

Agenda Including Addeds

Community and Protective Services Committee

11th Meeting of the Community and Protective Services Committee

July 16, 2018, 12:00 PM

Council Chambers

Members

Councillors M. Cassidy, V. Ridley, B. Armstrong, M. Salih, P. Squire, Mayor M. Brown

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- 5.1 Middlesex-London Health Unit Office Space Fit-up Funding Request - RESUBMITTED 79
- 5.2 Municipal Council Resolution regarding the 5th Report of Accessibility Advisory Committee 81
- d) the following recommendation of the Accessibility Advisory Committee (ACCAC) BE REFERRED to the next meeting of the Community and Protective Services Committee (CPSC) for consideration:
- "Municipal Council BE REQUESTED to take no action with respect to the proposed "Green Standards for Light Pollution and Bird-Friendly Development" document submitted by the Environmental and Ecological Planning Advisory Committee, pending the completion of a review and report back to the Accessibility Advisory Committee (ACCAC) by Civic Administration with respect to how the proposal relates to accessibility and the ACCAC has been able to provide input on the draft proposal; it being noted that the ACCAC received the draft proposal for review the May 24, 2018 meeting of the committee"
- 5.3 Deferred Matters List 83
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6. Confidential

6.1 Solicitor - Client Privilege

A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, with respect to proposed amendments to the Sound By-law and the Public Nuisance By-law regarding amplified live speech and personal invective.

6.2 Personal Matters about an Identifiable Individual

A matter pertaining to personal matters about an identifiable individual, including municipal or local board employees.

7. Adjournment

TO:	CHAIR AND MEMBERS COMMUNITY AND PROTECTIVE SERVICES COMMITTEE MEETING OF JULY 16, 2018
FROM:	MARTIN HAYWARD CITY MANAGER
SUBJECT	STRATEGIC PLAN PROGRESS VARIANCE

RECOMMENDATION

That, on the recommendation of the City Manager, with the concurrence of the Managing Director of Housing, Social Services and Deerness Home and Managing Director of Neighbourhood, Children and Fire Services, the following report on the Strategic Plan Progress Variance **BE RECEIVED** for information.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

- Strategic Priorities and Policy Committee, Strategic Plan: Semi-Annual Progress Report, May 7, 2018
- Community and Protective Services Committee, Strategic Plan Progress Variance, Feb. 21, 2018
- Strategic Priorities and Policy Committee, Strategic Plan: Semi-Annual Progress Report And 2017 Report To The Community, November 22, 2017
- Community and Protective Services Committee, Strategic Plan Progress Variance, July 18, 2017
- Strategic Priorities and Policy Committee, Strategic Plan: Semi-Annual Progress Report, May 29, 2017
- Community and Protective Services Committee, Strategic Plan Progress Variance, Feb. 22, 2017

BACKGROUND

On March 10th, 2015 City Council approved the *2015-2019 Strategic Plan* for the City of London, establishing a vision, mission, areas of focus and numerous strategies for this term of Council. In December 2015, Council directed administration to prepare semi-annual Progress Reports (every May and November). The Progress reports identify a status for each milestone: complete, on target, caution, or below plan.

On November 23, 2016, Council resolved that, on the recommendation of the City Manager, the following action be taken with respect to Council's 2015-2019 Strategic Plan:

- c) the Civic Administration BE DIRECTED to refer strategic plan milestones that are "caution" or "below plan" to meetings of the appropriate Standing Committee, following the tabling of the May and November update reports on the Strategic Plan;*

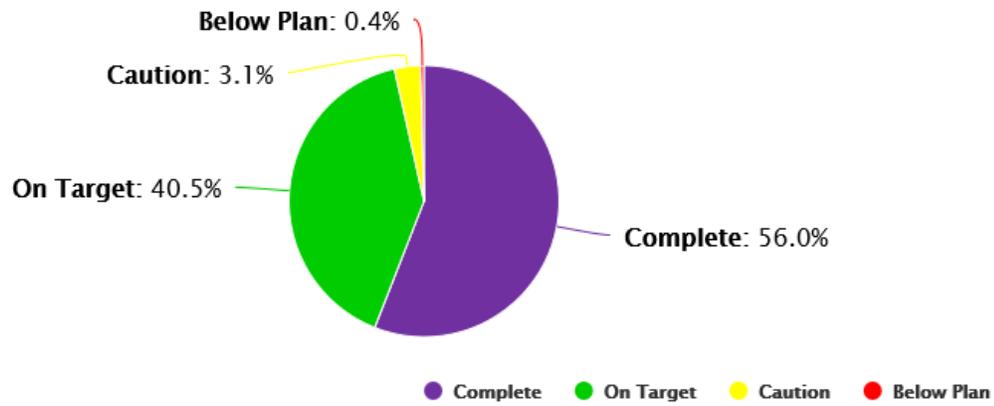
Council re-confirmed this direction at the May 7, 2018 Strategic Priorities and Policy Committee meeting.

DISCUSSION

This report outlines the milestones corresponding to the Community and Protective Services Committee that, as of May 2018, were identified as caution or below plan. This report covers 10 milestones that were flagged as caution and 3 milestones that were flagged as below plan.

Overall Strategic Plan Progress

As of May 7, 2018, 573 milestones were complete, 415 milestones were on target, 32 milestones were caution and 4 milestones were below plan in the entire strategic plan. As indicated in the chart below, 56.0% of milestones are complete, 40.5% are on target, 3.1% of milestones are caution and 0.4% of milestones are below plan.



Variance Explanations

■ Strengthening Our Community - Caution

Milestone	What	Why	Implications
What are we doing? Eliminate barriers for individuals facing poverty, mental health and addictions and help them find pathways to be successful How are we doing it? London Homeless Prevention and Housing Plan 2010-2024 (NCFS/HSSDH)			
Conduct a more comprehensive update on housing targets and activities as part of Year 5 review of the plan. End Date: 3/31/18	Planning is underway to complete the new 5 year London Homeless and Implementation Plan by March 3, 2019.	Given there are significant updates and announcement with housing and homeless prevention, including the Federal Housing Strategy and the new Provincial deadline, additional time to initiate the process is required. This is supported by the Province.	This is an improvement and supports more robust community consultation.
What are we doing? Eliminate barriers for individuals facing poverty, mental health and addictions and help them find pathways to be successful. How are we doing it? London Homeless Prevention System Implementation Plan (NCFS)			
Establish Housing First youth emergency shelter aimed at prevention. End Date: 9/30/18	The new timeline for opening the Housing First youth emergency shelter is Q3, 2019.	The reason for this is due to the length of time it has taken to acquire land.	No implications as youth will continue to be served at The Salvation Army Centre of Hope.
What are we doing? Work with community agencies to help tenants keep their existing affordable housing and avoid homelessness. How are we doing it? London Homeless Prevention System Implementation Plan (NCFS)			
Establish Housing First youth emergency shelter aimed at prevention End Date: 9/30/18	The new timeline for opening the Housing First youth emergency shelter is Q3, 2019.	The reason for this is due to the length of time it has taken to acquire land.	No implications as youth will continue to be served at The Salvation Army Centre of Hope.
What are we doing? Reduce and prevent homelessness. How are we doing it? London Homeless Prevention and Housing Plan 2010-2024 (NCFS/HSSDH)			
Establish Housing First youth emergency shelter aimed at prevention End Date: 9/30/18	The new timeline for opening the Housing First youth emergency shelter is Q3, 2019.	The reason for this is due to the length of time it has taken to acquire land.	No implications as youth will continue to be served at The Salvation Army Centre of Hope.
What are we doing? Fund and partner with Museum London, the London Arts Council, the London Heritage Council, Eldon House, the London Public Library, and others to strengthen culture in London. How are we doing it? Museum London Strategic Plan (CMO)			
New Museum London facility, Centre at the Forks to offer enlarged and flexible programming	Construction schedule slowed down.	This delay is due to various reasons including unforeseen physical plant complexities and material supply	Centre at the Forks construction schedule revised to be completed in 2018 spring with mid-

Milestone	What	Why	Implications
space as a barrier-free art incubator designed for artistic innovation and multiple uses for our community-focused program, playing a significant role in London's renewal strategies. End Date: 12/31/17		delays. In addition to, <i>Centre at the Forks</i> as the site for the 2019 Juno Awards Governors' reception, Museum London is open for other Juno Awards events including hosting two Juno Awards exhibitions. In October 2018, River Summit symposium to be held in CATF.	year opening. <i>Centre at the Forks</i> is currently scheduled for soft opening in July and grand opening in September. Construction has had discernable negative impact on attendance, programming, and rentals from April 2017 to the present.

 Strengthening Our Community – Below Plan

Milestone	What	Why	Implications
What are we doing? Strengthen Emergency Management through: Public awareness activities and a public notification system, Expanded Emergency Operations Centre capabilities, Emergency management practices included as part of city planning and programming How are we doing it? Emergency Social Services Plan – New (HSSDH)			
Develop a protocol for assisting with and monitoring individual and community recovery once the emergency response ends End Date: 12/31/17	<p>Since the development of this milestone, there have been a few community response processes implemented (eg. Vulnerable Occupancy Protocol (VOP) and Community Connectivity Table).</p> <p>In February 2018, the VOP process was reviewed with stakeholders which included representatives from Fire, Police, Public Health, By Law, Homeless Prevention, Social Services, Housing and ODSP. Stakeholders supported the continued approach of the VOP process and acknowledged the benefits the process has provided agencies to work collaboratively.</p> <p>There were also good suggestions on how the protocol could be enhanced.</p>	<p>The current process is a less formalized process to address an emergency response.</p> <p>It is recommended to adjust the timeline to March 31, 2019 to establish a working team to develop a plan that can be incorporated in to the Community Emergency Response Plan and that is respectful of other process established to support London's vulnerable population.</p>	No implications expected, as several resources exist and continue to be added in the community, including the Connectivity Table to address 'Acute Elevated Risk' of harm situations.
Establish a revised resource plan based on best practices and develop a local plan for the provision of community based emergency social services following a community crisis event (after the closure of a reception center and formal emergency		Recommend adjusting the timeline to March 31, 2019 to align with other milestones associated with the development of the Emergency Social Services Plan.	No implications expected.

Milestone	What	Why	Implications
management activities) End Date: 12/31/17			
Report to Council with recommendations and action plans as required End Date: 6/30/18		Recommend adjusting the timeline to August 31, 2019 to align with other milestones associated with the development of the Emergency Social Services Plan.	No implications expected.

 Growing Our Economy – Caution

Milestone	What	Why	Implications
What are we doing? Create new partnerships to build, and support the building of, new affordable housing			
How are we doing it? Regenerating Public Housing Plan (HSSDH)			
Secure contract for tenant support strategy to facilitate tenant engagement in regeneration and mitigate impacts to residents End Date: 6/30/18	It is recommended that the timelines be adjusted to June 30, 2019 to allow for additional time to align efforts with London Middlesex Housing Corporation's larger strategic plan for tenant engagement.	The focus for this strategic plan will include researching best practice approaches/alternatives (which might not involve consultants), engaging other City Service Areas with Community Development/Engagement expertise and developing community demographic profiles.	No implications expected, as a tenant support and engagement strategy will be established as part of the Regeneration Public Housing Plan and implemented prior to any regeneration development activities.
What are we doing? Attract and retain newcomers, including international students, foreign trained professionals, and multi-generational immigrants to strengthen London's workforce			
How are we doing it? Immigration Strategy – new (HSSDH)			
Obtain plan endorsement from Council and community End Date: 3/31/18	Immigration Strategy was presented to CPSC on June 18, 2018.	Steering Committee required additional time to develop the strategy.	Additional time required to develop strategy will impact commencement to strategy implementation.
Develop Implementation plan including mechanisms for engagement End Date: 3/31/18	Detailed implementation plan with budget, timelines and mechanisms for engagement.	A high-level work plan was included in the Immigration Strategy. The Steering Committee agreed to delay the development of a full implementation plan pending the creation of an advisory body. The full implementation plan will be ready by June 2019.	The work plan will be refined and developed in more detail after the formation of the advisory body.
Provide an update to key stakeholders and Council End Date: 9/30/18	An update to key stakeholders and Council will take place by end of September, 2019.	Given the recommendation that the detailed implementation plan be ready by June 2019, the update to key stakeholders and Council will be delayed.	The delay will provide the advisory body with additional time to implement some of the immediate recommendations of the Newcomer Strategy's work plan.
Evaluate progress of strategy and implementation plan End Date: 9/30/19	Report of activities of the advisory body, status of the work plan, and International student enrolment data.	Full tax-filer data will be unavailable until 2023. Preliminary data can be provided through partners and the Community Data Program by end of September, 2019.	The delay will provide increased opportunity to demonstrate the positive effects of the Newcomer Strategy.

CONCLUSION

The Semi-Annual Progress Report tracks nearly 1000 milestones. This tool allows Council and Administration to track progress and monitor implementation of the 2015-19 Strategic Plan for the City of London. In some cases milestones have been delayed due to shifting priorities or emerging circumstances. The Strategic Plan Variance Reports are intended to provide Council with a more in-depth analysis of these delays. Information included in this report can support Council in strategic decision making and inform the work of Civic Administration.

CONCURRED BY:	CONCURRED BY:
SANDRA DATARS BERE MANAGING DIRECTOR HOUSING, SOCIAL SERVICES AND DEARNESS HOME	LYNNE LIVINGSTONE, MANAGING DIRECTOR NEIGHBOURHOOD, CHILDREN & FIRE SERVICES
RECOMMENDED BY:	
MARTIN HAYWARD CITY MANAGER	

- cc. Strategic Management Team
- Strategic Thinkers Table

TO:	CHAIR AND MEMBERS COMMUNITY and PROTECTIVE SERVICES COMMITTEE MEETING ON JULY 16, 2018
FROM:	SCOTT STAFFORD MANAGING DIRECTOR, PARKS & RECREATION & LYNNE LIVINGSTONE MANAGING DIRECTOR, NEIGHBOURHOOD, CHILDREN, & FIRE SERVICES
SUBJECT:	STONEY CREEK COMMUNITY CENTRE, YMCA, AND LIBRARY USER AGREEMENT AMENDMENT

RECOMMENDATION

That, on the recommendation of the Managing Director, Parks and Recreation and the Managing Director, Neighbourhood, Children, and Fire Services, the attached proposed by-law (Appendix A) **BE INTRODUCED** at the Municipal Council meeting to be held on July 24, 2018 to approve and authorize the Amending Agreement to the City User Agreement between The Corporation of the City of London and the YMCA of Western Ontario (Schedule A) and authorize the Mayor and the City Clerk to execute the Amending Agreement.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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- April 29, 2009 Board of Control. North London Community and Recreation Facility.
- March 19, 2008 Board of Control. Memorandum of Understanding- Joint Venture Between City of London and YMCA.
- April 24, 2006 Community and Protective Services Committee. Partnership Proposal for a New Community Centre Facility in North London.

BACKGROUND

The City of London entered into a joint venture with the YMCA of Western Ontario in March of 2008 for the construction and operation of a shared centre; and the Stoney Creek Community Centre, YMCA, and Library opened in 2010.

Part of the Joint Venture Agreement was a City User Agreement that established a framework for programming and service delivery accountabilities by the YMCA as the facility's operator. Over the ensuing eight years, several changes to the agreement have been made and these cumulative changes need to be formally recognized in an Amending Agreement.

Specifically the changes are as follows:

- A.) Originally it was agreed that 50% of the spaces in Spectrum courses would be reserved for 'city users' (defined as London program clients who do not possess a YMCA membership) and 50% for YMCA members. There was flexibility should one organization not require the full 50% and the other had a waitlist. Based on registration patterns a new percentage of 65% YMCA and 35% City was agreed to in 2017 as meeting the programming and revenue goals of both organizations.
- B.) Prior to opening, it was envisioned that this location would operate as a remote City registration site much like Citi Plaza or the Canada Games Aquatic Centre, but the complexities of processes, lack of customer adoption, and improvements to self-serve tools resulted in this never being the case. Further, the City compensated the YMCA for one full-time position, with this practice ceasing at the end of 2017. These funds are currently reallocated to complementing

staffing levels at high demand locations and where gaps otherwise exist at our six customer service sites throughout London.

C.) The City processes registrations and financial assistance applications for this location and collects revenue on the YMCA's behalf. Reconciliation was scheduled to be done every 30 days but this became onerous so both parties have agreed to once every six months.

D.) Removal of Schedule A which was an initial program plan and schedule for the new location based on projected membership and participation numbers that were much lower than what the YMCA currently has at this location. As such, this schedule is inaccurate and potentially misleading.

This proposed contract amendments build on Council's strategic priority:

Leading in Public Service – Adapting when necessary to deliver valued services efficiently.

FINANCIAL IMPACT

These changes result in \$34,000 being available to Parks and Recreation Customer Service in the current-year budget and going forward, to optimize part-time staff hours to fill in for vacations, sickness, or when volumes warrant additional staff.

CONCLUSION

It is important that our agreements accurately reflect current practice to prevent confusion or lack of clarity in the future. Reinvesting the \$34,000 in the current six registration sites will ensure a consistent customer experience.

SUBMITTED BY:	RECOMMENDED BY:
L. SCOTT OLDHAM MANAGER, BUSINESS SOLUTIONS AND CUSTOMER SERVICE	SCOTT STAFFORD MANAGING DIRECTOR, PARKS AND RECREATION
RECOMMENDED BY:	
LYNNE LIVINGSTONE MANAGING DIRECTOR, NEIGHBOURHOOD, CHILDREN AND FIRE SERVICES	

APPENDIX A

Bill No.
2018

By-law No. A.-

A by-law to authorize and approve an Amending Agreement to the City User Agreement between The Corporation of the City of London and the YMCA of Western Ontario and to authorize the Mayor and the City Clerk to execute the Amending Agreement.

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

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

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

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

1. The Amending Agreement to the City User Agreement, attached as Schedule A to this by-law, between The Corporation of the City of London and the YMCA of Western Ontario is hereby authorized and approved.
2. The Mayor and the City Clerk are authorized to execute the Amending Agreement noted in part 1, above.
3. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

SCHEDULE A

AMENDING AGREEMENT

MEMORANDUM OF AGREEMENT made as of the 24th day of July, 2018.
BETWEEN:

THE CORPORATION OF THE CITY OF LONDON (the “City”)

-and-

YMCA OF WESTERN ONTARIO (the “YMCA”)

WHEREAS the City and the YMCA entered into a joint venture agreement for the purpose of building and operating a multi-purpose community centre in the northeast area of London, (the “Facility”);

AND WHEREAS as part of the Joint Venture the City and the YMCA entered into a City User Agreement to establish Programing Standards and to provide City Users with access to Programs delivered by the YMCA at the Facility;

AND WHEREAS the Parties have agreed to amend the City User Agreement;

NOW THEREFORE in consideration of the mutual covenants and agreements between the Parties, the Parties agree as follows:

1. The capitalized terms used in this Amending Agreement shall have the same meaning ascribed to them as in the City User Agreement.
2. The Parties agree to amend the City User Agreement as follows:
 - a) Paragraph 2.3 of the City User Agreement is hereby amended by changing the reference to “fifty percent (50%)” to read “thirty-five percent (35%)”.
 - b) Paragraph 2.5 of the City User Agreement is hereby deleted in its entirety.
 - c) Paragraph 3.2 of the City User Agreement is hereby amended by changing the reference to “within thirty (30) days” to read “within six (6) months”.
 - d) Schedule “A”, together with all references to it in the City User Agreement are hereby deleted.
3. In all other respects, the Parties confirm the terms of the City User Agreement which, subject to the amendments contained herein remains in full force and effect and binding upon the parties and their respective successors and assigns.

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the date first written above.

THE CORPORATION OF THE CITY OF LONDON

Per: _____

Name: Matt Brown, Mayor

Per: _____

Name: Catharine Saunders, City Clerk

YMCA OF WESTERN ONTARIO

Per: _____

Name: Andrew Lockie, Chief Executive Officer

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

RECOMMENDATION

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

- a.) approve and adopt the standard form for Licence Agreements; and
- b.) to authorize the Managing Director, Parks and Recreation or the Managing Director, Neighbourhood, Children and Fire Services to insert information and execute Licence Agreements for the use of recreation spaces and assets which employ this form.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

July 20, 2011 Finance and Administration Committee. Standard Licence Agreement for Office and Storage Space at City Facilities.

