

Agenda Including Addeds

Community and Protective Services Committee

The 11th Meeting of the Community and Protective Services Committee

October 4, 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 (Add-a-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

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A matter pertaining to advice that is subject to solicitor-client privilege,	

including communications necessary for that purpose, with respect to 2010 Dundas Street East, a location where an Adult Live Entertainment Parlour may operate under the City's Business Licensing By-law L-6.

6.2. Personal Matter/Identifiable Individual

A matter pertaining to identifiable individuals with respect to the 2023 Mayor's New Year's Honour List – "Accessibility" Category.

6.3. Personal Matter/Identifiable Individual

A matter pertaining to identifiable individuals with respect to the 2023 Mayor's New Year's Honour List – "Age Friendly" Category.

6.4. Personal Matter/Identifiable Individual

A matter pertaining to identifiable individuals with respect to the 2023 Mayor's New Year's Honour List – "Arts" Category.

7. Adjournment

Accessibility Community Advisory Committee

Report

The 3rd Meeting of the Accessibility Community Advisory Committee
September 22, 2022

Attendance PRESENT: J. Menard (Chair), M. Bruner-Moore, A. McGaw, P. Moore, M. Papadakos, J. Peaire, K. Pereyaslavskaya and C. Waschkowski and J. Bunn (Committee Clerk)

ALSO PRESENT: D. Baxter, S. Miller, R. Morris, M. Parno, J. Raycroft, M. Shemsedeen, M. Stone and B. Westlake-Power

ABSENT: A. Garcia Castillo, U. Iqbal, N. Judges, S. Mahipaul, B. Quesnel, P. Quesnel and D. Ruston

The meeting was called to order at 3:02 PM.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

3. Consent

3.1 2nd Report of the Accessibility Community Advisory Committee

That it BE NOTED that the 2nd Report of the Accessibility Community Advisory Committee, from its meeting held on July 28, 2022, was received.

3.2 Public Meeting Notice - Zoning By-Law Amendment - 16 Wethered Street

That it BE NOTED that the Public Meeting Notice, dated September 14, 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 General Update on the Enforcement of Accessible Parking

That it BE NOTED that the verbal update, with respect to City of London's enforcement of accessible parking, from S. Miller, Manager, Parking Services and Compliance, was received.

5.2 Election Accessibility

That it BE NOTED that the Polling Locations by Ward and Poll document, dated August 8, 2022, and the verbal presentation from J. Raycroft, Manager, Elections, Strategic Integration and Policy, was received.

6. Confidential

6.1 Personal Matters / Identifiable Individual

The Accessibility Advisory Committee convened in closed session from 3:50 PM to 4:17 PM after having passed a motion to do so, with respect to a personal matter pertaining to identifiable individuals, including municipal employees, with respect to the 2023 Mayor's New Year's Honour List.

7. Adjournment

The meeting adjourned at 4:26 PM.

Animal Welfare Community Advisory Committee

Report

The 3rd Meeting of the Animal Welfare Community Advisory Committee
September 1, 2022

Attendance PRESENT: W. Brown, M. Blosch, K. Coulter, H. Duhamel, A. Hames and M. Toplack; H. Lysynski (Acting Committee Clerk)

ABSENT: G. Leckie

ALSO PRESENT: S. Corman, W. Jeffery, M. McBride and O. Katolyk

The meeting was called to order at 3:04 PM; it being noted that the following members were in remote attendance: M. Blosch, K. Coulter, H. Duhamel, A. Hames, G. Leckie, E. Prendergast, and M. Toplack.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That A. Hames discloses a pecuniary interest in clause 4.2 of the 3rd Report of the Animal Welfare Community Advisory Committee, having to do with the Animal Welfare Community Advisory Committee Work Plan, by indicating that she may have a conflict of interest in relation to budget discussions.

2. Consent

2.1 2nd Report of the Animal Welfare Community Advisory Committee

That it BE NOTED that the 2nd Report of the Animal Welfare Community Advisory Committee, from its meeting held on August 4, 2022, was received.

3. Sub-Committees and Working Groups

3.1 Sub-Committee Report

That it BE NOTED that the Sub-Committee report was postponed for consideration under Items for Discussion.

4. Items for Discussion

4.1 Future Meeting Day and Time

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

4.2 Animal Welfare Community Advisory Committee Work Plan

That it BE NOTED that the Animal Welfare Community Advisory Committee established a 2022 Work Plan.

4.3 Injured Wildlife Response

That the matter of Injured Wildlife Response and Supporting Our Community to co-exist with wildlife and responding to their concerns as it relates to wildlife BE ADDED to the 2022 Animal Welfare Community Advisory Committee Work Plan.

