

Community and Protective Services Committee

Report

13th Meeting of the Community and Protective Services Committee
September 21, 2021

PRESENT: Councillors J. Helmer (Chair), S. Lewis, M. Salih, S. Hillier,
Mayor E. Holder

ABSENT: A. Kayabaga

ALSO PRESENT: J. Bunn, M. Schulthess and J. Taylor

Remote Attendance: Councillors A. Hopkins and M. van Holst;
C. Cooper, C. DeForest, K. Dickins, S. Glover, O. Katolyk, G.
Kotsifas, L. Marshall, P. Masse, N. Musicco, J. Raycroft, C.
Smith, J. Tansley and B. Westlake-Power

The meeting was called to order at 4:03 PM; it being noted that
the following Members were in remote attendance: Mayor E.
Holder, Councillors M. Salih and S. Hillier

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

Moved by: S. Lewis

Seconded by: S. Hillier

That Items 2.1 to 2.3 and 2.5 to 2.10 BE APPROVED.

Yeas: (5): J. Helmer, S. Lewis, M. Salih, S. Hillier, and E. Holder

Absent: (1): A. Kayabaga

Motion Passed (5 to 0)

2.1 7th and 8th Reports of the Animal Welfare Advisory Committee

Moved by: S. Lewis

Seconded by: S. Hillier

That the 7th and 8th Reports of the Animal Welfare Advisory Committee,
from the meetings held on August 5, 2021 and September 2, 2021,
respectively, BE RECEIVED.

Motion Passed

2.2 7th Report of the Accessibility Advisory Committee

Moved by: S. Lewis

Seconded by: S. Hillier

That the 7th Report of the Accessibility Advisory Committee, from its
meeting held on August 26, 2021, BE RECEIVED.

Motion Passed

2.3 4th and 5th Reports of the Community Safety and Crime Prevention Advisory Committee

Moved by: S. Lewis
Seconded by: S. Hillier

That the 4th and 5th Reports of the Community Safety and Crime Prevention Advisory Committee, from the meetings held on August 26, 2021 and September 13, 2021, BE RECEIVED.

Motion Passed

2.5 Property Standards Related Demolition - 72 Wellington Street

Moved by: S. Lewis
Seconded by: S. Hillier

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, the by-law, as appended to the staff report dated September 21, 2021, BE INTRODUCED at the Municipal Council meeting to be held on October 5, 2021, to approve the demolition of an abandoned building at the municipal address of 72 Wellington Street, in the City of London; it being noted that property shall be cleared of all identified buildings, structures, debris and refuse and left in a graded and levelled condition in accordance with the City of London Property Standards By-law and Building Code Act. (2021-P10D)

Motion Passed

2.6 mobilINSPECT By-law and Enforcement - A Mobile Application for Inspections by Partho Technologies Inc.

Moved by: S. Lewis
Seconded by: S. Hillier

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, the following actions be taken with respect to the staff report dated September 21, 2021, with respect to mobilINSPECT By-law and Enforcement – A Mobile Application for Inspections by Partho Technologies Inc.:

- a) the price of \$99,000 (HST extra), negotiated with Partho Technologies Inc., for the provision of mobilINSPECT By-law and Enforcement, BE ACCEPTED on a Single Source basis in accordance with sections 14.4 (d) and 14.4 (e) of the Procurement of Goods and Services Policy;
- b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this purchase;
- c) the approvals given, herein, BE CONDITIONAL upon The Corporation of the City of London entering into a formal contract for this purchase;
- d) the Mayor and the City Clerk BE AUTHORIZED to execute any contract, statement of work or other documents, if required, to give effect to these recommendations; and,
- e) the by-law, as appended to the Added Agenda, BE INTRODUCED at the Municipal Council meeting to be held on October 5, 2021, to:

- i) approve the Statement of Work, as appended to the above-noted by-law, between The Corporation of the City of London and Partho Technologies Inc. for the purpose of using mobilINSPECT Enforce; and,
- ii) authorize the Deputy City Manager, Planning and Economic Development to execute the above-noted Statement of Work. (2021-P01)

Motion Passed

a. (ADDED) By-law

- 2.7 Discrimination Experienced by Immigrants, Visible Minorities and Indigenous Peoples in London and Middlesex, An Empirical Study by the London and Middlesex Local Immigration Partnership

Moved by: S. Lewis
Seconded by: S. Hillier

That, on the recommendation of the Deputy City Manager, Social and Health Development, the staff report, dated September 21, 2021, with respect to Discrimination Experienced by Immigrants, Visible Minorities and Indigenous Peoples in London and Middlesex, An Empirical Study by the London and Middlesex Local Immigration Partnership, BE RECEIVED. (2021-S15)

Motion Passed

- 2.8 Update on London's Newcomer Strategy: Choose London - Innovative, Vibrant and Global

Moved by: S. Lewis
Seconded by: S. Hillier

That, on the recommendation of the Deputy City Manager, Social and Health Development, the staff report dated September 21, 2021, with respect to an Update on London's Newcomer Strategy: Choose London – Innovative, Vibrant and Global, BE RECEIVED. (2021-D01)

Motion Passed

- 2.9 Housing Stability for All Plan - Mid-Year Update

Moved by: S. Lewis
Seconded by: S. Hillier

That, on the recommendation of the Deputy City Manager, Social and Health Development, and the Deputy City Manager Planning and Economic Development, the staff report dated September 21, 2021, with respect to a mid-year update on the Housing Stability for All Plan, BE RECEIVED. (2021-S11)

Motion Passed

- 2.10 Single Source - Life Stabilization: Electronic Document Management (EDM)

Moved by: S. Lewis
Seconded by: S. Hillier

That, on the recommendation of the Deputy City Manager, Social and Health Development, the following actions be taken with respect to the staff report dated September 21, 2021, with respect to Electronic Document Management for Life Stabilization:

- a) a Change Order to the existing Single Source Master Services Agreement with Nimble Information Strategies Inc. (SS20-33) BE APPROVED as per Council Policy By-law No. A.-6151-17, Schedule C, Section 20.3, as amended, for a total funding amount of \$342,930, plus applicable taxes, to digitize active Ontario Works files by December 31st, 2021;
- b) proposed By-law, as appended to the staff report dated September 21, 2021, BE INTRODUCED at the Municipal Council meeting to be held on October 5, 2021, to:
 - i) approve the Change Order, as appended to the above-noted by-law, which amends the Master Services Agreement; and,
 - ii) authorize the Deputy City Manager, Social and Health Development, to execute the above noted Change Order;
- c) the Civic Administration BE AUTHORIZED to undertake all administrative acts which are necessary in relation to this matter. (2021-A10)

Motion Passed

2.4 Property Standards Matters (March 2021 Council Resolution)

That the following actions be taken with respect to the staff report dated September 21, 2021, related to Property Standards Matters (March 2021 Council Resolution):

- a) the Civic Administration BE DIRECTED to report back at a future meeting of the Community and Protective Services Committee on how a RentSafeLondon by-law enforcement program, modelled after the RentSafeTO program, could be implemented, including proposed fees for registration and building audits;
- b) the verbal delegations from S. Lawrence, D. Devine, J. Phoenix and N. Chiles, with respect to this matter, BE RECEIVED; and,
- c) the following items, as well as the above-noted staff report, with respect to this matter, BE RECEIVED:
 - a communication, as appended to the Added Agenda, from S. Lawrence;
 - a communication, as appended to the Added Agenda, from D. Devine;
 - a communication, as appended to the Added Agenda, from J. Phoenix;
 - a communication, as appended to the Added Agenda, from N. Chiles;
 - a communication, as appended to the Added Agenda, from ACORN London; and,
 - a communication, as appended to the Added Agenda, from J. Hoffer, Cohen Highley. (2021-P01)

Motion Passed

Voting Record:

Moved by: S. Lewis

Seconded by: S. Hillier

Motion to approve the delegation requests from S. Lawrence, D. Devine, J. Phoenix and N. Chiles, as appended to the Added Agenda to be heard at this meeting.

Yeas: (5): J. Helmer, S. Lewis, M. Salih, S. Hillier, and E. Holder

Absent: (1): A. Kayabaga

Motion Passed (5 to 0)

Moved by: S. Lewis

Seconded by: E. Holder

Motion to receive the verbal delegations from S. Lawrence, D. Devine, J. Phoenix and N. Chiles as well as the communications listed on the Added Agenda.

Yeas: (5): J. Helmer, S. Lewis, M. Salih, S. Hillier, and E. Holder

Absent: (1): A. Kayabaga

Motion Passed (5 to 0)

Moved by: J. Helmer

Seconded by: M. Salih

Motion to approve part a) of the clause and to receive the staff report.

Yeas: (5): J. Helmer, S. Lewis, M. Salih, S. Hillier, and E. Holder

Absent: (1): A. Kayabaga

Motion Passed (5 to 0)

3. Scheduled Items

None.

4. Items for Direction

4.1 Flyer Deliveries to Residential Properties

Moved by: J. Helmer

Seconded by: E. Holder

That the following actions be taken with respect to the staff report dated September 21, 2021, with respect to Flyer Deliveries to Residential Properties:

- a) the matter of flyer deliveries to residential properties BE REFERRED to a future meeting of the Community and Protective Services Committee (CPSC) to provide an opportunity for further discussion of this matter; and,
- b) the delegation requests from A. Marchand, as appended to the Agenda, and D. Ronson, as appended to the Added Agenda, BE REFFERED to a future meeting of the CPSC;

it being noted that the following communications, with respect to this matter, were received:

- a communication, as appended to the Agenda, from A. Marchand;
- a communication, as appended to the Added Agenda, from D. Ronson;

- a communication, as appended to the Added Agenda, from the Viewer Discretion Legislation Coalition; and,
- a communication, as appended to the Added Agenda, from S. Trosow. (2021-S08/T07)

Yeas: (5): J. Helmer, S. Lewis, M. Salih, S. Hillier, and E. Holder

Absent: (1): A. Kayabaga

Motion Passed (5 to 0)

5. Deferred Matters/Additional Business

5.1 Deferred Matters List

Moved by: S. Lewis

Seconded by: E. Holder

That the Deferred Matters List for the Community and Protective Services Committee, as at September 13, 2021, BE RECEIVED.

Yeas: (5): J. Helmer, S. Lewis, M. Salih, S. Hillier, and E. Holder

Absent: (1): A. Kayabaga

Motion Passed (5 to 0)

6. Confidential

Moved by: S. Lewis

Seconded by: E. Holder

That the Community and Protective Services Committee convene, In Closed Session, for the purpose of considering the following:

6.1. Solicitor-Client Privilege

A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, regarding flyer deliveries to residential properties.

6.2. Personal Matters / Identifiable Individual

A personal matter pertaining to identifiable individuals, including municipal employees, with respect to the 2022 Mayor's New Year's Honour List.

Yeas: (4): J. Helmer, S. Lewis, S. Hillier, and E. Holder

Absent: (2): M. Salih, and A. Kayabaga

Motion Passed (4 to 0)

The Community and Protective Services Committee convened, In Closed Session, from 4:07 PM to 4:51 PM.

7. Adjournment

The meeting adjourned at 5:59 PM.

Animal Welfare Advisory Committee

Report

The 7th Meeting of the Animal Welfare Advisory Committee
August 5, 2021
Advisory Committee Virtual Meeting - during the COVID-19 Emergency

Attendance PRESENT: M. Blosch (Acting Chair), A. Hames, and M. Toplack;
A. Pascual (Committee Clerk).

ABSENT: W. Brown and P. Lystar.

ALSO PRESENT: H. Chapman, M. McBride, and B. Westlake-Power.

The meeting was called to order at 5:03 PM; it being noted that the following members were in remote attendance: M. Blosch, A. Hames, and M. Toplack.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

2.1 6th Report of the Animal Welfare Advisory Committee

That it BE NOTED that the 6th Report of the Animal Welfare Advisory Committee, from its meeting held on July 8, 2021, was received.

2.2 Letter of Resignation - M. Szabo

That the letter of resignation from M. Szabo BE RECEIVED.

3. Sub-Committees and Working Groups

3.1 Sub-Committee Update

That it BE NOTED that the Animal Welfare Advisory Committee held a general discussion with respect to the Sub-Committee update.

4. Items for Discussion

4.1 Fireworks and Impacts on Wildlife and Pets

That the matter with respect to Fireworks and Impacts on Wildlife and Pets BE REFERRED to a Sub-Committee; it being noted that the Sub-Committee will report back to the Animal Welfare Advisory Committee;

it being further noted that the communication from V. Anber, with respect to this matter, was received.

4.2 Educational Materials on Impacts of Fishing Hooks and Line

That the matter with respect to Educational Materials on Impacts of Fishing Hooks and Line BE DEFERRED to the next Animal Welfare Advisory Committee meeting.

4.3 Per Home Limit on Foster Animals - Update

That it BE NOTED that the verbal update from H. Chapman, Manager, Community Compliance and Animal Services, with respect to the per home limit on foster animals, was received.

4.4 AWAC Budget

That the matter with respect to the AWAC Budget BE DEFERRED to the next Animal Welfare Advisory Committee meeting.

5. Adjournment

The meeting adjourned at 5:27 PM.

Animal Welfare Advisory Committee

Report

The 8th Meeting of the Animal Welfare Advisory Committee
September 2, 2021
Advisory Committee Virtual Meeting - during the COVID-19 Emergency

Attendance PRESENT: W. Brown (Chair), M. Blosh, A. Hames, P. Lystar,
and M. Toplack; A. Pascual (Committee Clerk).

ALSO PRESENT: O. Katolyk, M. McBride, and M. Schulthess.

The meeting was called to order at 5:02 PM; it being noted that the following members were in remote attendance: M. Blosh, W. Brown, A. Hames, P. Lystar, and M. Toplack.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

2.1 7th Report of the Animal Welfare Advisory Committee

That it BE NOTED that the 7th Report of the Animal Welfare Advisory Committee, from its meeting held on August 5, 2021, was received.

3. Sub-Committees and Working Groups

3.1 Sub-Committee Update

That it BE NOTED that the verbal update from W. Brown with respect to the Sub-Committee Update, was received.

4. Items for Discussion

4.1 Sub-Committee Report - Fireworks and Impacts on Wildlife and Pets

That the matter with respect to Fireworks and Impacts on Wildlife and Pets BE REFERRED to a Sub-Committee for further consideration.

4.2 Educational Materials on Impacts of Fishing Hooks and Line - RESUBMITTED

That the matter with respect to Educational Materials on Impacts of Fishing Hooks and Line BE REFERRED to a Sub-Committee;

it being noted that the communication as appended to the Added Agenda, with respect to the AWAC Recommendations, was received.

4.3 AWAC Budget - RESUBMITTED

That the matter with respect to the AWAC Budget BE REFERRED to a Sub-Committee.

4.4 Mobile Zoos

That the matter with respect to Mobile Zoos BE REFERRED to a Sub-Committee;

it being noted that the communication as appended to the Added Agenda, with respect to the Reptilia Zoo, was received.

5. **Adjournment**

The meeting adjourned at 6:08 PM.

Accessibility Advisory Committee Report

7th Meeting of the Accessibility Advisory Committee

August 26, 2021

Advisory Committee Virtual Meeting - during the COVID-19 Emergency

Attendance PRESENT: J. Menard (Chair), N. Judges, P. Moore, K. Pereyaslavskaya, B. Quesnel, P. Quesnel, D. Ruston, K. Steinmann and J. Teeple and J. Bunn (Committee Clerk)

ALSO PRESENT: D. Baxter, K. Husain, R. Morris, L. Sanders, M. Schulthess and M. Stone

ABSENT: M. Bush, T. Eadinger, D. Haggerty and A. McGaw

The meeting was called to order at 3:02 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 Introduction to the Director, Anti-Racism and Anti-Oppression

That it BE NOTED that the verbal introduction of the new role of Director, Anti-Racism and Anti-Oppression for the City of London, by R. Morris, Director, Anti-Racism and Anti-Oppression, was received.

2.2 Get Involved Site - 2022-2025 Accessibility Plan

That the update on the Get Involved Site for the 2022-2025 Accessibility Plan, by M. Stone, Accessibility Specialist, (AODA), BE DEFERRED to the next meeting of the Accessibility Advisory Committee.

2.3 Be My Eyes Pilot Proposal

That it BE NOTED that the presentation, as appended to the Agenda, from M. Stone, Accessibility Specialist (AODA), with respect to the Be My Eyes Pilot Proposal, was received.

3. Consent

3.1 6th Report of the Accessibility Advisory Committee

That it BE NOTED that the 6th Report of the Accessibility Advisory Committee, from its meeting held on June 24, 2021, was received.

3.2 Municipal Council Resolution - 6th Report of the Accessibility Advisory Committee

That it BE NOTED that the Municipal Council resolution, from its meeting held on August 10, 2021, with respect to the 6th Report of the Accessibility Advisory Committee, was received.

3.3 2022 Mayor's New Year's Honour List - Call for Nominations

That it BE NOTED that the communication, dated July 9, 2021, from C. Saunders, City Clerk, and B. Westlake-Power, Deputy City Clerk, with respect to the 2022 Mayor's New Year's Honour List Call for Nominations, was received.

3.4 Dundas Place Traffic Diversion Feedback

That it BE NOTED that the Memo, dated July 29, 2021, from D. Hall, Active Transportation Manager, with respect to Dundas Place Traffic Diversion Feedback, was received.

3.5 Notice of Study Restart - Western and Sarnia Road/Philip Aziz Avenue Improvements - Municipal Class Environmental Assessment

That it BE NOTED that the Notice of Study Restart, dated August 16, 2021, from K. Grabowski, City of London and J. Pucchio, AECOM Canada Ltd., with respect to the Western Road and Sarnia Road/Philip Aziz Avenue Improvements Municipal Class Environmental Assessment, was received.

3.6 Notice of Planning Application - Zoning By-law Amendment - 2170 Wharncliffe Road South

That it BE NOTED that the Notice of Planning Application, dated August 18, 2021, from B. Debbert, Senior Planner, with respect to a Zoning By-law Amendment for the property located at 2170 Wharncliffe Road South, was received.

4. Sub-Committees and Working Groups

None.

5. Items for Discussion

5.1 Accessibility Across Community Local Businesses

That it BE NOTED that the Accessibility Advisory Committee (ACCAC) held a general discussion with respect to Accessibility Across Community Local Businesses and how the ACCAC can assist local businesses with matters of accessibility.

6. Adjournment

The meeting adjourned at 4:08 PM.

Community Safety and Crime Prevention Advisory Committee Report

4th Meeting of the Community Safety and Crime Prevention Advisory Committee
August 26, 2021

Advisory Committee Virtual Meeting - during the COVID-19 Emergency

Attendance PRESENT: B. Gibson (Chair), J. Campbell, T. Khan, D. Luthra,
B. Madigan and J. Slavin

ABSENT: I. Bielaska-Hornblower, B. Fragis and L. Krobisch

ALSO PRESENT: H. Lysynski, A. Pascual and M. Schulthess

The meeting was called to order at 12:16 PM; it being noted that
all Members were in remote attendance

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 Community Safety and Crime Prevention Advisory Committee contributions as a resource to CPSC pursuant to Terms of Reference

That it BE NOTED that the verbal delegation from Councillor J. Helmer,
Chair, Community and Protective Services Committee (CPSC), with
respect to how the Community Safety and Crime Prevention Advisory
Committee can contribute as a resource to CPSC pursuant to its Terms of
Reference, was received.

3. Consent

3.1 3rd Report of the Community Safety and Crime Prevention Advisory Committee

That clause 3.2 of the 3rd Report of the Community Safety and Crime
Prevention Advisory Committee (CSCP), from its meeting held on June
24, 2021, BE AMENDED to delete the reference to B. Madigan
participating on the CSCP Terms of Reference Working Group.

3.2 Municipal Council Resolution - 3rd Report of the Community Safety and Crime Prevention Advisory Committee

That it BE NOTED that the Municipal Council resolution adopted at its
meeting held on August 10, 2021, with respect to the 3rd Report of the
Community Safety and Crime Prevention Advisory Committee, was
received.

3.3 Resignation - B. Rankin

That it BE NOTED that the letter of resignation, dated July 12, 2021, from
B. Rankin, was received.

3.4 Resignation - D. MacRae

That it BE NOTED that the letter of resignation from D. MacRae, was received.

4. Sub-Committees and Working Groups

None.

5. Items for Discussion

5.1 Mayor's New Year's Honour List

That a Working Group consisting of B. Gibson, T. Khan and D. Luther BE ESTABLISHED to provide a nomination for the 2022 Mayor's New Year's Honour List and report back at the next meeting.

6. Adjournment

The meeting adjourned at 12:50 PM

A special meeting of the Community Safety and Crime Prevention Advisory Committee will be held on September 9, 2021 at 2:30 PM.

Community Safety and Crime Prevention Advisory Committee Report

5th Meeting of the Community Safety and Crime Prevention Advisory Committee
September 13, 2021

Advisory Committee Virtual Meeting - during the COVID-19 Emergency

Attendance PRESENT: B. Gibson (Chair), I. Bielaska-Hornblower, B. Fragis,
T. Khan, D. Luthra and B. Madigan

ABSENT: J. Campbell, L. Krobisch and J. Slavin

ALSO PRESENT: A. Kampman, H. Lysynski and O. Nethersole

The meeting was called to order at 11:31 AM; it being noted that
all Members were in remote attendance

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 The 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 August 26,
2021, was received.

4. Sub-Committees and Working Groups

None.

5. Items for Discussion

None.

6. Confidential

6.1 Personal Matters / Identifiable Individual

The Community Safety and Crime Prevention Advisory Committee
convened in closed session from 11:33 AM to 11:44 AM after having
passed a motion to do so, with respect to a personal matter pertaining to
identifiable individuals, including municipal employees, with respect to the
2022 Mayor's New Year's Honour List.

7. Adjournment

The meeting adjourned at 11:45 AM.

Report to Community and Protective Services Committee

To: CHAIR AND MEMBERS
COMMUNITY AND PROTECTIVE SERVICES COMMITTEE
From: GEORGE KOTSIFAS, P. ENG., DEPUTY CITY MANAGER,
PLANNING AND ECONOMIC DEVELOPMENT
Subject: PROPERTY STANDARDS MATTERS (MARCH 2021 COUNCIL RESOLUTION)
Date: SEPTEMBER 21, 2021

Recommendation

That, on the recommendation of the Deputy City Manager, Planning and Economic Development: this report and the attached draft terms of reference (**Appendix 'A'** – Tenant Landlord Taskforce) **BE RECEIVED** for information purposes.

Executive Summary

This report is in response to the March 23, 2021, Municipal Council resolution, directing staff to review the Residential Rental Unit Licensing By-law (for all new and existing rental units be licensed, regardless of the type of unit) and report back with a draft term of reference for the establishment of a Tenant Landlord Taskforce (TLT).

Background

On March 2, 2021, a Public Participation Meeting was held to discuss the Property Standards By-law review. At this time, a letter was submitted by two Councillors seeking support for a motion that would expand the Residential Rental Unit Licensing By-law to include all rental units contained in apartment buildings and townhouses. The current By-law exempts apartment buildings and townhouses and applies only to rental units in single detached, semi detached / duplex, triplex, fourplex and converted dwelling structures.

On March 23, 2021, Municipal Council resolved that the following actions be taken:

1. the Civic Administration **BE DIRECTED** to review the Residential Rental Units Licensing By-law CP-19, as amended, and report back at a future meeting of the Community and Protective Services Committee (CPSC) on the possibility of expanding the regulations to include rental units contained in apartment buildings, stacked townhouses and townhouses and to incorporate the following requirements for all rental units:
 - all new and existing rental units be licensed, regardless of the type of unit;
 - random inspections of rental units and buildings be undertaken to ensure compliance with the City's Property Standards By-law and other regulations to prevent the deterioration and disrepair of rental units; and,
 - the establishment of a complaint reporting system that is accessible to tenants.
2. the Civic Administration **BE DIRECTED** to report back at a future meeting of the Community and Protective Services Committee with a draft Terms of Reference for the establishment of a Tenant/Landlord Taskforce that would include representation from tenants, London Property Management Association, and other community stakeholders, including, but not limited to Lifespin, to develop an action plan to address enforcement of property standards by-law matters and health concerns within the City of London's jurisdiction, including developing educational material to assist individuals with navigating the enforcement process and communicating with the Province of Ontario with respect to concerns identified with respect to potential legislative changes to address the concerns.

Analysis

1.0 How are property related complaints addressed?

Property Standards By-law occurrences are initiated by the following:

- Tenant or community complaint;
- Referral from partner agency;
- Proactively as part of rental licence inspection.

When a complaint is received from a tenant (usually dealing with the interior condition of the rental unit), the complainant is requested to advise the landlord in writing of the deficiencies inside the rental unit and provide the landlord reasonable time to resolve the issues.

Normally, a reasonable time period to initiate any repairs would be two to three weeks. If compliance is not achieved, the complainant is asked to forward a copy of the letter to the City; where the complaint involves a safety issue, such as electrical or structural, the requirement to have the tenant advise the landlord in writing is not required. For these types of complaints, it is not possible to keep the complainants' personal information anonymous as the complaint involves the interior of a unit for which the landlord requires access.

When the complaint is made by neighbours, the issue normally involves an exterior infraction such as, the condition of the exterior of the building or other yard maintenance issues (long grass/weeds, derelict vehicles, debris). For these types of complaints, there is no requirement for the complainant to notify the owner of the subject property. Tenants and partner agencies are also able to submit these complaints. For these issues, complainant contact information is encrypted and not public information. Municipal Law Enforcement Officers (MLEOs) respond to these complaints on a priority basis.

All applications for residential rental licenses require a Property Standards inspection as well as an inspection for Fire Code compliance. These inspections are undertaken at the time of application. Previously, property owners submitted self-certification forms confirming compliance with City By-laws. Random inspections were planned, however, the random inspection protocol failed as numerous tenants refused entry or there was no response at the door. The random inspection protocol was disbanded and replaced with a required interior inspection at the time of licence application.

1.2 What are the historic metrics of complaints investigated?

A review of complaints between 2015 to 2020 indicated that a total of 44,692 property related complaints were received. Of these complaints, 7.4% (3,300) were related to apartments and 2.7% (1,200) were related to townhouse units. Most complaints pertain to single detached dwellings.

1.3 Should all rental units be licensed?

In 2008, as part of the public and industry consultations, staff presented an options report to Council with a spectrum of compliance scenarios ranging from not licensing rental units at all, to licensing every type of rental unit. It was concluded that the greatest return on investment would focus on exclusively licencing low density forms of housing, where there have been numerous structural changes made to add more units/bedrooms without permits and where there were the most property related complaints.

Currently, there are 6,200 rental properties licensed in the City. A licensed rental property could contain more than one rental unit (ie. fourplex). All applications for residential rental licenses require a Property Standards inspection as well as an inspection for Fire Code compliance. Access to the rental unit is required for these inspections. There are approximately 700 applications awaiting further Property Standards and Fire Code inspections as these interior inspections were paused due to the pandemic. These inspections were reinitiated in September 2021 and are ongoing.

In addition to the work of MLEOs and Fire Prevention Officers, there are several other staff positions involved in the process including: Customer Service Representatives (review for completeness of application); Zoning and Business Coordinators (zoning compliance); and Code Compliance Inspectors (review of Building Code compliance if necessary).

There are 47,000 rental units in townhouse and apartment structures. To inspect all these units in one year would require a staffing of 37 new MLEOs. There would be a similar required staffing impact for Fire Prevention Officers. Less new inspection staff would be required if only a sample of units were inspected. There would be a further staffing impact for Building Code compliance inspections and application intake.

As per the Fire Protection and Prevention Act (FPPA), “an inspector may, without a warrant, enter and inspect land and premises for the purpose of assessing fire safety.” The FPPA also states, “the power to enter and inspect land and premises without a warrant may be exercised at all reasonable times.” This provides Fire Prevention Officers with the ability to do proactive inspections along with responding to complaints from the community and referrals from community partners.

Fire Prevention Officers, Public Health Inspectors, London Police Service (LPS) (specifically the Community Oriented Response Unit (COR)) and Municipal Law Enforcement Officers work collaboratively on a number of community compliance matters and constantly refer observed alleged violations to the appropriate agencies for follow-up and action. This multi agency partnership has eliminated silos between regulatory and enforcement agencies in adopting a risk-based approach to compliance.

There would be a low return on investment to create a program of licensing all rental units in apartments and townhouses. The current property related complaints process as well as the multi agency referral protocol applies to all residential properties. All complaints are investigated, and enforcement actions are taken for valid infractions. The spectrum of enforcement actions include: the issuance of Orders, fines and/or penalties, property repairs or clean ups, legal actions and building demolition. Any tenant, property owner, partner agency or citizen may submit/refer a property related complaint.

1.4 What is the goal of the Tenant Landlord Taskforce?

The draft terms of reference for a Tenant Landlord Taskforce is attached as Appendix “A” to this report. The terms of reference document is modeled on successful ongoing industry consultation processes that have taken place in throughout many City departments. For example, the outcome of some of the discussions regarding building related matters, resulted in immediate processing improvements implemented by Civic Administration.

The intent of the TLT is to improve communications and processes involving the City of London, tenants, landlords, and representative associations. The TLT will strive to work cooperatively to identify and resolve issues and concerns regarding landlord, tenant, and municipal practices and procedures. Actionable items may include developing new educational material for all tenants, providing better communications, marketing and improving the existing complaint process.

2.0 Conclusion

Civic Administration is recommending that no further action is required regarding the licensing of rental units within apartment or townhouse structures. Staff are confident that the current rental licensing system compliant process is adequate, and that the proposed Tenant Landlord Taskforce will assist in strengthening communications and property standards improvements.

Prepared by:	Nicole Musicco, Coordinator, Municipal Compliance
Submitted by:	Orest Katolyk, MLEO (C) Director, Municipal Compliance
Recommended by:	George Kotsifas, P. Eng Deputy City Manager, Planning and Economic Development

APPENDIX 'A'

TENANT LANDLORD TASKFORCE

MISSION

The mission of the Tenant Landlord Taskforce (TLT) is to:

- i. Facilitate the exchange of information and present ideas designed to improve processes and practices for all members.
- ii. Collaborate with a view to strengthening relationships between parties and upgrading the quality of rental accommodations.

ROLES AND RESPONSIBILITIES

Participation is open to representatives of landlord and tenant advocacy groups, City of London Staff (as needed), and any other agencies agreed to by the Chair and members. Individual property owners or tenants will not be participants in this forum.

Role of Chair

- Conduct an effective meeting.
- Ensure that items on the agenda are considered and that the mission is supported throughout the meeting.
- Assist the Recording Secretary as required in approving the meeting agenda before the meeting and reviewing meeting minutes.

Role of Members

- Provide agenda items to the Recording Secretary before the meeting.
- Bring current, relevant, and emerging information to the meeting in keeping with the mission outlined herein.
- Work cooperatively in meetings to identify and resolve issues and concerns regarding landlord, tenant, and municipal practices and procedures.

FORUM COMPOSITION

Chair:

- Meetings will be chaired by the City of London, Municipal Compliance - Policy Coordinator.
- Meeting will be recorded by - Administrative Assistant, Planning and Economic Development.

Agency Members:

The TLT shall also be comprised of those member organizations that self-identify under one or more of the following broad categories:

- Landlord associations
- Tenant associations

City of London representatives:

- Municipal Compliance
- Other (as required)

Working Groups:

It is anticipated that various “working groups” may be formed to undertake research or implementation projects identified. These working groups may include, or be entirely composed of, other persons/resources not listed as members. Working groups shall report back to the TLT and the terms and scope of the project work shall be expressed when the group is struck.

MEETINGS

Location:

Location of meetings will be determined by members of the TLT. Expenses for locations that are not free will be shared by the member organizations.

Frequency:

Meetings will be scheduled as frequently as the membership decides is necessary, at the discretion of members, to be scheduled by the Recording Secretary under the direction of the Chair.

Working Group meetings will be determined by the members of the Working Group and are not required to align with TLT meetings.

Duration:

Meetings are anticipated to last no more than **two hours**.

Quorum:

Quorum is not required for TLT meetings.

Anticipated start date

Meetings are anticipated to start **Q1 2022**.

Scope:

TLT meetings are intended to improve communications and operations between the City of London, tenant associations and landlord associations.

Discussions held during any TLT meeting are not intended to represent a formal position on an item, or items, decided on by Committees or Council. Site specific issues will not be the subject of these meetings although examples may be used for illustrative purposes.

COMMUNICATIONS

Agendas and Minutes:

Meeting notices and agendas will be provided electronically, prior to the scheduled meeting, to TLT members. Meeting minutes will be distributed by email to members, representatives, and attendees, prior to the next scheduled meeting. The Recording Secretary will distribute all notices of meetings, meeting agendas, and minutes via email.

Limitations:

The following items shall not be discussed during the TLT meetings:

- Active complaints
- Active enforcement files
- Specific files, including personal information and addresses.

Reporting:

This group is solely a communication forum, with no direct reporting relationship to a Standing Committee or Council. Any proposed changes or improvements that do require approval by a Committee or Council shall be brought forward by City of London Staff to the appropriate Committee, in a timely manner in keeping with any statutory requirements for Notice and Participation.

Dear Jerri-Joanne,

My name is Samantha Lawrence and I wish to attend CPSC meeting booked for Tuesday September 21, to speak on agenda item 2.4. Thank You, for your time.

Respectfully,

Samantha Lawrence

Good afternoon.

My name is Diane Devine, I am a resident of London as well as a member of London Acorn.

I would like to request Delegation Status for the upcoming committee meeting on Sept 21st to speak on the issue of Landlord Licensing, and the decision made regarding this matter.

As both a tenant who is currently dealing with substandard housing issues, and an Acorn representative, I have seen much that you don't seem to be aware of. Information I feel greatly proves the need for Landlord Licensing for all rental properties in London.

Thank you for your consideration in this matter.

Diane Devine

September 17/21

As requested, I am asking to be placed on the attendance list and also to be given Delegation Status for the CAPS meeting on Sept.21/21.

Thank you

Jo-Dee Phoenix

ACORN London

Dear Sir or Madam,

My name is Nawton Chiles, and I am a member of London ACORN. I am writing to request delegation status for the meeting on Tuesday the 21st. Specifically I would like to speak on agenda item 2.4. Please reply to this same email address to confirm.

Regards,

Nawton



19 Sept 2021

Members of Community & Protective Services Committee
London

We at London ACORN are extremely disappointed with the recently released staff report on the review of residential rental licensing bylaw.

London ACORN launched the campaign for landlord licensing last year primarily because scores of tenants are living under substandard conditions that is deeply impacting their physical and mental well-being. ACORN members are dismayed by the report of the city staff that outrightly rejects the expansion of the landlord licensing to multi-residential apartments and townhomes.

The report is not based on a thorough understanding of landlord licensing and how it has helped protect tenants' rights in several other cities.

- London ACORN questions using return on investment as the sole basis to limit the rental licensing regime in 2008 and again maintaining the status quo in 2021 based on the same reason.
- Having a healthy home is a human right which everyone should have access to. It's the city's responsibility to ensure that tenants' human rights are protected. Moreover, it makes complete economic sense to have landlord licensing because a healthy home will prevent the city's funds from going into making homes liveable. It will also prevent homelessness as there is a direct link between a tenant living in substandard conditions and being evicted/ losing their home because they cannot continue living in that unit and as a result end being homeless owing to lack of an alternate home.
- It is important to realize that there are far more apartment buildings now and there are more and more apartment buildings underway. The phenomenon of financialization of housing has been growing rapidly whereby corporate landlords such as CAPREIT, Starlight Investments and many others are taking over multi-residential apartments and many of those apartments are currently in disrepair. The staff themselves state that there are 47,000 rental units in townhouse and apartment structures. It gives us the very reason why landlord licensing is required in the first place.
- We would also like to clarify that Landlord Licensing does not require yearly inspections for each individual unit. The Landlord's Licensing fee would be based upon the number of units in each building or the number of townhomes in each complex. Each property would have an annual audit of common areas, checking for cleanliness and pest control. Only when an issue arises during this audit would a more in-depth inspection be required. During this enhanced inspection, there would be an opportunity for tenant input and an opportunity for individual unit inspection. Further, if the apartment building/townhouse has received previous complaints, this would also trigger an enhanced inspection.

- Investing in landlord licensing means more inspectors but even if the city pays into it, a cost recovery model based on the Rent Safe program in Toronto can make sure that the landlords are paying their fair share. In the Toronto Rent Safe program, the city requires landlords to register and the registration fee is \$11.24 per unit annually. Most multi-residential apartments and townhome complexes are owned by landlords who can easily afford this. Even if landlord licensing is not in place, the city will still need new inspection staff given the increase in the number of apartment buildings.
- There is this claim that landlord licensing will increase the rent. There are provincial laws which set clear rules about what is allowed to be passed on to tenants. The landlords are claiming rents will go up if they are licensed, but ACORN members know rents go up every year anyways. Landlords also apply for above guideline rent increases all the time and win them for no good reason. Licensing Landlords is going to ensure that we at least get clean and healthy homes for the rents we already pay.
- Good landlords will benefit from this, because they can advertise that they have a clean healthy building. The slumlords that abuse tenants with horrible conditions will finally be held accountable to their tenants. We need proactive inspections of rental housing of all forms. We don't only inspect restaurants that are known to be bad – all restaurants get inspected regardless of anything else. Rental housing should be held accountable to the same health standards, the only way to know if the landlords are not keeping them up to standards is through proactive inspections.
- The current system is purely complaint based. Complaint based inspections don't work for many reasons: tenants don't know about the bylaw, tenants don't know their rights, tenants are afraid of landlords and eviction, there are language issues and even if some are aware about the process of filing a complaint, there is little or no enforcement. Hence, tenants eventually become unwilling to sacrifice their time and energy complaining when the city doesn't get results. The onus must move from the tenant to the city.
- Many members of ACORN have reported that their complaints have either not been taken seriously by the city, the inspection officer has refused to do physical inspection, or that fines are low enough that it is economically viable for landlords to simply pay these punitive fines and not resolve the issue. Furthermore, we have seen numerous times that the way the property standards bylaw enforcement system is structured, it creates disproportionate hardship for tenants.

The establishment of a Landlord and Tenant taskforce can never replace the objective of landlord licensing. The issues that tenants face are much beyond a communications issue between landlords and tenants and needs to be treated as such.

As a citywide group of low-and-moderate income tenants, we sincerely hope that the city will stand with tenants and protect the right to affordable and healthy housing for everyone.

Yours sincerely,
London ACORN



Cohen Highley^{LLP}
LAWYERS

www.cohenhighley.com

REPLY TO:

London

One London Place
255 Queens Ave., 11th Floor
London, ON N6A 5R8

T 519 672-9330
F 519 672-5960

Kitchener

55 King St. West
Suite 1001
Kitchener, ON N2G 4W1

T 226 476-4444
F 519 576-2830

Chatham

101 Keil Dr. South, Unit 2
P.O. Box 420
Chatham, ON N7M 5K6

T 226 494-1034
F 519 672-5960

Sarnia

1350 L'Heritage Dr.
Sarnia, ON N7S 6H8

T 519 344-2020
F 519 672-5960

Stratford

100 Erie St.
Stratford, ON N5A 2M4

T 226 779-0006
F 519 672-5960

September 17, 2021

VIA EMAIL: CPSC@london.ca

Chair and Members
Community and Protective Services Committee
City of London
300 Dufferin Avenue, PO Box 5035
London, Ontario, N6A 4L9

Dear Chair and Members:

Re: Property Standards Matters; September 21, 2021 Committee Meeting

We are the lawyers for the London Property Management Association (“LPMA”). The LPMA is committed to promoting education and professionalism among its more than 550 members. The vast majority of LPMA members are builders, owners and operators of multi-residential rental properties in London. LPMA is Ontario’s oldest regional landlord association and its mandate is to educate its members to administer and manage their rental properties to meet all statutory and professional standards, including full compliance with London’s Property Standards By-laws as well as the provisions of the *Residential Tenancies Act* (RTA). The submission below is with respect to Item 2.4 on the Committee’s agenda, supporting the analysis and recommendation of City Staff with respect to the question of expanding Landlord Licensing and supporting the goals and Terms of Reference of the Landlord Tenant Taskforce.

LPMA supports the recommendation of City Staff that there be no expansion of the Landlord Licensing By-law (“the By-law”) to all rental units in the City of London. It is noteworthy from the Staff report that of 45,000 property standards complaints last year, only 7% involved rental housing at all. We have also reviewed staff’s report to the Planning Committee from May 26, 2008 where it was reported that of all maintenance complaints received by the City about rental properties at that time, 85% involved single family rental properties and only 5% involved rental properties with more than 4 units. Extrapolating from those numbers, 7% of 45000 complaints works out to 3150 complaints about rental housing and 5% of that number (attributable to rental properties with more than 4 units) works out to 158 complaints. It is submitted that it would be an abdication of Council’s responsibility to London taxpayers to create and implement the costly expansion of the current licensing by-law to all multi-res properties in London; hire the dozens of staff required to administer it; hire the additional management staff for oversight of the expanded bureaucracy; impose on all multi-res landlords in London a third layer of regulatory maintenance standards; and, ensure that the inevitable license fees (the “Tenant Tax”), will be passed through to tenants. LPMA respectfully suggests that a more prudent approach to deal with about 158 complaints would be to hire, on a part time basis, one Property Standards By-law enforcement officer.

The numbers above also reflect another important consideration: the vast majority of purpose built apartment units in London are built, managed and operated in accordance with rigorous

statutory requirements to ensure life safety and proper housing standards are in place. The statutory codes applicable to such properties require mandatory Fire, Building, Electrical and Maintenance inspections and compliance with all retrofit legislation. The numbers above bear out the fact that maintenance issues are relatively rare in purpose built multi-res developments and that where they occur, enforcement of existing City By-laws by current City staff is the most prudent, cost-effective way of dealing with them. This is particularly the case where the Property Standards By-law has been substantially enhanced and the menu of fines for property standards deficiencies has been greatly expanded and increased to help fund City revenues in circumstances where non-compliance is found to occur.

On the question of the recommendation for establishing the Landlord and Tenant Taskforce and the terms of reference for same, LPMA supports the goals expressed by staff. In particular, LPMA supports a process where facts to support practical solutions to ensure that applicable housing standards are complied with by both landlords and tenants. We also welcome the opportunity to better educate other housing groups to lease to evidence-based conclusions about housing conditions and not misinformation. As such, LPMA welcomes the opportunity to participate in the Taskforce and to engage in a productive dialogue with stakeholders so that informed decisions and strategies can be developed to improve rental housing in the City.

Thank you, in advance, for your consideration of the submissions of LPMA.

Yours very truly,

COHEN HIGHLEY LLP



signature electronically affixed

Joseph Hoffer
JH:rmh
email: hoffer@cohenhighley.com

cc: LPMA

Report to Community and Protective Services Committee

To: CHAIR AND MEMBERS, COMMUNITY AND PROTECTIVE SERVICES COMMITTEE (CPSC)
From: GEORGE KOTSIFAS, P. ENG., DEPUTY CITY MANAGER, PLANNING AND ECONOMIC DEVELOPMENT
Subject: PROPERTY STANDARDS RELATED DEMOLITION – 72 Wellington Street
Date: SEPTEMBER 21, 2021

Recommendation

That, on the recommendation of the Deputy City Manager, Planning & Economic Development, the attached by-law (Appendix 'A') **BE INTRODUCED** at the Council meeting on October 5, 2021; it being noted that the effect of the by-law will cause the City of London to take all necessary actions to demolish buildings and structures at the following location: **72 Wellington Street**.

Executive Summary

Civic Administration recommends that dilapidated buildings be demolished to address ongoing neighbourhood nuisance, safety, and quality of life issues. All associated inspection and demolition costs are invoiced to the property owner.

Linkage to the Corporate Strategic Plan

Implement existing by-laws with a risk based protocol focusing on municipal purposes of public safety and neighbourhood stability.

Analysis

1.0 Background Information

City Council Policy directs that when a Property Standards Order is not complied with, the Chief Municipal Law Enforcement Officer (MLEO) shall not cause the property to be demolished unless the matter has been reported to Council, and Council has passed a by-law approving of the proposed demolition.

The subject site is known municipally as 72 Wellington St and is located north of the south branch of the Thames River. The property itself is approximately 685m² (7400 sqft) and the vacant two-storey building sits on the southerly half of the property.

Photos of the subject property, taken over the last few years, are included as Appendix "B" to this report.

The building was first identified as vacant around 2016 and the last five (5) years Municipal Staff have inspected the premises and issued work orders multiple times under numerous Municipal By-laws for a variety of infractions. Examples of three of those work orders are appended to this report.

- Appendix "C" Work Order - issued May 16, 2019 under the *Vacant Buildings By-law A-35* requiring the owner of the building to bring the property into compliance as indicated on the Order.
- Appendix "D" Work Order - issued March 30, 2021 under the *City of London Yard & Lot Maintenance By-law PW-9* requiring the owner to bring the property into compliance as indicated on the Order.
- Appendix "E" Work Order - issued June 2, 2021 under the Ontario Building Code Act ordering the owner to make repairs as outlined therein.

As indicated the Enforcement Staff have taken several enforcement related inspections and actions to ensure the building is maintained in a safe and tidy manner. Notwithstanding the efforts of Staff, no actions have been taken by the property owner to comply with the property standards orders. It should be noted that on June 16, 2021 the building was removed from the Register of Cultural Heritage Resources by Council.

Conclusion

Based on the evidence herein, Civic Administration is recommending the demolition of the former residence at 72 Wellington Street due to matters of safety and inaction.

Prepared by: Orest Katolyk, MLEO (C), Director, Municipal Compliance

Recommended by: George Kotsifas, P. ENG., Deputy City Manager, Planning & Economic Development

Appendix "A"

Bill No.
2021

By-law No.

A By-law to approve demolition of abandoned building with municipal address of 72 Wellington Street under the Property Standards provisions of the Building Code Act.

WHEREAS subsection 5(3) of the *Municipal Act, 2001* provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 15.1(3) of the *Building Code Act* provides that the council of a municipality may pass a by-law to require property that does not conform with the standards to be repaired and maintained to conform with the standards or the site to be cleared of all buildings, structures, debris or refuse and left in graded and levelled condition;

AND WHEREAS Council has passed Property Standards By-law CP-16 that requires owners of property that does not conform to the standards of the by-law to repair and maintain the property to conform with the standards of the by-law or to clear it of all buildings, structures, debris or refuse and left in a graded and levelled condition;

AND WHEREAS section 15.2(2) of the *Building Code Act* provides that an officer who finds that a property does not conform with the standards prescribed in the Property Standards By-law may make an order giving reasonable particulars of the repairs to be made or stating that the site is to be cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition;

AND WHEREAS section 15.4 of the *Building Code Act* provides that, if an order of an officer under section 15.2(2) is not complied with in accordance with the order as deemed confirmed or as confirmed or modified by the committee or a judge, the municipality may cause the property to be repaired or demolished accordingly;

AND WHEREAS section 15.4(3) of the *Building Code Act* provides that a municipal corporation or a person acting on its behalf is not liable to compensate the owner, occupant or any other person by reason of anything done by or on behalf of the municipality in the reasonable exercise of its powers under subsection (1);

AND WHEREAS section 15.4(4) of the *Building Code Act* provides that the municipality shall have a lien on the land for the amount spent on the repair or demolition under subsection (1) and the amount shall have priority lien status as described in section 1 of the *Municipal Act, 2001*;

AND WHEREAS Council passed By-law A.-6554-211 to adopt a Policy whereby, in the event a confirmed Property Standards Order is not complied with, the City's Manager of By-law Enforcement shall not cause the property to be demolished unless he or she has reported to Council setting out the reasons for the proposed demolition and Council has passed a by-law approving of the proposed demolition;

AND WHEREAS a property standards order has not been complied with in accordance with the order as deemed confirmed or as confirmed or modified by the committee or a judge;

AND WHEREAS the City's Chief Municipal Law Enforcement Officer has reported to Council setting out the reasons for the proposed demolition;

AND WHEREAS Municipal Council wishes to cause the property to be demolished;

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

1. The demolition of an abandoned building at municipal address of 72 Wellington Street, in the City of London, is approved and the property shall be cleared of all identified buildings, structures, debris, and refuse and left in a graded and levelled condition in accordance with the City of London Property Standards By-law and *Building Code Act*.
2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on _____, 2021

Ed Holder
Mayor

Catharine Saunders
City Clerk

First reading - _____, 2021
Second reading - _____, 2021
Third Reading - _____, 2021

Appendix "B" – Photos



Photo 1 – 72 Wellington St. from Road



Photo 2 – Interior of 72 Wellington St.



Photo 3 - rear of 72 Wellington St.



Photo 4 – 72 Wellington St – south side of building (facing river and bike path)



Photo 5 – 72 Wellington St south side at rear (facing river and bike path)

APPENDIX "C"



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

London
CANADA

WORK ORDER

Contravention of the Vacant Building By-Law
Pursuant to Subsection 3.2 of The City of London Vacant Buildings By-law

Date Order Issued: May 16, 2019

File No. 19-018394

Property Inspection Date: May 16, 2019

Address to which Order Applies: 72 Wellington St, London, ON.

Order issued to: 2555126 ONTARIO INC
C/O LOREDANA ONESAN
642 BASELINE RD E
LONDON ON
N6C 2R4

Be advised that on May 16, 2019, an inspection of the above noted property revealed a contravention of the City of London Vacant Buildings By-law A-35.

In accordance with Part 3, Subsection 3.1 of By-law A-35,

Every owner of a vacant building shall:

- a) ensure that the vacant building is secured against unauthorized entry;
- b) maintain liability insurance on the vacant building; and
- c) protect the vacant building against the risk of fire, accident or other danger.

You are hereby ordered, under Subsections 3.2 and 3.5 of The City of London Vacant Buildings By-law A-35 to bring this property in to compliance immediately by undertaking the following:

- (i.) notify the London Fire Department and the Chief Building Official in writing that the building is a vacant building;
- (ii.) provide the Chief Building Official with a copy of the certificate of insurance for the subject building;
- (iii.) ensure that all combustible materials within the vacant building are removed to reduce any potential fire load;
- (iv.) secure the subject building from unauthorized entry.

As per section 3.6 of the Vacant Buildings By-law, the City may take any action the City deems necessary to secure or repair a vacant building in accordance with this By-law.

TAKE NOTICE: In accordance with Subsections 3.7 and 5.2 of the By-law to Regulate Vacant Buildings A-35, this building has been secured and the costs of work done shall be added to the tax role of this property and collected in the same manner as taxes.

Order issued by:

John Austen
City of London
Property Standards Officer

APPENDIX "D"



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

London
CANADA

WORK ORDER – Contravention of the by-law

Pursuant to Subsection 3.9 of The City of London Yard & Lot Maintenance By-law PW-9

Date Order Issued: March 30/2021

File No.21 009593

Address to which Order Applies: 72 Wellington St, LONDON ON

Order issued to: 2555126 ONTARIO INC
C/O LOREDANA ONESAN
642 BASELINE RD E
LONDON ON N6C 2R4

A contravention of Part 2 of the City of London Yard & Lot Maintenance By-law PW-9 is found to exist at the above noted address:

- **2.5 Land – clean- cleared – free of refuse**
Every owner shall keep his land clean, cleared and free of refuse.

Refuse includes, but is not limited to: **uncontained garbage, refuse**

By-Law PW-9, to bring this property in to compliance on or before, **April 13, 2021**.

In an effort to reduce the number of attendances by a Municipal Law Enforcement Officer, this office will accept electronic photos/video following the clearing of refuse/grass. Forward visuals to the officer's email below, for review and response. Ensure that the visuals are clear, and sufficiently capture the entire exterior of the property. (send all yards/outdoor spaces)

Failure to do so the Corporation of the City of London (or designate) will cause the property to be brought into compliance in accordance with Part 5 (Sections 5.3 and 5.4) of By-law PW-9 of the Corporation of the City of London. The City may recover the costs incurred in doing the work, or by causing it to be done, by adding the costs to the tax roll and collecting them in the same manner as property taxes. The minimum fee for this service, including administration/inspection fees is \$245.00.

Should By-law PW-9 violations occur at this address in the next 12 months, you as the assessed property owner will receive no further notice prior to enforcement action being taken.

Municipal Law Enforcement inspections where required as a result of a failure to remedy a by-law violation by the date of compliance as set out in a written notice / order are subject to a re-inspection fee of \$110.00. This fee will be levied following the re-inspection and is subject to all applicable taxes.