BACKGROUND

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

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

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

This proposed process change builds on Council’s strategic priority:

Leading in Public Service – Innovative and supportive organizational practices. Streamlining process saves time and provides more timely results to our customers.

FINANCIAL IMPACT

There are no anticipated financial impacts as a result of this new standard form licence agreement. Any fees associated with these low-dollar agreements are included in the approved Parks and Recreation and Neighbourhood, Children, and Fire Services budgets.

CONCLUSION

The proposed changes will allow greater flexibility and efficiency when defining details of, and executing, Licence Agreements while still following a standard form approved template for the use of recreation spaces and assets.

SUBMITTED BY:	RECOMMENDED BY:
L. SCOTT OLDHAM MANAGER, BUSINESS SOLUTIONS AND CUSTOMER SERVICE	SCOTT STAFFORD MANAGING DIRECTOR, PARKS AND RECREATION
SUBMITTED BY:	RECOMMENDED BY:
MELISSA COSTELLA MANAGER, COMMUNITY AND SENIORS CENTRES	LYNNE LIVINGSTONE MANAGING DIRECTOR, NEIGHBOURHOOD, CHILDREN AND FIRE SERVICES

APPENDIX A

Bill No.
2018

By-law No. A.-

A by-law to approve and adopt a standard form Licence Agreement for the use of recreation spaces and assets; and to authorize the Managing Director, Parks and Recreation or the Managing Director Neighbourhood, Children and Fire Services, or their written designate, to insert information and execute Licence Agreements for the use of recreation spaces and assets, which employ this form.

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

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

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

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

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

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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

SCHEDULE "A"

LICENCE AGREEMENT

THIS IS A STANDARD FORM AGREEMENT - TERMS CANNOT BE ALTERED WITHOUT THE APPROVAL OF MUNICIPAL COUNCIL

THIS AGREEMENT made in triplicate this [redacted] day of [redacted], 20[redacted]

BETWEEN

**The Corporation of the City of London
(hereinafter called the "City")**

and

[redacted]
(hereinafter called the "Licensee")

WHEREAS the City is the registered owner of property described as [redacted], located at Municipal Address: [redacted] ("Property") in the City of London;

AND WHEREAS the Licensee has requested permission to use certain portions of the Premises, described [redacted] and more particularly set out in Schedule "A", attached to this agreement ("Premises");

AND WHEREAS the City considers it in the interest of the municipality to provide support to the Licensee and its services and these services benefit the community;

NOW THEREFORE in consideration of the premises and other good and valuable consideration, the receipt of which is hereby acknowledged and admitted, the parties agree as follows:

1. Licence to Use:

The City grants to the Licensee the non-exclusive licence for use of the common facilities in the Premises, and license to use [redacted] in the Premises, for the sole purpose as set out in Schedule "A".

2. Term:

The term of this agreement shall commence on [redacted] and shall terminate on [redacted], or shall terminate on such earlier date as set out in this agreement or as determined by the City in its sole discretion.

3. Termination - By the City:

The City may terminate this agreement immediately without notice for any breach of the agreement or for any reason as determined by the City in its sole discretion. Such termination shall be without penalty.

4. Termination - By the Licensee:

The Licensee may terminate this agreement upon thirty days' written notice for any reason. Such termination shall be without penalty.

5. License Fee:

The Licensee shall pay the City [redacted] Dollars plus applicable taxes as a license fee payable in advance to the City Treasurer before the first day of the term of this agreement, and thereafter in advance on a monthly/annual basis. The fees will be reviewed annually and amended as reasonably determined by the City.

- (iii) Business interruption insurance as the Licensee may deem appropriate.
 - (iv) Tenant's legal liability insurance covering the full replacement cost of the Premises, including loss of their use.
- (b) The Licensee shall not do, omit to do, or permit to be done or omitted to be done in or on the Premises anything that may increase premiums or void coverage under the property insurance policies carried by the Licensee or any other Tenant, Licensee or Landlord on the Premises described in this agreement.
 - (c) The insurance described in (i), (ii) (iii) and (iv) above shall not be cancelled or permitted to lapse unless the City is notified in writing at least thirty (30) days prior to the date of the cancellation. The Licensee shall provide evidence of such insurance (Certificate of Insurance) delivered to the City promptly at inception of this agreement and thereafter prior to the insurance renewal date.
 - (d) The City reserves the right to request such higher limits of insurance or other types of policies appropriate to this agreement as the City may reasonably require.
 - (e) Failure to satisfactorily meet these conditions relating to insurance shall be deemed a breach of this agreement.

11. Indemnification:

The Licensee agrees to protect, defend, indemnify and save the City harmless from and against:

- (a) All liability, loss, claims, demands, actions, proceedings, fines or penalties, including any costs and expenses incurred by the City thereby, including reasonable legal fees, for loss, damage or injury, including death, to any person or persons and to any property arising in connection with this license as a result of any act or omission of the Licensee or the group represented by or affiliated with the Licensee or their members, officers, employees, agents or contractors, invitees, or other persons for whom the Licensee is at law responsible; and
- (b) Any claim or finding that any of the Licensee, the Licensee's employees or persons for whom the Licensee is at law responsible are employees of, or are in any employment relationship with, the City or are entitled to any Employment Benefits of any kind; and
- (c) Any liability on the part of the City, under the Income Tax Act (Canada) or any other statute (including, without limitation, any Employment Benefits statute), to make contributions, withhold or remit any monies or make any deductions from payments, or to pay any related interest or penalties, by virtue of any of the following being considered to be an employee of the City from Licensee: Licensee's employees or others for whom Licensee is at law responsible in connection with the licensing of the Premises or otherwise in connection with Licensee's operations.

12. Asbestos - Harmful Substances - No Alterations:

- (a) The Licensee acknowledges that the Premises and/or Property may contain asbestos or other toxic or harmful substances.
- (b) The Licensee and the Licensee's Group shall not make any alterations to the Property or Premises, without the prior written express approval of the Managing Director, Parks and Recreation of Managing Director, Neighbourhood, Children, and Fire Services, or delegate. Alterations that shall not be made without such approval include, but are not limited to, the following: drilling holes in any walls, floors or ceilings; inserting nails into any walls, floors or ceilings; making any structural changes; painting walls.

- (c) The Licensee shall advise any person utilizing the Premises of subsections (a) and (b) of this agreement.

13. Not Use if Unsafe - Report Unsafe Conditions:

The Licensee shall not use the Premises or Property if it is unsafe, and shall ensure that no person in the Licensee's Group shall use the Premises or Property if it is unsafe. The Licensee shall immediately report any unsafe conditions to the City.

14. Repair Costs:

The Licensee shall be responsible for any damage to the Premises or other City property as a result of any act or omission of the Licensee or the Licensee's Group and, in the event of such damage, to pay the City's costs of repairing the damage, plus an administration charge of twenty percent of damage, in such amount as is determined by the City. The minimum administration charge for damage is \$50.00.

15. Neat, Clean:

The Licensee shall maintain the appearance of the Premises in a neat, clean and well-kept manner. The Licensee shall ensure that no rubbish, refuse or objectionable material accumulates in or about the Premises. The Licensee shall place all refuse in garbage bags or receptacles. Where the City deems additional cleaning necessary, the Licensee shall pay to the City a Clean-up Charge in such reasonable amount as is determined by the City.

16. List of Current Officers/Directors:

The Licensee shall forthwith provide the City with a list of its current officers and directors for emergency and business contact purposes, and the Licensee shall forthwith provide updated lists whenever changes occur.

17. Orientation & Emergency Procedures Training:

The Licensee shall ensure that its staff, volunteers or members occupying space in the Premises are trained in emergency procedures and are oriented to the Premises by the City. The Licensee shall request the City to provide such training and orientation.

18. List of Equipment & Furnishings:

The Licensee shall provide the City with a list of equipment and furnishings the Licensee places in the Premises

19. Costs for Telephone:

The Licensee assumes all costs for telephone system enhancements, related installation costs, including computer linkages and monthly billing. Should the Licensee use the existing City telephone system, the Licensee shall pay proportionate fees and monthly charges, as determined by the City.

20. Keys:

Where the City provides the Licensee with keys for the Property and/or Premises ("City Keys"), the Licensee shall return the City Keys forthwith upon demand by the City. The Licensee shall forthwith provide the City with the names of any individuals who from time to time are in possession of the City Keys. The Licensee shall ensure that no duplicates of the City Keys are made. The Licensee shall ensure that only individuals for whom it is at law responsible have access to the City Keys. The Licensee shall notify the City forthwith of any lost City Keys, or if it becomes aware that duplicate keys have been made. Should the City be required to change any locks as a result of lost City Keys or duplicate City Keys being made,

the cost of same shall be borne by the Licensee. The Licensee is responsible to reimburse the City for the replacement of any lost City Keys.

The Licensee shall ensure that any individual associated with the Licensee who possesses a City key shall have had a building orientation with the City's Facilities Operations Staff prior to accessing the space.

The Licensee shall ensure all required procedures for opening and closing the space are adhered to.

21. Accepts Premises/Property in their Condition:

The Licensee accepts the Premises and Property in their condition as of the date of this agreement and shall not call upon the City to do or pay for any work or supply any equipment to make the Property or Premises more suitable for the proposed use by the Licensee.

22. No Assignment:

The Licensee shall not assign this agreement nor sublicense the Premises without the prior written consent of the City.

23. Licensee not Agent of City:

Nothing in this agreement shall entitle or enable the Licensee or any subcontractor to act on behalf of, or as agent for, or to assume or create any obligation on behalf of, or to make any representation, promise, and warranty or guarantee binding upon, or otherwise to bind the City. The Licensee and any subcontractor of the Licensee and the City is independent and not the agent, employee, partner or joint venture of any of the others.

GENERAL PROVISIONS

24. City Not Liable - Loss or Damage - Personal Property:

The City shall not be liable for any damage to or loss of any personal property belonging to the Licensee or Licensee's Group.

25. Premises Not Available - Property or Premises Closed – Emergency:

Notwithstanding the use granted by this license, the Property and Premises shall not be available on days during which the Property or Premises have been closed by the City because of inclement weather or any other reason, or if there is an emergency requiring the use of the Premises by the City.

26. Signage:

The City may permit signage subject to prior written approval by the Managing Director or designate. The Licensee shall not install any signs, but instead all installations of signs will be completed by the City. The Licensee shall pay the City forthwith upon receiving the City's invoice. All signage must comply with the City's sign by-law.

27. Termination:

In the event of termination, the City shall return the license fee on a pro-rata basis, and the City shall not otherwise be liable in any way to the Licensee or the Licensee's Group.

In the event of termination, the City shall provide the Licensee with reasonable time to claim the personal property of the Licensee or the Licensee's Group. In the event that such personal property is not claimed within a reasonable time, and in any event no later than 60 days from the date of termination, all such personal property shall become the property of the City and the City may dispose of such

property as in its sole discretion it sees fit.

28. No Representations or Warranties:

The City makes no representations, warranties or other assurance regarding the suitability of the Premises or Property for use by the Licensee.

29. City's Right to Inspect:

The City reserves the right to inspect the Premises and Property at any time to ensure compliance with the terms of this agreement, any Federal or Provincial legislation, or municipal by-laws.

30. Care Custody and Control Remains with the City:

The complete care, custody and control of the Property and Premises shall at all times remain with the City through its management, supervisory, custodial and maintenance employees, excluding contents owned by the Licensee or the Licensee's Group.

31. Circumstances beyond the Control of Either Party:

Neither party will be responsible for damage caused by delay or failure to perform under the terms of this agreement resulting from matters beyond the control of the City and the Licensee including strike, lockout or any other action arising from a labour dispute, fire (other than a fire caused by the Licensee's negligence), natural flood, act of God, war, riot or other civil insurrection, lawful act of public authority, all of which cannot be reasonably foreseen or provided against.

32. Waiver of Breach by City - Without Prejudice:

Any waiver by the City of any breach by the Licensee of any provisions of this agreement shall be without prejudice to the exercise by the City of all or any of its rights or remedies in respect of any continuance or repetition of such breach.

33. Licensee Has Read & Understood Agreement:

The Licensee acknowledges it has read this agreement, acknowledges that it has had the opportunity to obtain independent legal advice, and understands it and agrees to be bound by its terms and conditions.

34. Facsimile Copy of Licensee's Signature Sufficient:

A facsimile copy of the Licensee's signature shall be sufficient and binding.

35. Executed in Counterparts:

This agreement may be executed in any number of counterparts with the same effect as if all parties had signed the same document. All counterparts shall be construed together, and shall constitute one and the same agreement.

36. Notice:

Any notice required to be given to the City or the Licensee under this agreement shall be sufficiently given if delivered or mailed postage prepaid to the addresses below. Such notice shall be deemed to have been received on the date of its delivery or in the case of mailing, three (3) business days after it was delivered to the post office.

City's Address
City Clerk
The Corporation of the City of London
300 Dufferin Avenue
P.O. Box 5035

Licensee's Address

London, ON N6A 4L9

37. Headings:

The headings in this Agreement are for ease of reference only and shall not be taken into account in the construction or interpretation of any provision to which they refer.

IN WITNESS WHEREOF the parties hereto have duly executed this agreement.

SIGNED, SEALED AND DELIVERED

LICENSEE:

Date

Per (Signature):

Print Name Print Title

Date

Per (Signature):

Print Name Print Title
**I/We Have the Authority to Bind the Corporation*

THE CORPORATION OF THE CITY OF LONDON

Date

Per (Signature):

Authorized Signature

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

RECOMMENDATION

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

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

PREVIOUS REPORTS PERTINENT TO THIS MATTER

July 20, 2011 Finance and Administration Committee. Standard Licence Agreement for Office and Storage Space at City Facilities.

BACKGROUND

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

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

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

APPENDIX A

Bill No.
2018

By-law No. A.-

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

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

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

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

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

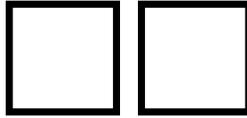
1. The standard form Licence Agreement to be entered into between The Corporation of the City of London and individuals or incorporated organizations requesting to use a recreation space or asset in the care and control of the City of London, attached as Schedule "A" to this by-law, is approved and adopted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

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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



TO:	CHAIR AND MEMBERS COMMUNITY AND PROTECTIVE SERVICES COMMITTEE MEETING ON July 16, 2018
FROM:	G. KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT:	VEHICLE FOR HIRE BY-LAW - INDUSTRY CONSULTATION

RECOMMENDATION

That, on the recommendation of the Managing Director, Development & Compliance Services and Chief Building Official, the following actions be taken with respect to the Vehicle for Hire By-law:

- (a) the report on the vehicle for hire industry consultation **BE RECEIVED**; and
- (b) Civic Administration **BE DIRECTED** to hold public participation meetings to receive public comments on amendments to the Vehicle for Hire By-law based on the municipal purposes of health and safety and consumer protection.

PREVIOUS REPORTS

Vehicle for Hire By-law - Six Month Statistics – CPSC January 23, 2018
 Vehicle for Hire By-law – One Year Review – CPSC May 1, 2018

BACKGROUND

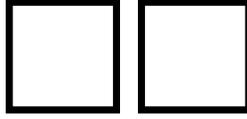
On May 8, 2018, Municipal Council resolved that Civic Administration consult with the vehicle for hire industry in an effort to draft amendments to the Vehicle for Hire By-law with a goal of meeting consumer demands and streamlined by-law administration with an underlying focus on health and safety and consumer protection.

Civic Administration met with stakeholders involved in the vehicle for hire industry including general brokers, transportation network companies, drivers and plate owners. Recognizing the difficulty some drivers have in attending City Hall for meetings, staff initiated “block talks” where staff attended various taxi stands to discuss issues impacting drivers. This report summarizes the key topics discussed and provides direction for consideration for possible amendments to the By-law.

Enforcement

Various drivers and general brokers noted the need for more enforcement, specifically in the evening. The transportation network company (Uber) noted that it is difficult to ensure continuous full compliance such as posting the identification sign in the window of the vehicle as it is ultimately the driver’s responsibility. Uber has advised the City that the app has enhanced passenger safety features that would assist passengers in the event of an active passenger safety occurrence. Staff recently discussed safety features of the Uber app with safety and security staff based in the San Francisco office.

Direction: Civic Administration will continue to re-assign MLEO resources to monitor evening vehicle for hire activities to address By-law violations.



Administration and Licensing Fees

Drivers, brokers and owners all had comments on the administration process and current licensing fee structure. There are some fees, such as the vehicle-broker affiliation fee, which is viewed as unnecessary. This process could be streamlined by placing the onus on the brokers to manage their fleet and allowing the regulator to perform audits. Uber expressed concerns about the driver licensing fee given the business model of having the vast majority of their drivers driving part time. The same licensing revenue can be collected by increasing the per trip fee of 11 cents by pennies. Similar to above, this process can also be reviewed and an audit format of administration be adopted.

Some drivers suggested better communications, specifically with the drivers as most communications from the Licensing Office go directly to the brokers. A list-serve email or text communications service was suggested.

Direction: Civic Administration will give consideration to removing redundant fees making minor changes to licensing fees where appropriate and streamlining administration and communication processes.

Number of Owner Licences

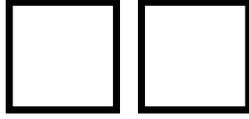
1) Cabs

Prior to the arrival of private vehicles for hire offering transportation services ordered via an app, taxi regulations remained essentially unchanged for decades in most larger North American municipalities. Most cities regulated the number of licensed taxis which created a system where licences were considered a form of commodity transferred between willing buyers and sellers. Vehicle owner licensees who entered the industry early gained the greatest benefit from the private and secondary market of license plate values. These early entrants did not have to pay large sums to attain a plate on the secondary market but still benefited from controlled competition. Many municipalities (including London) created priority or waiting lists where applicants were issued new licences based on population increases. Many existing licensed drivers maintained positions on the priority lists for many years without ever obtaining an owners licence.

The introduction and eventual regulation of private vehicles for hire has disrupted the long-standing supply management practice and secondary market of plate values. Civic Administration takes the position that as the regulator of the vehicle for hire market, based on the municipal purposes of public safety and consumer protection, it cannot be held responsible for the state of private secondary plate values nor the costs of operating a taxi. However, in its role as the regulator, the City can certainly review emerging technologies and business models and determine if existing regulations continue to be necessary and relevant given the municipal purpose of the By-law.

It is not surprising that different stakeholders have divergent viewpoints on capping taxi plate licences. Several drivers have suggested removing the cap as the drivers see this as an unnecessary monthly expense of leasing a plate. Obviously, plate owners do not want the cap amended or removed as their revenue will be reduced.

In the report presented to CPSC in May 2018, Civic Administration outlined several options to address the number of licensed taxis:



1. maintain existing population based ratio
2. amend population based ratio
3. release additional owner licences to those on priority list
4. release a specified number of one-time cab owner licences
5. release a specified number of cab owner licences to currently licensed drivers, or
6. remove the cap in its entirety

Private vehicles for hire have dramatically changed the transportation landscape; it is no longer reasonable to maintain the status quo. Civic Administration has listened to the industry on both sides of the debate on caps and recognizes that some By-law amendments are necessary to allow the industry to innovate and thrive.

2) Accessible Cabs

The current regulations place a limit on the number of accessible taxi licences based on the number of licensed taxis (one licence for every 18 taxi licences). There are 19 existing accessible cab licences issued. As noted in the May 2018 report, of the 4.2M total rides provided, there were 33K rides provided by accessible cabs. As Civic Administration reported in July 2016, there is some interest in the industry to remove or amend the cap for accessible taxis.

