# Agenda Including Addeds Community and Protective Services Committee

The 10th Meeting of the Community and Protective Services Committee

August 23, 2022

4:00 PM

Council Chambers - Please check the City website for additional meeting detail information. Meetings can be viewed via live-streaming on YouTube and the City Website.

The City of London is situated on the traditional lands of the Anishinaabek (AUh-nish-in-ah-bek), Haudenosaunee (Ho-den-no-show-nee), Lūnaapéewak (Len-ah-pay-wuk) and Attawandaron (Adda-won-da-run).

We honour and respect the history, languages and culture of the diverse Indigenous people who call this territory home. The City of London is currently home to many First Nations, Metis and Inuit people today.

As representatives of the people of the City of London, we are grateful to have the opportunity to work and live in this territory.

#### Members

Councillors M. Cassidy (Chair), M. Salih, J. Helmer, M. Hamou, S. Hillier, Mayor E. Holder

The City of London is committed to making every effort to provide alternate formats and communication supports for meetings upon request. To make a request specific to this meeting, please contact CPSC@london.ca or 519-661-2489 ext. 2425.

**Pages** 1. **Disclosures of Pecuniary Interest** 2. Consent 3 2.1. 2nd Report of the Accessibility Community Advisory Committee 5 2.2. 2nd Report of the Animal Welfare Community Advisory Committee Information Report on Line of Sight for the Emergency Communications 6 2.3. System 9 2.4. Occupant Noise Enforcement - Pilot Project 11 (ADDED) M. Temme 3. Scheduled Items 12 3.1. Item not to be heard before 4:05 PM - Public Participation Meeting - Adult Live Entertainment Parlour - Relocation Request (from 2010 Dundas Street to 238 Dundas Street) 31 (ADDED) H. Minogue a. 3.2. Item not to be heard before 4:35 PM - Public Participation Meeting - Adult 32 Entertainment Body-Rub Parlour - Relocation Request (from 802 Exeter Road to 232 Dundas Street)

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#### **Items for Direction** 4.

a.

#### 5. **Deferred Matters/Additional Business**

(ADDED) H. Minogue

## 6. Adjournment

# Accessibility Community Advisory Committee Report

2nd Meeting of the Accessibility Community Advisory Committee July 28, 2022 Advisory Committee Virtual Meeting Please check the City website for current details

Attendance

PRESENT: J. Menard (Chair), M. Bruner-Moore, N. Judges, S. Mahipaul, A. McGaw, P. Moore, M. Papadakos, B. Quesnel and P. Quesnel and J. Bunn (Committee Clerk)

ALSO PRESENT: K. Arnold, S. Corman, R. Morris and M. Stone

ABSENT: A. Garcia Castillo, U. Iqbal, J. Peaire, K. Pereyaslavska, D. Ruston and C. Waschkowski

The meeting was called to order at 3:03 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 City of London's Anti-Racism and Anti-Oppression Framework

That it BE NOTED that the presentation, as appended to the Agenda, from M. Stone, Accessibility and Inclusion Advisor, with respect to the City of London's Anti-Racism and Anti-Oppression Framework, was received.

#### 3. Consent

3.1 1st Report of the Accessibility Community Advisory Committee

That it BE NOTED that the 1st Report of the Accessibility Community Advisory Committee, from the meeting held on June 23, 2022, was received.

3.2 Public Meeting Notice - Official Plan and Zoning By-Law Amendments - Parking Standards Review

That it BE NOTED that the Public Meeting Notice, dated July 6, 2022, from I. de Ceuster, Planner I, with respect to Official Plan and Zoning Bylaw Amendments related to the Parking Standards Review, was received.

Notice of Revised Planning Application - Zoning By-Law Amendment - 16
 Wethered Street

That it BE NOTED that the Notice of Revised Planning Application, dated June 30, 2022, from O. Alchits, Planner I, with respect to a Zoning By-law Amendment related to the property located at 16 Wethered Street, was received.

#### 4. Sub-Committees and Working Groups

None.

#### 5. Items for Discussion

5.1 2023 Mayor's New Year's Honour List – Call for Nominations

That it BE NOTED that the communication, dated July 6, 2022, from M. Schulthess, City Clerk and B. Westlake-Power, Deputy City Clerk, with respect to the 2023 Mayor's New Year's Honour List Call for Nominations, was received.

5.2 Meeting Time for Future Accessibility Community Advisory Committee

That it BE NOTED that the Accessibility Community Advisory Committee established a general meeting day and time of the fourth Thursday of each month at 3:00 PM.

#### 6. Adjournment

The meeting adjourned at 3:53 PM.

# Animal Welfare Community Advisory Committee Report

The 2nd Meeting of the Animal Welfare Community Advisory Committee August 4, 2022

Attendance

PRESENT: M. Blosh (Acting Chair), K. Coulter, H. Duhamel, A. Hames, G. Leckie, E. Prendergast, and M. Toplack; A. Pascual (Committee Clerk)

ABSENT: W. Brown

ALSO PRESENT: W. Jeffery, M. McBride, M. Szarka, and B. Westlake-Power

The meeting was called to order at 3:02 PM; it being noted that the following members were in remote attendance: M. Blosh, K. Coulter, H. Duhamel, A. Hames, G. Leckie, E. Prendergast, and M. Toplack.

#### 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 1st Report of the Animal Welfare Community Advisory Committee

That it BE NOTED that the 1st Report of the Animal Welfare Community Advisory Committee, from its meeting held on July 7, 2022, was received.

#### 4. Sub-Committees and Working Groups

None.

#### 5. Items for Discussion

5.1 Future Meeting Day and Time

That the following actions be taken with respect to the future meeting days and times of the Animal Welfare Community Advisory Committee (AWCAC):

- a) the next meeting BE SCHEDULED for September 1, 2022 at 3:00 PM; and,
- b) the discussion of the general meeting day and time of AWCAC BE DEFERRED to the next meeting.
- 5.2 Animal Welfare Community Advisory Committee Work Plan

#### 6. Adjournment

The meeting adjourned at 4:06 PM.

#### **Report to Corporate Services Committee**

To: Chair and Members

**Community and Protective Services Committee** 

From: Jacqueline Davison, Deputy City Manager, Enterprise Supports

Subject: Information Report on Line of Sight for the Emergency

**Communications System** 

Date: August 23, 2022

#### Recommendation

That, on the recommendation of the Deputy City Manager, Enterprise Supports, an Information Report on Civic Administration's approach for addressing the impacts of loss of Line of Sight (LOS) for the Emergency Communications System **BE RECEIVED** 

#### **Executive Summary**

The City of London operates an Emergency Communications (Radio) System used by emergency first responders and some municipal departments that relies on microwave backhaul to function. The microwave backhaul relies on Line of Sight (LOS) propagation where two stations can only transmit and receive data signals when they are in direct view of eachother with no obstacles in between. The purpose and effect of the recommended action is to develop a municipal approach and identify mitigation measures that will address adverse impacts of certain mid and high-rise buildings which may block or impair emergency radio system signals and result in a loss of the transmission and/or reception of the City's Emergency Communication System, and to begin stakeholder engagement.

#### **Linkage to the Corporate Strategic Plan**

This report supports the 2019-2023 Strategic Plan in the following areas:

#### **Building a Sustainable City**

• London's infrastructure is built, maintained, and operated to meet the long-term needs of our community

#### **Leading in Public Service**

• The City of London is trusted, open, and accountable in service of our community

#### **Strengthening Our Community**

 Londoners have access to the services and supports that promote well-being, health, and safety in their neighbourhoods and across the City

#### **Analysis**

#### 1.0 Background Information

In February of 2020, a Request for Proposals was initiated for the City's microwave backhaul as it was nearing the end of its useful service life. As part of that project, a vulnerability was identified with regards to the potential interruption or blockage of emergency radio signals from new tall building developments if they locate within the LOS.

If a new mid or high-rise development is proposed in a location that falls within LOS for the Emergency Communication System, it could block or interrupt the visual connection between the sites. An interruption or blockage of the LOS could result in a loss of emergency radio signal through compromised system reliability, dropped calls due to increased traffic as other sites compensate, loss of communication among first responders and reduced response times. This scenario represents a significant vulnerability for the Emergency Communication System, and a loss of reliable emergency radio signal poses a serious risk to the health and safety of Londoners Citywide

As the City continues to grow, it is anticipated that there will be more infill and intensification developments throughout the City at greater heights. The purpose of this project is to create a municipal approach to identify and mitigate potential impacts to the intergreity of the emergency communications system, in a manner that is sensitive and accommodating to future development.

#### 1.1 Previous Reports Related to this Matter

- Corporate Services Committee, June 22, 2020: Microwave Backhaul Replacement RFP 20-19 Microwave Radio Backhaul Replacement And SS 20-16 Single Source Procurement For Router Replacement And Configuration For Microwave Radio Backhaul Project
- Community and Protective Services Committee, November 13, 2018: Emergency Communications Program Update (One Voice)

#### 2.0 Discussion and Considerations

#### 2.1 Work to Date

- Internal Discussion
  - Corporate Security and Emergency Management approached both Planning and Development and Building identifying the issue. A system was put in place to flag any new developments that may potentially impact LOS
  - Currently, Emergency Communication System staff review and track new Building Permits and Planning Act Applications (Official Plans, Zoning By-Law Amendments and Site Plans) to identify any potential conflicts This review is ongoing and there have been one (1) potential conflicts to date
  - In the current Status-Quo approach, there would be reactive and individual response to new buildings that interrupt Line of Sight. Each unique situation may involve one of the options below:
    - Modify or Refuse Proposed Development: Modifying a proposal could include moving a building or reducing the height. If modifying the building isn't feasible, a refusal may be necessary to ensure continued integrity of the emergency communication system. This option may require changes to the Zoning By-law.
    - Install Repeaters on the New Building: An alternative to refusing developments that could jeopardize the LOS is to install a new microwave antenna link on the new building to reestablish LOS from one hop to another. This approach would preserve the integrity of the radio system, while allowing for development to proceed in a responsible manner. The capital costs of such infrastructure would vary from site to site and do not have an allocated source of funding at this time. This option would require the developer to be a willing participant to coordinate the installation, lease, associated operational costs and supporting infrastructure.
    - Change Location of Municipal Infrastructure: Changing the existing location of the infrastructure is one possible solution, however it would be at the City's cost without any guarantee that the new site would not be impacted by a LOS issue in the future. There is no budget currently allocated for this type of response, and it would be difficult to anticipate costs associated as every situation would be unique. This option is not recommended for further consideration

#### 2.2 Next Steps

The Line of Sight project will be advertised to invite public comments and begin public and stakeholder consultation. Any amendments proposed to planning policies will be captured in a report to the Planning and Environment Committee.

#### 3.0 Financial Impact/Considerations

Currently, there is no designated funding allocated for this project, however it is being explored for potential inclusion within the 2025 Development Charges Study under a separate Emergency Preparedness category. Should Emergency Preparedness be included in the 2025 Development Charges Study, the statutory deductions including the growth / non-growth allocations will need to be determined. If there is an approved funding source, the installation and integration of required infrastructure to continue the Line of Sight could become a standard procedure during the application review process.

#### Conclusion

The City of London's Emergency Communication Radio System is based on LOS to function properly. New mid or high-rise buildings in certain locations have the potential to block or interrupt the LOS, which would have significant impacts. This project will develop a municipal approach to these situations, and explore planning tools and mitigation measures that will address adverse impacts of certain mid or high-rise buildings.

Prepared by: Cori Dooling

**Manager Emergency Communications System** 

Submitted by: Paul Ladouceur

**Director, Corporate Security and Emergency** 

Management

Recommended by: Jacqueline Davison

**Deputy City Manager, Enterprise Supports** 

## **Report to Community and Protective Services Committee**

To: Chair and Members

**Community & Protective Services Committee** 

From: Scott Mathers, MPA, P. Eng., Deputy City Manager

**Planning and Economic Development** 

Subject: Occupant Noise Enforcement - Pilot Project

Date: August 23, 2022

#### Recommendation

That, on the recommendation of the Deputy City Manager, Planning and Economic Development this report **BE RECEIVED** for information purposes.

#### Summary

This information report summarizes ongoing discussions between London Police Service (LPS) and Municipal Compliance (MC) on the issue of transferring occupant noise enforcement from LPS to MC. Civic Administration is proposing a pilot project for Q4 2022 for all occupant noise service requests to be handled by MC in partnership with LPS dispatching. This protocol is common in many Ontario municipalities. It relieves LPS from most occupant noise service calls. The pilot will be monitored, and a determination will be made for a permanent transfer of duties. Partnered enforcement will continue to occur during annual events such as St. Patrick's Day, Homecoming and Halloween.