To review the Yard & Lot Maintenance By-law please go to www.london.ca or contact the City Clerk's Office (519-661-4530) to request a copy.

Order issued by:

Shane Maddox

Shane Maddox
Municipal Law Enforcement Officer
The Corporation of the City of London
Development & Compliance Services, Rm 706
By-law Enforcement Section
Phone: 519-661-4660 Fax: 519-963-5080
Direct Line: 519-661-2489 ext 5299
smaddox@london.ca www.london.ca

APPENDIX "E"



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

London
CANADA

REGISTERED MAIL

June 2, 2021

File No. PV 21-015726

2555126 Ontario Inc
c/o Loredana Onesan
642 Base Line Rd E
LONDON ON N6C 2R4

Municipal Address: 72 Wellington St

As an owner or occupant including a person having an interest in the above-noted property, I hereby enclose an Order pursuant to Subsection 15.2(2) of the Ontario Building Code Act, S.O. 1992, c.23.

Please be advised that under City of London Inspection By-law No. A-30 and the Fees & Charges By-law A-56, an inspection fee will be charged at the rate of \$110.00 per hour (minimum charge: \$110.00) for any inspection conducted following the compliance date, where any of the deficiencies listed in the schedule(s) of the Property Standards Order have not been corrected. Failure to pay for any inspection costs will result in the costs being added to the property tax roll.

Failure to comply with an Order may result in enforcement actions being taken.

If you require any information concerning this matter, please contact the undersigned at this office.

Yours truly,

Shane Maddox
Property Standards Officer

SM:sb
Attach.

cc: BF – June 21, 2021

Y:\Shared\building\PropStnd.Section\Orders\2021\Maddox\wellington72.PS Order Ltr.doc

THE CORPORATION OF THE CITY OF LONDON

ORDER

Issued Pursuant to Subsection 15.2(2) of the Ontario Building Code Act, S.O.1992, c.23

ORDER NUMBER: PV 21-015726

DATE ISSUED: June 2, 2021

ISSUED TO: 2555126 Ontario Inc
c/o Loredana Onesan
642 Base Line Rd E
LONDON ON N6C 2R4

MUNICIPAL ADDRESS: 72 Wellington St., London ON

LEGAL DESCRIPTION: LONDON PT LOT 1 S/S SOUTH ST REG 7400.00SF 74.00FR
100.00D

BE ADVISED that on **June 1, 2021** an inspection of the above-noted property revealed the property does not conform to the standards prescribed in The City of London Property Standards By-Law CP-16.

The particulars of the repairs to be made are set out in the "Schedule of Repairs to be Made", attached hereto, and forming part of this **ORDER**.

You are Hereby Ordered to carry out the repairs as set out in the "Schedule of Repairs to be Made" or the site is to be cleared of all buildings, structures, debris or refuse. This **ORDER** shall be complied with and the property brought into conformance with the standards prescribed in the Property Standards By-law on or before **June 21, 2021**.

Where it has been determined that the repairs or clearance as set out in this Order have not been carried out in accordance with this **ORDER** as confirmed or modified, in addition to any possible court action, The Corporation of the City of London may carry out the repairs or clearance at the owner's expense. The Corporation of the City of London shall have a lien on the land for the amount spent on the repairs or clearance and the amount shall have priority lien status as described in section 1 of the *Municipal Act, 2001*. The amount may be added to the tax roll of the property.

You are Hereby Advised that if you are not satisfied with the terms or conditions of this **ORDER**, **you may appeal** by sending a notice of appeal by registered mail to the Secretary of the Property Standards Committee, c/o Development & Compliance Services, City Hall, P.O. Box 5035, London, Ontario, N6A 4L9. **Appeal fee for property standards notice is \$150.00.**

TAKE NOTICE that the final day giving notice of appeal from this **ORDER** shall be **June 21, 2021**.

In the event that no appeal is received within the above prescribed period, the **ORDER** shall be deemed to be confirmed and shall be final and binding. You are expected to comply with the terms and conditions of this **ORDER** to avoid any possible enforcement actions being taken.

Where a permit is required to carry out a repair required to comply with this Order, it is the responsibility of the owner to obtain any such permit.

Failure to comply with this ORDER may result in enforcement action being taken.

DATED AT LONDON, ONTARIO, this 2nd day of June 2021.

Shane Maddox

SHANE MADDOX
PROPERTY STANDARDS OFFICER

"SCHEDULE OF REPAIRS TO BE MADE"

Municipal Address

72 Wellington St

File No. PV 21-015726

Date of Inspection

June 1, 2021

Owner

2555126 Ontario Inc
c/o Loredana Onesan
642 Base Line Rd E
LONDON ON N6C 2R4

1) Non-conformance:

The roof has not been maintained and is in disrepair.

By-law Section:

4.4 Roofs and Roof Structures

4.4.1 Roof/Related Roof Structure - Maintained

Every roof including related roof structures, fascias, soffits, eavestroughs, roof gutters, downpipes, guards and lightning arrestors shall be maintained

Repair to be made:

Repair all roof related structures to the main dwelling to comply with the CP-16 by-law.

2) Non-conformance:

Building exterior surfaces are not maintained and are in disrepair.

By-law Section:

4.6 Exterior Surfaces

4.6.1 Exterior Surfaces - Maintained

All exterior surfaces on a building shall be maintained.

4.6.2 Remove - Stains - Defacement

Appropriate measures shall be taken to remove any stains or other defacement occurring on the exposed finished exterior surfaces and, where necessary, to restore the surface and adjacent areas to, as near as possible, their appearance before the staining or defacement occurred.

Repair to be Made:

Repair and maintain above requirements in accordance with City of London Property Standards Bylaw CP-16.

3) Non-conformance:

Balcony, landing on upper south side of building is missing guardrail and in disrepair.

By-law Section:

4.5 Floors, Stairs, Verandas, Porches, Decks, Loading Docks and Balconies

4.5.1 Floors, Stairs - Maintained

Every floor, stair, verandah, porch, deck, balcony and every appurtenance and surface finishing attached or laid thereto shall be maintained.

4.5.2 Maintenance - Includes

Without restricting the generality of subsection 4.5.1, the maintenance includes:

(a) repairing or replacing floors, treads and risers, including finishes such as linoleum and carpet that contain depressions, protrusions or are broken, torn, warped, loose or otherwise defective;

(b) renewing or strengthening structural members that are rotted, deteriorated or loose;

(c) repainting or the re-applying of other equivalent preservative, if required.

Repair to be made:

Repair and maintain above requirements in accordance with City of London Property Standards Bylaw CP-16.

"SCHEDULE OF REPAIRS TO BE MADE - PAGE 2"

Municipal Address

72 Wellington St

File No. PV 21-015726

Date of Inspection

June 1, 2021

Owner

2555126 Ontario Inc
c/o Loredana Onesan
642 Base Line Rd E
LONDON ON N6C 2R4

4) Non-conformance:

Debris, garbage and furniture scattered around property.

By-law Section:

3.1.1 Exterior - Maintained - Neat and Tidy

Exterior property areas shall be maintained in a neat and tidy condition.

3.1.2 Neat and Tidy Includes

Without restricting the generality of subsection 3.1.1, maintained in a neat and tidy condition includes removal of:

- (a) rubbish, garbage, brush, waste, litter and debris;
- (b) injurious insects, termites, rodents, vermin and other pests;
- (c) growth of weeds in excess of 20 cm (8");
- (d) ground cover, hedges and bushes which are unreasonably overgrown;
- (e) dead, decayed or damaged trees or other growth and the branches and limbs thereof which create an unsafe condition;
- (f) wrecked, dismantled, inoperative, discarded, unused, or unlicensed vehicles or trailers, except in an establishment licensed or authorized to conduct or operate a wrecking business;
- (g) machinery or parts thereof, or other objects or parts thereof, or accumulation of material that creates an unsafe condition or which is not in keeping with the neighbouring properties;
- (h) dilapidated or collapsed structures or erections, and the filling or protecting of any uncovered cavities such as wells, cisterns, septic tanks.

Repair to be made:

Repair and maintain above requirements in accordance with City of London Property Standards Bylaw CP-16.

5) Non-conformance:

Overall interior of the building is a state of disrepair – missing handrail/guardrails, holes in walls, stairs unsafe, etc

By-law Section:

4.5 Floors, Stairs, Verandas, Porches, Decks, Loading Docks and Balconies

4.5.1 Floors, Stairs - Maintained

Every floor, stair, verandah, porch, deck, balcony and every appurtenance and surface finishing attached or laid thereto shall be maintained.

4.2.2 Maintenance - Includes

Without restricting the generality of subsection 4.2.1 the maintenance may include:

- (a) extension of the wall foundations below grade or regrading to provide adequate frost cover;
- (b) installing subsoil drains where such would be beneficial;
- (c) repairing or replacing decayed, damaged or weakened sills, piers, posts or other supports;
- (d) grouting, waterproofing, cladding or replacing as necessary so as to be weather tight;
- (e) the replacement, cladding or treatment with other methods to restore the wall to its original or acceptable equivalent appearance;
- (f) the applying of acceptable materials to preserve all wood, metal work or other materials not inherently resistant to weathering or wear;

"SCHEDULE OF REPAIRS TO BE MADE - PAGE 3"

<u>Municipal Address</u>	72 Wellington St	File No. PV 21-015726
<u>Date of Inspection</u>	June 1, 2021	
<u>Owner</u>	2555126 Ontario Inc c/o Loredana Onesan 642 Base Line Rd E LONDON ON N6C 2R4	

- (g) the restoring, or replacing of:
 - (i) the foundations, walls, columns, beams, floor and roof slabs; and
 - (ii) components, cladding, finishes and trims forming a part thereof;
- (h) the carrying out of such other work as may be required to overcome any existing settlement detrimental to the appearance of the building;
- (i) removing or replacing loose or unsecured objects and materials.

Repair to be made: Repair and maintain above requirements in accordance with City of London Property Standards Bylaw CP-16.

For properties with Heritage designation, or that fall within a designated Heritage area, Section 2.7 of By-law CP-16 will apply and a Heritage alteration permit may be required. Please contact a Heritage Planner at 519-661-4980 for more information.

No order made under section 15.2 of the Building Code Act in respect of a Part IV heritage property or a Part V heritage property shall state that the site is to be cleared of all buildings or structures and left in a graded and levelled condition. That part of an order in respect of a Part IV heritage property or a Part V heritage property that states that a site is to be cleared of all buildings or structures and left in a graded and levelled condition is of no force or effect.

June 2, 2021
SM:sb

Report to Community and Protective Services Committee

To: Chair and Members
Community and Protective Services Committee

From: George Kotsifas, Deputy City Manager,
Planning and Economic Development

Subject: mobilINSPECT By-law & Enforcement -
A Mobile Application for Inspections by Partho Technologies Inc.

Date: September 21, 2021

Recommendation

1. That on the recommendation of the Deputy City Manager, Planning and Economic Development, the following actions **BE TAKEN** with respect to mobilINSPECT By-law & Enforcement, a mobile application from Partho Technologies:
 - (a) the price of \$99,000 (HST extra) negotiated with Partho Technologies Inc. for the provision of mobilINSPECT By-law & Enforcement, **BE ACCEPTED** on a Single Source basis in accordance with sections 14.4 (d) and 14.4 (e) of the Procurement of Goods and Services Policy;
 - (b) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this purchase;
 - (c) the approvals given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract for this purchase; and,
 - (d) the Mayor and City Clerk **BE AUTHORIZED** to execute any contract, statement of work or other documents, if required, to give effect to these recommendations.
2. That on the recommendation of the Deputy City Manager, Planning and Economic Development, the attached proposed by-law (Appendix "A") **BE INTRODUCED** at the Municipal Council meeting to be held on October 5, 2021:
 - (a) authorize and approve a Statement of Work (Schedule "1" to the by-law) to be attached as a schedule to the Software as a Service Subscription Agreement of April 1, 2018 (approved by by-law A.-7697-98), between The Corporation of the City of London and Partho Technologies Inc. for the purpose of using mobilINSPECT By-law & Enforcement, a mobile application which shall provide useful business functions to the municipal law enforcement officers within Municipal Compliance through an easy-to-use and intuitive mobile device application; and
 - (b) authorize the Deputy City Manager, Planning and Economic Development, to execute the Statement of Work authorized and approved in part 2(a), above.

Executive Summary

The purpose of this report is to seek Council approval to amend an existing Single Source procurement contract (#18-10) with Partho Technologies Inc. by adding an additional module called mobilINSPECT By-law & Enforcement.

Linkage to the Corporate Strategic Plan

The services proposed support the City of London's "Leading in Public Service" strategic area of focus. This mobile application allows municipal law enforcement inspectors the ability to quickly and effortlessly retrieve or update information related to property inspections and complaints.

This undertaking supports the following specific strategies outlined in the 2019-2023 Strategic Plan:

- Increase the use of technology to improve service delivery - continue to maintain, build and enhance a high-performing and secure computing environment;
- Enhance the ability to respond to new and emerging technologies and best practices - deliver and maintain innovative digital solutions to increase efficiency and effectiveness across the Corporation; and
- Increase responsiveness to our customers - streamline customer intake and follow-up across the corporation.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

Single Source Procurement (#18-10) for MobilInspect: Partho's Mobile Application dated March 19, 2018.

1.2 Purpose

The City of London's Building Division within Planning and Economic Development has relied upon Partho Technologie's mobile application, mobilINSPECT, since 2018 to provide building inspectors with reliable and current information at their fingertips, while also allowing them to capture inspection results efficiently. There is an enhanced module available which is built specifically for by-law enforcement inspections and works in a similar manner as its predecessor.

This request is to seek Council approval to amend an existing procurement contract with Partho Technologies Inc. by adding on the enhanced module, mobilINSPECT By-law & Enforcement, that would serve and benefit by-law enforcement staff.

2.0 Discussion and Considerations

2.1 Previous Success

With the encouragement of the Large Municipalities Chief Building Officials (LMCBO), the Building Division and Information Technology Services partnered with Partho Technologies Inc. in April 2018 to move closer towards LMCBO's vision of a unified, provincial "inspections system". Council approved the purchase and implementation of mobilINSPECT, a module created for building inspectors to capture their inspection results while in the field using their mobile device. Results are automatically updated to the corporate property database platform known as AMANDA. For the last three years, this module has allowed building inspectors the ability to update their findings, even if in neighbourhoods with unreliable network connectivity. In addition, the module works in collaboration with AMANDA to instantly email inspection updates to homeowners, builders and developers in real-time. The implementation of mobilINSPECT has been considered a success, enough so that there is a demand to expand this module to also include municipal by-law enforcement inspections.

2.2 Expected Benefit

mobilINSPECT By-law & Enforcement would integrate with the existing corporate workflow and property database platform, AMANDA. The intention is to have a reliable solution for municipal law enforcement officers (MLEOs) to retrieve property, permit or complaint information while working from their vehicles. MLEOs will be able to enter their inspection results into a mobile device which automatically syncs with the main database. In addition to enhanced functionality, this mobile application provides a solution to cell network connectivity issues that has previously hindered on-site inspections, particularly with data retrieval from AMANDA and sending real time results.

Once implemented, automated emails would be configured and sent to the property owner or complainant moments after a result has been entered. In addition, if an inspection is entered by the MLEO in an area that has poor cell network connectivity, the result would be saved until the officer drives through a connected area and the results would automatically upload. This technology advances the area's ability to access property information remotely, determine the next "best" site to attend based on GPS tracking, and efficiently connect with customers through automated emails.

The City will diligently mitigate any risks associated with a project of this nature through contract and statement of work management, milestone-based scheduling, approvals and payments, and project management best practices.

3.0 Financial Impact/Considerations

The planned funding for this project will come from Municipal Compliance budget within Planning and Economic Development.

4.0 Key Issues and Considerations

4.1. Indemnification

The City Solicitors Office and Risk Management have previously reviewed the Software as A Service Subscription Agreement. Risk Management advises that the Agreement contains an indemnity provision in section (15). This clause cannot be changed and exposes the City of London to liability. In the opinion of Corporate Insurance/Risk Management, this should not stop the City of London from moving forward with final approval of this agreement as the benefits of this project outweigh the potential risks.

4.2 Single-Source Procurement

Civic Administration is seeking a Single Source procurement in accordance with sections 14.4 (d) and (e) of the Procurement of Goods and Services Policy.

14.4 (d) There is a need for compatibility with goods and/or services previously acquired or the required goods and/or services will be additional to similar goods and/or services being supplied under an existing contract;

14.4 (e) The required goods and/or services are to be supplied by a particular supplier(s) having special knowledge, skills, expertise or experience.

The rationale for the Single Source procurement is as follows:

- Planning and Economic Development has an existing contract with Partho Technologies (2018-2023 with intentions to renew) that provides over 20 building inspectors access to the mobilINSPECT application. This request is to amend the existing contract by adding on mobilINSPECT By-law & Enforcement for 10 municipal law enforcement officers.
- Engaging Partho Technologies Inc. will allow the City to leverage the skills and expertise that Partho has gained thus far by working with other municipalities.

Conclusion

This report, the Software as A Service Subscription Agreement, and Mobilinspect Terms of Service has been reviewed by City service areas and staff recommend approval.

Prepared &

Submitted by: Catherine DeForest, Manager, Client Services, Planning and Economic Development

Concurred by: Kelly Dalton, Manager, Information Technology Services, Enterprise Supports

Recommended by: Mark Henderson, Director, Economic Services and Support, Planning and Economic Development

APPENDIX "A"

Bill No.

2021

By-law No.

A by-law to approve the Statement of Work for mobilINSPECT Enforce between The Corporation of the City of London and Partho Technologies Inc.

WHEREAS subsection 5(3) of 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 purposes of exercising its authority under this or any other Act;

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

1. The Statement of Work, attached as Schedule 1 to this by-law, which is to be attached as Schedule G to the Software as a Service Subscription Agreement dated April 1, 2018 (approved by by-law A.-7697-98), between The Corporation of the City of London and Partho Technologies Inc. for the purpose of using mobilINSPECT Enforce, is hereby authorized and approved.
2. The Deputy City Manager, Planning and Economic Development, is authorized to execute the Statement of Work authorized and approved in paragraph 1 above.
3. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council

, 2021

Ed Holder

Mayor

Catharine Saunders

City Clerk

First reading -

Second reading -

Third reading –

THE CORPORATION OF THE CITY OF LONDON



Statement of Work for City of London mobilINSPECT Bylaw & Enforcement Software as Service (SaaS) Implementation

Ver 1.8



Partho Technologies Inc.

1310 Dundas St East, Suite 205 | Mississauga, ON L4Y 2C1 | Canada

127 S East Street | Tipton, IN 46072 | USA

Phone: (905) 232-8324 | Fax: (905) 273-3114

www.parthotechnologies.com

Revision History

Version	Release Status	Release Date	Description	Author
1.0	Initial Draft		SOW Draft	Nitesh Bhambhani
1.1	London's Draft			Catherine DeForest
1.2	Draft			Vinod
1.3	Draft			Nitesh Bhambhani
1.4	Final Draft			Nitesh Bhambhani
1.5	Draft			City of London
1.6	Draft	8/4/2021		Vivek Vyas
1.7	Draft	8/21/2021	Formatting, removed all resolved comments and added in the Initial Term Start Date as April 1, 2018	Catherine DeForest
1.8	Draft	8/23/2021	Addition of short phrase on page 5/12 for greater clarity	Vinod Vyas

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1 Introduction

Partho Technologies Inc. is currently providing the City of London mobilINSPECT Software as Service to the Building Inspectors working for the office of Building Services. The City plans to extend the services to Bylaw & Enforcement through the 'mobilINSPECT Bylaw & Enforcement' Software as Service mobile application for the city's municipal law enforcement officers.

This SOW will serve as a supplement to the "Licensing Agreement" ("Licensing Agreement") dated April 1, 2018 signed between Partho Technologies ("Partho") and the Corporation of the City of London ("City of London") for the mobilINSPECT Software as a Service. To further clarify for the mobilINSPECT Bylaw & Enforcement Implementation and Support over the contracted term, the agreement will apply with the following provisions –

1. For the purpose of this 'Statement of Work' – 'Schedule G' is hereby referred to as SOW-G.
2. mobilINSPECT is being replaced by the term 'mobilINSPECT- Bylaw & Enforcement' for the entire licensing agreement in context of SOW-G.
3. For the purpose of this SOW G - Schedule A of the licensing agreement are replaced by the section below titled **mobilINSPECT- Bylaw & Enforcement Specifications**.
4. For the purpose of this SOW G, Schedule B of the licensing agreement are replaced by the section below titled **mobilINSPECT- Bylaw & Enforcement Fees & Milestones**
5. If there is a conflict between or among any of the parts of the licensing Agreement and this SOW G, they will govern in the following order: SOW G signed by both parties, the Services Agreement.
6. Additional or different terms in any written communication from the Client or Partho Technologies, including any purchase order or request for Services for mobilINSPECT **Bylaw & Enforcement** are void. The effective date of this SOW is month, day, 2021.
7. This SOW-G is only for Municipal Compliance Services, Planning and Economic Development, City of London.
8. For the purpose of SOW -G, SOW -G replaces Schedule D of the agreement.

2 'mobilINSPECT - Bylaws & Enforcement' Specifications

The 'mobilINSPECT - Bylaws & Enforcement' mobile application equips Bylaws and Enforcement inspectors to conduct enforcement inspections and issue notices in the field using their device/platform of choice i.e. either Android or iOS mobile devices. 'mobilINSPECT - Bylaws & Enforcement' mobile application client provides useful business functions to the Bylaws and Enforcement inspectors through an easy to use and intuitive mobile application running on their smartphone

The mobile application connects to AMANDA backend system through a secure and robust cloud based mobile backend system. The mobile application is login protected so that only users authorized within the AMANDA system are able to use it. Once authenticated, the inspectors are able to view their inspection tasks that are created and assigned to them in AMANDA. Inspectors can then carry out the inspection task(s) by taking pictures. They can also add notes and assign an AMANDA result code to the inspection. When the inspector is ready to submit the completed report back to the AMANDA system, they can simply submit from the field from within the application.

The inspectors can also create new AMANDA folders from the field, can add new people and properties from the field. For the purpose of creating new notices or modifying existing notices an optional cloud based web application is made available to the Bylaw and Enforcement department AMANDA administrator. The departmental AMANDA Administrator can use this cloud hosted forms application builder to create new notices or modify existing notices. 'mobilINSPECT - Bylaws & Enforcement' auto synchronizes these modified/new notices with all devices that are authorized to use mobilINSPECT - Bylaws & Enforcement (assuming this module is subscribed to by the city).

The application handles connectivity issues from the field intelligently to ensure Data is delivered to the back-end AMANDA system. It also allows inspectors to save their report in draft mode if needed, which can be retrieved later and submitted on completion.

An easy and intuitive user interface and other features such as on-screen annotations make it easy for the Bylaws and Enforcement inspectors to capture accurate notes and deficiencies and focus on their business function.

The quality and bandwidth of the Wi-Fi or mobile data connection being used can have a bearing on the queue size of the pending submissions list. It is highly advised that enterprise grade Wi-Fi and data connectivity be used for optimal performance.

**Partho will advise the client on the OS/API levels and minimum compatible smartphone to be used on the platform chosen by the client i.e. Android or iOS. Client will need to upgrade the device OS levels to the required OS/API levels. The client has the choice to either choose Android or iOS platform for their filed devices but not both.

3 'mobilINSPECT - Bylaws & Enforcement' - Project Plan

For the development, installation and customization of the mobilINSPECT application, Partho Technologies shall undertake the following activities:

- **Initiate a kick-off meeting** with all stakeholders followed by the creation of a project schedule that will detail activities to be undertaken by Partho and a schedule from inception to Go-live of the application for the Client. **Deliverable:** Project Schedule
- **Fit-Gap analysis:** The Partho team will setup meetings with the Client (City of London)– Bylaw & Enforcement business team and the Client's IT team to conduct a fit-gap analysis. The objective of this Fit-Gap Analysis will be to understand any specifics around the BFES inspections business process of the Client. A pre-requisite for the fit-gap analysis is that the Client should have available the necessary web services to integrate with the backend Amanda system. Client must make available relevant resources and subject matter experts for these meetings. **Deliverable:** Fit-Gap Analysis document
- Provisioning of the mobile application and middleware including development of code, chargeable as Professional Services, to integrate with the backend Amanda system.
- Provisioning a VPN based hybrid cloud setup for connecting to the backend AMANDA system
- Conduct QA cycles to test the functioning of the mobile application with the cloud based middleware and Amanda service backend.
- Conduct UAT with a subset of the users to ensure the application is working with their devices. Partho Technologies will conduct a UAT (user acceptance testing) in conjunction with Client's staff, to ensure that the provisioned users are able to use the application as per specification. UAT to also include Security Assessment testing of the application performed by the City, with issues raised remediated by Partho Technologies. The roll out to the staff of the Client will be done once UAT is signed off. The criteria for sign off on UAT would be that there are no severity 1 defects and less than 3 severity 2 defects related to the custom development effort with the agreement of the City. Ex . integration to the AMANDA system. No changes or updates will be entertained on other parts of the Application.

- User training on usage of the application. **Deliverable:** User Training documentation and hands on 'Train the trainer' for the designated 'City of London Trainer' .
- Conduct Production readiness and contingency plan along with the Client business and IT team.
- Release the enterprise app to the Mobile Application Center for the respective platform(s) and provision access so provisioned users can download the mobile application.
- User guides for full capability of the app to be provided by Partho.

4 Services Work Schedule

No.	Milestones	Partho Technologies estimated Due Dates for Achieving Milestone
1	Kick-off meeting	2-3 Weeks from the date of execution of Agreement by both parties
2	Fit-Gap analysis	6 weeks from completion of #1
3	Development, configuration and integration with AMANDA backend including VPN based hybrid cloud setup to link to back-end AMANDA and internal QA	10 Weeks from completion of #2 (Add 3 weeks if Forms Builder is also subscribed)
4	User Acceptance Testing	6 weeks from completion of #3
5	Training	1 week from completion of #4
6	Go Live	1 week from completion of #5

Partho Technologies will be responsible for achieving each milestone listed above by the due date set forth above. Partho Technologies will make reasonable effort to meet the above outlined milestone timelines. Partho Technologies will inform the City immediately if it believes that it will not meet any such timelines.

The City will be responsible to schedule its resource to help achieve each milestone by the due date set forth above. The City acknowledges that Partho Technologies' successful timely performance of the Services and each milestone is dependent on the active participation and collaboration of the City, its Authorized Users, employees, contractors, agents and representatives. The City shall, and shall cause its Authorized Users, employees, contractors, agents and representatives to act reasonably and co-operate fully with Partho Technologies with respect to Partho Technologies' performance of the Services and milestones. Partho Technologies will not be held liable for any delay or cost or expense caused as a result of the delay caused by City Of London and its Authorized Users, employees, contractors, agents and representatives, including, without limitation, milestone delay due to City resource scheduling.

5 Terms and Conditions

5.1 *Client Project Team Members*

The project team members assigned by the Client to manage the provision of the Services shall be: Safeta Sertovic, Coordinator, Planning & Economic Development, City of London.

5.2 *Client Responsibilities*

In accordance with Section 8(b)i. of the Agreement, the Client will provide Partho Development with the following:

- name and contact information of the Project Sponsor, Project Manager, AMANDA Administrator(s)/SME and Network Administrator(s);
- appropriate boardroom/workplace or virtual meetings through Teams or similar technology for any meetings, training, support and/or maintenance required;
- the data connectivity (e.g. VPN connection) as required by Partho Development; and
- other technical data, programs, files, documentation, test data, sample output, or other information, resources, and personnel required by Partho, as agreed to in writing between the Client and Partho Development.

6 Contract Term

mobilINSPECT Bylaw & Enforcement is offered as managed service with a term commitment and an option to renew as per the original service agreement

The term of the Agreement (“Term”) shall commence on the Initial Term Start Date (identified below) and shall continue for the Initial Term Commitment (identified below) (“Initial Term”), subject to renewal.

Initial Term Commitment – As per the remaining term of the main agreement

Initial Term Start Date – April 1, 2018

Initial Term Expiration Date – Same as the main agreement

All renewals will be as per the main agreement (for 5 year terms)

7 mobilINSPECT- Bylaw & Enforcement Fees & Milestones

7.1 Software Service and Pricing

This Software Service and Pricing Schedule is effective upon the Software as a Service Agreement Effective Date as in this SOW-I. This Software Service and Pricing documents the Service (defined above) being purchased by Client City of London ("Client") under the terms and conditions of the Software as a Service Agreement.

Price Components

'mobilINSPECT- Bylaw & Enforcement' is offered as a managed SaaS to the City of London

The pricing has the following components -

Initial Setup Fee

An initial onetime setup fee of \$29,700.00 will grant City of London, Department of Bylaw & enforcement rights to use 'mobilINSPECT- Bylaw & Enforcement App' for 10 unique devices** initial fee is only payable once and will not be recharged at the renewal of the term. This price includes the onetime set up fee for the following optional modules –

- Folder Creation in the field

Optional Modules

The initial setup fee for the following optional Modules:

- Map view - \$9000.00
- Nearby Construction -\$2500.00
- Forms Builder - \$9500.00

Integration Fee

The implementation of 'mobilINSPECT- Bylaw & Enforcement for City of London , Department of Bylaw & Enforcement requires integration with their current backend inspection system AMANDA. Partho will charge a one-time integration Professional Services fee of \$24,300.00.

Operational Annual Fee

'mobilINSPECT- Bylaw & Enforcement is a managed SaaS service. For the first ten devices, City of London will pay an operational fee of \$15,000/year upfront at beginning of each year through the remainder of the agreement term.

For every additional device over the 10th device an additional fee of \$400/year/device will be payable. This fee will be payable in full and will not be prorated irrespective of what time of the operational year the device is activated.

If Forms Builder is also subscribed an annual operational fee of \$1000 plus applicable taxes will be added to the annual operational fee

Non-Production Environment

Partho team will provide a non-production environment during UAT for testing of the App.

Client Billing Information

Billing Department Name: Municipal Compliance, Planning and Economic Development

Billing Department Address:300 Dufferin Ave, Room 706, London, ON N6B 1Z2

Contact Name: Michelle Vivinetto, Executive Assistant

Contract Phone number:519 661 2500 ex 4538

Contact email: mvivinetto@london.ca

7.2 Milestone Payment

The implementation payment milestones will be as below –

First payment at signing of this SOW G - \$27,000.00

Second Payment at completion of UAT - \$27,000.00

If the optional modules are subscribed then 50% of their initial set up fee will be added to the first payment and the second 50% will be added to the second payment

Go-live & Operation Support Year 1 - \$15000/year plus \$400/user/year for number of user devices exceeding ten. If Forms Builder is also subscribed an annual operational fee of \$1000 plus applicable taxes will be added to the annual operational fee. This will be payable 4 weeks from the date of Go-Live.

Operational Support Year 2 to year 5 or to end of term whichever is earlier- \$15000/year plus \$400/user/year for number of user devices exceeding ten payable on the anniversary date of go-live each year. If Forms Builder is also subscribed an annual operational fee of \$1000 plus applicable taxes will be added to the annual operational fee.

8 Approval

This SOW has been agreed to and executed by the Parties to be effective as of the date written in the initial recital of the SOW.

IN WITNESS WHEREOF the parties have executed this SOW-G by their authorized officers

PARTHO TECHNOLOGIES INC.

Per: _____

Name: VINOD VYAS

Position: Director & Senior Partner

I have authority to bind the corporation.

THE CORPORATION OF THE CITY OF LONDON

Per: _____

George Kotsifas

Deputy City Manager, Planning and Economic Development

Report to Community and Protective Services Committee

To: Chair and Members
Community and Protective Services Committee

From: Kevin Dickins, Deputy City Manager, Social and Health Development

Subject: Discrimination Experienced by Immigrants, Visible Minorities and Indigenous Peoples in London and Middlesex, An Empirical Study by the London & Middlesex Local Immigration Partnership

Date: September 21, 2021

Recommendation

That, on the recommendation of the Deputy City Manager, Social and Health Development, the following report, Discrimination Experienced by Immigrants, Visible Minorities, and Indigenous Peoples in London and Middlesex, An Empirical Study by the London & Middlesex Local Immigration Partnership, **BE RECEIVED** for information.

Executive Summary

In March 2021, the London & Middlesex Local Immigration Partnership (LMLIP) partnered with the Network for Economic and Social Trends, Western University and Forum Research Inc. to conduct a rigorous survey on discrimination in the London and Middlesex community. The purpose of the survey and the empirical study attached as Schedule 1, are to understand local experiences of discrimination by Immigrants, Visible Minorities, and Indigenous Peoples, in comparison to those who do not belong to these groups. The LMLIP initiated this work with seven other regions of Southwest Ontario. The findings will be helpful in supporting the work of the London & Middlesex Local Immigration Partnership, London's Newcomer Strategy, and that of other LIPs, in our collective work to address discrimination in our communities.

Linkage to the Corporate Strategic Plan and the London Community Recovery Network

This report supports the City of London's 2019-2023 Strategic Plan and is aligned with the following strategic area of focus: Strengthening our Community, with the outcome: Londoners are engaged and have a sense of belonging in their neighbourhoods and community and the expected result: Increase the number who feel welcomed and included.

As the London Community Recovery Network has pointed out, the pandemic has had a disproportionate impact on vulnerable and marginalized communities including Immigrants, Indigenous Peoples and Visible Minorities.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

None

2.0 Discussion and Considerations

2.1 Purpose

The purpose of this report is to gain an in-depth understanding of experiences of discrimination in London and Middlesex to inform future actions of the LMLIP in its work

to address discrimination in our community.

2.2 Background

The London & Middlesex Local Immigration Partnership is one of over 80 Local Immigration Partnerships across Canada, funded by Immigration, Refugees and Citizenship Canada since 2009. Local Immigration Partnerships are collaborative community initiatives designed to strengthen the role of local and regional communities in serving and integrating immigrants. LMLIP is co-chaired by the City of London and a community volunteer, and its work is guided by a Central Council and five issue-specific sub-councils, which include educational institutions, community services and volunteers across sectors.

The theme of creating a welcoming community is one of the LMLIP's five strategic priorities with the following vision: Encouraging the London and Middlesex community to appreciate diversity and actively work to attract, support, and retain immigrants. The aspiration is that all residents welcome the full participation of immigrants into Canadian society and work together to eliminate racism and discrimination in all forms.

For several years, the LMLIP has worked on projects addressing racism and discrimination, including an All Are Welcome Here lawn sign campaign, and an annual All are Welcome Here conference held to mark the United Nations Day for the Elimination of Racial Discrimination. In March 2020, the All are Welcome Here conference examined unconscious bias in housing and employment issues and in March 2021, the All are Welcome Here online conference included activities designed to increase awareness of the challenges and contributions of immigrants to our community. In light of the deadly attack of June 6th on an immigrant, Muslim family, the LMLIP is undertaking additional steps to address racism and discrimination.

While the media makes residents aware of high-profile incidents, data on everyday discrimination does not exist at the local level. The survey work, led by Western University's Network for Economic and Social Trends, was a natural extension of the LMLIP's cumulative work, and findings will be helpful in supporting the collective work in addressing racism and discrimination in London and Middlesex as well as other communities of Southwest Ontario. The following geographic areas of seven Local Immigration Partnerships are partnering with the LMLIP on similar investigations: Guelph and Wellington County, Hamilton, Huron-Perth, Niagara Region, Oxford County, Sarnia-Lambton, and St Thomas & Elgin County.

Survey methodology

A market research firm was retained to recruit participants, administer the survey, and collect the data. Respondents in the survey were contacted by telephone through random digit dialing of phone numbers in the region, and if they qualified to participate and agreed, were then sent the link to the survey to participate in either English or French. This process ensured a relatively representative sample of adults within each of the three groups. Targets of 300 Immigrants and Visible Minorities, 200 Indigenous Peoples, and 300 White Non-immigrants were set, and the final sample included 379 Immigrants and Visible Minorities, 164 Indigenous Peoples, and 286 White non-immigrants. Ethics approval was obtained from Western University's research ethics board. The results of the survey were analyzed by researchers of the Western University's Network for Economic and Social Trends, Mamta Vasvani, Ph.D, and Victoria M. Esses, Ph.D. Attached as Schedule 1.

2.3 Findings of the Survey

It is important to note that the survey was held in March 2021, prior to the June 6th attack on an immigrant Muslim family which resulted in the deaths of four innocent people.

Results of the survey showed that a greater number of Indigenous People in London-Middlesex report experiencing discrimination in the last three years compared to Immigrants and Visible Minorities and comparison White non-immigrants. Immigrants and Visible Minorities and Indigenous People perceived their experiences of discrimination as based on ethnocultural factors (i.e., race or skin colour, Indigenous identity, ethnicity or culture). In both the Immigrants and Visible Minorities group and the Indigenous Peoples group, the contexts for discrimination most reported included applying for a job or a promotion, at their job, while using public transit, in a store, bank, or restaurant, and when attending school. The most widely reported types of discrimination included inappropriate jokes, derogatory language, and verbal abuse. Immigrants and Visible Minorities also reported experiencing verbal threats and Indigenous People also reported experiencing physical threats. Perpetrators of discrimination were most reported to be middle-aged and White.

The empirical study leads to three recommendations to counteract discrimination. First, the report recommends promoting an environment that encourages victims of discrimination to report their experiences, with an online platform such as has been initiated in other locations referenced. Second, the results suggest that it is important to help victims of discrimination to use effective coping strategies so that they do not internalize the discrimination they experience. And third, and most important, is the recommendation to focus on strategies for preventing and counteracting the discrimination reported in London-Middlesex. The researcher findings recommend several anti-discrimination initiatives that take a multi-level approach to address the individual perpetrators of discrimination, bystanders, and organizations and systems.

2.4 Future activities of the LMLIP

Researchers involved in the study plan to present the findings on London-Middlesex in several forums, including LMLIP's Central Council, a meeting of NEST, and other community meetings. Once the seven other participating Local Immigration Partnerships of Southwest Ontario have reported on the data from the surveys in their own regions, they plan to work together to publish a joint report. These reports will provide recommendations for joint activities to address discrimination at the local and regional levels.

3.0 Financial Impact/Considerations

3.1 Funding

All funding for the survey and report was provided by Immigration, Refugees and Citizenship Canada. There is no municipal financial impact.

Conclusion

The empirical study commissioned by the London & Middlesex Local Immigration Partnership provides valuable information on the experiences of discrimination in the broader London and Middlesex community. The analysis from this study includes recommendations to address discrimination that are useful not only for the LMLIP but also for the community at large. The findings of the study will be widely disseminated to the media, and to community groups with a particular interest in addressing discrimination in London-Middlesex.

Prepared by: Jill Tansley, Manager, Strategic Programs & Partnerships

Recommended by: Kevin Dickins, Deputy City Manager, Social and Health Development

**Discrimination Experienced by Immigrants, Visible
Minorities, and Indigenous Peoples
in London and Middlesex**

**An Empirical Study by the London & Middlesex
Local Immigration Partnership**

Mamta Vaswani, Ph.D. and Victoria M. Esses, Ph.D.
Network for Economic and Social Trends (NEST), Western University

August, 2021



Western
SocialScience

Network for Economic
and Social Trends (NEST)

Co-led by:



Funded by:



Immigration, Refugees
and Citizenship Canada

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Acknowledgments

We would like to express our appreciation to the Southwestern Ontario Local Immigration Partnerships Discrimination Survey Working Group for their collaboration on this project. We would also like to express our gratitude to Dr. Zenaida R. Ravanera, Shelley Hill and Tehya Quachegan for their input. Additionally, we would like to thank Annie Liu for her help preparing portions of this report.

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Executive Summary

This report provides insight into the discrimination experiences of immigrants, visible minorities, and Indigenous Peoples in London-Middlesex in order to support the development of evidence-based anti-discrimination initiatives at the local level. To this end, a representative survey (N = 829) was conducted in March 2021 to examine the extent and context of discrimination experienced by immigrants, visible minorities, and Indigenous Peoples in London-Middlesex, in comparison to people who are not members of these groups. The survey also investigated the presumed basis for this discrimination, who is perpetrating these acts of discrimination, and whether specific forms of discrimination are taking place. In addition, the survey examined how individuals respond to these experiences of discrimination, including how they cope with discrimination and feel about it, and their more general feelings of acceptance and welcome in the community.

A methodological strength of this research was the targeting of substantial numbers of immigrants, visible minorities, and Indigenous Peoples for inclusion, and the recruitment procedure that used random digit dialing, ensuring relatively representative samples. Immigrants and visible minorities were combined for the majority of analyses because of the substantial overlap between these two groups in London-Middlesex (though we of course acknowledge that not all immigrants in London-Middlesex are visible minorities and not all visible minorities in London-Middlesex are immigrants). In our Immigrants & Visible Minorities group, over 60% of respondents were both immigrants and visible minorities.

The results show that approximately 6 out of 10 Indigenous Peoples reported experiencing discrimination in London-Middlesex in the last three years compared to about 4 out of 10 Immigrants & Visible Minorities and comparison White Non-immigrants. Immigrants & Visible Minorities and Indigenous Peoples perceived their experiences of discrimination as based on ethnocultural factors related to different minority group statuses (e.g., race or skin colour, indigenous identity, ethnicity or culture). In contrast, comparison White Non-immigrants tended to perceive their experiences of discrimination as based on more universal factors (e.g., gender, age, physical appearance, income level).

On average, Indigenous Peoples reported experiencing discrimination in more contexts than Immigrants & Visible Minorities and White Non-immigrants. In both the Immigrants & Visible Minorities group and the Indigenous Peoples group, contexts for discrimination that were most frequently indicated included when applying for a job or promotion, at their job (e.g., from supervisors, co-workers, clients), while using public transit (e.g., buses, trains or taxis), in a store,

bank, or restaurant, and when attending school or classes. For Indigenous Peoples, a top context for experiencing discrimination was also while using public areas such as parks and sidewalks.

In terms of specific types of discrimination that were experienced, from the list provided, respondents in all three groups were most likely to indicate inappropriate jokes, derogatory language, and verbal abuse. Immigrants & Visible Minorities also reported experiencing verbal threat, and Indigenous Peoples also reported experiencing physical threat. Furthermore, in all three groups, respondents identified perpetrators as male and female, although females were mentioned more often than males by Immigrants & Visible Minorities, whereas males were mentioned more often than females by Indigenous Peoples and White Non-immigrants. Also, perpetrators were most commonly reported to be middle aged and White.

In all three groups, respondents reported that experiencing discrimination was more likely to lead to feelings of discouragement, exclusion, and powerlessness than shame. On average, respondents in all three groups also reported experiencing anxiety and depression to some extent as a result of their discrimination experiences. Of note, however, Indigenous Peoples tended to experience more negative emotions and psychological distress than respondents in the other two groups. To cope with their discrimination experiences, respondents reported using both active and passive coping strategies, though they tended to use passive coping strategies more. Finally, White Non-immigrants tended to report, on average, higher feelings of acceptance and welcome in London-Middlesex than the other two groups.

Recommendations for counteracting this discrimination focus on three areas. First, it is important to promote an environment that encourages victims of discrimination to report their experiences. Only experiences that are acknowledged can be addressed. Second, the findings suggest that it is important to help victims of discrimination to use effective coping strategies so that they do not internalize the discrimination that they experience. As a primary focus of the recommendations, the third recommendation focuses on strategies for preventing and counteracting the discrimination reported in London-Middlesex. These strategies should take into account the findings of the current research in terms of the context and nature of discrimination in London-Middlesex, as well as the research literature on effective anti-discrimination strategies. In this way, London-Middlesex can work toward becoming a more welcoming community in which all groups are treated with respect, and discriminatory treatment becomes an exception rather than an everyday occurrence for members of certain groups.

Discrimination Experienced by Immigrants, Visible Minorities, and Indigenous Peoples in London and Middlesex

An Empirical Study by the London & Middlesex Local Immigration Partnership

Overview

This report describes the results of a representative survey (March 2021, N = 829) examining discrimination experienced by immigrants, visible minorities¹, and Indigenous Peoples in London-Middlesex. Although there have been a number of previous large-scale national surveys on discrimination conducted in Canada (e.g., Environics Institute, 2010; Ibrahim, 2018), small sample sizes at the local level have precluded the ability to examine results of these surveys for specific communities outside of the large metropolises. The study described in this report fills this gap by examining local experiences of discrimination within the London-Middlesex area. Gaining insight into these experiences is crucial as a basis for developing anti-discrimination evidence-informed initiatives for the community that target where discrimination is occurring, who is most likely to be perpetrating and experiencing discrimination, and how to reduce its negative impact. These anti-discrimination initiatives would help make London-Middlesex a more just and equitable community, and would protect its residents from the harmful negative outcomes that experiencing discrimination can produce. Additionally, relationships between people of different groups would be improved as a result of anti-discrimination initiatives, making London-Middlesex a more neighbourly community. Furthermore, anti-discrimination initiatives would help make London-Middlesex a more welcoming community that could attract, integrate, and retain diverse individuals, an integral part of Canada's strategy to sustain the economy (Government of Canada, 2020; Morency et al., 2017).

The study described in this report examined the extent and context of discrimination experienced by immigrants, visible minorities, and Indigenous Peoples in comparison to people who are not members of these groups, whether specific forms of discriminations are being experienced, the presumed basis for this discrimination and its perpetrators, and how targets of discrimination respond to these experiences (how they cope with those experiences and feel about them). In

¹ This report uses the term 'visible minorities' as utilized by Statistics Canada (2020a). However, we acknowledge that in the current discourse, the term racialized persons may be preferred in public discussions of the findings. Indigenous Peoples are not included in this category.

the following sections we provide background and context for the need for this research, describe the results of the survey, and provide recommendations that are informed by these results.

Discrimination

Discrimination refers to inappropriate and unfair treatment of people simply because they belong to certain groups. Discrimination includes both negative behaviour toward a member of another group based on their group membership, and less positive behaviour toward them than toward a member of one's own group in comparable situations (Dovidio et al., 2010). Discriminatory treatment can occur as a result of cultural understandings, policies, and practices that deny members of certain groups equal treatment, referred to as institutional discrimination (Dovidio et al., 2010). For instance, European understandings, policies, and practices related to governance, land ownership, and education have resulted in significant mistreatment and injustice experienced by Indigenous Peoples throughout Canada's history, the impact of which still persist today (Neylan, 2018). Additionally, immigration related policies and practices have historically denied or made it difficult for people from visible minority groups to enter Canada (Dench, 2000). These examples of unfair treatment towards immigrants, visible minorities, and Indigenous Peoples describe how institutional discrimination can become a systemic form of mistreatment experienced by people who belong to certain minority groups.

Discrimination also occurs between individuals. At an individual level, discrimination refers to behaviour that disproportionately favours or provides an advantage to people belonging to some groups while disadvantaging or harming people belonging to other groups (Dovidio et al., 2010). Discriminatory behaviour can be overt or take more subtle forms. Overt forms of discrimination are clearly recognizable as unfair, are generally viewed as unacceptable, are often unlawful, and are for the most part intentional (e.g., verbal and physical assault; Jones et al., 2016). Subtle forms of discrimination (e.g., being avoided or ignored, inappropriate jokes; Jones et al., 2016) can appear as though they are harmless, can be viewed as acceptable, are typically lawful, and are more likely to be seen as unintentional. Therefore, people may experience discrimination in a variety of ways: through institutional systems as well as through overt and subtle discriminatory behaviour perpetrated by individuals.

Discrimination in Canada

In Canada, immigrants, visible minorities, and Indigenous Peoples tend to experience discriminatory behaviour on an individual level, and unequal access to employment, housing, education, and private and public services on a more systemic level (Environics Institute, 2010; Environics Institute for Survey Research, 2019; Esses, 2021). These experiences are based on a variety of factors including their ethnicity, race, and religion, factors which typically do not

disadvantage their native-born White counterparts. Furthermore, they experience discrimination across a variety of settings as they attempt to engage in day-to-day life such as when walking in the streets, using public transit, frequenting stores and restaurants, in the workplace, in educational settings, when accessing health care, when engaging with the police and criminal justice system, when attempting to rent places to live, and when travelling across borders and through airports (Environics Institute for Survey Research, 2019; Nangia, 2013; Novac et al., 2002). A recent national study revealed that the majority of Indigenous (53%) and Black (54%) Canadians have personally experienced discrimination based on their race or ethnicity, with South Asian (38%) and Chinese (36%) Canadians, and Canadians of other racialized groups (32%) also reporting experiences of discrimination (Environics Institute for Survey Research, 2019).

Discrimination experienced by immigrants, visible minorities, and Indigenous Peoples has unfortunately been on the rise over the last decade. For instance, hate crimes (criminal offenses motivated by hate that target specific populations such as particular ethnic, racial, and religious groups) have been increasing. Data collected by Statistics Canada reveal that approximately 2,000 hate crimes in Canada were noted by police in 2019, a marked increase from the approximately 1,200 noted in 2013 (Moreau, 2021). Of the hate crimes reported in 2019, most (46%) were motivated by hate based on race or ethnicity, followed by a large portion (32%) motivated by religion. The data also reveal that the most common types of hate crimes being committed include general mischief, uttering threats, and assault. Additionally, the data reveal that Black and Jewish people are the targets of most hate crimes, while Indigenous youth are the youngest population to be victims and to sustain injuries from the incidents. Furthermore, the data reveal that hate crimes targeting Arab or West Asian populations, the Black population, and Muslims are on the rise. These hate crimes tend to occur in public spaces such as the street or parks, educational and religious institutions, and commercial businesses (Moreau, 2021).

Hate-based behaviours are also prevalent on social media. A recent study conducted for the Canadian Race Relations Foundation revealed that Canadians are concerned about hate speech occurring online and would like to see more being done to address the issue (Abacus Data, 2021). In that study, racialized people were found to experience online hate more so than non-racialized people. Results of that study also revealed that online hate was occurring in the form of offensive name calling, racist comments, comments inciting violence, and threats of physical harm. Similarly, data collected by Statistics Canada reveal that online hate crimes tend to target Muslim, Jewish, and Black populations and tend to occur in the form of uttering threats, public incitement of hatred, and harassment (Moreau, 2021).

Immigrants, visible minorities, and Indigenous Peoples in Canada also experience everyday discrimination as they attempt to build secure lives. In the context of employment, immigrants

who do not have English sounding names, who are religious minorities (e.g., Muslim), and who are visible minorities (e.g., Black, South Asian), are given fewer opportunities to interview for jobs, and when they do interview, they are evaluated less favourably than Canadian-born applicants (Esses et al., 2014; Oreopoulos, 2011). Similarly, the results of a large-scale Canadian survey conducted by Statistics Canada revealed that immigrants tend to experience discrimination at their places of work and when applying for a job or a promotion (Ibrahim, 2018). Immigrants, visible minorities, and Indigenous Peoples also experience discrimination when attempting to secure housing. A study conducted by researchers in collaboration with the Canada Mortgage and Housing Corporation found that immigrants, visible minorities, and Indigenous Peoples tend to be denied access to rental units by landlords more often than White Canadian-born people (Novac et al., 2002). Additionally, high-profile incidents highlight Indigenous Peoples' experiences of discrimination when attempting to access health care. Recently, one Indigenous woman fell victim to demeaning racial slurs, swearing, and neglect from hospital staff and ultimately passed away in their care (Shingler, 2020).

There is also evidence of systemic injustices and disadvantage experienced by immigrants, visible minorities, and Indigenous Peoples in Canada. For instance, many immigrants are admitted into Canada based on their skills and credentials; however, after they immigrate, their foreign credentials and experience are often not recognized by employers and they often do not qualify for licensure from Canadian regulatory bodies (Ertorer, et al., 2020; Ng & Gagnon, 2020). That lack of recognition leaves immigrants unemployed or underemployed (i.e., in jobs for which they are overqualified), particularly if they are visible minorities (Esses et al., 2007; Ng & Gagnon, 2020). Rooted in a long history of oppression, Black and Indigenous populations tend to be disproportionately overrepresented in the criminal justice system, have poorer economic and health conditions, and lower educational attainment (Truth and Reconciliation Commission of Canada, 2015; United Nations Human Rights Council, 2017). Canada's historical Indian residential school policy physically removed Indigenous children from their homes and families in an attempt to remove their Indigenous cultures and assimilate them to European ways of thinking and being, and included experiences of psychological trauma and physical harm, resulting in substance abuse, poor family dynamics, violence, and self-harm passed down over generations (Loppie et al., 2014; Palmater, 2014).