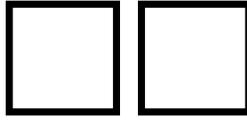
In discussions with the industry, Civic Administration raised the concern about the lack of availability of accessible transportation. There was interest in releasing plates to brokers. The industry recognizes this fact and has expressed concerns about drivers going “off-shift” when they receive accessible calls as standard fares are more profitable. This does not meet the intent of the By-law. Civic Administration has previously consulted with the Accessible Advisory Committee on this matter and previously recommended removal of the cap. Civic Administration also suggested a program of financially assisting the operators of the vehicles due to the high costs of converting vehicles and operating accessible vehicles. City Council at the time did not support any changes to the cap on accessible taxis. Initial discussions with Uber indicated that they are open to collecting a voluntary per trip fee (7 cents in other municipalities) towards a fund to subsidize the accessible vehicle for hire market. Further, there have been a number of inquiries about operating accessible fleets which are currently not possible due to the cap.

Direction: Civic Administration will give consideration to removing the cap on cab licences subject to certain restrictions including that applicants be licensed and active drivers for a specific number of years and that the licences apply to only accessible vehicles, and implementing a plan to reduce the expenses of operating accessible vehicles. Consideration will also be given to releasing plates to brokers.

Cameras

Cameras are required in cabs and limousines. Cameras are not required in private vehicles for hire. The rationale for the distinction in the regulation is that cabs/limousines perform street hails while this form of service request is prohibited for private vehicles for hire.

In discussions with the cab and limousine industry, there are divergent positions on the requirement for cameras. Those who support the mandatory requirement are concerned with the high price of the cameras as well as the time required for photo downloads (i.e. the car is out of service during this time). Those who support cameras, but do not agree with a mandatory regulation, would prefer the cameras be a voluntary requirement based on the business plans of the broker. Currently, the regulation only permits rear facing (within the vehicle) downloads by enforcement personnel (MLEO,



LPS) for investigation purposes. Brokers would also like to undertake downloads to investigate customer service issues. As with many technologies, the cost of off-the-shelf dash cams has greatly diminished and are very affordable. It is not surprising that many licensed private vehicles for hire have dash cams even though there is no regulatory requirement.

A recent decision of the Court of Appeal for Ontario (*I. (T.) v. Lakovic 2017 ONCA 446*) regarding vicarious liability of a taxi broker for sexual assault allegedly committed by one of its drivers mentioned the use of cameras in the decision. Specifically, Counsel for the taxi broker provided the opinion that a camera would not deter a driver determined to assault a passenger as they could disconnect the camera, cover its lens or commit the assault after the passenger exited the vehicle. There are arguments on both sides of the debate to require cameras in cabs for safety purposes. Civic Administration maintains that cameras in cabs do serve as a deterrent to crime and provide valuable evidence in protecting drivers in situations where drivers are wrongfully accused of an alleged crime.

Direction: Civic Administration sees no need to amend any of the requirements for cameras in cabs and limousines.

Age of Vehicles

There are divergent positions on the maximum age limits of vehicles. The current By-law regulation is 8 years. Some brokers would like the limit lowered to ensure newer vehicles are servicing the community. Other brokers concur with the maximum age limit. Uber is requesting the limit be increased to 10 years for private vehicles for hire only as the vast majority of their drivers operate part time. Within Ontario, there are a variety of vehicle age limits for vehicles for hire. There is an inherent difference between the business models of general brokers and transportation network companies which could justify the differential regulations of these two sectors of the vehicle for hire industry. Older vehicles could be subject to additional safety checks by way of an administrative regulation.

Direction: Civic Administration give consideration to amending the age of vehicles regulation for private vehicles for hire.

Fares

The discussion about fares focused on the issue of competition. While some brokers are of the opinion that fare regulations are necessary for consistency within the fleet (each driver within the fleet charges the same), others stated that if a broker or driver wishes to offer a discount or charge by a zone rate, they should have that option. From a consumer protection perspective, as long as the passenger accepts a ride based on the actual or estimated fare, there really is no role for the regulator. However, for hailed rides offered by cabs, some brokers would prefer a zone model of fares. Clients note their displeasure when drivers stop on amber lights (due to red light cameras) and the meter continues to tabulate the fare. Some brokers have suggested distance fares only (no related time calculation). Uber did not have an issue with the fare structure as their app takes into account supply and demand variables and surge pricing which is transparent to the customer.

Direction: Civic Administration give consideration to amending the Fare Schedule to allow for greater competition and greater flexibility in setting fares.

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CONCLUSION

The Vehicle for Hire By-law is a fluid document open to amendments which maintain the municipal purposes of health and safety and consumer protection, yet recognizing technology and modernization of the on-demand transportation marketplace. Civic Administration has met with industry stakeholders to discuss key topics such as enforcement, administration, fees, cap on cabs, accessible cabs, cameras, age of vehicles and fares. Although the By-law was recently adopted, the vehicle for hire industry is rapidly evolving and regulations must continue to be modernized to allow the industry to thrive. Similarly, administration processes must continue to be monitored and streamlined. Civic Administration is proposing a phased public participation meeting be held to consider amendments to the By-law. The first phase will address administrative regulations including fees, fares, application processes and vehicle requirements. Given the complexity of the issue of vehicle caps, the second phase will focus on this issue to allow for further industry consultation.

PREPARED BY:	RECOMMENDED BY:
OREST KATOLYK, MLEO (C) CHIEF MUNICIPAL LAW ENFORCEMENT OFFICER	GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT AND COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL

On behalf of the London Taxi Association, I would like to request Delegation status for Monday's CPSC meeting.

Yours truly

Jason Kukurudziak

President

London Taxi Association

Community Safety and Crime Prevention Advisory Committee

Report

5th Meeting of the Community Safety & Crime Prevention Advisory Committee
June 28, 2018
Committee Room #3

Attendance PRESENT: J. Bennett (Vice Chair), M. Melling, B. Rankin, M. Sherritt, B. Spearman and L. Steel and P. Shack (Acting Secretary)

REGRETS: I. Bielaska-Hornblower, R. Brittan, S. Davis, B. Hall, R. Harvey, D. Lebold, L. Norman, M. Sands and J. Walter

The meeting was called to order at 12:20 PM.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Scheduled Items

None.

3. Consent

3.1 4th Report of the Community Safety and Crime Prevention Advisory Committee

That it BE NOTED that the 4th Report of the Community Safety and Crime Prevention Advisory Committee, from its meeting held on May 24, 2018, was received;

it being noted that M. Melling provided a verbal update with respect to the Safety Village Birthday Party, and L. Steel commented on the London Fire Department changing availability for programming.

4. Sub-Committees and Working Groups

None.

5. Items for Discussion

5.1 Parks and Recreation Master Plan Update

That it BE NOTED that the Community Safety and Crime Prevention Advisory Committee held a discussion with respect to Parks and Recreation Master Plan, Input Guiding Questions Advisory Committee, the following comments were discussed:

- a) financial programs to assist with insurance requirements, equipment, and to provide benches with arms;
- b) communication with partners including Police, Fire and City Council;
- c) more needle boxes, strategies to check for needles and address used needles in sand boxes;
- d) Community Safety and Crime Prevention Safety week, jointly with 2019 Emergency Preparedness Week; and
- e) additional signage for bike helmets.

5.2 Terms of Reference

That consideration of the Community Safety and Crime Prevention Advisory Committee (CSCP) Terms of Reference BE POSTPONED to the next CSCP meeting.

5.3 Community and Protective Services Committee - M. Sherritt

That it BE NOTED that a verbal update from M. Sherritt, with respect to attendance at the Community and Protective Services Committee meeting of June 18, 2018, was received.

6. Deferred Matters/Additional Business

6.1 (ADDED) Bicycle Helmet Safety

That the Civic Administration BE REQUESTED to bring forward a report and draft by-law to the appropriate standing committee, to provide for the requirement of bicycle helmet use for all children under the age of 18 in locations beyond what is legislated currently, including: parks, nature trails, private and public spaces, sidewalks, daycares etc.

6.2 Budget

That the 2018 Community Safety and Crime Prevention Advisory Committee budget BE PLACED on the next meeting.

7. Adjournment

The meeting adjourned at 1:20 PM.

Diversity, Inclusion and Anti-Oppression Advisory Committee

Report

7th Report of the Diversity, Inclusion & Anti-Oppression Advisory Committee
June 21, 2018
Committee Room #4

Attendance PRESENT: R. Hussain (Chair), F. Cassar, A. Hamza, M. Mlotha, L. Osbourne, M. Prefontaine, A-M. Sanchez, S. Sharma, I. Silver and P. Shack(Secretary)

ALSO PRESENT: F. Andrighetti, M. Dellamora, K. Husain, H. Lysynski

REGRETS: Z. Hashmi and S. Lewkowitz

The meeting was called to order at 12:03 PM.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Opening Ceremonies

2.1 Acknowledgement of Indigenous Lands

That it BE NOTED that the meeting was opened with an Acknowledgement of Indigenous Lands by R. Hussain.

2.2 Traditional Opening

That it BE NOTED that Betty Anne Stoney-Shankar shared a traditional learning and prayer.

3. Scheduled Items

3.1 Overview of the Parks and Recreation Master Plan update

That it BE NOTED that the Diversity, Inclusion and Anti-Oppression Advisory Committee received the attached presentation from M. Dellamora, Specialist, Municipal Policy, Neighbourhood, Children and Fire Services, with respect to an overview of the Parks and Recreation Master Plan update.

4. Consent

4.1 6th Report of the Diversity, Inclusion & Anti-Oppression Advisory Committee

That it BE NOTED that the 6th Report of the Diversity, Inclusion and Anti-Oppression Advisory Committee, from its meeting held on May 17, 2018, was received.

5. Sub-Committees and Working Groups

5.1 Education & Awareness Sub-Committee

That it BE NOTED that the Diversity, Inclusion and Anti-Oppression Advisory Committee received the Education and Awareness Sub-Committee work plan.

5.2 Policy & Planning Sub-Committee

That it BE NOTED that the Diversity, Inclusion and Anti-Oppression Advisory Committee reviewed and received the Policy and Planning Sub-Committee minutes from it meeting held on June 7, 2018 and heard a verbal presentation from A. Hamza, Chair.

5.3 Award & Recognitions Sub-Committee

That the following actions be taken with respect to the Awards and Recognition Sub-Committee meeting held on June 12, 2018:

a) the Awards and Recognition Sub-Committee minutes from the above meeting BE RECEIVED;

b) the Awards and Recognition Sub-Committee 2018 Awards proposed reduced budget BE REFERRED to next meeting for consideration; and,

c) Councillor H. Usher BE RECOGNIZED with a 2018 London Diversity, Race Relations and Inclusivity Award.

6. Items for Discussion

6.1 (ADDED)Summer Meeting

That it BE NOTED that the Diversity, Inclusion and Anti-Oppression Advisory Committee will meet over the summer on July 19, 2018 and then resume normal meeting dates as of September 20, 2018.

7. Deferred Matters/Additional Business

7.1 (ADDED) Black History Coordinating Committee Update

That it BE NOTED that the Diversity, Inclusion and Anti-Oppression Advisory Committee (DIACC) heard a verbal presentation from M. Mlotha with respect to the Black History Coordinating Committee;

it being noted that the Committee Secretary was requested to place this matter on the agenda for the next DIACC meeting, for further discussion.

8. Adjournment

The meeting adjourned at 1:39 PM due to lack of quorum.

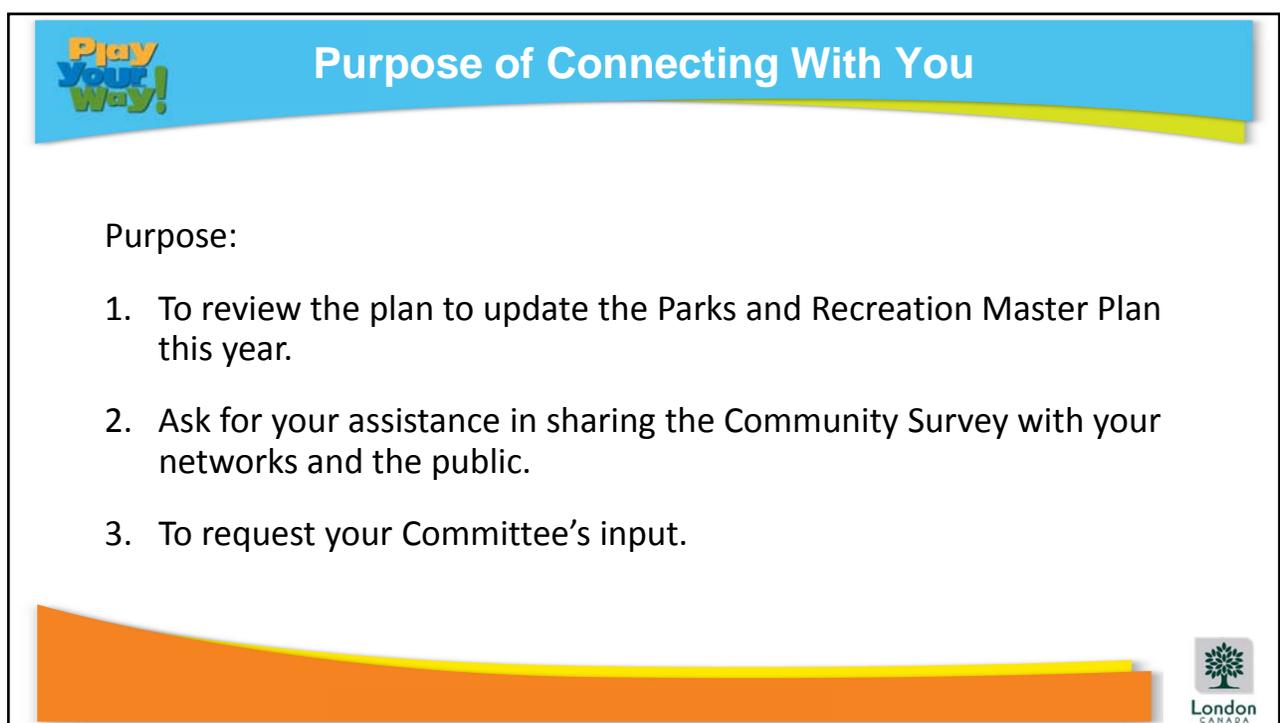
Next Meeting: July 19, 2018



Play Your Way! Parks & Recreation Master Plan Update

May / June 2018

Advisory Committees



Play Your Way! Purpose of Connecting With You

Purpose:

1. To review the plan to update the Parks and Recreation Master Plan this year.
2. Ask for your assistance in sharing the Community Survey with your networks and the public.
3. To request your Committee's input.





About the Master Plan

Creating a “Game Plan” for Parks, Recreation Programs, Sport Services and Facilities

- The Master Plan provides an overall vision and direction for making decisions. It is a high level/policy directive document.
- It is based on public input, participation trends and usage, best practices, demographic changes and growth forecasts.
- The Plan will be used by the City to guide investment in parks, recreation programs, sport services and facilities over the next ten years and beyond.







Master Plan Overview

- The City has retained **Monteith Brown Planning Consultants**, **Tucker-Reid & Associates** and **Swerhun Facilitation** to assist in preparing the Update.





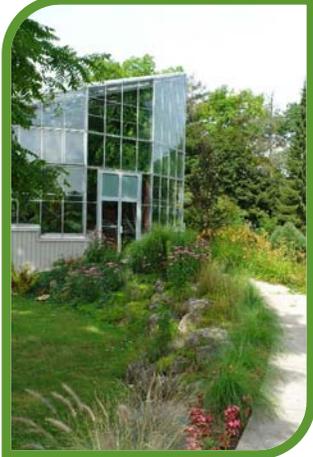




Play Your Way!

Master Plan Building Blocks

1. Public and Stakeholder Input
2. Demographics and Growth
3. Trends and Usage Data
4. Existing Policies and Guidelines
5. Park, Program, and Facility Distribution
6. Facility Inventories and Asset Management Data





Play Your Way!

Project Scope

Items within Scope:

- 
 - **Recreation Programming**, such as aquatic, sport, wellness, arts/crafts, dance/music, and general interest programs provided by the City and other sectors
- 
 - **Recreation and Sport Facilities**, such as community centres, pools, sports fields, playgrounds and more
- 
 - **Parks & Civic Spaces**, such as major parks, neighbourhood parks, gardens and civic squares
- 
 - **Investment in the Community**, such as neighbourhood opportunities, public engagement, sport tourism and more





Project Scope

Items out of Scope:

- **Parkland Dedication Policies** (London Plan)
- **Cycling** (London Plan, Transportation and Cycling Master Plans)
- **Natural Heritage and Trails** (London Plan, Conservation Master Plans, ESA Master Plans)
- **Arts, Culture and Heritage** (Cultural Prosperity Plan and related reports)

Although these items are addressed in other studies, the Master Plan will ensure alignment





Guiding and Supporting Documents

The Master Plan is a Strategy that guides the provision and management of parks, recreation programs, sport services and facilities. It is influenced by several Overarching Plans and informs several Technical Reports.

Key Overarching Plans	Key Strategies	Key Technical Reports
The London Plan Council's Strategic Plan Accessibility Plan Sector-specific guiding documents, such as the Framework for Recreation in Canada, Parks for All, and others	Age Friendly London Action Plan Child and Youth Agenda Strengthening Neighbourhoods Strategy Transportation and Cycling Master Plans Cultural Prosperity Plan Community Diversity and Inclusion Strategy SHIFT: Rapid Transit Initiative Back to the River / One River Thames Valley Corridor Plan	Development Charges Background Study Conservation Master Plans for Environmentally Sensitive Areas Park-specific Master Plans Business Cases and Feasibility Studies Various By-laws, Policies and Procedures





Deliverables and Timing

- **Background Research** March to June 2018
- **Engagement** May to July 2018
 - Community Survey (Opens May 23rd)
 - Stakeholder Sessions/Focus Groups/Interviews
- **Draft Plan #1** Sept / Oct 2018
- **Draft Plan #2** Oct / Nov
- **Final Plan** presented to the new Council January 2019




Community Survey

Purpose

- To establish a broad picture of usage, satisfaction, priorities, demographics

Timing

- Will be available May 23 until mid-July, hosted through getinvolved.london.ca

How can you help?

- Share the link to the survey with your networks
- Let us know if you would like posters or postcards to distribute





Play Your Way!

COMMUNITY SURVEY

Parks and Recreation

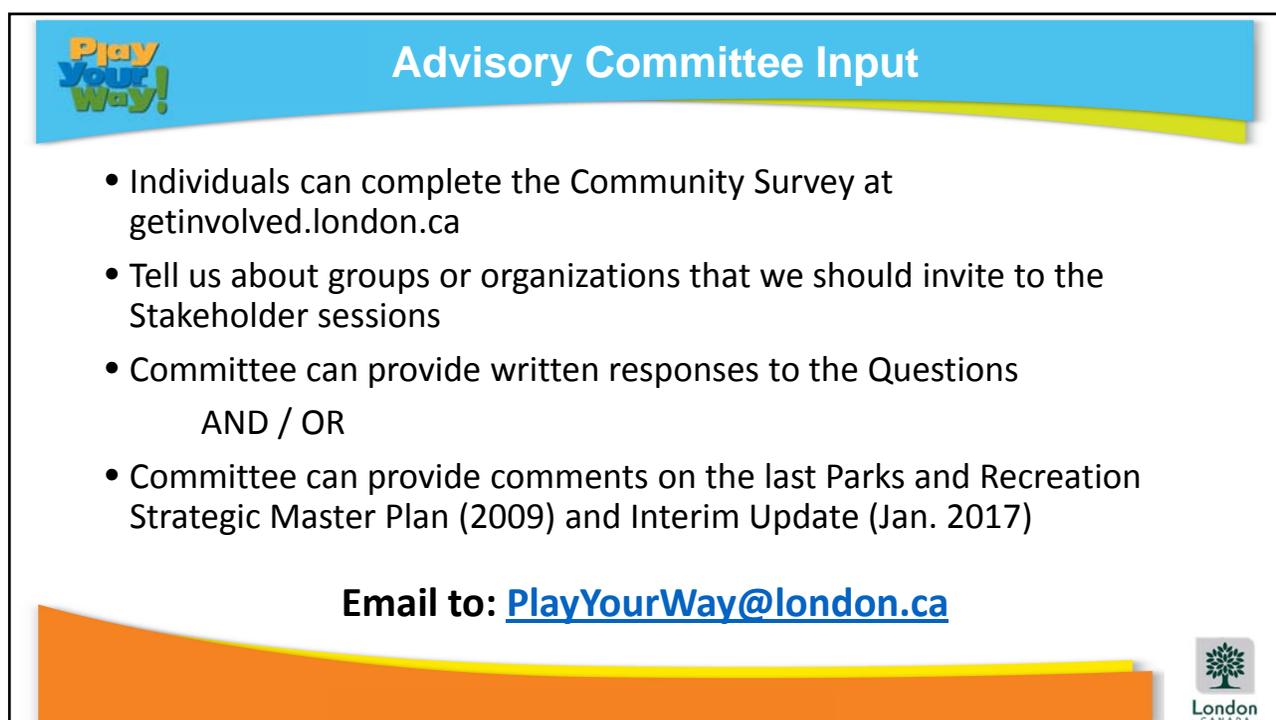
MASTER PLAN

Your input is important.
Tell us how you like to Play Your Way.
Complete the community survey:
getinvolved.london.ca

As London grows and changes, the recreation needs of residents also change. We want to ensure that the right parks, recreation and sport services, programs and facilities are in place to improve quality of life for all Londoners.