#### **Background Information**

This report supports the Strategic Plan by increasing the efficiency of Council's regulatory processes in response to citizen concerns.

In December 2021, Civic Administration was advised that LPS was considering transferring occupant noise calls to MC due to the volume of service requests of a more serious nature. At that time, discussions began on a possible transfer of duties.

The following provides a historical context of noise enforcement in London:

- 2007 all noise complaints responded to by LPS. A municipal scan and review resulted in a new protocol of joint enforcement by City Municipal Law Enforcement Officers (MLEOs) and LPS. MLEOs were responsible for addressing construction noise, barking dogs, air conditioners/pool equipment and auto repair related to zoning complaints and LPS Officers were responsible for occupant related noise (parties, loud music etc).
- 2015 Council direction to review noise complaints with a focus of transferring occupant noise from LPS to MLEOs. Numerous options proposed and debated. After several committee debates, Council directed that MLEOs respond to occupant noise during peak hours (Friday and Saturday evenings 7:00 PM 3:00 AM) leaving all other occupant noise for LPS response. MLEOs continue to respond to all other non-occupant noise related complaints.
- 2021 LPS recommend transferring all occupant noise to MC.

As part of this review, LPS provided noise related complaints data for a three-year period (2019-2021). The data shows the following:

- On average, 2,700 noise complaints are received annually.
- 39% of the complaints were received on a Saturday and Sunday.
- 28% of all noise complaints were received between 11:00 PM and 1:00 AM
- 3% of noise complaints were received between 6:00 AM and 10:00 AM

• In addition to LPS calls for service, MC addressed 1,300 occupant noise complaints (Friday and Saturday nights) in 2021.

A municipal scan was undertaken:

- Waterloo enforced by City, via police dispatch, police radios, work in teams.
- Kingston enforced by City and some by Police, staff work 8:00 AM to 8:00 PM as well as 10:00 PM to 3:00 AM on Thursday, Friday and Saturday evenings, police dispatch, police radios.
- Guelph enforced by City, police dispatch, police radios, work in teams.
- Hamilton enforced by City during daytime, Wednesday to Saturday evening partner with police, police radios.
- Brantford enforced by City, 8:30 AM to midnight, seven days a week, teams after 4:30 PM.

Based on discussions with the above municipalities, there is a definite trend to shift noise enforcement from Police Services to municipalities.

After numerous operational discussions with LPS, Civic Administration is proposing a noise enforcement pilot for a three-month period starting in Q4 2022. The pilot proposes a new team of Noise/Parking Enforcement Officers to respond to occupant noise calls for service 24/7. Operationally, all occupant noise complaints would be received by the Police Call Center, triaged to determine possible criminal activity (domestic assaults, known dangerous property, active unrelated police investigation, sound of gunfire) and dispatched to LPS and MC accordingly. The majority of calls (non-criminal related) would be dispatched to MC. The largest benefit, from a cost and efficiency perspective, is that both noise and parking calls for service have daily peaks and valleys that are offsetting. When noise complaints peak in the evenings, parking service requests are low; when parking enforcement demands are high, such as for morning school zones, noise complaints are low. Non-occupant related noise complaints (barking dogs, construction etc.) would still be addressed by MC.

From a staffing perspective, the pilot requires transferring 4 Parking Services Officers from the existing complement and hiring 4 new Noise/Parking Enforcement Officers. Given 24/7 coverage, a management Coordinator position will also be required. Based on existing budget, funding would be required for three new staff positions. Currently, Parking Services Officers have a Return On Investment (ROI) between 120-200% based on Administrative Monetary Penalties (AMPs) issued. In addition to the ROI, Civic Administration propose to increase parking related AMPs to limit the cost of the transfer of services on the tax base.

#### 3.0 Conclusion

Civic Administration will monitor the pilot project and report out on the findings prior to implementing this transfer of services long term. The subsequent report will provide information for consideration in the next Strategic Plan and multi-year budget discussions.

This report was prepared in consultation with LPS as well as numerous City services including Service London, Dispatch, Finance, People Services, and the Union.

Prepared by: Orest Katolyk, MLEO (C)

**Director, Municipal Compliance** 

Recommended by: Scott Mathers, MPA, P.ENG.,

**Deputy City Manager, Planning and Economic** 

**Development** 

#### Community and Protective Services Committee

My husband and I just read the London Free Press article about a plan proposed to have the City take over noise complaints: <a href="https://lfpress.com/news/local-news/too-loud-and-too-much-city-police-may-stop-handling-noise-complaints">https://lfpress.com/news/local-news/too-loud-and-too-much-city-police-may-stop-handling-noise-complaints</a>

We encourage the City to go ahead with any pilot program that will result in better enforcement of the City's noise bylaw.

We go through periods of having sleep interrupted for days in a row, or several times a night. And no, we can't always get hold of City bylaw or police, and sometimes don't have the energy to even get up to do those calls. Earplugs again ... but why should we have to do that? Disrupted sleep wrecks the next day.

These last few months we have had ongoing noise problems coming from one particular house. We hear their boom box and loud voices inside our house, with windows closed, and through the white noise waves tape we use every night. We have called both the City bylaw people during the Friday and Saturday times available, and the police at other times. Neither has ever gotten back to us, even when we've asked them too. And honestly, I'm too tired (and working) and cannot get in touch with the police during daytime hours to find out what their community something or other unit can do.

The City webpages has a place to email complaints, but it's not monitored all the time. According to the notes I keep, I found that out on Friday, July 1 - Canada Day - around 5:00 p.m. And the City's noise bylaw phone line wasn't working at all ... I guess staff had the holiday ... but there was no mention of that on a message when I called through twice after 7:00 p.m. At 9:00 and 9:30 p.m. I tried the police line at 661-5670, and each time got a disconnect after 20 rings.

There is one particular house from which all the noise is coming these days, but there have been others over time. During last summer and fall the parties and noise came from another place ... the culmination being a Halloween party where people were arriving already drunk just across the street from our place. How do I know already drunk? Immediate vomiting on the sidewalk. During these months, with calls from three different neighbours, fines for the guys got worked up to about \$1,000 before they finally knocked off the noise. On one occasion after that, when one of the guys was walking by our place with friends the one friend yelled at me because his friends had had fines and "had to work extra hours to pay". It's amazing how a young guy thinks any white haired, older woman is fair game to just yell at. More amazing to think I care that his friend had to work extra hours to pay a fine.

These are just two of the <u>ongoing</u> situations we've had. There are also the student idiots who have their friends arrive at 1:00 a.m. or 5:00 a.m. car sound systems blaring ... something I point out to them their parents would not have let them get away with.

Ρ	olice are b	usy, and over	worked. If	London can	borrow st	rategies from	other municipa	lities to have
а	faster, mo	ore effective s	ystem in pl	ace for hand	lling noise	complaints	get on with it.	

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Maureen Temme

#### **Report to Community and Protective Services Committee**

To: Chair and Members

Community and Protective Services Committee

From: Scott Mathers, MPA, P. Eng., Deputy City Manager,

**Planning & Economic Development** 

Subject: Adult Live Entertainment Parlour - Relocation Request – (from 2010 Dundas

Street to 238 Dundas Street) - Public Participation Meeting

Date: August 23, 2022

#### Recommendation

That, on the recommendation of the Managing Director, Planning and Economic Development and Deputy City Manager, in response to an application made under the Business Licensing By-law L.-131-16 (the By-law) for substituting an existing Adult Live Entertainment Parlour location at 2010 Dundas Street to a proposed new location at 238 Dundas Street, the submission from the Licence Manager **BE RECEIVED** noting that City Council shall make the final decision whether or not to amend the Licensing By-law to permit the substitution.

#### Summary

Staff have received a request to amend the Business Licensing By-law Schedule 3A to substitute the Adult Live Entertainment Parlour at 2010 Dundas Street for a new location at 238 Dundas Street. Council may consider applications for substitution once several criteria have been met, including at least one public meeting at Community and Protective Services Committee (CPSC).

This report compiles the materials required by the By-law for consideration of the substitution request by CPSC and Council. The report also includes the comments and recommendations received in response to the notice of Application, and some additional information considered necessary by the License Manager regarding locating adult entertainment parlours.

#### **1.0 Application Requirements**

#### 1.1 Substitution Requests

The Business Licensing By-law L-131-16 (Schedule 3, Part 9) provides that Council may consider applications to substitute a new location for an existing location of a licenced Adult Live Entertainment Parlour. The Licence Manager shall circulate the application and submit comments to the Community and Protective Services Committee. Council shall make the final decision on whether to amend the By-law to remove the existing location and approve the new requested location.

The Licensing Office received the some of the necessary application material necessary to consider relocating an existing Adult Live Entertainment Parlour from 2010 Dundas Street to a new location at 238 Dundas Street, in November of 2021. The 2010 Dundas location has been licensed since 1988 as an Adult Live Entertainment Parlour.

#### 1.2 Location Requirements

Schedule 3, Section 9.0 of the Business Licensing By-law provides location requirements for Council's consideration of the substitution of a new Adult Live Entertainment Parlour:

9.2 (1) (a) An Adult Live Entertainment Parlour shall not be located on lands according to the City of London's Zoning By-law Z-1 or any successor by-law which are exclusively zoned Residential, or lands zoned Residential in combination with a compound zone;

9.2 (1) (b) An Adult Live Entertainment Parlour shall not be located within 100 metres of lands according to the City of London's Zoning By-law Z-1or any successor by-law which are exclusively zoned Residential, or lands zoned Residential in combination with a compound zone;

9.2 (1) (c) An Adult Live Entertainment Parlour shall not be located within 100 metres of the premises of a school, a day-care centre or a place of worship, existing on the date of the request for an amendment to Schedule 3A of this By-law;

The proposed location at 238 Dundas Street complies with these locational criteria, as confirmed by City of London Planning Staff on March 10, 2022, using the separation distance outlined in Schedule 3, Section 9.2 (2) of the Licensing By-law.

#### 1.3 Fully Completed Application

Section 9.3 states that any request under section 9.1 shall be made to the Licence Manager and shall be accompanied by a fully completed application for the issuance of an Adult Live Entertainment Parlour Owner licence.

At the time of writing this report, the Licence Manager is satisfied that the application can be considered "fully completed" for the purposes of consideration of the substitution request.

#### 1.4 Circulation for Public Comment

Section 9.4 indicates that the Licence Manager shall give notice by personal service or prepaid first-class mail to every owner of land within 120 meters of the proposed new location who may submit comments and recommendations to the Licence Manager in respect of the request within such time, which shall be within thirty (30) days of the notice by the Licence Manager of the request, as the Licence Manager may specify in the notice.

Notice of the application was mailed to all landowners within 120m of the proposed new location on January 25<sup>th</sup>, 2022, indicating that comments were to be received by February 24<sup>th</sup>, 2022: 30 days following mailout.

A copy of the notice is attached hereto as **Appendix 'B'**.

#### 1.5 Comments

The comments and recommendations received by the Licence Manager in response to the notice described above, together with any additional information that the Licence Manager considers necessary, shall be submitted to the Community and Protective Services Committee as per Section 9.5.

#### **SUMMARY OF PUBLIC COMMENTS:**

There were six (6) comments received from the public regarding the Notice, which was mailed to 93 recipients. The responses are summarized as follows:

- Proximity to the Central Library is a concern.
- Public perception of downtown safety already at all-time low; this will make it worse.
- This business will drive businesses and residents away
- Downtown touted as a tourist mecca: is sex tourism a new goal?
- Newspaper article citing "adult based entertainment for LGBTQ community" is a veiled justification to allow strip club.
- "Burlesque" and "Drag" shows at current Lavish are different than a "Strip Club"
- Poor fit for revitalized street funded by City
- Current business at 238 Dundas already disruptive

- Two-thirds of all sex-trafficking in Canada originates in Ontario and London is a hub for sex trafficking because it is the first large city located between Detroit/Windsor and Toronto with easy access from the 401 into hotels and motels.
- Traffickers frequently target individuals who lack strong support networks, are facing financial strain, have experienced violence in the past, or who are marginalized by society. Without adequate community support, youth who are LGBTQ2+ may be at particular risk for sex trafficking.
- Does not support strategic plan goal to, "create a safe London for women and girls" with the outcome being "to enhance the potential for women and girls to live safe lives".
- Deny the application and revoke the existing Licence.
- No issue with staff, but fearful of the patrons of these establishments re. noise, nuisance, disruption, safety concerns.
- Lavish has been a pillar of LGBT community and my comments do not apply to Lavish hosting burlesque shows.