A recent Statistics Canada survey (2020b) revealed that immigrants, visible minorities, and Indigenous Peoples reported experiencing more discrimination during the COVID-19 pandemic than the average reported incidents by all respondents. Again, these incidents were often based on race, ethnicity, and culture. Most incidents of discrimination experienced by these groups occurred when frequenting a store, bank, or restaurant, while at work or when applying for a job, and when walking on sidewalks or at parks. The COVID-19 pandemic has also resulted in

increased anti-Asian discrimination in Canada. The Chinese Canadian National Council Toronto Chapter received 1,150 reports of racist attacks targeting the Asian community between March 2020 and February 2021 (Kong et al., 2020). Of the incidents included in the analyses (643 incidents reported between March 2020 and December 2021) most occurred in public spaces, parks, streets, or sidewalks, and in grocery stores and restaurants in Ontario and British Columbia. Most incidents took the form of verbal and physical assaults, unwanted physical contact, as well as being coughed at or spit on. A qualitative analysis of the reported incidents revealed that many of these attacks were perpetrated in a blatant and ruthless manner, were instigated by blame for the COVID-19 pandemic, targeted vulnerable people (the elderly and youth), and caused severe physical and psychological harm. The COVID-19 pandemic has also highlighted the rise of Islamophobia in Canada. Recently, the media has covered alarming forms of discrimination against Muslims including brutal physical attacks (e.g., a Muslim woman wearing a hijab having a gun shot at her; Baig, 2021). These findings reveal how experiences of discrimination can increase in frequency and severity in response to contextual factors, and how the specific groups that become targets of discrimination can vary, leaving them vulnerable to and unprepared for the negative consequences of such experiences.

Correlates and Consequences of Experiences of Discrimination

Experiences of discrimination leave victims feeling as though they are not welcome and do not belong in the community, are associated with mistrust of and a lack of confidence in institutions, and are associated with poor physical and mental health. For instance, discrimination has been found to be associated with a lower sense of belonging to London and to Canada among immigrants and visible minorities (Huot, et al., 2014; Painter, 2013; Reitz & Banerjee, 2007). Results of a recent study conducted by Statistics Canada (2020b) suggest that experiences of discrimination are also associated with mistrust and less confidence in institutions. In that study, experiencing discrimination was associated with less trust in the court system among Indigenous Peoples. Similarly, experiencing discrimination was associated with less confidence in the police among Black respondents.

Discrimination experienced by immigrants, visible minorities, and Indigenous Peoples has also been associated with poor physical health and psychological distress (Currie et al., 2012; Spence et al., 2016; Williams et al., 2003). For instance, Spence and colleagues (2016) found that experiences of discrimination were associated with stress among a community sample of Indigenous Peoples in Canada. Similarly, in a qualitative study, Currie and colleagues (2012) found that Indigenous university students in Canada described experiencing distress including frustration, helplessness, and hopelessness because of experiences of discrimination. Additionally, in a large-scale review of empirical research on the impact of discrimination,

Williams and colleagues (2003) found strong evidence suggesting that experiences of discrimination are associated with psychological distress including depression and anxiety among immigrants and visible minorities.

There is also some evidence to suggest that discrimination is associated with psychological distress through different ways of thinking about and responding to those negative experiences (Noh et al., 1999, 2007; Noh & Kaspar, 2003). For instance, perceptions of exclusion, powerlessness, shame, and discouragement can intensify the association between discrimination and psychological distress (Noh et al., 2007). These negative outcomes of discrimination can therefore make it difficult for immigrants, visible minorities, and Indigenous Peoples to enjoy a healthy, happy, and satisfying life.

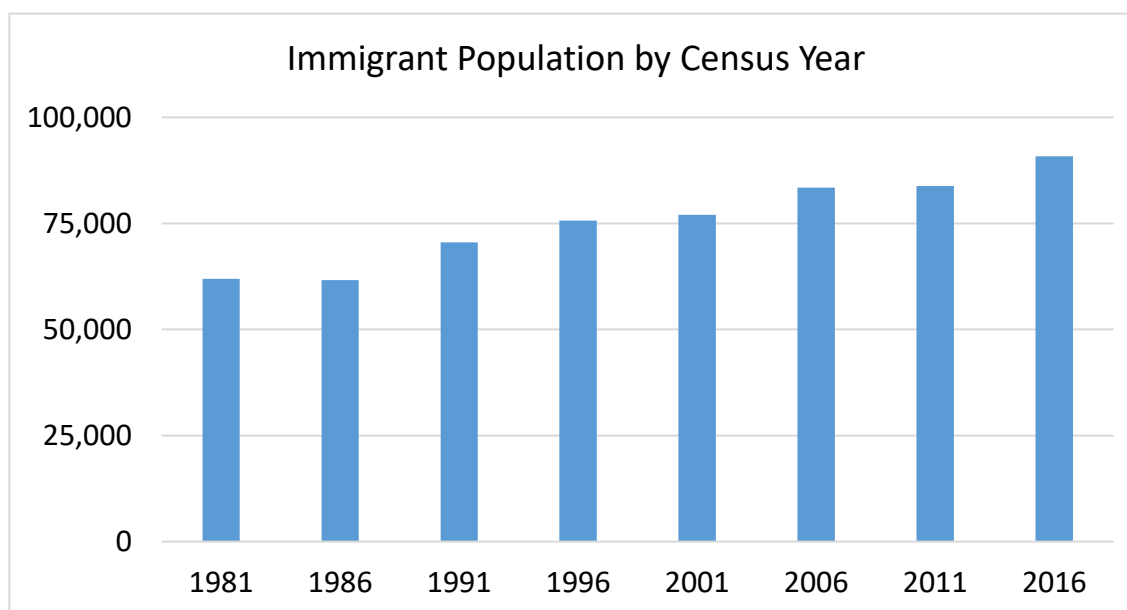
London-Middlesex

The study described in this report was conducted to examine everyday experiences of discrimination in London-Middlesex, located in Southwestern Ontario. The London-Middlesex area comprises the City of London as well as other smaller surrounding communities in Middlesex County (e.g., Strathroy, Lucan, Dorchester, Glencoe). It is a mid-sized area that is home to innovative and reputable health care services and facilities, excellent post-secondary education and research facilities, and diverse industry. However, London-Middlesex also offers the advantages of living in smaller communities such as affordability, short commute times within the area, and outdoor recreation and natural spaces.

London-Middlesex's Sociocultural Context

London-Middlesex is the original Lands of the Anishinaabe, Haudenosaunee, Attawandaron (Neutral), and Wendat Peoples. It was later occupied by British settlers in the early 1800s, and shortly after also became home to Irish and some Black residents, most of whom escaped slavery from the United States (Bradford & Esses, 2012; Henry, 2010). Up until the early 1960s, the cultural composition of London-Middlesex was predominantly White people of European descent, as was the case in the rest of Canada (Banting & Kymlicka, 2003; Boyd & Vickers, 2000; Bradford & Esses, 2012). However, with changes to federal immigration policies in the late 1960s that removed barriers faced by people from non-European countries trying to enter Canada (i.e., Canada's Immigration Act, 1967), not only did London-Middlesex begin to receive more immigrants, but the cultural composition of London-Middlesex started to become more diverse (Bradford & Esses, 2012). This increasing cultural diversity is a result of more newcomers immigrating from non-European countries over the past few decades.

Immigrant Population in London-Middlesex (Middlesex County Census Division) by Census Year from 1981 to 2016.

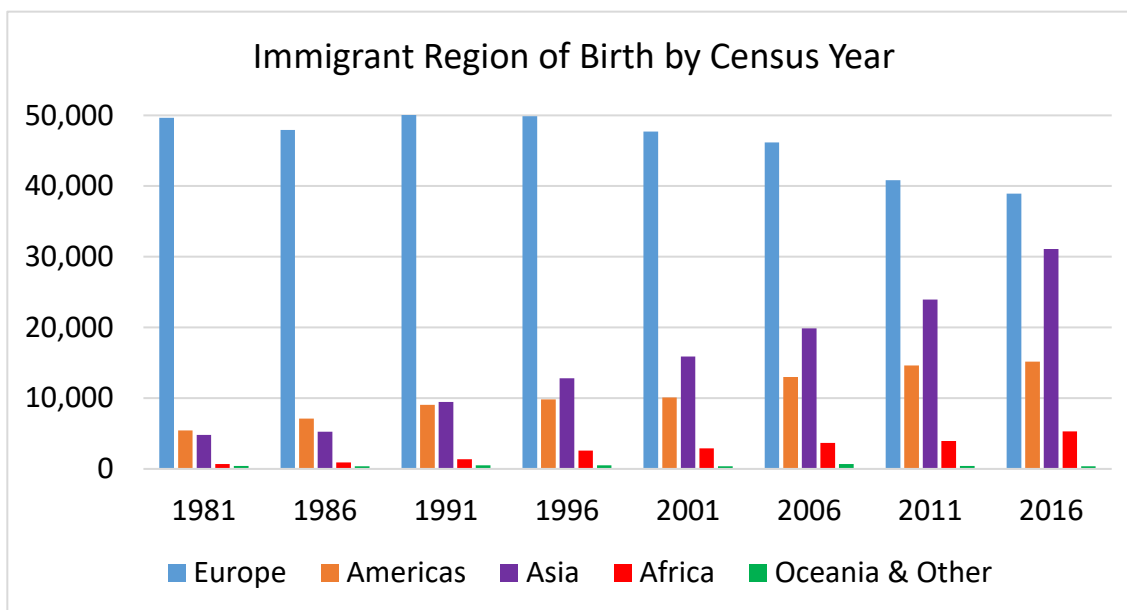


Source: Statistics Canada (1981, 1986, 1991, 1996, 2001, 2006, 2013, 2017a).

The 2016 Census indicates that the total London-Middlesex population is approximately 455,500 people (Statistics Canada, 2017a), the majority of whom (approximately 384,000) reside in the City of London (Statistics Canada, 2017b). London-Middlesex continues to be home to approximately 11,000 Indigenous Peoples (First Nations, Métis, and Inuit) including the Oneida Nation of the Thames, Chippewas of the Thames First Nation, and Munsee-Delaware Nation communities (Statistics Canada, 2017a). As with the general population, the majority of the Indigenous population (approximately 9,700) also resides in the City of London (Statistics Canada, 2017b).² The London-Middlesex population also comprises approximately 91,000 immigrants and approximately 76,500 visible minority group members (Statistics Canada, 2017a). Again, the majority of the immigrant population (approximately 83,800) and the majority of the visible minority population (approximately 75,000) reside in the City of London (Statistics Canada, 2017b). In 2016 more than half of the immigrant population was born outside of Europe, with approximately 60% of those born outside Europe being born in Asia, in countries such as China, India, Iraq, and the Philippines (Statistics Canada, 2017a). London-Middlesex's visible minority population has also been increasing, with the largest visible minority groups in 2016 being Arab, South Asian, Black, Chinese, and Latin American (Statistics Canada, 2017a).

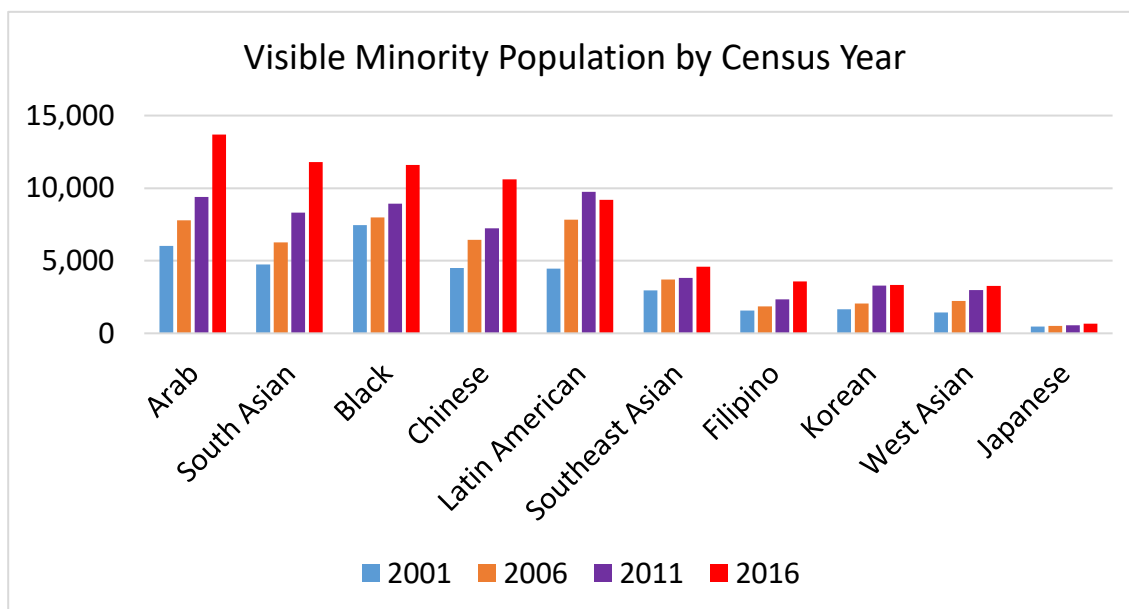
² These numbers for the Indigenous population are likely vastly under-estimated, however, because of incomplete enumeration in the census (Statistics Canada, 2017a).

Region of Birth for Immigrants Residing in London-Middlesex (Middlesex County Census Division) by Census Year from 1981 to 2016.



Source: Statistics Canada (1981, 1986, 1991, 1996, 2001, 2006, 2013, 2017a).

Visible Minority Population in London-Middlesex (Middlesex County Census Division) by Census Year from 2001 to 2016.



Source: Statistics Canada (2002, 2006, 2013, 2017a).

Discrimination in London-Middlesex

Recent media coverage has highlighted local incidents of discrimination experienced by members of some minority groups. Recently, an Indigenous woman reported having her Indian status card refused when attempting to purchase goods at a local retail store (Lamberink, 2020). One man reports being constantly stared at when shopping because of his Indigenous appearance (Butler, 2019). Another man of Indigenous and European ancestry reported not being invited for job interviews when he disclosed his Indigenous identity but being invited for job interviews when he hid his Indigenous identity (Butler, 2019). He also reported experiencing overt racism from a police officer who explicitly stated that he considered the man to be a criminal based solely on his Indigenous identity.

In another incident, a visible minority man was physically blocked from leaving a large grocery store by another shopper who suggested that he was in the country illegally (Carbone, 2018). In yet another incident, two Muslim women reported being told by a fellow shopper at a large retail outlet to “go back to” where it was assumed their ancestry originated, likely motivated by the religious head coverings the two women were wearing (Rodriguez, 2020). Most disturbing, in the spring of 2021 (after the current survey was conducted) an explicit and fatal act of hate toward a religious and visible minority family who were Pakistani Muslims occurred in London. That incident involved a young man driving a truck into a family of five who were simply out for a walk on a Sunday evening, resulting in four deaths and leaving a young boy seriously injured and orphaned (CBC News, 2021).

Members of the London-Middlesex Black community have also fallen victim to incidents of discrimination. One man reported that someone yelled racial slurs at him while he was simply walking in public to a job interview (Van Brenk, 2016). Similarly, in the academic setting, young Black students have been exposed to racial slurs and made to feel as though they are inferior (CBC News, 2020; Rivers, 2020; Rodriguez, 2019). Outside of formal classroom settings, several virtual cultural club meetings have been disrupted with anti-Black messages (Rivers, 2020).

Incidents of discrimination have also been reported to occur in the political realm, with visible and religious minorities in London-Middlesex reporting being targets of racial slurs and having their property damaged during election campaigns (CTV London, 2015; Pearson, 2014; Van Brenk, 2016). One politician of Lebanese origin reported having his campaign signs burned and defaced with racial slurs (CTV London, 2015), while a Black Muslim politician reported having culturally offensive items being left at his doorstep (Pearson, 2014).

Discrimination has also been reported on school campuses. For instance, in a campus climate survey, 38.8% of undergraduate university students and 23.8% of faculty members at Western

University reported experiencing racism (Western University's Anti-Racism Working Group, 2020). Respondents of that survey identified a sense of disregard for the lives of Black people, misperceptions about Indigenous Peoples, and assumptions about colonialism. Jewish students reported seeing swastikas drawn throughout campus, and hearing statements diminishing the extent of the Holocaust. Muslim and Jewish students reported not being accommodated to observe their religions, such as not having dedicated prayer spaces on campus. Muslim female students were particularly targeted with sexism, harassment, and racism (e.g., a professor referring to a hijab as a "tea towel"). International students from Middle Eastern countries reported being stereotyped and students from Asian countries reported being stigmatized in relation to COVID-19. Prompting Western University's campus climate survey, one student experienced racist attacks online after revealing her experiences of racism on the university's campus.

It is clear that incidents of discrimination are occurring in the day-to-day lives of immigrants, visible minorities, and Indigenous Peoples in London-Middlesex. In addition, an increasing number of hate crimes have been reported in the London Census Metropolitan Area, with 45 reported by police services in 2020 compared to 17 in 2016 (Statistics Canada, 2021).

A key player in efforts to counteract racism and discrimination is the London & Middlesex Local Immigration Partnership (LMLIP). The LMLIP was founded in 2009 and is funded by Immigration, Refugees and Citizenship Canada. It is one of over 80 Local Immigration Partnerships now operating across the country with the goals of improving coordination of services to facilitate immigrant settlement and integration, facilitating community knowledge sharing and local strategic planning, and promoting more welcoming communities for newcomers. As such, the LMLIP works to create a welcoming and inclusive sociocultural environment including through various anti-racism and anti-discrimination initiatives. The study described in this report is part of the LMLIP's anti-racism and anti-discrimination work to promote a more welcoming community in London-Middlesex.

Study on Experiences of Discrimination in London-Middlesex

Although there is evidence that discrimination takes place in London-Middlesex, and indeed experiences of discrimination in the London-Middlesex area are being brought to light through the media and official hate crime statistics, a comprehensive understanding of these experiences is lacking. Such an understanding is crucial for effective evidence-informed anti-discrimination initiatives to be developed. Thus, the goal of this study was to systematically examine discrimination experienced by immigrants, visible minorities, and Indigenous Peoples (in comparison to individuals who do not belong to these groups) in London-Middlesex through a representative survey conducted in March 2021. The survey examined who is experiencing discrimination, in what contexts, on what basis, who is perpetrating these acts of discrimination, and whether specific forms of discrimination are taking place. The study also examined how immigrants, visible minorities, and Indigenous Peoples respond to these experiences of discrimination (coping strategies and feelings of psychological distress), and associated feelings of being accepted and welcomed in the community. It is important to note that the survey was conducted prior to the act of hate against Muslim visibility minorities in London in which four innocent individuals were killed.

A community sample of London-Middlesex residents was recruited to take part in the study, including people who identify as (a) immigrants or visible minorities (Immigrants & Visible Minorities group), (b) Indigenous (Indigenous Peoples group), and (c) residents who do not identify with any of these groups (comparison White Non-immigrants group). The immigrants and visible minorities were combined for our target numbers and for the majority of analyses because of the substantial overlap between these two groups in London-Middlesex (though we of course acknowledge that not all immigrants in London-Middlesex are visible minorities and not all visible minorities in London-Middlesex are immigrants). Where possible, analyses were conducted in which we separated immigrant-visible minorities, immigrant-not visible minorities, and visible minorities-not immigrants.

Forum Research Inc., a market research firm, was retained by the London & Middlesex Local Immigration Partnership to recruit participants, administer the survey, and collect the data. The research was conducted through random digit dialing of phone numbers in the region, and if individuals then qualified to participate and agreed, they were sent the link to the online survey via SMS text message or email. Targets of 300 Immigrants & Visible Minorities, 200 Indigenous Peoples, and 300 White Non-immigrants were set, and the final sample included 379 Immigrants & Visible Minorities, 164 Indigenous Peoples, and 286 White Non-immigrants. This ensured a relatively representative sample of participants within each of the three groups. The survey took

approximately 10 minutes to complete, and was available in both English and French. Ethics approval for this study was obtained from Western University's research ethics board.

The survey included questions about whether respondents had experienced discrimination or been treated unfairly in the past three years in different contexts (e.g., in a store, bank, or restaurant; when applying for a job or promotion), the presumed basis of this discrimination (e.g., race or skin colour, status as an immigrant, accent, gender), whether the respondents had experienced specific types of discrimination (e.g., inappropriate jokes, verbal abuse), and who the main perpetrators of this discrimination were (gender, age, race or ethnicity). One question asked respondents whether their experiences of discrimination have changed during the COVID-19 pandemic. The survey also asked how people coped with (active and passive coping) and felt about (powerless, shame, excluded, discouraged) their experiences of discrimination, and their psychological distress (anxiety and depression) in response to discrimination in the past three years. Questions about how accepted and welcomed participants felt in London-Middlesex at the present time were also asked. Finally, a set of demographic questions were included. The survey was based on established measures where available, with the language adapted to plain language (for full details on the measures, see the attached Appendix).

Profile of Respondents

Immigrants & Visible Minorities reported speaking languages other than English more and reported more diverse religions than Indigenous Peoples and White Non-immigrants. Immigrants & Visible Minorities also tended to be more highly educated. Despite this, Immigrants & Visible Minorities, and Indigenous Peoples, reported lower annual household incomes than White Non-immigrants. Additionally, White Non-immigrants tended to be on average quite a bit older, more likely to be female, less likely to be employed, and to have resided in London-Middlesex longer than Immigrants & Visible Minorities and Indigenous Peoples.

In terms of the specific characteristics of Immigrants & Visible Minorities, members of this group were most likely to be Christian, Muslim, Hindu, or have no religion. They were most likely to be East Asian and Southeast Asian, South Asian, Black, or other/multiple ethnicities. Close to 70% were not born in Canada. When immigrant status and visible minority status were separated, just over 60% were both immigrants and visible minorities, over 30% were non-immigrant visible minorities, and only 7% were immigrants but not visible minorities. Most of the immigrants entered Canada as economic immigrants, and the majority were now permanent residents or citizens of Canada. Close to 75% had been in Canada 10 years or less.

Respondent Demographics

	Immigrants & Visible Minorities (N = 379)	Indigenous Peoples (N = 164)	Comparison White Non-immigrants (N = 286)
Gender			
Female	49.6%	44.5%	63.3%
Male	49.1%	55.5%	36.0%
Non-binary	0.8%	0%	0.3%
No response	0.5%	0%	0.3%
Age			
	Range: 18-79 Average: 35 years	Range: 19-67 Average: 34 years	Range: 18-84 Average: 51 years
18 to 24 years	15.6%	11.6%	4.5%
25 to 35 years	46.7%	52.4%	16.1%
36 to 50 years	20.8%	27.4%	24.1%
Older than 50	10.8%	7.3%	50.7%
No response	6.1%	1.2%	4.5%
Language(s) Most Often Spoken at Home			
English only	57.0%	86.0%	92.7%
English and another language	23.7%	11.0%	2.8%
Another language only	18.7%	3.0%	4.2%
No response	0.5%	0%	0.3%
Employment Status			
Employed full- time/part-time/self- employed	65.2%	71.3%	56.6%
Other employment (includes unemployed, retired, student, homemaker, and other)	23.5%	22.0%	37.8%
Multiple employment statuses	10.0%	6.7%	4.5%

No response	1.3%	0%	1.0%
Education Level			
Secondary/high school and less	17.4%	40.9%	28.3%
College/vocational training	29.0%	35.4%	36.7%
University undergraduate degree	29.6%	17.1%	16.8%
University graduate degree and Professional degree	22.7%	6.7%	17.1%
No response	1.3%	0%	1.0%
Annual Household Income			
Less than \$45,000	36.4%	44.5%	22.0%
\$45,001 to \$80,000	36.4%	39.6%	31.5%
\$80,001 and more	19.0%	14.6%	36.0%
No response	8.2%	1.2%	10.5%
Years Living in London-Middlesex			
	Range: 0-66 Average: 8 years	Range: 0-61 Average: 12 years	Range: 0-81 Average: 32 years
Less than 5 years	50.1%	18.3%	11.9%
5 to 10 years	31.4%	36.0%	7.3%
10 to 20 years	10.3%	31.7%	12.6%
Longer than 20 years	7.9%	13.4%	68.2%
No response	0.3%	0.6%	0%
Religion			
Christian	42.7%	23.8%	57.0%
Traditional/Spirituality	1.8%	36.0%	6.6%
No religion (atheist or agnostic)	14.5%	28.7%	30.1%

Other religion (includes Baha'i, Buddhist, Hindu, Jewish, Mennonite, Muslim, Sikh, and other) and multiple religious categories	39.3%	9.1%	5.9%
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No response	1.6%	2.4%	0.3%
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Sense of Belonging to Religious Group(s) Average: 3.54 Average: 3.51 Average: 3.43

(Scale of Very Weak = 1 to Very Strong = 5)

Religion of Immigrants & Visible Minorities

Christian	42.7%
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Muslim	15.3%
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Hindu	12.7%
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Sikh	5.3%
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No religion (atheist or agnostic)	14.5%
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Other religion (includes Baha'i, Buddhist, Jewish, Mennonite, Traditional / Spirituality, and other) and multiple religious categories	7.9%
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No response	1.6%
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Race/Ethnicity

White	5.3%	0%	99.7%
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First Nations, Métis, or Inuk (Inuit)	1.6%	95.1%	0%
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Visible minority, other, and multiple races/ethnicities	93.1%	4.9%	0.3%
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No response	0%	0%	0%
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Sense of Belonging to Racial/Ethnic Group(s) Average: 3.61 Average: 3.82 Average: 3.91
 (Scale of Very Weak = 1 to Very Strong = 5)

Race/Ethnicity of Immigrants & Visible Minorities

East Asian and Southeast Asian	33.2%
South Asian	27.2%
Black	16.4%
White	5.3%
Other (includes Arab, Indigenous, Latin American, West Asian, or other) and multiple races/ethnicities	17.9%
No response	0%

Born in Canada

Yes	30.6%
No	69.1%
No response	0.3%

Immigrant & Visible Minority Status

Immigrant visible minority	61.7%
Non-immigrant visible minority	30.6%
Immigrant non-visible minority	7.4%
No response	0.3%

Immigrants: Status Upon Arrival to Canada

Economic class immigrant	46.6%
Family class immigrant	18.7%
Temporary worker	14.9%

Temporary student	14.5%
Other entry class	5.0%
No response	0.4%

Immigrants: Current Immigration Status

Permanent resident	46.2%
Canadian citizen	33.2%
Other status (temporary resident, protected person, refugee claimant, undocumented, other)	19.8%
No response	0.8%

**Immigrants: Years living in
Canada**

Range: 0-75
Average: 11 years

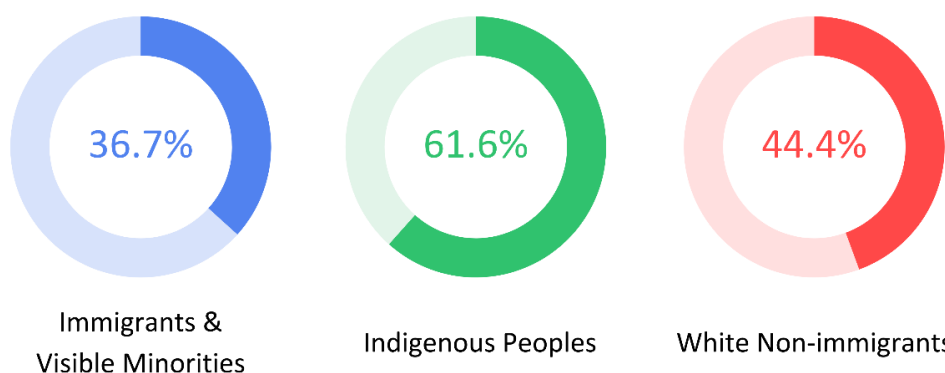
Less than 5 years	32.4%
5 to 10 years	42.0%
Longer than 10 years	25.6%
No response	0%

Experiences of Discrimination

To what extent have Immigrants & Visible Minorities, Indigenous Peoples, and comparison White Non-immigrants experienced discrimination in London-Middlesex in the past three years?

A substantial percentage of respondents experienced discrimination in one or more contexts in London-Middlesex over the last three years, with Indigenous Peoples especially likely to have experienced discrimination.

Percentage of Respondents Who Have Experienced Discrimination in One or More Contexts in the Past Three Years

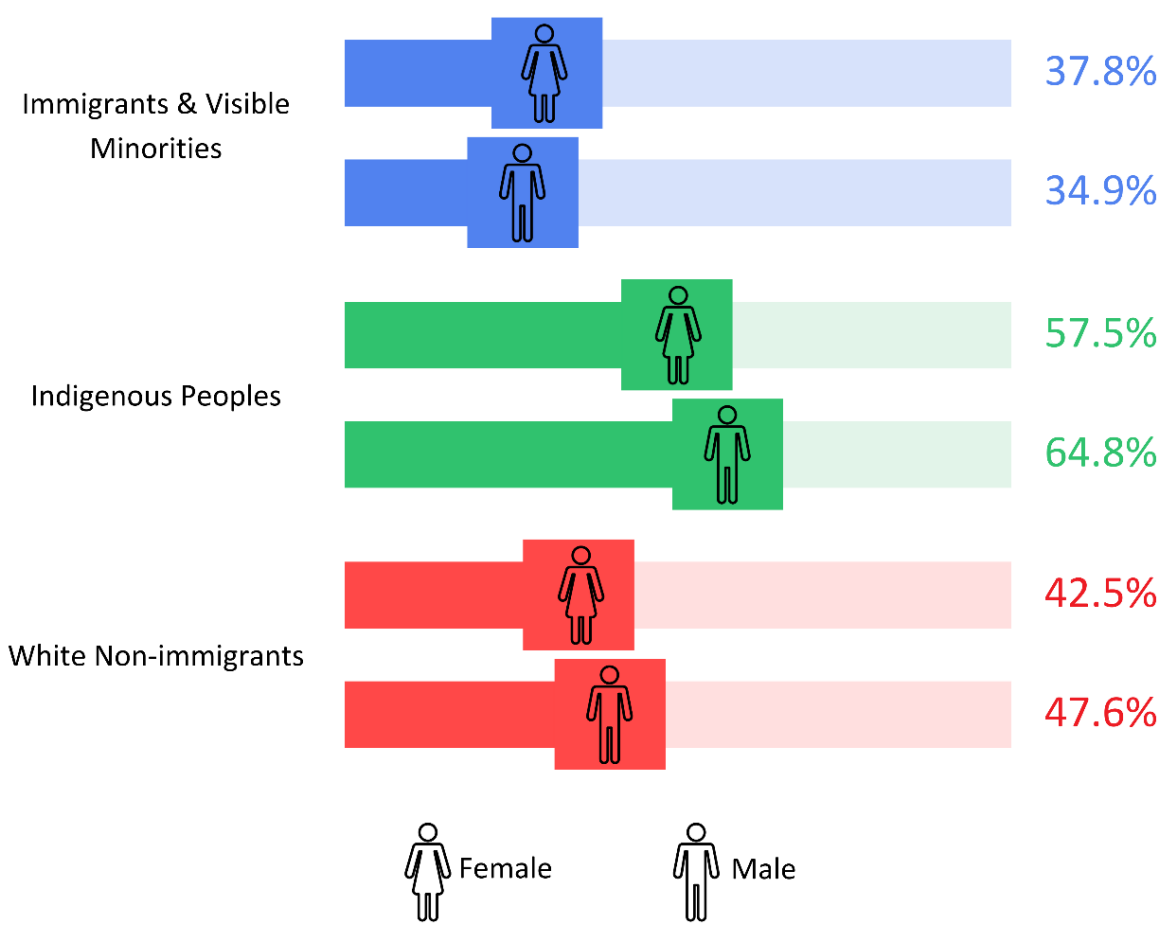


Within the three groups, to what extent do experiences of discrimination differ as a function of demographic characteristics?

The role of gender

In the Immigrants & Visible Minorities group, females were slightly more likely to report experiencing discrimination in London-Middlesex than males. In contrast, in the Indigenous Peoples group and in the White Non-immigrants group, males were slightly more likely than females to report experiencing discrimination in London-Middlesex.

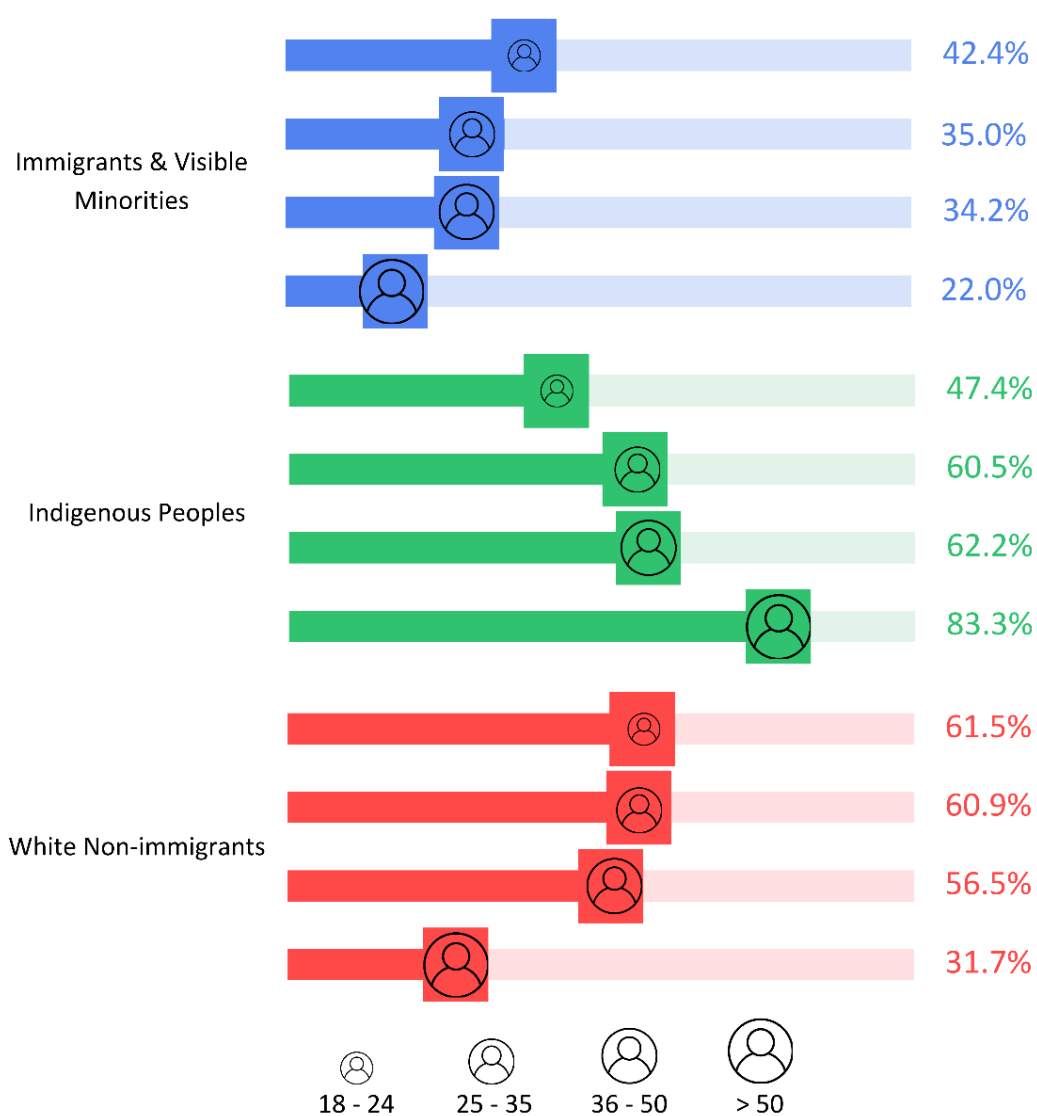
Percentage of Respondents Who Experienced Discrimination by Gender



The role of age

In the Immigrants & Visible Minorities group and in the White Non-immigrants group, younger respondents were more likely to report experiencing discrimination in London-Middlesex than older respondents. In contrast, in the Indigenous Peoples group, older respondents were more likely to report experiencing discrimination in London-Middlesex than younger respondents.

Percentage of Respondents Who Experienced Discrimination by Age

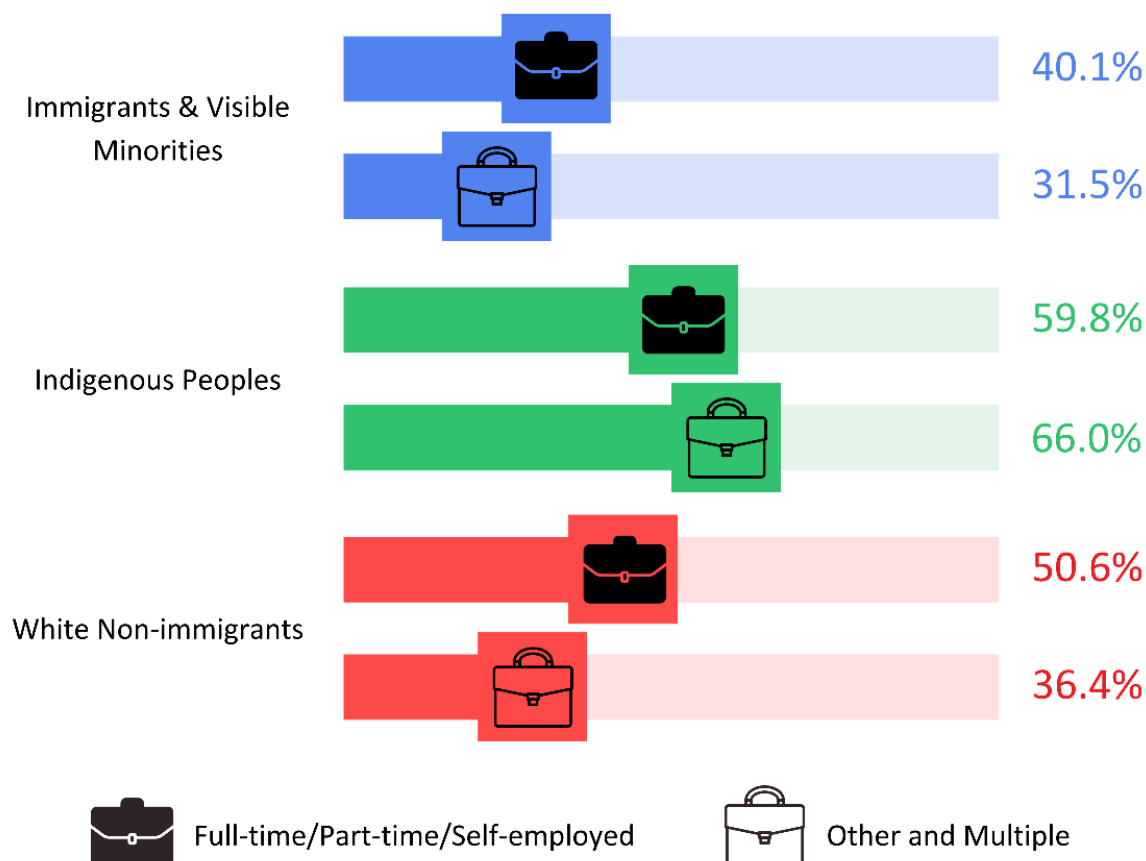


Note: Due to the small cell sizes, the findings for White Non-immigrants aged 18 to 24 years old and the findings for Indigenous Peoples aged 51 years old and above are suggestive only.

The role of employment status

In the Immigrants & Visible Minorities group and the White Non-immigrants group, full-time, part-time, or self-employed respondents were more likely to report experiencing discrimination in London-Middlesex than those with other and multiple employment statuses. In contrast, in the Indigenous Peoples group, those with other and multiple employment statuses were more likely to report experiencing discrimination in London-Middlesex.

Percentage of Respondents Who Experienced Discrimination by Employment Status

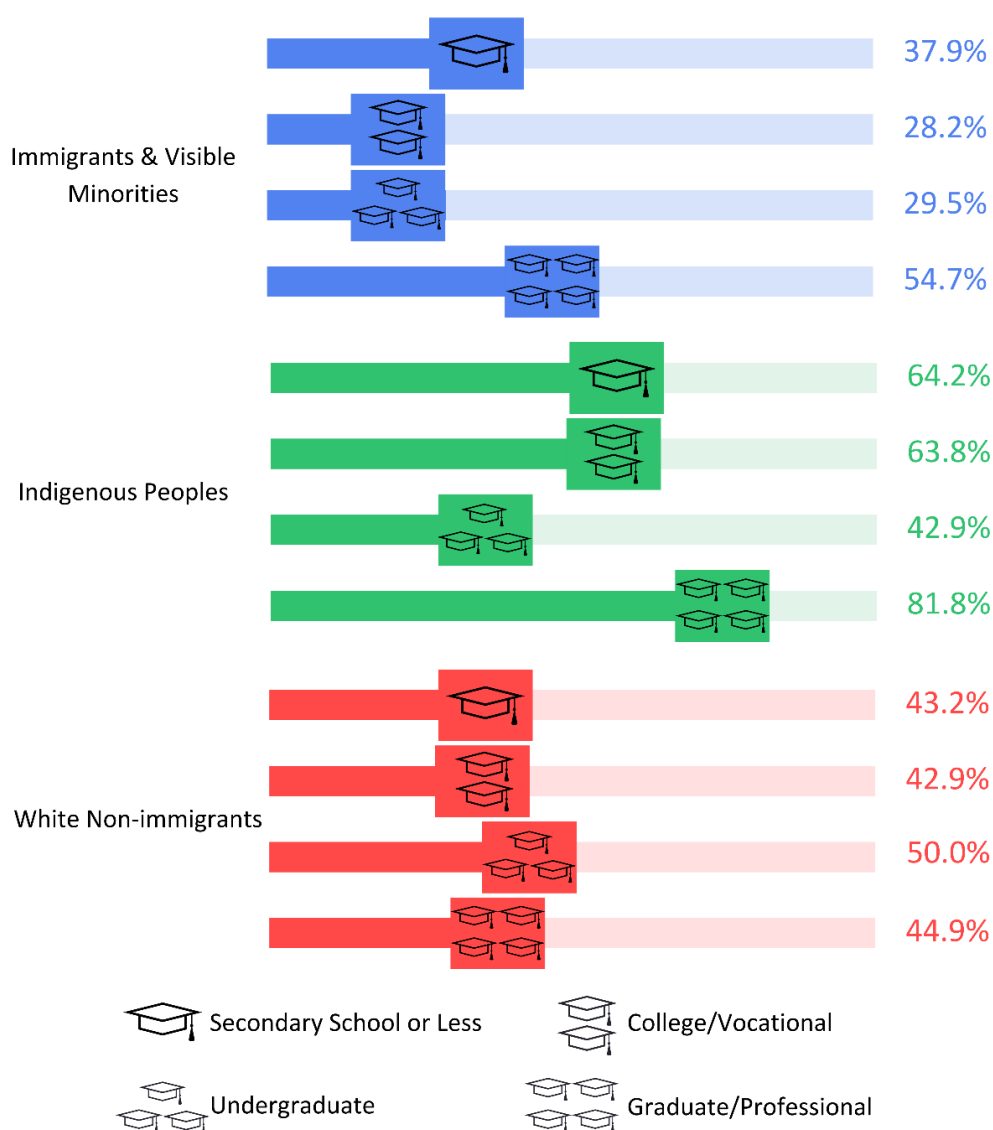


Note: The “Other and Multiple” employment status category includes people who indicated that they are unemployed, retired, students, homemakers, or other, as well as people who indicated more than one employment status (e.g., homemaker and retired).

The role of education level

In the Immigrants & Visible Minorities group and in the Indigenous Peoples group those with graduate and professional degrees were most likely to report experiencing discrimination in London-Middlesex. In the comparison White Non-immigrants group, those with undergraduate degrees were most likely to report experiencing discrimination in London-Middlesex.

Percentage of Respondents Who Experienced Discrimination by Highest Level of Education

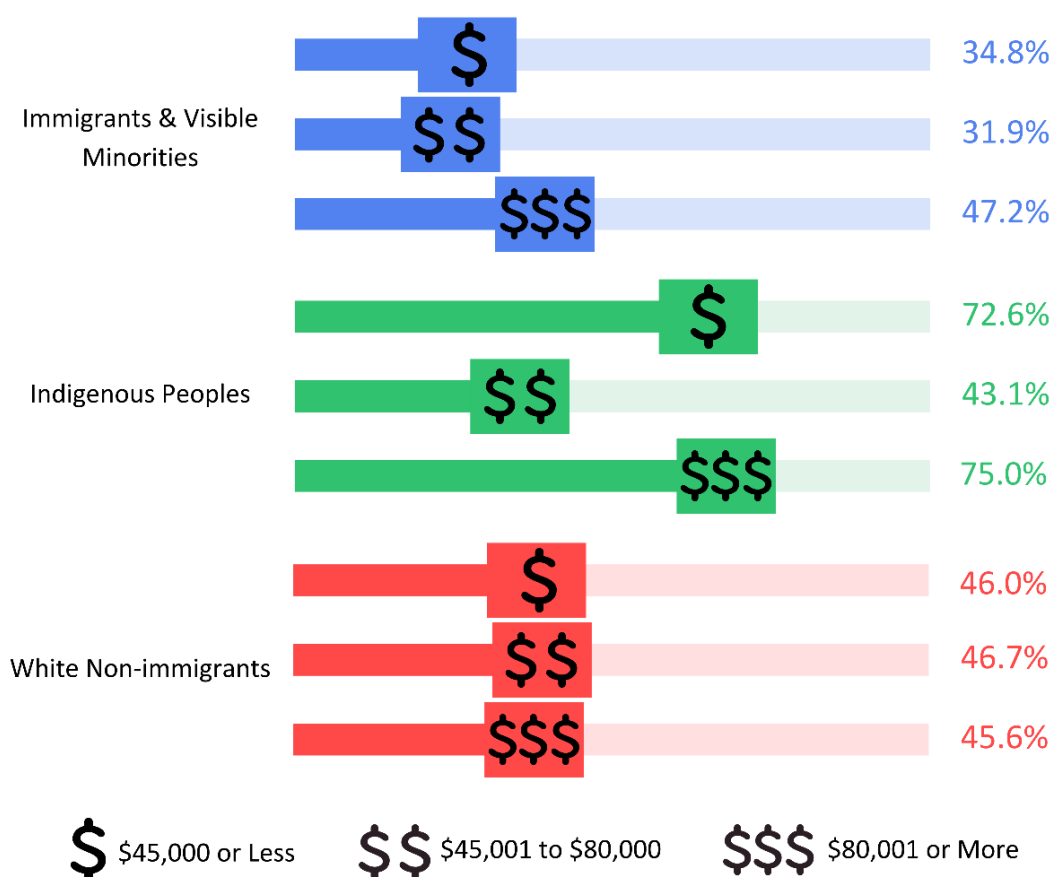


Note: Due to the small cell size, the finding for Indigenous Peoples with a graduate/professional degree is suggestive only.

The role of annual household income

In the Immigrants & Visible Minorities group, those with the highest household income were most likely to report experiencing discrimination in London-Middlesex. In the Indigenous Peoples group, those with the highest and lowest household incomes were most likely to report experiencing discrimination in London-Middlesex. In the comparison White Non-immigrants group, the likelihood of experiencing discrimination in London-Middlesex did not differ by household income.

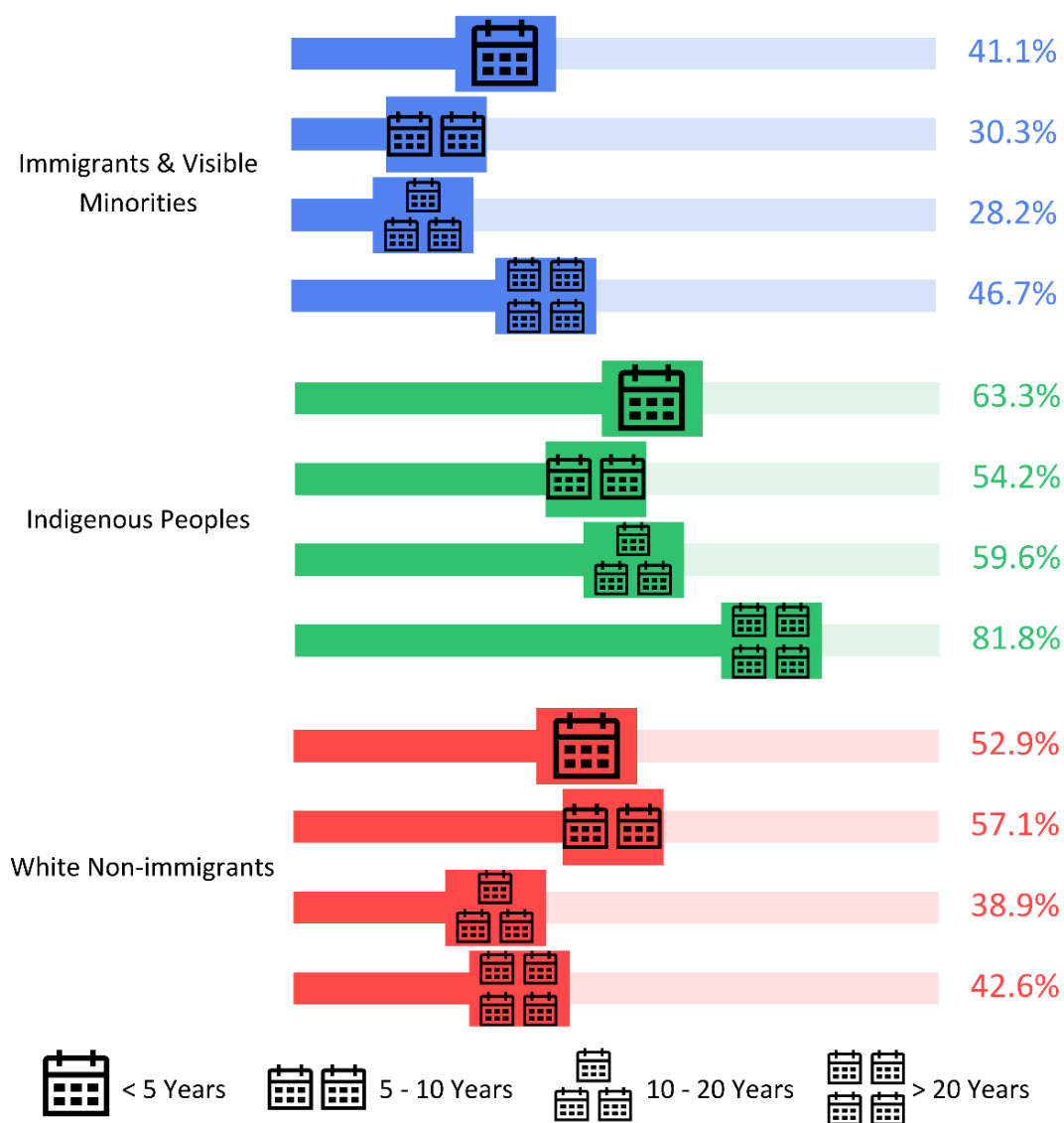
Percentage of Respondents Who Experienced Discrimination by Annual Household Income



The role of length of time residing in London-Middlesex

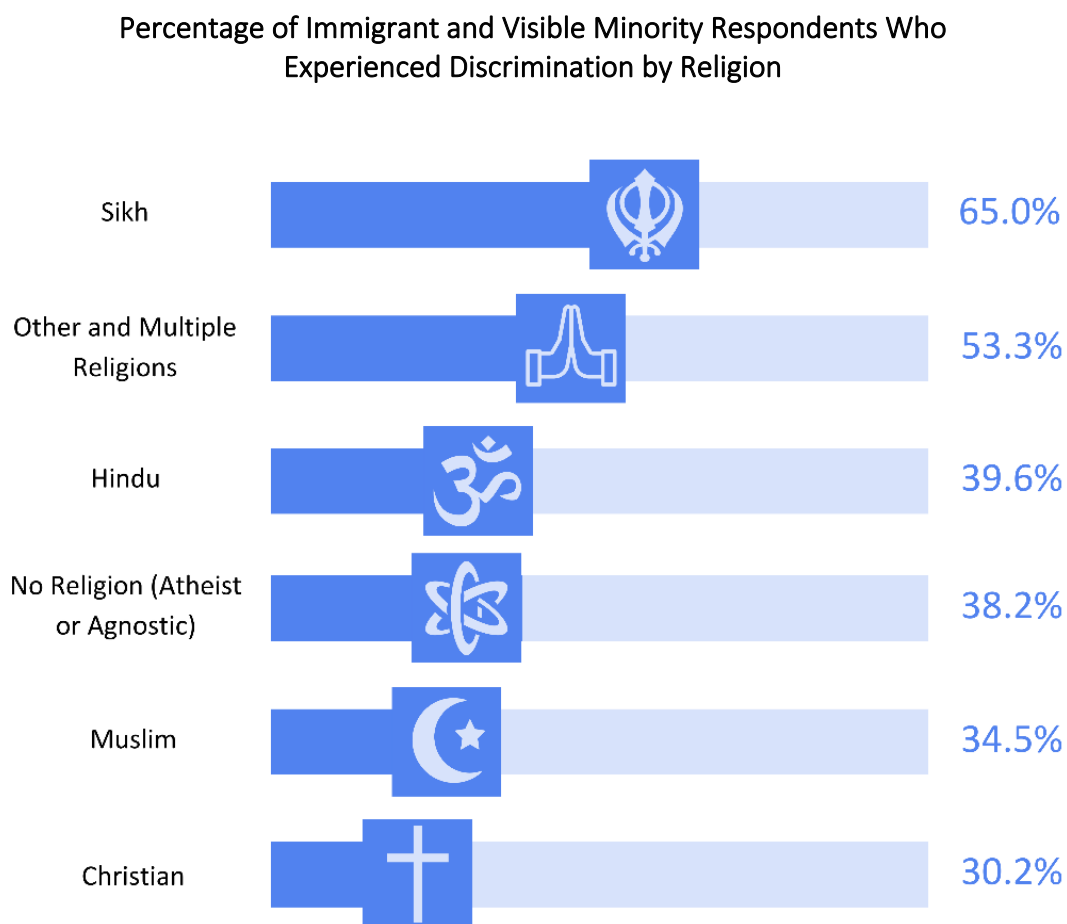
In the Immigrants & Visible Minorities group and in the Indigenous Peoples group, those who have lived in London-Middlesex for more than 20 years were most likely to report experiencing discrimination in the past three years, followed by those who have lived in London-Middlesex for less than five years. In the comparison White Non-immigrants group, those who have lived in London-Middlesex for 10 years or less were most likely to report experiencing discrimination in London-Middlesex in the past three years.