Help us plan for the next **10 years** and tell us what recreation, parks and sport services mean to you!

London CANADA



Play Your Way!

Advisory Committee Input

- Individuals can complete the Community Survey at getinvolved.london.ca
- Tell us about groups or organizations that we should invite to the Stakeholder sessions
- Committee can provide written responses to the Questions

AND / OR

- Committee can provide comments on the last Parks and Recreation Strategic Master Plan (2009) and Interim Update (Jan. 2017)

Email to: PlayYourWay@london.ca

London CANADA



Advisory Committee Input

Guiding Questions

1. What are the most pressing **issues and priorities** for your Advisory Committee?
2. How can the City of London's parks, recreation and sport **services and facilities** continue to support the needs of your Committee? Please be specific.
3. How can your Committee, the City and others **work together** to meet future needs?
4. Are there any initiatives that are being contemplated, planned or are being implemented that could tie into these or other priorities for parks, recreation and sport services and facilities?



Parks & Recreation Master Plan Update

Thank you!

Animal Welfare Advisory Committee

Report

7th Meeting of the Animal Welfare Advisory Committee
July 5, 2018
Committee Room #4

Attendance PRESENT: W. Brown (Chair), A. Cheng, H. de Hoog , A.M. Evans, P. Lystar, M. Morris and M. Toplak and P. Shack (Secretary)

REGRETS: K. Ashe, M. Gelinas, A. Hayes and D. Simpson

ALSO PRESENT: H. Chapman

The meeting was called to order at 5:04 PM.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Scheduled Items

2.1 Potential By-law Regulations and Amendments to Zoning By-law, H. Chapman, Manager, Municipal Law Enforcement Services

That it BE NOTED that the Animal Welfare Advisory Committee (AWAC) heard a verbal presentation from H. Chapman, Manager, Municipal Law Enforcement Services, with respect to:

a) potential by-law regulations to address wildlife feeding on private property similar to what the City of Hamilton has in place;

it being noted that the AWAC will review the attached submission, and report back to H. Chapman or R. Oke by next meeting with feedback and suggestions;

b) potential amendments to the Zoning By-law to allow pet sitting and/or boarding services to operate from a residence as a home based business;

it being noted that the AWAC will review the attached submission, and report back to H. Chapman with feedback and suggestions; and

c) the business Reptilia has shown interest establishing a location in London.

3. Consent

3.1 5th & 6th Report of the Animal Welfare Advisory Committee

That it BE NOTED that the 5th and 6th Reports of the Animal Welfare Advisory Committee, from its meetings held on May 3, 2018 and June 7th, 2018, respectively, were received.

4. Sub-Committees and Working Groups

That it BE NOTED that a verbal update from W. Brown, with respect to the sub-committees activities, was received.

5. Items for Discussion

5.1 2018 AWAC Work Plan

That it BE NOTED that the Animal Welfare Advisory Committee reviewed the 2018 Work Plan;

it being noted that additions to be made will be brought forward to the August meeting.

5.2 Pets in Hot Cars

That it BE NOTED that a communication dated June 18, 2018, from the Ontario Society For the Prevention of Cruelty to Animals, with respect to the 2018 No Hot Pets Campaign, was received.

6. Deferred Matters/Additional Business

6.1 Municipal Council Resolution 6th Report of the Animal Welfare Advisory Committee

That it BE NOTED that the Municipal Council resolution adopted at its meeting held on June 26, 2018, with respect to the 6th Report of the Animal Welfare Advisory Committee, was received.

7. Adjournment

The meeting adjourned at 6:35 PM.



HOME OCCUPATION

(Extracted from By-law Z-1)

Section 2 Definitions:

"DOG OR DOMESTIC CAT GROOMING" means the grooming of a dog or domestic cat as defined in the City of London Animal Control By-law (PH-3) and Dog Licensing and Control By-law (PH-4) and includes bathing, cutting of hair, trimming of nails, and other services generally associated with the act of grooming. (Z-1-061498)

"HOME OCCUPATION" means an occupation or business conducted for gain or profit within a dwelling unit by any permanent resident of that dwelling unit. Where the use of the dwelling unit by a permanent resident is for professional or service office which does not involve external signage, client visitations and employees such office shall be considered as an accessory use. (Z-1-97466)

"OFFICE, PROFESSIONAL" means a building or part thereof in which a legal or other personal professional service is performed or consultation given, includes the offices of a lawyer, a planner, an architect, a surveyor, an engineer or a chartered accountant, but does not include a personal service establishment, a medical/dental office, a clinic, an animal hospital, a body-rub parlour or any adult entertainment parlour as defined in the Municipal Act, as amended. (Z-1-97466 AND Z-1-94236)

"OFFICE, SERVICE" means a building, or part thereof, in which one or more persons is employed in the management, direction or conducting of a travel agency, an insurance agency, or a real estate agency.

Section 4 General Regulations:

4.10 HOME OCCUPATION

"Home occupations are permitted in any dwelling unit within a single detached dwelling, semi-detached dwelling, duplex dwelling, converted dwelling, triplex dwelling, fourplex dwelling and townhouses dwelling, subject to the following provisions:" (Z-1-94293)

- (1) The home occupation shall be clearly ancillary to the use of the dwelling unit and carried out by a resident of the unit. (O.M.B. File #R910387 – Appeal #9002 June 4, 1993)
- (2) The floor area taken up by all home occupations shall be no more than 25 percent (25%) of the total floor area of the dwelling unit and shall be confined to one area and shall not exceed 28.0 square metres (301.4 sq. ft.).
- (3) In no case shall any outdoor use or outdoor storage be permitted. (Z-1-97466)
- (4) The home occupation shall not involve the use or employment within the dwelling unit of more than one person who does not reside in the dwelling unit. The function of such non-resident person shall be restricted to a secretarial, accounting, clerical or support role.
- (5) The home occupation shall not involve the use of the premises as a base of operations for persons who are employed by or associated with the home occupation, nor shall the premises be used to assemble or rally such persons for transportation to a work site.
- (6) No more than five persons shall be present in the dwelling unit at any time to receive treatment, services or instructions.
- (7) No retail use of the dwelling unit shall be permitted as a home occupation.
- (8) No manufacturing, assembly or repair process shall be carried on except for the fabrication of hand made articles of clothing, arts or crafts.

- (9) No institutional use of the dwelling unit shall be permitted as a home occupation.
- (10) The use of a swimming pool shall not be permitted as a home occupation.
(O.M.B. File #R910397 – Appeal #9002 June 4, 1993)
- (11) No food preparation or food service shall be permitted as a home occupation.
- (12) No animal, corpse, bacteria or virus shall be brought into the dwelling in connection with a home occupation.
- (a) Notwithstanding Subsection 4.10(12), a dog and domestic cat grooming business is permitted as a home occupation, subject to the following:
- i) A maximum of three (3) dogs and two (2) domestic cats be allowed on the premises at any one time in conformity with the City of London Animal Control By-law (PH-3) and Dog Licensing and Control By-law (PH-4);
 - ii) No veterinary services be provided on the premises;
 - iii) No breeding, boarding or overnight accommodation of dogs or domestic cats for grooming be permitted on the premises;
 - iv) dogs and domestic cats that are licensed or identified as per the City of London Animal Control By-law (PH-3) and Dog Licensing and Control By-law (PH-4), or dogs and domestic cats that are legally licensed by any other municipality in the Province of Ontario, be allowed on the premises at any one time;
 - v) No dogs or domestic cats that are brought into the premises for grooming shall be permitted outside of the dwelling; and
 - vi) other provisions of Section 4 – General Provisions, Subsection 4.10, Home Occupation, shall apply. (Z-1-061498)
- (13) No additional commercial vehicles shall be permitted in connection with a home occupation. (Z-1-97466)
- (14) No lodging shall be provided in the dwelling unit in connection with a home occupation.
- (15) No delivery of materials to the dwelling unit shall be permitted from a vehicle which has a registered gross weight exceeding 5,000 kilograms (11,023 lbs.).
- (16) No additional outdoor mechanical equipment, other than that normally associated with a residential use, shall be used, the operation of which would result in any undue noise, fumes, dust or odor escaping to any adjacent or neighbouring lot.
- (17) The home occupation shall not require the creation of additional on-site parking spaces, except in accordance with this By-law.

4.19 PARKING

2) DIMENSIONS OF PARKING SPACES

A parking space required hereby shall have a minimum area of 2.7 metres by 5.5 metres (8.9 ft. by 18.0 ft.).

4) YARDS WHERE PARKING AREAS PERMITTED

- a) No person shall use any land or cause or permit the use of any land situated in any zone for the purpose of parking or storage of a vehicle in any front yard or exterior side yard.
- b) No person shall use any land or cause or permit the use of any land situated in any zone for the purposes of uncovered surface parking areas in any front yard or exterior side yard.

Authority: Item 10, Planning Committee
Report 12-009 (PED12097)
CM: June 13, 2012

Bill No. 130

CITY OF HAMILTON

BY-LAW NO. 12-130

To Regulate the Feeding of Wildlife and to Repeal By-law No. 02-136

WHEREAS sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular paragraphs 5, 6, 8 and 9 of subsection 10(2) authorize by-laws respecting: the economic, social and environmental well-being of the municipality; the health, safety and well-being of persons; the protection of persons and property; and animals;

AND WHEREAS section 425 of the *Municipal Act, 2001* authorizes the City of Hamilton to pass by-laws providing that a person who contravenes a by-law of the City of Hamilton passed under that Act is guilty of an offence;

AND WHEREAS the *Municipal Act, 2001* further authorizes the City of Hamilton, amongst other things, to delegate its authority;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

DEFINITIONS

1. In this By-law:

“**animal**” means any member of the animal kingdom, other than a human;

“**City**” means the municipality the City of Hamilton or the geographic area of the City of Hamilton as the context requires;

“**feed**”, in all of its forms, includes the regular or intermittent supply of food, but does not include baiting during lawful activities;

“**food**” means anything that can be consumed by an animal for sustenance, but does not include:

- (a) vegetation or animals that are part of natural environment such as grasses or insects; or

To Regulate the Feeding of Wildlife and to Repeal By-law No. 02-136

Page 2 of 4

- (b) compost kept in accordance with all applicable by-laws, statutes or regulations;

"Officer" means a person appointed by the City of Hamilton or assigned by the Manager of Animal Services to enforce this By-law;

"premises" means a building or a part of a building and any land appurtenant to the building or part of the building and does not include a vacant lot or any premises owned or occupied by the governments of Canada, Ontario, a municipality or by an agency, board or commission of these governments;

"wildlife" means an animal that belongs to a species that is wild by nature, but does not include:

- (a) an animal being kept in accordance with the Hamilton Responsible Animal Ownership By-law;
- (b) an animal exempted from the Hamilton Responsible Animal Ownership By-law under section 3.2 of that By-law; or
- (c) an animal being fed in accordance with:
 - (i) any by-law, statute or regulation; or
 - (ii) research undertaken by a university, college or similar provincially or federally recognized research institution.

PROHIBITION

- 2. No person shall feed or permit the feeding of wildlife.
- 3.(1) For the purposes of paragraph 3(2)(a) **"bird"** does not include waterfowl that are wildlife.
 - (2) Despite section 2, a person may feed or permit the feeding of:
 - (a) a bird, if:
 - (i) the bird is fed on premises owned or occupied by the person;
 - (ii) there is no accumulation of bird feces;
 - (iii) there is no interference with the normal use or enjoyment of any other premises; or
 - (b) a feral cat, if the feral cat belongs to a colony of stray or feral cats identified for the purposes of trap, neuter or spay and release programs

approved by the Hamilton / Burlington Society for the Prevention of Cruelty to Animals.

ADMINISTRATION AND ENFORCEMENT

4. The Manager of Animal Services is authorized to administer and enforce this By-law.
5. The Manager of Animal Services may assign Officers to enforce this By-law and Officers so assigned or appointed by City Council to enforce this By-law shall have the authority to carry out inspections.
6. The Manager of Animal Services or an Officer may enter on land at any reasonable time and in accordance with the conditions set out in sections 435 and 437 of the *Municipal Act, 2001* for the purpose of carrying out an inspection to determine whether or not this By-law is being complied with.
7. The Manager of Animal Services or an Officer may undertake an inspection pursuant to an order issued by a provincial judge or justice of the peace under section 438 of the *Municipal Act, 2001* where he or she has been prevented or is likely to be prevented from carrying out an inspection under section 6.
8. Every person who fails to comply with section 2 is guilty of an offence and is liable:
 - (a) on a first conviction, to a maximum fine of not more than \$10,000; and
 - (b) on any subsequent conviction, to a maximum fine of not more than \$25,000.
9. Where a person has been convicted of an offence, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty imposed by this By-law, make an order prohibiting the continuation or repetition of the offence by the person convicted.
10. This By-law may be referred to as the Hamilton Wildlife Feeding By-law or the Wildlife Feeding By-law.

To Regulate the Feeding of Wildlife and to Repeal By-law No. 02-136

Page 4 of 4

11. If a court of competent jurisdiction declares any provision or part of a provision of this By-law invalid, the provision or part of a provision is deemed severable from this By-law and it is the intention of City Council that the remainder of the By-law shall continue to be in force.

REPEAL AND ENACTMENT

12. City By-law No. 02-136 to regulate pigeon pests is repealed.
13. This By-Law shall come into force on the date of its passing.

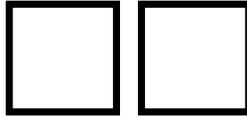
PASSED this 13th day of June, 2012



R. Bratina
Mayor



R. Caterini
City Clerk



TO:	CHAIR AND MEMBERS COMMUNITY AND PROTECTIVE SERVICES MEETING ON JULY 16TH, 2018
FROM:	G. KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT:	By-law Amendments to the Sound By-law PW-12 and to the Public Nuisance By-law PH-18 Public Messaging in the Community - Nuisances

RECOMMENDATION

That on the Recommendation of the Managing Director, Development & Compliance Services and the Chief Building Official, the following actions be taken to amend various City of London by-laws:

- a) the attached proposed by-law (Appendix A) **BE INTRODUCED** at the Municipal Council meeting to be held July 24th, 2018 to amend the Sound By-law, PW-12 to include a new type of Temporary Noise Exemption Permit; (Schedule A) being the draft by-law in consolidated version, and
- b) the attached proposed by-law (Appendix B) **BE INTRODUCED** at the Municipal Council meeting to be held on July 24th, 2018 to amend the Public Nuisance By-law No. PH-18 to include regulations for live speech public messaging in the community, (Schedule A) being the draft by-law in consolidated version.

PREVIOUS REPORTS

Community and Protective Services Committee on Public Messaging in the Community - Nuisances held May 29th, 2018

BACKGROUND

Municipal Council, at its meeting held on June 12th, 2018 resolved:

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the following actions be taken with respect to public messaging in public spaces:

- a) *the staff report dated May 29, 2018 BE RECEIVED;*
- b) *the Civic Administration BE DIRECTED to draft by-law amendments, for consideration, as soon as possible, by the Community and Protective Services Committee, to:*
 - i) *amend the Public Nuisance By-law to regulate abusive or insulting language that unnecessarily interferes with the use and enjoyment of public space by other persons; and,*
 - ii) *amend the Sound By-law to regulate amplified live speech; and,*
- c) *the City Solicitor BE REQUESTED to provide a companion legal report for the proposed amendments noted in the above, including Charter challenges, as appropriate;*

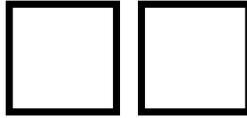
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CONCLUSION

Civic Administration recommends the proposed amendments be adopted to regulate amplified live speech and to address public messaging in the community that has been deemed a nuisance due to the use of personal invective which is affecting citizen and visitor enjoyment of London’s public spaces.

PREPARED BY:	
H. CHAPMAN, MANAGER MUNICIPAL LAW ENFORCEMENT SERVICES	
CONCURRED BY:	RECOMMENDED BY:
O. KATOLYK, CHIEF MUNICIPAL LAW ENFORCEMENT OFFICER	G. KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL

cc: L. Marshall, City Solicitor’s Office



APPENDIX "A"

Bill No.
2018

By-law No.

A By-law to amend By-law PW-12, as amended, entitled "A By-law to provide for the Regulation and Prohibition of Noise and Sound" with respect to Amplified Live Speech

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

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

1. Section 1.1 of By-law PW-12 is amended by inserting the following new definition of "Amplified Live Speech" after the definition of "Agricultural Operation" as follows:

"Amplified Live Speech" means live speech amplified by any means that is clearly audible at an outdoor public place, but does not include live speech that is incidental to a commercial, industrial, or institutional premise, and does not include live speech amplified by an assistive device used by a person due to a disability;

2. Section 4.1 of By-Law PW-12 is amended by:
 - (i) in the heading of Part 4 inserting the phrase "**- AMPLIFIED LIVE SPEECH**" after the phrase "(CLASS 2)";
 - (ii) inserting the phrase "or Amplified Live Speech" after the phrase "Community Event (Class 2)" wherever it appears;
 - (iii) deleting the word "and" in subsection 4.1(2)(h);
 - (iv) deleting the "." at the end of subsection 4.1(2)(i) and replacing it with "; and";
 - (v) inserting a new subsection 4.1(2)(j), as follows:
 - (j) despite subsections (h) and (i) of subsection (2), there shall be no fees associated with a permit for Amplified Live Speech."

3. Subsection 6.1(q) of By-law PW-12 is deleted and replaced with the following new subsections 6.1(q) as follows:

Temporary Noise Permit – Construction – Community Event (Class 2) - Amplified Live Speech

- (q) Construction or a Community Event (Class 2) or Amplified Live Speech, but only if a valid temporary noise permit has been issued, and only if the terms and conditions of the temporary noise permit are complied with;

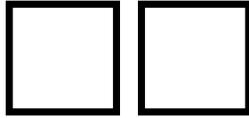
4. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on _____, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading –
Second Reading –
Third Reading –



SCHEDULE “A”

**Sound By-law
(Consolidated with draft amendments highlighted)**

Bill No. 217
2009

By-law No. PW-12

A by-law to provide for the Regulation and Prohibition of Noise and Sound.

WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS subsection 10(1) of the *Municipal Act, 2001* provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting: in paragraph 5, Economic, social and environmental well-being of the municipality; in paragraph 6, Health, safety and well-being of persons; in paragraph 7, Services and things that the municipality is authorized to provide under subsection (1); in paragraph 8, Protection of persons and property; in paragraph 9, Animals; in paragraph 9, Structures including fences and signs;

AND WHEREAS section 129 of the *Municipal Act, 2001* provides that, without limiting sections 9 and 10 of the Act, a municipality may: (a) prohibit and regulate with respect to noise, vibration, odour, dust and outdoor illumination, including indoor lighting that can be seen outdoors; and (b) prohibit the matters described in clause (a) unless a permit is obtained from the municipality for those matters and may impose conditions for obtaining, continuing to hold and renewing the permit, including requiring the submission of plans;

AND WHEREAS section 128 of the *Municipal Act, 2001* provides that a municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council are or could become public nuisances;

AND WHEREAS in the opinion of Council for the City of London, certain kinds of noise are or could become a public nuisance;

AND WHEREAS subsection 391(1) of the *Municipal Act, 2001* provides that a municipality may impose fees and charges on persons,

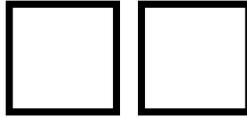
- (a) for services or activities provided or done by or on behalf of it;
- (b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board; and,
- (c) for the use of its property including property under its control;

AND WHEREAS Section 23.2 of the *Municipal Act, 2001* permits a municipality to delegate certain legislative and quasi-judicial powers;

AND WHEREAS section 444 of the *Municipal Act, 2001* provides that the municipality may make an order requiring the person who contravened the by-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to discontinue the contravening activity, and any person who contravenes such an order is guilty of an offence;

AND WHEREAS section 447.8 of the *Municipal Act, 2001* provides that a by-law of a municipality made under this or any other Act may,

- (a) adopt by reference, in whole or in part, with such changes as the council considers appropriate, any code, standard, procedure or regulation as it stands



at a specific date, as it stands at the time of adoption or as amended from time to time; and

- (b) require compliance with any code, standard, procedure or regulation so adopted;

AND WHEREAS section 195 of the *Highway Traffic Act*, R.S.O. 1990, c. H.8 provides in section 195 that “If a provision of a municipal by-law passed by the council of a municipality...for regulating noise...created by the operation of motor vehicles on the highways...is inconsistent with this Act or the regulations, the provision of the by-law shall be deemed to be repealed upon the inconsistency arising”;

AND WHEREAS section 179 of the *Environmental Protection Act*, R.S.O. 1990, c. E.19 provides in section 179 “Where a conflict appears between any provisions of this Act or the regulations and any other Act or regulation in a matter related to the natural environment or a matter specifically dealt with in this Act or the regulations, the provision of this Act or the regulations shall prevail”;

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

PART 1

DEFINITIONS

1.1 For the purpose of this by-law:

“Agricultural Operation” has the same meaning as contained in the *Farming and Food Production Protection Act, 1998*, S.O. 1998, C. 1, as amended, or any successor legislation;

“Amplified Live Speech” means live speech amplified by any electronic device that is clearly audible at an outdoor public place, but does not include live speech that is incidental to a commercial, industrial, or institutional premise, and does not include live speech amplified by an assistive device used by a person due to a disability;

“Animal” means any member of the animal kingdom, other than a human, and without limiting the generality of the foregoing, includes dogs, cats, and birds;

“City” means The Corporation of the City of London;

“Community Event (Class1)” means: the Western Fair Association’s annual week-long Western Fair held at the Western Fairgrounds; the annual week-long orientation events and campus life events that are held on campus at the University of Western Ontario and affiliated colleges; and the annual week-long orientation events and campus life events that are held on campus at Fanshawe College;

“Community Event (Class 2)” means: an event open to the public, including a public fair, public exhibition, public celebration, public sporting event, public concert; or a university or college event; or a school board event. A Community Event (Class 2) does not include a Special Event or a Community Event (Class 1);

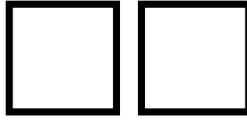
“Construction” includes erection, alteration, repair, dismantling, demolition, structural maintenance, painting, moving, land clearing, earth moving, grading, excavating, the laying of pipe and conduit whether above or below ground level, street and highway building, concreting, equipment installation and alteration and the structural installation of construction components and materials in any form for any purpose, and includes any work in connection therewith;

“Conveyance” includes a vehicle and any other device employed to transport a person or persons or goods from place to place but does not include any such device or vehicle if operated only within the premises of a person;

“Council” means the Council for the City;

“Hearings Officer” means a Hearings Officer appointed under the City’s Hearings Officer By-law A.-6653-121, as amended;

“Manager of By-law Enforcement” means the Manager of By-law Enforcement for the City, or his or her designate;



“Municipality” means the land within the geographic limit of the City of London;

“Normal Farm Practice” has the same meaning as contained in the *Farming and Food Production Protection Act, 1998*, S.O. 1998, C. 1, as amended, or any successor legislation;

“Point of Reception” means any point on the premises where sound originating from other than those premises is received;

“Residential Area” means any area of the Municipality where residential use is permitted under the provisions of the City’s Zoning By-law from time to time, including but not limited to land zoned R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, or R11;

“Rural Area” means land in the Municipality zoned AG, AGC, or UR from time to time under the City’s Zoning By-law;

“Special Event” means a Special Event as defined in the City’s Special Events Policies and Procedures Manual, and that is recognized by the City as a special event;

“Stationary Source” means a source of sound which does not normally move from place to place, and includes the premises of a person as one stationary source unless the dominant source of sound on those premises is Construction or a Conveyance;

1.2 Any word or term not defined in this By-law, that is defined in the Ontario Ministry of the Environment Publication Noise Pollution Control NPC-101, 102, 103, 104, 115, 205, 206, 215 or 232 (as set out in Part 3 of this By-law) shall have the meaning ascribed to it in such NPC Publication.

PART 2 – QUALITATIVE NOISE PROHIBITIONS

General Prohibition

2.1 No person shall make, cause or permit an unreasonable noise, or a noise that is likely to disturb the inhabitants.

Prohibitions - deemed

2.2 Without limiting the generality of section 2.1 of this By-law, the provisions of sections 2.3 through 2.4 shall be deemed to be unreasonable noise, or noise that is likely to disturb the inhabitants.

Prohibitions – deemed - any time, any location

2.3 At any time or location in the Municipality:

Vehicle - Warning Device - Unreasonable Period

(a) the sounding of any bell, horn, siren or other warning device on any motor vehicle or vehicle for an unnecessary or unreasonable period of time, except when permitted by law;

Vehicle - Disrepair - Maladjustment

(b) the grating, grinding or rattling sound caused by the condition of disrepair or maladjustment of any motor vehicle or vehicle or part or accessory thereof;

Vehicle – Load – Improperly Secured

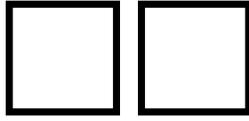
(c) the sound created by the operation of any motor vehicle, trailer or other vehicle bearing material, articles or things that are loaded upon such vehicle in such manner as to create excessive noise;

Vehicle - Exhaust- except through muffling device

(d) the sound from the discharge into the open air of the exhaust of any steam engine, internal combustion engine (including the engine of any motor vehicle), or pneumatic device without an effective exhaust or intake muffling device in good working order and in constant operation that prevents excessive noises that are loud or explosive;

Vehicle - Speakers

(e) the sound from or created by any radio, amplifier, loud speaker, public address system, or equipment, device or instrument that emits sound when the same is used or operated



from any motor vehicle, trailer or vehicle that is clearly audible at least 8 metres (25 feet) from the vehicle;

Attracting attention – to Performance – Advertising

- (f) the sound from or created by any instrument, radio, amplification device, loud speaker, public address system, equipment or device that emits sound when the same is used or operated for the purpose of advertising or for attracting attention to any performance or sale, show or display of goods or services and projects such sound into any street or other public place;

Whistle – attached to boiler – other mechanism

- (g) the sound from any steam whistle or air whistle attached to or used in connection with a boiler or other machine or mechanism, except for the purpose of giving notice of the time to commence or cease work, or as a warning of danger;

Alarm – Warning Device

- (h) the sounding of any alarm, bell, horn, siren or other warning device for an unnecessary or unreasonable period of time.

Prohibitions – deemed - Residential Area

2.4 At the specified times and clearly audible at a Point of Reception in a Residential Area:

Animal – any time

- (a) the persistent sound by any Animal under the care, control or ownership of the person that is clearly audible at a Point of Reception in a Residential Area at any time;

Amplified Sound – television – stereo – speakers – amplifiers – any time

- (b) the sound created by any electronic device or group of connected electronic devices incorporating one or more loudspeakers or other electro-mechanical transducers intended for the production, reproduction or amplification of sound, including but not limited to a radio, television, amplifier, loud speaker, public address system, sound equipment, that is clearly audible at a Point of Reception in a Residential Area at any time;

Shouting, Yelling, Loud Hooting, Loud Whistling, Loud Singing – any time

- (c) any shouting, yelling, loud hooting, loud whistling or loud singing that is clearly audible at a Point of Reception in a Residential Area at any time;

Construction – Excavation – 6 p.m. to 7 a.m.

- (d) the noise arising from Construction that is clearly audible at a Point of Reception in a Residential Area between 6:00 p.m. and 7:00 a.m. of the following day (or 9:00 a.m. if the following day is Sunday);

Firearms – discharge – 9 p.m. to 7 a.m.

- (e) the sound caused by the discharge of any gun or other firearm, air gun, spring-gun of any class or type that is clearly audible at a Point of Reception in a Residential Area between 9:00 p.m. and 7:00 a.m. of the following day (or 9:00 a.m. if the following day is Sunday), except if lawfully discharged by a peace officer in the performance of their duties;

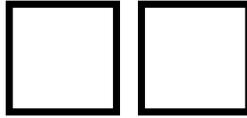
Power Equipment – use – 10 p.m. to 7 a.m.

- (f) the sound caused by the use or operation of a lawnmower, chain-saw, leaf-blower, or any other such noise-generating tool or device that is clearly audible at a Point of Reception in a Residential Area between 10:00 p.m. of any day and 7:00 a.m. of the next following day (or 9:00 a.m. if the following day is Sunday).

PART 3 – QUANTITATIVE NOISE – STATIONARY SOURCES

ADOPTION OF STANDARDS AND PROCEDURES

- 3.1 The following Ontario Ministry of Environment Publications (NPC – Noise Pollution Control) standards and procedures are adopted and incorporated by reference into this by-law:
 - NPC 101 - Technical Definitions, as set out in the Ministry of the Environment’s “Model Municipal Noise Control By-law, Final Report, August 1978”;



- NPC 102 - Instrumentation, as set out in the Ministry of the Environment's "Model Municipal Noise Control By-law, Final Report, August 1978";
- NPC 103 - Procedures, as set out in the Ministry of the Environment's "Model Municipal Noise Control By-law, Final Report, August 1978";
- NPC 104 - Sound Level Adjustments, as set out in the Ministry of the Environment's "Model Municipal Noise Control By-law, Final Report, August 1978";
- NPC 115 - Construction Equipment, as set out in the Ministry of the Environment's "Model Municipal Noise Control By-law, Final Report, August 1978";
- NPC 205 - Sound Level Limits for Stationary Sources in Class 1 & 2 Areas (Urban), dated October 1995;
- NPC 206 - Sound Levels Due to Road Traffic, dated October 1995;
- NPC 216 - Residential Air Conditioning Devices, dated October 1993;
- NPC 232 - Sound Level Limits for Stationary Sources in Class 3 Areas (Rural), dated October 1995

QUANTITATIVE NOISE PROHIBITIONS

3.2 No person shall emit or cause or permit the emission of sound from a Stationary Source such that the level of sound from that source at the Point of Reception:

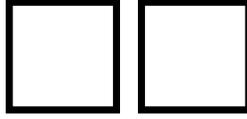
- (a) in a Residential Area exceeds the applicable sound level limit prescribed in publication NPC-205– Sound Level Limits for Stationary Sources in Class 1 & 2 Areas (Urban), dated October 1995; or
- (b) in a Rural Area exceeds the applicable sound level limit prescribed in publication NPC-232 – Sound Level Limits for Stationary Sources in Class 3 Areas (Rural), dated October 1995; or
- (c) in a Residential Area exceeds the applicable sound level limit prescribed in publication NPC-216 – Residential Air Conditioning Devices, dated October 1993.

3.3 Where a source of sound is subject to more than one subsection in section 3.2, the least restrictive provision shall prevail.

PART 4 – TEMPORARY NOISE PERMIT - CONSTRUCTION – COMMUNITY EVENT (CLASS 2) – AMPLIFIED LIVE SPEECH

Application for a Temporary Noise Permit

- 4.1 (1) Any person may submit an application for a temporary noise permit for Construction or for a Community Event (Class 2) **or Amplified Live Speech**.
- (2) The application in subsection (1) shall be made in writing to the Manager of By-law Enforcement, and shall contain all of the following:
- (a) the name and address of the applicant;
 - (b) a description of the event and how it meets the definition of Community Event (Class 2) **or Amplified Live Speech** or Construction;
 - (c) the location of the event or activity for which the temporary noise permit is sought;
 - (d) a description of the source of sound and level of sound for which the temporary noise permit is sought;
 - (e) the times of day, and the period of time (not in excess of six months) for which the temporary noise permit is sought;
 - (f) the reasons why the temporary noise permit should be granted;
 - (g) a statement of the steps, if any, planned or presently being taken to minimize the noise or sound;
 - (h) a non-refundable application fee of \$75.00;
 - (i) a temporary noise permit fee of \$100.00, refundable if the application is not approved; **and**
 - (j) **despite subsections (h) and (i) of subsection 2, there shall be no fees associated with a permit for Amplified Live Speech.**
- (3) The following power and authority is delegated to the Manager of By-law Enforcement with respect to Construction or a Community Event (Class 2) **or Amplified Live Speech**:
- (a) to issue a temporary noise permit; and

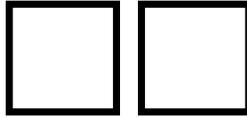


- (b) to refuse to issue, cancel, revoke or suspend a temporary noise permit, and to impose conditions (including special conditions) on a temporary noise permit.
- (4) In making his or her determination under subsection (3), the Manager of By-law Enforcement shall:
 - (i) determine whether the event falls within the definition of Construction or Community Event (Class 2) **or Amplified Live Speech**;
 - (ii) consider any negative effects the issuance of the temporary noise permit may have on neighbouring properties or on the City;
 - (iii) consider any benefits the issuance of the temporary noise permit may have for neighbouring properties or for the City;
 - (iv) consider any previous violations of this By-law or temporary noise permit conditions by the applicant; and
 - (v) consider anything the Manager of By-law Enforcement reasonably considers relevant.
- (5) (a) The Manager of By-law Enforcement may impose conditions on a temporary noise permit, including but not limited to:
 - (i) the type and volume of sounds that may be made;
 - (ii) the times during which sounds may be made;
 - (ii) the date of expiry of the temporary noise permit (not in excess of six months);
 - (iv) requiring the posting of security prior to the activity; and
 - (v) that the applicant, City staff or a professional engineer monitor the sound levels resulting from the event or activity and require a report of the findings of the engineer be filed with the Manager of By-law Enforcement within 30 days of the event or activity, all at the applicant's expense.
- (b) The Manager of By-law Enforcement shall impose conditions on a temporary noise permit for Community Event (Class 2) **or Amplified Live Speech** with respect to:
 - (i) the volume of amplified sound that may be made; and
 - (ii) the times during which sounds may be made.
- (c) The minimum conditions that the Manager of By-law Enforcement shall impose under subsection 5(b) are:
 - (i) subject to subsection (ii), the volume of amplified sound that may be made shall not exceed a sound pressure of at most 90 decibels at a point of reception determined by the Manager of By-law Enforcement;
 - (ii) the volume of amplified sound that may be made from an outdoor patio shall not exceed a sound pressure of at most 70 decibels at a point of reception determined by the Manager of By-law Enforcement; and
 - (iii) the times during which sound may be made shall be limited to the hours of 9:00 a.m. at the earliest and 12:00 midnight at the latest.
- (6) Where the Manager of By-law Enforcement has made a decision under subsection (3)(b), he or she shall give written notice of that decision to the applicant by regular mail to the last known address of that person. The written notice shall:
 - (a) set out the grounds for the decision;
 - (b) give reasonable particulars of the grounds;
 - (c) be signed by the Manager of By-law Enforcement;
 - (d) state that the applicant is entitled to a hearing by a Hearings Officer if the applicant files a notice of appeal with the City Clerk within 10 days after the notice is given, and pays the appeal fee of \$150.
- (7) Where no appeal is received within 10 days after the notice is given, the decision of the Manager of By-law Enforcement shall be final.
- (8) The Manager of By-law Enforcement shall report to Council annually on the temporary noise permits issued and refused.

Hearings

4.1(9) The power and authority to conduct hearings of appeals under the by-law are hereby delegated to the Hearings Officer. The provisions of the City's Hearings Officer By-law A.-6653-21, as amended apply to all hearings conducted by a Hearings Officer.

4.1(10) A request by the applicant for a hearing shall be made in writing and filed with the City



Clerk. The request shall consist of a notice of appeal and must comply with the requirements as set out in Schedule 1 of the City's Hearings Officer By-law A.-6653-121, as amended.

4.1(11) Subsection 4.1(4) and 4.1(5) of this by-law apply with necessary modifications to a Hearings Officer. A Hearings Officer may direct the Manager of By-law Enforcement to issue the temporary noise permit (including imposing any conditions), or refuse to issue a temporary noise permit.

4.1(12) The decision of the Hearings Officer shall be final.

Temporary Noise Permit Expiry

4.2 Any temporary noise permit issued under this By-law shall expire on the date set out on the temporary noise permit, or if no date is set out on the temporary noise permit, forty-eight hours after its issuance.

Breach of Terms or Conditions

4.3 Breach by the holder of the temporary noise permit of any of its terms or conditions shall render the temporary noise permit null and void.

Offence – Fail to Comply with Terms and Conditions

4.4 No holder of a temporary noise permit shall fail to comply with the terms and conditions of the temporary noise permit.

PART 5 – ENFORCEMENT

ORDERS

Order to Discontinue Activity

5.1 If a municipal law enforcement officer or a London Police Service police officer is satisfied that this by-law has been contravened, the officer may make an order, known as an Order to Discontinue Activity, requiring the person who contravened the by-law, or who caused or permitted the contravention, or the owner or occupier of the land on which the contravention occurred, to discontinue the contravention.

Order to Discontinue Activity - particulars

- 5.2 An Order to Discontinue Activity shall set out:
- (a) the municipal address of the property on which the contravention occurred;
 - (b) the date of the contravention;
 - (c) the reasonable particulars of the contravention of the by-law; and
 - (d) the date by which there must be compliance with the order.

Order to Discontinue Activity - service

5.3 The Order to Discontinue Activity may be served personally on the person to whom it is directed or by regular mail to the last known address of that person, in which case it shall be deemed to have been given on the third day after it is mailed. Service on a corporation can be effected by registered mail to the corporate mailing address.

Contravention of Order

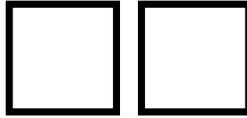
5.4 No person shall contravene an Order to Discontinue Activity.

Inspection Fee

- 5.5 (1) Where the municipal law enforcement officer determines that an activity producing noise or sound is not in compliance with this by-law or with an Order to Discontinue Activity, the fee or charge set out in the applicable Fees and Charges By-law for inspection may be imposed on the owner, person responsible for the noise or sound, or temporary noise permit holder.
- (2) The fees imposed constitute a debt of the person to the City. The City Treasurer may add fees to the tax roll and collect them in the same manner as municipal taxes on any property for which all the owners are responsible for paying the fees.