A large "Notice of Application" poster was affixed to the exterior of 238 Dundas Street, to notify the public. The Notice was also circulated to 15 internal and partner agencies, including the Ward Councillor, Downtown London, Fire Services, Police Services, the Middlesex London Health Unit, Tourism London, London Housing Division, Planning Division, and others.

Full comments are attached in Appendix 'C'.

#### **ADDITIONAL COMMENTS & INFORMATION**

#### **London Police Services re. Existing Location:**

2010 & 2190 Dundas St.

- There are approximately 280 Calls for Service associated at these addresses in the last 5 years.
- The call types vary from "Assisting other Agency", "Trouble with Person", "Disturbance", "Drug", "Domestic", "Assault" and "Medical" calls.
- Note: due to the proximity of these two adult live entertainment parlours many calls for service involved both premises as well as the habitable premises at 2010 Dundas Street.

#### Planning & Economic Development – Urban Design

There are no urban design related concerns with the proposed Business License Amendment. Please note that the property is located within the Downtown Heritage Conservation District designated pursuant to Part V of the Ontario Heritage Act. Heritage Alteration Permit approval is required for any exterior alterations to the building (e.g., signage, façade alterations, windows, etc.) that may be required for a new business.

#### 1.6 Public Meeting

The requirement expressed in Section 9.6 of the By-law, stating that "Before an amendment to Schedule 3A of this By-law is passed, the Community and Protective Services Committee shall hold at least one meeting that is open to the public for the purpose of affording an opportunity to the requester and any other person who attends the meeting to make submissions in respect of the request", shall be satisfied by the August 23<sup>rd</sup> meeting for which this report has been prepared.

#### 2.0 Additional Information

#### 2.1 Context

The subject property is occupied by a three-storey commercial building which operates as a bar/nightclub (Lavish).

The subject property is within the Central London Planning District, the Downtown Heritage Conservation District, the Downtown Business Improvement Area, and fronts onto Dundas Place; "London's premiere pedestrian destination for shopping, dining, art, and celebration".

238 Dundas Street is flanked by a record store and yoga studio to the west, and a used bookstore to the east. Across the street is the entrance to the main branch of the London Public Library (251 Dundas), and the vacant heritage designated, "Mechanics Institute" (229-231 Dundas).

#### 2.2 Adult Entertainment Impacts

The primary means that municipalities use to regulate adult-oriented businesses include zoning and licensing by-laws. These municipal regulations are justified on the general grounds that adult-oriented businesses generate negative secondary impacts. The zoning and licensing by-laws are considered by municipal Councils in a public forum via advertised public meetings.

As has been provided in previous new licence, and licence substitution reports, staff often refer to land use commentary provided in the book, "Everything You Always Wanted to Know about Regulating Sex Businesses" by David E. Kelly & Connie Cooper (American Planning Association, Chicago, 2001).

This reference presents survey data, among other evidence, demonstrating the significant negative impacts concentrations of adult-oriented businesses have on surrounding neighbourhoods; for 2-3 blocks from the 'source'. These impacts include:

- Reduction in residential and commercial values
- Difficulty in selling or renting homes and businesses
- · Perceived impact that neighborhood is unsafe
- Increases in vice-related activities and other crimes
- Negative impacts re. noise, lighting, and traffic
- Risk for minors to exposure or contact
- Overall community blight

More recent examples can be found in "Cities and Adult Businesses – A Handbook for Regulatory Planning", Edited by Roger Kemp (McFarland & Company, North Carolina, 2010). This reference reports on case studies that describe the impacts of, and analyze the regulation of, adult-oriented businesses identifying various methods undertaken by local governments.

As Hakes<sup>a</sup> writes after reviewing studies undertaken in other communities:

- Crime rates are higher in areas of adult uses
- Sex crimes are higher in areas near adult uses
- Residential property values are decreased when in close proximity to adult uses
- Physical blight is seen near adult uses
- Near adult uses residential properties are not well maintained, financial institutions are more hesitant to invest, etc.

<sup>&</sup>lt;sup>a</sup> Hakes, Jaclyn, "Saratoga Springs Planning Board Reviews its Adult Use Laws", from Chapter 36, "Cities and Adult Businesses – A Handbook for Regulatory Planning", Edited by Roger Kemp (McFarland & Company, North Carolina, 2010)

• Most patrons of adult oriented businesses do not live within one mile of the site.

These studies highlight the negative impacts sex businesses have on property values and crime levels, especially when the businesses are geographically concentrated.

In Chapter 33, Owens<sup>b</sup> concludes that among the best practices for regulating sexoriented businesses is to include minimum separation distances not only from sensitive land uses (as the City of London Business Licensing By-law does) but from other sexually oriented businesses as well.

#### 2.3 Other Adult Entertainment Locations

It should be noted that there is an existing *Adult Live Entertainment Parlour* (Solid Gold) located approximately 50m west of this proposed relocation. There is also a relocation application for an *Adult Entertainment Body-rub Parlour* from 808 Exeter Road to 232 Dundas Street, approximately 12m west of this application.

#### 3.0 Conclusion

An application was received to substitute an existing Adult Live Entertainment Parlour at 2010 Dundas Street to a proposed location at 238 Dundas Street. The proposed location meets the locational criteria of the Business Licensing By-law. This report summarizes the public comments received in response to the Notice of Application and includes supporting material deemed necessary by the Licence Manager. City Council shall make the final decision on whether to amend the Business Licensing By-law to permit the Adult Live Entertainment Parlour at the proposed location.

If an amendment to Schedule 3A of the By-law is permitted, the current licensed location shall be deleted from the By-law Schedule and the proposed location added to the By-law Schedule. A draft amendment is included with this report as Appendix 'A', should CPSC make this recommendation to Council.

Alternatively, City Council may refuse the application resulting in no changes to the existing By-law & Schedule; the current location at 2010 Dundas will remain an approved location.

Prepared by: Ethan Ling MSc.

**Development Policy Coordinator, Municipal Compliance** 

Submitted By: Nicole Musicco,

**Coordinator, Municipal Compliance** 

Reviewed &

Concurred by: Orest Katolyk, MPL, MLEO(C),

**Director, Municipal Compliance** 

Recommended by: Scott Mathers, MPA, P. Eng., Deputy City Manager,

**Planning and Economic Development** 

<sup>b</sup> Owens, David, "Raleigh Laws Challenged By Adult Businesses" from Chapter 33, *"Cities and Adult Businesses – A Handbook for Regulatory Planning"*, Edited by Roger Kemp (McFarland & Company, North Carolina, 2010)

#### Appendix "A"

Bill No. - 2022

By-law No. L.-131( )-

A by-law to amend By-law No. L.-131-16 entitled "A by-law to provide for the Licensing and Regulation of Various Businesses" to provide for the deletion of an Adult Live Entertainment Parlour location at 2010 Dundas Street and to substitute it with a new Adult Live Entertainment Parlour location at 238 Dundas Street.

WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. L.-131-16, as amended, entitled "A by-law to provide for the Licensing and Regulation of Various Businesses" to provide for the deletion of an Adult Live Entertainment Parlour location at 2010 Dundas Street and to substitute it with a new Adult Live Entertainment Parlour location at 238 Dundas Street;

**AND WHEREAS** section 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;

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

- 1. The Business Licensing By-law No. L.-131-16, hereby amended by deleting "Schedule 3A, Adult Live Entertainment Parlour Locations, Municipal Address: 2010 Dundas Street, Map 3" in its entirety and replacing it with the <a href="attached">attached</a> "Schedule 3A, Adult Live Entertainment Parlour Locations, Municipal Address: 238 Dundas Street, Map 3".
- 2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on MONTH / DAY, 2022.

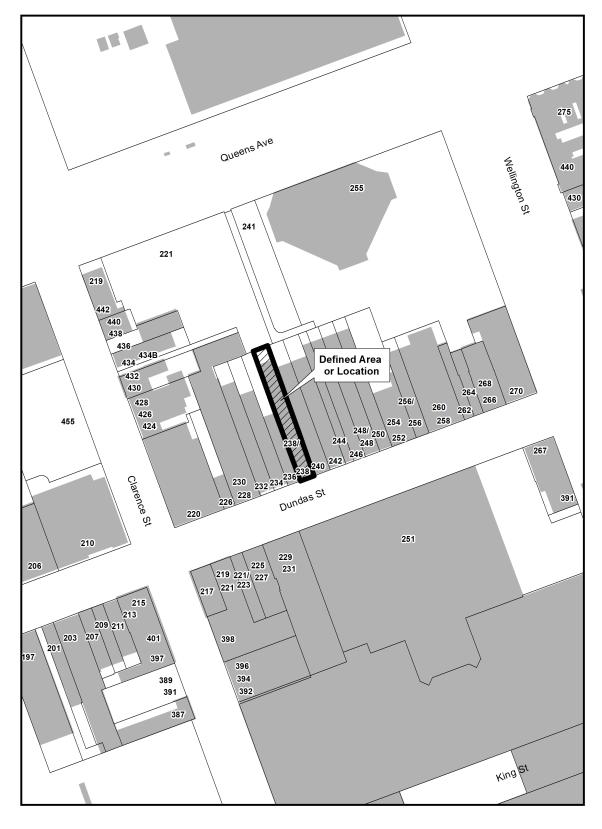
This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on Month, Day, 2022

Ed Holder Mayor

Michael Schulthess City Clerk

# 



# Appendix 'B' - Notice of Application

Attachment 1 - Notice of Application (.pdf)



E. Ling Tel: 519-661-2489 x.2786 Email: eling@london.ca Website: www.london.ca

January 25, 2021

#### NOTICE OF BUSINESS LICENCE AMENDMENT: Adult Live Entertainment Parlour Relocation Request

TAKE NOTICE that Municipal Compliance has received an application to relocate an *Adult Live Entertainment Parlour* from the existing address at 2010 Dundas Street to a new location at 238 Dundas Street. Pursuant to Schedule 3, Part 9 of the Business Licensing By-law L.131-16, City Council may consider applications to substitute a new location for an existing location of an *Adult Live Entertainment Parlour*. We are advising you of this application to <u>invite your comments now</u> and inform you that there will be a <u>future public meeting</u> of the Community and Protective Services Committee on the matter.

**APPLICANT:** Paris Clubs Corporation

**LOCATION:** Moving From: 2010 Dundas Street, London, ON (Ward #2)

Moving To: 238 Dundas Street, London, ON (Ward #13)

PURPOSE AND

EFFECT:

The applicant seeks to relocate an existing licensed *Adult Live Entertainment Parlour* from 2010 Dundas Street to 238 Dundas

Street.

HOW TO COMMENT:

**COMMENTS ARE DUE BY THURSDAY, FEBRUARY 24, 2022**. Any submissions with respect to this application must be made in writing, by mail or email:

Mail: Municipal Compliance, Attention: E. Ling Re. Adult Entertainment Parlour Relocation

7th Floor, City Hall, 300 Dufferin Ave.,

London, ON, N6A 2L9.

Email: eling@london.ca

FOR MORE INFORMATION

This file has been assigned to **E. Ling** of Development and Compliance Services, Municipal Compliance. All inquiries and comments can be sent to him at <a href="mailing@london.ca">eling@london.ca</a>, or to the mailing address above.

A map showing the location of the land which is the subject of the application is attached to this Notice.

PUBLIC PARTICIPATION MEETING As per Section 3, Part 9 of the Business Licensing By-law, comments, and recommendations regarding the relocation are to be provided to the City of London. As well, Community and Protective Services Committee (CPSC) shall hold at least one meeting that is open to the public for the purpose of affording an opportunity to the applicant, and any other person who attends the meeting, to make oral submissions in respect of the requested relocation. Those who have received this notice by mail will be notified again, by mail, when the meeting is scheduled. The meeting date and time will also be advertised on the City of London's website; www.london.ca

COLLECTION OF PERSONAL INFORMATION

Personal information collected as part of this application will form part of the public comment and may be part of the report or presentation on the subject. Questions about this collection should be addressed to the City Clerks Department, 3<sup>rd</sup> floor, City Hall.



#### Appendix 'C': - Comments and Additional Information

#### Comments Received:

From: [NAME AND EMAIL ADDRESS REDACTED]

Sent: Sunday, February 6, 2022 4:19 PM

Subject: [EXTERNAL] Re: Adult live entertainment parlour relocation request

Good afternoon.

I'm following up from an email I sent to you on February 4th pertaining to the proposed relocation of the live adult entertainment club.