4.4 Fireworks and Impacts to Companion Animals and Wildlife

That the Civic Administration BE REQUESTED to explore alternatives to fireworks without sound.

4.5 Pollinator and Wildlife Friendly Gardens

That it BE NOTED that the Animal Welfare Community Advisory Committee held a general discussion with respect to Pollinator and Wildlife Friendly Gardens; it being noted that the decision was made to not include this matter on the 2022 Animal Welfare Community Advisory Committee Work Plan.

4.6 Bird Friendly Guidelines

That it BE NOTED that the Animal Welfare Community Advisory Committee heard a verbal update from W. Brown with respect to Bird Friendly Guidelines; it being noted that the decision was made to not include this matter on the Animal Welfare Community Advisory Committee Work Plan.

4.7 Clear Your Gear and Coyote Signage Update

That it BE NOTED that the Animal Welfare Community Advisory Committee received a verbal update from O. Katolyk, Manager, Municipal Compliance, with respect to Clear Your Gear and Coyote Signage; it being noted that the Animal Welfare Community Advisory Committee will be receiving a response from S. Stafford, with respect to these matters.

4.8 (ADDED) Companion Animals (Pets) on Buses

That the matter of Companion Animals (Pets) on Buses BE ADDED to the 2022 Animal Welfare Community Advisory Committee Work Plan.

4.9 (ADDED) Budget

That consideration of the 2022 Animal Welfare Community Advisory Committee Budget BE DEFERRED to the next Animal Welfare Community Advisory Committee meeting.

5. Adjournment

The meeting adjourned at 4:33 PM.

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: Property Standards Related Demolitions
Date: October 4, 2022

Recommendation

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, the attached by-law (Appendix 'A') **BE INTRODUCED** at the Council meeting October 17, 2022, it being noted that the effect of the by-law will be to permit the City of London to take necessary actions, including the potential demolition of the buildings and structures at the following locations: 421 Wharncliffe Road South, 254 Hamilton Road, and 7234 Littlewood Drive.

Executive Summary

Civic Administration wishes to advise Council of the potential demolition of the vacant buildings discussed herein to address ongoing neighbourhood nuisance, safety, and quality of life issues. All associated inspection, maintenance, and demolition costs are invoiced to the property owner.

Linkage to the Corporate Strategic Plan

Implement existing by-laws with a risk based protocol focusing on municipal for the purpose(s) of public safety and neighbourhood stability.

Background Information

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

Property Information

421 Wharncliffe Road South:

The subject site is known municipally as 421 Wharncliffe Road South and is located on the west side of Wharncliffe Road, approximately 50m south of Euston Road. The building was a vacant single-storey commercial building of approximately 115m².

The property is in Municipal Electoral Ward 11. The building is not considered a heritage resource, nor is it within a heritage district. The property is not within the Conservation Authorities Regulated Area.

The building has been vacant for about two years and seen a number of Property Standards and Fire Prevention violations since the business closed. There is little structure remaining of the former Dairy Queen, as two recent fires have left the building gutted and partially destroyed.

A Property Standards Order was issued August 10th, 2022. Due to inaction by the owner, Staff are potentially seeking to have the building demolished at the owner's expense.



421 Wharncliffe Rd S – Front/Exterior



421 Wharncliffe Rd S – rear exterior

254 Hamilton Road:

The subject site known municipally as 254 Hamilton Road is located on the north side of Hamilton Road, just east of Adelaide Street North. It is a through-lot which backs on to Little Grey Street.

The vacant red brick, two-storey residential building sits in the middle of the lot and is approximately 250m². The property is in Municipal Electoral Ward 1 and within the Hamilton Road Community Improvement Plan (CIP). The building is not considered a heritage resource, nor is it within a heritage conservation district. The property is not within the Conservation Authorities Regulated Area.

There is a long history of by-law enforcement activity and property standards violations on this property. A Property Standards Order was registered on title in October of 2019, with no response to it nor other requests to fix or secure the property. Due to inaction by the owner, staff are potentially seeking to have the building demolished at the owner's expense.



254 Hamilton Road – Front Entrance



254 Hamilton Road – West Side



254 Hamilton Road – Rear West Side

7234 Littlewood Drive

7234 Littlewood Drive is a vacant industrial building/warehouse located in the southwest corner of the the City of London, west of Colonel Talbot Road near the highway 401 E interchange. It is an approximately 2500m², 6m tall warehouse structure that sits in the middle of a concrete parking lot with loading docks on either side and minimal landscaping at the front. The property is in Municipal Electoral Ward 9 and outside of the Urban Growth Boundary.