Hinder or Obstruct

5.6 No person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this By-law, including carrying out an inspection.



By-law Enforcement – London Police Service - enforce

5.7 This by-law may be enforced by a City municipal law enforcement officer or a London Police Service police officer.

PART 6 - EXEMPTIONS

6.1 Despite any provision of this By-law, this By-law shall not apply to the following sounds arising from:

Police – Fire Services – Ambulance

(a) a vehicle of the London Police Service, provincial or federal police, London Fire Services, or ambulance, while in performance of their duty;

Railway – Airport – operations

(b) any activity that is integral to the operation of any railway or airport within the legislative authority of Parliament;

Public Necessity - Emergency

(c) a matter of public necessity or public emergency;

City Equipment – City Snow Removal - Road Cleaning Equipment - etc

(d) the operation of machines and equipment by or on behalf of the City, including but not limited to snow removal equipment, road cleaning equipment, grass cutting or field maintenance equipment, tree and shrub pruning and mulching equipment, painting machines for crosswalks and highways;

Garbage & Recycling Collection / Disposal - City

(e) the collection or disposal of garbage, waste or recyclable material by or on behalf of the City;

Signalling Devices

(f) signalling devices utilized as traffic and pedestrian control devices at intersections and crosswalks;

City Construction Projects

(g) the operation of equipment in conjunction with City Construction projects, City general maintenance projects, and City emergency maintenance projects;

Fireworks – Pyrotechnics

(h) the discharge of consumer fireworks, display fireworks or pyrotechnic special effects fireworks if such discharge complies with the City’s Fireworks By-law;

Bells – Clocks – Religious - City

(i) bells, chimes, carillons or clocks associated with religious or public buildings or uses;

Industrial Use in Industrial Zone

(j) activities from industrial uses located in lands zoned for industrial use if sound is in accordance with the terms and conditions of a valid Certificate of Approval, provisional Certificate of Approval or other approval issued under the *Environmental Protection Act*, R.S.O. 1990, c. E.19, where such approval addresses sound as a source of contamination;

Normal Farm Practice

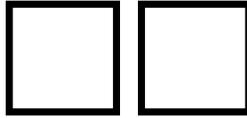
(k) activities as part of a Normal Farm Practice and carried on as part of an Agricultural Operation;

Public Utilities

(l) operation of machinery by or on behalf of a public utility where work needs to be done to minimize service interruptions;

Work Approval Permit - Streets By-law

(m) operation of construction equipment where the City has issued a Work Approval Permit under the Streets By-law and in issuing such permit the City requires the work to be



done to minimize traffic impacts;

Public election - gathering - authorized

- (n) the use in a reasonable manner of any apparatus or mechanism for the amplification of the human voice or of music in a public park or any other commodious space in connection with any public election meeting or other lawful gathering between 9:00 a.m. and 6:00 p.m.;

Special Event – compliance with Special Events Policy Manual

- (o) a Special Event but only if it is in compliance with the City’s Special Events Policy and Procedures Manual;

Community Event (Class 1) – compliance with Community Event (Class 1) Policy

- (p) a Community Event (Class 1) but only if it is in compliance with the City’s Community Event (Class 1) Noise Policy;

Temporary Noise Permit – Construction – Community Event (Class 2) – Amplified Live Speech

- (q) Construction or a Community Event (Class 2) or Amplified Live Speech, but only if a valid temporary noise permit has been issued, and only if the terms and conditions of the temporary noise permit are complied with;

Parade - band - authorized

- (r) a military or other band in a parade if the parade is operating under written permission of the City;

Tradesman - plying call - legitimacy - moderation

- (s) any newsboy, pedlar, hawker or petty tradesman plying his calling legitimately and moderately;

Snow Removal – Private Property

- (t) the use in a reasonable manner of vehicles and equipment when utilized for the clearing and the removal of snow from private property;

Animals – City – Police

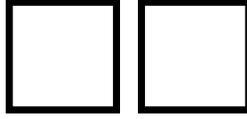
- (u) an Animal under the care or control of the City, including but not limited to those located at Storybook Gardens, and animals under the care or control of London Police Service or provincial or federal police.

6.2 Despite any provision of this By-law, this By-law shall not apply where:

- (a) a sound is from a facility that has been designed, developed, built, operated and maintained in accordance with the terms and conditions of a valid Certificate of Approval, provisional Certificate of Approval or other approval issued under the *Environmental Protection Act*, R.S.O. 1990, c. E.19, where such approval addresses sound as a source of contamination; or
- (b) an order or permit has been issued under the *Environmental Protection Act* that addresses the sound as a source of contamination.

PART 7- PENALTY

- 7.1 (1) Any person who contravenes any provision of this By-law is guilty of an offence.
(2) A director or officer of a corporation who knowingly concurs in the contravention of this By-law is guilty of an offence.
- 7.2 Any person convicted under this By-law is liable:
 - (a) upon a first conviction, to a minimum fine of \$175.00 and a maximum fine of \$5,000.00;
 - (b) upon a subsequent conviction, to a minimum fine of \$500.00 and a maximum fine of \$10,000.00.
- 7.3 Despite section 7.2, where the person convicted is a corporation, the corporation is liable,
 - (a) upon a first conviction, to a minimum fine of \$175 and a maximum fine of not more than Ten Thousand Dollars (\$10,000.); and
 - (b) upon any subsequent conviction, to a minimum fine \$1000 and a maximum fine of not more than Twenty Five Thousand Dollars (\$25,000).



- 7.4 If this by-law is contravened and a conviction entered, in addition to any other remedy and to any penalty imposed by the by-law, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the person convicted.

PART 8- MISCELLANEOUS

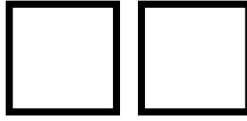
- 8.1 By-law PW-4 and any amendments thereto are hereby repealed.
- 8.2 This by-law may be referred to as the "Sound By-law".
- 8.3 This by-law shall come into force and effect on July 1, 2009.

PASSED in Open Council May 4, 2009.

Anne Marie DeCicco-Best
Mayor

Kevin Bain
City Clerk

First Reading – May 4, 2009
Second Reading – May 4, 2009
Third Reading – May 4, 2009



APPENDIX “B”

Bill No.
2018

By-law No. PH-18

A by-law to amend By-law PH-18 entitled, “A by-law to prohibit and regulate public nuisances within the City of London.” to prohibit unnecessary interference with another person’s use and enjoyment of a Public Place.

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

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting: 5. Economic, social and environmental well-being of the municipality; 6. Health, safety and well-being of persons; 8. Protection of persons and property;

AND WHEREAS section 128 of the *Municipal Act, 2001* provides that, without limiting sections 9 and 10, a municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances, and the opinion of Council under this section, if arrived at in good faith, is not subject to review by any court;

AND WHEREAS, in the opinion of Council, unnecessary interference with another person’s use and enjoyment of a Public Place by using abusive or insulting language as a personal invective, is or could become or cause a public nuisance;

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

1. By-law PH-18 is amended by inserting the following new Section 4.1:

4.1 Unnecessary Interference with Use and Enjoyment of Public Place

(1) In section 4.1 only, “Public Place” is defined as:

“**Public Place**” includes a Highway, public park, or other lands to which the public has access as of right or by invitation and includes private property that is exposed to public view.

(2) No person shall, in a Public Place, unnecessarily interfere with another person’s use and enjoyment of the Public Place by using abusive or insulting language as a personal invective.

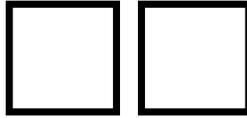
2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on _____, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading -
Second Reading -
Third Reading -



SCHEDULE “B”

Public Nuisance By-law (Consolidated with draft amendments highlighted)

Bill No. 228
2012

By-law No. PH-18

A By-law to prohibit and regulate public nuisances within the City of London.

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

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

AND WHEREAS section 8 of the *Municipal Act, 2001* provides that the powers of a Municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues;

AND WHEREAS section 10 of the *Municipal Act, 2001* provides that a Municipality may pass by-laws respecting: Economic, social and environmental well-being of the Municipality; Health, safety and well-being of persons; Protection of persons and property; Structures, including fences and signs;

AND WHEREAS section 128 of the *Municipal Act, 2001* provides that, without limiting sections 9 and 10, a local Municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances, and the opinion of Council under this section, if arrived at in good faith, is not subject to review by any court;

AND WHEREAS, in the opinion of Council, nuisance parties, public urination and defecation, and knocking over objects on the Highway are or could become or cause public nuisances;

AND WHEREAS section 425 of the *Municipal Act, 2001* establishes that any person who contravenes any by-law of the Municipality is guilty of an offence;

AND WHEREAS section 435 of the *Municipal Act, 2001* and By-law A-30 provide for the exercise of powers of entry by municipal law enforcement officers and police officers;

AND WHEREAS section 444 of the *Municipal Act, 2001* provides that a municipality may make an order requiring a person who contravened a by-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to discontinue the contravening activity;

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

1. DEFINITIONS

In this By-law,

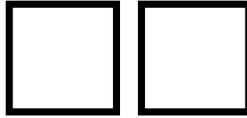
“**Building**” means any permanent structure consisting of a roof supported by walls or columns that is used or intended to be used for the shelter, accommodation or enclosure of persons, animals, goods, chattels or equipment;

“**Chief of Police**” means the Chief of Police of the London Police Service, or designate;

“**City**” means The Corporation of the City of London;

“**Dwelling**” means a Building containing one or more dwelling units;

“**Highway**” includes a common and public highway, highway, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles or persons, and includes the area between the lateral property lines thereof, including sidewalks and boulevards, and Highways shall have a corresponding meaning;



“Municipality” means the land within the geographic limit of the City of London;

“Nuisance Party” means a social gathering on Premises within the Municipality and which, by reason of the conduct of the persons in attendance, results in any one or more of the following activities occurring so as to constitute a public nuisance whether occurring on neighbouring public or private property:

- (a) disorderly conduct;
- (b) public drunkenness or public intoxication;
- (c) the unlawful sale, furnishing, or distribution of alcoholic beverages or controlled substances;
- (d) the deposit of refuse on public or private property;
- (e) damage to or destruction of public or private property;
- (f) pedestrian traffic, vehicular traffic, or illegal parking that obstructs the free flow of traffic or could interfere with the ability to provide emergency services;
- (g) unreasonable noise, including loud music or shouting;
- (h) unlawful open burning or fireworks;
- (i) public disturbances, including public brawls or public fights;
- (j) outdoor public urination or defecation;
- (k) use of or entry upon a roof not intended for such occupancy;

“Premises” means any public or private place in the Municipality, including but not limited to Highways, parks, parking lots, yards appurtenant to a Building or Dwelling or vacant lands, but does not mean a Building or Dwelling.

2. PUBLIC URINATION / PUBLIC DEFECACTION

2(1) In Section 2 only, “Public Place” is defined as:

“Public Place” includes a Highway, public park, parking lot or other lands to which the public has access as of right or by invitation and includes private property that is exposed to public view, but does not include an enclosed washroom facility.

2(2) No person shall urinate or defecate in a Public Place.

3. MAILBOXES ETC. ON HIGHWAY

No person shall knock over or attempt to knock over a Canada Post mailbox, Canada Post relay box, newspaper box, Blue Box, or garbage container, lawfully located on a Highway. This section shall not apply to City employees, or any person under contract with the City, acting under the City’s Waste Management By-law.

4. NUISANCE PARTIES

4(1) No person shall sponsor, conduct, continue, host, create, attend, allow, cause or permit a Nuisance Party.

4(2) No person who, individually or jointly with others, is an owner, occupant, tenant, or who otherwise has rightful possession of or possessory control of any Premises, shall allow, cause or permit a Nuisance Party on said Premises under their possession or control.

4.1 UNNECESSARY INTERFERENCE WITH USE AND ENJOYMENT OF PUBLIC PLACE

(1) In section 4.1 only, “Public Place” is defined as:

“Public Place” includes a Highway, public park, or other lands to which the public has access as of right or by invitation and includes private property that is exposed to public view.

(2) No person shall, in a Public Place, unnecessarily interfere with another person’s use and enjoyment of the Public Place by using abusive or insulting language as a personal invective.

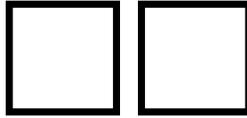
5. ORDER TO DISCONTINUE ACTIVITY

5(1) Upon the order of the Chief of Police or his or her designate or the City’s Manager of Licensing and Municipal Law Enforcement Services or his or her designate, a Nuisance Party shall cease and all persons not residing on the Premises shall leave the Premises where it is occurring.

5(2) An order under this section shall identify:

- (a) the location of the land on which the contravention occurred;
- (b) the reasonable particulars of the contravention of the By-law; and
- (c) the date and time by which there must be compliance with the order.

5(3) An order under this section may be given verbally or may be served personally on the person to whom it is directed. If the order is given by regular mail to the last known address of that person, and if given by registered mail, it shall be deemed to have been given on the third day after it is mailed. Service on a corporation can be effected by registered mail to the corporate mailing address.



5(4) No person shall fail to leave the Premises after having been directed to leave the Premises by an order to discontinue activity under this By-law.

6. CLOSE PUBLIC HIGHWAY

6(1) The Chief of Police, a London Police Service police officer, or a municipal law enforcement officer may temporarily close any Highway or portion thereof to public travel under this By-law where a Nuisance Party is occurring on or adjacent to the Highway by placing a notice on the Highway to be closed in accordance with the *Municipal Act, 2001*.

6(2) Where a Highway or portion of a Highway has been closed under this By-law, the common law right of passage by the public over the Highway and the common law right of access to the Highway by an owner of land abutting the Highway are restricted, as directed by the Chief of Police, a London Police Service police officer, or a municipal law enforcement officer.

6(3) No person shall use a Highway, or portion of a Highway that has been closed under this By-law except with lawful authority or in accordance with the direction of the Chief of Police or other officer pursuant to this section.

6(4) No person shall, without lawful authority, remove or deface any barricade, device, detour sign or notice placed on a Highway pursuant to this By-law.

7. ENFORCEMENT AND INSPECTION

7(1) The provisions of this By-law may be enforced by a municipal law enforcement officer, London Police Service police officer, or other individual duly appointed for the purpose of enforcing this By-law.

7(2) Every municipal law enforcement officer and London Police Service police officer may carry out an inspection to determine whether the provisions of this By-law are being complied with in accordance with the City's Inspections By-law and shall have the right to enter lands pursuant to the provisions of the Inspections By-law and the *Municipal Act, 2001*.

8. PENALTY

Every person who contravenes any provision of this By-law is guilty of an offence, and on conviction is liable to:

- (a) a maximum fine of \$10,000; and
- (b) for convictions under subsections 4(1), 4(2), or 5(4), a minimum fine of \$500.

9. SEVERABILITY

If any provision or part of this By-law is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, the balance of the By-law, or its application in other circumstances, shall not be affected and shall continue to be in full force and effect.

10. CONTINUATION - REPETITION - PROHIBITED - BY ORDER

The court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted, and such order shall be in addition to any other penalty imposed on the person convicted.

11. SHORT TITLE OF BY-LAW

This By-law may be referred to as the "Public Nuisance By-law".

12. REPEAL

By-law PH-13 is hereby repealed.

13. FORCE AND EFFECT

This By-law shall come into force and effect on the day it is passed.

PASSED in Open Council on May 22, 2012.



Councillor Virginia Ridley, Ward 10

July 6, 2018

Chair and Members
Community and Protective Services Committee

Re: Neighbourhood Equipment Access

It has been brought to my attention that on several occasions, churches are being denied access to neighbourhood equipment.

I have recently had two separate church groups (St. John the Divine Catholic Church & Westmount Presbyterian Church) contact me requesting to borrow equipment for community events, where they have been informed that the equipment is reserved for the needs of residents and resident groups only.

Church and faith groups are an important part of each neighbourhood, often hosting many community meetings and community building events. Their involvement in the neighbourhood assists in enabling neighbourhoods to become stronger and supportive.

I am therefore seeking support of the following recommendation:

“That the Civic Administration BE REQUESTED to amend the Neighbourhood Event Equipment Lending Program to church groups to organizations eligible to request use of City of London equipment to host community events.

Thank you for your consideration of this matter.

Virginia Ridley
Councillor, Ward 10

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London, ON
N6A 4L9
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Office: 519-661-CITY ext. 4010
Cell: 226- 927-0539
Fax: 519.661.5933
vridley@london.ca

Accessibility Advisory Committee

Report

6th Meeting of the Accessibility Advisory Committee
June 28, 2018
Committee Room #4

Attendance PRESENT: J. Madden (Chair), M. Cairns, L. Chappell, M. Dawthorne, N. Judges, J. Menard, P. Quesnel, K. Schmidt and J. Bunn (Secretary)

ABSENT: A. Forrest, J. Higgins, P. Moore, K. Ramer and F. Simmons

ALSO PRESENT: K. Broderick, J. Clair, K. Cook, C. Da Silva, P. Foto, K. Husain and J.P. McGonigle

The meeting was called to order at 3:00 PM.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Scheduled Items

2.1 Accessible Employment

That it BE NOTED that the attached presentation from P. Foto, Manager III, Talent Management and K. Cook, Recruitment Specialist, with respect to Accessible Employment at the City of London, was received.

2.2 Adults with Autism Spectrum Disorder

That a representative from Parks and Recreation BE REQUESTED to attend a future meeting of the Accessibility Advisory Committee to update the committee on measures being taken to assist individuals with Autism Spectrum Disorder at City of London facilities; it being noted that the attached presentation from J. Clair, was received with respect to this matter.

2.3 Outdoor Events Guide Update

That the Special Events Council Policies Manual and the Special Events Administrative Procedures Manual BE REFERRED to the Policy Sub-Committee for review; it being noted that the attached presentation from J.P. McGonigle, Division Manager, Parks and Recreation and K. Broderick, Manager, Special Events and Community Rentals with respect to and update on the Outdoor Events Guide, was received.

3. Consent

3.1 5th Report of the Accessibility Advisory Committee

That it BE NOTED that the 5th Report of the Accessibility Advisory Committee on the Environment, from its meeting on May 24, 2018, was received.

3.2 Municipal Council Resolution - 4th Report of the Accessibility Advisory Committee

That it BE NOTED that the Municipal Council resolution, from its meeting held on June 12, 2018, with respect to the 4th Report of the Accessibility Advisory Committee and its delegation before the Community and Protective Services Committee, was received.

4. Sub-Committees and Working Groups

4.1 Built Environment Sub-Committee Report

That the following actions be taken with respect to the Built Environment Sub-Committee report from its meeting held on June 11, 2018:

- a) the Civic Administration BE REQUESTED to attend a future Built Environment Sub-Committee meeting to review the London Complete Streets Design Manual in more detail and give the sub-committee more time to provide feedback; and,
- b) the Civic Administration BE REQUESTED to attend a future meeting of the Accessibility Advisory Committee to discuss traffic calming measures used in the City of London and the effects of those measures on people with disabilities.

5. Items for Discussion

5.1 Statement at Council and Standing Committee Meetings – Supportive Devices

That the following actions be taken with respect to the revised communication dated May 22, 2018, from the City Clerk, with respect to the statement at Council and Standing Committee meetings regarding supportive devices:

- a) the City Clerk BE REQUESTED to post the statement contained in the above-noted communication on all Advisory Committee agendas; and,
- b) all Committee Chairs BE REQUESTED to read the above-noted statement aloud prior to each Committee meeting.

5.2 Meeting with the Mayor and Members of Council

That it BE NOTED that a verbal update from J. Madden, with respect to the meeting with the Mayor and members of the ACCAC that occurred on the morning on June 28, 2018, was received; it being noted that the Accessibility Advisory Committee held a general discussion with respect to this matter.

5.3 Summer Meeting Schedule

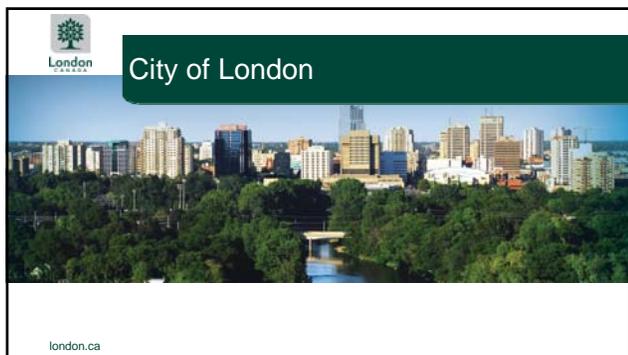
That it BE NOTED that the next meeting of the Accessibility Advisory Committee will be held on July 26, 2018.