I'm now learning through a CBC article that it was Lavish applying for this so they could host burlesque shows etc.

This is much different than I had originally thought and what was outlined in the notice sent out.

I would like to add that I'm in complete support of this venue as they have been a pillar of the LGBT community for many years. My previously stated concerns do not apply to this type of business. Lavish has not been any cause for concern in the past and brought a lot of wonderful events to the downtown.

I only wish I had known this was the case before sending my email.

Thank you

#### [NAME REDACTED]

-----

From: [EMAIL ADDRESS REDACTED]

Subject: [EXTERNAL] Paris Clubs Corporation Date: Wednesday, February 23, 2022 1:29:26 PM

In regards to the application to move an unnamed strip club licence from 2010 Dundas to 238 Dundas these details are not present.

Is Paris Clubs Corporation the former licencee for 2010 Dundas St.? If it has been corporate transfer are the principles the same? Who are the principals?

These questions are important because strip clubs are used to launder cash for bikers and other forms of organized crime.

The facilities at 238 Dundas include a roof top patio. Would this be part of the Strip club?

The news made mention of burlesque shows but that is quite different than a strip licence. Lavish has had burlesque shows, drag shows and the like. A strip club is quite a different show and clientele.

As the application is very short on pertinent details I will be apposed (sic) to the application. It is also a very poor fit for Dundas St. revitalization project funded primarily by the city.

#### [NAME AND ADDRESS REDACTED]

\_\_\_\_\_

From: [EMAIL ADDRESS REDACTED]

Subject: [EXTERNAL] 238 Dundas Street Date: Thursday, February 3, 2022 4:43:47 PM

We are tenants at [ADDRESS REDACTED] and have a small business at [ADDRESS REDACTED]

We were informed by our landlord NAME REDACTED about a license application that was filed with the City of London to open an adult entertainment business at 238 Dundas Street.

As residents of downtown London, specifically Dundas Place, we deal with enough when it comes to the homeless, individuals with mental health issues and addicts around the area. Cars are broken into, I'm woken up on a regular basis **LOCAITON REDACTED**, and noise from the current business at 238 Dundas. This is all a part of living downtown and as frustrating as it can be it's something we were aware of before moving to the area. Bringing in another strip club to the area will only bring more issues that will make us feel even more unsafe and prevent us from living a comfortable life. This type of industry will only bring further problems when it comes to drugs, fights and prostitution. Not to mention bikers and gangs. And although we don't have an issue with sex workers, we do have an issue with a strip club **REDACTED** and what it will bring.

The city wants to revitalize downtown and create an environment that will bring families to the core. The city has spent millions of dollars in renovating Dundas Street and the Downtown Association has put on some pretty great events so far. The Downtown Business Association does so much for the current businesses and they really want to bring new businesses to downtown. Allowing another strip club to open it's doors on Dundas Place will only prevent people from wanting to come downtown.

We live in a newly renovated apartment and have a great landlord. We get a long with all of our neighbors and support the local businesses. We love living downtown and as new business owners in the market we hope to be able to continue living here, however if the city allows this type of business to open it will drive us and many other people away from living in the heart of the city. This would a shame when it's already difficult to bring people to the area. We truly hope the city will think about the negative impact that this type of business will have on beautiful Dundas Place.

Thank you,

#### [NAMES REDACTED]

-----

From: Eddy Tony

Cc: NAME REDACTED

Subject: [EXTERNAL] Adult Parlour Relocation

Date: Monday, February 7, 2022 3:56:48 PM

Hi E. Ling, thank you for sending the notice of the relocation application.

My name is Eddy Phimphrachanh (Eddy Tony Inc), owner of 238 Dundas Street where the application for the Adult Parlour is being processed for relocation.

I spoke to NAME REDACTED the owner of Lavish and my current tenant.

Under our lease agreement, Lavish is a nightclub/bar/restaurant. And as per conversation with NAME REDACTED It will stay that way.

The application for Adult Entertainment Parlour can only be used to host a male revue night.

#### I reject:

-Turning the business, the name, the primary operation into a stripclub or any form of adult entertainment or service.

#### I accept

-Having the ability to host an event that involves sexual nature as a "themed" night of the week.

If this relocation license for Adult Ent Parlour allows for anything beyond what I accept and reject above. Please inform me.

--

"Whatever you focus on grows." Eddy Tony www.eddytony.com

### Appendix 'C' Comments and Additional Information, Attachment 1 – Jonathon Gallery Letter (.pdf)



Jonathon Gallery-Galerie
258 Dundas Street
London, Ontario
N6A 1H3

February 22<sup>nd</sup>, 2022

Canada Municipal Compliance: Attn: E. Ling

7<sup>th</sup> Floor, London City Hall

300 Dufferin Ave.,

London, ON

N6A 2L6

#### Ref: Adult Entertainment Parlour Relocation to Lavish at 238 Dundas St.

Dear E. Ling

Where to start? London has apparently allowed for four strip club licenses. Currently Solid Gold is located across the street suggesting that 50% of the available licenses would be within one city block if this application were to be approved. Regardless of that Dundas Place is an area upon which great hopes have been pinned for the revitalization of Downtown London. It is patently absurd to even consider approval of this application for the following reasons.

- 1. The London Public Central Library is across the street, a venue that attracts school children from across the city.
- 2. Public perception of the safety of downtown among Londoners is already at a low ebb and is impacting people coming downtown.
- 3. There are many permanent residents, many of them single women, now residing in renovated high end luxury apartments above the storefronts between Clarence and Wellington.
- 4. Many Canadian cities now limit strip club establishments to industrial areas so why would London allow a strip club in an area touted as a tourist mecca or is sex tourism a new goal?

- 5. Within a ten minute walk there are five schools: Beal Secondary, Catholic Central, Fanshawe, London Central and Lord Roberts french Immersion and Western has just acquired property at Queen and Talbot making the number of young people using downtown enormous.
- 6. Pa Kua Martial Arts School with many young students is at 342 Dundas
- 7. Yoga One Studio at 246 Dundas has a multi generational clientele.
- 8. Attic Books at 240 also has a large youth clientele
- 9. There are many family friendly attractions downtown; Budweiser Gardens, Heroes, Museum London, Covent Garden Market.

Furthermore a newspaper article (<a href="https://www.cbc.ca/news/canada/london/lavish-owner-says-he-s-not-trying-to-bring-a-second-strip-club-to-dundas-place-1.6340009">https://www.cbc.ca/news/canada/london/lavish-owner-says-he-s-not-trying-to-bring-a-second-strip-club-to-dundas-place-1.6340009</a>) citing the reason being to bring 'adult based entertainment for the LGBTQ community is a veiled justification to allow for a strip club. I could go on but won't as I am sure you are getting the picture. In the past few years we have endured unending upheaval from construction, Covid pandemisc, burgeoning homeless population. The last thing the neighbourhood needs is a strip club with all the attendant social baggage real and imagined that attends it. I think you'll also find that when the Red Lion became a strip club it was forced to change its entrance off Dundas to Clarence St.

Thank You

Jonathon Bancroft-Snell

519-434-5443

**Business Owner** 

CC.

Mayor E. Holder,

Ryan Craven, Dundas Place Co-Ordinator

John Fyfe-Millar councillor,

Barbara Maly Downtown LoNdon,

Cheryl Finn Tourism London

Lori Da Silva RBC Place Convention Centre

Tom Bird Landlord

### Appendix 'C' Comments and Additional Information, Attachment 2 – London Abused Women's Centre Letter (.pdf)



797 York Street – Unit 5 London ON N5W 6A8 t. (519) 432-2204 f. (519) 679-3918 info@lawc.on.ca

Providing counselling, advocacy and support for abused women.

February 24, 2022

Mr. Ethan Ling Municipal Compliance City of London

#### **Re: Adult Live Entertainment Parlour Relocation**

The London Abused Women's Centre has been providing services to women and girls who have been exploited and trafficked for nearly 25 years. Since 2015, LAWC has supported over 2,800 women and girls who have been trafficked and over 1,800 women and girls who are at risk of being trafficked with long-term, trauma-informed, woman-centred counselling, advocacy and support. These numbers include at least 68 girls who report they were under 18 years old.

Sex trafficking is a form of sexual exploitation that can include recruiting, obtaining, or providing a person for the purpose of sex. In Ontario, sex trafficking is the most commonly reported form of human trafficking.<sup>1</sup>

The demand for paid sexual services fuels the growth of trafficking and exploitation of our most vulnerable populations. Victims of sex trafficking are often lured or coerced into the commercial sex industry.

Two-thirds of all trafficking in Canada originates in Ontario.<sup>2</sup> London is a hub for sex trafficking because it is the first large city located between Detroit/Windsor and Toronto with easy access from the 401 into hotels and motels.

While trafficking affects all demographics, traffickers frequently target individuals who lack strong support networks, are facing financial strain, have experienced violence in the past, or who are marginalized by society. Without adequate community support, youth who are LGBTQ2+ may be at particular risk for sex trafficking.<sup>3</sup>

Many LGBTQ2+ youth face challenges during their teenage years and into early adulthood. There are many misconceptions, there is abuse from family and peers. They also face higher rates of discrimination and violence. LGBT2Q+ youth experience homelessness at disproportionally high rates as a result of oppression and discrimination in society and in their homes. <sup>4</sup>

London Abused Women's Centre

Submission to Municipal Compliance, City of London

<sup>&</sup>lt;sup>1</sup> https://www.ontario.ca/page/about-human-trafficking

<sup>&</sup>lt;sup>2</sup> https://www.canada.ca/en/public-safety-canada/campaigns/human-trafficking.html

<sup>&</sup>lt;sup>3</sup> https://polarisproject.org/wp-content/uploads/2019/09/LGBTQ-Sex-Trafficking.pdf

<sup>4</sup> https://www.lawc.on.ca/wp-content/uploads/2018/04/Youth-Package-Phoenix.pdf

Just this past week, the London Police Service launched an Anti-Human Trafficking Campaign using the hashtag #KnowHumanTrafficking to help raise awareness and educate the community on the risks and warning signs associated with human trafficking. The goal is to reduce victimization and revictimization through public education, promotion, and encouragement of public engagement.

The City of London has a pillar in the strategic plan to create a safe London for women and girls with the outcome being to enhance the potential for women and girls to live safe lives. There has been a commitment from the City of London to apply a trauma and violence informed lens to the strategic plan, ensuring that an intersectional approach is applied to address violence against women and girls in our community.

Again, the demand for paid sexual services fuels the growth of trafficking and exploitation of our most vulnerable populations. There are members of our community who are at risk of violence for no other reason than who they are. Approving this application for relocation would be a mistake.

To that end, the London Abused Women's Centre recommends the London City Council not only deny the application for relocation and revoke the license completely.

London City Council has a responsibility to make decisions based on the best interests of all individuals especially those who are most vulnerable.

Thank you,

Jennifer Dunn

**Executive Director** 

London Abused Women's Centre

After pouring millions of our tax dollars into the revitalization of downtown, these two businesses are NOT was the core needs or wants.

I strongly oppose theses and hope that the committee will deny these applications completely!

Helen Minogue Ward 14

#### **Report to Community and Protective Services Committee**

To: Chair and Members

Community and Protective Services Committee

From: Scott Mathers, MPA, P. Eng., Deputy City Manager,

**Planning and Economic Development** 

Subject: Adult Entertainment Body-rub Parlour - Relocation Request - (from 802

Exeter Road to 232 Dundas Street) - Public Participation Meeting

**Date:** August 23, 2022

#### Recommendation

That, on the recommendation of the Managing Director, Planning and Economic Development and Deputy City Manager, in response to an application made under the Business Licensing By-law L.-131-16 (the By-law) to substitute an existing Adult Entertainment Body-rub Parlour at 802 Exeter Road for a proposed new location at 232 Dundas Street, the submission from the Licence Manager **BE RECEIVED** noting that City Council shall make the final decision whether or not to amend the Licensing By-law to permit the substitution.

#### Summary

Staff have received a request to amend the Business Licensing By-law Schedule 2A to substitute an existing Adult Entertainment Body-rub Parlour at 802 Exeter Road for a new location at 232 Dundas Street. Council may consider applications for substitution once several criteria have been met, including at least one public meeting at Community and Protective Services Committee (CPSC).

This report compiles the materials required by the By-law for consideration of the substitution request by CPSC and Council. The report also includes the comments and recommendations received in response to the notice of Application, and some additional information considered necessary by the License Manager regarding locating adult entertainment parlours.