The building rests on land considered to have “archaeological potential”, however due to its slab-on-grade construction there shall be no disturbance of the ground should demolition be required. The building itself is not considered a heritage resource, nor is it within a heritage conservation district.

The building has been vacant for several years and has a list of By-law enforcement activities and Property Standards violations on it. The Property Standards Order was registered on title in June of 2022 and no reply has been received from the building owners regarding addressing the concerns laid out in the Order. There was a fire at the building on September 3. Due to continued inaction by the owner, staff are potentially seeking to have the building demolished at the owner’s expense.

Conclusion

As indicated, staff have undertaken several enforcement related inspections and actions to ensure the buildings described herein are maintained and secured. Notwithstanding these efforts no actions have been taken by the property owner(s) to comply with the Property Standards Orders.

Based on the evidence herein, Civic Administration is recommending the vacant abandoned buildings be considered for demolition due to matters of public safety and neighbourhood quality of life matters. All costs are borne by the property owners.

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

Recommended by: Scott Mathers, MPA, P. ENG., Deputy City Manager,
Planning and Economic Development

Appendix "A"

Bill No.
2022

By-law No.

A By-law to approve the potential demolition of abandoned buildings with municipal addresses of 421 Wharncliffe Road South, 254 Hamilton Road, and 7234 Littlewood Drive under the Property Standards provisions of the Building Code Act.

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

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

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

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

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

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

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

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

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

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

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

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

1. The potential demolition of the abandoned buildings in the City of London (listed below) is approved and the properties may be cleared of all identified buildings, structures, debris, and refuse and left in a graded and levelled condition in accordance with the *City of London Property Standards By-law* and the *Ontario Building Code Act*. The municipal addresses of the properties are:
 - 421 Wharncliffe Road South
 - 254 Hamilton Road
 - 7234 Littlewood Drive
2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on _____, 2022

Ed Holder
Mayor

Michael Schulthess
City Clerk

First reading - _____, 2022
Second reading - _____, 2022
Third Reading - _____, 2022

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 – 2010 Dundas Street - Deletion of
Location - Public Participation Meeting
Date: October 4, 2022

Recommendation

That, on the recommendation of the Managing Director, Planning & Economic Development and Deputy City Manager, and the Director, Municipal Compliance in response to a Council resolution to consider the deletion of an Adult Live Entertainment Parlour location at 2010 Dundas Street from Schedule 3A of the Business Licensing By-law, this report **BE RECEIVED** noting that Community and Protective Services Committee shall recommend to Council whether or not to make an amendment to Schedule 3A of this By-law, and that City Council shall make the final decision whether or not to amend Schedule 3A, as per Schedule 3, Section 9.7 of this By-law.

Previous Council Resolution

On September 6, 2022, Council resolved:

That the following actions be taken with respect to the staff report dated August 23, 2022, related to an application made under the Business Licensing By-law L.-131-16 (the By-law) to substitute an existing Adult Live Entertainment Parlour location at 2010 Dundas Street to a proposed new location at 238 Dundas Street:

- a) the above-noted staff report BE RECEIVED;
- b) the request to transfer the adult entertainment license from 2010 Dundas Street to 238 Dundas Street BE DENIED; and,
- c) the Civic Administration BE DIRECTED to undertake the necessary steps to allow Municipal Council to consider the deletion of the license from 2010 Dundas Street and hold a public participation meeting at the October 4, 2022 Community and Protective Services Committee meeting with respect to this matter;

This report provides background information for the purposes of holding a public participation meeting and to advise Council of the necessary steps to achieve what Civic Administration believes is Council's intention on this matter, based on the previous Committee and Council meetings.

1.0 Background

1.1 Previous Reports Pertinent to this Matter

On **May 5, 2011**, Council considered reducing the number of Adult Live Entertainment Licences in the By-law from five to three, including removing the 2010 Dundas Street location, and 50 Piccadilly Street. The resolution removed 50 Piccadilly Street from the By-law but asked Civic Administration to report back at the June 14th 2011, "Community and Neighbourhoods Committee" (now CPSC) to provide additional information related to the license at 2010 Dundas Street.

On **June 14, 2011**, Council received an information report specifically regarding 2010 Dundas Street which reviewed the "additional information" requested from the May 5th meeting: Affidavits to demonstrate that the Adult Live Entertainment Parlour had been operating, contrary to the May 5th, Staff Report. 2010 Dundas Street was not deleted from the By-law at that time.