Percentage of Respondents Who Experienced Discrimination by Length of Time Residing in London-Middlesex



Immigrants and visible minorities: The role of religion

In the Immigrants & Visible Minorities group, Sikhs were most likely to report experiencing discrimination in London-Middlesex.



Note: The “Other and Multiple Religions” category includes people who indicated their religions as Baha’i, Buddhist, Jewish, Mennonite, Traditional/Spirituality, or other, as well as people who indicated more than one religion (e.g., Christian and Buddhist).

Immigrants and visible minorities: The role of ethnicity/race

In the Immigrants & Visible Minorities group, South Asians were most likely to report experiencing discrimination in London-Middlesex.

Percentage of Immigrant and Visible Minority Respondents Who Experienced Discrimination by Ethnicity/Race

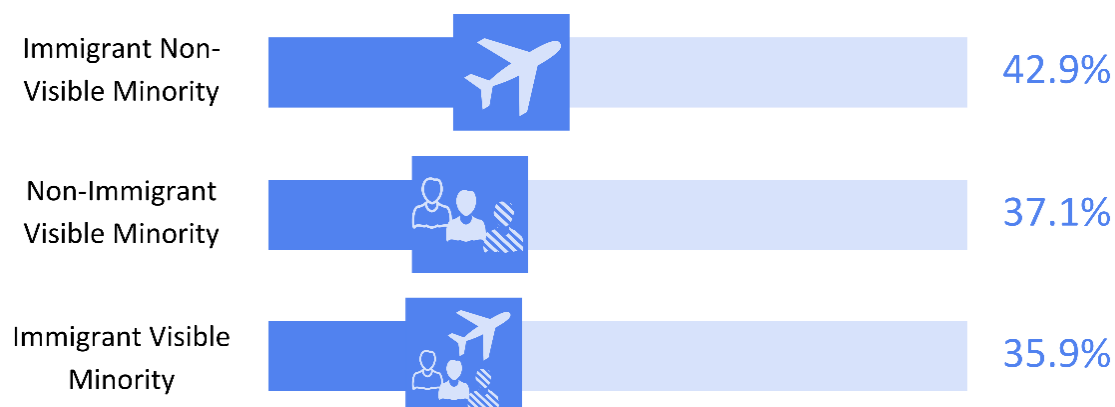


Note: “Other and Multiple Categories” includes people who identify as Arab, Latin American, West Asian, Indigenous, or other, as well as people who indicated more than one category (e.g., White and Latin American).

Immigrants and visible minorities: The role of immigrant and visible minority status

In the Immigrants & Visible Minorities group, immigrant non-visible minorities were most likely to report experiencing discrimination in London-Middlesex.

Percentage of Immigrant and Visible Minority Group Respondents Who Experienced Discrimination as a Function of their Immigrant and Visible Minority Statuses



Immigrants: The role of current immigration status

Of the immigrant respondents, those who were not Canadian citizens or Permanent residents were most likely to report experiencing discrimination in London-Middlesex.

Percentage of Immigrants Who Experienced Discrimination by Current Immigration Status



Note: The “Other Immigration Status” category includes temporary residents, protected persons, refugee claimants, undocumented, or other.

Immigrants: The role of length of time in Canada

Of the immigrant respondents, those who had lived in Canada for less than five years were most likely to report experiencing discrimination in the past three years in London-Middlesex.

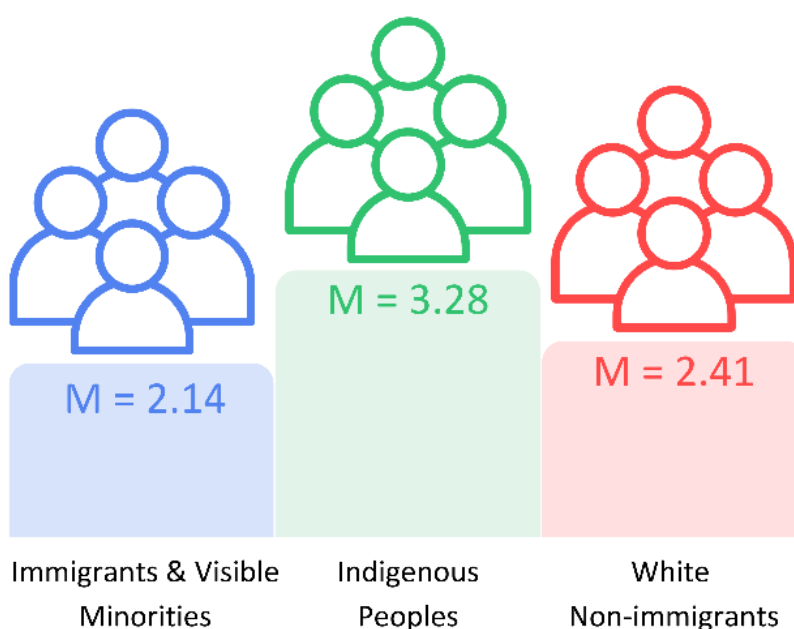
Percentage of Immigrants Who Experienced Discrimination by Length of Time in Canada



In how many contexts is discrimination being experienced?

The survey included a list of 16 contexts in which respondents might be experiencing discrimination, including an other category to capture any contexts not included. On average, Indigenous Peoples reported experiencing discrimination in more contexts than Immigrants & Visible Minorities and White Non-immigrants.

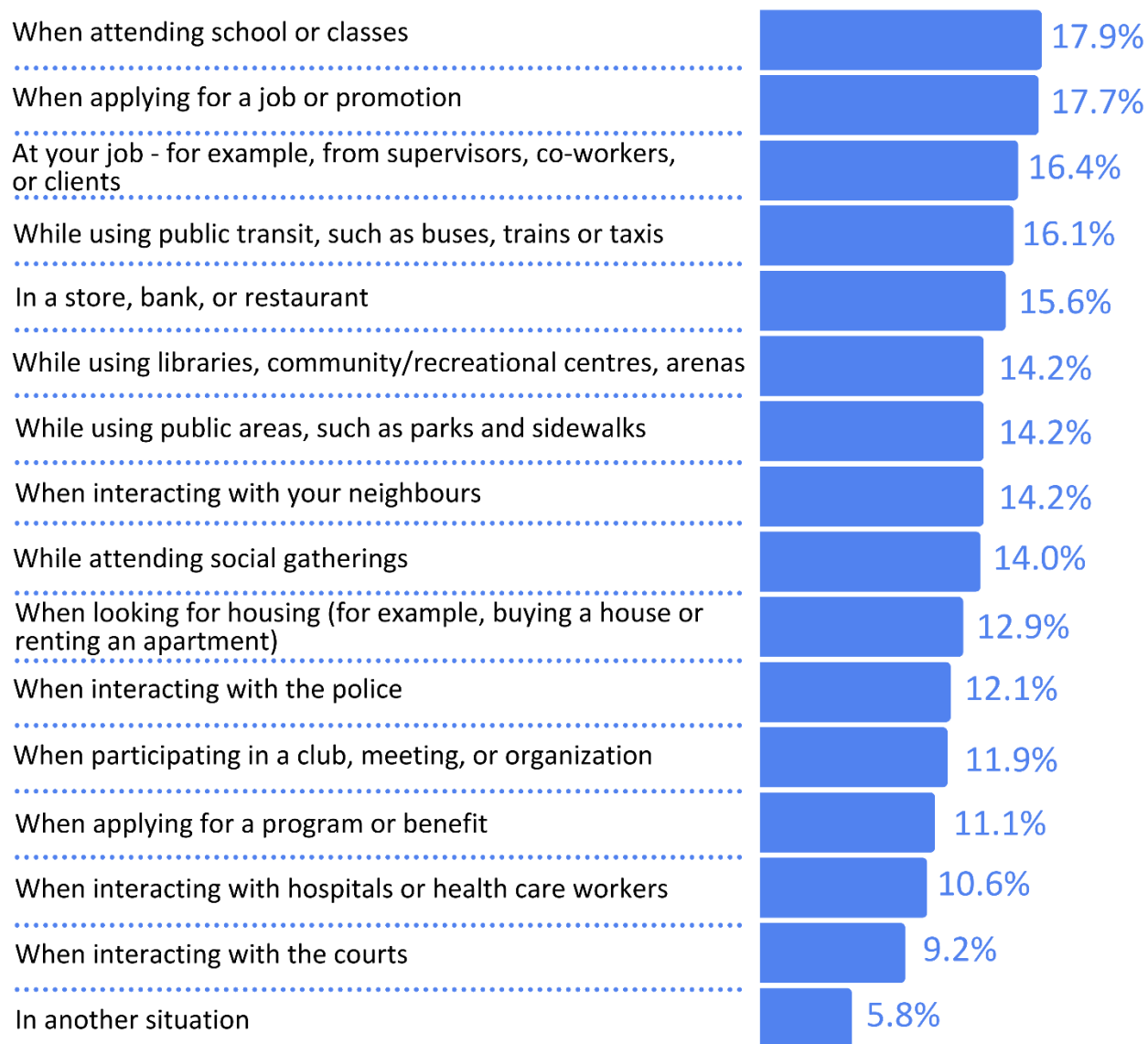
Average Number of Contexts in Which Respondents Experienced Discrimination in the Past Three Years



In what contexts is discrimination being experienced?

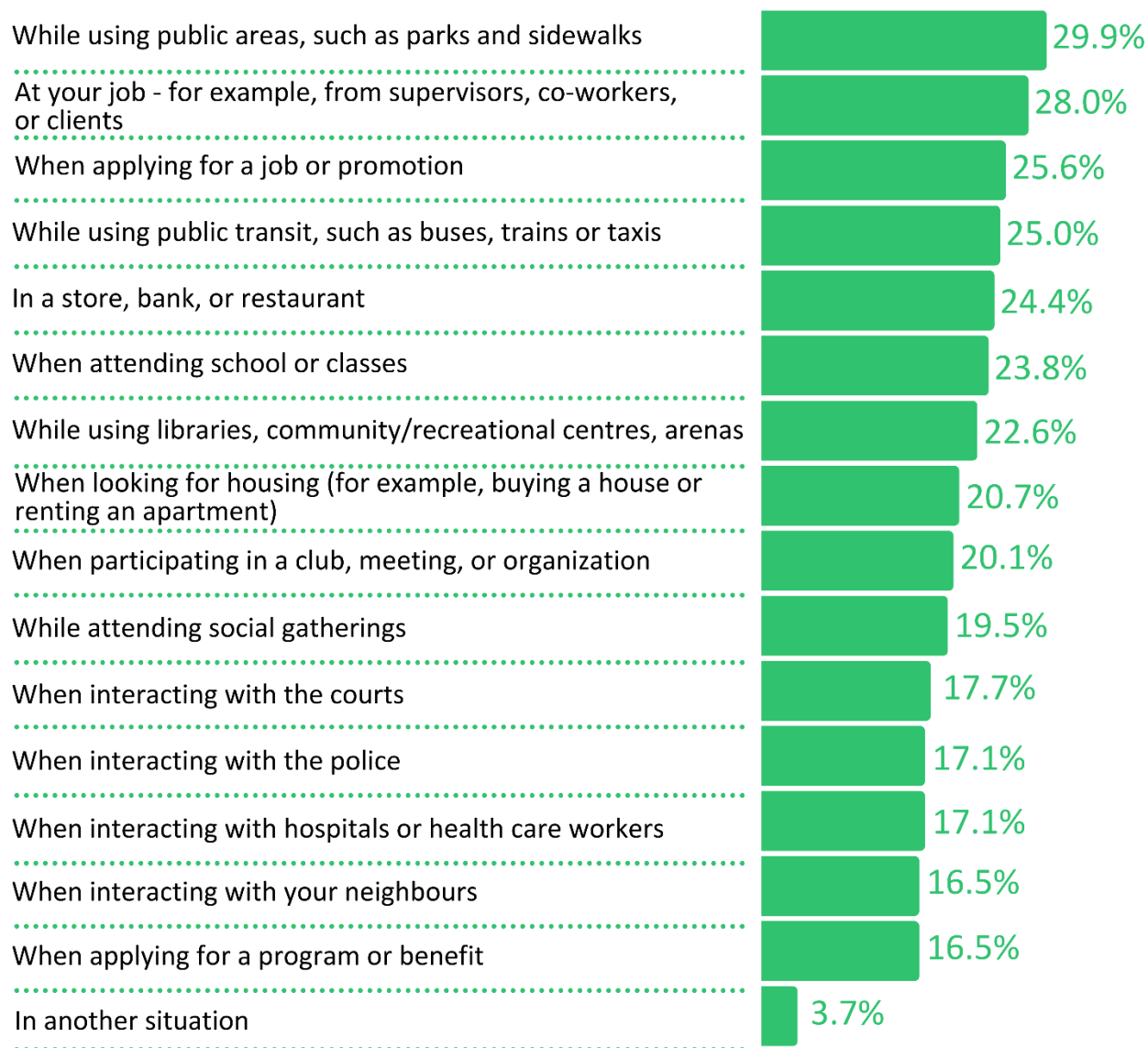
Overall, Immigrants & Visible Minorities are most likely to experience discrimination in London-Middlesex when attending school or classes, when applying for a job or promotion, at their job, while using public transit, and in a store, bank, or restaurant.

**Immigrants & Visible Minorities:
Contexts in Which Discrimination Occurred**



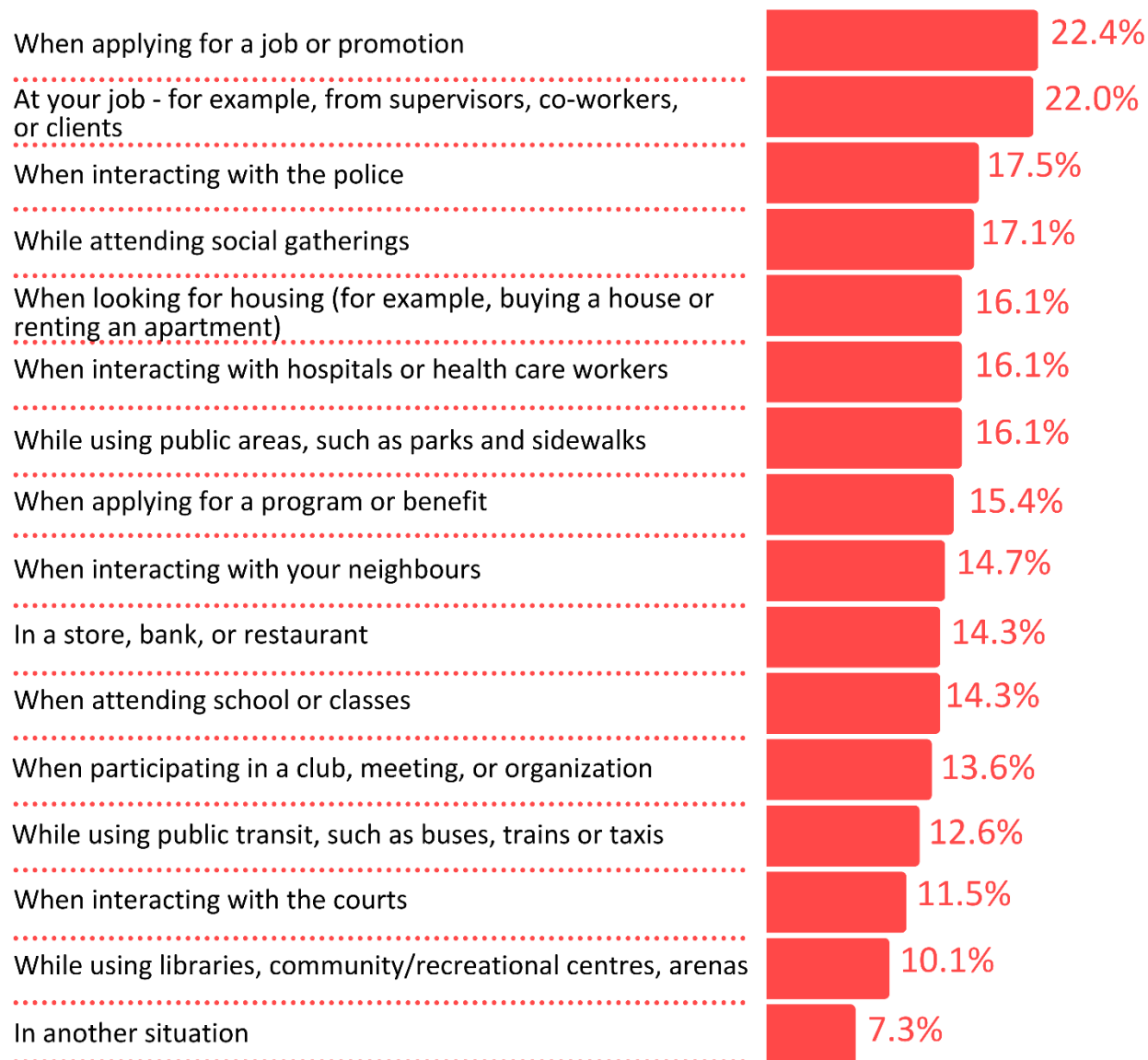
Overall, Indigenous Peoples report experiencing discrimination in London-Middlesex in many contexts. They are most likely to experience discrimination in London-Middlesex while using public areas such as parks and sidewalks, at their job, when applying for a job or promotion, while using public transit, in a store, bank, or restaurant, and when attending school or classes.

**Indigenous Peoples:
Contexts in Which Discrimination Occurred**



Overall, White Non-immigrants are most likely to experience discrimination in London-Middlesex when applying for a job or promotion, at their job, when interacting with the police, and while attending social gatherings.

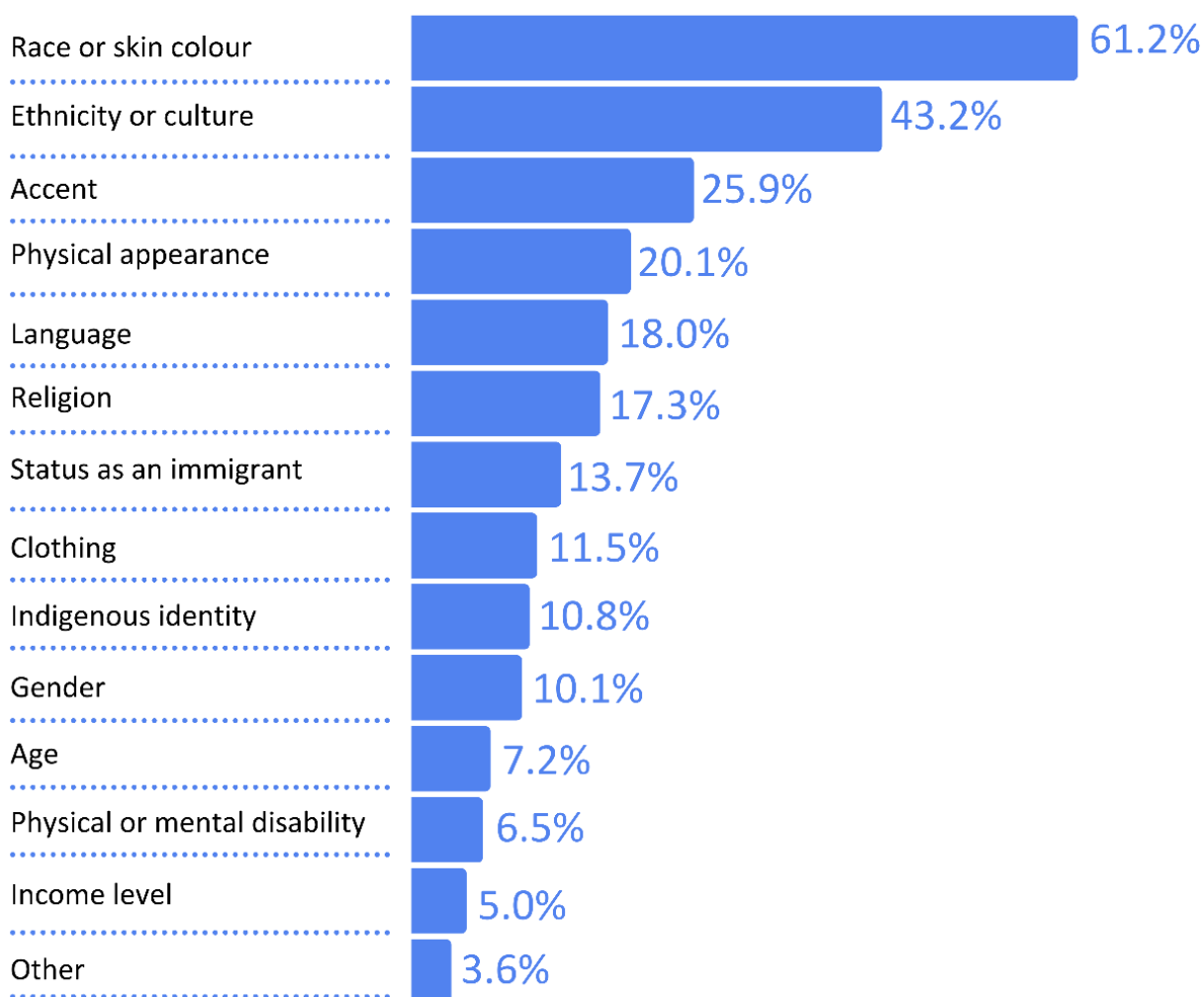
White Non-immigrants:
Contexts in Which Discrimination Occurred



What are the presumed bases of experiences of discrimination?

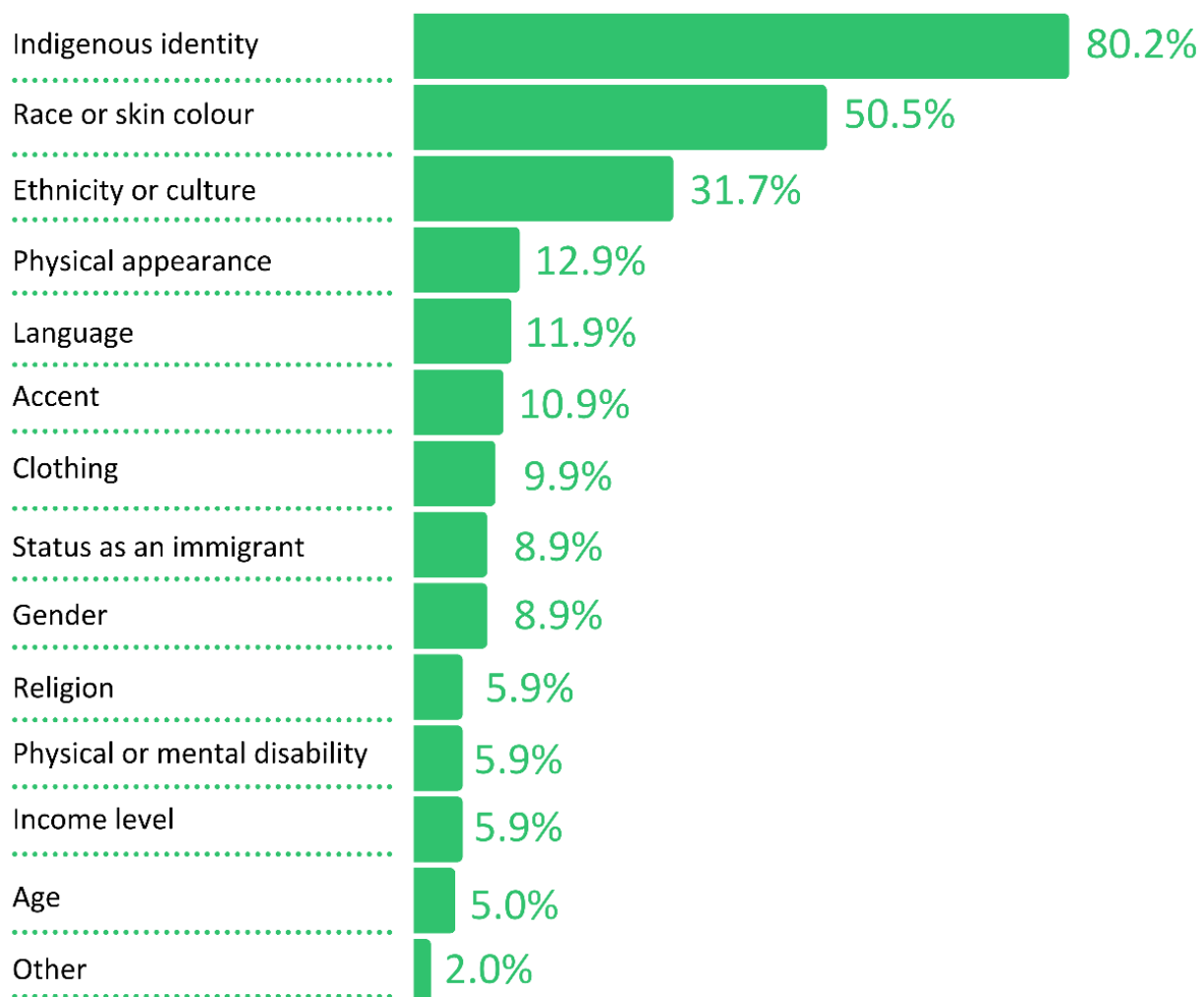
Those people who reported that they have experienced discrimination in at least one context in the last three years were asked to indicate what they thought the main reasons were for their experiences of discrimination (respondents could choose more than one reason). Immigrants & Visible Minorities were most likely to indicate that the discrimination that they have experienced is based on their race or skin colour and ethnicity or culture, followed by accent.

Immigrants & Visible Minorities Who Had Experienced Discrimination:
Percentage Who Indicated Each Basis for Discrimination



Indigenous Peoples were most likely to indicate that the discrimination that they have experienced is based on their indigenous identity and race or skin colour, followed by ethnicity or culture.

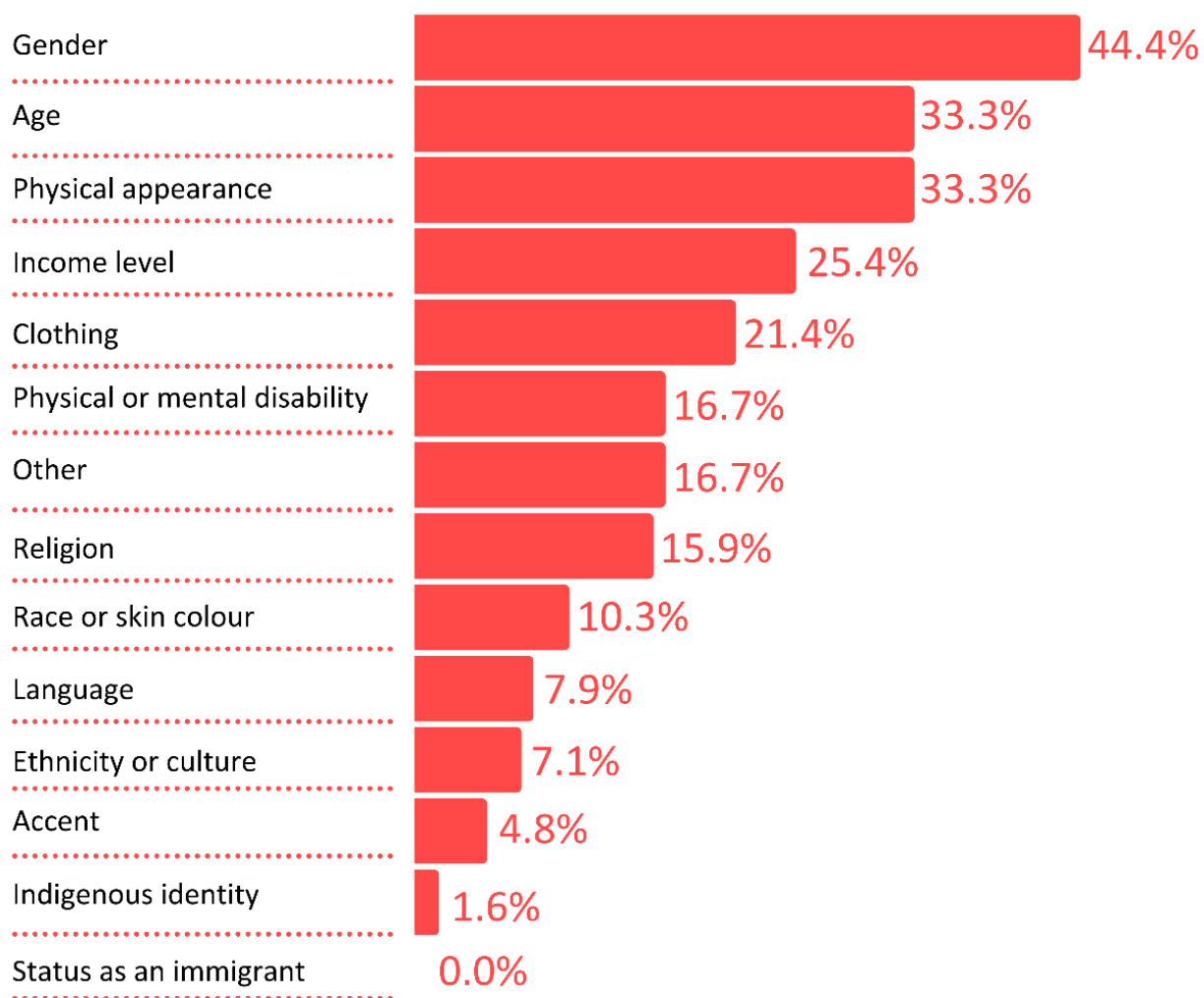
Indigenous Peoples Who Had Experienced Discrimination:
Percentage Who Indicated Each Basis for Discrimination



Note: A few respondents in the Indigenous Peoples group selected 'status as an immigrant' as one of the bases of their discrimination experiences. It is possible that these respondents perceived themselves as 'immigrants' in London-Middlesex even though they were born in Canada. Alternatively, this is attributable to random error in responding.

White Non-immigrants were most likely to indicate that the discrimination that they have experienced is based on their gender, age, and physical appearance, followed by income level.

White Non-immigrants Who Had Experienced Discrimination:
Percentage Who Indicated Each Basis for Discrimination

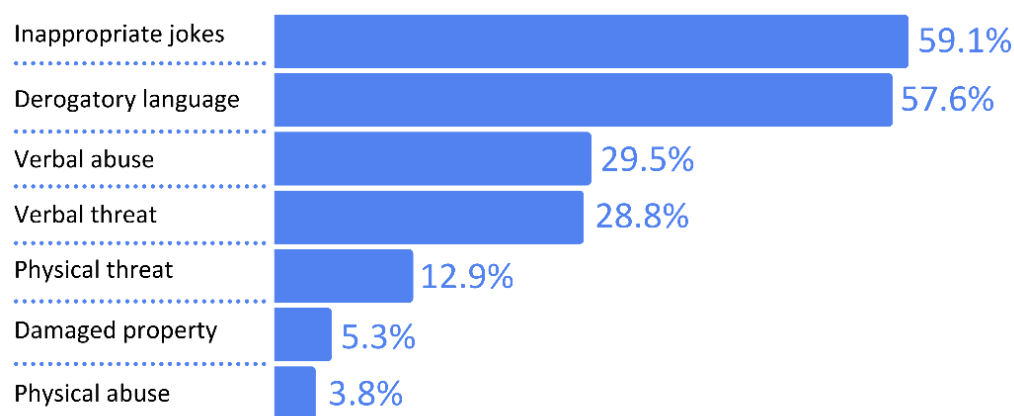


These results suggest that Immigrants & Visible Minorities and Indigenous Peoples perceive their experiences of discrimination as based on ethnocultural factors related to different minority group statuses, such as race or skin colour, indigenous identity, and ethnicity or culture. In contrast, comparison White Non-immigrants tend to perceive their experiences of discrimination as based on more universal factors such as gender (largely driven by female respondents of whom 58.4% reported discrimination based on gender as compared to 20.8% of males), age, physical appearance, and income level.

Are specific types of discrimination being experienced?

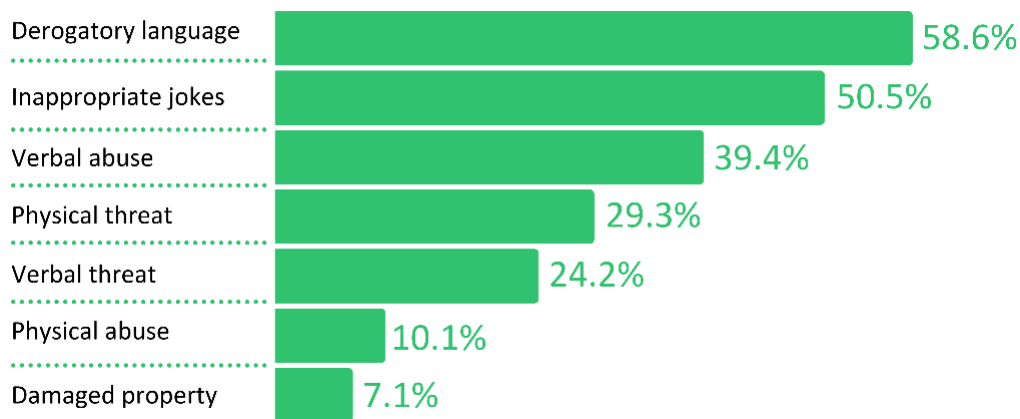
Those people who reported that they have experienced discrimination in at least one context were asked to indicate whether they had experienced specific types of discrimination (respondents could choose more than one type). Immigrants & Visible Minorities were most likely to report that they had experienced inappropriate jokes and derogatory language, followed by verbal abuse and threat.

Immigrants & Visible Minorities Who Had Experienced Discrimination:
Percentage Who Had Experienced Each Type of Discrimination



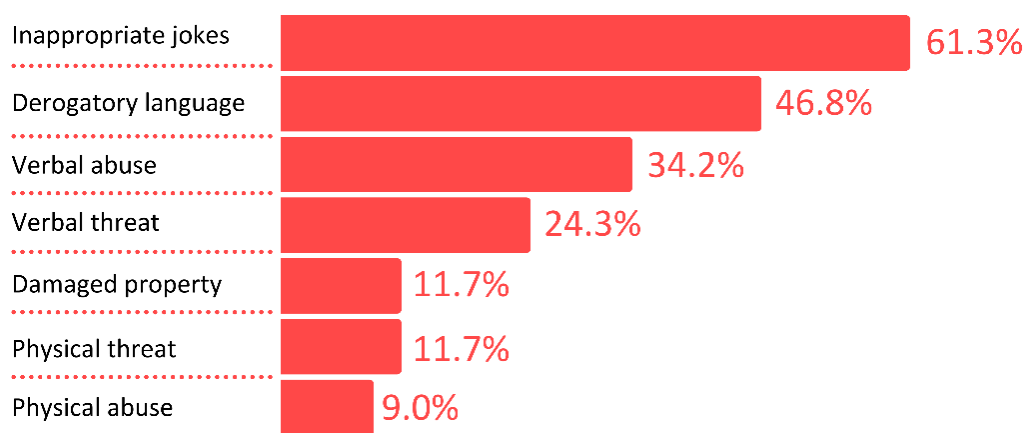
Indigenous Peoples were most likely to report that they had experienced derogatory language and inappropriate jokes, followed by verbal abuse and physical threat.

Indigenous Peoples Who Had Experienced Discrimination:
Percentage Who Had Experienced Each Type of Discrimination



White Non-immigrants were most likely to report that they had experienced inappropriate jokes and derogatory language, followed by verbal abuse.

**White Non-immigrants Who Had Experienced Discrimination:
Percentage Who Had Experienced Each Type of Discrimination**



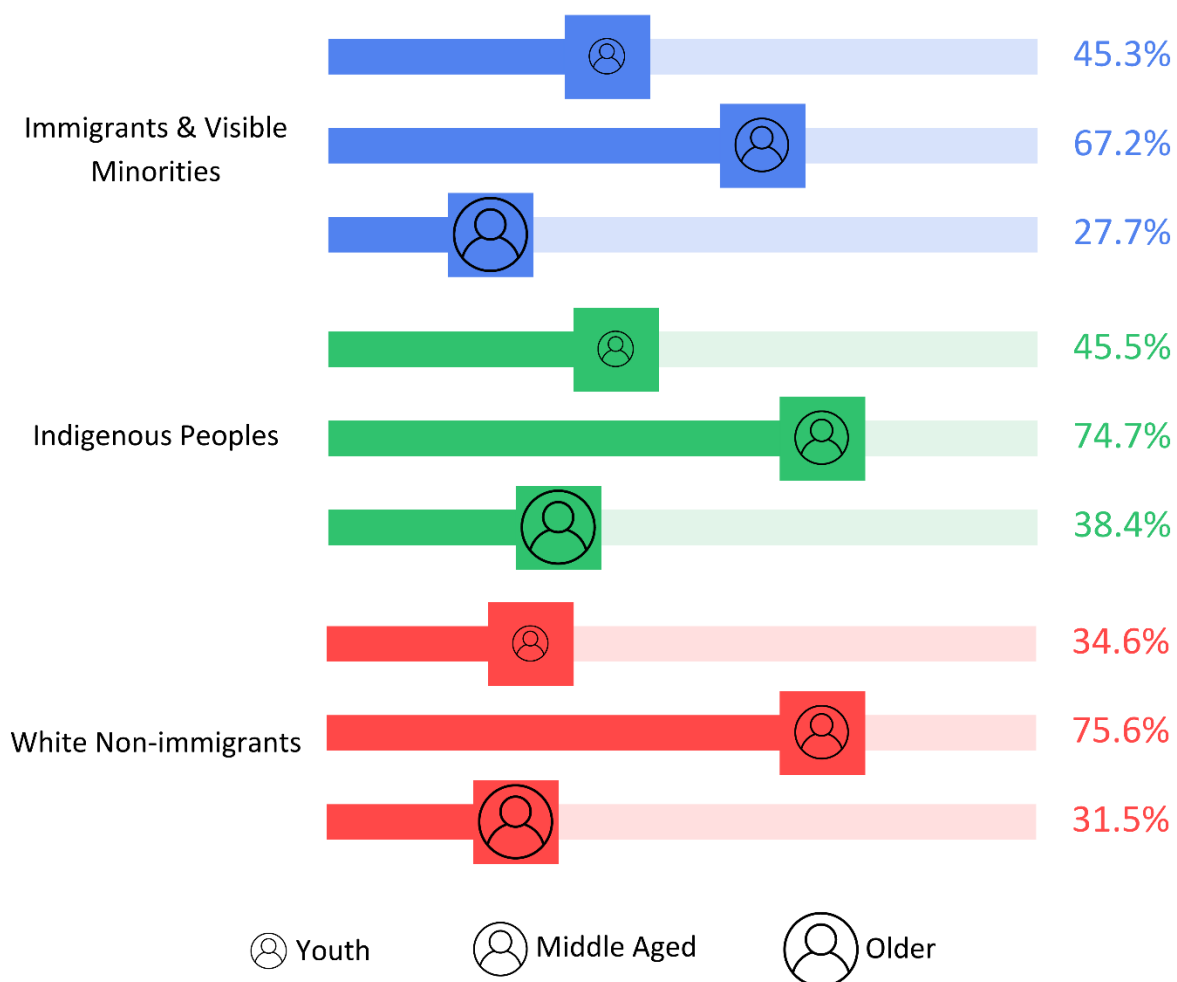
Who are the perpetrators of discrimination?

Those people who reported that they have experienced discrimination in at least one context in the last three years were asked to describe who generally discriminated against them, including perpetrators' gender, age, and race or ethnicity (respondents could choose more than one response for each category).

Perpetrator age

All three groups of respondents reported that perpetrators were most likely to be middle aged, followed by youth.

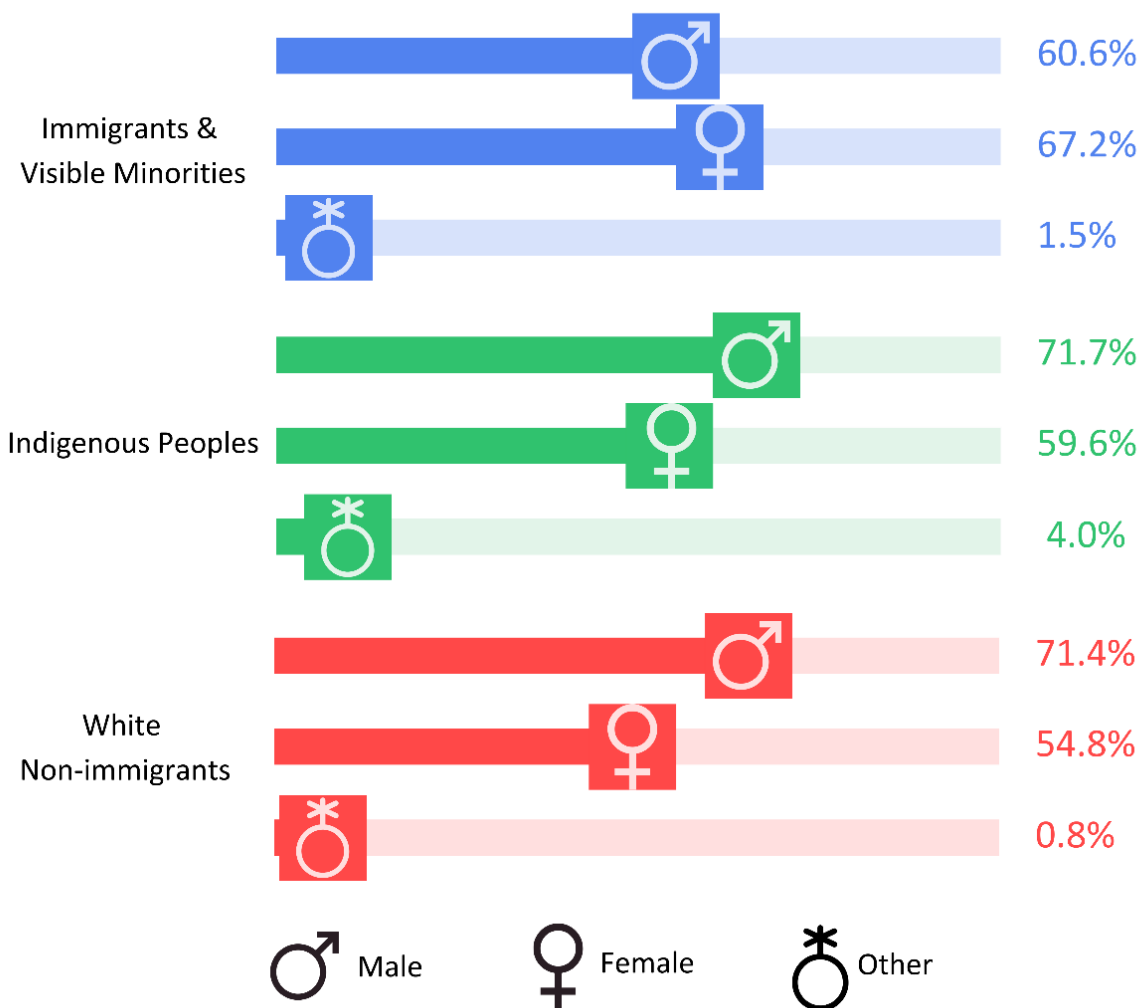
Respondents Who Had Experienced Discrimination:
Percentage Who Indicated Each Perpetrator Age Group



Perpetrator gender

Immigrants & Visible Minorities reported perpetrators as more likely to be female, whereas Indigenous Peoples and White Non-immigrants reported perpetrators as more likely to be male.

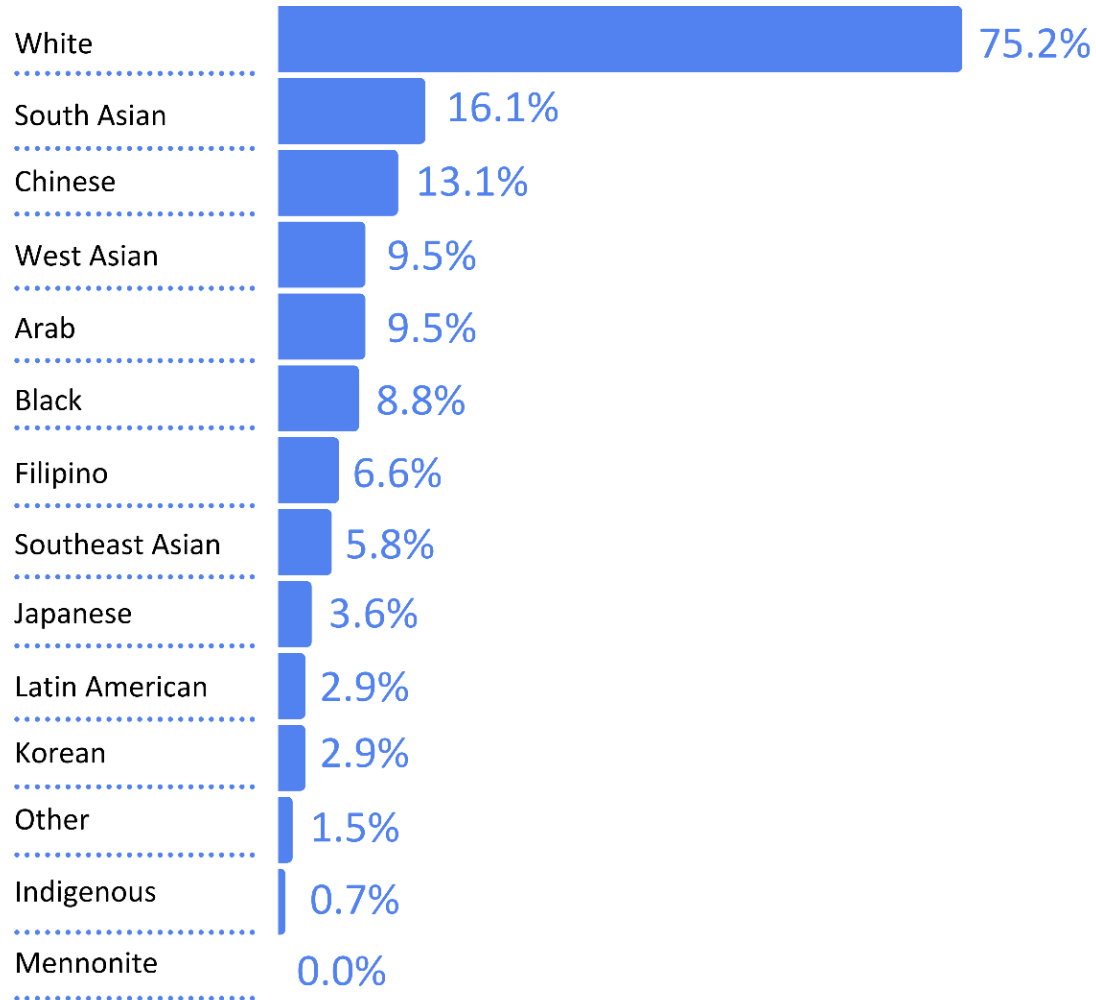
Respondents Who Had Experienced Discrimination:
Percentage Who Indicated Each Perpetrator Gender



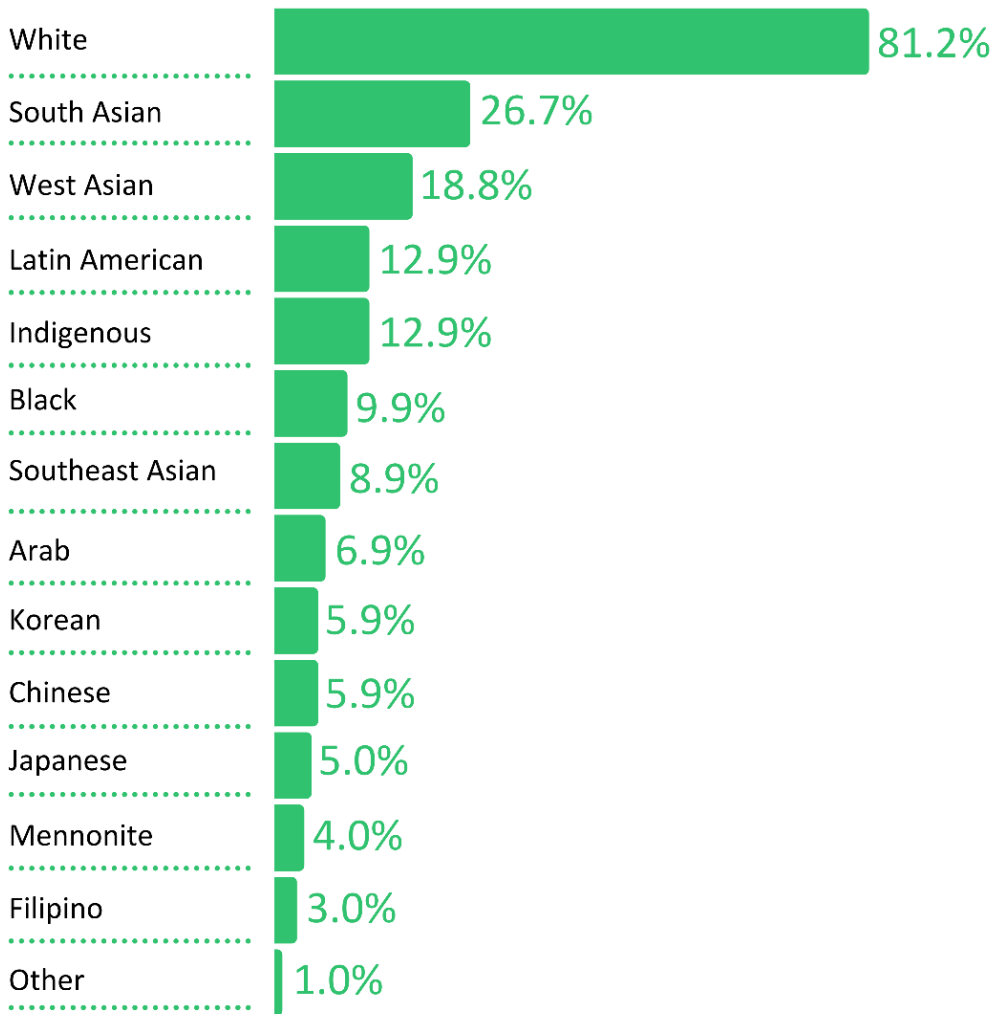
Perpetrator race or ethnicity

All three groups of respondents reported that perpetrators were most likely to be White.