#### **1.0 Application Requirements**

#### 1.1 Substitution Requests

The Business Licensing By-law L-131-16 (Schedule 2, Part 9) provides that Council may consider applications to substitute a new location for an existing location of an Adult Entertainment Body-rub Parlour. The Licence Manager shall circulate the application and submit comments to the Community and Protective Services Committee. Council shall make the final decision on whether to amend the By-law to remove the existing location and approve the new requested location.

The Licensing office received much of the necessary application material to consider an application to relocate the existing Adult Entertainment Body-rub Parlour from 802 Exeter Road to the new location at 232 Dundas Street on February 4<sup>th</sup>, 2022. The Exeter Road location has been licensed since 2018 as an "Adult Entertainment Body-rub Parlour".

#### 1.2 Location Requirements

Schedule 2, Section 9.0 of the Business Licensing By-law provides location requirements for Council's consideration of the substitution of a new Adult Entertainment Body-rub Parlour:

9.2 (1) (a) An Adult Entertainment Body-rub Parlour shall not be located on lands according to the City of London's Zoning By-law Z-1 or any successor by-law which are

exclusively zoned Residential, or lands zoned Residential in combination with a compound zone;

9.2 (1) (b) An Adult Entertainment Body-rub Parlour shall not be located within 100 metres of lands according to the City of London's Zoning By-law Z-1or any successor by-law which are exclusively zoned Residential, or lands zoned Residential in combination with a compound zone;

9.2 (1) (c) An Adult Entertainment Body-rub Parlour shall not be located within 100 metres of the premises of a school, a day-care centre or a place of worship, existing on the date of the request for an amendment to Schedule 3A of this By-law;

The proposed location at 232 Dundas Street complies with these locational criteria, as confirmed by City of London Planning Staff on March 10, 2022, using the separation distance outlined in Schedule 2, Section 9.2 (2) of the Licensing By-law.

#### 1.3 Fully Completed Application

Section 9.3 states that any request under section 9.1 shall be made to the Licence Manager and shall be accompanied by a fully completed application for the issuance of an Adult Entertainment Body-rub Parlour Owner licence.

At the time of writing this report, the Licence Manager is satisfied that the application can be considered "fully completed" for the purposes of consideration of the substitution request.

#### 1.4 Circulation for Public Comment

Section 9.4 indicates that the Licence Manager shall give notice by personal service or prepaid first-class mail to every owner of land within 120 meters of the proposed new location who may submit comments and recommendations to the Licence Manager in respect of the request within such time, which shall be within thirty (30) days of the notice by the Licence Manager of the request, as the Licence Manager may specify in the notice.

Notice of the substitution/relocation request was mailed to all landowners within 120m of the proposed new location on April 4<sup>th</sup>, 2022, indicating that comments were to be received by May 3, 2022: 30 days following mailout.

A copy of the notice is attached hereto as **Appendix 'B'**.

#### 1.5 Comments & Additional Information

The comments and recommendations received by the Licence Manager in response to the notice described above, together with any additional information that the Licence Manager considers necessary, shall be submitted to the Community and Protective Services Committee as per Section 9.5.

#### **SUMMARY OF PUBLIC COMMENTS:**

There were fifteen (15) comments received from the public regarding the Notice of Application, which was mailed to 100 addresses/recipients within 120m of the proposed location. A large "Notice of Application" poster was also affixed to the exterior of 232 Dundas Street, to notify passersby. Twelve responses were received by email, and three by letter. The email responses are summarized as follows:

- This business does not make sense in newly developed tourist area
- Passers-by will feel unsafe and "weird"
- After years of work the quality of residential and commercial tenants finally improving.

- Application does not support the creation of a family friendly, diverse area, which was the plan.
- Goes against everything the city has been trying to accomplish with the revitalization of Dundas place
- Counter-intuitive to work that has been done Downtown
- Should be located on outskirts of town
- Two-thirds of all sex-trafficking in Canada originates in Ontario and London is a hub for sex trafficking because it is the first large city located between Detroit/Windsor and Toronto with easy access from the 401 into hotels and motels
- Demand for paid sexual services fuels the growth of trafficking and exploitation of our most vulnerable populations. Approving this application for relocation would be a mistake.
- Deny the application and revoke the existing Licence.

The full email comments, and the three letters received, are included in Appendix 'C'.

The Notice of Application was also circulated to 15 internal and partner agencies, including the Ward Councillor, Downtown London, Fire Services, Police Services, the Middlesex London Health Unit, Tourism London, London Housing Division, Planning Division, and others. No formal comments were received from any internal agencies. Downtown London also sent out a survey to their members, summarized below.

#### **DOWNTOWN LONDON SURVEY**

Following receipt of the Notice of Application, Downtown London ran a member survey to get feedback regarding this application. 122 people were sent the survey, 59 people opened the email, and 19 responses were received. There was one question, and one open comment section:

Question: What is my position on this matter?

84% (16) not in favour of this application

15% (3) neutral on the application

0% in favour

Comment: "Please feel free to explain how this matter will positively or negatively affect your business."

The Downtown London survey results and subsequent comments, are attached as Attachment 4 in **Appendix "C"** 

#### **ADDITIONAL COMMENTS**

#### **London Police Services re. Existing Location:**

London Police received eleven (11) "Calls for Service" to the existing Adult Entertainment Body-rub Parlour location at 802 Exeter Road over the last 5 years. The call types are summarized as "Trouble with Person", "Property Damage", "Suspicious Person" and "Weapons" investigations.

#### 1.6 Public Meeting

The requirement expressed in Section 9.6 of the By-law, stating that "Before an amendment to Schedule 2A of this By-law is passed, the Community and Protective Services Committee shall hold at least one meeting that is open to the public for the purpose of affording an opportunity to the requester and any other person who attends the meeting to make submissions in respect of the request", shall be satisfied by the August 23<sup>rd</sup> meeting for which this report has been prepared.

#### 2.0 Additional Information

#### 2.1 Context

The building at 232 Dundas is a 3-storey brick building constructed c1870 and listed on the City of London's *Register of Cultural Heritage Resources* as a building of interest, due to its "Italianate" details demonstrated in the decorative cornice and heavy keystones of the arched window openings on the building. The subject property is designated under Part V of the Ontario Heritage Act, as part of the Downtown Heritage Conservation District, within the Central London Planning District, the Downtown Business Improvement Area, and fronts onto Dundas Place; "London's premiere pedestrian destination for shopping, dining, art, and celebration".

The main floor is currently vacant, and the second and third floors appear to be used as offices, or potentially residential units. The upper floors have a separate entrance to the right of the main doors. 232 Dundas Street is flanked by a clothing store to the west, and a tattoo parlour to the east. Across the street is the vacant, heritage designated, "Mechanics Institute" (229-231 Dundas), and less than 50m east is the entrance to the main branch of the London Public Library (251 Dundas).

#### 2.2 Adult Entertainment Impacts

The primary means that municipalities use to regulate adult-oriented businesses include zoning and licensing by-laws. These municipal regulations are justified on the general grounds that adult-oriented businesses generate negative secondary impacts. The zoning and licensing by-laws are considered by municipal Councils in a public forum via advertised public meetings.

As has been provided in previous new licence, and licence substitution reports, staff often refer to land use commentary provided in the book, "Everything You Always Wanted to Know about Regulating Sex Businesses" by David E. Kelly & Connie Cooper (American Planning Association, Chicago, 2001).

This reference presents survey data, among other evidence, demonstrating the significant negative impacts concentrations of adult-oriented businesses have on surrounding neighbourhoods; for 2-3 blocks from the 'source'. These impacts include:

- Reduction in residential and commercial values
- Difficulty in selling or renting homes and businesses
- Perceived impact that neighborhood is unsafe
- Increases in vice-related activities and other crimes
- Negative impacts re. noise, lighting, and traffic
- Risk for minors to exposure or contact
- Overall community blight

More recent discussions can be found in "Cities and Adult Businesses – A Handbook for Regulatory Planning", Edited by Roger Kemp (McFarland & Company, North Carolina, 2010). This reference provides case studies that describe the impacts, and analyze the regulation, of adult-oriented businesses identifying various regulatory methods undertaken by local governments.

As Hakes<sup>a</sup> writes after reviewing studies undertaken in other communities:

- Crime rates are higher in areas of adult uses
- Sex crimes are higher in areas near adult uses
- Residential property values are decreased when in close proximity to adult uses

<sup>&</sup>lt;sup>a</sup> Hakes, Jaclyn, "Saratoga Springs Planning Board Reviews its Adult Use Laws", from Chapter 36, "Cities and Adult Businesses – A Handbook for Regulatory Planning", Edited by Roger Kemp (McFarland & Company, North Carolina, 2010)

- Physical blight is seen near adult uses
- Near adult uses residential properties are not well maintained, financial institutions are more hesitant to invest, etc.
- Most patrons of adult oriented businesses do not live within one mile of the site.

These studies establish the negative impacts sex businesses have on property values and crime levels, especially when the businesses are geographically concentrated.

In Chapter 33, Owens<sup>b</sup> concludes that among the best practices for regulating sexoriented businesses is to include minimum separation distances not only from sensitive land uses (as the City of London Business Licensing By-law does) but from other sexually oriented businesses as well.

#### 2.3 Other Adult Entertainment Locations

It should be noted that there is an existing *Adult Live Entertainment Parlour* (Solid Gold) located approximately 25m southwest of this proposed relocation. There is also an application to relocate an *Adult Live Entertainment Parlour* from 2010 Dundas Street to 238 Dundas Street – approximately 12m east of this proposal.

#### 3.0 Conclusion

An application was received to substitute an existing Adult Entertainment Body-rub Parlour at 802 Exeter Road to a proposed location at 232 Dundas Street. The proposed site meets the locational criteria of the Business Licensing By-law. This report summarizes the public comments received in response to the Notice of Application and provides some additional information considered necessary by the License Manager. City Council shall make the final decision on whether to amend the Business Licensing By-law to permit the Adult Entertainment Body-rub Parlour at the proposed location.

If an amendment to Schedule 2A of the By-law is permitted, the current licensed location shall be deleted from the By-law Schedule and the proposed location added to the By-law Schedule. A draft amendment is included with this report as Appendix 'A', should CPSC make this recommendation to Council.

Alternatively, City Council may refuse the application resulting in no changes to the existing By-law & Schedule; the current location at 802 Exeter Road will remain an approved location.

Prepared by: Ethan Ling MSc.

**Development Policy Coordinator, Municipal Compliance** 

Submitted By: Nicole Musicco,

Coordinator, Municipal Compliance

Reviewed &

Concurred by: Orest Katolyk, MPL, MLEO(C),

**Director, Municipal Compliance** 

Recommended by: Scott Mathers, MPA, P. Eng., Deputy City Manager,

**Planning and Economic Development** 

<sup>&</sup>lt;sup>b</sup> Owens, David, "Raleigh Laws Challenged By Adult Businesses" from Chapter 33, *"Cities and Adult Businesses – A Handbook for Regulatory Planning"*, Edited by Roger Kemp (McFarland & Company, North Carolina, 2010)

#### Appendix "A"

Bill No. - 2022 By-law No. L.-131( )-

A by-law to amend By-law No. L.-131-16 entitled "A by-law to provide for the Licensing and Regulation of Various Businesses" to provide for the deletion of an Adult Entertainment Body-rub Parlour location at 802 Exeter Road and to substitute it with a new Adult Entertainment Body-rub Parlour location at 232 Dundas Street.

WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. L.-131-16, as amended, entitled "A by-law to provide for the Licensing and Regulation of Various Businesses" to provide for the deletion of an Adult Entertainment Body-rub Parlour location at 802 Exeter Road and to substitute it with a new Adult Entertainment Body-rub Parlour location at 232 Dundas Street.

**AND WHEREAS** section 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;

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

1. The Business Licensing By-law No. L.-131-16, hereby amended by deleting "Schedule 2A, Adult Entertainment Body-rub Parlour Locations, Municipal Address: 802 Exeter Road, Map 3" in its entirety and by replacing it with the <u>attached</u> "Schedule 2A, Adult Entertainment Body-rub Parlour Locations, Municipal Address: 232 Dundas Street, Map 3".