6. Deferred Matters/Additional Business

None.

7. Adjournment

The meeting adjourned at 5:00 PM.



Agenda

- What are we doing?
- Accommodations
- Impacts
- Next Steps

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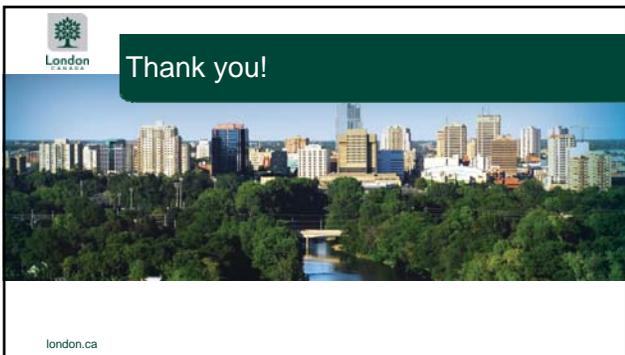
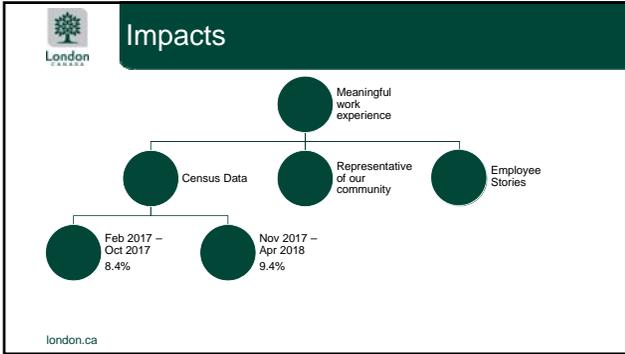


Accommodations

Available at ALL stages of recruitment process

- Communication devices
- Accessible work stations
- Start time
- Testing

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RECREATIONAL AND LEISURE SERVICES FOR ADULTS WITH ASD

Prepared for the Accessibility Advisory Committee

Agenda

- What is ASD?
- Discussion
- Available Services
- Recommendations
- Conclusion

Disclaimer

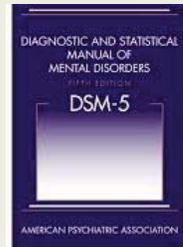
I am not a member of the neurodiverse community, nor am I on the spectrum.

What is ASD?

- “[A] wide range of behavioural challenges stemming from difficulty in verbalizing thoughts, managing anxiety, dealing with change, participating in group activities, disengaging from discussions on a specific topic – all leading to problems in coping with everyday activities” (Autism Ontario, 2007).
- “[P]ersistent deficits in social communication/interaction across contexts” (DSM-5, 2013).

The Importance of Using 'ASD'

- The American Psychiatric Association changed the definition of 'autism' to 'autism spectrum disorder' in 2013.
- The DSM-V definition encompasses research literature and clinical experience which transpired since the publication of the DSM-IV (1994).



Discussion - Raising Awareness

- Children with autism are bullied at a rate three times that of typically developing children" (Hoover and Kaufman qtg. Maiano et al., 2018).
- 50% of people with ASD also suffer from depression (Richa et al., 2014).
- Anxiety is one of the most prevalent comorbidities in children with ASD, with at least 40% of children with ASD meeting the criteria for at least one anxiety disorder (Wijnhoven, 2018).

Discussion

- More than 50,000 adults in Ontario have [ASD] (Autism Ontario, 2002).
- Availability of services depends on a family's financial circumstance, and their geographic location.
- Elevating the general understanding of neurotypical individuals, especially frontline and public sector workers

Discussion – Lack of Programming and Services

- 1 in 68 people are diagnosed with ASD* (Centre for Disease Control, 2014)
- "[T]his prevalence rate highlights the need to focus on efforts that promote quality of life [. . .] leisure, is important to achieving a high quality of life" (Garcia-Villamisar, Dattilo & Muela, 2017).
- "[A]dolescents low in in-person social interaction and high in social media use reported the highest levels of depressive symptoms, suggesting this group is the most in need of intervention" (Twenge et al., 2017).
- <http://journals.sagepub.com/doi/full/10.1177/2167702617723376>

AVAILABLE SERVICES

Autism Junction, ConnectAbility.ca, Personal Recommendations,
Developmental Services Ontario

Autism Ontario: ConnectAbility.ca & mycommunityhub.ca

Partner Agencies

- Christian Horizons
- Community Living Toronto
- Corbrook
- Kerry's Place Autism Services
- Meta Centre
- Reena
- Vita Community Living Services
- Aptus
- Bob Rumball
- Holland Bloorview
- L'Arche Toronto
- Montage Support Services
- Geneva Centre for Autism
- KW Habilitation
- Community Living Essex County
- Springboard
- Partners for Planning
- Brantwood Community Services

Autism Junction

- No results for **'Crisis/Crime Victims Services'**
- No results for **'Community Supports for Adults'; 'Training'; or 'Vocational Services'**
- One result for **'Information and Support'** – the London Autistics Standing Together

Search Autism Junction

Please select one category at a time.

Find Locations Near:	
Street	City/Town
Province	Postal Code
Details	Map
Select a distance:	25 km
Categories:	
<input type="checkbox"/> Academic Support	<input type="checkbox"/> Legal / Advocacy
<input type="checkbox"/> Assistive Tech & Technology	<input type="checkbox"/> Mental Health Professional
<input type="checkbox"/> Autism Canada Provincial & Territorial Council Member	<input type="checkbox"/> Non-Governmental Research & Services
<input type="checkbox"/> Behaviour Services	<input type="checkbox"/> Other Medical / Health Services
<input type="checkbox"/> Change, Recreation & Social	<input type="checkbox"/> Parent / Carer Support and Support
<input type="checkbox"/> Community Supports for Adults	<input type="checkbox"/> Private / Non-Public School
<input type="checkbox"/> Crisis / Crisis Walk Services	<input type="checkbox"/> Research
<input type="checkbox"/> Diagnostics / Assessment	<input type="checkbox"/> Residential
<input type="checkbox"/> Early Intervention	<input type="checkbox"/> Training
<input type="checkbox"/> Financial / Funding	<input type="checkbox"/> Vocational Services
<input type="checkbox"/> Government Agency	
<input type="checkbox"/> Information and Support	

[Search]

Elsbeth Dodman



- LEADS
- Accommodation Training and Networking (ATN)
- Hutton House
- We Have Something to Say (WHSTS)
- Grassroots Initiatives

Developmental Services Ontario

- Alice Saddy Association
- Community Living London
- Anago
- Family Services Thames Valley
- Goodwill Industries
- L'Arche London
- Participation House
- Salvation Army
- Victorian Order of Nurses



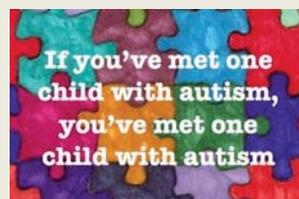
“Acting my Way Through Autism” by Jake Anthony

- Struggled to communicate and connect with other people.
- Acting gave Anthony greater awareness of other people.
- Emphasis on the 'take-listen-react' of conversations.
- <https://vimeo.com/229801615>



RECOMMENDATIONS

ACCESS Program



Retrieved from:
<https://sites.google.com/a/ycdsb.ca/sbaspece/d/social-communication-program>

- “Acquiring Career, Coping Executive Control, Social Skills”
- 19 weekly discussion sessions on important topics
- Parallel programming for parents/ social coaches
- <https://scholarship.org/uc/item/54r9m1f0>

Make Public Spaces More Autism-Friendly

- Channel-Port aux Basques, Newfoundland
- Accommodations in hotels
- Training for frontline staff



Retrieved from <https://celebratecanada.wordpress.com/2009/05/22/day-233-of-a-365-day-portrait-of-canada-channel-port-aux-basques-newfoundland/>

CONCLUSION

Public Consultation Meeting, Closing Remarks

Inside Out for Autism



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ACCESSIBILITY ADVISORY COMMITTEE



HOW TO PLAN ACCESSIBLE OUTDOOR EVENTS

Jon-Paul McGonigle, Division Manager, Parks and Recreation
 Krista Broderick, Manager, Special Events and Community Rentals




Background

- **May 2017:** ACCAC requested that Civic Administration consider updates to the City of London Guide “How to Plan Accessible Outdoor Events”.
- **September 2017:** Council approved the separation of the former Special Events Policies and Procedures Manual into two documents
- Staff have reviewed the recommendations provided by ACCAC and incorporated them into the 2018 Special Events Administrative Procedures.

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Input incorporated

<p>Parking:</p> <ul style="list-style-type: none"> • Parking spaces are wide enough to accommodate accessible vans/buses and people who use mobility aids; • Parking spaces are as close to the entrance of the event as possible; and • Event personnel are familiar with the location of these parking spots. 	<p>Public Entrance:</p> <ul style="list-style-type: none"> • The presence of a level entrance that persons using wheelchairs or mobility aids can pass over; • An entrance that is wide enough for wheelchairs to pass through. (Greater than 32" recommended); ?? • In the event that the main entrance isn't accessible, there are signs directing people to the accessible entrance; and • If the main entrance has steps, it also has a railing.
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Input incorporated cont'd

<p>Emergencies:</p> <ul style="list-style-type: none"> • Auditory and visual alarms in the event of an emergency; • Your evacuation plan addresses the evacuation of persons with special needs; and • Staff are trained in these evacuation procedures. 	<p>Washrooms:</p> <ul style="list-style-type: none"> • Accessible outdoor portable washrooms inline with the size/scope of the event; • Washrooms located in accessible areas; • Washrooms locations are displayed using large clear letters, and understandable pictures or symbols are used on the signs identifying the accessible washroom(s); and • Event personnel know where the accessible washrooms are located.
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Input incorporated cont'd

Way-Finding Signage:

- Ensure all signs have large clear letters, use plain language, have good colour contrast, and can be read in all light conditions, in order to direct people to specific areas.

Lighting:

- All areas of travel and the display/booth areas must be adequately lit.

Entertainment Seating:

- The seating ensures an unobstructed view;
- A companion can sit beside the person with the disability; and
- Supports are available for the deaf, deafened, or hard of hearing.

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Input incorporated cont'd

Cables & Cords:

- Cover electrical cables and cords that cross aisles or pathways; and
- Cable covers should be no more than a half-inch (1.25 centimeters) thick so that they do not become a tripping hazard and so wheelchairs can traverse across them.

Food:

- Event personnel are available to assist participants in obtaining food and beverages;
- Part of the food counter is lowered to allow persons with mobility aids to access it easily (34 inches is recommended); and
- There is a clear path between tables for a mobility aid user to maneuver. (42 inches is recommended).

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Input incorporated cont'd

Tickets:

- The queuing (line-up) area is accessible (and maneuverable) for mobility aid users;
- There is adequate colour contrast between barriers;
- Tickets, where relevant for accessible seating areas, can be ordered in advance of the event by phone.

Rest Area/Quiet Space:

- Provide a designated quiet space for rest, especially if your event attracts large crowds and is longer than a couple of hours.

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Thank You

Questions?

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TO: Chair and Members of the Community and Protective Services Committee

FROM: Christopher Mackie, Medical Officer of Health / CEO

DATE: 2018 June 18

SUBJECT: Middlesex-London Health Unit Office Space Fit-up Funding

In support of the Middlesex-London Health Unit's proposed relocation, this letter is being submitted to formally request the City of London's consideration for the extension of a repayable loan to the Middlesex-London Health Unit for the fit-up costs associated with the new office space.

Background

Middlesex-London Health Unit (MLHU) entered into a letter of intent with Avison Young (acting on behalf of the landlord) on January 15th, 2018 to lease approximately 68,930 square feet at 355 Wellington Street, London. Pursuant to a decision from the Superior Court of Ontario, MLHU has now entered into a long-term lease and would like to proceed with securing funding. There are capital requirements relating to the fit-up of the new space that will require funding.

Financial Due Diligence

As part of the location procurement process, MLHU conducted a financial analysis of all proposed sites, as well as an examination of lease/build/buy scenarios to determine which site and location scenario offered the greatest comparative economic advantage.

Comparison of sites by estimated fit-up costs and costs to be borne by MLHU showed that 355 Wellington Street had the lowest costs of all the evaluated sites.

In comparing the terms of the letter of intent offered for 355 Wellington and an option to acquire land and build in the downtown core, the lease rates offered are more attractive on a present-value basis by \$11.8 million versus the build option.

Capital Required for Fit-up

To support fit-up costs for this location, MLHU is seeking financing of \$5,200,000 from the City of London. It is anticipated that only a portion of this amount will be needed. MLHU has contacted and received quotes from potential lenders in the marketplace, and is now approaching the City to consider lending funds at the City's preferred borrowing rates.

Key features that MLHU requires include:

- The loan is structured as an open line of credit, and repayment of drawn amounts is not subject to penalty;
- Drawings on the line of credit would be treated as bridge financing to cover cost of fit-up costs;
- The line of credit would be drawn over a period of 12 to 24 months and MLHU would only draw down the line "as needed" to finance expenditures during the fit-up period;
- Under proposed lease terms with the landlord, MLHU would qualify to receive a tenant inducement payment upon completion of fit-up work, approximately 18 to 24 months after entering the lease agreement, which would be used to partially repay the drawn financing;

- Concurrently, MLHU has applied to the provincial Ministry of Health and Long-Term Care for a Community Health Capital Program (CHCP) to cover all residual fit-up costs and costs associated with the relocation – proceeds from this grant would be used to pay out the balance of the facility;
- If the grant request is denied or does not cover all residual debt, MLHU would seek to convert any outstanding debt to a term loan.

Conclusion

The MLHU is seeking financing from the City of London to cover the costs to fit-up proposed leased space in the City of London. Finding a suitable arrangement with the City of London could be advantageous compared to other solutions available from the market.

Should Council be supportive of considering this request for financing, it is respectfully requested that the following resolution be adopted:

“That Civic Administration BE DIRECTED to negotiate terms of financing with the Middlesex-London Health Unit (MLHU) for the fit-up costs of MLHU’s new office space, and that an appropriate agreement outlining the terms of the financing be brought forward for Council’s consideration.”

Respectfully submitted,



Christopher Mackie, MD, MHSc, CCFP, FRCPC
Medical Officer of Health / CEO



London
CANADA

P.O. Box 5035
300 Dufferin Avenue
London, ON
N6A 4L9

June 27, 2018

A. Drost
Manager Municipal Law Enforcement Services - Parking and Licensing

M. Davenport
Engineer in Training

I hereby certify that the Municipal Council, at its meeting held on June 26, 2018 resolved:

That the following actions be taken with respect to the 5th Report of the Accessibility Advisory Committee from its meeting held on May 24, 2018:

a) the Civic Administration BE ADVISED that the Accessibility Advisory Committee recommends that additional on-street parking on Main Street in Lambeth be installed between South Routledge Road and Bainard Street (Site 2); it being noted that the attached presentation from M. Davenport, Engineer-in-Training, was received with respect to this matter;

b) that the following actions be taken with respect to the 2018 Parking Lot Rehabilitation program:

i) the Manager, Municipal Law Enforcement Services – Parking and Licensing, or designate, BE REQUESTED to attend a future meeting of the Accessibility Advisory Committee (ACCAC) to discuss accessible pay parking meters; and,

ii) the Civic Administration BE ADVISED that the ACCAC recommends that one additional accessible parking spot be installed in Lot 3E at Piccadilly east of Richmond Street, just south of the pay station;

it being noted that the attached presentation from M. Davenport, Engineer-in-Training, was received with respect to this matter;

c) clauses 1.1, 2.3, 2.4, 3.1, 3.3, 3.5 and 3.6 BE RECEIVED;

d) the following recommendation of the Accessibility Advisory Committee (ACCAC) BE REFERRED to the next meeting of the Community and Protective Services Committee (CPSC) for consideration:

"Municipal Council BE REQUESTED to take no action with respect to the proposed "Green Standards for Light Pollution and Bird-Friendly Development" document submitted by the Environmental and Ecological Planning Advisory Committee, pending the completion of a review and report back to the Accessibility Advisory Committee (ACCAC) by Civic Administration with respect to how the proposal relates to accessibility and the ACCAC has been able to provide input on the draft proposal; it being noted that the ACCAC received the draft proposal for review the May 24, 2018 meeting of the committee;" and,

e) the following recommendation of the ACCAC BE RECEIVED and NO FURTHER ACTION TAKEN with respect to this matter:

"the Managing Director, Corporate Services and City Solicitor BE REQUESTED to seek a legal opinion, from an expert in Accessibility and Human Rights legislation, with respect to the following matters, as they relate to the Conservation Master Plan for the

The Corporation of the City of London
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kmyers@london.ca |
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Medway Valley Heritage Forest Environmentally Significant Area and the related, attached Council resolution:

i) clarification and direction on parts a) iv) and a) vi) and the application of section 80.15 of the Accessibility for Ontarians with Disabilities Act (AODA), Regulation 191/11 Integrated Accessibility Standard, as it applies to the Municipal Council's decision to reject portions of the recommended Master Plan;

it being noted that clause a) iv) calls for further consultations, however clauses a) i), a) ii), a) v) and a) vii) all serve to limit the scope of what the community (including the Accessibility Advisory Committee [ACCAC]) can discuss, comment on, or recommend and this is of particular concern as several members of Municipal Council cited ineffective or insufficient consultation as a major factor in their rejection of the CMP Phase 2 put forth by the Civic Administration;

it being further noted that, with respect to clause a) vi), the direction to limit hardscaped surfaces may be deemed to be in direct conflict with the Municipal Council endorsed Trail Guidelines and the provincial legislation, more specifically the AODA, Regulation 191/11 Integrated Accessibility Standard, which noted in section 80.9 (1), subsection 3, that "the surface of a recreational trail must be firm and stable", and section 80.14 (b) further clarifies that "where an exception is permitted to a requirement that applies to a recreational trail..., the exception applies solely to the portion of the recreational trail...for which it is claimed and not to the recreational trail...in its entirety";

ii) to further clarify the much discussed and cited exemption, under section 80.15 of the standard, as the ACCAC believes it does not apply and cannot be used to justify limited accessibility in the Valley;

it being noted that the exemption requires the municipality to demonstrate a significant risk to the environment exists;

it being further noted that the Conservation Master Plan Phase 1, to which the ACCAC had no involvement or undue influence, delineated between areas of high and low sensitivity and risk to the environment and all proposed accessibility enhancements were contained within the Natural Environment Zones, as opposed to the sensitive Nature Reserve Zones; and,

iii) to address the application of the Ontario Human Rights Code, as well as the Universal Declaration of Human Rights, as proclaimed by the United Nations, cited in the preamble of the Code, as it relates to the above-noted Municipal Council resolution, most notably the application of sections 1, 2, 13 and 17 of the Code;

it being noted that all discussions at committee level and Municipal Council level addressed only the AODA when discussing accessibility legal requirements."
(4.1/10/CPSC)(AS AMENDED)



C. Saunders
City Clerk
/kmm

cc: Chair and Members, Accessibility Advisory Committee
CPSC Deferred List

DEFERRED MATTERS

COMMUNITY AND PROTECTIVE SERVICES COMMITTEE

as of July 9, 2018

File No.	Subject	Request Date	Requested/Expected Reply Date	Person Responsible	Status
1.	<p><u>Radio System Upgrade OneVoice 2.0</u> The Civic Administration BE REQUESTED to undertake a review, with a report at a future meeting of the Community and Protective Services Committee, on the platform, system and needs of each user of the communications system to determine the most cost effective and reliable system for communication for each of the services, recognizing and addressing the need for interoperability between the services, as well the need for a level of stability and insulation against the rapid changes in software requirements; it being noted this review should also develop the appropriate process or methodology for on-going management of the system, including organizational design and budget development; and it being further noted that the Civic Administration should seek input from experts in the area.</p>	November 17, 2015		D. O'Brien	Estimated report back – March/April 2018
2.	<p><u>Request for Naming of Vimy Ridge Park</u> That the following actions be taken with respect to the request for naming of Vimy Ridge Park: a) the Civic Administration BE REQUESTED to complete appropriate stakeholder consultation and report back to the Community and Protective Services Committee (CPSC), as soon as possible, with respect to a location that would be adequate and a suitable Vimy Ridge commemorative location, including the necessary budget; b) the request to name a parcel of land located adjacent to the Charlie Fox Overpass at Hale Street and Trafalgar Street, “Vimy Ridge Park” BE REFERRED to a future meeting of the CPSC when the above-noted information is available related to this matter; and, c) the Civic Administration BE DIRECTED to make the necessary arrangements for the land located adjacent to the Charlie Fox Overpass at Hale Street and Trafalgar Street to be designated as the temporary “Vimy Ridge Park” until such time as the actions outlined in a) and b) have been completed and a permanent “Vimy Ridge Park” has been established.</p>	February 22, 2017		J.M. Fleming	Estimated report back – Q2, 2018