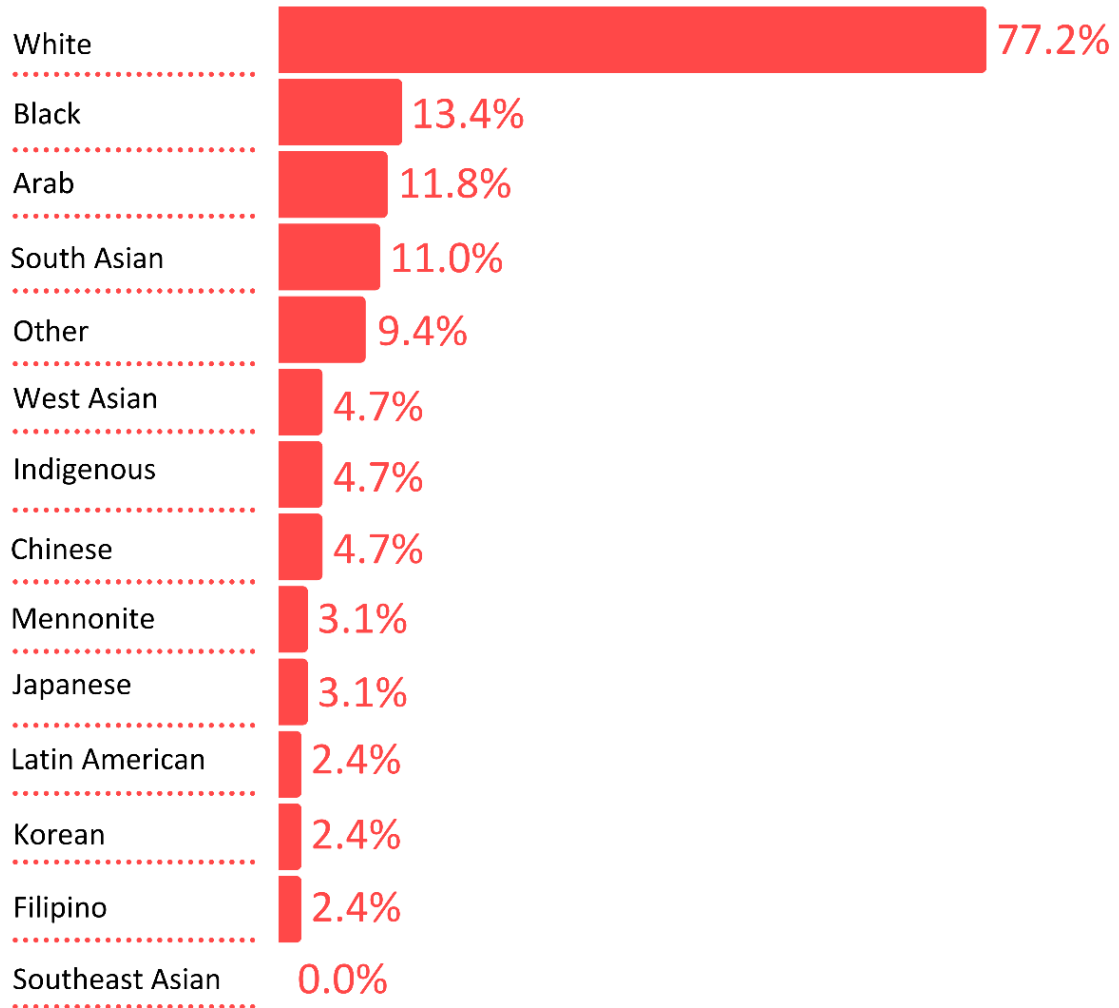
Immigrants & Visible Minorities Who Had Experienced Discrimination:
Percentage Who Indicated Each Perpetrator Race/Ethnicity



Indigenous Peoples Who Had Experienced Discrimination:
Percentage Who Indicated Each Perpetrator Race/Ethnicity



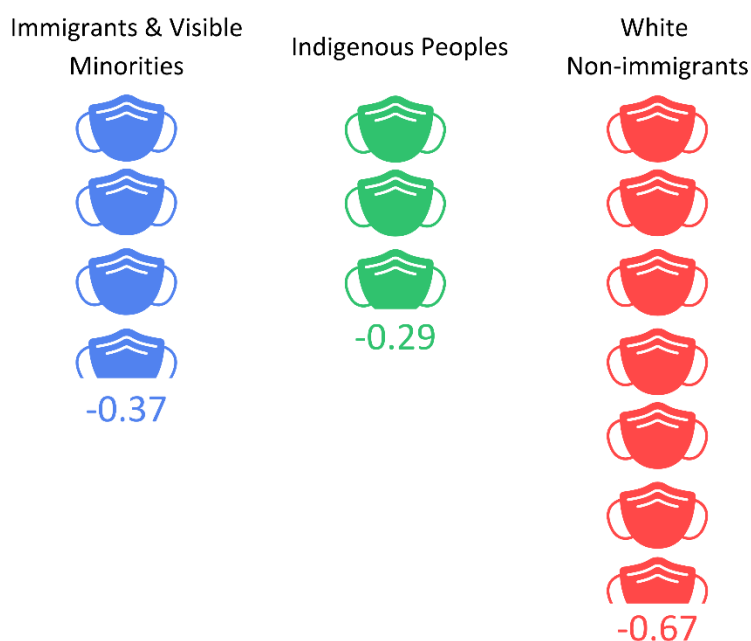
White Non-immigrants Who Had Experienced Discrimination:
Percentage Who Indicated Each Perpetrator Race/Ethnicity



Have experiences of discrimination increased or decreased during the COVID-19 pandemic?

Those people who reported that they have experienced discrimination in at least one context in the last three years were asked to indicate whether their experiences of discrimination have increased or decreased during the COVID-19 pandemic. Members of all three groups reported that their experiences of discrimination decreased during the COVID-19 pandemic, perhaps attributable to the lockdowns which reduced the frequency of interactions with others. However, White Non-immigrants reported that discrimination decreased to a greater extent than Immigrants & Visible Minorities and Indigenous Peoples.

Average Change in Experiencing Discrimination During the COVID-19 Pandemic



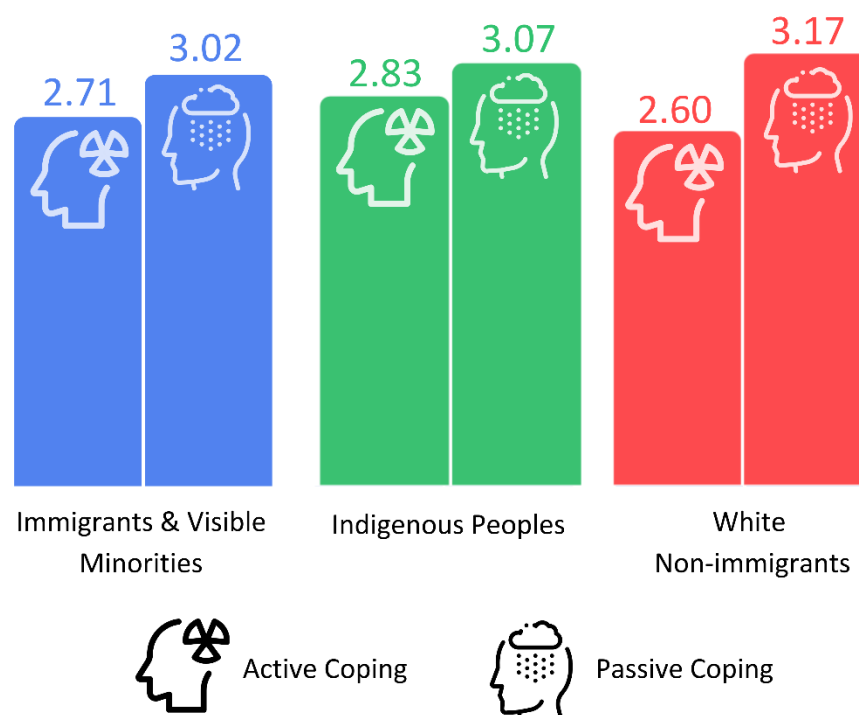
Note: Possible responses could range from much lower (-2) to much higher (+2).

Potential Coping Strategies and Emotions in Response to Discrimination

What coping strategies are used in response to discrimination?

Those people who reported that they have experienced discrimination in at least one context in the last three years were asked to what extent they engaged in 12 coping strategies in response to the discrimination, which were then combined into active (e.g., tried to do something about it) and passive (e.g., accepted it as the way things are) coping strategies. All three groups of respondents tended to engage in passive coping more than active coping, though both strategies were used to a considerable degree.

Average Use of Active and Passive Coping Strategies in Response to Discrimination

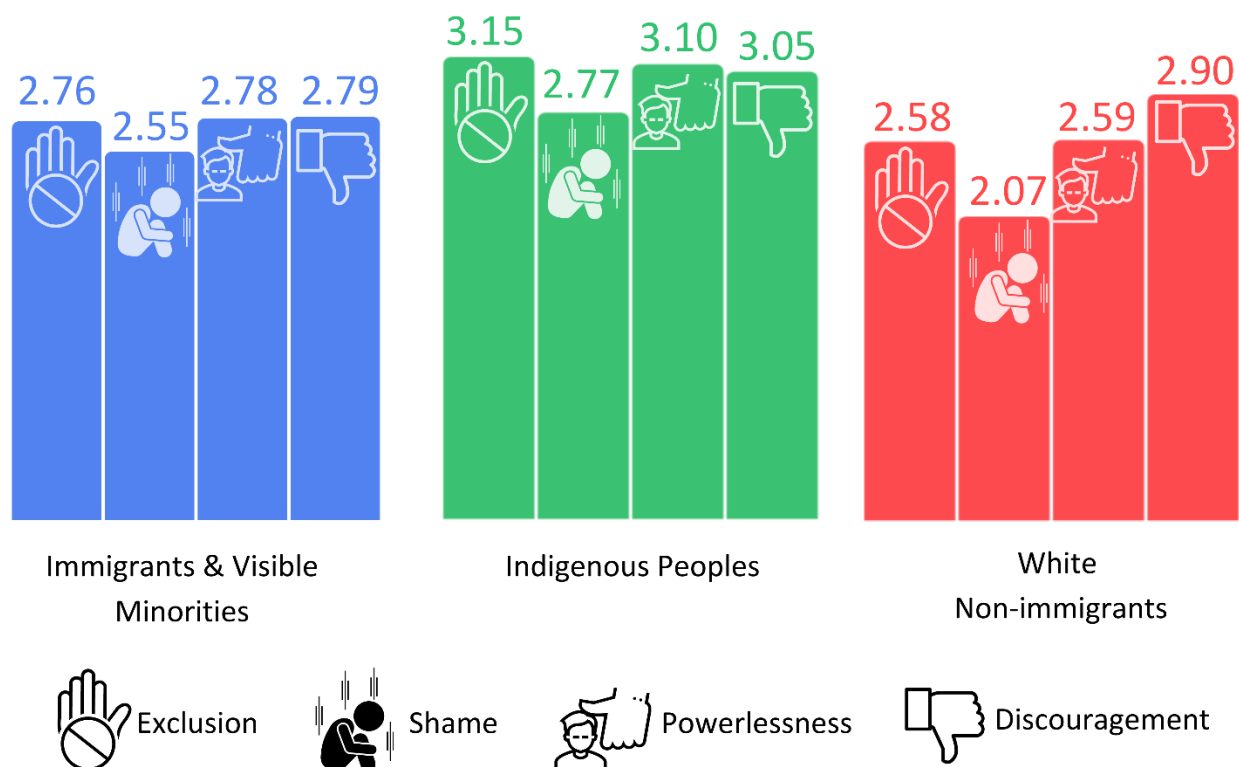


Note: Possible responses could range from never (1) to always (5).

What feelings are elicited by experiences of discrimination?

Those people who reported that they have experienced discrimination in at least one context in the last three years were asked to what extent they experienced 12 different feelings in response to this discrimination, which were then combined into exclusion (e.g., rejected), shame (e.g., ashamed), powerlessness (e.g., helpless), and discouragement (e.g., discouraged). All three groups of respondents tended to experience exclusion, powerlessness and discouragement more than shame, though all emotions were experienced. Indigenous Peoples tended to experience all these emotions more than the other two groups of respondents.

Average Feelings of Exclusion, Shame, Powerlessness, and Discouragement in Response to Discrimination

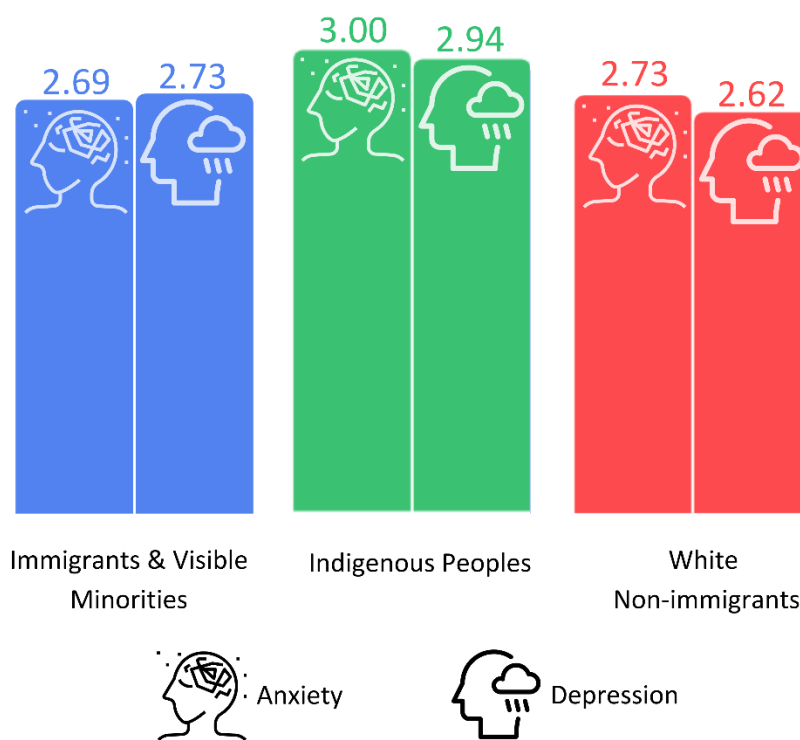


Note: Possible responses could range from never (1) to always (5).

How much psychological distress is experienced in response to discrimination?

Those people who reported that they have experienced discrimination in at least one context in the last three years were asked to what extent they experienced psychological distress in response to the discrimination across 4 items, which were then combined into anxiety (e.g., nervous, anxious, or on edge) and depression (e.g., down, depressed, or hopeless.). All three groups of respondents experienced some level of anxiety and depression, though Indigenous Peoples were especially likely to experience both aspects of distress.

Average Experiences of Anxiety and Depression in Response to Discrimination

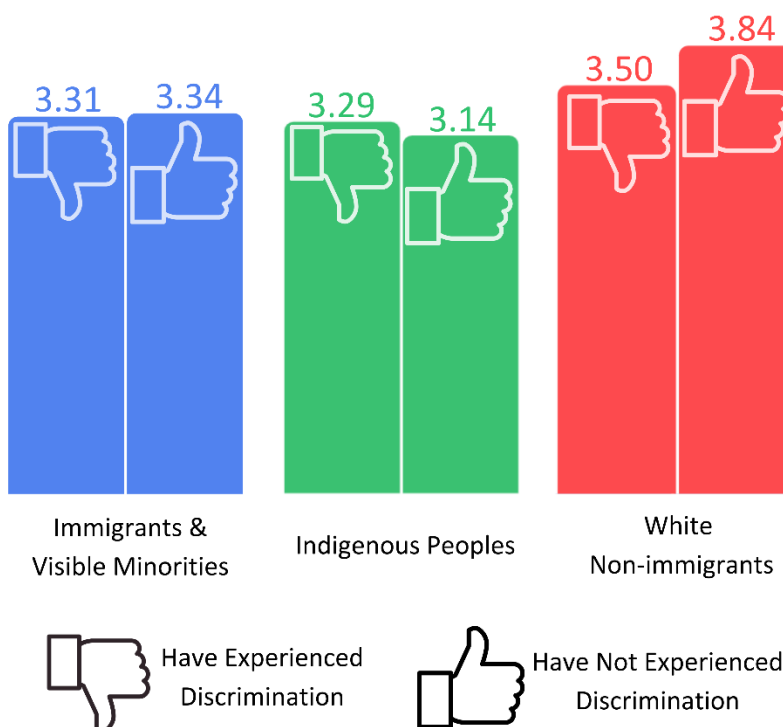


Note: Responses could range from never (1) to always (5).

London-Middlesex as a Welcoming Community

All respondents were asked to what extent they felt accepted and welcomed in London-Middlesex at the present time using 5 items, which were combined. Immigrants & Visible Minorities and Indigenous Peoples tended to report a lower sense of acceptance and welcome in London-Middlesex than the comparison White Non-immigrants. For Immigrants & Visible Minorities and Indigenous Peoples, this lower sense of acceptance and welcome did not seem to differ between those who had experienced discrimination in the last three years and those who had not. For the comparison White Non-immigrants group, however, those who had not experienced discrimination had a stronger sense of acceptance and welcome in London-Middlesex.

Average Feelings of Acceptance and Welcome in London-Middlesex



Note: Possible responses could range from not at all (1) to extremely (5).

Summary of Findings

Immigrants & Visible Minorities

Approximately 4 out of 10 respondents in the Immigrants & Visible Minorities group reported experiencing discrimination in London-Middlesex in the past three years. Younger, more educated respondents, respondents who were primarily employed and had higher incomes, and those who had lived in London-Middlesex for a longer period of time were most likely to report experiencing discrimination. Also, for Immigrants & Visible Minorities, religion and ethnicity/race played a role. In particular, Sikh and South Asian respondents were most likely to report experiencing discrimination in London-Middlesex. In terms of specific characteristics of immigrants, those who were not Canadian citizens or permanent residents and those who had lived in Canada for less than five years were most likely to report experiencing discrimination in London-Middlesex.

Immigrants & Visible Minorities were most likely to experience discrimination when attending school or classes, when applying for a job or promotion, at their job (e.g., from supervisors, co-workers, or clients), while using public transit (e.g., buses, trains or taxis), and in a store, bank, or restaurant. The most common bases for discrimination reported by Immigrants & Visible Minorities were their race or skin colour, ethnicity or culture, and accent. In terms of the types of discrimination experienced, Immigrants & Visible Minorities were most likely to experience inappropriate jokes and derogatory language, followed by verbal abuse and threat. Both males and females were identified as perpetrators of this discrimination, although females were mentioned more frequently than males. Also, perpetrators were most commonly reported to be middle aged and White.

Experiences of discrimination were more likely to produce feelings of discouragement, exclusion, and powerlessness than shame. On average, Immigrants & Visible Minorities also reported experiencing anxiety and depression to some extent as a result of their discrimination experiences. On average, they indicated using both active and passive coping strategies to deal with their discrimination experiences, although they tended to rely more on passive than active coping strategies. Experiencing discrimination did not appear to impact their feelings of being accepted and welcomed in London-Middlesex.

Indigenous Peoples

In the Indigenous Peoples group, approximately 6 out of 10 respondents reported experiencing discrimination in London-Middlesex in the past three years. Older, male, and more educated respondents, those who were not primarily employed, and those who had lived in London-

Middlesex for a longer period of time were more likely to report experiencing discrimination. On average, respondents in the Indigenous Peoples group also reported experiencing discrimination in more contexts than respondents in the Immigrants & Visible Minorities group and the White Non-immigrants group. Indigenous Peoples were most likely to report experiencing discrimination while using public areas (e.g., parks and sidewalks), at their job (e.g., from supervisors, co-workers, or clients), when applying for a job or promotion, while using public transit (e.g., buses, trains or taxis), in a store, bank, or restaurant, and when attending school or classes.

Indigenous Peoples reported that the main bases for the discrimination they experienced had to do with their indigenous identity, race or skin colour, and ethnicity or culture. In terms of the types of discrimination experienced, respondents were most likely to mention derogatory language and inappropriate jokes, followed by verbal abuse and, of note, physical threat. Respondents in the Indigenous Peoples group identified perpetrators as male and female, although males were mentioned more often than females. Also, perpetrators were most commonly reported to be middle aged and White.

As for the other two groups, respondents in the Indigenous Peoples group reported that experiences of discrimination were more likely to lead to feelings of discouragement, exclusion, and powerlessness than shame. However, Indigenous Peoples tended to experience all these emotions more than the other two groups. They also reported experiencing more anxiety and depression than respondents in the other two groups. On average, they indicated using both active and passive coping strategies to deal with their discrimination experiences, although they tended to rely more on passive than active coping strategies. Experiencing discrimination did not appear to impact their feelings of being accepted and welcomed in London-Middlesex.

Comparison White Non-immigrants

Approximately 4 out of 10 respondents in the comparison White Non-immigrants group reported experiencing discrimination in London-Middlesex in the last three years. White Non-immigrants were most likely to experience discrimination when applying for a job or promotion, at their job (e.g., from supervisors, co-workers, or clients), when interacting with the police, and while attending social gatherings. White Non-immigrants reported that the main reasons for their discrimination experiences had to do with universal factors such as gender, age, physical appearance, and income level. Of interest, White Non-immigrants reported a greater decrease in discrimination experiences during the COVID-19 pandemic than respondents in the other two groups, perhaps due to limited social interactions. Finally, White Non-immigrants also tended to

report, on average, higher feelings of acceptance and welcome in London-Middlesex than the other two groups.

Methodological Strengths and Limitations

This research has a number of methodological strengths, as well as some limitations. In terms of a major strength, the respondents in our survey were contacted by phone through random digit dialing of phone numbers in the region, and if they qualified to participate and agreed, were then sent the link to the survey. This recruitment procedure ensured a relatively representative sample of participating individuals within each of the three target groups. This contrasts with many of the surveys being conducted to examine racism and discrimination across the country, which advertise their surveys publicly and then allow full self selection of respondents based on their interest in the topic, which can lead to extreme bias. That is, the random selection of potential respondents at the first stage of our recruitment reduced the probability of biased samples. The targeting of specific, relatively large, numbers of Immigrants & Visible Minorities and Indigenous Peoples based on their population sizes within the region also increased the representativeness of these samples, allowing us to reach conclusions that applied to these groups in general. We note, however, that the margin of error for Indigenous Peoples is a bit larger than for the other two groups, due to the smaller sample size.

Nonetheless, because participation was voluntary, it is likely that interest in the topic had some influence on whether or not eligible individuals participated, leading to some inevitable potential biasing of the samples. This was particularly evident for respondents in the White Non-immigrant group who tended to be older and more likely to be female than a random sample would suggest. Having a White Non-immigrant group was of importance, however, in providing an understanding of the experiences of discrimination of the specific groups of interest – Immigrants & Visible Minorities and Indigenous Peoples – in comparison to members of the majority group in the region, and was further enhanced by analyses by specific characteristics such as gender and age.

An additional strength of this research was the use of validated, established measures where available, and the focus not only on whether respondents had experienced discrimination, but a detailed profile of the contexts of this discrimination and its potential consequences. This provides a rigorous evidence-base for the development of future strategies for reducing discrimination in the region.

Some may suggest that a limitation of this research is that it is based on self-reports of discrimination by those who are purported to experience it, rather than observations of objective discrimination. Though it is indeed the case that our research depends on self-reports by victims

of discrimination, we would argue that understanding the lived experiences of immigrants, visible minorities, and Indigenous peoples in our community, including their experiences of discrimination, is essential as we work toward promoting a more welcoming community in which all can contribute and thrive.

Another possible limitation of the research is that, with one exception, we combined immigrants and visible minorities into one sample for the purpose of the analyses. This decision was based on the fact that there is considerable overlap between these two groups in London-Middlesex and, indeed, in our Immigrants & Visible Minorities sample over 60% of respondents were both immigrants and visible minorities. We did, however, examine the separate effects of immigrant status and visible minority status on the likelihood of experiencing discrimination.

Finally, it is important to note that because we set targets for the three groups of respondents for this research, the three groups can not be combined to examine overall levels of discrimination in our community. That is, we can reach conclusions about each of the three groups of respondents and compare them, but cannot combine the three groups to reach overall conclusions irrespective of the groups to which individuals belong. To do so would require weighting of the samples, which is beyond the scope of the current research.

Recommendations

Our recommendations are organized into three categories as follows:

#1: Promote an environment that encourages victims of discrimination to report their experiences

The study revealed that a substantial proportion of respondents had experienced discrimination in the last three years in London-Middlesex. This was particularly the case among Indigenous Peoples, with 6 out of 10 Indigenous respondents indicating that they had experienced discrimination. This finding is in stark contrast to the findings from the Police-Reported Hate Crime in Canada 2019 report by Statistics Canada (Moreau, 2021), which found that of all hate crimes reported in 2019, only 2% targeted Indigenous Peoples. This suggests that many discrimination experiences go unreported, raising the question of why this might be the case. Experiences of discrimination may go unreported because they do not meet the legal threshold of a criminal offence or due to a lack of trust in the system or fear that the incidents may not be taken seriously (Hate Crimes Community Working Group, 2006; Mitchell, 2021; Sterritt, 2020; Sultan et al., 2021). It is also the case that in many communities it is not clear to whom one should report discrimination incidents, particularly if they do not seem to be severe enough to be criminal offences. As such, it is important to create an environment that encourages victims of

discrimination to come forward and report their experiences through the public provision of resources and locations in which this discrimination can be reported. For example, the Coalition of Muslim Women Kitchener-Waterloo has set up an online reporting tool for people who experience or witness discrimination (<https://reportinghate.ca/>). Similarly, EliminateHate has set up an online reporting tool for people to report such incidents in various languages (<https://www.eliminatehate.org/fileareport>). Only experiences that are acknowledged can be addressed.

#2: Help victims of discrimination to use effective coping strategies

The current study found that respondents relied on both active and passive coping strategies to deal with their discrimination experiences, although they tended to rely more on passive coping strategies than active coping strategies. According to past research, active coping strategies and coping strategies that are problem-focused tend to have more positive effects on individuals' mental health (Chao, 2011; Dijkstra & Homan, 2016; Polanco-Roman et al., 2016; Taylor & Stanton, 2007). At the same time, it is important to note that there is no coping strategy that is effective in all situations (Blum et al., 2012; Suls & Fletcher, 1985).

In terms of discrimination experiences that are based on race, past research also suggests that the use and effectiveness of coping strategies may depend on the victims' gender (Liang et al., 2007), their ethnicity (Noh et al., 1999; Noh & Kaspar, 2003), their acculturation or ethnic identification (Kuo, 1995; Yoo & Lee, 2005), and personality traits (Roesch et al., 2006). This suggests that it is important to provide mental health supports to victims of discrimination that help them engage in those coping strategies that are most effective for their specific characteristics and circumstances.

#3: Engage in effective initiatives to prevent and reduce discrimination

Overall, many respondents in the current study reported experiencing discrimination in London-Middlesex. This was particularly the case for Indigenous Peoples, and among the Immigrants & Visible Minorities group, Sikhs and South Asians, those who were not Canadian citizens or permanent residents, and those living in Canada for less than five years. These discrimination experiences tended to be more prevalent in certain contexts. Across all three groups, two contexts were among the top most frequently mentioned contexts. These contexts included when applying for a job or promotion and at their job (e.g., from supervisors, co-workers, or clients). Among Immigrants & Visible Minorities and Indigenous Peoples, these contexts also included when using public transit (e.g., buses, trains or taxis), in a store, bank, or restaurant, and when attending school or classes. For Indigenous Peoples, a top context for experiencing discrimination was also while using public areas, such as parks and sidewalks. This suggests that

anti-discrimination initiatives should focus on these particular contexts, developing common strategies across groups for settings such as employment settings, which tend to be common contexts of discrimination across groups, and for Immigrants & Visible Minorities and Indigenous Peoples, on public transit, in stores, banks and restaurants, and in schools. Targeted strategies for combatting the discrimination that Indigenous Peoples experience while using public areas such as parks and sidewalks should also be developed.

The current study also found that both males and females were identified as perpetrators of discrimination, although females were mentioned more frequently by Immigrants & Visible Minorities, and males were mentioned more frequently by Indigenous Peoples and White Non-immigrants. Perpetrators were also most commonly reported to be middle aged and White. These findings suggest that if anti-discrimination initiatives are to be effective, it will be particularly important to include these groups in this programming.

In terms of specific types of discrimination experienced, from the types examined, inappropriate jokes, derogatory language, and verbal abuse were most frequently mentioned by all three groups. Immigrants & Visible Minorities also reported experiencing verbal threat, whereas Indigenous Peoples also reported experiencing physical threat. These findings suggest that anti-discrimination initiatives in London-Middlesex would do well to specifically target these forms of discrimination, which, with the possible exception of verbal and physical threat, may at times be discounted as unimportant areas of discrimination to counteract.

To reduce discrimination effectively, it is important to adopt a multilevel approach. In other words, anti-discrimination initiatives should address the individual perpetrators of discrimination (e.g., by changing attitudes and behaviors), bystanders (e.g., by providing them with the tools to intervene effectively), and organizations/systems (e.g., by changing policies and practices). By using such an approach, a long-lasting reduction in discrimination is more likely to be achieved. Furthermore, anti-discrimination initiatives should be the result of a collaboration of various community agencies in order to eliminate duplication of effort and resources. Anti-discrimination initiatives should also be evidence-based and evaluated through short-term and long-term criteria. Indeed, we recommend the development of a toolkit of strategies for reducing discrimination within the community, that can be tested, fine tuned, and utilized by a number of stakeholders in London-Middlesex.

One of the most commonly used interventions to reduce prejudice and discrimination is diversity training (Bendick et al., 2001; Paluck et al., 2021). Diversity training typically aims to increase awareness of bias and understanding of how it affects behaviour. However, there is only limited research examining the causal impact of diversity training on reducing discriminations (for

exceptions, see Chang et al., 2019; Kalev et al., 2006; Moss-Racusin et al., 2016). Also, when diversity training is evaluated, the interpretation of the results is often challenging. This is because diversity training is a broad, heterogeneous set of practices that can incorporate many different types of content (e.g., awareness of bias, various individual level strategies to reduce bias) and use various formats (i.e., lecture, video, group activities). For this reason, diversity training evaluations often lead to inconsistent results and do not offer information on the specific strategies that are effective or ineffective to reduce discrimination.

In terms of effective anti-discrimination initiatives, psychologists have developed several empirically-based discrimination reduction interventions (Dixon et al., 2012; Paluck & Green, 2009; Paluck et al., 2021). The goal of these interventions is to reduce people's prejudice and/or use of group-based stereotypes. The assumption behind these interventions is that by changing people's attitudes, one will also change their discriminatory behaviour. A review of the psychological literature on discrimination reduction interventions points toward the following strategies: increasing intergroup contact, countering stereotypes, encouraging perspective-taking, and finding common ground. In the following paragraphs, we focus on these strategies because they have the most empirical support in the literature and because they are often included as components of diversity training.

With respect to intergroup contact, hundreds of studies across disciplines over the last 70 years have investigated the benefits of establishing contact between people who have different social identities (e.g., race or religion) or backgrounds (e.g., immigration status; De Coninck et al., 2020; Dovidio et al., 2017; Lemmer & Wagner, 2015; Schroeder & Risen, 2016). In order to be most effective, contact between members of different groups should meet several conditions, which are considered optimal but not essential (Allport, 1954; Pettigrew, 1998). In the contact situation, the different groups should have equal status and work interdependently towards achieving a common goal. The contact should also take place in a setting that is guided by social norms that promote and support equality among groups. The main reason why increasing intergroup contact works is because it creates an environment which forces individuals to cooperate with each other regardless of their group affiliation. Once individuals start to cooperate with each other, they no longer see each other as members of different groups but as members of the same group working toward the same goal. A meta-analysis of over 500 studies noted that research "conclusively show[s] that intergroup contact can promote reductions in intergroup prejudice" (Pettigrew & Tropp, 2006, p. 751).

Another strategy to reduce discrimination is to counter stereotypes (Dasgupta & Greenwald, 2001; Kawakami et al., 2000; Kawakami et al., 2007; King & Ahmad, 2010; King et al., 2006; Singletary & Hebl, 2009). Stereotypes are major drivers of discrimination. To counter stereotypes

means to present someone with information that is inconsistent with the stereotype that the person holds. This can take many forms. For example, one option is to present someone with images of a person who is counter-stereotypical. Another option is to ask someone to read about someone who is counter-stereotypical. Yet another option is to meet someone in person who defies stereotypes. Research suggests that when people have information that directly contradicts stereotypes, they are less likely to be prejudiced and engage in discriminatory behaviour.

A third strategy to reduce prejudice and discrimination is perspective-taking (Batson et al., 1997; Finlay & Stephan, 2000; Vescio et al., 2003). Perspective-taking refers to the active consideration of another person's psychological experience (Dovidio et al., 2004). According to Todd et al. (2011), perspective taking helps to reduce the automatic expression of racial biases without "simultaneously decreasing sensitivity to ongoing racial disparities" (Todd et al., 2011, p. 1). This strategy is supported by research investigating the long-term effects of perspective-taking (Broockman & Kalla, 2016; Todd et al., 2011).

The final strategy to reduce prejudice and discrimination that has support from the psychological literature is to find common ground. Finding common ground refers to finding something in common with a person from another group. This could, for example, be a common activity or experience, value, preference, identity, or background. This strategy has also been called creating a "common ingroup identity" or "superordinate identity" in the psychological literature (Gaertner & Dovidio, 2000). This strategy builds on Social Identity Theory and the idea that people have a preference for members of their ingroup (Turner et al., 1979). By finding common ground, people broaden the circle of others who they consider to be ingroup members. In other words, by viewing people from other groups as ingroup members due to a shared common ground, people show the same "ingroup" preference to those people they previously viewed as "outgroup" members. Research suggests that the strategy of finding common ground can be effective to reduce prejudice and discrimination (e.g., Cortland et al., 2017; Riek et al., 2010).

As stated earlier, to produce long-lasting results, it is important not only to change the attitudes and behaviour of individual perpetrators of discrimination, but also to implement anti-discrimination strategies that support bystanders who wish to become allies, and to address discriminatory policies and practices at the organizational and system levels. In terms of bystanders, the literature suggests that bystanders will often not intervene in discriminatory situations because they are not sure whether discrimination is taking place and/or are not confident that they have the skills to intervene effectively (Collins et al., 2021). Thus, if potential bystanders are trained to identify incidents of discrimination and how to react effectively, that

is, if they believe that their actions have a high probability of success, they are more likely to intervene (Collins et al., 2021).

Organizational and system level strategies to counteract discrimination are also required. Making social justice a central value at all levels of one's organization is the first step in this process. This requires not only the hiring of Equity, Diversity, Inclusion and Decolonization (EDID) specialists, but the commitment and actions of leaders who hold high rank and privilege to ensure long-lasting change (Collins et al., 2021; Ruggs et al., 2011). It also requires an examination and possible adjustment of organizational policies and culture, as well as training of all members. This may involve diversity training that leverages knowledge of effective anti-discrimination strategies, as discussed earlier. Policies and practices within organizations that require examination include recruitment, selection, placement and promotion procedures, as well as workflow policies and practices. Identity-conscious staffing policies (as opposed to identity-blind policies) are recommended, as well as formal policies that prohibit discrimination in any form (Ruggs et al., 2011). At the system level this may involve a review of all relevant policies and programs through an anti-discrimination lens in order to dismantle those that are discriminatory.

Utilizing a variety of these strategies, London-Middlesex can work toward becoming a more welcoming community in which all groups are treated with respect, and discriminatory treatment becomes an exception rather than an everyday occurrence.

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Appendix: Survey on Experiences of Discrimination in London-Middlesex

The next questions are about your experience with discrimination in the past 3 years (or in the time you have lived in the London-Middlesex area if that time is less than 3 years).

In that time, how often have you experienced discrimination or been treated unfairly by others in the London-Middlesex area in the following situations.

1. While using libraries, community/recreational centres, arenas.

Never Rarely Sometimes Often Always Does Not Apply

2. While using public areas, such as parks and sidewalks.

Never Rarely Sometimes Often Always Does Not Apply

3. While using public transit, such as buses, trains or taxis.

Never Rarely Sometimes Often Always Does Not Apply

4. In a store, bank, or restaurant.

Never Rarely Sometimes Often Always Does Not Apply

5. When applying for a job or promotion.

Never Rarely Sometimes Often Always Does Not Apply

6. At your job – for example, from supervisors, co-workers, or clients.

Never Rarely Sometimes Often Always Does Not Apply

7. When interacting with the police.

Never Rarely Sometimes Often Always Does Not Apply

8. When interacting with the courts.

Never Rarely Sometimes Often Always Does Not Apply

9. When attending school or classes.

Never Rarely Sometimes Often Always Does Not Apply

10. When looking for housing (for example, buying a house or renting an apartment).

- Never Rarely Sometimes Often Always Does Not Apply

11. While attending social gatherings.

- Never Rarely Sometimes Often Always Does Not Apply

12. When interacting with your neighbours.

- Never Rarely Sometimes Often Always Does Not Apply

13. When participating in a club, meeting, or organization.

- Never Rarely Sometimes Often Always Does Not Apply

14. When interacting with hospitals or health care workers.

- Never Rarely Sometimes Often Always Does Not Apply

15. When applying for a program or benefit.

- Never Rarely Sometimes Often Always Does Not Apply

16. In another situation that you were not asked about – Please describe that situation:

- Never Rarely Sometimes Often Always

17. You indicated that in the past 3 years you have been discriminated against or treated unfairly by others in the London-Middlesex area.

What do you think were the main reasons for this discrimination or unfair treatment? (You can choose more than one.)

- Your Indigenous identity
- Your race or skin colour
- Your ethnicity or culture
- Your status as an immigrant
- Your religion
- Your language
- Your accent
- Your gender
- A physical or mental disability
- Your income level

- Your clothing
- Your physical appearance (not including skin colour) such as weight, height, hair style or colour, jewelry, tattoos and other physical characteristics
- Some other reason

18. In the past 3 years, have you experienced any of the following specific forms of discrimination or mistreatment? (You can choose more than one.)

- Inappropriate jokes
- Derogatory language
- Verbal threat
- Verbal abuse
- Physical threat
- Physical abuse
- Damaged property

19. Generally speaking, were those who discriminated against you:

(You can choose more than one.)

- Male
- Female
- Other gender

Were they:

- Youths
- Middle aged
- Older

Were they:

- Arab
- Black
- Chinese
- Filipino
- First Nations, Métis, or Inuk (Inuit)
- Japanese
- Korean
- Latin American
- Mennonite
- South Asian (e.g., East Indian, Pakistani, Sri Lankan)
- Southeast Asian (e.g., Vietnamese, Cambodian, Laotian, Thai)
- West Asian (e.g., Iranian, Afghan)
- White

Other (Please specify)

20. During the COVID-19 pandemic, on average how much have your experiences of discrimination or mistreatment changed? During the pandemic have they been:

Much Lower Somewhat Lower About the Same Somewhat Higher Much Higher

21. In response to being discriminated against or treated unfairly in the past 3 years in the London-Middlesex area how often did you do each of the following?

a. Tried to do something about it.

Never Rarely Sometimes Often Always

b. Accepted it as the way things are.

Never Rarely Sometimes Often Always

c. Ignored it.

Never Rarely Sometimes Often Always

d. Told yourself they were ignorant.

Never Rarely Sometimes Often Always

e. Worked harder to prove them wrong.

Never Rarely Sometimes Often Always

f. Felt that you brought it on yourself.

Never Rarely Sometimes Often Always

g. Talked to someone about how you were feeling.

Never Rarely Sometimes Often Always

h. Reminded yourself of your rightful place in Canada.

Never Rarely Sometimes Often Always

i. Expressed anger or got mad.

Never Rarely Sometimes Often Always

j. Prayed about the situation.

Never Rarely Sometimes Often Always

k. Avoided situations where it could happen again.

Never Rarely Sometimes Often Always

l. Felt that it was something about them and not you.

Never Rarely Sometimes Often Always

22. In response to being discriminated against or treated unfairly in the past 3 years in the London-Middlesex area how often did you feel ...

a. Unwanted

Never Rarely Sometimes Often Always

b. Rejected

Never Rarely Sometimes Often Always

c. Helpless

Never Rarely Sometimes Often Always

d. Weak

Never Rarely Sometimes Often Always

e. Intimidated

Never Rarely Sometimes Often Always

f. Puzzled

Never Rarely Sometimes Often Always

g. Stupid

Never Rarely Sometimes Often Always

h. Foolish

Never Rarely Sometimes Often Always

i. Ashamed

- Never Rarely Sometimes Often Always

j. Frustrated

- Never Rarely Sometimes Often Always

k. Discouraged

- Never Rarely Sometimes Often Always

l. Humiliated

- Never Rarely Sometimes Often Always

23. In response to being discriminated against or treated unfairly in the past 3 years in the London-Middlesex area, how often were you bothered by the following problems?

a. Feeling nervous, anxious, or on edge.

- Never Rarely Sometimes Often Always

b. Not being able to stop or control worrying.

- Never Rarely Sometimes Often Always

c. Feeling down, depressed, or hopeless.

- Never Rarely Sometimes Often Always

d. Little interest or pleasure in doing things.

- Never Rarely Sometimes Often Always

24. How much do you feel that you are accepted in the London-Middlesex area?

- Not at all Slightly Moderately Very Extremely

25. How much do you feel welcome in the London-Middlesex area?

- Not at all Slightly Moderately Very Extremely

26. How much do you feel a sense of belonging to the London-Middlesex area?

- Not at all Slightly Moderately Very Extremely

27. How much do you feel recognized as part of the London-Middlesex area?

- Not at all Slightly Moderately Very Extremely

28. How much do you feel safe in the London-Middlesex area?

- Not at all Slightly Moderately Very Extremely

29. What is your gender?

- Female
 Male
 Non-binary (e.g., gender fluid, queer)
 Other (Please specify) _____

30. What is your age? _____

31. Were you born in Canada?

- Yes
 No

32. What was your status when you first arrived in Canada?

- Immigrant - Economic Class (Skilled Worker, Canadian Experience Class, Provincial Nominee Program, or Business Programs)
 Immigrant - Family Class (Sponsored Spouse, Sponsored Parent or Grandparent, or Other Immigrant Sponsored by Family)
 Resettled Refugee (Government Assisted, Privately Sponsored, Blended Visa Office-Referred Program)
 Refugee Claimant (or Asylum Seeker)
 Temporary Resident - Student on Student Visa
 Temporary Resident - Temporary Foreign Worker including Agricultural Worker or Live-In Caregiver
 Temporary Resident - In Canada on Visitor Visa
 Temporary Resident - In Canada on Work Visa
 Person Without Status, Undocumented Individual
 Other

33. What is your current immigration status?

- Canadian Citizen
 Permanent Resident
 Protected Person
 Temporary Resident

- Refugee Claimant
- Undocumented
- Other

34. How long have you lived in Canada? _____(months)

35. How long have you lived in the London-Middlesex area? _____(months)

36. What language(s) do you speak most often at home? (You can choose more than one)

- English
- French
- Other (Please specify) _____

37. What is your current employment status? (You can choose more than one)

- Employed full-time (30 hours a week or more)
- Employed part-time (Less than 30 hours a week)
- Self-employed or own your own business
- Unemployed, looking for work
- Unemployed, not looking for work
- Retired
- Student
- Homemaker
- Other (Please specify) _____

38. How would you describe your ethnic or racial identity? (You can choose more than one)

- Arab
- Black
- Chinese
- Filipino
- First Nations, Métis, or Inuk (Inuit)
- Japanese
- Korean
- Latin American
- Mennonite
- South Asian (e.g., East Indian, Pakistani, Sri Lankan)
- Southeast Asian (e.g., Vietnamese, Cambodian, Laotian, Thai)
- West Asian (e.g., Iranian, Afghan)
- White
- Other (Please specify) _____

39. How would you describe your sense of belonging with other [group chosen] people?

- Very Weak Somewhat Weak Moderate Somewhat Strong Very Strong

[Repeated for each group chosen.]

40. With regard to religion, how do you presently identify yourself or think of yourself as being? (You can choose more than one)

- Baha'i
 Buddhist
 Christian
 Hindu
 Jewish
 Mennonite
 Muslim
 Sikh
 Traditional/Spirituality
 No religion (atheist or agnostic)
 Other (Please specify) _____

41. How would you describe your sense of belonging with other [group chosen] people?

- Very Weak Somewhat Weak Moderate Somewhat Strong Very Strong

[Repeated for each group chosen.]

42. What is the highest level of education that you have completed?

- Less than elementary school
 Elementary school
 Secondary/high school
 College/vocational training
 University undergraduate degree
 University graduate degree
 Professional degree (e.g., Medicine, Law, Engineering)

43. Please indicate your approximate annual household income, from all sources, before taxes.

- No income
 Less than \$45,000
 \$45,001 to \$80,000
 \$80,001 to \$130,000

- More than \$130,000
- I prefer not to answer

Report to Community and Protective Services Committee

To: Chair and Members
Community and Protective Services Committee

From: Kevin Dickins, Deputy City Manager, Social and Health Development

Subject: Update on London's Newcomer Strategy: Choose London – Innovative, Vibrant and Global

Date: September 21, 2021

Recommendation

That, on the recommendation of the Deputy City Manager, Social and Health Development, the following report, Update on London's Newcomer Strategy: Choose London – Innovative, Vibrant and Global, **BE RECEIVED** for information.

Executive Summary

In response to the direction received from Municipal Council on March 2, 2017, to develop an immigration strategy, a community-led Choose London – Innovative, Vibrant and Global: London's Newcomer Strategy was developed. This five-year strategy was endorsed by Council on June 26, 2018. The mission of the strategy is to successfully attract, integrate and retain Newcomers, in particular international students, skilled workers, and entrepreneurs, to and into the local economy and society. The Newcomer Strategy Advisory Body provided an update to Council on its work on October 8, 2019. The following is a mid-term report.

Linkage to the Corporate Strategic Plan and the London Community Recovery Network

London's Newcomer Strategy supports the City of London's 2019-2023 Strategic Plan and is aligned with the following strategic area of focus: Growing our Economy, with outcome: London will develop a top-quality workforce and strategy: attract retain and integrate international students, and newcomer skilled workers and entrepreneurs.

It also aligns with the work of the London Community Recovery Network's Priority Action Table: Employment and Talent.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

- [Choose London – Innovative, Vibrant and Global: London's Newcomer Strategy – Year One Update](#) (CPSC: October 8, 2019)
- [Choose London – Innovative, Vibrant and Global: London's Newcomer Strategy](#) (CPSC: June 18, 2018)
- [Immigration Strategy Update](#) (CPSC: February 22, 2017)

2.0 Discussion and Considerations

2.1 Purpose

The purpose of this information report is to provide a mid-term update of London's Newcomer Strategy.

2.2 Background

The London Newcomer Strategy is a five-year community-led strategy which recognizes and builds on existing programs and services to attract, integrate, and retain international students, skilled workers, and entrepreneurs to and into the city of London. The Advisory Body, formed in November 2018, created a workplan to guide its work, with the following strategic priorities:

- Enhance awareness: Foster greater awareness of the city, the importance of Newcomers to the city, and programs, services, and opportunities aimed at the attraction, integration, and retention of Newcomers.
- Facilitate greater access: Foster greater access to programs, services, and opportunities aimed at the attraction, integration, and retention of Newcomers.
- Active engagement: Foster greater engagement with and/or among Newcomers, local, regional, provincial, and federal stakeholders, and City staff/divisions to achieve a more coordinated and concentrated approach to the attraction, integration, and retention of Newcomers.

2.3 Progress to date

The following is a summary of work undertaken since the creation of London's Newcomer Strategy.

Governance

A community-led Advisory Body was created in November 2018 to facilitate and guide implementation and monitor progress on the execution of the work plan. Co-chaired by Joaquim Ballès and Dev Sainani, the membership of the Advisory Body is broadly based and includes representatives of agencies involved either directly or indirectly in immigration, as well as Newcomer Champions. The Advisory Body is supported by the Manager of Strategic Programs and Partnerships, and the Immigration Specialist (position vacant since February 2020). Terms of reference have been created and were updated in 2020.

Three task forces for Advocacy and Policy Change, Communications and Data were created to focus on implementing specific action items identified in the work plan.

Projects/Activities

A few examples of completed activities are the creation of a welcome message from Mayor Holder in English and French; the re-design of the London and Middlesex Immigration Portal; the launch of a video to promote Francophone immigration to London, and a statistical review of Newcomers arriving to London, their conversion rates from temporary to permanent status, and related employment fields. Newcomer welcome kiosks with touch screens were also installed on a pilot basis but were put on hold due to the COVID-19. This latter project, which had been gaining interest, will be revisited once the pandemic ends.

Ongoing activities include a City of London internship program for international student graduates to increase their job readiness and marketability and contribute towards their eligibility to apply for permanent residency; an annual Newcomer Day, to celebrate and recognize the contributions of Newcomers to London and to provide them with information on services; and promotion of London at online job fairs directed at Newcomers.

Advocacy/Policy Change

Within the last year, the Newcomer Strategy Advisory Body and the Advocacy and Policy Change Task Force have been reviewing barriers to increased attraction and retention of immigrants and have examined options for London. Members and City staff of the Newcomer Strategy Advisory Body have undertaken the following: explored a variety of possible pilot programs for permanent residency that could be proposed to the federal government; met with local MPs to explore options for work of the Advisory Body; met with other communities involved in various immigration programs; and conducted research on the immigration activities of other municipalities.

The Advisory Body is preparing for the possible introduction of the Municipal Nominee Program, announced in the mandate letter of the Minister of Immigration, Refugees and Citizenship Canada in December 2019. The Municipal Nominee Program would allow “local communities, chambers of commerce and local labour councils to directly sponsor permanent immigrants. At least 5,000 new spaces (across the country) will be dedicated to this program.” This program would permit Canadian municipalities for the first time to become directly involved in sponsoring permanent immigrants.

Members of the Advisory Body also had discussions with government officials and other stakeholders around creating pathways to permanent residency for entrepreneurs and small business owners, particularly among international students. These policy ideas will continue to be explored as they could have wide-spread impact for newcomers. The Advisory Body will also continue to explore regional cooperation on policy and advocacy work related to immigration.

Should the Municipal Nominee program be launched, and if London applies and is successful in its bid, any resulting agreement will be brought to Municipal Council for approval.

Some activities may have to be adjusted depending on the outcome of federal election and the platform and policies of the elected government.

A summary of completed activities and ongoing initiatives can be found in Appendix A.

2.4 Measures and evaluation framework

London’s Newcomer Strategy has created a set of targeted outcomes to measure its progress in achieving its objectives. The outcomes are based on a desired population growth of at least 1% to maintain and support economic growth, the majority of which is composed of newcomers. In 2016, London’s natural increase accounted for only 17.5% of the total net population gain in the London Census Metropolitan Area (CMA). In setting the target of 1% growth rate for London, the Advisory Body has met with the Director of Planning and Development to ensure alignment with the City’s goals and objectives, as well as capacity in infrastructure and services. It is expected that these discussions will continue, and it is possible that the Newcomer Strategy will set a desired growth rate of slightly higher than 1%.

London is one of the few municipalities in the country with an immigration strategy that has created a measurement and evaluation framework.

The targeted outcomes, calculated in July 2021, reflect inflow of Newcomers to London, including a minimum of prime working age, a minimum retention level of Newcomers, a minimum attraction level of international students and an average employment rate for Newcomers. In all cases the targeted outcomes were achieved.

The outcomes are measured using administration immigration data from Statistics Canada and tax filer information through the Longitudinal Immigration Database (IMDB). Many of the targets were set without having the benefit of baseline data. This is due to the complexity of mixing data sets, the delay in the release of some data sets (in some cases two years) and the paucity of data in measuring some areas at the local level. The impact of COVID-19 has significantly delayed the release of data.

The Data Work Group has advocated with the federal government to obtain more timely and relevant local data. It has and will continue to investigate options for obtaining these data such as linkage to provincial Medicare Client Registries as has been done in other jurisdictions. Improved access to data will better inform the as well as the direction of the London Newcomer Strategy in attracting, integrating, and retaining Newcomers in our community.

The Data Work Group of the Newcomer Strategy is also looking at partnerships to improve the ability to track, update, and adjust the targets and the Advisory Body will review the outcomes to discuss whether the targets should be amended.

A summary of the measures and available metrics is attached in Appendix B.