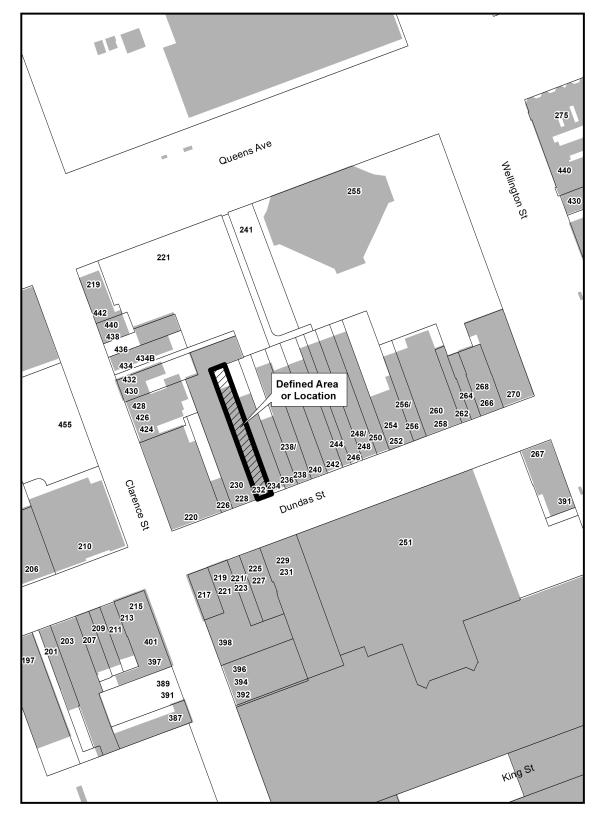
This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on Month, Day, 2022

Ed Holder Mayor

Michael Schulthess City Clerk

# SCHEDULE 2A ADULT ENTERTAINMENT BODY-RUB PARLOUR LOCATIONS MUNICIPAL ADDRESS: 232 Dundas St MAP 3 Defined Area or Location Outside 10 10 20 30 40 Metres



### Appendix 'B' - Notice of Application

Attachment 1 - Notice of Application (.pdf)



E. Ling Tel: 519-661-2489 x.2786 Email: eling@london.ca

Website: www.london.ca

April 4, 2022

## NOTICE OF BUSINESS LICENCE AMENDMENT: Adult Entertainment Body-Rub Parlour Relocation Request

TAKE NOTICE that Municipal Compliance has received an application to relocate an Adult Entertainment Body-Rub Parlour from the existing address at 802 Exeter Road to a new location at 232 Dundas Street. Pursuant to Schedule 2, Part 9 of the Business Licensing By-law L.131-16, City Council may consider applications to substitute a new location for an existing location of an Adult Entertainment Body-Rub Parlour. You are being advised of this application to invite your comments now and inform you that there will be a future public meeting of the Community and Protective Services Committee on the matter.

**APPLICANT:** 1781846 Ontario Inc. / Ambiance Spa

**LOCATION:** Moving From: 802 Exeter Road, London, ON (Ward #14)

Moving To: 232 Dundas Street, London, ON (Ward #13)

PURPOSE AND EFFECT:

The applicant seeks to relocate an existing licensed *Adult Entertainment Body-Rub Parlour* from 802 Exeter Road to 232

Dundas Street.

HOW TO COMMENT:

**COMMENTS ARE DUE BY TUESDAY, May 3, 2022**. Any submissions with respect to this application must be made in writing, by mail or email:

Mail: Municipal Compliance, Attention: E. Ling Re. Adult Body-Rub Parlour Relocation 7th Floor, City Hall, 300 Dufferin Ave., London, ON, N6A 2L9.

Email: eling@london.ca

FOR MORE INFORMATION

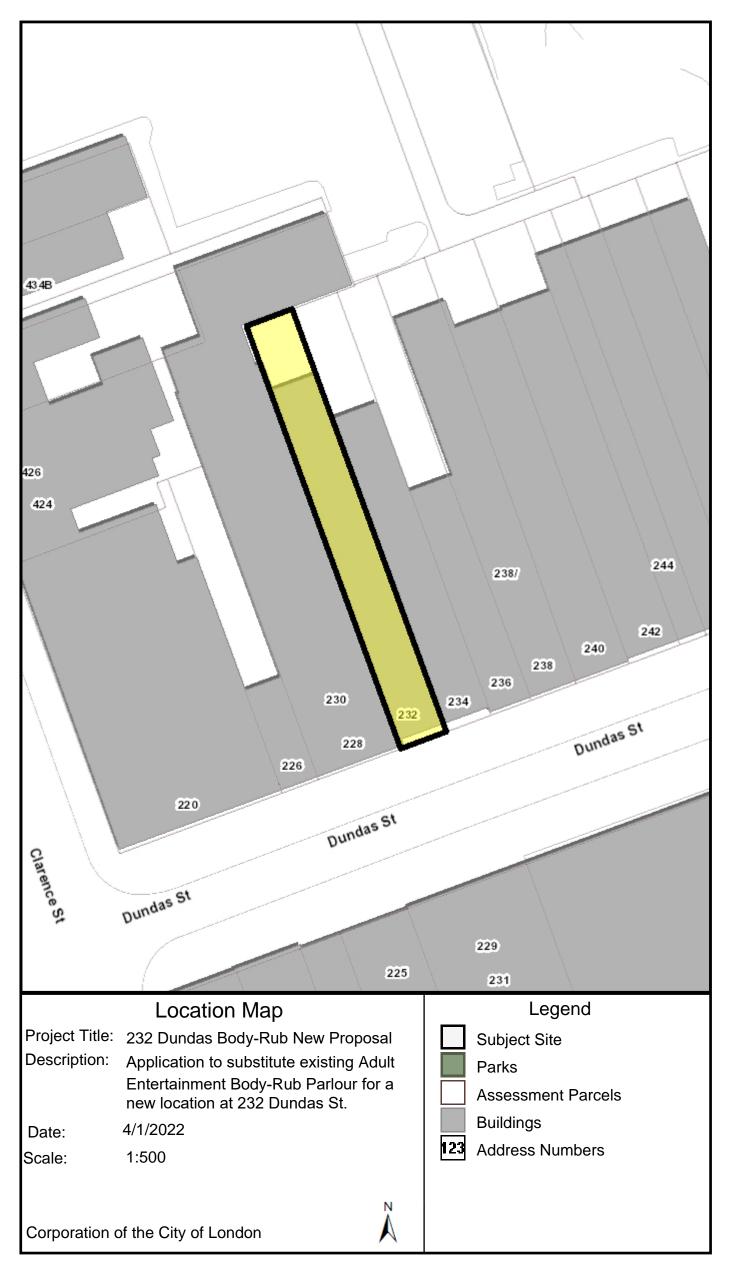
This file has been assigned to **E. Ling** of Development and Compliance Services, Municipal Compliance. All inquiries and comments can be sent to him at <a href="mailing@london.ca">eling@london.ca</a>, or to the mailing address above.

A map showing the location of the land which is the subject of the application is attached to this Notice.

PUBLIC PARTICIPATION MEETING As per Schedule 2, Part 9 of the Business Licensing By-law, comments, and recommendations regarding the relocation are to be provided to the City of London. As well, Community and Protective Services Committee (CPSC) shall hold at least one meeting that is open to the public for the purpose of affording an opportunity to the applicant, and any other person who attends the meeting, to make oral submissions in respect of the requested relocation. Those who have received this notice by mail will be notified again, by mail, when the meeting is scheduled. The meeting date and time will also be advertised on the City of London's website; www.london.ca

COLLECTION OF PERSONAL INFORMATION

Personal information collected as part of this application will form part of the public comment and may be part of the report or presentation on the subject. Questions about this collection should be addressed to the City Clerks Department, 3<sup>rd</sup> floor, City Hall.



# Appendix 'C': Comments and Additional Information (Attachments Follow)

From: NAME REDACTED

Subject: In regard to Adult Entertainment Body Rub Relocation Request

Date: Wednesday, May 4, 2022, 8:50:57 AM

Hi there,

I have received notice from NAME REDACTED about a relocation to an Adult Entertainment Body Rub Relocation Request.

Our business does not think this business makes sense in the newly developed tourist area in London. To us it does not make sense for the city to invest so much money on Dundas Place and then have businesses that make people feel weird and unsafe to walk by or be nearby. We do not want this type of business on Dundas Place. It is already hard enough to get this street looking better and being what the city wants it to be.

Thanks for your time,

#### NAME REDACTED

-----

From: NAME REDACTED

Sent: Tuesday, May 3, 2022, 10:09 AM

Subject: [EXTERNAL] Re: Notice of Application - Business Licence Amendment - Adult Entertainment Body Rub Parlour Relocation Request

Thank you for forwarding this information. We feel this goes against everything the city has been trying to accomplish with the re-vitalization of Dundas place. As business owners, we have personally invested considerably in trying to create a beautiful building with interesting businesses **REDACTED** that hopefully appeal to a large audience.

The "Adult Entertainment Body Rub Parlour" business as indicated below is in extremely poor taste and I do not see how it fits in with any of the businesses who are investing money and trying to help to improve the downtown sector- especially along Dundas Place.

It is our hope that Dundas place focuses more on bringing younger people & families to the downtown core. A focus on businesses such as apparel, cafes, & patios is needed in order to create a welcoming atmosphere.

Thank you,

NAME REDACTED

Owners -

ADDRESS REDACTED

\_\_\_\_\_

From: NAME REDACTED

Date: Tuesday, May 3, 2022, 7:24:27 AM

Subject: [EXTERNAL] Adult Body Rub Parlour Application

I am writing with regards to the application for an adult body rub parlour to be moved to Dundas Street.

As a business owner on Dundas Street, I feel this is counter productive to our efforts to bring more people to the core and optimize the flex street.

This is a business which should remain on the outskirts of the city, if at all.

After 2yrs of construction on Dundas Street in the core, followed by the pandemic, we do NOT need any more deterrents to families coming to visit businesses in the core. We already have a big problem with the drug abusers that hang out in that area of Dundas St.

Festivals, open air markets, and entertainment are what we need, NOT an adult body rub

parlour, and the people it would attract (their owners, staff, and patrons). Yes, there is an adult entertainment venue in the area already, which is already a bad thing for the core, business owners and patrons of Dundas St.

\_\_\_\_\_

From: NAME REDACTED

**Subject:** [EXTERNAL] Body Rub Parlour **Date:** Monday, May 2, 2022, 4:22:29 PM

NAME REDACTED - we are opposed to this body rub parlour being located on our block of Dundas place. It will bring in a clientele we don't want on this family friendly street and will effectively create a red-light district with potentially two strip clubs adjacent.

Let me know if you would like further comments.

NAME REDACTED

Co-Owner

NAME REDACTED ADDRESS REDACTED

London, ON

\_\_\_\_\_

From: NAME REDACTED

**Subject:** [EXTERNAL] proposed body-rub business on Dundas St.

**Date:** Wednesday, April 20, 2022, 12:12:13 PM

NO!! As a long-time resident of Ward 13 I have seen many businesses come and go - in recent years, mostly go. Due to excessively long construction on the Wellington to Ridout section, the pandemic, and inconsistent policing we have enough whores, derelicts, and addicts. The city must concentrate on attracting positive businesses that will enhance our reputation and improve living/working for the majority of citizens and visitors. We must not encourage more crime!! I believe that the City has a policy of no new sex shops of any description and that existing ones are to remain at their current addresses. Il will contact my current councillor as well - I understand that he would like to be re-elected.

\_\_\_\_\_

From: NAME REDACTED

**Subject:** [EXTERNAL] Adult Body-Rub Parlour Relocation Request to 232 Dundas Street (application filed under 1781846 Ontario Inc/Ambiance Spa

**Date:** Tuesday, May 3, 2022, 12:55:45 PM

Dear NAME REDACTED

Please hereby accept our submission of comments to the above application. We oppose the relocation application: Adult Body-Rub Parlour Relocation Request to 232 Dundas Street. We are the property owners and landlords of some 20 storefronts and 100+ residential tenants along Dundas Street, including 236 Dundas, 246 Dundas and 252/4 Dundas. As such we understand the devastating impact businesses/services can have on the overall vision and experience of a neighbourhood. The vision of establishing a family friendly, residentially flourishing music, arts and food district downtown are sound, after years of investment in numerous congruent ventures. The John Labatt Centre, The Covent Garden Market, The London Public Library and large investments in public infrastructure upgrades are complete. This is now bearing fruit as the quality of commercial tenants along Dundas is steadily improving with the likes of Petrov Bridal, Grooves, Fanshawe College, CBC Radio and many others. Residential core developments are also increasing rapidly, bringing additional people permanently

downtown.

While this relocation application is at the discretion of the city, we believe that this application is not a good fit for our tenants, the value of our properties and consequently will have a devastating negative impact on our properties and ability to attract quality tenants. This in turn will impact revenue of all stakeholders negatively.

If an individual business or type of business has a negative impact on all the other stakeholders in an area, such as visitors, residents, businesses, property owners, the City of London and the intended target audience, this fact has to be recognized and eliminated.