File No.	Subject	Request Date	Requested/Expected Reply Date	Person Responsible	Status
3.	<p><u>Business Licensing By-law Review – New and Revised Regulations</u> That the following actions be taken with respect to the Business Licensing By-law Review:</p> <p>b) the City Clerk BE DIRECTED to update the web page that appeared on the City’s previous website, for inclusion on the current website, that sets out the process for members of the public to seek delegation status at a Standing Committee meeting, including information as to what to expect at the meeting;</p> <p>c) the Civic Administration BE DIRECTED report back with a public engagement protocol for consulting with individuals, outside of a formal public participation meeting process, who identify as vulnerable members of the population, be they sex trade workers, street level and at-risk individuals, individuals with lived experience with drugs, alcohol and gambling, adult entertainers or others that would protect and respect the individuals’ privacy; and</p> <p>d) the Civic Administration BE DIRECTED to consult with workers (current and/or former) in the adult live entertainment and body rub parlour industry on changes to provisions in the Business Licensing By-law relating to these types of businesses that would enhance worker safety and minimize harm to workers, consistent with provincial and federal legislation.</p>	December 12, 2017		G. Kotsifas M. Hayward C. Saunders O. Katolyk	Estimated report back, 2018
4.	<p><u>Proposed Public Nuisance By-law Amendment to Address Odour</u> That the matter of a proposed Public Nuisance By-law amendment to address odour BE REFERRED back to the Civic Administration for further review and consideration.</p> <p>The original clause reads as below:</p> <p>That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official the following actions be taken with respect to the staff report dated February 21, 2018, related to a proposed Public Nuisance By-law amendment to address odour:</p>	February 21, 2018	TBD	G. Kotsifas O. Katolyk	

File No.	Subject	Request Date	Requested/Expected Reply Date	Person Responsible	Status
	<p>a) the above-noted staff report and draft Public Nuisance By-law amendment, to address nuisance odours related to Anaerobic Digestion Facilities, Composting Facilities and Rendering Plants, BE RECEIVED and BE REFERRED to a public participation meeting to be held by the Community and Protective Services Committee on April 4, 2018, for the purpose of seeking public input on the draft by-law;</p> <p>b) municipal enforcement activities BE ENHANCED through the hiring of one additional Municipal Law Enforcement Officer on a two-year, temporary basis with the budget not to exceed a maximum of \$90,000 per year with the source of funding to be from the Sanitary Landfill Site Reserve Fund; it being noted that this amount and source of funding was previously approved by Council for enhanced Provincial compliance activities, however further dialogue has resulted in complementary compliance and enforcement activities that are maintained within each level of government's legal responsibilities to avoid duplication; and,</p> <p>c) the Managing Director, Development and Compliance Services and Chief Building Official BE DIRECTED to report back to the Community and Protective Services Committee after one year of administration and enforcement of the Public Nuisance By-law regulations pertaining to odour upon enactment;</p>				
5.	<p><u>2nd Report of the Diversity, Inclusion and Anti-Oppression Advisory Committee</u> That the following actions be taken with respect to the 2nd Report of the Diversity, Inclusion and Anti-Oppression Advisory Committee (DIAAC), from its meeting held on January 18, 2018:</p> <p>a) the City Clerk BE REQUESTED to review and consider new, additional resources for the Advisory Committee, Board and Commission membership recruitment in order to augment the diversity of applications</p>	February 21, 2018	TBD	C. Saunders	

File No.	Subject	Request Date	Requested/Expected Reply Date	Person Responsible	Status
	for vacant positions, specifically focusing on diverse, young women and report back to the Community and Protective Services Committee with respect to this matter; it being noted that the DIAAC received the attached presentation from K. Koltun, Government and External Relations Office, with respect to the Diverse Voices for Change Initiative and the related committee census information; and,				
6.	<u>Salvation Army Commissioning</u> That the communication dated February 26, 2018, from B. Miller, with respect to a request to install a bronze plaque in Victoria Park to acknowledge and thank the Salvation Army for over 130 years of service in the City of London, BE REFERRED to the Civic Administration for consideration and a report back to the Community and Protective Services Committee as to what options are currently in place to facilitate the recognition or a new type of recognition.	March 20, 2018	TBD	S. Stafford	
7.	<u>Community Gardens and the Mayor's New Year's Honour List Award for Accessibility</u> b) the Civic Administration BE REQUESTED to review past Advisory Committee reports to ensure that items are included on Standing Committee deferred lists, as appropriate; d) the Civic Administration BE REQUESTED to report back at a future meeting of the Community and Protective Services Committee with respect to modifications to the Community Gardens program, specifically with respect to accessibility.	April 4, 2018	2018	C. Saunders L. Livingstone	
8.	<u>4th Report of the Diversity, Inclusion and Anti-Oppression Advisory Committee</u> a) i) the Civic Administration BE REQUESTED to provide the Diversity, Inclusion and Anti-Oppression Advisory Committee with a list of policies being reviewed under the Gender and Equity Lens; c) the City Clerk BE REQUESTED to undertake a review of the potential provision of child minding for Advisory Committees and to report back to the appropriate standing committee	April 4, 2018	2018	B. Coxhead C. Saunders	

File No.	Subject	Request Date	Requested/Expected Reply Date	Person Responsible	Status
9.	<p><u>Short Term Accomodations</u> That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the following actions be taken with respect to Short Term Accommodations:</p> <p>b) the Civic Administration BE DIRECTED to report back to the Community and Protective Services Committee (CPSC) with respect to the potential administration of transient tax on short term rentals; and,</p> <p>c) the Civic Administration BE REQUESTED to report back to the CPSC with respect to an update on the status of short term rentals in London, in approximately one year;</p>	May 1, 2018	2018	G. Kotsifas O. Katolyk	
10.	<p><u>Vehicle for Hire By-law - One Year Review</u> That the following actions be taken with respect to a one-year review of the Vehicle for Hire By-law:</p> <p>a) the report on ridership statistics for the initial full year of the Vehicle For Hire By-law being in force and effect (April 2017 – March 2018) BE RECEIVED; it being noted that the total ridership has increased with the introduction of private vehicles for hire as a transportation option;</p> <p>b) the Civic Administration BE DIRECTED to:</p> <p>i) consult with the vehicle for hire industry in an effort to draft amendments to the Vehicle For Hire By-law;</p> <p>ii) report back at a future meeting of the Community and Protective Services Committee (CPSC) with the results of the consultation; and,</p> <p>iii) investigate and report back to the CPSC with respect to ways that conversion costs for accessible vehicles may be mitigated;</p> <p>c) that the requests for delegation status from N. Abbasey, F. Bander and B. Howell BE REFERRED to the above-noted consultation with the Civic Administration; it being noted that a public participation meeting, with respect to this matter, will be held at a later date.</p>	May 1, 2018	TBD	G. Kotsifas O. Katolyk	
11.	<p><u>4th Report of the Accessibility Advisory Committee</u> That the following actions be taken with respect to the delegation of members of the Accessibility Advisory Committee:</p>	May 29, 2018	July, 2018	Mayor, ACCAC Members, Members of Council	

File No.	Subject	Request Date	Requested/Expected Reply Date	Person Responsible	Status
	a) the Mayor BE REQUESTED to organize an initial meeting with representatives from the Accessibility Advisory Committee (ACCAC) and members of council to discuss the concerns raised and develop recommendations and next steps; it being noted that the Mayor and representatives from ACCAC will report back to the Community and Protective Services Committee within 30 days;				
12.	<u>5th Report of the Animal Welfare Advisory Committee</u> That the following actions be taken with respect to the 5th Report of the Animal Welfare Advisory Committee, from its meeting held on May 3, 2018: b) the attached proposed amendments to the Animal Control By-law PH-3, drafted by the AWAC, BE REFERRED to the Managing Director, Development and Compliance Services for review and a report back to the Community and Protective Services Committee;	May 29, 2018	TBD	G. Kotsifas O. Katolyk	
13.	<u>Naloxone Kits at City-owned AED Machines</u> That the following actions be taken with respect to incorporation of Naloxone Kits at Automated External Defibrillator (AED) machine locations in the City of London: a) the delegation and attached presentation from T. Nault and R. Barnfield of the Schulich Political Advocacy Committee BE RECEIVED, with thanks, with respect to the above-noted matter; and, b) the Civic Administration BE DIRECTED to report back by the Fall of 2018, with a proposed implementation plan and associated costs related to: i) installation of two naloxone kits at every Automated External Defibrillator (AED) location in City-owned and operated facilities; ii) training of staff with respect to the naloxone kits; iii) placement of appropriate signage at the locations; iv) outreach with community partners for the provision of the collection of data related to the usage of the kits; and,	May 29, 2018	Fall 2018	M. Hayward S. Stafford A.L. Barbon S. Datars Bere	

File No.	Subject	Request Date	Requested/Expected Reply Date	Person Responsible	Status
	v) undertaking the necessary arrangements and the holding of public "town hall" meetings to inform and educate regarding the proposed initiative; it being noted that a communication from Councillor P. Squire was received, with respect to this matter.				
14.	<u>Parks & Recreation By-law PR-2 Amendments – Feeding of Wildlife in Parks and Other Administrative Revisions</u> That, on the recommendation of the Managing Director, Parks and Recreation, the following actions be taken with respect to the Parks and Recreation Area By-law PR-2: b) the attached communication from Councillor P. Hubert BE REFERRED to the Civic Administration for review and a report back to the appropriate standing committee on the matter;	May 29, 2018	TBD	S. Stafford	
15.	<u>5th Report of the Accessibility Advisory Committee</u> d) the following recommendation of the Accessibility Advisory Committee (ACCAC) BE REFERRED to the next meeting of the Community and Protective Services Committee (CPSC) for consideration: "Municipal Council BE REQUESTED to take no action with respect to the proposed "Green Standards for Light Pollution and Bird-Friendly Development" document submitted by the Environmental and Ecological Planning Advisory Committee, pending the completion of a review and report back to the Accessibility Advisory Committee (ACCAC) by Civic Administration with respect to how the proposal relates to accessibility and the ACCAC has been able to provide input on the draft proposal; it being noted that the ACCAC received the draft proposal for review the May 24, 2018 meeting of the committee;" and,	June 18, 2018	July 16, 2018		
16.	<u>Middlesex-London Health Unit Office Space Fit-up Funding Request</u> That the communication, dated June 18, 2018, from Dr. C. Mackie, Medical Officer of Heath/CEO from the Middlesex-London Heath Unit, with respect to the Middlesex-London Heath Unit office space fit-up funding request, BE	June 18, 2018	July 16, 2018		

File No.	Subject	Request Date	Requested/Expected Reply Date	Person Responsible	Status
	REFERRED to the next meeting of the Community and Protective Services Committee for consideration.				

TO:	CHAIR AND MEMBERS COMMUNITY AND PROTECTIVE SERVICES MEETING ON JULY 16, 2018
FROM:	MARTIN HAYWARD CITY MANAGER
SUBJECT:	Request from City of Toronto regarding Shelter Spaces for Refugee/Asylum Claimants

RECOMMENDATION

That, on the recommendation of the City Manager, the following report regarding the request from the City of Toronto regarding Shelter Spaces for Refugee/Asylum Claimants **BE RECEIVED** for information.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
--

- None

BACKGROUND

At the Regional & Single Tier CAO's (RSTCAO) meeting held on June 22, 2018, the City of Toronto discussed Toronto's response to the arrival of refugee/asylum claimants in Toronto and the unprecedented and urgent situation the City is facing with more than 3,300 refugee/asylum claimants in the shelter system. Furthermore, the City of Toronto has exhausted all available facilities, personnel and financial resources to meet the needs of refugee/asylum claimants currently in Toronto's shelter system.

In addition to the public calls for assistance to other levels of government, Toronto City Manager Giuliana Carbone wrote a letter to the members of the RSTCAO caucus individually on June 29, 2018 (attached as **Appendix A**). In this letter, Ms. Carbone wrote:

"I am writing to ask that you [City of London] consider whether your municipality has any appropriate, immediately available, publicly or privately owned sites or facilities, including hotels, which could be used or re-purposed as shelter spaces for refugees/asylum claimants."

In recent weeks, federal officials have responded to calls for action from the City of Toronto, pointing to the fact that federal dollars have been identified but their disbursement requires a formal request from the Province of Ontario.

DISCUSSION

The City of London responded to the letter from the Toronto City Manager on July 6, 2018 (attached as **Appendix B**) which outlined the current stresses on the City of London's shelter system.

London is home to one of Ontario's few family-oriented shelters – Rotholme Women's & Family Shelter, Mission Services London. Rotholme provides emergency shelter services for male or female-led two parent and single parent families. Rotholme operates 41 beds and can accommodate approximately 20 families. Rotholme is currently operating at 150% capacity, and, at times, occupancy rates exceed 200%.

Additionally, London’s broader emergency shelter system is operating at 100% capacity. This includes individual-focussed men’s and women’s shelters and is a result of the use of non-prescription drugs, mental illness and other street-involved behaviours.

The extremely high occupancy of our family emergency shelter is a result of the local pressures of families experiencing homelessness and refugees crossing the U.S. border and arriving in London requiring emergency shelter.

For the period of January 1, 2018 to June 30, 2018, the following is a summary of refugee families at the Rotholme Women’s and Family Shelter:

- Total number of refugees: 80
- Total number of households: 18
- Average family size: 4

The City of London is also in a similar position to the City of Toronto with respect to the availability of temporary housing opportunities in residences in area post-secondary institutions. With classes resuming next month, these facilities will soon be unavailable for these alternative uses.

The limited availability of affordable housing in London has also been identified as a challenge to settling refugees crossing the U.S. border. The Canadian Mortgage and Housing Corporation (CMHC) has found that London’s overall vacancy rate is 1.8%, with the vacancy rate of one, two and three bedroom apartments standing at 1.7%, 1.9% and 1.8%, respectively.

The Government of Canada has identified \$11 million in targeted funding to offset the immediate housing costs of refugees crossing the U.S. border as part of a \$50 million national fund. The provincial government has recently responded that the federal government should cover the entire cost of resettling refugees crossing the U.S. border and applying for asylum status.

CONCLUSION

The City of London recognizes and appreciates the challenges that that the City of Toronto is facing with respect to refugees crossing the U.S. border. The City of London also faces a critical shortage of emergency shelter beds as the broader shelter system is currently operating at full capacity.

The City of London will continue to work alongside our municipal counterparts, including the City of Toronto, as well as our federal and provincial partners to develop sustainable solutions for managing the influx of refugees crossing the U.S. border and locating in London. The development of a regional strategy alongside all orders of government is, and will remain a priority.

PREPARED BY:	CONCURRED BY:
ROSANNA WILCOX DIRECTOR, COMMUNITY & ECONOMIC INNOVATION	SANDRA DATARS BERE MANAGING DIRECTOR HOUSING, SOCIAL SERVICES AND DEARNESS HOME

CONCURRED BY:	RECOMMENDED BY:
LYNNE LIVINGSTONE, MANAGING DIRECTOR NEIGHBOURHOOD, CHILDREN & FIRE SERVICES	MARTIN HAYWARD CITY MANAGER

APPENDIX "A"



Giuliana Carbone
Interim City Manager

City Hall
100 Queen Street West
East Tower, 11th Floor
Toronto, Ontario M5H 2N2

Tel: 416-392-3551
Fax: 416-392-1827
giuliana.carbone@toronto.ca
www.toronto.ca

June 29, 2018

Martin Hayward
City Manager, City of London
300 Dufferin Avenue
London, ON N6A 4L9

Dear Mr. Hayward,

I am following up on our discussion at the last Regional & Single Tier CAO's (RSTCAO) meeting on June 22, 2018 regarding Toronto's response to the arrival of refugee/asylum claimants in Toronto. As outlined in my presentation, we are dealing with an unprecedented and urgent situation, and request your assistance. There are currently more than 3,300 refugee/asylum claimants in the Toronto shelter system. This includes refugee/asylum claimants and families staying in more than 10 different hotels across the city. On May 23, 2018, with the City's hotel program having also reached its capacity, the City of Toronto activated its Emergency Contingency Plan and began temporarily housing refugee/asylum claimants at two college dormitories (Centennial and Humber College).

The situation is critical and urgent. The City of Toronto has exhausted all available facilities, personnel, and financial resources to meet the needs of refugee/asylum claimants currently in the municipal shelter system. On August 9, 2018, the City will lose access to the 800 temporary shelter spaces at Centennial and Humber Colleges, and the City has no capacity to relocate the individuals and families currently staying in them. Compounding this problem is the fact that, historically, the flow of refugee/asylum claimants has increased significantly annually in the final weeks of June and throughout the summer months, a trend which is expected to be repeated this year.

We have requested immediate action from the federal and provincial governments, prioritizing the need for an urgent regional response facilitated by the federal and provincial governments focused on placing families across the region or province. Our most pressing immediate need is for additional space to house refugee/asylum claimants before August 9th. I am writing to ask that you consider whether your municipality has any appropriate, immediately available, publicly or privately owned sites or facilities, including hotels, which could be used or re-purposed as shelter spaces for refugee/asylum claimants. We have submitted the same request to the federal and provincial governments but no facilities have been identified or provided to house refugee/asylum claimants beyond August 9, 2018.



APPENDIX "A"

2

City of Toronto staff would be pleased to answer any questions you may have with regards to identifying suitable sites. If any suitable sites are identified we will work with our provincial counterparts on next steps, including assessing feasibility and supports.

Thank you for your consideration of this urgent request, and I look forward to hearing from you. If you have any questions, please do not hesitate to contact me directly.

Sincerely,



Giuliana Carbone
Interim City Manager

- c. Marta Morgan, Deputy Minister, Immigration, Refugees and Citizenship Canada
Steve Orsini, Secretary of the Cabinet and Head of the Ontario Public Service
Laurie LeBlanc, Deputy Minister, Ministry of Municipal Affairs
Cindy Lam, Assistant Deputy Minister, Ministry of Citizenship and Immigration
Mayor John Tory, City of Toronto
Elaine Baxter-Trahair, Acting Deputy City Manager, City of Toronto

APPENDIX "B"



300 Dufferin Avenue
P.O. Box 5035
London, ON
N6A 4L9

London
CANADA

July 6, 2018

Giuliana Carbone
Interim City Manager, City of Toronto
100 Queen Street West, East Tower, 11th Floor
Toronto, ON M5H 2N2

Dear Ms. Carbone,

Thank you for your letter dated June 29, 2018 regarding the City of Toronto's response to the arrival of refugee/asylum claimants in Toronto. I certainly appreciate the difficulties Toronto is facing. The City of London also faces a critical shortage in shelter beds, and many of the available hotel spaces in the City have also been filled.

The City of London continues to see the arrival of many refugees and asylum claimants which is straining not only our shelter services, but also our social services. In addition, we continue to face a rise in mental health and addictions issues that are also contributing to a challenging situation in our community.

We would be happy to partner with you to seek federal and or provincial assistance in order to deal with these immigration and health matters.

Sincerely,

Martin Hayward
City Manager

- c. Mayor Matt Brown, City of London
Lynne Livingstone, Managing Director Neighbourhood, Children & Fire Services,
City of London