://www.toronto.ca/citybusiness/pdf/policy_procurement_process.pdf)

[www.toronto.ca/legdocs/municode/1184\\_140.pdf](http://www.toronto.ca/legdocs/municode/1184_140.pdf)

[www.toronto.ca/lobbying/pdf/interpretation-bulleting\\_lobbying-procurements.pdf](http://www.toronto.ca/lobbying/pdf/interpretation-bulleting_lobbying-procurements.pdf)

### (iii) Addenda

If it becomes necessary to revise any part of this Call for Applications, the revisions will be by Addendum posted electronically in Adobe PDF format on the City's website at [www.toronto.ca/affordablehousing](http://www.toronto.ca/affordablehousing). The City will post Addenda with all questions and answers on the Affordable Housing website. Questions should be sent by email to Sean Gadon at [sean.gadon@toronto.ca](mailto:sean.gadon@toronto.ca).

The City reserves the right to revise this Call for Applications up to 12 pm (noon) on the closing date of the Call for Applications. When an Addendum is issued the date for submitting Applications may be revised by the City if, in its opinion, the City determines more time is necessary to enable Applicants to revise their Applications. Applicants and prospective Applicants should monitor the website [www.toronto.ca/affordablehousing](http://www.toronto.ca/affordablehousing) as frequently as they deem appropriate, until the day of the deadline.

All Applicants must acknowledge receipt of all Addenda in the space provided on the Application Submission Form.

### (iv) Exceptions to Mandatory requirements, Terms and Conditions

If an Applicant wishes to suggest a change to any mandatory requirement, term or condition set forth in any part of this Call for Applications, it should notify the City in writing not later than the deadline for questions. The Applicant must clearly identify any such requirement, term or condition, the proposed change and the reason for it. If the City wishes to accept the proposed change, the City will issue an Addendum as described in the article above titled Addenda. The decision of the City shall be final and binding, from which there is no appeal. Changes to mandatory requirements, terms and conditions that have not been accepted by the City by the issuance of an Addendum are not permitted and any Application that takes exception to or does not comply with the mandatory requirements, terms and conditions of this Call for Applications will be rejected.

## Applying for Open Door Rental Housing

### **(v) Omissions, Discrepancies and Interpretations**

An Applicant who finds omissions, discrepancies, ambiguities or conflicts in any of the Call for Applications documentation or who is in doubt as to the meaning of any part of the Call for Applications should notify the City in writing not later than the deadline for questions. If the City considers that a correction, explanation or interpretation is necessary or desirable, the City will issue an Addendum as described in the article above titled Addenda. The decision and interpretation of the City shall be final and binding, from which there is no appeal. No oral explanation or interpretation shall modify any of the requirements or provisions of the Call for Applications documents.

### **(vi) Incurred Costs**

The City will not be liable for, nor reimburse, any Applicant, as the case may be, for costs incurred in the preparation, submission or presentation of any Application, for interviews or any other activity that may be requested as part of the evaluation process or the process for the negotiation or execution of an Agreement with the City, as the case may be.

The rejection or non-acceptance of any or all Application shall not render the City liable for any costs or damages to any firm that submits an Application.

### **(vii) Post-Submission Adjustments and Withdrawal of Applications**

No unilateral adjustments by Applicants to submitted Applications will be permitted.

The Applicant may withdraw its Application at any time prior to 12:00 noon on the closing date of the Call for Applications by notifying the contact for the Affordable Housing Office designated in this Call for Applications in writing on company letterhead or in person, with appropriate identification. Telephone and email requests will not be considered.

An Applicant who has withdrawn an Application may submit a new Application, but only in accordance with the terms of this Call for Applications.

If the City makes a request to an Applicant for clarification of its Application, the Applicant will provide a written response accordingly, which shall then form part of the Application.

### **(viii) No Collusion**

No Applicant may discuss or communicate about, directly or indirectly, the preparation or content of its Application with any other Applicant or the agent or representative of any other Applicant or prospective Applicant. If the City discovers there has been a breach at any time, the City reserves the right to disqualify the Application or terminate any ensuing Agreement.

## Applying for Open Door Rental Housing

### **(ix) Prohibitions Against Gratuities**

No Applicant and no employee, agent or representative of the Applicant, may offer or give any gratuity in the form of entertainment, participation in social events, gifts or otherwise to any officer, director, agent, appointee or employee of the City in connection with or arising from this Call for Applications, whether for the purpose of securing an Agreement or seeking favourable treatment in respect to the award or amendment of the Agreement or influencing the performance of the Agreement, including without restriction enforcement of performance standards, or expressing appreciation, or providing compensation, for the award of an Agreement or for performance of the City's obligations thereunder or for conferring favours or being lenient, or in any other manner whatsoever.