We oppose this application and request that it is declined. Signed,

#### NAME REDACTED

Communications Officer
On behalf of Nora Property Management Inc.:

Westany Holdings Inc (236 Dundas St) 2227043 Ontario Inc. (246 Dundas St) 2162538 Ontario Inc. (175/9 Dundas St)

\_\_\_\_\_

From: NAME REDACTED

**Subject:** [EXTERNAL] Re: Adult Body-Rub Parlour Relocation Proposal

**Date:** Monday, May 2, 2022, 10:01:31 AM

Hello,

This is a response to the Notice of Business License Amendment I have received recently regarding the possible relocation of an Adult Body-Rub Parlour to 232 Dundas Street, London, ON (attached for reference). My name is NAME REDACTED and I am the President and 100% beneficial owner of 2761172 Ontario inc, which owns the property at 244 Dundas Street.

I have very serious concerns about the proposal to relocate an adult body-rub parlour to the area. It is a rejuvenated area, with significant investment made by the City of London to redevelop Dundas St into a groundbreaking flex street, and significant investments made by landlords in the area to attract high-quality tenants to the area and support further gentrification of the neighborhood.

As far as I am aware, there are no similar businesses in the area and it should stay that way. There is no place for an adult massage parlour in a rejuvenated area like this. It is counterintuitive to the current "clean up" initiative and as far as I am aware zoning regulations do not permit these kinds of establishments.

Furthermore, all four residential units in my building are rented by single women. I go out of my way to create a safe, hospitable environment for them where they feel comfortable making their home. Adding an adult massage establishment in the vicinity will certainly not help foster the atmosphere of safety and inclusion we should all seek to create in the area of downtown London. I remain at your disposal in case of any inquiries.

Thank you
NAME REDACTED
President
2761172 Ontario Inc

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From: NAME REDACTED

Subject: [EXTERNAL] Adult Entertainment Relocation Application Concerns

Date: Monday, May 2, 2022 3:11:32 PM

Hello,

We here at NAME REDACTED have a lot of objections to the current proposal of the relocation of Ambiance Spa to Dundas Street. We are already having many problems with needles and homelessness on Dundas Street. We are very concerned that this problem will escalate the current situations that we are experiencing. Also I have looked into the business hours of Ambiance and they are open at 10am and some days are open 24 hours. We are very concerned about the drug related issues and type of clientele that this business would attract. Also the flex street was created to clean up downtown and as a business owner I fear that this will further damage the reputation of Dundas Street.

Kind Regards

NAME REDACTED ADDRESS REDACTED

London, ON N6A 1H3

Canada

\_\_\_\_\_

From: NAME REDACTED

Subject: [EXTERNAL] Re: Notice of Application - Business Licence Amendment - Adult

Entertainment Body Rub Parlour

Relocation Request

**Date:** Tuesday, May 3, 2022 3:17:12 PM

Hello NAME REDACTED

My name is NAME REDACTED and I work at ADDRESS REDACTED

**Dundas Street.** 

We are **REDACTED** and would, I feel, be negatively impacted.

I say an emphatic NO to the idea of a body-rub parlour on this portion of Dundas Street. If the City of London is trying to make Dundas Place an up-scale, inviting location for people to visit with their families and friends, I feel this type of business would not only bring down the quality of the street but would in fact discourage people from coming downtown.

Please do not allow this to go through.

Sincerely

NAME REDACTED ADDRESS REDACTED

PS: I also happen to lead walking tours of the downtown for Museum London - and I always brag to my tour groups that Dundas Street is making a comeback as a great place to visit. From my experience, tour-goers would not consider a body-rub parlour an asset.

From: NAME REDACTED

**Subject:** [EXTERNAL] Adult Entertainment Body Rub Relocation -232 Dundas Street

Date: Friday, April 29, 2022 7:12:35 AM

When I first became aware of the business licence amendment notice posted at 232 Dundas the first words out of my mouth were 'you have got to be kidding!'

It has not been that long that the entire downtown was awash of construction resulting in an attractive multipurpose street leading to the Forks of the Thames. It was anticipated that

Dundas Place would be a meeting place for cultural events, pop up markets, concerts-the list goes on and on. A perfect backdrop for the first Canadian city named UNESCO City of Music. A jewel!

Unfortunately, many shops could not survive the 2 year road closure, the following 2 years of Covid shutdowns, homeless campouts and rampant vandalism. A war zone resulted. People did not come downtown and if you lived downtown you avoided Dundas Street. And now this nonsensical request just as things are starting to stabilize!

The city must be selective with rezoning and should focus on allowing the types of businesses that represent the city's mission. If our wish is to have a viable, energetic core we must attract young adults, seniors and families downtown to enjoy the variety of restaurants, unique shops, patios, concerts, festivals, hockey, etc. I do not believe an Adult Entertainment Body Rub Parlour is part of this picture. Over the next few years the downtown area will be awash with more new residents judging by the numerous construction cranes dotting the downtown skyline. This bodes well for future businesses and a vibrant core.

The city should also utilize a survey of the current shops in the area when considering this request. The London Public Library is a half block away of the property in question. Hopefully the Community and Protective Services Committee will deny this request quickly or what would be next for Dundas Place- perhaps biker bashes on Friday the 13th or nude sunbathing at the forks of the Thames!

#### NAME REDACTED ADDRESS REDACTED

\_\_\_\_\_

From: NAME REDACTED

Subject: [EXTERNAL] rub and tug

**Date:** Monday, May 2, 2022 4:26:38 PM

This is a terrible addition to the downtown mix. Will only add another reason why so many people in London refuse to come downtown.

#### NAME REDACTED ADDRESS REDACTED

Pres

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**Subject:** [EXTERNAL] 232 Dundas st. **Date:** Monday, May 2, 2022 1:01:40 PM

I will start by saying that I was confused by the second application. It was very similar to 238 Dundas St.

My objections are the same as for 238 Dundas St.

Is this really the way the city wants to go with the investments made to Dundas Place? This is a very poor fit for a street that is going to be a cultural center and showcase for the city of London.

If the 2 new applications for adult entertainment are approved for the block it will become the sleaze center for London.

Cheers,	
NAME REDACTED	

## Appendix 'C' Attachment 1 - Pocrnic Realty/Bank of Montreal – Comment/Letter

#### TO BE INSERTED AS .PDF



On Behalf of Net Blue Investments Inc.

April 12, 2022

VIA EMAIL: ELING@LONDON.CA

Municipal Compliance 7<sup>th</sup> Floor, City Hall, 300 Dufferin Ave., London, ON N6A 2L9

ATTENTION: E. LING

RE: ADULT BODY-RUB PARLOUR RELOCATION

270 DUNDAS ST. LONDON, ONTARIO

**BANK OF MONTREAL** 

Dear E. Ling,

This letter is to convey our strong opposition to the proposed relocation of the above noted business to 232 Dundas Street in London.

By approving this application, you will be negatively impacting all the businesses in the immediate and surrounding vicinity.

On behalf of the Landlord, its asset manager, and the Bank of Montreal, we insist that you deny this relocation request.

Please contact me if you have any questions or concerns at (905) 522-7936 X226

Sincerely,

#### POCRNIC REALTY ADVISORS INC.

Sean Ustins
Sean Astins
Senior Property Manager

CC: Steve Pocrnic, President, Pocrnic Realty Advisors Inc.

CC: Dan Cooke, Senior Retail Portfolio Manager, Bank of Montreal



E. Ling Tel: 519-661-2489 x.2786 Email: eling@london.ca Website: www.london.ca

April 4, 2022

## NOTICE OF BUSINESS LICENCE AMENDMENT: Adult Entertainment Body-Rub Parlour Relocation Request

TAKE NOTICE that Municipal Compliance has received an application to relocate an Adult Entertainment Body-Rub Parlour from the existing address at 802 Exeter Road to a new location at 232 Dundas Street. Pursuant to Schedule 2, Part 9 of the Business Licensing By-law L.131-16, City Council may consider applications to substitute a new location for an existing location of an Adult Entertainment Body-Rub Parlour. You are being advised of this application to invite your comments now and inform you that there will be a future public meeting of the Community and Protective Services Committee on the matter.

APPLICANT:

1781846 Ontario Inc. / Ambiance Spa

LOCATION:

Moving From: 802 Exeter Road, London, ON (Ward #14)

Moving To: 232 Dundas Street, London, ON (Ward #13)

PURPOSE AND EFFECT:

The applicant seeks to relocate an existing licensed Adult Entertainment Body-Rub Parlour from 802 Exeter Road to 232

Dundas Street.

HOW TO COMMENT:

COMMENTS ARE DUE BY TUESDAY, May 3, 2022. Any submissions with respect to this application must be made in writing, by mail or email:

Mail: Municipal Compliance, Attention: E. Ling Re. Adult Body-Rub Parlour Relocation 7th Floor, City Hall, 300 Dufferin Ave., London, ON, N6A 2L9.

Email: eling@london.ca

FOR MORE INFORMATION

This file has been assigned to **E. Ling** of Development and Compliance Services, Municipal Compliance. All inquiries and comments can be sent to him at <a href="mailto:eling@london.ca">eling@london.ca</a>, or to the mailing address above.

A map showing the location of the land which is the subject of the application is attached to this Notice.

PUBLIC PARTICIPATION MEETING As per Schedule 2, Part 9 of the Business Licensing By-law, comments, and recommendations regarding the relocation are to be provided to the City of London. As well, Community and Protective Services Committee (CPSC) shall hold at least one meeting that is open to the public for the purpose of affording an opportunity to the applicant, and any other person who attends the meeting, to make oral submissions in respect of the requested relocation. Those who have received this notice by mail will be notified again, by mail, when the meeting is scheduled. The meeting date and time will also be advertised on the City of London's website; www.london.ca

COLLECTION OF PERSONAL INFORMATION

Personal information collected as part of this application will form part of the public comment and may be part of the report or presentation on the subject. Questions about this collection should be addressed to the City Clerks Department, 3<sup>rd</sup> floor, City Hall.

## Appendix 'C' Attachment 2 – London Abused Women's Centre Letter/Comment

#### TO BE INSERTED AS .PDF



797 York Street – Unit 5 London ON N5W 6A8 t. (519) 432-2204 f. (519) 679-3918 info@lawc.on.ca

Providing counselling, advocacy and support for abused women.

April 22, 2022

Mr. Ethan Ling Municipal Compliance City of London

#### Re: Adult Entertainment Body-Rub Parlour Relocation Request

The London Abused Women's Centre has been providing service to women and girls who have been exploited and trafficked for nearly 25 years. Since 2015, LAWC has supported over 2,800 women and girls who have been trafficked and over 1,800 women and girls who are at risk of being trafficked with long-term, trauma-informed, woman-centered counselling, advocacy, and support. These numbers include at least 68 girls who report they were under 18 years old.

Sex trafficking is a form of sexual exploitation that can include recruiting, obtaining, or providing a person for the purpose of sex. In Ontario, sex trafficking is the most reported form of human trafficking.<sup>1</sup>

The demand for paid sexual services fuels the growth of trafficking and exploitation of our most vulnerable populations. Victims of sex trafficking are often lured or coerced into the commercial sex industry.

Two-thirds of all trafficking in Canada originates in Ontario.<sup>2</sup> London, Ontario is a hub for sex trafficking because it is the first large city located between Windsor and Toronto with easy access from highway 401 into hotels and motels.

While trafficking affects all demographics, traffickers frequently target individuals who lack strong support networks, are facing financial strain, have experienced violence in the past, or who are marginalized by society.

In February of this year, the London Police Service launched an Anti-Human Trafficking Campaign using the hashtag #KnowHumanTrafficking to help raise awareness and educate the community on the risks and warning signs associated with human trafficking. The goal is to reduce victimization and revictimization through public education, promotion, and encouragement of public engagement.

The City of London has a pillar in the strategic plan to create a safe London for women and girls with the outcome being to enhance the potential for women and girls to live safe lives. There has been a

London Abused Women's Centre

Submission to Municipal Compliance, City of London

<sup>&</sup>lt;sup>1</sup> https://www.ontario.ca/page/about-human-trafficking

<sup>&</sup>lt;sup>2</sup> https://www.canada.ca/en/public-safety-canada/campaigns/human-trafficking.html

commitment from the City of London to apply a trauma and violence informed lens to the strategic plan, ensuring that an intersectional approach is applied to address violence against women and girls in our community.

Again, the demand for paid sexual services fuels the growth of trafficking and exploitation of our most vulnerable populations. There are members of our community who are at risk of violence for no other reason than who they are. Approving this application for relocation would be a mistake.