2.5 Future work

Future work could include the promotion of the London & Middlesex Immigration Portal; preparing for a role in the Municipal Nominee Program and/or other pathways to permanent residency; promoting opportunities for Francophone immigrants; and creating opportunities to welcome and support international students. It will continue to work with other relevant strategies and initiatives, such as the London & Middlesex Local Immigration Partnership, the Réseau en immigration francophone du centre-sud ouest (Francophone immigration network), the Community Diversity and Inclusion Strategy, and City of London human resources. Anecdotal evidence suggests that the Newcomer Strategy has already acted as a catalyst for change in these strategies and in local educational institutions.

2.6 Challenges

The COVID-19 pandemic and resultant border closures have negatively impacted the City of London's ability to attract immigrants since March 2020. The pandemic has also prevented the hosting of in-person events and projects. The release of data collected by Statistics Canada has been delayed affecting the ability to measure outcomes. The collection of timely and relevant data pertaining to immigration retention and the labour market is challenging. Finally, the inability to staff the Immigration Specialist position since February 2020 has further impacted the work.

3.0 Financial Impact/Considerations

3.1 Funding

Council directed the creation of a base operating budget of \$100,000 in 2019. There is no additional financial impact projected at this time.

Conclusion

As the London Newcomer Strategy continues to attract, integrate, and retain Newcomers to the community, it will remain flexible and ready to adapt to the changing environment that may arise due to changes in government priorities and the impact of the pandemic.

The Advisory Body will continue to push for clarity on how much the City would like to grow, and the implications of that growth.

Visitor data from the re-designed London & Middlesex Immigration Portal will be used to update and promote information on the website.

The Newcomer Strategy will continue to make a conscious effort to link with local and regional strategies and networks, and to be a catalyst for other stakeholders.

Submitted by: Jill Tansley, Manager, Strategic Programs and Partnerships

Recommended by: Kevin Dickins, Deputy City Manager, Social and Health Development

Appendix A
Newcomer Strategy Activities accomplished or in progress - November 2018 to April 2021

Strategic Priority 1 : Enhance Awareness

High-level Activity	Action	Completion Date and Details
1.1 Welcome Message	Create, disseminate, and maintain a City of London branded Welcome Message aimed at all Newcomers.	Message completed July 2019 and shared with local partners. A French version has also been made available and shared with local partners. Letter has been uploaded to the City's Immigration Portal, and the London Economic Development Corporation's websites.
1.2 Digital Strategies	Update, improve and maintain current digital platforms, such as London & Middlesex's Immigration Portal. Review of current Immigration Portal and streamline of information.	Review and streamlining of Immigration Portal completed May 2019 internally through City of London Intern working with City Staff.
1.2 Digital Strategies	Creation and hosting of the new revised Immigration Portal website on London.ca	Newly redesigned Immigration Portal launched October 2020. www.london.ca/immigration
1.3 Welcome centre for Newcomers	Pilot Welcome Centre at an existing high traffic and accessible location(s) in London.	Launched Newcomer Welcome Kiosk in August 2019, in Bostwick Community Centre (Service London), and in City Hall (Business London Counter). Bostwick Kiosk moved to higher-traffic Social Services office at Westmount Mall February 2020. New accessibility features to be installed Winter 2020 (Q1-Q2) were suspended due to pandemic. Plan to launch kiosks at all Social Services counters of City of London suspended due to pandemic.
1.5 Work with community stakeholders to coordinate and build Newcomer employment components into existing events and activities	Work with community stakeholders to coordinate and build Newcomer employment components into existing events and activities This also responds to Action 2.2: Actively participate in the planning and implementation of activities by internal City divisions and external stakeholders that will have an impact on Newcomers.	London's first Newcomer Day - October 10 th , 2019, in partnership with the London Public Library's Central Branch. London Newcomer Day 2020 suspended due to pandemic London Newcomer Day 2021 –virtual event planned for October 21, 2021. Volunteer committee has begun planning.

Strategic Priority 2: Facilitate Access

High-level Activity	Action	Completion Date and Details
2.4 Strengthen the link between Employers and Newcomers	Work with community stakeholders, employers, IMMPLY, LEDC and Chamber to participate in networking conferences/events aimed to connect Newcomers,	May 14, 2019 - City presented local resources to help support employers in hiring and retaining Newcomers at the 2019 Immigration Update for local Employers ^a organized by London Economic Development Corporation.

^a Other presentations included: Federal Immigration Programs by Immigration, Refugee, and Citizenship Canada; Global talent and Immigration programs by Employment and Social Development Canada; and

	internationally skilled Newcomers, entrepreneurs, and international students with local employers	April 2021, City and LEDC participated in in-Tac job fair
2.4 Strengthen the link between Employers and Newcomers	Remove barriers to employment for Newcomers through increased internship positions for all Newcomers, including international student graduates, available through the City of London Internship Program.	August 2019 – Launch of new City of London Internship Program for International Student Graduates. Positions run 20 weeks, at 30 hours per week. -1 position completed Nov 2019-Feb 2020 2020 – internships did not proceed due to pandemic 2021 – plan to re-offer program May 2021 for up to 3 positions

Strategic Priority 3: Active Engagement

High-level Activity	Action	Completion Date and Details
3.1 Data Collection Development and Coordinated Advocacy	Create an advisory body to review the progress of the implementation of the Strategy, coordinate advocacy efforts with the federal and provincial governments, and create data development partnerships to improve access to current statistical information on an ongoing basis.	Advisory Body Membership created first meeting November 30th, 2018, terms of reference and mandate approved. Body has met nine times to date, and out of the Newcomer Strategy Advisory Body, the creation of three Task Forces for Advocacy & Policy Change, Communications, and Data were formed. Participation in survey consultations on Municipal Nominee Program, July 2020 Meeting with local MPs on Newcomer Strategy Feb 2021 Meeting with IRCC staff involved in designing Municipal Nominee Program March 2020 Hired researcher to assist in data collection April 2021 Meeting with officials of Greater Sudbury April 2021
3.1 Data Collection Development and Coordinated Advocacy	Identification of the data sources needed to track the Newcomer Strategy's targeted outcome measures.	Secondary data set review completed by external researcher, June 2019. The list of the tools to be used to measure the targeted NS outcomes year over year, was finalized, June 2019. 2020 –target outcomes not measured due to COVID-related delay by Statistics Canada 2021 -
3.2 Strengthen existing and create new partnerships	Explore opportunities to create new regional partnerships to raise awareness of the immigration needs of the region and encourage secondary migration to London.	Advocacy & Policy Change Task Force to review regional partnerships. Review of current policies that prevent or hinder the attraction, retention or integration of Newcomers completed August 30 th , 2019. Next steps, including regional partners to approach, to be developed.

Appendix B

City of London 'Report Card' on Newcomer Strategy Progress. Update July 16, 2021

Outcome 1: Achieve a net average annual Newcomer inflow of no less than 4,000 Newcomers through both direct and secondary migration.

Outcome Measures - London CMA	2016/2017	2017/2018	2018/2019	2019/2020
1. Achieve a net average annual Newcomer inflow* of no less than 4,000 Newcomers through both direct and secondary migration.	5,959	7,170	5,455	5,225

Source: <https://www150.statcan.gc.ca/t1/tbl1/en/tv.action?pid=1710013601>

This table calculates the number of newcomers from the following sources:

1. Immigrants
2. Returning emigrants
3. Net Interprovincial migrants
4. Net Intra-provincial migrants

It removes emigrants and temporary emigrants from the calculation. Births and Deaths are not included in the calculation. Statistics Canada derives these estimates from a combination of administrative data sources and projections from these sources.

Outcome 2: A minimum of 60% of the average annual net Newcomer inflow will be between 20 and 44 years of age. Based on an average annual net Newcomer inflow of 4,000 as targeted in 1. above, no less than 2,400 of these Newcomers would be between 20 and 44 years of age.

Outcome Measures - London CMA	2016/2017	2017/2018	2018/2019
2. A minimum of 60% of the average annual net Newcomer inflow will be between 20 and 44 years of age. Based on an average annual net Newcomer inflow of 4,000 as targeted in 1. above, no less than 2,400 of these Newcomers would be between 20 and 44 years of age.	5570 (82%)	6275 (88%)	7335 (89%)

Source: IMDB

This shows the proportion of newcomers that are between the ages of 20 and 44 (the ages that IRCC gives the maximum number of points to). It is taken from the IMDB and includes principal applicants only. There is a data lag because tax files are typically 2-3 years out of date because of tax filing anomalies.

Outcome 3: Maintain a minimum average annual retention rate of 70% of the total gross annual inflow of Newcomers. Based on an average annual net Newcomer inflow of 4,000 as targeted in 1. above, the number of Newcomers leaving the London CMA would not exceed on average 1,714/year.

Outcome Measures - London CMA	2016/2017	2017/2018
3. Maintain a minimum average annual retention rate of 70% of the total gross annual inflow of Newcomers. Based on an average annual net Newcomer inflow of 4,000 as targeted in 1. above, the number of Newcomers leaving the London CMA would not exceed on average 1,714/year **.	75%	82%

Source: IMDB

This table measures the 1-year retention rate of newcomers to London. It is ~5 years behind because it relies on the same tax files as outcome #3, but also requires an additional year to measure retention. It is calculated as the percentage of newcomers that file taxes in London that are also subsequently present in the CMA.

Outcome 4: Maintain an average attraction level of international students attending local educational institutions of no less than 11,000 students a year.

Outcome Measures - London CMA	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021
4. Maintain an average attraction level of international students attending local educational institutions of no less than 11,000 students a year.		11,000	11,130	13,148	12,495

Source: Educational Institutions within London

This table measures the number of international students enrolled in London annually. It is based on the reports of educational institutions themselves and has not been verified by us.

Outcome 5: Achieve an average annual employment rate for Newcomers, who are Permanent Residents, that is no less than 7.5 percentage points lower than the employment rate of Londoners overall.

Outcome Measures - London CMA	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021
5. Achieve an average annual employment rate for Newcomers, who are Permanent Residents, that is no less than 7.5 percentage points lower than the employment rate of Londoners overall***.	2016: Newcomers between 20-44: 57%. London overall: 57.7%	2017: Newcomers between 20-44: 69%. London overall: 57%	2018: Newcomers between 20-44: 49%. London overall: 57.6%	2019: Newcomers between 20-44: 62%. London overall: 56.1%	2020: Newcomers between 20-44: 62%. London overall: 55.5%

Source: Labour Force Survey

This table shows the percentage of people between the ages of 20-44 that are employed, compared to the city rate overall. A recent study on labour market participation in the London Economic Region indicated a high percentage (87 to 91%) of Newcomers not currently participating in the labour market would be able to participate, should all barriers be addressed. This is much higher than compared to the 65 to 86% average percentage of the prime aged population (aged 25 to 44) as a whole.

Report to Community and Protective Services Committee

To: Chair and Members, Community and Protective Services Committee Meeting
From: Kevin Dickins, Deputy City Manager, Social and Health Development and George Kotsifas, Deputy City Manager, Planning and Economic Development
Subject: Housing Stability for All Plan - Mid-Year Update
Date: September 21, 2021

Recommendation

That, on the recommendation of the Deputy City Manager, Social and Health Development, and the Deputy City Manager Planning and Economic Development, that this mid-year update report on the City's Housing Stability Action Plan report **BE RECEIVED** for information purposes.

Executive Summary

This report provides a mid-year update to Municipal Council on 2021 actions, priorities, and other activities related to the implementation of the Housing Stability Action Plan.

Linkage to the Corporate Strategic Plan

Housing Stability for All: [Housing Stability Action Plan \(HSAP\)](#) for the City of London (2019) aligns with the 2019-2023 City of London Strategic Plan. Municipal Council's 2019 – 2023 Strategic Plan for the City of London within the 'Strengthening Our Community' and 'Building a Sustainable City' strategic areas of focus.

The City of London's Housing Stability Action Plan focuses on increasing affordable and quality housing options for individuals and families, reducing the number of individuals and families experiencing homelessness, and supporting improved access to mental health and addiction services.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

- [Homeless Prevention Covid 19 Response Extension \(and other Canada Ontario Housing funding extensions provided through the Province of Ontario\)](#) (CPSC: Aug 31, 2021)
- [Housing Stability for All Plan 2020 Update](#) (CPSC: May 11, 2021)
- [Homeless Prevention - COVID-19 Response](#) (CPSC: March 30, 2021)
- [Letter of Mayor Holder to CPSC Re: 3000 Unit Challenge](#) (CPSC: March 30, 2021)
- [Transition Plan Progress Report – Housing Development Corporation, London HDC](#) (SPPC: March 9, 2020)
- [Governance Functional Review - Housing Development Corporation, London \(HDC\)](#) (Council: January 12, 2021)
- [Municipal Council Approval of the Housing Stability Plan 2019 to 2024](#) (CPSC: December 3, 2020)
- [Update on Urgent Transitional and Modular Supported Housing Development Report on July 15, 2020](#) (CPSC: December 15, 2020)
- [Homeless Prevention COVID-19 Response](#) (CPSC: October 6, 2020)
- [Housing Quarterly Report](#) (CPSC: October 6, 2020)
- [Housing Quarterly Report](#) (CPSC: July 15, 2020)
- [Homeless Prevention COVID-19 Response and Funding Overview](#) (CPSC: April 28, 2020)

- [Canada's COVID-19 Economic Response Plan Funding Agreement](#) (CPSC: April 28, 2020)
- [Municipal Council Approval of the Housing Stability Plan 2019 to 2024...](#) (CPSC: December 3, 2019)
- [Homeless Prevention and Housing Plan 5 Year Review and Update](#) (CPSC: June 17, 2019)

2.0 Discussion and Considerations

2.1 Overview of Housing Stability Action Plan

The HSAP framework guides activities across the municipal housing system in support of housing stability under the following four strategic areas of focus:

- Respond to the Homeless Crisis
- Create more Housing Stock
- Provide Housing Supports
- Transform the Service System

Civic administration recognizes that there are many homeless prevention and housing-related activities developing at the same time. By categorizing each initiative within the four strategic pillars of the HSAP, the intention is to provide clarity as to how each initiative is contributing to providing housing stability for all.

Each area provides actions, anticipated outcomes, and related measures.

2.2 COVID-19 Update to the Housing Stability System

While still closely monitoring the COVID-19 situation, the housing stability system continues provide homeless prevention, housing and housing development services as safely as possible. This includes responses put into place to support individuals experiencing homelessness throughout the pandemic. This report provides an opportunity to showcase the important work and achievements in housing that has progressed during the COVID-19 pandemic.

Civic Administration continues to monitor the market for updates, including through Canada Mortgage and Housing Corporation (CMHC), and adjust priorities, where necessary. Any market factors, local measures and changes to priorities will be reported in future updates as more information becomes available.

3.0 Financial Impact/Considerations

There are no financial impacts at this time.

4.0 Key Issues and Considerations

4.1 Housing Stability Action Plan – Implementation Mid-Year Update

Schedule 1 reflects an update for achievements related to housing and stability initiatives under the four strategic areas. These are in addition to achievements reported in the 2020 annual update.

Separate from this, work continues on research reports related to local housing needs and housing affordability in London in order to create common language and measures that can be used to inform various Council policies, including to those related to development charges and inclusionary zoning.

4.2 Enhanced HSAP Reporting, Communications, Advocacy, and Engagement of all levels of Government and Sectors Update

The HSAP Implementation Team, together with Corporate Communications, has started a new web-based page to provide the most up to date information in a format that

members of the public, including Council, can access regular updates related to the implementation and achievements of the HSAP actions. Work on this webpage is ongoing.

The Team, together with Corporate Communications, will strive to update achievements as new information becomes available.

Link to website: <https://london.ca/living-london/community-services/homeless-prevention-housing/what-city-doing-about-it>

4.3 Middlesex County Update

The City's HSAP Implementation Team, together with Middlesex County, are working in partnership to inform priorities and report on outcomes on Middlesex County initiatives. The Team will report on these initiatives in the year end update.

4.4 Giwetashkad Indigenous Homelessness Strategic Plan

In 2021, Atlohsa and other Indigenous Housing providers began the implementation of the Giwetashkad Indigenous Homelessness Strategic Plan. A business case was developed to support the development of an Indigenous Housing First hub, and the community has been seeking an appropriate space in which to house this component of the strategic plan.

Conclusion

Civic Administration is continuing to work on improved reporting and communications related to HSAP initiatives and outcomes. Additional housing stability reports and updates will be provided through the City's housing website.

The implementation of our housing plans requires our ongoing attention and oversight of our regulated and local housing services while we modify our priorities to address the urgent needs of those most impacted by the lack of stable, secure, and affordable housing in London.

Prepared by: Melissa Espinoza, Program and Business Manager, HDC
Laura Cornish, Manager, Housing Stability Services

Submitted by: Dave Purdy, Manager, Housing Services
Craig Cooper, Director, Housing Stability Services
Stephen Giustizia, CEO, HDC

Recommended by: Kevin Dickins, Deputy City Manager, Social and Health Development
George Kotsifas, Deputy City Manager, Planning and Economic Development

Schedule 1: Housing Stability Action Plan 2021 Mid-Year Achievements Update

Update on Strategic Area of Focus 1: Responding to Homelessness and Housing Crisis

We need to address the homelessness crisis. In London, more people are experiencing homelessness with more complex needs than ever before.

Actions	2021 Mid-Year Update on Achievements
1.1.b. Develop a coordinated access system that addresses the immediate needs of individuals and families.	<ul style="list-style-type: none"> Created Positive Pathways Initiative with probation and parole which supports individuals connected to the criminal justice system to connect with housing services
1.2.b. Engage partners in the Coordinated Informed Response, including those with lived and/or living experience.	<ul style="list-style-type: none"> The Core Area Prolific Offenders Diversion Project is a pilot partnership between London Police Service and the City of London aimed at reducing interactions with the justice system for a list of prolific offenders through housing stability. The City of London Housing Stability Services provides a peer support Outreach team to this program the City of London Life Stabilization provides client support.
1.3 Provide the right level of support at the right time to decrease the use of emergency services.	<ul style="list-style-type: none"> On May 17th, 2021, My Sisters Place CMHA launched an overnight Resting Space program for women. The program serves up to ten women nightly and provides female identified individuals a space to rest, meet their basic needs and access supports. Since opening this program My Sisters Place has received over 547 community referrals and served over 486 overnight participants.
1.3.b. Work with London Police Service and Emergency Medical Services to establish an engagement protocol to support individuals experiencing unsheltered homelessness.	<ul style="list-style-type: none"> The Core Area Prolific Offenders Diversion Project is a pilot partnership between London Police Service and the City of London aimed at reducing interactions with the justice system for a list of prolific offenders. Individuals on this list are experiencing unsheltered homelessness.
1.4.a. Improve diversion practices to better assist individuals and families to secure housing.	<ul style="list-style-type: none"> Coordinated Access increased staffing compliment to better respond to individuals and families experiencing homelessness. Client Service Representatives receive phone, email and front counter inquiries from the general public looking to access services through Coordinated Access. Access Coordinators work to prevent and divert homelessness where possible and connect Londoners to housing services offered through Coordinated Access.
1.5.a. Implement unique opportunities to support rapid rehousing options.	<ul style="list-style-type: none"> In June 2021, Coordinated Informed Response supported the wind down of the temporary Winter Response day and overnight resting spaces. The Ark Aid Wish support program shifted to a transitional supportive housing model at a different location. The transitional supportive housing program is aimed at continuing service provision for individuals from the temporary Winter resting space location by supporting them to achieve housing stability and permanent housing.
1.5.d. Provide financial supports to assist individuals to secure housing.	<ul style="list-style-type: none"> From January to July of 2021, the Housing Stability Bank supported a total of 804 households with Utility and Rental Assistance.

Update on Strategic Area of Focus 2: Creating More Housing Stock

We need far more affordable housing stock in our community. The shortage of safe, affordable housing options is impacting the stability and health of people across our community.

Actions	2021 Mid-Year Update on Achievements
2.1.b. Develop publicly owned and available lands for affordable housing.	<ul style="list-style-type: none"> • On July 14, 2021, the City of London together with its Housing Development Corporation announced a partnership with Ontario Aboriginal Housing Services for 42 affordable multi-residential units 18 Elm Street, London. This site will advance culturally appropriate housing focused on Indigenous people, specifically including young mothers and their children, through the Urban Indigenous Homeward Bound program. More information can be found here: https://getinvolved.london.ca/housingstability • 5 new sites are under development or in pre-development stage for new affordable housing.
2.1.c. Implement tools, policies, and programs (the municipal housing toolbox) to create new affordable housing through a Community Improvement Plan (CIP), zoning bylaw update, inclusionary zoning (IZ), bonusing, secondary units, etc.	<ul style="list-style-type: none"> • In 2021, 42 new affordable rental housing units have been negotiated by the Housing Development Corporation, London (HDC) and approved by Council through Section 37 bonus zoning and legal agreements, with no additional cost to the municipality. • A total of 149 bonused units have been negotiated and approved through Council since 2018. • Through section 37 Bonusing, HDC negotiated 4 fully owned condo units to be aligned through Housing Stability Services.
2.1.e. Explore opportunities to stimulate new affordable housing through government legislation.*	<ul style="list-style-type: none"> • The 61-unit affordable housing development at 122 Base Line Road continues to rapidly progress and is on target. Future tenants will be matched through the City's Housing Stability Services lists. Base Line was approved for \$2,380,712 in 2021 through the Ministry of Municipal Affairs and Housing - Ontario Priorities Housing Initiative and for \$4,761,421 under the Social Services Relief Fund. More information can be found here: https://getinvolved.london.ca/housingstability • CMHC has announced that London will receive \$10.8 million through Rapid Housing Initiative round 2. London has submitted an application for 44 units at 403 Thompson Road, London. More information can be found here: https://getinvolved.london.ca/housingstability • A partnership with Habitat for Humanity has assisted in funding 20 units of affordable home ownership. • Work is concluding on 440 Clarke Road and 228 Dundas St. for a total of 77 new completed units • CMHC has announced Co-Investment funding for two affordable housing projects at 99 Pond Mills Road, through Homes Unlimited (London) and at 191 Commissioners Road West through PAM Gardens, for a total of 175 new units.

Update on Strategic Area of Focus 3: Provide Housing Supports

Londoners need supports to find housing and stay housed

Actions	2021 Mid-Year Update on Achievements
3.3.a. Work with individuals and families to determine their support needs and expand programs that assist them in moving towards their housing goals.*	<ul style="list-style-type: none"> • There were 29 new Canada Ontario Housing Benefit (COHB) participants for a combined total of 406 from the last report. Along with expecting to support an additional 11 households. COHB is a monthly portable housing benefit program that assists eligible households with their housing costs. • 6 new Community Housing Bridge allowances were approved, which provides ongoing housing allowances to eligible applicants, for a total of 52. • 25 new rent supplements were provided to Federal Co-ops with expired operating agreements. • 21 new housing allowances were funded towards the provincial Anti Human Trafficking program initiative.
3.4.a. Provide education and supports for landlords and tenants to improve housing stability.*	<ul style="list-style-type: none"> • Support funding for a 'Dealing with Difficult People Workshop', training event was provided and attended by 11 Co-op Property Managers.
<p>3.4.b. Develop and implement an eviction prevention strategy to support housing stability.</p> <p>and</p> <p>1.4.b. Implement eviction and prevention programs to support individuals and families from entering homelessness.</p>	<ul style="list-style-type: none"> • 42 households had their tenancy saved from eviction through the Housing Stability Table eviction prevention program

Update on Strategic Area of Focus 4: Transform the Service System

The system needs to be easier to navigate

Actions	2021 Mid-Year Update on Achievements
4.1.a. Articulate a clear vision for the delivery of housing stability for all.*	<ul style="list-style-type: none"> • A regular housing quarterly report was established to provide Council and the community with regular proactive updates on all housing initiatives across various City service areas. • The Housing Stability Action Plan (HSAP) Implementation Team, together with Corporate Communications, has created a new web-based page that will be updated quarterly to provide the most up to date information in a format that members of the public, including Council, can assess regular updates related to the implementation and achievements of the HSAP actions. • Participated in the regular Housing Consortium Initiative (HCI) meetings and development requires related to the new housing administration technology platform.
4.1.e. Maximize provincial and federal funding to meet agreement requirements and to enhance housing stability.	<ul style="list-style-type: none"> • 100% of all allocated federal and provincial funding is planned to be secured.
4.3.a. Ensure municipal council has strong information from committees and community networks and other mechanisms to support housing stability.	<ul style="list-style-type: none"> • There are 8 municipal teams that meet regularly to advance urgent housing, provide latest statistics on housing, advancement of funding opportunities and ensures common understanding of housing related strategies. Teams include: SWOT Team, Municipal Housing Strategy Team, Housing Stability Action Plan Implementation team, Housing Leadership Team, Coordinated Informed Response team, and Core Area Action Team. • To support the City during its enterprise-wide restructuring, including housing related services, a project management team has been created to support logistics and implementation.

Report to Community and Protective Services Committee

To: Chair and Members
Community and Protective Services Committee

From: Kevin Dickins, Deputy City Manager,
Social and Health Development

Subject: Single Source- Life Stabilization:
Electronic Document Management (EDM)

Date: September 21, 2021

Recommendation

That, on the recommendation of the Deputy City Manager, Social and Health Development, the following actions **BE TAKEN**, with respect to Electronic Document Management (EDM) for Life Stabilization;

- a) A Change Order to the existing Single Source Master Services Agreement with Nimble Information Strategies Inc. (SS20-33) **BE APPROVED** as per Council Policy By-law No. A.-6151-17, Schedule C, Section 20.3, as amended, for a total funding amount of \$342,930 plus applicable taxes to digitize active Ontario Works files by December 31st, 2021;
- b) The attached proposed By-law (Appendix A) **BE INTRODUCED** at the Municipal Council meeting of Tuesday, October 5, 2021:
 - i. **TO APPROVE** a Change Order to the Master Services Agreement with Nimble Information Strategies Inc. for Electronic Document Management Services and **TO AUTHORIZE** the Deputy City Manager, Social and Health Development to execute the Change Order;
- c) That Civic Administration **BE AUTHORIZED** to undertake all administrative acts which are necessary in relation to this matter.

Executive Summary

Electronic Document Management (EDM) for Ontario Works (OW) is part of the Ministry of Children, Community and Social Services (MCCSS) Social Assistance reform mandate and Recovery and Renewal Strategy. Accelerated digital delivery solutions was one of the four key priorities identified in 2020 and part of the MCCSS Recovery and Renewal Strategy and continues to be at the forefront of Social Assistance modernization efforts.

In January 2021, City of London Life Stabilization implemented the EDM digital mailroom channel to enable client information to be stored directly into the provincial Social Assistance Management System (SAMS). Overall benefits of implementing EDM strategies and infrastructure include strengthening program integrity, enhanced program and information access usability, service system efficiencies and functional integration. A Single Source Master Services Agreement was established with Nimble Information Strategies Inc. to support the digital mailroom infrastructure in accordance with Council Policy By-law No. A.-6151-17, Schedule C, Section 14.4 (g). Ongoing annual costs for the digital mailroom are approximately \$25,050.00 plus applicable taxes and are built into the Life Stabilization operating budget, partially off-set by provincial subsidy.

City of London Life Stabilization is seeking approval to execute a Change Order for the existing Single Source Master Services Agreement with Nimble Information Strategies Inc. to digitize active client files by December 31st, 2021. The one-time cost is estimated at \$342,930 plus applicable taxes. Leveraging the existing provincial contract with Nimble Information Strategies Inc. enables the City of London to digitize files utilizing secure and existing infrastructure with established quality control standards and avoid incurring costs related to licensing fees. Additionally, digitizing client files will reduce the footprint of physical files and paper versions of client information.

Linkage to the Corporate Strategic Plan

Leading in Public Service

- The City of London is a leader in public service as an employer, a steward of public funds, and an innovator of service.
- Londoners experience exceptional and valued customer service.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

CPSC March 2nd, 2021: A New Provincial-Municipal Vision for Social Assistance

1.2 Provincial Mandate

The Electronic Document Management (EDM) model was developed as part of the Ministry of Children, Community and Social Services (MCCSS) Social Assistance Reform mandate. In fall 2020, the Recovery and Renewal Strategy (announced in response to COVID-19), identified accelerated digital delivery solutions as a key priority to fundamentally change the way services are delivered. Digital efficiencies and improving client access continue to be part of the province's plan to modernize and transform the delivery of Social Assistance. EDM is foundational for enhancing administrative efficiencies and process optimization through the digitization of paper into digital records to be accessible via the provincial Social Assistance Management System (SAMS). EDM for Ontario Works (OW) was co-designed in partnership with the City of Toronto Employment and Social Services (TESS) & Peel Region Social Supports. Implementation of a pilot digital mailroom began in December 2019 and has since expanded across 19 Consolidated Municipal Service Managers (CMSMs) and all ODSP offices. Along with the digital mailroom channel, many Ontario Works offices have expanded services to include client file digitization. EDM features for staff include the ability to view, download and update documents received through SAMS, upload 'digital-born' documents directly through SAMS and send messages including document attachments to MyBenefits users.

1.3 Local EDM Implementation

In January 2021, City of London Life Stabilization implemented the digital mailroom as the first phase of EDM-OW. This enables client mail to be digitized and uploaded into SAMS and provide Life Stabilization staff with the ability to view and action client information accordingly. The EDM-OW digital mailroom was established by leveraging the existing provincial contract with Nimble Information Strategies Inc. as a Single Source (SS20-33) contract within the \$50,000.00 threshold for Deputy City Manager approval. The Single Source approval was granted based on section 14.4(g) of the Corporation of the City of London Procurement of Goods and Services Policy:

- (g) It is advantageous to the City to acquire the goods or services from a supplier pursuant to the procurement process conducted by another public body

Ongoing costs associated with the digital mailroom are accounted for in the Life Stabilization operating budget, partially off-set by provincial subsidy. The projected annual cost for the digital mailroom is \$25,050.00. Since implementing the digital mailroom in January 2021, 20,490 pieces of client information have been digitized in accordance with provincial and internal retention policies.

In addition to establishing the digital mailroom, City of London Life Stabilization also incorporated the MyBenefits two-way messaging feature into available EDM channels at the local level in March 2021. Two-way messaging is a secure, online messaging feature that integrates with MyBenefits and SAMS. Incorporating this feature allows staff and

clients to correspond without the use of email and affords the ability to send documents as required. Two-way messaging was piloted through a phased approach to 11 offices (including London) starting in December 2020 and implemented in all ODSP and Ontario Works offices by June 21, 2021. Costs associated with the MyBenefits platform and accompanying features, are 100% borne by MCCSS.

2.0 Discussion and Considerations

2.1 Provincial Electronic Document Management (EDM)

When the province implemented EDM for the Ontario Disability Support Program (ODSP) offices, Nimble Information Strategies Inc. was the successful proponent of the provincial RFP for the digitization of ODSP client files. Approval was granted to MCCSS by the Ontario Treasury Board, to expand the project to Ontario Works (OW) program using Nimble Information Strategies Inc. as the digitization vendor. By the City of London leveraging the provincial contract, it provides the opportunity to further modernize the delivery of Social Assistance, improve the overall client experience of Social Assistance recipients and expand administrative efficiencies. Additionally, by using Nimble Information Strategies Inc. the City of London will also experience savings through MCCSS covering the cost of OpenText end-user licensing fees in the amount of \$150 per user for approximately 200 staff, which totals \$30,000.00. MCCSS also absorbs costs and resourcing associated with the ongoing storage and maintenance of electronic records within OPSdocs (enterprise document storage). Contracting with a vendor other than Nimble Information Strategies Inc. would result in the City incurring costs to establish the infrastructure that would enable a vendor to communicate with the province's network and interface with the OpenText repository. These costs are not incurred by the City through an agreement with Nimble Information Strategies Inc. as the infrastructure is already in place. As well, by contracting with Nimble, the City is not responsible for the cost of any technical and administrative changes in the digitization process that might result from technology changes in the provincial Social Assistance Management System (SAMS) application.

2.2 Benefits of EDM for Ontario Works Offices

EDM-OW will reduce the amount of time spent on document management functions, and create opportunities for enhanced service delivery, redistribute time for active case management functions, and enable staff to make faster decisions so that Social Assistance recipients can receive timely supports and services. Below are five key categories identified by the MCCSS EDM project team summarizing the benefits of implementing EDM-OW:

Strengthen Program Integrity

- Incorporate automation of program rules for documents
- Document auditability and performance management
- Consolidation/Streamlining of document channels

Enhance Program Access and Usability

- Expanded service access and increase service channels
- Electronic access to Social Assistance recipient documents
- Improve Social Assistance recipient experience and outcomes

Service System Efficiencies

- Reduce paper handling, administrative work & misfiled records
- Increased focus on high impact client-centred activities
- Allow for real-time transfer of Social Assistance recipient document records
- Allows for cost avoidance, savings and time efficiencies
- Strengthens and automates records management processes

Functional Integration

- Deliver scalable and adaptable solution that supports future enterprise needs
- Allows for government service channel/benefits integration

Other opportunity benefits

- Renders obsolete the need for dedicated floor space at each location for document filing, resulting in reduced real estate costs or opportunity to repurpose office space.
- By repurposing on-site space to review and purge inactive files, cost savings related to off-site storage would be approximately \$32,000 annually.

2.3 Active File Digitization

The next phase of EDM-OW implementation for City of London Life Stabilization is to digitize active client physical files in order to house client information securely in SAMS and significantly reduce the footprint of physical files and paper versions of client information. Digitization of all current active files (approximately 8,500) is planned to take place between October-December 2021 as a one-time event. Digitization of re-activated files after December 31st will be part of ongoing EDM practices and an approach for non-active files will be determined in a later phase. Nimble Information Strategies Inc. will only invoice for the actual number of images digitized and a file thinning initiative is underway to ensure only documents that are required by provincial Directives and internal policies will be retained and digitized. Electronic record retention requirements comply with provincial Directives 2.1 (Application Process) and 11.1 (Delivery Standards) and the City of London Records Retention By-Law A.-7323-299 (S05 -Ontario Works Case Records).

Included in the attached as Appendix A is the schedule 1 Change Order document, that once signed, will initiate the file digitization process with Nimble Information Strategies Inc. This document outlines the rationale and description of the Change Order as well as a summary of the quality control process associated with file digitization. Details regarding the estimated number of documents per file and percentage of duplex pages are included within the scope of work, which assists with approximating the total number of digitized images per file that will be required. The scope of work also includes the following process related details:

- Nimble Information Strategies Inc. will be responsible to ensure all active files are packed, securely moved from City of London Life Stabilization locations, manifested, registered and received into the Nimble facility located in Markham Ontario.
- For all five (5) City of London Life Stabilization offices, historic master files for retention, as determined by the governing record series, will be scanned, indexed and retrievable by City of London staff in electronic format on or before **December 31, 2021** (unless all parties agreed to a change in date).
- Where possible services will align with the requirements of the MCCSS Records and Document Management Standard on MCCSS Records Digitization Process Guideline.
- Scanning and indexing will be completed as per the SA-EDM Scanning Guide.

The signed Change Order document (included in Appendix A) will be added as an addendum to the existing Master Services Agreement attached as Schedule 1 and Statement of Work attached as Schedule 2 to this report.

3.0 Financial Impact/Considerations

3.1 Costs Associated with Active File Digitization

Funding for the one-time cost of the Change Order to the existing Single Source Master Services Agreement with Nimble Information Strategies Inc. in the amount of \$342,930 plus applicable taxes is supported by the 2021 approved base budget for Life Stabilization. This expenditure is partially offset by provincial subsidy.

The Change Order cost is based on current caseload figures, as shown in the table below. Nimble Information Strategies Inc. will charge the City for actual number of images digitized, as mentioned in section 2.3, therefore the total cost may be subject to change. Since part of the total amount of the contract is based on an estimate of total images to be digitized, and the City will be charged based on the actual images digitized, a contingency of \$15,400 (5% on the image estimate) has been included in the total funding of \$342,930 for this project.

Ontario Works - City of London				
Master File Digitization	Case Files	Images	Cost Per Image	\$Cdn
Ontario Works - City of London	8,500	1,708,500	0.18	307,530
File Pack & Move Services - 5 Locations				20,000
Total				327,530
Contingency of 5% on image estimate				15,400
Total with Contingency				342,930

Conclusion

As part of MCCSS Social Assistance Reform as well as the Recovery and Renewal Strategy, digital delivery solutions are key elements of service delivery modernization and enhancing system efficiencies. City of London Life Stabilization recognizes the benefits associated with modernizing service delivery approaches and ensuring the infrastructure is in place to support the rapid pace of change. Digitizing current active client files will enable information to be stored in and retrieved from SAMS. Additionally, digitizing files will significantly reduce the reliance on in-office physical files and paper documents. It also provides improved security for storage of information and streamlines the process for staff to access documents. Ultimately the purpose is to design systems and service delivery approaches to ensure clients have access to services and receive supports they require. By modernizing digital infrastructure and reducing time spent on administrative processes, more time can be dedicated to working with clients, providing individualized life stabilization and employment supports.

Prepared by: Amanda Circelli, Manager-Evaluation & Systems Planning
Submitted by: Shirley Glover, Director- Life Stabilization
Recommended by: Kevin Dickins, Deputy City Manager
Social & Health Development

Appendix A

Bill No.

By-law No.

A By-law to approve a Change Order to the Master Services Agreement between Nimble Information Strategies Inc. and The Corporation of the City of London.

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 The Corporation of the City of London (“City”) is a delivery agent designated by the Minister of Children, Community and Social Services to administer the *Ontario Works Act, 1997*;

AND WHEREAS the Ministry, as part of the Social Assistance Modernization Strategy, has implemented Electronic Document Management;

AND WHEREAS the City and Nimble Information Strategies Inc. entered into a Master Services Agreement on December 21, 2020 (“Master Services Agreement”) with respect to Electronic Document Management;

AND WHEREAS it is deemed expedient for the City to amend the Master Services Agreement by executing a Change Order;

AND WHEREAS it is appropriate to authorize the Deputy City Manager, Social and Health Development to execute the Change Order on behalf of the City;

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

1. The Change Order (attached as Schedule 1 to this By-law), which amends the Master Services Agreement, is authorized and approved.
2. The Deputy City Manager, Social and Health Development is authorized to execute the Change Order authorized and approved under section 1 of this by-law.
3. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council _____, 2021

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading –
Second Reading –
Third Reading –



Change Order

Change Order Identification																																						
Name	City of London Life Stabilization		ID #																																			
Date Change Order Submitted	08/30/2021	Priority	(Low/Moderate/High/Critical)																																			
Date Last Updated		Impact	(Low/Moderate/High)																																			
Description & Rationale																																						
<p>Prepared by the person requesting the change. Brief description of the change. Why is this change needed (specific numbers if possible)? What will be the impact if the change is not implemented?</p> <p>City of London Life Stabilization has approximately 8,500 client master files that require digitization prior to December 31, 2021. It is estimated that each client master file folder contains approximately 175 physical pages with 15% of the 175 pages being duplex (double-sided). Therefore, each physical client file folder will generate approximately 201 images. The client master file digitization was not included in the initial Statement of Work. The change is being implemented to support increased efficiencies for document management and access within SAMS. Additionally, digitization of active files aims to enhance information security and align with provincial modernization priorities.</p> <p>Scope:</p> <ul style="list-style-type: none"> Nimble Information Strategies Inc. will be responsible to ensure all active files are packed, securely moved from City of London Life Stabilizations locations, manifested, registered and received into the Nimble facility located in Markham Ontario. For 5 City of London Life Stabilization offices (identified below), on or before December 31, 2021 (unless all parties agreed to a change in date) all historic master files for retention, as determined by the governing record series, will be scanned, indexed and retrievable by City of London staff in electronic format. <ul style="list-style-type: none"> Citi Plaza: 355 Wellington Street, Suite 248 London East: 1-1835 Dundas Street. Northland Mall: 107-1275 Highbury Ave. South London Community Centre: 1119 Jana Boulevard Westmount Shopping Centre: 785 Wonderland Rd. South Where possible Services will align with the requirements of the MCCSS Records and Document Management Standard on MCCSS Records Digitization Process Guideline. Scanning and indexing will be completed as per the SA-EDM Scanning Guide. <table border="1"> <thead> <tr> <th colspan="5">Ontario Works - City of London</th> </tr> <tr> <th>Master File Digitization</th> <th>Case Files</th> <th>Images</th> <th>Cost Per Image</th> <th>\$Cdn</th> </tr> </thead> <tbody> <tr> <td>Ontario Works - City of London</td> <td>8,500</td> <td>1,708,500</td> <td>0.18</td> <td>307,530</td> </tr> <tr> <td>File Pack & Move Services - 5 Locations</td> <td></td> <td></td> <td></td> <td>20,000</td> </tr> <tr> <td>Total</td> <td></td> <td></td> <td></td> <td>327,530</td> </tr> <tr> <td>Contingency of 5% on image estimate</td> <td></td> <td></td> <td></td> <td>15,400</td> </tr> <tr> <td>Total with Contingency</td> <td></td> <td></td> <td></td> <td>342,930</td> </tr> </tbody> </table>				Ontario Works - City of London					Master File Digitization	Case Files	Images	Cost Per Image	\$Cdn	Ontario Works - City of London	8,500	1,708,500	0.18	307,530	File Pack & Move Services - 5 Locations				20,000	Total				327,530	Contingency of 5% on image estimate				15,400	Total with Contingency				342,930
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Assessment																																						
<p>Prepared by the project team. List the project areas/tasks that will be affected by the change, the resulting benefit, as well as the impact on the schedule and budget.</p>																																						

Areas Affected	Benefits	Schedule Impact	Budget Impact
Active Client Master Files	<ul style="list-style-type: none"> • File content in digital format, loaded to provincial OPSDocs system. • Improved control and access for client information. • Reduce physical file storage footprint and reliance on paper documents. 	Digitization needs to be completed on or before Dec.31, 2021	\$342,930.00

Recommendations

Describe the options that have been considered. Explain pros and cons of various implementation strategies. Make a recommendation as to how this change could be implemented.

As per section 10.1(3) of the Master Services Agreement, authorized changes will be attached to the applicable Schedule and shall form part of the Master Services Agreement as if originally set out in the agreement and will have effect accordingly. The signed Change Order Request will be added as an addendum to the existing Statement of Work. The client master file digitization program will be implemented upon acceptance of this Change Request Form. The draft plan to support the digitization timeline is under review by Nimble Information Strategies Inc. The backfile (digitization of client files) will provide risk mitigation to the City of London OW offices and client information will be readily available to City of London Life Stabilization staff within SAMS.

Acceptance & Sign-Off

Identify the decision-making body that will approve/reject this change.

Approved as Requested

Approved with Changes

Rejected

Prepared By:

Amanda Circelli

Manager, Evaluation & Systems Planning

Approved By:

Kevin Dickins

Deputy City Manager,
Social and Health
Development

Signature

Date

Comments

Quality Control Process

The following quality control process, outlined in this appendix, apply to the City of London Client Master File Digitization.

Nimble will provide the following services in support of quality control requirements

Receipt Controls (100% of Batches)

Note: Digital Day 1 document images originate from the OW office and are forwarded to Nimble via SFTP.

- Tag all grouped Documents with a Package Tracking ID
- Ensure all documents have a unique ID
- Batch documents in groups of 200 (or less) and Tag All Batches with Nimble Tracking ID
- Flag exceptions and route to exception handling process

Receipt Controls (Emails): (100% of Batches)

- Tag all Emails with a Unique Package Tracking ID
- Ensure all emails received have a unique ID
- Tag all attachments received with a unique document ID
- Batch Emails in groups of 200 and Tag All Batches with Nimble Tracking ID
- Flag exceptions and route to exception handling process

Receipt Review Controls: (Conducted during project start up)

- Verify Package IDs and Nimble Batch IDs are present
- Verify receipt counts match physical counts
- Verify Junk items to confirm they are sorted correctly

Manifest Registration Controls: (As Required)

- Log all charts/folders in box and verify against client manifest (If provided)
- Verify if chart/record demographic data is present in Master Data
- Flag exceptions and route to exception handling process
- Generate Header barcodes (if applicable)

Prep Review Controls: (Conducted during project start up)

- Verify Package IDs and Nimble Batch IDs are present
- Ensure correct barcoded header page is inserted (if applicable)
- Ensure Records properly prepared for scanning

Scanning Controls:

Electronic Document Import Controls: (100% of Batches)

- Electronic documents are imported and assigned a unique batch ID and Nimble Tracking ID
- 100% of all electronic documents received are logged into a tracking database
- 100% of all electronic documents are run through Antivirus software
 - Documents failing virus or malware checks are removed and quarantined
 - Document tracking up updated with results
- Images normalization processes convert non-standard documents to TIF format to facilitate data extraction processing
 - Exceptions are removed from the normalization process and logged
 - Exceptions are loaded to the Exception portal for review
- Where possible Document clean-up is performed on the TIF images to maximize data classification
 - Image border removal
 - Image de-skewing
 - Image de-speckling

QC Scan Controls: (100% of Batches)

Classification Controls: (100% of Batches)

- All images and packages within a batch are processed
- Exceptions are flagged and identified based on exception processing guidelines
 - Exceptions are loaded to Exception portal for customer review

Verification \ Index Controls: (100% of Batches)

- Level 1 indexes are verified against Master data (if available)
- Level 1 indexes are verified based on business rules (i.e. MOD 10)
- Form ID entries validated against Master Form ID table
- Document Date entries are formatted to correct regional setting

- Manifest (if available) is validated against chart \folder level indexing
- Exceptions are flagged and identified based on exception processing guidelines
 - Exceptions are loaded to Exception portal for customer review

Quality Assurance Controls: (Statistically relevant sampling of a percentage of files)

- Application controls prohibit more than 1 user accessing a batch at once
- Quality Assurance Acceptance Levels:
 - Package ID: 100% accurate
 - Level 1 Index: 100% accurate
 - Structured Form ID document identification: 99.9% accurate
 - Unstructured document identification: 90%
 - Secondary Metadata Elements: 92-94% accurate
 - Non-OCR Data entry capture: 80% accurate

Post Process Export Controls: (100% of Batches)

- Box is electronically checked to ensure the following;
 - All fields are populated and contain valid data
 - All chart \records in batch indexed that are manifested
 - All chart \records and accounts exist in Master Data
 - All Document Types exist in Master form id table
 - All images can be opened

Post Upload Delivery Controls: (100% of Batches)

- 100% of batches received have been converted and uploaded to client
- 100% of charts \ folders in manifest have been converted and uploaded to client
- 100% of images created from output scripts have been uploaded to client

SmartCloud Archive Validation Controls: (if available)

- Closed loop validation of all images exported by Nimble confirming they have been imported into SmartCloud system.

Schedule 1

MASTER SERVICES AGREEMENT

THIS MASTER SERVICES AGREEMENT made in quadruplicate as of this 21st day of December 2020

BETWEEN:

The Corporation of the City of London
(Hereinafter referred to as the “CITY”)

OF THE FIRST PART

- and -

Nimble Information Strategies Inc.
(Hereinafter referred to as the “Vendor”)

OF THE SECOND PART

WITNESSES THAT:

WHEREAS the CITY and the Vendor wish to enter into an Agreement for professional services; and

WHEREAS the CITY may wish to engage the Vendor on a non-exclusive basis from time to time throughout the Term of this Agreement to provide the CITY with professional services on the terms and conditions as set out herein; and

WHEREAS this Master Services Agreement has been entered into in accordance with The Corporation of the City of London Purchasing by-laws the required funding having been included in the approved operating budget;

IN CONSIDERATION OF the mutual covenants and other terms and conditions of this Agreement and the sum of One Dollar (\$1.00) of lawful money of Canada now paid by each of the parties hereto to the other (the receipt and sufficiency whereof is hereby acknowledged), the parties hereby covenant, promise and agree each with the other as hereinafter set forth.

1 INTERPRETATION

1.1 References to Labeled Provisions

Each reference in this Agreement to a numbered or lettered “article”, “sub-article”, “section”, “subsection”, “paragraph”, “subparagraph”, “clause” or “sub-clause” shall, unless otherwise expressly indicated, be taken as a reference to the correspondingly labelled provision of this Agreement.

1.2 Definitions

Throughout this Agreement, unless inconsistent with the subject matter or context:

“**Agreement**” means this Professional Services Agreement and the Schedules to this Agreement together with any written amendment to this Agreement;

“**Business Day**” means Monday to Friday inclusive, except statutory or civic holidays observed in the Province of Ontario;

“**Business Hours**” means 8:30 a.m. to 4:30 p.m. on a Business Day;

“**Change Order Response**” has the meaning set out in subsection 10.1(b) of this Agreement;

“**Change Order Request**” has the meaning set out in subsection 10.1(a) of this Agreement;

“**Changes**” has the meaning set out in section 10.1 of this Agreement;

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

“**Confidential Information**” means:

- (1) all information of a party to this Agreement that is of a proprietary or confidential nature, regardless of whether it is identified as proprietary or confidential or not, and whether recorded or not, however fixed, stored, expressed or embodied, which comes to the knowledge, possession or control of the other party to this Agreement under this Agreement, including all information to be transmitted, stored or processed on any network or computer system;
- (2) any information that the CITY is obliged not to disclose pursuant to law or statute such as the *Municipal Freedom of Information and Protection of Privacy Act*, the *Personal Health Information Protection Act*, or any other municipal, provincial and federal legislation;
- (3) any information that the CITY is required to keep confidential, including any information of third parties, such as but not limited to any suppliers of any products or services provided to the CITY;
- (4) all information relating to intellectual property rights including copyright, trade secrets, processes, formulae, techniques, plans and designs, computer programs, computer codes whether source code or object code, and all related documentation and financial information related hereto which is proprietary to or in the possession of a party to this Agreement, and that the other party to this Agreement may have access to for purposes of this Agreement;
- (5) any information comprising the databases of the CITY or the procedures and operational protocols and information relating to the operations of the CITY and that the Vendor may have access to for purposes of this Agreement;
- (6) all data, formulae, preliminary findings, and other Material developed in the performance of the Services.

“**Council**” means CITY Council;

“**Deliverables**” means any Deliverables defined in the applicable SOW;

“**Effective Date**” refers to the effective date of this Agreement or of any Statement of Work attached hereto by amendment, as appropriate.

“**Fixed Fee**” means the maximum fee expressly stipulated in any SOW, or any portions(s) of such fee, as the case may be, where such fee(s) is/are stipulated to be a fixed or flat price, cost ceiling or upset limit;

“**Material**” shall mean all information, negatives from original photography, computer software, data Material, sketches, plans, designs, notes, documents, memoranda, specifications or other items, whether in documentary or electronic form, gathered, assembled or prepared by the Vendor for the purpose of this Agreement;

“**MFIPPA**” means the *Municipal Freedom of Information and Protection of Privacy Act*, provincial legislation that governs access to public information and the protection of Personal Information and privacy;

“**Personal Information**” means personal information as defined in ~~the~~ MFIPPA, PHIPA, and PIPEDA”;

“**Personnel**” with respect to either party, means the party’s employees, contract personnel, representatives, invitees, members, volunteers, officials and agents. In the case of the Vendor, it includes its directors, subcontractors, sub consultants, and third-party service providers.

“**PHIPA**” means the *Personal Health Information Protection Act, 2004*: provincial legislation that governs access to and the protection of Personal Information related to health services;

“**PIPEDA**” means the *Personal Information Protection and Electronic Documents Act*, Federal privacy legislation passed in 2004 that protects Personal Information in the hands of private sector organizations and provides guidelines for the collection, use and disclosure of that information during commercial activity.

“**Project(s)**” shall mean the CITY’s ongoing and future projects relating to the Services as described in the Agreement and the applicable Statement of Work;

“**Services**” shall mean the professional services to be provided by the Vendor in connection with the Project, in accordance with the Agreement, including supply of all Deliverables to the CITY;

“**Statement of Work**” or “**SOW**” means the document that sets out in detail the Services to be provided by the Vendor and the remuneration for such Services in accordance with this Agreement and applicable Statement of Work. Each Statement of Work shall by amendment to this Agreement, become a schedule to this Agreement and shall be subject to all of its terms and conditions except as may be mutually and expressly agreed otherwise;

“**Term**” means the period of time from the Effective Date first above written up to an end date.

“**Transactional Price**” means, in respect of particular Services performed and/or particular Deliverables provided and subject to the Master Agreement, the amount set out in the Statement of Work which the Vendor may charge for particular Services performed and/or particular Deliverables provided, which amount is transactional and not fixed. The transactional pricing model is subject to change only through the

use and agreement via a Change Request. For certainty, the “Transactional Price Model”, as it relates to the particular Services performed and/or Deliverables provided, includes all labour and material costs, insurance costs, carriage and transportation costs, and other overhead, including any fees or other charges required by law; but excludes: (i) all applicable duties and taxes (including Harmonized Sales Tax (HST)).