If the City determines that this article has been breached by or with respect to an Applicant, the City may exclude its Application from consideration, or if an Agreement has already been entered into, may terminate it without incurring any liability.

### **(x) Acceptance of Applications**

The City shall not be obliged to approve any Applications in response to this Call for Applications. The City may, without incurring any liability or cost to any Applicant:

- i. accept or reject any Application(s) at any time;
- ii. waive immaterial defects and minor irregularities in any Applications;
- iii. modify and/or cancel this Call for Applications prior to accepting any Applications;
- iv. award a contract in whole or in part.

The City is relying on the experience and expertise of the Applicant. The City reserves the right to disqualify any Applicant who has given inaccurate, incomplete, false or misleading information in the sole opinion of the City.

### **(xi) Verification**

The City reserves the right to verify with any Applicant or with any other person any information provided in its Applications but shall be under no obligation to receive further information.

### **(xii) Conflict of Interest**

In its Application, the Applicant must disclose to the City any potential conflict of interest that might compromise its performance. If such a conflict of interest does exist, the City may, at its discretion, refuse to consider the Application. All members of the Applicant's team must be acting at arms' length to each other.

## Applying for Open Door Rental Housing

### (xii) Conflict of Interest cont'd

The Applicant must also disclose whether it is aware of any City employee, Council member or member of a City agency, board or commission or employee thereof having a financial interest in the Applicant and the nature of that interest. If such an interest exists or arises during the evaluation process or the negotiation of the Agreement, the City may, at its discretion, refuse to consider the Application or withhold the awarding of any Agreement to the Applicant until the matter is resolved to the City's sole satisfaction.

Applicants are cautioned that the acceptance of their Application may preclude them from participating as an Applicant in subsequent projects where a conflict of interest may arise. The successful Applicant for this project may participate in subsequent/other City projects provided the successful Applicant has satisfied pre-qualification requirements of the City, if any, and in the opinion of the City, no conflict of interest would adversely affect the performance and successful completion of an Agreement by the successful Applicant.

### (xiii) Ownership and Confidentiality of City-Provided Data

All correspondence, documentation and information provided by City staff to any Applicant in connection with, or arising out of this Call for Applications, the acceptance of any Application:

- i. is and shall remain the property of the City;
- ii. must be treated by Applicants as confidential;
- iii. must not be used for any purpose other than for replying to this Call for Applications, and for fulfillment of any related subsequent Agreement.

### (xiv) Ownership and Disclosure of Proposal Documentation

The documentation comprising any Applications submitted in response to this Call for Applications, along with all correspondence, documentation and information provided to the City by any Applicant in connection with, or arising out of this Call for Applications, once received by the City:

- i. shall become the property of the City and may be appended to the Agreement with the successful Applicant;
- ii. shall become subject to the *Municipal Freedom of Information and Protection of Privacy Act ("MFIPPA")*, and may be released, pursuant to that Act.

Because of MFIPPA, prospective Applicants are advised to identify in their Application material any scientific, technical, commercial, proprietary or similar confidential information, the disclosure of which could cause them injury.

## Applying for Open Door Rental Housing

### **(xiv) Ownership and Disclosure of Proposal Documentation** cont'd

Each Applicant's name at a minimum shall be made public. Applications will be made available to members of City Council provided that their requests have been made in accordance with the City's procedure and may be released to members of the public pursuant to MFIPPA.

Each Applicant warrants that the information contained in its Application does not infringe any intellectual property right of any third party and agrees to indemnify and save harmless the City, its staff and its consultants, if any, against all claims, actions, suits and proceedings, including all costs incurred by the City brought by any person in respect of the infringement or alleged infringement of any patent, copyright, trademark, or other intellectual property right in connection with their Application.

### **(xvi) Failure or Default of Applicant**

If the Applicant, for any reason, fails or defaults in respect of any matter or thing which is an obligation of the Applicant under the terms of the Call for Applications, the City may disqualify the Applicant from the Call for Applications and/or from competing for future Call for Applications issued by the City. In addition, the City may abandon the Agreement if the offer has been accepted, whereupon the acceptance, if any, of the City shall be null and void.

The Applicant and its affiliates, associates, third-party service providers, and subcontractors shall not release for publication any information in connection with this Call for Applications or any Agreement without prior written permission of the City.

### **(xvii) Governing Law**

This Call for Applications and any Application submitted in response to it and the process contemplated by this Call for Applications including any ensuing Agreement shall be governed by the laws of the Province of Ontario. Any dispute arising out of this Call for Applications or this Call for Applications process will be determined by a court of competent jurisdiction in the Province of Ontario.