To that end, the London Abused Women's Centre recommends the London City Council not only deny the application for relocation but revoke the license completely.

London City Council has a responsibility to make decisions based on the best interests of all individuals especially those who are most vulnerable.

Thank you,

Jennifer Dunn

**Executive Director** 

London Abused Women's Centre

# Appendix 'C' Attachment 3 – Farhi Holdings Corporation Comment

#### TO BE INSERTED AS .PDF

15 April, 2022

By Email Only

E. Ling

Municipal Compliance

7<sup>th</sup> Floor, City Hall

300 Dufferin Avenue

London, ON, N6A 2L9



Re: Adult Body-Rub Parlour Relocation

Dear Mr Ling,

I am writing with regard to the notice received from the City of London, titled "Notice of Business License Amendment: Adult Entertainment Body-Rub Parlour Relocation Request".

I welcome this opportunity to voice my **strong opposition** to 1781746 Ontario Inc. / Ambiance Spa to move their "Body-Rub Parlour", currently located at 802 Exeter Road to 232 Dundas Street, effectively into the heart of downtown. On behalf of everyone who supports a safe, robust and economically successful downtown core, I truly hope level heads prevail in this matter.

The City of London has invested a great deal of thought, planning and money into the strategic reinvigoration of the downtown, and more work is underway to facilitate transportation infrastructure, beautification, and otherwise 'clean up' the area in order to attract business and residents.

As stated in your Core Area Action Plan, the City envisions the downtown as a place where businesses, their employees and customers, along with local residents, can live, work and play safely. Please see: https://london.ca/sites/default/files/2020-11/2019-10-18%20Core%20Area%20Action%20Plan%20-%20reduced%20and%20AODApdf.pdf

Approving this application would run contrary to the City's repeated sentiments and ongoing efforts to transform the downtown into a prosperous, thriving, safe hub for all. It would also invite new trouble for the area residents and businesses, whether recently established or have stuck it out for years, hoping for change. Adult entertainment clubs do not cater to the family-friendly experience that downtown wishes to foster.

The City of London's policy on Dundas Place is:

794\_ Dundas Street will be the most exciting street in the city, offering a multitude of experiences along its length. We will connect strongly to our birthplace, at the Forks of the Thames, where we will create beautifully landscaped "people places" that Londoners will gravitate toward. And, we will cherish our heritage streetscapes that tell the story of our past, and create a unique and enriching setting that will give our core a strong sense of place and identity. London Plan

Dundas Place: Why is this project important? This project identifies and reenforces Dundas Street as the most exciting street in the city. It builds on the legacy of the downtown. It supports the street's development as a premiere destination for cultural and entertainment events that can easily and frequently merge with adjacent commercial enterprises to create diverse multi-sensory experiences.

Part of the draw towards Dundas Place is its inclusive nature. By placing a 'Body-Rub Parlour' in its midst, it is necessarily excluding sections of the population, to the detriment of local business and the intended purpose of Dundas Place.

Finally, I would like to note that the proposed location would be across from the Central Library. This is a civic landmark, which we as Londoners should safeguard. This includes its surrounding and context within our neighbourhood.

Thank you for the opportunity to respond to the application. Please contact me at your convenience should you wish to discuss this matter further.

Yours sincerely,

Shmuel Farhi

President

Farhi Holdings Corporation

## Appendix 'C' Attachment 4 – Downtown London Survey May 2 (.pdf)

#### TO BE INSERTED AS .PDF



May 2nd, 2022

Municipal Compliance Attention: Ethan Ling 7<sup>th</sup> Floor, City Hall, 300 Dufferin Ave London, ON N6L 2L9

Dear Ethan Ling,

Please find a brief summary report as a part of our recent advocacy efforts regarding the *Notice of Business Licence Amendment- Adult Entertainment Parlour Relocation Request for 232 Dundas Street.* 

As the deadline for comments was stated as May 3<sup>rd</sup>, we wanted to ensure you received them in a timely manner.

If you have further questions, please feel free to contact our office.

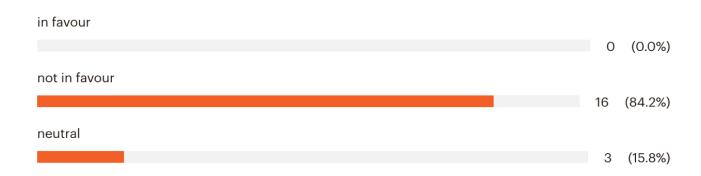
Sincerely,

Barbara Maly, Executive Director Downtown London

#### **Member Survey Results**

The Member survey was forwarded by MailChimp, to a total of 122 merchants on Dundas Place and Clarence Streets. There were 59 opens and 19 responses as per chart below.

#### 1) "My position on this matter"



## 2) "Please feel free to explain how this matter will positively or negatively affect your business."

"I am wholly opposed to relocation of a rub 'n tug to the core of our city. We have been told repeatedly by City staff that all of the construction our downtown businesses, organizations, and residents have suffered through over the past few years is to revitalize our city's core and make it welcoming destination. The opening of a sex parlor right across the street from one of the city's largest public facilities, on a stretch of Dundas Street that is already under extreme duress due to crime, homelessness, public urination and defecation, and open consumption of hard drugs, seems completely at odds with the stated intended purpose of the Dundas Place project. It is bad enough that there is a strip club at Dundas & Clarence already: does the core really need to become a destination for the sex-for-cash crowd? I am flabbergasted as to what the business case could possibly be for allowing a sex parlor to open here. What kind of people do we want frequenting Dundas place? What kind of faith can our city's residents have in how our tax dollars are spent if all the great cost and effort to make Dundas

Place a beautiful and exciting destination turn out to be largely for the benefit of the seediest aspects of our society? Please, I am begging you to reject this relocation proposal for this business. As part of the Central Library that is struggling to bring people back downtown, especially families, this would not encourage that. Additionally, as a venue that many people do not feel comfortable attending because of its location, this certainly wouldn't help. "

"NO NO and NO !!!! This would negatively affect downtown Dundas Street terribly."

"I am not sure that having another erotic facility within 1 block of Solid Golds is necessary, I believe it may attract a crowd downtown that is counter to all the other initiatives out forth by the city and Downtown London"

"I thought the city was trying to make the core more vibrant and family friendly and after significant investment we are seeing some improvement. This will NOT help in any way. This will make the area more seedy and keep people from coming to our restaurant. A vibrant, safe core is essential to a city now and for the future. People I speak with have been reluctant to come down to the core, but just recently we having been getting comments that it is better that they expected. They probably had pretty low expectations, but it shows some improvement. We already have a strip club we have to deal with (and we get many negative comments about it), we don't need more of this type of business. This will also discourage other businesses from setting up in the many vacant storefronts. This will definitely affect our bottom line in a negative way and we are barely hanging on now. We can't take another hit. This will not just affect the retail and hospitality sectors. It will also discourage offices from setting up on Dundas. Tourists are likely get a negative impression of the city as they walk from their hotels to the theaters and other venues, passed a strip joint and a body rub parlor. This could be a major hit on the tourism and convention business, hurting many more businesses. Please reject this application for the betterment of the downtown core and the future of the city. "

"The only thing this may effect is our parking out back. The tenants on that block already have limited spaces. As long as the staff can respect the space and not have each employee taking up a spot or park In others spaces out back then that's great."

"Hard pass. "

"We are a business located on this block of Dundas Street. We already face challenges enticing customers to visit due to concerns over the reputation and safety of the street. A business such as the one proposed does little to support a family friendly, welcoming, safe and clean environment."

"Totally against this type of activity in the downtown where we do hope one day will be free of people sleeping in doorways, a sense of safety, a return to healthy & vibrant retail. There is a young persons dance studio, and the library near by, plus Fanshawe College. Not appropriate at all to add more misogynist activities to go with the strip club/bar."

"While we understand the necessity of this business for the people it employs, the adverse effect it would have not only on the legitimacy and safety of our business it would affect the downtown core. These establishments foster a specific kind of demographic to hang out around them and frequent them, once which would decrease the safety in downtown as street beat already has a tentative handle on the amount of extreme mental health crisis. Safety of the employee's is also a main risk, with all the mental health issues around downtown a spot where men will feel entitled to "treatment", should there be a rejection the reaction would be much larger than outside this environment. As a clinic interacting with many men who call/come in assuming that they can have inappropriate touching, especially in downtown they have a negative reaction. Our receptionist has been threatened and called many disrespectful things, with a business that can't be regulated its open to this kind of harassment would be ridiculous. As well as that our employees are educated registered massage therapists that we go out of our way to protect and have treated respectfully. This business being merely doors down will have our legitimacy called into question and receive more harassment. Along those lines as well, the location is in such a proximity to businesses that will undoubtably have a negative impact; like the dress store next door that has a demographic of young teen girls that will have to navigate the men who are attracted to

hang out around these establishments. Downtown has spent nearly 3 years investing to make the core a hospitable for families to frequent and events to take place. While the staff of the establishment might be very nice, the people they elicit around them will make it more hostile especially for women and children. To place a facility like this around many businesses that bring in young women and children is setting up a spot for high levels of harassment to take place.

"Dundas Place is already struggling with an image problem. Location of this type of adult business will add fuel to the arsenal for Londoners who already feel that the downtown has undesirable characters and businesses. Even though the clients, employees and owners of this business are likely fine individuals, the negative assumptions would be damaging to the existing businesses in the area who are trying to keep clients coming back downtown. If Dundas Place was more fully embraced by Londoners as a great part of the city, the location of this business might have been viewed as an intriguing addition to the streetscape but we are not there yet."

"My opinion parlour industry should be away from downtown."

"If the goal is revitalize Downtown London with businesses that are family friendly, this type of business goes against that objective. As my business has a big group of children and teens, that will impact the decision of the families continue to bring them to downtown. If that happens I will most likely move out of downtown."

"Brings the wrong type of people downtown."

After pouring millions of our tax dollars into the revitalization of downtown, these two businesses are NOT was the core needs or wants.

I strongly oppose theses and hope that the committee will deny these applications completely!

Helen Minogue Ward 14

#### **DEFERRED MATTERS**

#### COMMUNITY AND PROTECTIVE SERVICES COMMITTEE

#### as of August 15, 2022

File No.	Subject	Request Date	Requested/Expected Reply Date	Person Responsible	Status
1.	Special Events Policies and Procedure Manual That the following actions be taken with respect to the "Special Events Policies and Procedure Manual":  a) the communication dated September 6, 2019 from Councillor A. Kayabaga, with respect to the "Special Events Policies and Procedures Manual" BE RECEIVED; and,  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:	September 10, 2019	Q1 2023	C. Smith J.P. McGonigle	
	i) the disruption caused by special events being held in the evenings prior to a work and/or school day; 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.				
2.	London Community Recovery Network - Ideas for Action by Municipal Council 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:	February 9, 2021	TBD	C. Smith K. Dickins S. Stafford	

File No.	Subject	Request Date	Requested/Expected Reply Date	Person Responsible	Status
	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, 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;				
3.	Recognizing the Impact of Hosting the COVID-19 Assessment Centres at Oakridge Arena and Carling Heights Optimist Community Centre 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 assessment centres, about priorities for new recreational amenities or upgrades to existing recreational amenities in the general area; and, 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;	July 27, 2021	TBD	C. Smith	
4.	Fire Master Plan Action Plan That, on the recommendation of the Fire Chief and with concurrence from the Deputy City Manager, Neighbourhood and Community-Wide Services, the	June 21, 2022	TBD	Fire Chief C. Smith	

File No.	Subject	Request Date	Requested/Expected Reply Date	Person Responsible	Status
	following actions be taken with respect to the staff report, dated June 21, 2022, related to the Fire Master Plan Action Plan: b) the Civic Administration BE DIRECTED to take the necessary actions to update the existing Establishing and Regulating By-law and report back at a future meeting of the Community and Protective Services Committee; and,				
5.	Signage Containing Graphic Images of Alleged Aborted Fetuses The Civic Administration BE DIRECTED to report back to a future meeting of the Community and Protective Services Committee with respect to potential changes that could be made to the Sign Bylaw related to the prohibition of the display of graphic images in public	-	TBD	S. Mathers	
6.	Water for Dogs at the Pottersburg Dog Park That the following actions be taken with respect to the installation of a water supply for dogs at the Pottersburg Dog Park:  a) the Civic Administration BE DIRECTED to report back, in advance of the 2024-2027 multi year budget process, with respect to extending water services to parks, including dog parks in the City of London; and,		TBD	K. Scherr	