1.3 Headings

Headings in this Agreement appear for convenience of reference only and shall not affect its construction or interpretation.

1.4 Number, Gender, Person

Unless inconsistent with the subject matter or context, in this Agreement:

- words importing gender shall include the masculine, feminine, and neutral genders;
- words importing the singular shall include the plural and vice versa; and
- words importing persons shall include individuals, consortia, partnerships, associations, trusts, municipal corporations, government agencies, unincorporated organizations and corporations and vice versa.

1.5 Grammatical Variations

Grammatical variations of any expressions defined in this Agreement shall have similar meanings to such defined expressions.

1.6 Legislative Reference

Any reference in this Agreement to all or any part of any statute, regulation, by-law or rule shall, unless otherwise stated, be a reference to that statute, regulation, by-law or rule or the relevant part thereof, as amended, replaced or re-enacted from time to time.

1.7 Order of Precedence

In the event of any conflict or inconsistency between the different parts of this Agreement which cannot be reasonably reconciled, the order of precedence shall be, in descending order of priority:

- (1) this Agreement, exclusive of the Schedules;
- (2) the Schedules to this Agreement;

2 SERVICES AND DELIVERABLES

2.1 The Vendor shall carry out the Services and shall submit each Deliverable, if Deliverables are identified, in accordance with the applicable Statement of Work and otherwise in accordance with this Agreement;

3 TIMING

3.1 The Vendor shall carry out the Services and shall submit each Deliverable in accordance with the Agreement.

3.2 Obligations Excused if No Reasonable Control

3.2(1). If either Party can provide evidence to the satisfaction of the other that its performance of any of its obligations under this Agreement is prevented by reason of any event or combination of events beyond its reasonable control, it shall be entitled to relief from performing each such obligation under this Agreement for such period as the event or combination of events continues to prevent performance.

Notice – Force majeure

3.2(2) Neither Party shall be entitled to claim relief in respect of any period during which it could have complied with any obligation (or any part thereof) by using its best endeavours to avoid, overcome or minimize wholly or partly the effects of the said event or combination of events.

Reasonable Endeavours – Force majeure

3.2(3) The Party prevented from performing any obligation under this Agreement in the circumstances contemplated in subparagraph (1) shall notify the other as soon as it becomes aware of the event. Each of the Parties shall use all reasonable endeavours to avoid, overcome or minimize wholly or partly the effect of any event referred to in subparagraph (1) upon the performance of its obligations under this Agreement.

4 VENDOR'S RESPONSIBILITIES AND RESOURCES

- 4.1 The Vendor shall be responsible for its own Personnel and for the Personnel of any subcontractors and third-party service providers.
- 4.2 The Vendor will ensure that its Personnel (including those of approved sub-contractors), when using any CITY buildings, premises, equipment, hardware or software comply with all security policies, regulations or directives relating to those buildings, premises, equipment, hardware or software about which the CITY has informed the Vendor from time to time.
- 4.3 Except as provided in section 5.0 of this Agreement, the Vendor shall supply at its sole cost and expense all Personnel, equipment, accommodations and technical assistance necessary to perform the Services and to provide the Deliverables and shall be responsible for all overhead expenses in connection therewith.
- 4.4 All Personnel made available for performance of the Services by Vendor shall:
- (1) comply with the confidentiality requirements set out in this Agreement;
 - (2) shall be subject to the Vendor's confidentiality policies which are at least as stringent as those of the CITY.
- 4.4 The Vendor shall be solely responsible for any payments to be made to its Personnel, including every sub-contractor employed, engaged, or retained by it for the purpose of assisting Vendor in the performance of its obligations under this Agreement.
- 4.5 Vendor shall coordinate the services of its Personnel, including its sub-contractors, in a manner acceptable to the CITY, and ensure that they comply with all relevant requirements of this Agreement.
- 4.6 Subject to section 6.0, Indemnity, of this agreement, the Vendor shall be responsible for the action or inactions of its Personnel.
- 4.7 Security Check

- 4.7.1.1 The Vendor shall ensure that all Vendor Personnel assigned to perform services under this Agreement have a Reliability security clearance. The Vendor will designate a chief security officer as the contact for this purpose.
- 4.7.2 All Nimble facilities in Canada are certified Protected B Status from the Canadian Federal Government. Protect B Status confirms that all Nimble facilities, processes, networks and employees have been deemed security compliant in the handling and processing of highly confidential information. Further, all Nimble employees are Reliability background screened by the Federal Government prior to being hired.

5 CITY'S RESPONSIBILITIES

- 5.1 The CITY shall, subject to section 15.0 (Confidential Information), make available all data, drawings, plans and any other Materials in its possession that are relevant to the Services, at reasonable times, its Personnel for the purpose of any necessary consultation, including room and meeting booking support, required in the view of CITY Personnel, for the proper performance of the Services, but the CITY will not provide facilitation, secretarial or documentation maintenance support.
- 5.2 The CITY shall assign and identify its own Project team members and roles, with suitable business and technical expertise to facilitate efficient progress of the Services.
- 5.3 The CITY shall give due consideration to all plans, drawings, specifications, reports, proposals and other information provided by the Vendor and make its best efforts to arrive at any decisions which it is required to make in connection therewith so as not to delay the work of the Vendor.

6 INDEMNITY

- 6.1 The Vendor shall from time to time, and at all times hereafter, well and truly save, keep harmless and fully indemnify the CITY and any of its Personnel, successors and assigns from and against any and all manner of claims, demands, losses, costs, charges, actions and other proceedings whatsoever which may be brought against or made upon any of them and against any loss or damages suffered or incurred by the CITY arising from or relating to any physical injury, including death, or any loss of or damage to tangible property, caused by the Vendor, its Personnel or subcontractors or any entity for whom it is in law responsible, or arising from or relating to any statutory obligations of the Vendor inclusive of any damages arising from Vendor's breach.
- 6.2 The Vendor shall also fully defend, save harmless and indemnify the CITY and its Personnel from and against any loss or damages suffered or incurred by the CITY from or arising out of the performance or rendering of, or the failure to perform or render, or the failure to exercise reasonable care, skill or diligence in the performance or rendering of the Services save and except that to the extent that any liability arising pursuant to this section the Vendor's liability to the CITY shall not exceed an amount equal to the total amount paid hereunder by the CITY to the Vendor and in no event shall the Vendor be liable to the CITY for any indirect or consequential damages. The limitation of liability in this Article 6.2 does not apply to any indemnities under this Agreement or to section 11.0 – Insurance, section 15- Confidentiality.
- 6.3 The Vendor hereby irrevocably and unconditionally releases the CITY and its Personnel, successors and assigns from any claims the Vendor may have against the CITY for any and all costs (including legal fees and disbursements), expenses, losses, liabilities, claims, demands, actions or causes of actions, or direct, indirect, general, special, incident or consequential damages

suffered or incurred by the Vendor (including claims of third parties made through or against the Vendor) arising from the disclosure of Confidential Information under this Agreement or use thereof by the Vendor or its Personnel or otherwise in any way relating to Confidential Information, under any theory of liability, including (without limitation) any such claims resulting from the negligence or willful misconduct of those for whom the CITY is in law responsible.

- 6.4 Under no circumstances shall the CITY provide any indemnification
- 6.5 Nothing under this Agreement shall render the CITY responsible for any employment, benefit or termination liability (including those under or in connection with the *Workplace Safety and Insurance Act, 1997* or any successor legislation ("WSIA"), whether statutorily required, at common law or otherwise, resulting from Services supplied under this Agreement by persons employed or otherwise engaged by the Vendor. In the event that employment related costs, or other related responsibility falls to the CITY for any reason whatsoever, the Vendor agrees to indemnify the CITY for such costs.

7 INTELLECTUAL PROPERTY INDEMNITY

- 7.1 Without limiting the generality of subsection 6.0 above, the Vendor shall well and truly save, keep harmless and fully indemnify the CITY, its Personnel and their respective successors and assigns, from and against all actions, claims, demands costs and expenses whatsoever which may be brought against or made upon them or any of them for (a) the infringement of or use of any intellectual property rights including any copyright or patent arising out of the reproduction or use in any manner of any plans, designs, drawings, specifications, information, negatives, data, Material, sketches, notes, documents, memoranda or computer software furnished by the Vendor in the performance of the Services; (b) disclosure or use by the Vendor and/or any of its Personnel or any person for which it is at law responsible, of Confidential Information contrary to MFIPPA or PHIPA, except to the extent authorized in writing by the CITY.
- 7.2 Section 6.0 (Indemnity), 7.0 (Intellectual Property Indemnity), 8.0 (Third Party Software) and 15.0 (Confidential Information) shall survive the expiry or other termination of this Agreement.

8 THIRD PARTY SOFTWARE

- 8.1 Where the CITY is in possession of software containing or constituting confidential proprietary information belonging to third parties, the Vendor shall not, except in the usual incidental manner genuinely necessary for the intended use of such software on the equipment of the CITY,
- (1) analyze, copy, decompile, disassemble, translate, convert, reverse engineer or duplicate any physical embodiment or part thereof, or permit any person to do so; or
 - (2) divulge to any unauthorized person the ideas, concepts or techniques, or make any other improper use, of such software.
- 8.2 The Vendor shall fully defend, save harmless and indemnify the CITY from and against any loss or damages suffered by the CITY as a result of any failure by the Vendor and/or its Personnel or any of them to comply with the provisions hereof.
- 8.3 Should the Vendor include third party confidential proprietary information within the Deliverables, the Vendor must secure the rights to use and repackage third party components and pass on those rights to the CITY without additional charges.

9 VENDOR'S REPRESENTATIONS, WARRANTIES AND COVENANTS

- 9.1 The Vendor represents, warrants and covenants to the CITY (and acknowledges that the CITY is relying thereon) that the Services to be supplied under this Agreement will be in accordance with the CITY's requirements as set out herein.
- 9.2 The Vendor warrants, that to its knowledge, (i) no Councilor, official or employee of the CITY has any direct or indirect beneficial interest, whether financial or otherwise, in the Vendor or its subcontractors or suppliers or in their performance of the Services; and (ii) the Vendor is not engaged in any other projects nor is it providing services to any other client that would give rise to an actual or potential conflict of interest.
- 9.3 If a conflict of interest exists or arises pursuant to this section during the Term of this Agreement, the CITY may, at its discretion, suspend any Services being performed until the matter is resolved to the CITY's sole satisfaction or terminate this Agreement.

The Vendor acknowledges and agrees that it is responsible for becoming familiar with, and shall comply with, the CITY's Procurement of Goods and Services Policy, Schedule "C" to By-law No. A.-6151-17 and CITY policies respecting records retention (By-law A.-7323-299), routine disclosure, privacy protection, cyber security incident response plan, remote access, and secure cloud usage.

- 9.4 The Vendor acknowledges that there are no actions, claims, suits or proceedings pending or to its knowledge threatened against or adversely affecting it or any of its subcontractors in any court or before or by any federal, provincial, municipal or other government department, commission, board, bureau or agency, Canadian or Foreign, that might affect the Vendor's or its proposed subcontractor's financial condition or ability to perform and meet any and all duties, liabilities and obligations as may be required under this Agreement.

10 CHANGE CONTROL PROCEDURES AND DISPUTE RESOLUTION

- 10.1 Change Control: The CITY shall have the continuing right to request in writing that the Vendor makes or permit changes, modifications or enhancements to the Services described in this Agreement in accordance with the procedures hereinafter set out. Nothing in this section shall prevent any such request from being made as a result of a Change suggested by the Vendor.
 - (1) To request a Change, the CITY will issue a written Change Order Request to the Vendor, in the form attached as Schedule "B" ("Change Order Request Form"), or the Vendor will send a Change Order Request to the CITY as the case may be, specifying the proposed Change and the purpose or objective sought with such proposed Change and supporting schedule of new rate Plans or other supporting details.
 - (2) Within ten (10) Business Days after the Change Order Request is received by the Vendor or presented to the CITY, as the case may be, the Vendor shall deliver to the CITY a written Change Order Response ("Change Order Response") which shall include, at a minimum, the following information:
 - (i) the reason for Change where the Vendor suggested the Change to the CITY;
 - (ii) the information for the Services, as specified by the CITY;
 - (iii) task definition and detailed of the services specifying how the proposed Change would be implemented;
 - (iv) any deliverables;
 - (v) performance schedule and the effect, if any, that such Change will have on the performance of the Vendor's obligations under the Services;

- (vi) any additional or reduced fees to the CITY that will result from the implementation of such Change and, if additional costs, the fee estimate on a fixed price basis; and
 - (vii) recommended action.
 - (3) If the Change Order Response is acceptable to the CITY and if the approval of the Managing Director, Housing, Social Services & Dearness Home, a standing committee or CITY Council is not required, the CITY will provide an executed Change Order (“Change Order”) to the Change Order Response to authorize the making of the Change and thereafter the Services shall be deemed to include the services described in such Change Order, provided that the CITY’s Managing Director, Housing, Social Services & Dearness Home identified in the applicable Schedule may provide written approval to the Change Order Response if it does not involve or result in any increase in the Transactional Fee. The CITY reserves the right to accept or reject any Change Order Response, in whole or in part, and, if dissatisfied with the Change Order Response received, the right to request a new one. Despite any other provision in this Agreement, Change Orders shall be deemed to be a duly authorized amendment to the applicable Schedule. Each Change Order shall be attached to the applicable Schedule and shall form part of this Agreement as if originally set out herein and have effect accordingly.
 - (4) Upon receipt of the Change Order, the Vendor will be authorized to commence the Change.
 - (5) Execution by the Parties of the process provided for in this section shall not be considered a force majeure event and, as a result, shall not excuse or absolve a Party from any delay in or failure of performance by it under this Agreement including any Schedule. Any claim by the Vendor for extension or reduction of time resulting from such changes or additions to any Services shall be considered by the CITY, and if the CITY allows such claim, in its sole discretion, this Agreement shall be adjusted by the CITY as at the time of the CITY ordering such change in accordance with the CITY’s policy.
- 10.2 Additional Statements of Work may be added to this Agreement only by Change Order, in which case, they shall be subject to the same terms and conditions as agreed to in this Agreement.
- 10.3 Dispute Resolution: Except where expressly excluded from the provisions of this section, the Parties shall endeavor to resolve any Dispute (other than a dispute with respect to the commencement of an action for injunctive relief or a declaration to restrain or prevent the improper use or misappropriation of Confidential Information) arising between the Parties. A Dispute shall be resolved by employing the procedures provided for below in this section.
- 10.4 All Disputes which may arise with respect to any matter governed by this Agreement shall, to the extent possible, be resolved by the CITY’s Project Manager and the Vendor’s Project Manager or any persons designated by them in writing to deal with any category of Dispute as soon as practicable and in any event within ten (10) Business Days of its referral to the Project Managers.
- 10.5 In the case of Disputes which may arise with respect to any matter relating to this Agreement, the following provisions shall apply:
- (1) If CITY’s Project Manager and the Vendor’s Project Manager, or the persons designated as their representatives, are unable to resolve a Dispute within ten (10) Business Days of its referral, either one of them can escalate the matter of the Dispute as designated by the respective Party. If these persons are unable to resolve a Dispute within a further five (5) Business Days, either one of them can escalate the matter further. The persons to whom

the dispute is further escalated shall make reasonable efforts to resolve the Dispute within fifteen (15) Business Days of its escalation. The Vendor shall ensure that its representatives have the necessary authority to resolve any Dispute on its behalf.

- (2) If the Parties are unable to resolve a Dispute in accordance with the provisions of section 10.0, then either the Vendor or the CITY may in writing request that CITY Council be requested to approve the submission of the Dispute to arbitration on terms acceptable to both Parties. Arbitration requires the consent of both Parties.

10.6 Subject to the terms of this Agreement, unless requested or otherwise agreed to by the CITY, the Vendor shall not stop or suspend its performance under this Agreement pending the resolution of any Dispute, as contemplated in this section 10. At any time prior to the resolution of a Dispute under sections 10.3, 10.4 and 10.5, above, the CITY may provide a written direction to the Vendor as to the manner in which to proceed while the resolution of the Dispute is pending and the Vendor shall proceed as directed.

11 INSURANCE

11.1 The Vendor agrees to purchase and maintain in force, at its own expense and for the duration of this Agreement, the following policies of insurance, which policies shall be in a form and with an insurer acceptable to the CITY. A certificate evidencing these policies signed by the insurer or an authorized agent of the insurer must be delivered to the CITY prior to the commencement of services:

- (1) Commercial general liability provided that the policy:
 - a) is in the amount of not less than 2 million dollars, per occurrence;
 - b) adds the CITY as an additional insured;
 - c) includes non-owned automobile liability, employer's liability and/or contingent employer's liability, and any other provision relevant to the services; and
 - d) includes a clause which will provide the CITY with thirty (30) days prior written notice of cancellation or material change in coverage.
- (2) Professional liability (errors and omissions) coverage provided that the policy:
 - a) is in the amount of not less than 2 million dollars; and
 - b) will extend to infringement of copyright and other intellectual property, including misuse of trade secrets, if appropriate.

Notwithstanding anything to the contrary contained in this Agreement, kept in full force and effect for a period ending no sooner than two years after the termination or expiry of this Agreement, as the case may be.

- (3) Automobile liability insurance with a minimum limit of 2 million dollars for all owned or leased licensed motorized vehicles used in the performance of the Services.

11.2 It is understood and agreed that the coverage and limits of liability noted above are not to be construed as the limit of liability of the Vendor in the performance of the Services. It is also agreed that the above insurance policies may be subject to reasonable deductible amounts, which deductible amounts shall be borne by the Vendor. At the expiry of the policies of insurance, original signed certificates evidencing renewal will be provided to the CITY without notice or demand.

- 11.3 The Vendor is responsible for any loss or damage whatsoever to any of its' materials, goods, equipment or supplies and will maintain appropriate all-risk coverage as any prudent owner of such materials, goods, supplies and equipment. The Vendor shall have no claim against the CITY or the CITY's insurers for any damage or loss to its property and shall require its property insurers to waive any right of subrogation against the CITY
- 11.4 The limitations of liability in section 6.2 of this Agreement do not apply to this section 11.

12 RIGHTS OF OWNERSHIP AND USE

- 12.1 The Material shall become the sole property of the CITY, including all copyright therein, as it comes into existence, and the Vendor represents and warrants to the CITY that no other person shall own any copyright therein.
- 12.2 Following completion or other termination of the Services, the Vendor shall cause its Personnel to deliver to the CITY any or all of the Material, including copies and drafts, not previously delivered, and the CITY may use the Material for such purposes as it deems fit.
- 12.3 The Vendor represents and warrants that its Personnel have waived or shall waive any and all moral rights arising under the Copyright Act with respect to the Material as against all parties including the Vendor and the CITY and anyone claiming rights of any such nature from or through the CITY.

13 FEES AND BILLING

- 13.1 The Vendor shall not be entitled to payment of any kind for any Services it may perform unless such payment is expressly provided for in a SOW to this Agreement. Where the SOW provides for a Fixed Fee, the Vendor shall be obligated to perform the relevant task(s) comprising the Services and Deliverables called for by the SOW, subject to the acceptance procedures and any agreed upon changes set out in a change Order, for no greater payment than such Fixed Fee, regardless of whether the value of the time spent on the performance of the Services exceeds the Fixed Fee. No payment in excess of the amount set forth in a SOW to this Agreement shall be made without the prior authorization of the Council of the CITY or its authorized officer. Where such a Fixed Fee SOW specifies rates, whether hourly, daily or otherwise, such rates are for information only and shall have no effect on the Fixed Fee.
- 13.2 All SOWs in which payment for the Services is calculated on the basis of transactions and/or monthly costs and not by a Fixed Fee shall require the Vendor to meet regularly at times and places agreed upon by them to discuss the Services. Written status reports and written replies thereto will be submitted at times agreed upon by the Vendor, but no less than once a month.
- 13.3 Rates quoted in a SOW remain fixed unless provided for otherwise in the SOW. For work done pursuant to a transactions SOW, the Vendor will invoice the CITY for actual transactions completed and taxes. The Vendor will cease performing Services once the Fee estimate in a transactions SOW is reached, unless the parties agree in writing that the Vendor will continue to provide Services.
- 13.4 All fees and expenses for a transactions SOW will be invoiced bi-weekly. Invoices must be accompanied by a time sheet which sets out actual time spent, and a summary of the Services performed. Invoices will be submitted to:

Amanda Circelli
The Corporation of City of London
Social Services Citi Plaza
355 Wellington Street, Suite #248
PO Box 5045, London, N6A 4L6

- 13.5 No payment shall be made to the Vendor before this Agreement has been duly executed by both parties hereto.
- 13.6 When the Vendor submits an invoice, the relevant Purchase Order or Blanket Contract number, the CITY Project Manager's name and location, along with the approved Deliverables/milestones being invoiced, if applicable, and any separate document evidencing approval by the CITY of such Deliverables will be attached to the invoice.
- 13.7 Payment of invoices will be net thirty (30) days unless there is a dispute with respect to the amount billed.
- 13.8 The CITY shall not be obliged to make payment of any invoice as long as the Vendor has failed to provide any required supporting material or to rectify in a satisfactory manner any adverse departure from any performance standards applicable to any Services.
- 13.9 The Vendor shall supply the CITY with its H.S.T. registration number and evidence of H.S.T. payment to Canada Customs and Revenue Agency upon request of the CITY.
- 13.10 All SOWs shall be governed by this Master Services Agreement as if the terms and conditions hereof were set out at length therein. Each SOW shall be considered separate and distinct from any other SOWs that may be attached to this Agreement from time to time.

14 TERMINATION

- 14.1 Failure by the Vendor to perform its obligations under this Agreement, shall entitle the CITY to terminate this Agreement forthwith upon delivery of a Notice of Termination to the Vendor. Where the CITY does so, the Vendor shall have no claim of any kind against the CITY save for the payment of those Services, if any, that have been satisfactorily furnished by the Vendor up to the time of such notice of termination and that have not yet been paid by the CITY.
- 14.2 Upon giving the Vendor not less than ten (10) days' prior written notice, the CITY may, at any time and without cause, terminate this Agreement or cancel any of the Services to be performed under it but not then performed, in whole or in part, without liability, cost or penalty to itself, and without prejudice to any other rights or remedies under this Agreement or otherwise at law or in equity or by statute, provided that the Vendor shall be entitled to be paid for all Services properly performed up to the effective date of such termination or cancellation.
- 14.3 The CITY may terminate this Agreement without notice if:
- (a) the Vendor ceases to operate or carry on business as a going concern;
 - (b) the Vendor is unable or unwilling to pay its debts as they become due or defaults under any loan or other financial obligation or duty to any other person;
 - (c) the Vendor files a voluntary petition in bankruptcy or insolvency or shall petition for reorganization under any bankruptcy law;
 - (d) the Vendor consents to an involuntary petition in bankruptcy or if a receiving order is given

- against it under the Bankruptcy and Insolvency Act or the comparable law of any other jurisdiction;
- (e) an order, judgment or decree is issued by a court of competent jurisdiction, upon the application of a creditor, approving a petition seeking reorganization or appointing a receiver, trustee or liquidator of all or a substantial part of the Vendor's assets.

14.4 The Vendor shall (a) have the right to terminate this Agreement on fourteen (14) Business Days' prior written notice should the CITY fail through no fault of the Vendor to perform substantially in accordance with the terms of this Agreement, unless such fault is rectified by the CITY within the said fourteen (14) Business Days 'notice period; (b) accept payment for Services performed to the date of termination, on the basis of the value thereof satisfactorily determined, in full satisfaction of any and all claims under this Agreement.

15 CONFIDENTIAL INFORMATION

- 15.1 The Vendor and its Personnel will treat as confidential all financial, statistical, Personnel, technical and general data related to the operations of the CITY, including (without restriction) any pertaining to third parties, which come to the attention of the Vendor in the course of carrying out the Services under this Agreement and any Schedule or Statement of Work, and which are not or do not subsequently become public knowledge through no fault of the Vendor, and will not disseminate same for any reason whatsoever without the express written permission of the CITY.
- 15.2 At the request of the CITY, the Vendor will sign a non-disclosure agreement and will require any Personnel to sign such agreement.
- 15.3 Despite the foregoing, the Vendor shall not be required to keep confidential any data which (i) is or becomes publicly available through no fault of the Vendor; (ii) is already rightfully in possession of the Vendor and not subject to any pre-existing obligation of confidentiality; (iii) is independently developed by the Vendor outside the scope of this Agreement; (iv) is rightfully obtained from third parties; or (v) is required to be disclosed by operation of law.
- 15.4 At the request of the CITY, or upon the expiry or cancellation of the Services or the termination of this Agreement, as the case may be, the Vendor agrees to
- (1) return to the CITY, no later than three (3) Business Days 'thereafter, all such data, and all written or descriptive matter, including but not limited to drawings, prints, descriptions or other papers, documents or any other Material which contains any Confidential Information, regardless of the media on which it is resident or stored and regardless of the form in which it may then appear, and including without limitation all such data and all written or descriptive matter, including but not limited to drawings, prints, descriptions or other papers, documents or any other Material which contains any Confidential Information, held by any of its Personnel, or partner, subcontractor or agent of the Vendor, and including all copies thereof;
 - (2) destroy all electronic versions of the CITY 's Confidential Information in its possession or in the possession of any of its Personnel, or in the possession of any of its partners, subcontractors or agents; and
 - (3) certify to the CITY that this has been done.
- 15.5 The Vendor acknowledges and agrees that, notwithstanding any other provision of this Agreement, the CITY shall have the right to terminate this Agreement immediately upon notice to the Vendor in the event of irregular or unlawful disclosure of Material or other Confidential Information by the

Vendor or any person for whom it is at law responsible.

- 15.6 Except to the extent genuinely necessary to permit the Vendor to abide by its obligations under this Agreement, the Vendor shall neither demand nor accept any Material or Confidential Information from CITY Personnel.
- 15.7 Upon completion or other termination of the Services, the Vendor shall ensure that (a) all written or descriptive matter, including but not limited to drawings, prints, descriptions or other papers, documents or any other Material which contains any Confidential Information is returned to the CITY; (b) all electronic versions of Confidential Information in its possession and/or that of its Personnel is destroyed; and (c) written confirmation that the requirements of this sub-article have been complied with is provided to the CITY's Evelina Skalski, Manager Records & Information Services promptly after being requested.
- 15.8 This section 15.0 is subject to MFIPPA and PHIPA and shall survive the termination or expiry of this Agreement.

16 WORKPLACE SAFETY AND INSURANCE ACT

- 16.1 The Vendor shall secure, maintain and pay all costs for Workplace Safety and Insurance Board ("WSIB") workers' compensation coverage for its employees providing Services under this agreement, whether required statutorily or not under the Workplace Safety and Insurance Act, 1997.
- 16.2 The Vendor represents and warrants that it shall be in good standing with the WSIB throughout the Term of this agreement. Prior to supplying the Services and prior to receiving payment, the Vendor shall produce a Clearance Certificate issued by the WSIB confirming that the Vendor has paid its assessment based on a true statement of the amount of its current payroll in respect of the Services and that the CITY is relieved of financial liability. Thereafter, throughout the period of Services being supplied, a new Clearance Certificate will be obtained from the WSIB by the Vendor and provided to the CITY every 90 days or upon expiry of the Certificate's validity period whichever comes first.
- 16.3 The Vendor shall ensure that any and all persons, including but not limited to volunteers, students, subcontractors and independent contractors, providing services under this agreement, have secured WSIB coverage, whether required statutorily or not, for the Term of this agreement.

17 NOTICES

- 17.1 Any notice required or permitted to be given under this Agreement shall be delivered as follows to the contact below

(1) If to the CITY:

(a) The Corporation of the City of London
Social Services – Citi Plaza
355 Wellington Street, Suite 248 London, N6A 5R7

Attention: Amanda Circelli
Phone Number: 519.639.6572
E-mail: acircell@london.ca

Attention: Karen Flood
Phone Number: 519.661.2489 ext 5200

E-mail: kfflood@london.ca

(b) With a copy to I&T Contract Management

The Corporation of the City of London
201 Queens Ave - 3rd Floor
London, ON N6A 1J1

Attention: James McCloskey
Phone Number: 519-661-CITY (2489) Ext.7513
Email address: jmcclosk@london.ca

(2) If to the Vendor:
2820 14th Avenue Markham ON, Suite 100

Attention: Ron Webb – Director, Digital Solutions
Phone Number: (905)940-0190 Ext: 4217
E-mail address: rwebb@nimble.ca

17.2 Any notice delivered to the party to whom it is addressed as provided above under this section shall be deemed to have been given and received on the day it is delivered, provided that if that day is not a Business Day then the notice shall be deemed to have been given and received on the first Business Day next following that day.

18 GENERAL

18.1 This Agreement constitutes the complete and exclusive statement of the agreement between the parties, which supersedes all proposals, oral or written, and all other communications between the parties, relating to its subject matter.

18.2 If one or more of the phrases, sentences, clauses, paragraphs, sections or subsections contained in this Agreement is declared invalid by the final and unappealable order, decree or judgment of any court of competent jurisdiction, this Agreement shall be construed as if such phrase(s), sentence(s), clause(s), paragraph(s), section(s) or subsection(s), had not been inserted.

18.3 Accessibility Standards and Customer Service Training Requirements

Compliance of the vendor’s deliverables to the CITY’s Accessibility Policy and provisions of Accessibility for Ontarians with Disabilities Act, 2005 (as amended from time to time or superseded) (the “AODA”), and the Regulations thereunder with regard to the provision of its Deliverables or Services to persons with disabilities is addressed in each SOW.

18.4 All rights and remedies of either party for any breach of the other party’s obligations under this Agreement shall be cumulative and not exclusive or mutually exclusive alternatives, may be exercised singularly, jointly or in combination and shall not be deemed to be in exclusion of any other rights or remedies available to the non-breaching party under this Agreement or otherwise at law.

18.5 No delay or omission by either party in exercising any right or remedy shall operate as a waiver thereof or of any other right or remedy, and no single or partial exercise of a right or remedy shall preclude any other or further exercise of them or the exercise of any other right or remedy.

19 ENUREMENT/ASSIGNMENT

- 19.1 This Agreement shall inure to the benefit of and be binding upon the parties and their respective successors and, subject to subsection 19.2 hereof, assigns only.
- 19.2 Neither party shall assign this Agreement or any interest in it without the prior written consent of the other, and for the purposes of this Agreement, assignment shall include any transfer in the majority ownership or controlling interest in the Vendor, whether through the sale of shares, direct acquisition of assets or otherwise.

20 AUDIT

- 20.1 The Vendor shall, in accordance with Canadian generally accepted accounting practice, keep and make available only those accounts, books and Records, including timesheets, respecting the performance of the Services contemplated herein, for inspection and audit by the Treasurer or Auditor for the CITY or such person as either Treasurer or the Auditor shall authorize in writing, any of whom may make copies of such documents or take extracts from them subject to the Confidentiality provisions contained herein. The Vendor shall afford all facilities for such inspections and audits and shall furnish the Treasurer or the Auditor or their respective authorized representatives with all relevant information and such assistance and co-operation as she or he may from time to time require with reference to such accounts, books and Records. The Vendor shall not, without the prior written consent of the Treasurer, dispose of any accounts, books or Records referred to in this section 20.0, but shall preserve and keep the same available for inspection and audit at any time, with such obligation to continue after the expiry or termination of this Agreement for a period of two years.
- 20.2 This section 20.0 shall survive the termination or expiry of this Agreement.

21 NON-SOLICITATION

- 21.1 The Vendor shall not actively recruit for employment any member of the CITY's staff, but nothing herein shall prevent the Vendor from hiring or retaining at any time any such member who has responded to a public advertisement for such employment or engagement.
- 21.2 The CITY shall not actively recruit for employment any member of the Vendor's staff prior to the expiry of the provision of the last of the Services most recently supplied by such member, but nothing herein shall prevent the CITY from hiring or retaining at any time any such member who has responded to a public advertisement for such employment or engagement.
- 21.3 This section 21.0 shall survive the termination or expiry of this Agreement for a period of twelve months.

22 INDEPENDENT CONTRACTOR

- 22.1 The relationship of the CITY and the Vendor is one of owner and independent contractor and not one of employer-employee. Neither is there any intention to create a partnership, joint venture or joint enterprise between the Vendor and the CITY.

23 PUBLICITY

- 23.1 Subject to the provisions of this Agreement, neither party nor any of its affiliates, associates, third-

party service providers, and subcontractors, shall make any public announcement or release for publication any information in connection with this Agreement or its subject matter, without the prior written consent of the other which shall not be unreasonably withheld.

24 NON-EXCLUSIVITY

24.1 The Vendor acknowledges and agrees that the entering into of this Agreement by the CITY is not a guarantee or promise of exclusivity, and that the CITY in its discretion may arrange for performance of any Services by entities other than the Vendor.

25 COMPLIANCE WITH LAWS

25.1 The Vendor shall comply with all federal, provincial and municipal laws and regulations in performing all Services, including, without limitation, the *Occupational Health and Safety Act* and the *Workplace Safety and Insurance Act, 1997*, or any successor legislation, as applicable, and shall provide to the CITY, upon request, periodic reports confirming such compliance.

26 GOVERNING LAW

26.1 This Agreement shall be governed by the laws of the Province of Ontario, and of Canada. Any dispute arising out of this Agreement will be determined by a court of competent jurisdiction in the Province of Ontario unless otherwise agreed to in writing by the CITY.

27 COUNTERPARTS

27.1 This Agreement may be executed in two or more counterparts, each of which together shall be deemed an original, but all of which together shall constitute one and the same instrument. In the event that any signature is delivered by facsimile transmission or by e-mail delivery of a ".pdf" format data file, such signature shall create a valid and binding obligation of the Party executing (or on whose behalf such signature is executed) with the same force and effect as if such facsimile or ".pdf" signature page were an original thereof.

28 SCHEDULES

28.1 The following schedules are attached to and form a part of this Agreement in the same manner and with the same effect as if they were included in the body hereof:

Schedule "A" – Change Order Request Form

Schedule "B" – Deliverable Acceptance Request Form

Schedule "C" - Notice of Acceptance of Deliverable Form

29 SECURITY

29.1 Right to Audit:

Upon the CITY's written request, to confirm Vendor compliance with this Agreement, as well as any applicable laws, regulations and industry standards, the Vendor grants the CITY or, upon the CITY's election, a third party on the CITY's behalf, permission to perform an assessment, audit, examination or review of all controls in the Vendor's physical and/or technical environment in relation to all personal information being handled and/or services being provided to the CITY pursuant to this Agreement. The Vendor shall fully cooperate with such assessment by providing access to knowledgeable personnel, physical premises, documentation, infrastructure and application software that processes, stores or transports personal information for the CITY pursuant to this Agreement. In addition, upon the CITY's written request, the Vendor shall

provide the CITY with the results of any audit by or on behalf of the Vendor performed that assesses the effectiveness of the Vendor's information security program as relevant to the security and confidentiality of personal information shared during the term of this Agreement.

Any audit requests by the CITY would have to be coordinated via Ross Magnaldo, Nimble COO. Further, if a third party is selected to perform an audit on behalf of the CITY, the third party will be obligated to sign a NDA prior to commencing with the audit

29.2 NOTIFICATION ABOUT SECURITY BREACHES:

(1) Vendor shall:

- (i) provide the CITY with the name and contact information for an employee of the Vendor who shall serve as the CITY's primary security contact and shall be available to assist the CITY in resolving obligations associated with a Security Breach;
- (ii) notify the CITY of a Security Breach as soon as practicable, but no later than twenty-four (24) hours after the Vendor becomes aware of it; and
- (iii) notify the CITY of any Security Breaches by telephone at the following number: Christine Stacey, Manager Ontario Works Client Services 519.661.2489 ext 5839 and email to the CITY at cstacey@london.ca, and with a copy by e-mail to Vendor's primary business contact within the CITY.

(2) Immediately following the Vendor's notification to the CITY of a Security Breach, the parties shall coordinate with each other to investigate the Security Breach. Vendor agrees to fully cooperate with the CITY in the CITY's handling of the matter, including, without limitation:

- (i) assist with any investigation;
- (ii) provide the CITY with physical access to the facilities and operations affected;
- (iii) facilitate interviews with the Vendor's employees and others involved in the matter; and
- (iv) make available all relevant records, logs, files, data reporting and other materials required to comply with applicable law, regulation, industry standards or as otherwise reasonably required by the CITY.

29.3 VULNERABILITY ASSESSMENTS

The CITY reserves the right to request the results of a vulnerability scan for the Vendor's production environment. Production environment is here defined as all systems that interact with the service contracted for herein including any systems that hold, process, or from which CITY data may be accessed. A vulnerability scan is defined as a scan by a network vulnerability scanner such as Nessus or ISS.

(1) Response Time to Vulnerabilities:

The Vendor agrees to provide, in a timely manner, proper treatment for known vulnerabilities that may impact the CITY's business.

(2) Privacy Impact Assessment:

Upon the CITY's written request, to confirm compliance with this Agreement, as well as any applicable laws and industry standards, the Vendor shall promptly and accurately complete a written privacy impact questionnaire provided by the CITY or a third party on the CITY's behalf regarding Vendor's business practices and information technology environment in relation to all personal information being handled and/or services being provided by the Vendor to the CITY pursuant to this Agreement. The Vendor shall fully cooperate with such inquiries. The CITY shall treat the information provided by Vendor in the security questionnaire as Vendor's Confidential Information.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their corporate seals attested to by the hands of their respective proper signing officers in that behalf duly authorized.

THE CORPORATION OF THE CITY OF LONDON

VENDOR

Signature: 
Name: Kevin Dickins
Title: Acting Managing Director Housing, Social Services and Deerness Home

DocuSigned by:

Name: Michael Thompson
Title: Chief Executive Officer

Signature: _____
Name:
Title:

I have authority to bind the company.

Schedule "A" – Change Order Request Form

Change Order Request Form

Change Request Identification			
Name	[enter brief name for this project change request]	ID #	
Date Change Request Submitted		Priority (Low/Moderate/High/Critical)	
Date Last Updated		Impact (Low/Moderate/High)	
Description & Rationale			
Prepared by the person requesting the change. Brief description of the change. Why is this change needed (specific numbers if possible)? What will be the impact if the change is not implemented?			
Assessment			
Prepared by the project team. List the project areas/tasks that will be affected by the change, the resulting benefit, as well as the impact on the schedule and budget.			
Areas Affected	Benefits	Schedule Impact	Budget Impact
Recommendations			
Describe the options that have been considered. Explain pros and cons of various implementation strategies. Make a recommendation as to how this change could be implemented.			
Acceptance & Sign-Off			
Identify the decision-making body that will approve/reject this change.			
<input type="checkbox"/> Approved as Requested		<input type="checkbox"/> Approved with Changes	<input type="checkbox"/> Rejected
Prepared By:			
Name		Date	
Name & Title		Signature	Date
Approved By:			
Name		Date	
Name & Title		Signature	Date
Approved By:			
Name		Date	
Name & Title		Signature	Date

Comments

Schedule "B" Deliverable Acceptance Request Form

Project Name:			
CITY Project Manager:		CITY Telephone:	
Vendor Project Manager:		Vendor Telephone:	
Project Sponsor:		Planned Due Date:	
Phase ID & Name:		Submission Date:	

Deliverable Acceptance Request
<p>Deliverables:</p> <p><<List Deliverables for which acceptance is being requested>></p>

Deliverable Acceptance Request Prepared By:			
Name	Project Role	Signature	Date

Schedule "C" Notice of Acceptance of Deliverable Form

Project Name:			
CITY Project Manager:		CITY Telephone:	
Vendor Project Manager:		Vendor Telephone:	
Project Sponsor:		Planned Due Date:	
Phase ID & Name:		Submission Date:	
Deliverable:			

Deliverable Reviewed
The above referenced Deliverable has been reviewed. Based on the defined acceptance criteria, the Deliverable is: <div style="text-align: center;"> Accepted <input type="checkbox"/> Rejected <input type="checkbox"/> </div>
Review Process:
<<Description of CITY review process>>
Detailed reasons , if rejected:
<<Description of deficiencies, errors>>

Deliverable Accepted / Rejected By:			
Name	Project Role	Signature	Date

Deliverable Approval Signatures:			
Name	Project Role	Signature	Date



Schedule 2

Statement of Work

To the Agreement dated the 21st day of December 2020

between

The Corporation of the City of London

(Hereinafter referred to as the "CITY" or "Client")

- and -

Nimble Information Strategies Inc.

(Hereinafter referred to as the "Vendor" or "Nimble")

Nimble Information Strategies Inc. (Hereinafter referred to as the "Vendor" or "Nimble") and The Corporation of the City of London (Hereinafter referred to as the "CITY" or "Client") enter into this Statement of Work for Document Scanning and Imaging Services between the Vendor and the CITY.

In consideration of their respective agreements set out below, the parties agree as follows:

1. **Structure** – The terms and conditions of the Master Service Agreement are hereby incorporated by reference in this Statement of Work. This document and the Master Agreement together comprise a separate Statement of Work between the Vendor and the CITY.
2. **Statement of Work** – The Vendor agrees to provide to the CITY, and the CITY agrees to acquire from the Vendor the Services and Deliverables described in this Statement of Work upon and subject to the terms of this Statement of Work.
3. **Maximum Estimated Price for year 1 Based on Volumes Provided:**
 - a. Digital Mail Room Services \$27,505
(includes one-time set-up fee of \$2500 & excludes taxes)
4. **Term:** The contract will be for a period of (3) years from the effective date of the Agreement for the digital mail room with the option to renew the contract for an additional four (4) separate one (1) year periods at sole discretion of the CITY.
5. **Project Start Date:** December 21, 2020
6. **Project End Date:** December 21, 2023
7. **Scope of Services and Deliverables** – The Scope of Services and Deliverables to be provided by the the Vendor under this Statement of Work are specified in detail in **Schedule 2** to this agreement.

- 8. Previous Statements of Work** – This Statement of Work (SOW) is specific to the CITY for Digital Mailroom services. This Statement of Work will supersede all previous Nimble Statements of Work with the CITY for like services should any currently exist.
- 9. Beyond Scope of Services and Deliverables** – Any item, activity or event not detailed as “In Scope” will be deemed Out of Scope for the lifecycle of this project. Scope changes will be addressed via the change control procedures detailed within the Master Service Agreement section 10 – Change Control Procedures and Dispute Resolution.
- 10. Communications and Reporting** – The Vendor will provide a plan describing how the CITY will be informed of the Project status, including progress reports and any other types of reports or reporting requirements. At the least, the Vendor shall meet with the CITY Representative regularly during the project term to provide status reports or to obtain approval for Deliverables. The communications and reporting plan will be approved by the CITY.
- 11. Working Hours** – The CITY’s normal working hours are between 8:30 a.m. and 4:30 p.m. If required, the Vendor will provide Services outside of these normal working hours and on non-business days if required to do so. Services outside of regular business hours will be subject to additional billing re Time and Materials but must be pre-approved by the CITY.
- 12. Administrative Services and Supplies** – All in-scope administrative services and supplies used by the Vendor to complete the Services will be provided to the CITY at no additional charge.
- 13. Names and Roles of Vendor's Personnel**

Contact Name	Role	Responsibility	e-mail	Office	Cell Phone
Ron Webb	Director, Digital Solutions	Relationship Manager City of London	rwebb@nimble.ca	905-9400190 Ext 4217	289-897-1732
Ross Magnaldo	Chief Operations Officer	Operations Nimble Canada. Project Lead	rmagnaldo@nimble.ca	905-940-0190 Ext 4241	647-284-9298
Shawn Morrison	Chief Technology Officer	Technical Solutions and Implementation	smorrison@nimble.ca	905-940-0190 Ext 4234	647-218-6394
Leo Kwan	Manager, Information Technology	Technical Solutions	lkwan@nimble.ca	905-940-0190 Ext 4752	416-844-1416


- 14. Invoices** - Invoices for payment of any charges under this Statement of Work (SOW) shall be sent to the CITY per procedures specified in the Master Service Agreement section 13 – Fees and Billing.
- 15. Pricing Terms** – The terms and conditions set out in Schedule 3 to this Statement of Work shall apply.
- 16. The Corporation of the City of London – Representative and Receipt of Notices**

CITY address for receipt of notices:	Social Services Citi Plaza 355 Wellington Street, Suite #248 PO Box 5045, London, N6A 4L6
CITY Representative:	Amanda Circelli
Telephone number:	519.639.6572
E-mail:	acircell@london.ca
Backup CITY Representative:	Karen Flood
Telephone number:	519.661.2489 x 5200
E-mail:	kflood@london.ca

17. Vendor Representative and Receipt of Notices

Vendor's address for receipt of notices:	2820 14 th Avenue Markham ON, Suite 100
Vendor Representative:	Ron Webb – Director, Digital Solutions
Telephone number:	905-940-0190 Ext: 4217
E-mail:	rwebb@nimble.ca
Backup Vendor Representative:	Ross Magnaldo
Telephone number:	(905) 940-0190 Ext: 4241
E-mail:	rmagnaldo@nimble.ca

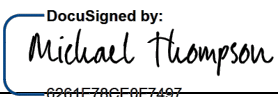
IN WITNESS WHEREOF the parties hereto have executed this Statement of Work as of the date first above written.

The Corporation of the City of London
Signature 
Name Kevin Dikins
Title Acting Managing Director Housing, Social Services and Deerness Home

Signature: _____
Name:
Title:

I have the authority to bind the corporation

Per: **Nimble Information Strategies Inc.**

Signature: 
Name: Michael Thompson
Title: CEO

I have the authority to bind the Vendor.

SCHEDULE 1 TO STATEMENT OF WORK

ARTICLE A DEFINITIONS

- A.1 **“Transactional Price”** means, in respect of particular Services performed and/or particular Deliverables provided and subject to the Master Agreement, the amount set out in the Statement of Work which the Vendor may charge for particular Services performed and/or particular Deliverables provided, which amount is transactional and not fixed. The transactional pricing model is subject to change only through the use and agreement via a Change Request. For certainty, the “Transactional Price Model”, as it relates to the particular Services performed and/or Deliverables provided, includes all labour and material costs, insurance costs, carriage and transportation costs, and other overhead, including any fees or other charges required by law; but excludes: (i) all applicable duties and taxes (including Harmonized Sales Tax (HST))
- A.2 **“Facility”** means the Vendor’s facility where storing of documents will take place.

ARTICLE B Security Incident and Privacy Breach Report

- B.1 Nimble has a corporate commitment to notify its clients immediately in the event of a security or privacy breach.

Process to deal with a security breach is as follows:

Nimble's System Administrator responsible for support of the system or network under attack will:

1. Report the attack immediately to Nimble's CTO and take immediate measures in consultation with Nimble's CTO, COO and General Manager to contain/stop the attack. This may include temporarily blocking access to or from a certain device until the problem is resolved
2. Nimble's CTO will inform the client immediately of the security breach and the measures taken no later than 24 hours after breach is reported as per the Master Service Agreement.
3. Nimble's CTO will stand up the Incident Management Team to start the investigation and capture/preserve all necessary information to determine timeline, participants, volumes and nature the security breach. The CTO, in consultation with Nimble's President and COO will determine if evidence should be preserved or if the system should be repaired as soon as possible.
4. Nimble's Incident Management Team will coordinate with the CITY to support the execution of the security breach plan if it is implemented
5. Nimble's System Administrator will:
 - i. Repair the resulting damage and fix the root cause.
 - ii. Restore service to its former level, if possible.
 - iii. Preserve evidence, where appropriate.
 - iv. Notify Nimble's CTO or designee of resolution of the incident.

Process to deal with a privacy breach is as follows:

The person who identifies a possible privacy breach will:

1. Report the breach immediately to Nimble's COO and take immediate measures in consultation with Nimble's COO, CTO and General Manager to contain/stop the breach
2. Nimble's COO will inform the client immediately of the possible privacy breach and the measures taken.
CITY contact: Christine Stacey, Manager Ontario Works Client Services

519.661.2489 ext 5839 cstacey@london.ca

3. Nimble's COO will stand up the Incident Management Team to start the investigation to confirm if the breach occurred and capture/preserve all necessary information to determine timeline, participants, volumes and nature of breach.
4. Nimble's Incident Management Team will coordinate with the CITY to support the execution of the privacy breach plan.
5. Nimble's Incident Management Team will provide the CITY any and all documents and information related to the breach as requested.

B.2 Privacy of information is strictly enforced. Staff must immediately cease to handle files/documents and data for family members or subjects that are known to them. They must report the matter to their supervisor immediately, who will re-assign the job to another member of staff.

ARTICLE C Service Level Agreements

C.1 The areas of service are:

Receive:

- Digital Mail Room: Paper documents are received, logged, opened and in some cases sorted

Digitize:

- Digital documents are created by Nimble for the purposes of extracting data and producing a digital copy of the original that can be used of evidentiary purposes

Extract:

- Data from the image is extracted through automation and/or manual keying. This includes but is not limited to;
 - OCR Capture of machine-readable text and numbers
 - Barcode recognition (1D and 2D)
 - OMR Capture of check marks or other character marks
 - The transcription of handwritten text to digital
- Extraction is completed as per the SA-EDM Scanning Guide. The current version as of SOW execution is SA-EDM Scanning Guide - SASMB V 2.3

Store:

- The images and associated Metadata are stored so that the CITY can access them, and disposed of according to the associated disposition requirements
- Storage retention of archived data based on retention schedules outlined in SOW

Notify:

- Where applicable, notifications areas issued in support of the digital mail room services. These notifications can include but are not limited to;
 - Notification of Exception
 - Notification of Processing
 - Notification of Transmission

Exception Processing:

- Additional business capabilities would include Exceptions management through Nimble's Exception portal. Exception management will include but not be limited to;
 - Receipt exception management
 - Classification Exception management
 - Extraction Exception management

C.2 Nimble shall not be liable for any non-compliance with any Level of Service, provided that this failure is attributable directly to any of the following situations:

- a) Any non-compliance by the CITY;
- b) Reductions in Services or resources requested or authorized by the CITY and agreed to by the Parties.
- c) The services are provided during the execution of the disaster recovery plan, the execution of which is due to a disaster declared by the CITY, Provincial or Federal authorities or by Nimble.
- d) Service downtime due to planned maintenance.
- e) Interruptions due to causes beyond the direct control of Nimble, including but not limited to internal CITY connectivity/network issues, Internet or phone disasters, ISP and hosting site disruptions.
- f) Nimble shall maintain a business continuity plan (BCP) to respond to disasters that are beyond the direct control of Nimble. When the BCP is activated, Nimble will adhere to deliver the services as currently defined in the BCP.
- g) Force Majeure: Nimble shall not be liable for any performance non-compliance or delay due to reasons beyond its reasonable control, including acts of war, natural disasters, social unrest, such as a revolution, riots/mutinies, seizure, sabotage or government action.

C.3 Service Performance Measurement

Digital Mail Room Service Performance

Service to Commit to Provide	Indicator Type	Default Measure (Hours)	Service Start Date + "X" Months	Expected Level of Service	Minimum Level of Service	Window of Measurement
Open Mail Receipt, processing and delivery timelines. Data was uploaded within the opportunity window (Based on line of Business SOW Requirements)	Key Measurement	72	2	98.00%	96.00%	Monthly
Preprocessed Mail Receipt, processing and delivery timelines. Data was uploaded within the opportunity window (Based on line of Business SOW Requirements)	Key Measurement	72	2	98.00%	96.00%	Monthly
Fax Receipt, processing and delivery timelines. Data was uploaded within the opportunity window (Based on line of Business SOW Requirements)	Key Measurement	48	2	98.00%	96.00%	Monthly
Email Receipt, processing and delivery timelines. Data was uploaded within the opportunity window (Based on line of Business SOW Requirements)	Key Measurement	48	2	98.00%	96.00%	Monthly
Electronic Document Receipt, processing and delivery timelines. Data was uploaded within the opportunity window (Based on line of Business SOW Requirements)	Key Measurement	48	2	98.00%	96.00%	Monthly
Web Portal Submission Receipt, processing and delivery timelines. Data was uploaded within the opportunity window (Based on line of Business SOW Requirements)	Key Measurement	48	2	98.00%	96.00%	Monthly

NOTE: SLA Metrics do not apply to Items (and the packages they belong too) identified as Exceptions and will not be counted in the SLA calculations for Turnarounds



Digital Mail Room Quality Performance

Service to Commit to Provide	Indicator Type	Service Start Date + "X" Months	Expected Level of Service	Minimum Level of Service	Window of Measurement
All Batch IDs processed	Key Measurement	2	100.00%	99.00%	Monthly
Images meet CAN / CGSB standards for quality	Key Measurement	2	99.00%	98.00%	Monthly
Level 1 Index Accuracy (MID)	Key Measurement	2	100.00%	99.00%	Monthly
Structured Form Type Identification Accuracy	Key Measurement	2	99.90%	99.00%	Monthly
Unstructured Form Type Identification Accuracy	Key Measurement	2	90.00%	80.00%	Monthly
OMR Mark Accuracy	Key Measurement	2	98%	95.00%	Monthly
Secondary Metadata Accuracy	Key Measurement	2	94%	92.00%	Monthly
Unstructured Manual Data entry capture	Key Measurement	2	80%	50.00%	Monthly

NOTE: SLA Metrics do not apply to Items identified as Exceptions and will not be counted in the SLA calculations for Quality

SCHEDULE 2

ARTICLE A SCOPE OF SERVICES AND DELIVERABLES “IN” Scope

Nimble will provide the following services and deliverables:

Requirements	Details / Deliverables
1. Infrastructure, Facility Set Up and Storage Nimble	<p>Nimble will provide the secure digitization infrastructure and equipment capable of digitizing the CITY’s client documents. This includes:</p> <ul style="list-style-type: none"> • Infrastructure that can transfer digital records securely to Government of Ontario servers via JSON file transfer. • Secure facility capable of storing all of the CITY’s hardcopy documents for short-term (30 days) retention. <p>All infrastructure, processes, networks certified Protect B Status and all employees have a Reliability clearance from the Canadian Government.</p> <p>All of the above items are required to meet overall security and process service levels, as agreed to between the CITY and Vendor.</p>
2. Exception Process Nimble	<p>A Process by which documents are scanned and meet Exception Scenarios, per the SA-EDM Scanning Guide. The exception process allows for the timely processing of documents that cannot be readily identified via the DMR extract or require some other intervention to process.</p> <ul style="list-style-type: none"> • Exception items will be posted on Exceptions Portal for the CITY’s staff to manually process. • Initial user (CITY staff) set up in the Exceptions Portal • Digitization On-Demand for files shipped, required urgently, but not yet digitized. • Pulling and return of physical files to the CITY that cannot be digitized.
3. Quality Control Process Nimble	<p>Nimble will provide the following services in support of quality control requirements</p> <p>Receipt Controls (Electronic Documents): (100% of Batches) Note: Digital Day 1 document images originate from the OW office and are forwarded to Nimble via SFTP.</p> <ul style="list-style-type: none"> • Tag all grouped Documents with a Package Tracking ID • Ensure all documents have a unique ID • Batch documents in groups of 200 (or less) and Tag All Batches with Nimble Tracking ID • Flag exceptions and route to exception handling process <p>Receipt Controls (Emails): (100% of Batches)</p> <ul style="list-style-type: none"> • Tag all Emails with a Unique Package Tracking ID • Ensure all emails received have a unique ID • Tag all attachments received with a unique document ID • Batch Emails in groups of 200 and Tag All Batches with Nimble Tracking ID

	<ul style="list-style-type: none"> • Flag exceptions and route to exception handling process <p>Receipt Review Controls: (Conducted during project start up)</p> <ul style="list-style-type: none"> • Verify Package IDs and Nimble Batch IDs are present • Verify receipt counts match physical counts • Verify Junk items to confirm they are sorted correctly <p>Manifest Registration Controls: (As Required)</p> <ul style="list-style-type: none"> • Log all charts\folders in box and verify against client manifest (If provided) • Verify if chart\record demographic data is present in Master Data • Flag exceptions and route to exception handling process • Generate Header barcodes (if applicable) <p>Prep Review Controls: (Conducted during project start up)</p> <ul style="list-style-type: none"> • Verify Package IDs and Nimble Batch IDs are present • Ensure correct barcoded header page is inserted (if applicable) • Ensure Records properly prepared for scanning <p><u>Scanning Controls</u></p> <p>Electronic Document Import Controls: (100% of Batches)</p> <ul style="list-style-type: none"> • Electronic documents are imported and assigned a unique batch ID and Nimble Tracking ID • 100% of all electronic documents received are logged into a tracking database • 100% of all electronic documents are run through Antivirus software <ul style="list-style-type: none"> ○ Documents failing virus or malware checks are removed and quarantined <ul style="list-style-type: none"> ▪ Document tracking up updated with results • Images normalization processes convert non-standard documents to TIF format to facilitate data extraction processing <ul style="list-style-type: none"> ○ Exceptions are removed from the normalization process and logged ○ Exceptions are loaded to the Exception portal for review • Where possible Document clean-up is performed on the TIF images to maximize data classification <ul style="list-style-type: none"> ○ Image border removal ○ Image de-skewing ○ Image de-speckling <p>QC Scan Controls: (100% of Batches)</p> <p>Classification Controls: (100% of Batches)</p> <ul style="list-style-type: none"> • All images and packages within a batch are processed • Exceptions are flagged and identified based on exception processing guidelines <ul style="list-style-type: none"> ○ Exceptions are loaded to Exception portal for customer review <p>Verification \ Index Controls: (100% of Batches)</p>
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	<ul style="list-style-type: none"> • Level 1 indexes are verified against Master data (if available) • Level 1 indexes are verified based on business rules (i.e. MOD 10) • Form ID entries validated against Master Form ID table • Document Date entries are formatted to correct regional setting • Manifest (if available) is validated against chart \folder level indexing • Exceptions are flagged and identified based on exception processing guidelines <ul style="list-style-type: none"> ○ Exceptions are loaded to Exception portal for customer review <p>Quality Assurance Controls: (Statistically relevant sampling of a percentage of files)</p> <ul style="list-style-type: none"> • Application controls prohibit more than 1 user accessing a batch at once • Quality Assurance Acceptance Levels: <ul style="list-style-type: none"> ○ Package ID: 100% accurate ○ Level 1 Index: 100% accurate ○ Structured Form ID document identification: 99.9% accurate ○ Unstructured document identification: 90% ○ Secondary Metadata Elements: 92-94% accurate ○ Non-OCR Data entry capture: 80% accurate <p>Post Process Export Controls: (100% of Batches)</p> <ul style="list-style-type: none"> • Box is electronically checked to ensure the following; <ul style="list-style-type: none"> ○ All fields are populated and contain valid data ○ All chart \records in batch indexed that are manifested ○ All chart \records and accounts exist in Master Data ○ All Document Types exist in Master form id table ○ All images can be opened <p>Post Upload Delivery Controls: (100% of Batches)</p> <ul style="list-style-type: none"> • 100% of batches received have been converted and uploaded to client • 100% of charts \ folders in manifest have been converted and uploaded to client • 100% of images created from output scripts have been uploaded to client <p>SmartCloud Archive Validation Controls: (if available)</p> <ul style="list-style-type: none"> • Closed loop validation of all images exported by Nimble confirming they have been imported into SmartCloud system.
<p>4. Performance Indicator Reporting Nimble</p>	<p>Data reporting, accessible through the Vendor's Exceptions Portal. Report frequency and data sets will be outlined in Service Level Agreement as agreed to by the Vendor and CITY. Sample reports include, but are not limited to:</p> <ul style="list-style-type: none"> • Number of images digitized per month, per site and/or per source (i.e: mail, drop off, Fax, E-Mail).

	<ul style="list-style-type: none"> • Number of Master Files digitized per month • Review of reports and the development of a reporting plan will be completed via workshop. Based on effort and needed, an estimate will be provided if there are additional costs.
5. Business Continuity and Contingency Plans Nimble	<p>Nimble will provide a Business Continuity Plan (BCP) that identifies potential areas where problems may arise, and related contingency plans for minimizing risk to the CITY.</p> <p>The BCP and contingency plans must be approved by the CITY.</p>

The CITY will provide the following services and deliverables:

Requirements	Details / Deliverables	
6. Master Data Lookup Tables	Province/CITY	
7. Drop-Off Content at the OW Office	The CITY will process mail and courier to Nimble for digitization.	
8. SmartCloud	<p>The CITY will provide Nimble with a list of Business units (Areas) to create on the exception portal</p> <p>The CITY will provide Nimble with a list of Users and access rights for the SmartCloud exception portal</p> <p>The CITY will participate and designate resources to conduct pre-flight (pre-release) UAT testing.</p> <p>Information will be provided via a workshop conducted by Nimble.</p>	
9. Document Group and Type Samples	<p>Nimble requires the CITY to provide a representative set of sample documents for each document group and document type listed in the Master Lookup Tables. Samples will be used to train Nimble staff and data classification processes.</p> <p>In the event of a change or addition to the Document Group and Document Type lookup table. CITY will provide Nimble with samples and instructions as part of the change management process.</p>	
10. Retention and record purge/destruction	Nimble requires the CITY to establish a retention and record purge/destruction policy for digital mailroom and master file records	As per The Corporation of the City of London's Records Retention By-law, any record that is included in the client's file is

	Note: Nimble is responsible for short-term storage up to 30 days after a file is digitized (digital mail room) or a site master files have been digitized. Storage longer than 30 days is an additional service (Schedule 3, Article C)	kept for 5 years after the file has been closed with no outstanding payments.
11. Transport to long term storage	The CITY will provide and pay for secure transport for all items removed from short-term to long-term storage, if required.	

Nimble Information Strategies and The Corporation of the City of London will provide the following services and deliverables:

Requirements	Details / Deliverables
12. Digital Mailroom Process Description	<p>Nimble to provide a detailed description of the requirements to implement and maintain a process where all new incoming materials for retention are digitized and retrievable by CITY staff in electronic format.</p> <p>New materials are identified as All content received by Nimble via courier.</p> <p>Process description must be documented and agreed to by the Nimble and the CITY prior to the implementation.</p> <p><u>Assumptions:</u></p> <ol style="list-style-type: none"> 1. Nimble will generate PDF's in version 1.4 format with single pass OCR run against them to create a "searchable PDF". 2. Nimble will create AODA compliant images as an exception process, special request. AODA compliant images will be billed separately per request. Exception process will be developed between both parties. 3. Documents will be digitized, classified and the data extracted as per the SA-EDM Scanning Guide
13. Deployment Readiness Plan	<p>Nimble to provide a detailed plan that includes description on how the Vendor plans to perform and complete the requested services (i.e. actions, responsibilities, time frames, and individuals required to perform and complete the requested services).</p> <p>Plan to include, but not limited to:</p> <ul style="list-style-type: none"> • Schedule for systems and integration testing and implementation • Schedule for master file pick-up, digitization and return to the CITY • Develop the onboarding template <p>Plan is subject to approval by the CITY.</p>

	<p>Completion date to be within the next 4 weeks. Complete the review onboarding template as per the plan schedule.</p>
<p>14. Service Level Agreement</p>	<p>Identification of the time-bound services and reporting requirements the Vendor will provide pertaining to the digitization of all CITY files for retention.</p> <p>Service levels are documented in C.3 Service Performance Measurements and agreed to by the Vendor and CITY prior to the implementation/launch. Of EDM program.</p>

“OUT” of Scope – The Corporation of the City of London

The following elements are not within the scope of this SOW

- Future enhancements to Exceptions Portal, excluding those already in process
- Terminated files
- Destruction of hardcopy documents (physical files) stored at Vendor Facility.
- Disaster recovery or emergency/recovery service (e.g. fires and floods) for CITY files not in possession of the Vendor
- All travel and accommodations expenses
- Canada Post mail re-directs
- Faxes
- E-mails

**SCHEDULE 3
TO STATEMENT OF WORK**

ARTICLE A PRICING TERMS

The Payment Schedule covers all Services and Deliverables as outlined in Schedule 2.

Payment Schedule for Transactional Rate Services

- Invoices are billable on the 1st day of each month unless otherwise specified and agreed to by the Vendor and the CITY.
 - I. The Vendor will send separate invoices for Digitization and Indexing & Digital Mailroom Services.
 - II. The CITY shall provide the Vendor with an upfront project start up payment of \$5501.00 based on 20% of the total estimated project cost of year 1.

ARTICLE B PRICE FORMS

Initial Term	Optional Term			
1-Year	Year 2	Year 3	Year 4	Year 5
Digital Mail Room	Digital Mail	Digital Mail	Digital Mail	Digital Mail
\$27,505	\$25,005	\$25,005	TBD	TBD

BREAKDOWN PRICING DIGITAL MAIL ROOM:

Digital Mail Room Ontario Works - City of London	Pages Per Month *Incd. Duplex	\$ Per Image	\$Cdn Monthly	\$ Cdn Annual
* Mail	5,735	\$ 0.25	\$ 1,433.75	\$ 17,205.00
* Drop Off & Drop Box (Incd.Above)	0	\$ 0.25	\$ -	\$ -
Fax/E:mail	300	\$ 0.25	\$ 75.00	\$ 900.00
New Intake	300	\$ 0.25	\$ 75.00	\$ 900.00
Exception Portal Set-Up 1 Time Fee			\$ 2,500.00	\$ 2,500.00
Exception Portal Hosting	NA	NA	\$ 500.00	\$ 6,000.00
Total			\$ 4,583.75	\$ 27,505.00

Subject to CITY budget approval, beginning in 2021 and thereafter annually during the term of this Agreement, the cost of per image and monthly costs for hosting shall be adjusted by the percentage change over 12 months in the February All-Items Consumer Price Index for Ontario (Table 18-10-0004-01 (formally 326-0020) all items, 2002 = 100)", to a maximum of 2%, except as otherwise agreed by the parties.

Despite any other provision in this agreement, Nimble will notify the CITY when the threshold to pay under this contract annually reaches \$20,000 in order to determine if contract amendments and/or associated change order requests are required.

BREAKDOWN PRICING DIGITIZATION & INDEXING:

Costs and volumes for digitization and indexing have been determined based on the information provided by CITY to date.

ARTICLE C: ADDITIONAL SERVICES

Additional Services	Item	Count
Exception Portal Enhancements	Per Hour	\$ 125.00
Courier Services/Mail Bag Set-Up	NA	NA
Mail Processing - Any Service outside of SOP	Per Hour	\$ 125.00
Development	Per Hour	\$ 125.00
Destruction Services/Per Box	Per Box	\$ 10.00
Archive Services Shipment Prep	Per Box	\$ 5.00
Emergency File Requests	Per Item	\$ 30.00
Box Storage - Nimble Facility		
<i>Box Storage Per Box</i>	30 days	\$ -
<i>Box Storage Per Box</i>	30-60 days	\$ 1.00
<i>Box Storage Per Box</i>	60-90 days	\$ 2.00
<i>Box Storage Per Box</i>	90-120 days	\$ 3.00
<i>Box Storage Per Box</i>	> 120 day	\$ 3.50

Note: Document destruction services are charged at \$10.00 per box, \$4.00 of the \$10.00 fee is to support required decanting services.

Exception Portal Returns:

Nimble Information Strategies will provide 5 Exception Portal Document Returns requests per month. Requests exceeding this number per month will be billed at \$3.50 per file. Note return courier services, if required, provided by CITY contracted courier.

Report to Community & Protective Services Committee

To: Chair and Members
Community & Protective Services Committee

From: Barry Card, Deputy City Manager, Legal Services

Subject: Flyer Deliveries to Residential Properties

Date: September 21, 2021

Recommendation

On the recommendation of the Deputy City Manager, Legal Services, this report BE RECEIVED for information.

Executive Summary

The courts have confirmed that for a municipal by-law to be valid, it must have a valid municipal purpose. In addition, any steps taken by the municipality that infringe on *Charter* rights may be subject to a successful *Charter* challenge.

The cities of Ottawa, Calgary, Halifax and Winnipeg have passed by-laws regulating the distribution of flyers (no matter the content) on residential property. A draft by-law is attached as Schedule "A".

Hamilton, Oakville and Oshawa passed resolutions requesting the assistance of the Federal and Provincial governments, either to consider enacting legislation regarding the use of graphic images, or requesting their advice on *Charter* matters.

Analysis

1.0 Previous Reports Pertinent to this Matter

N/A

2.0 Background Information

Council resolution of November 10, 2020 stated (in part):

That the following actions be taken with respect to graphic, unsolicited flyer deliveries to residential properties:

- a) *the Civic Administration BE DIRECTED to investigate options to address community concerns around graphic, unsolicited flyer deliveries to residential properties and report back to a future meeting of the Community and Protective Services Committee, outlining information and options including, but not limited to:*
- i) steps taken by other municipalities with respect to this matter; and,*
 - ii) potential amendments to the existing municipal nuisance by-law or introduction of a new by-law with respect to this matter;*

Municipal purpose

The courts have confirmed that for a municipal by-law to be valid, it must have a valid municipal purpose.

Charter Rights

Rights of individuals are guaranteed under Canada's *Charter of Rights and Freedoms*. A by-law regulating delivery of flyers may be subject to a *Charter* challenge where it is alleged that the by-law infringes rights guaranteed by the *Charter*. The City Council must

be satisfied in enacting the by-law that it does not violate *Charter* rights; or, to the extent that there is some potential *Charter* infringement, that the means used by the City to achieve its objective are rationally connected to that objective, that there isn't another way to achieve the same objective without violating anyone's rights or freedoms, or violating them to a lesser degree, and that the City's objective in enacting the by-law is significant enough to justify violating a *Charter* right.

3.0 Discussion and Considerations

3.1 What Other Jurisdictions Have Done

(1) City of Hamilton (resolution)

The City of Hamilton did not pass a by-law, but instead [passed a resolution](#) requesting the Government of Canada and the Province of Ontario to consider enacting legislation dealing with advertising and communication to prevent the use of graphic, gruesome and disturbing images of aborted fetuses as part of any Anti-Abortion or Pro-Life campaign at least to the extent that such images are shielded from children and other vulnerable persons.

(2) City of Oshawa (resolution)

The City of Oshawa did not pass a by-law, but instead [passed a resolution](#) requesting advice on the *Charter* be sent to the Minister of Justice and Attorney General of Canada and the Attorney General of Ontario, and further that the communications received by council members and staff be forwarded to the Department of Justice Canada and the Ministry of the Attorney General for inclusion in *Charter* discussions.

(3) Town of Oakville (resolution)

The [Town of Oakville](#) (at its meeting on August 7, 2018) requested a further report from staff on the matter, but also resolved to have the Mayor send a letter to the Hon. Caroline Mulroney, Attorney General, and having the Mayor urge the Province of Ontario to limit and regulate the display and distribution of posters, signs and leaflets that contain disturbing images. Further, that the Mayor, on Council's behalf, write the Minister of Justice of Canada urging the consideration of amendments to the Obscene Publication provisions of the Criminal Code.

(4) City of Ottawa (by-law)

The City of Ottawa passed a By-law for a ["Voluntary Admail Reduction Program"](#). It was formerly called "No Junk Mail Program", passed in 1997. It is to be noted that this by-law was not passed in response to any perceived disturbing content, but was passed in response to a perceived litter issue and "junk mail". This by-law states that any owner or occupant of a property may participate in this program by purchasing a sticker which indicates their desire not to receive unaddressed advertising material. The sticker is to be affixed to the mail slot or mail box. A distributor is not to distribute any unaddressed advertising material on private property if the owner has a prescribed 'no junk mail' sticker clearly displayed. This by-law contains no enforcement or penalty sections, and was implemented based on voluntary compliance.

The by-law regulates the distribution of unaddressed advertising material in a content-neutral manner; the by-law applies to all unaddressed advertising material no matter what the content of the flyers is (with certain exemptions for community newspapers, newspaper delivered to paid subscribers, election campaign material, and information circulars produced by governments/agencies). It is to be noted that the provisions of the By-law were directed at advertising material for commercial purposes.

(5) City of Calgary (by-law)

In [2016 the City of Calgary modified measures in its Community Standards By-law](#) to prohibit depositing a flyer (whether or not commercial in nature) at premises where a sign

or notice has been posted indicating that flyers are not wanted. This by-law is very similar to the City of Ottawa by-law, but does have a penalty provision, and does not prescribe a specific sign.

The by-law regulates the depositing of flyers in a content-neutral manner; the by-law applies to all flyers no matter what the content is (with certain exemptions for legal election advertising, newspapers to paid subscribers, community association newsletters, government/agency information circulars). The by-law establishes penalties for failing to comply.

(6) Halifax Regional Municipality (by-law)

Halifax Regional Municipality passed a "[Flyer Distribution By-law](#)" in 2019. This by-law is very similar to the City of Ottawa by-law, but does have a penalty provision. The by-law No Flyer sign can be one provided by the municipality, or one that meets the criteria in the by-law. The reported purpose of the by-law was to prevent litter and promote proper waste management. Like the Ottawa By-law, the by-law regulates flyer distribution in a content-neutral manner (with some exceptions for lawful election advertising, newspapers for paid subscribers, community association newsletters or newspaper that do not contain flyers, and information circulars produced by a level of government/agency). The extensive report can be found here:

<https://www.halifax.ca/sites/default/files/documents/city-hall/standing-committees/180405essc1211.pdf>

(7) City of Winnipeg (by-law)

The [City of Winnipeg](#) regulates the delivery of "handbills" on residential property by prohibiting such delivery if there is a sign indicating handbills are not wanted, or if the occupant indicates they aren't wanted, or if the property is vacant.

3.2 Draft By-law

The draft by-law attached as Schedule "A" is similar to those enacted by other jurisdictions and appears to be objectively related and proportional to the problems associated with the behavior addressed by the by-law.

The draft by-law regulates the depositing of unaddressed flyers in a content-neutral manner; the draft by-law applies to all unaddressed flyers no matter what the content is (with certain exemptions for legal election advertising, newspapers to paid subscribers, community association newsletters, government/agency information circulars); the draft by-law gives residents the choice whether they wish to display a sign indicating NO FLYERS or NO JUNK MAIL.

The draft by-law does not prescribe a specific sign, but requires that the sign be clearly visible posted on a mail box, mail slot, or at the property entrance stating "NO FLYERS" or "NO JUNK MAIL". The draft by-law does not establish penalties for failing to comply, taking the Ottawa approach of voluntary compliance.

3.3 Municipal Compliance

The Director, Municipal Compliance advises the following:

"With the adoption of any new municipal by-law, the standard protocol has been a three-pronged approach: education, voluntary compliance and enforcement based on officer discretion. The approach to this by-law, if approved by Council, will have a very strong front-ended focus on engagement, education and communications. Normally after a new by-law or by-law amendment is passed by Council, Civic Administration submits an application to a Senior Regional Judge for a set fine related to the prohibition noted in the by-law or recommends an amendment to the Administrative Monetary Penalty System (AMPS) introducing short form wording and a penalty amount. In this instance, the fine and/or penalty process will not be implemented as this by-law is based on voluntary compliance. After an initial focus on engagement and communications, staff will monitor the level of voluntary compliance and will communicate with any flyer distributors or other groups where repeated noncompliance is reported. If voluntary compliance is not

achieving the goal and objectives of this by-law, Civic Administration will report back on alternative compliance options including the possibility of fines and or penalties.”

3.4 Additional Information

No Junk Mail Stickers – Canada Post

Individuals currently have the ability to post “NO JUNK MAIL” or “NO FLYERS” stickers on their mailboxes. Further, Canada Post will stop delivering unaddressed advertising if a note is placed on a mailbox.

(see: <https://www.canadapost-postescanada.ca/cpc/en/support/kb/receiving/mail-delivery/how-to-stop-receiving-advertising-mail>).

Trespass to Property Act

Individuals who do not wish to receive various kinds of flyers may consider their private property rights, including the *Trespass to Property Act*. This would be a private property matter between the parties involved not requiring municipal government involvement.

City of Toronto

The City of Toronto adopted [a Motion on December 5, 2017](#) directing Civic Administration to assess options to “regulate the distribution of print materials to private residences that contain extremely graphic images intended to shock, alarm, or cause dismay, including the potential for the prohibiting of the distribution of such print materials to private residences, for the purposes of addressing the potential of such displays to cause harm to members of the public, especially children...”. We were unable to locate a report addressing this item.

The [City of Toronto website](#) states “If you wish to make a complaint about offensive or graphic flyers or pamphlets delivered to your mailbox, please contact Advertising Standards Canada at the link below.” That complaint process can be found here: <https://adstandards.ca/complaints/>.

Town of Airdrie

The Town of Airdrie, Alberta is reported not to have passed a proposed graphic images by-law. (see: <https://discoverairdrie.com/local/graphic-images-bylaw-scrapped-by-city-council>).

The article states “Because of the difficulty of directly dealing with the distribution of graphic images, the proposed bylaw didn’t directly target graphic images and instead targeted flyers in general. It’s part of the reason Mayor Peter Brown and Council decided to defeat the by-law.”.

Provincial Bill 259, Viewer Discretion Act (Images of Fetuses), 2021

On March 8, 2021, Bill 259, [Viewer Discretion Act \(Images of Fetuses\), 2021](#), received its First Reading and is not law. This is a private members’ bill. This Bill provides that no one shall send a graphic image of a fetus by mail or otherwise distribute such an image unless the image is contained in an opaque envelope, the exterior of the envelope includes a description of the contents and the exterior of the envelope clearly identifies the sender. The penalty for violating this prohibition is a fine of \$100 per image.

Prepared by: Lynn Marshall
Solicitor
Recommended by: Barry Card
Deputy City Manager, Legal Services

Attachment: Schedule “A” – Draft By-law
cc. Orest Katolyk, Director, Municipal Compliance

SCHEDULE "A" - Draft By-law

Bill No.
2021

By-law No.

A by-law establishing a voluntary program to regulate the distribution of flyers in the City of London.

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

AND WHEREAS subsection 8(2) of the *Municipal Act, 2001* provides that in the event of ambiguity in whether or not a municipality has the authority to pass a by-law under s. 10, the ambiguity shall be resolved so as to include, rather than exclude, municipal powers that existed on December 31, 2002;

AND WHEREAS subsection 8(3) of the *Municipal Act, 2001* provides that a by-law under section 10 respecting a matter may regulate or prohibit respecting the matter, require persons to do things respecting the matter, provide for a system of licenses (including permits, approvals, registrations and any other type of permission) respecting the matter;

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 the *Municipal Act, 2001* 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, including respecting climate change; and, in paragraph 8, Protection of persons and property;

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

Part 1 SHORT TITLE

Short Title

- 1.1 The short title of this by-law is the Voluntary Program Regulating Distribution of Flyers By-law.

Part 2 DEFINITIONS

Definitions

- 2.1 For the purposes of this By-law:

"City" means The Corporation of the City of London;

"Distributor" means any person, owner of a business, company, or organization which distributes, permits to be distributed or causes to be distributed any Flyer which promotes the distributor's activities;

"Flyer" means any printed or written matter, and includes a circular, leaflet, pamphlet, paper, booklet, postcard, or any other printed or otherwise reproduced matter of literature, but not including electronic messages;

"Person" includes a corporation, other legal entities and an individual having charge or

control of a Property;

“Property” means residential property.

Part 3 PROGRAM ESTABLISHED

3.1 A voluntary program for the regulation of the distribution of unaddressed Flyers in the City of London is established.

3.2 Any owner or occupant of Property may participate in this program and indicate their desire not to receive unaddressed Flyers by placing a sign stating “NO FLYERS” or “NO JUNK MAIL” on their mail box, mail slot, or in a location clearly visible at the Property entrance.

Part 4 PROHIBITIONS

Flyers – Person

4.1 No Person shall deposit an unaddressed Flyer at a Property if there is a clearly visible sign posted on the mail box, mail slot, or at the Property entrance stating “NO FLYERS” or “NO JUNK MAIL”.

Flyers – Distributor

4.2 No Distributor shall distribute or cause to be distributed an unaddressed Flyer at a Property if there is a clearly visible sign posted on the mail box, mail slot, or at the Property entrance stating “NO FLYERS” or “NO JUNK MAIL”.

Exceptions

4.3 Sections 4.1 and 4.2 do not apply to any of the following:

- (a) community newspapers;
- (b) mailings in the public interest from government departments or agencies at the Federal, Provincial, municipal levels and band councils;
- (c) materials from Elections Canada, provincial election officials, and municipal election officials, and material from political parties and electoral candidates during an election;
- (d) any addressed mail, including addressed advertising materials;
- (e) newspapers delivered to subscribers.

Part 5 MISCELLANEOUS

Administration

5.1 The Director, Municipal Compliance is responsible for the administration of the By-law.

Effective date

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

PASSED in Open Council on .

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading –
Second Reading –
Third Reading –

To the Community and Protective Services Committee:

I am Anna Marchand, President of London Area Right to Life, or LARLA, which is a charitable organization representing the pro-life community in London since 1974. LARLA seeks to provide education on the value of human life, and support for vulnerable lives in the community.

Thank you for the opportunity for me to speak to the proposal for the bylaw amendment. I strongly oppose the proposal, because I feel that the petition behind this amendment is an affront, not just to the Canadian Centre for Bioethical Reform (CCBR), but also to the entire pro-life community in London. I am concerned that this is not a mere soliciting or graphic display complaint but is a threat to my right and duty to exercise freedom of expression.

LARLA has supported peaceful annual events such as Life Chain this past October, and the 40 Days for Life Campaign, both very peaceful demonstrations where we held signs with texts such as "Adoption is an Option" and "Pray to End Abortion". Despite these far from graphic displays, this past year we reported numerous vandalism incidents, harassment, verbal abuse, and even threats aimed at people attending these pro-life events. A couple of months ago, a pro-life billboard in a nearby community was destroyed in an act of arson, costing thousands of dollars to replace. The sign was also non-graphic, which worries the community because they continue to be targeted regardless of how their message is portrayed. To that affect any bylaw indirectly or directly targeting a community could encourage additional attacks.

I highly respect everyone's opinions about the legality of abortion and I don't intend to counter protest our counter protestors because they have the right to display their say. I am now asking our councillors to equally respect the rights of Londoners to be informed on this matter, which includes CCBR's mission. I propose that our councillors recognize their local pro-life community as well as every community, which have the same rights to be heard.

Please vote against implementing any changes to the bylaws that would restrict freedom of expression.

Thank you all for your kind attention to this important subject,

Anna Marchand

President

London Area Right to Life Association

To: Mayor Ed Holder, Members of the Community and Protective Services Committee and City Clerk

From: Deanna Ronson

Re: 13th Meeting, September 21, 2021, Item 4.1(a) Flyer Deliveries to Residential Properties.

Regarding your proposed flyer by-law (Schedule "A" Draft By-law), I am writing to ask you to:

1. vote against the proposed by-law
2. send the proposed by-law back, asking for a by-law that will meaningfully protect residents from harmful graphic images.
3. schedule a timely PPM on this matter that has been an issue since September 2020

Here's some background. In September 2020, as the Director of Pro-choice London, I approached the Committee with a request (supported by a petition with signatures of over 5k Londoners) to implement the following:

1. An amendment to an existing by-law or a new by-law that would ban the delivery of flyers to homes that have a "no flyer" sign. (Calgary, Winnipeg, Halifax and Ottawa already have these bylaws)

2. An amendment to an existing by-law that would state that the content of any signs, including temporary signs, must adhere to the Canadian Code of Advertising Standards. The city of Toronto is already working towards banning these images, which violate Section 14(c) and (d) of the Code. London could be a leader in this movement!

3. To investigate whether the distribution and display of these images violate Criminal Code (R.S.C., 1985, c. C-46), PART VIII, 319 (1) (a) (b) and (2) (a) (b). This Code refers to Hate Propaganda, Public incitement of hatred and Wilful promotion of hatred. The identifiable group being targeted with hatred being women. (https://laws-lois.justice.gc.ca/eng/acts/c-46/page-68.html?fbclid=IwAR1dX9-aKMRMM0A_TUOCOLY9pkyF7g1xA7prgVzkkaAkgQJIYz7HtjQtNE8#h-121176)

My request was added to the November 3rd meeting of the CPSC, Item. 4.2 on the Agenda.

Councillor Lewis, with the support of Councillors, Pelosa, Kayabaga and Hopkins, added a motion (Item 4.2 a), "That Civic Administration be directed to investigate options to address community concerns around graphic unsolicited flyer deliveries to residential properties including but not limited to; steps taken by other municipalities and potential amendments to the existing municipal nuisance by-law or an introduction

of a new by-law, and report back with options for counsel's consideration."

While Pro-choice London and the ARCC were grateful that this Councillor Lewis' motion was passed on November 3rd, 2020, we'd like to remind council members and the public, that his motion completely ignored our request to address harm created from both the flyers and the large, graphic, billboard signs with images of alleged aborted fetuses that have been displayed around town. Aside from the personal harm that these signs have inflicted, they are a public nuisance.

We are still awaiting a motion that would include an amendment to an existing bylaw that states that the content of any signs, including temporary signs, must adhere to the Canadian Code of Advertising Standards.

All of this information brings us to the present when the CPSC will be reviewing a proposed by-law presented by City Staff at the September 21st meeting (Item 4.1 a) on the Agenda.

I am extremely disappointed in the proposed by-law. There is evidence that voluntary compliance with education does not work. I know for certain that there have been residents who already have a "no flyers" or "no junk mail" sign on their mailbox, and their signs are ignored by various individuals and organizations, including the CCBR. Please see my very informal poll created just a few days ago in one local neighbourhood Facebook group (<https://www.facebook.com/groups/oevca/permalink/4347180442033066/>). I'm certain that a broader poll would show that many more residents across London with "no flyers" or "no junk mail" signs have had their notices ignored by the CCBR.

I'm not the only one who is disappointed in this proposed by-law. In response to this proposed by-law, Assoc. Prof. at Western University (Faculty of Law and FIMS), Sam Trosow wrote on Facebook, *"this weak response is inadequate and it fails to account for the city's broad by-law powers. It also fails to account for the demonstrable harm that these flyers are causing. To add insult to injury, the council will not even level with Londoners, but will hide their discussion in a closed session. This is an important policy question, and the community should be given full information. Like in the case of the vaccine-mandate, there are very loud and well-funded groups, throwing threats around and it is unfortunate that our city does not have the fortitude, or the confidence in the law, to stand up for what needs to be done. Having said that, none of this surprises me in the least."* (Quoted with permission.)

The ARCC also has information from residents in the City of Calgary, that around July 19/20 of this year, while a flyer by-law was in effect, the CCBR still ignored some "no flyer" signs and left pamphlets in mailboxes. While the distribution of flyers by the CCBR was greatly reduced by the by-law, this is still evidence that the CCBR will ignore "no flyer" by-laws.

From the City Staff's report, I have the feeling that the City is concerned about potential

lawsuits. However, research conducted by the ARCC indicates that none of the cities that have flyer by-laws in place — Winnipeg, Ottawa, Calgary and Halifax — have had any lawsuits come forward in response to their by-laws. I think this is significant information, especially regarding Winnipeg, Calgary and Halifax, which have by-laws with penalties. Further, three of these by-laws have been in place for many years — Ottawa since 2003, Winnipeg since 2008 and Calgary since 2016 (Halifax since 2019).

It is entirely pointless to have a by-law that does not address the harm done by delivering harmful graphic images to homes across London.

Once again, I would urge members of the CPSC to vote against the proposed by-law and send it back asking for a by-law that will meaningfully protect residents from harmful graphic images. Please show Londoners that you are willing to address the harm and psychological distress that these flyers are causing to residents across the city.

I read of another concern to the “no junk mail/no flyers by-law from London Area Right to Life Association (LARLA). I do NOT believe that such a by-law with a penalty of some sort, would by any means “encourage additional attacks” to their members. Indeed, I believe that passing such a by-law would reduce harm to ALL of our community members (including residents who don’t want to see harmful flyers in their mailbox, and the volunteers who are delivering the harmful flyers).

If anything, I am more concerned about the harm done by militant members of the CCBR and the LARLA. And, I believe that I have a right to be concerned considering that I was physically assaulted by a member of the LARLA at one of their “Prayer Chain” events. These organizations will stop at nothing to get their viewpoint across. Their “rights” end where mine begin and I have the right to safety in my home and in public. My right to safety trumps their right to “freedom of expression.”

Thank you all for your time.

Submitted on Sept. 19th, 2021
by Deanna Ronson
Member of ARCC
London, ON

September 16, 2021

London City Council
300 Dufferin Avenue
London ON
N6B 1Z2

Attn: Community and Protective Services Committee
Re: Proposed 'No Flyer' By-Law

Good Afternoon Councilors,

I am contacting you today on behalf of the Viewer Discretion Legislation Coalition. Our Board of Directors has recently reviewed the Report to Community & Protective Services Committee regarding Flyer Deliveries to Residential Properties. As a result of this review, there are some concerns we would like to raise.

We note that the council has referred to bylaws in Ottawa, Calgary, Halifax and Winnipeg that regulate flyer delivery, but remain neutral about the content of said flyers. It is our position that the content of the flyers is pertinent to the objective of this bylaw.

The 'Voluntary Compliance' approach is also a significant point of concern. It has been proven time and time again that 'No Flyer' signs are ineffective at limiting or reducing the delivery of these graphic flyers. The organization that supplies the flyers and the groups that deliver them have ignored multiple orders from Ad Standards Canada calling for them to amend or withdraw their advertisements.

Additionally, 'No Flyer' signs have historically been ignored by the distributors. We, at the VDLC, have been combatting these graphic images for nearly a year. While delivering our own flyers, we noted that mailboxes with 'No Flyer' signs were still receiving the graphic pamphlets. As a sidenote, we do NOT deliver our own flyers to these mailboxes. We have, however, seen these graphic image flyers sticking out of 'No Flyer' mailboxes. To go even further, some of our organization members opted to post "No Graphic Anti-Abortion Flyers" signs and still had them left in the mailbox. The people delivering these flyers are making the choice to deliberately ignore the wishes of homeowners. This will not change if there is no enforcement method for this bylaw. We implore you to implement an efficient way for people to report this proposed offence as well as to issue some kind of nominal fine. A bylaw with no enforcement or fine attached to it will essentially be of no force or effect. With all due respect, in reading the bylaw, it appears to be an attempt to placate constituents rather than an attempt to tackle the problem.

We were also surprised to see that the report did not include anything regarding the display of graphic road signs across the city, considering how pervasive they have been in London. In reviewing the petition that was presented to city council, we do note that the petition was focused specifically on the pamphlets, but we are of the position that the road signs are also an issue that requires municipal action.

We have seen protests with the graphic signs taking place at main intersections, near schools, and outside Victoria Hospital. Our Board of Directors is currently working with the hospital to arrange enforcement of the Bubble Zone Law (under the *Safe Access to Abortion Services Act, 2017*) to protect patients and passers-by from the graphic displays. There is municipal action that can be taken pertaining to similar protests near schools and other public spaces. For your consideration, we have attached a link¹ that refers to an existing Calgary bylaw that we believe could be mirrored here in London.

We understand that the Council has concerns about the freedom of expression. As it can be seen in the first section of the *Charter*, rights and freedoms are subject to reasonable limits as can be demonstrably justified in a free and democratic society. Causing serious traffic hazards, traumatizing children, and harming the community, as a whole, are certainly reasons why a limit on the freedom of expression could be justified.

These issues were brought to Council's attention nearly one year ago. We cannot and will not stand idly by while this inaction continues. We have conducted countless hours of research pertaining to this issue both from a legal perspective and a social perspective. We would be more than happy to share this research with the council in the hopes of enacting bylaws that will affect real change.

We look forward to hearing from you.

Respectfully,

The VDLC

¹ <https://www.cbc.ca/news/canada/calgary/advocacy-sign-bylaw-calgary-schools-1.5751698>

September 19, 2021

London City Council
300 Dufferin Avenue
London ON
N6B 1Z2

Attn: Community and Protective Services Committee
Re: Graphic Anti-Abortion Billboards and Pamphlets

Good afternoon Councilors,

I am contacting you today on behalf of the Viewer Discretion Legislation Coalition. Please see included in this email a link to compilation of video recordings made by Londoners over the last year. These recordings show the various reactions of community members to the graphic displays that have been occurring across the city.

Standing on the side of the road with these extremely graphic and triggering billboards poses a serious danger to the community. We have seen numerous instances of women needing to pull their vehicles over as they were sent into panic attacks due to the violent and gruesome images being shoved into their line of sight. We have seen vehicles stopped mid-intersection, distracted by the horrific display. We have seen drivers get angry and speed past erratically, possibly posing a danger to others on the road and the sign holders themselves. We have seen children walk by with their hands covering their eyes out of fear of the images being shown. Additionally, they target schools with their displays, protesting nearby and attempting to engage young and impressionable students. This is not an issue to which the council can turn a blind eye.

Holding these signs out in the community doesn't only pose a danger to drivers, but to those holding the signs as well. It can be seen in the video that Londoners are getting angry and frustrated about these displays; violent altercations with passers-by are not uncommon. We at the VDLC have a strict non-violence policy and do not condone any kind of violent behaviour. This footage is being presented only to show how seriously individuals are being affected. The people displaying the signs do not care about adverse reactions from the community. They revel in their martyrdom and, as it can be heard in the video, they do not care about the wellbeing of our living, breathing children.

We ask that city council take action and enact bylaws to limit how and where these signs can be displayed. This is not our first time making this request, but we have now decided to include the video so the full gravity of the situation can be seen. Please help make real change.

Respectfully,

The VDLC

To: Mayor Ed Holder, Members of the Community and Protective Services Committee , City Clerk
From: Samuel Trosow
Re: 13th Meeting, September 21, 2021, Item 4.1(a), Flyer Deliveries to Residential Properties

Dear Members of the Community and Protective Committee

I am writing to urge you to

- (1) reject the proposed by-law that is part of the Staff Report from your Legal Services Department;
- (2) return this matter to staff with explicit instructions to prepare a by-law containing prohibitions more particularly regarding the delivery of flyers containing what purport to be images of an aborted or otherwise non-viable fetus, and that the report be returned to council by a specified time certain;
- (3) that the council schedule a timely public participation meeting on this matter.

I believe the attached by-law is fundamentally flawed because it lacks any viable enforcement mechanism and because it fails to address the urgency of the matter at hand.

The staff report is also flawed in that it fails to consider

- (1) the broad authority the city council has to enact by-laws;
- (2) the demonstrable harm that is being caused through the distribution of the subject flyers;
- (3) any meaningful discussion of whether such a by-law would survive a freedom of expression Charter challenge on account of Section 1 of the Charter.

Municipal Purpose:

The staff report correctly states that for a municipal by-law to be valid, it must have a valid municipal purpose. But it fails to fully or properly identify the full scope of the valid municipal purposes which would support the enactment of a more robust by-law.

While the proposed by-law does recite several provisions of the *Municipal Act*, including section 10(2) paragraph 5, it fails to also acknowledge paragraph (6) of that section (pertaining to the health, safety and well-being of persons). This authority under paragraph (6) is relevant, indeed crucial to the matter at hand, because of the harm that these unsolicited and unexpected leaflets cause to residents.

Violation of Section 2(b) of the Charter of Rights and Freedom

A by-law limiting persons from engaging in expressive activity including distributing leaflets to residential properties would indeed engage section 2(b) of the Charter. But as the Canadian caselaw firmly establishes, the inquiry does not end there, and the City would have the opportunity to invoke section 1 in order to justify the impugned measure. Section 1 provides:

The Canadian Charter of Rights and Freedoms guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

While the staff report does recite the elements of a section 1 justification (in the last paragraph of 2.0), it simply moves on without any meaningful analysis.

Other Cities

This section is exceptionally thin and it fails to address how a measure dealing with the prohibition of images of an aborted or otherwise non-viable fetus would fare in light of a constitutional challenge. In addition to direct municipal by-laws, there is a growing body of caselaw dealing with the refusal of advertising of these images. These cases are relevant, directly analogous and should not be glossed over. Rather than repeat them at length, I would refer you to reports prepared by the Abortion Rights Action Coalition, available online at <https://www.arcc-cdac.ca/wp-content/uploads/2020/06/take-action-against-aborted-fetus-images.pdf> and <https://www.arcc-cdac.ca/wp-content/uploads/2021/03/courts-have-endorsed-use-of-advertising-code.pdf>.

Other Alternative Measures to Consider

Rather than proceed with a by-law that deals with “junk-mail” in general, (and without any meaningful enforcement mechanism at that) council should insist on crafting a by-law centering on the issue at hand, which is a very particular form of a leaflet.

Measures that potentially engage freedom of expression rights must be narrowly tailored and proportional to the nature of the harm. They also need to avoid vagueness and overbreadth. A general proscription against “junk-mail” could run into all of these problems. Rather than overshoot the problem, council should make the effort to carefully craft a by-law that limits the burden on expressive activity to be as little as possible, and which is clear in its description of exactly what is being prohibited.

There is a difference between having to take an unwanted pizza ad to the recycling bin and receiving what for many residents is a highly disturbing and harm-inducing document. The proposed measure glosses over this important difference and a better approach is needed.

Need for an evidence-based approach

I am calling for the scheduling of a public participation meeting because in order to satisfy the requirements of section 1 of the Charter, the measure must have a legitimate and substantial objective. In the case of a by-law that limits the distribution of flyers containing what purport to be images of an aborted or otherwise non-viable fetus, the legitimate objective centers on the reduction of harm to recipients of the unwanted and unexpected images. While I believe that the council has already heard enough evidence to make such a finding, and that while a court would uphold the legitimate and substantial objective prong of section 1, holding a public participation meeting would be a reasonable way to further inform this decision.

Conclusion

Given the amount of time that has transpired since the Council’s request for this report, its limited content is very disappointing. The Council should demand better.

Submitted on September 20, 2021

by Samuel Trosow

Associate Professor, University of Western Ontario

Faculty of Law and Faculty of Information & Media Studies

102 Law Building, University of Western Ontario

London, ON N6A 3K7 (519)661-2111 X82282

DEFERRED MATTERS

COMMUNITY AND PROTECTIVE SERVICES COMMITTEE

as of September 13, 2021

File No.	Subject	Request Date	Requested/Expected Reply Date	Person Responsible	Status
1.	<p><u>Proposed Accessible Vehicle for Hire Incentive Program – Update</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 the staff report dated September 10, 2019 related to an update on a proposed accessible vehicle for hire incentive program:</p> <p>b) the Civic Administration BE DIRECTED to hold a public participation meeting at a future meeting of the Community and Protective Services Committee with respect to amending the Vehicle for Hire By-law to make the necessary changes to implement an incentive program for accessible vehicles for hire.</p>	September 10, 2019	TBD	Anti Racism, Anti Oppression Service area	
2.	<p><u>Special Events Policies and Procedure Manual</u> That the following actions be taken with respect to the “Special Events Policies and Procedure Manual”:</p> <p>a) the communication dated September 6, 2019 from Councillor A. Kayabaga, with respect to the “Special Events Policies and Procedures Manual” BE RECEIVED; and,</p> <p>b) the Civic Administration BE DIRECTED to review the City’s “Special Events Policies and Procedures Manual” and report back on possible amendment to the Manual to address the following matters:</p> <p>i) the disruption caused by special events being held in the evenings prior to a work and/or school day;</p>	September 10, 2019	June 2022	C. Smith J.P. McGonigle	

File No.	Subject	Request Date	Requested/Expected Reply Date	Person Responsible	Status
	<p>ii) the application of the same rules/restrictions that are in place for Victoria Park to Harris Park; and, iii) increased fines and penalties for special events that contravene the Manual.</p>				
3.	<p><u>Short-Term Accommodations - Proposed Regulations</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 the staff report dated February 19, 2020 related to short-term accommodations: a) the Civic Administration BE DIRECTED to amend all necessary by-laws to address short-term accommodations and hold a public participation meeting at a future meeting of the Community and Protective Services Committee; b) the Civic Administration BE DIRECTED to continue consulting with short-term accommodation platforms on the further collection of Municipal Accommodation Tax;</p>	February 19, 2020	Q4 2021/ Q1 2022	G. Kotsifas O. Katolyk	
4.	<p><u>Graphic, Unsolicited Flyer Deliveries to Residential Properties</u> That the following actions be taken with respect to graphic, unsolicited flyer deliveries to residential properties: a) the Civic Administration BE DIRECTED to investigate options to address community concerns around graphic, unsolicited flyer deliveries to residential properties and report back to a future meeting of the Community and Protective Services Committee, outlining information and options including, but not limited to: i) steps taken by other municipalities with respect to this matter; and, ii) potential amendments to the existing municipal nuisance by-law or introduction of a new by-law with respect to this matter; b) the communication, dated November 1, 2020, from Councillor van Holst, with respect to this matter,</p>	November 3, 2020	Q3 2021	Legal Department	

File No.	Subject	Request Date	Requested/Expected Reply Date	Person Responsible	Status
	<p>BE REFERRED to the Civic Administration for consideration;</p> <p>c) the delegation request by M. McCann, London Against Abortion, BE REFERRED to a future public participation meeting with respect to this matter; it being noted that a communication from M. McCann, dated October 30, 2020, with respect to this matter, was received;</p>				
5.	<p><u>London Community Recovery Network - Ideas for Action by Municipal Council</u></p> <p>That, on the recommendation of the Managing Director, Neighbourhood, Children and Fire Services, the Acting Managing Director, Housing, Social Services and Dearness Home, and the Managing Director, Parks and Recreation, the following actions be taken with respect to the staff report dated February 9, 2021 related to the London Community Recovery Network and ideas for action by Municipal Council:</p> <p>ii) the implementation plan for item #2.3 Downtown Recovery – free transit to the downtown, as it relates to transit initiatives to the downtown, BE REFERRED back to the Civic Administration to continue working with the London Transit Commission on this matter, with a report back to a future meeting of the Community and Protective Services Committee (CPSC) when additional details are available; and,</p> <p>iii) implementation plan for item #2.3 Downtown Recovery – free transit to the downtown, as it relates to parking initiatives in the downtown BE REFERRED back to the Civic Administration with a report back to a future meeting of the CPSC when additional details are available;</p>	February 9, 2021	TBD	C. Smith K. Dickins S. Stafford	
6.	<p><u>Affordable Housing Units in London</u></p> <p>That the following actions be taken with respect to the creation of affordable housing units in London:</p> <p>b) the Civic Administration BE DIRECTED to report back to a future meeting of the Community and Protective Services Committee with an</p>	March 30, 2021	TBD	K. Dickins	

File No.	Subject	Request Date	Requested/Expected Reply Date	Person Responsible	Status
	implementation plan, inclusive of financial impacts, that sets out the best supports for the development of affordable housing units;				
7.	<p><u>Animal By-law PH-3</u> That the communication, dated April 1, 2021, from Councillor M. Cassidy, with respect to By-law PH-3, being "A by-law to provide for the regulation, restriction and prohibition of the keeping of animals in the City of London", BE REFERRED to the Civic Administration for review and a report back at a future meeting of the Community and Protective Services Committee related to revisions or updates that could be made to the by-law; it being noted that a communication from K. and K. Beattie, as appended to the Added Agenda, with respect to this matter, was received.</p>	April 20, 2021	Q4, 2021	G. Kotsifas O. Katolyk	
8.	<p><u>School Planning</u> That the Civic Administration BE DIRECTED to provide an information report at a future meeting of the Community and Protective Services Committee with respect to the roles and responsibilities of the local school boards and how the City of London interacts with the boards related to the items listed in the communication, as appended to the Agenda, from Councillors S. Lewis and P. Squire; it being noted that the above-noted communication, with respect to this matter, was received.</p>	June 22, 2021	TBD	C. Smith	
9.	<p><u>Recognizing the Impact of Hosting the COVID-19 Assessment Centres at Oakridge Arena and Carling Heights Optimist Community Centre</u> That the following actions be taken with respect to the communication, dated July 6, 2021, from Councillors S. Lehman and J. Helmer and Mayor E. Holder, related to Recognizing the Impact of Hosting COVID-19 Assessment Centres at Oakridge Arena and Carling Heights Optimist Community Centre: a) the Civic Administration BE DIRECTED to consult residents, especially those close to the COVID-19</p>	July 27, 2021	TBD	C. Smith	

File No.	Subject	Request Date	Requested/Expected Reply Date	Person Responsible	Status
	<p>assessment centres, about priorities for new recreational amenities or upgrades to existing recreational amenities in the general area; and,</p> <p>b) the Civic Administration BE DIRECTED to explore potential provincial and federal funding opportunities for recreational infrastructure and to report back with recommended new or upgraded recreational amenities in the general area of both testing centres, along with a recommended source of financing;</p>				