Since May of 2018, the Paris Clubs Corporation has made two formal substitution requests:

1. On **May 1, 2018**, a public participation meeting was held to consider substituting the 2010 Dundas Street location for a location at 802 Exeter Road. Council resolved on May 8th, 2018, that no amendment be made to the By-law to permit the substitution, thus preventing the substitution request.
2. On **August 23, 2022**, a public participation meeting was held to consider amend Schedule A by substituting the 2010 Dundas Street location for a location at 238 Dundas Street. Council resolved on September 6, 2022, that no amendment be made to the By-law to permit the new location, thus preventing the substitution request.

1.2 2010 Dundas Street

2010 Dundas Street has previously been used as an Adult Live Entertainment Parlour off and on between 1988 and 2019. It has gone by several names, including The Airport Hotel Royal Lancasters and Golddiggers However, there has not been a functioning Adult Live Entertainment Parlour here for at least two years.

There are two active Food Premises business licenses on site; one for a restaurant called “Indian Bites” (2019-present) and one for a “Banquet Hall” (2020-present). A “Travelodge” hotel franchise opened in the last year. Previously it was operating as the “London Residency Inn”.

1.3 Owner & Operator Licences

2010 Dundas does not have a current, active Owner Licence. At the time the application for substitution was submitted, there was an active Adult Live Entertainment Parlour Licence, however that has now expired.

When the application for substitution was received in November of 2021, Staff indicated to the applicant by email that, notwithstanding the substitution application, “If the existing location is to continue operating after January 31st, a renewal will need to be submitted for that location.”

The City of London has not received the necessary materials to consider renewing the Adult Live Entertainment Licence, and the 2021 Licence has expired.

Furthermore, there is no active Operator Licence. The last Operator Licence expired January 31, 2021. The Operator licence is a separate \$130.00/year fee, over and above the annual Owner Licence fee of \$4,071.00/year.

Finally, on September 7, 2022 a Municipal Law Enforcement Officer inspected the premises at 2010 Dundas Street. The Officer indicated that there is no signage on the exterior or interior of the building and no remaining evidence that an Adult Live Entertainment Parlour was ever present on site. Any fixtures or signage that may have been associated with the Adult Live Entertainment Parlour have been removed or locked away in favour of the operating banquet hall, restaurant, and hotel.

It should be noted that the building is owned by a different numbered company than the Adult Live Entertainment Parlour owner and there appears to be no overlap between the owners of either corporation.

1.4 Process Review

The general authority of licensing adult entertainment establishments comes from *The Municipal Act*.

154. (1) Without limiting sections 9, 10 and 11, a local municipality, in a by-law under section 151 with respect to adult entertainment establishments, may,

- (a) despite section 153, define the area of the municipality in which adult entertainment establishments may or may not operate and limit the number of adult entertainment establishments in any defined area in which they are permitted;

The Municipal Act grants municipalities the power to define the area of the municipality in which adult entertainment establishments may or may not operate (as our By-law does through Schedule 3, Section 3.1) and to limit the number of licenses granted in any defined area in which they are permitted (as our By-law does through Schedule 3, Sections 3.2 and 4.1).

The Business Licensing By-law States:

- No person shall own or operate an Adult Live Entertainment Parlour except in a defined area or location shown on Schedule 3A of this By-law (Schedule 3, Section 3.1).
- Council may, at any time, consider an application to amend Schedule 3A of this By-law to delete a location, to substitute a new location for an existing location, or to add a new location (Schedule 3, Section 9.1).

Therefore, for an Adult Live Entertainment Parlour to operate in London, two important criteria must be met:

1. The Adult Live Entertainment Parlour location must be identified in in Schedule 3A of the Business Licensing By-law by one of the maps; and
2. An Adult Live Entertainment Parlour Owner Licence must be issued by the Licence Manager for those locations identified in Schedule 3A.

2010 Dundas Street is identified by Map 3; one of the three maps that form Schedule 3A to the Business Licensing By-law. If Council wishes to delete this location as a location in which an ALEP can operate, then the Business Licensing By-law would need to be amended, deleting Map 3 - 2010 Dundas Street - from Schedule 3A. The attached draft by-law provides for this amendment.

If 2010 Dundas Street (Map 3) is deleted from Schedule 3A of the by-law, then, as per section 3.1 of Schedule 3 of the Business Licensing By-law, an Adult Live Entertainment Parlour could not be operated from that location, and the Licence Manager would not be able to issue, or renew, a Licence for that location. There would still be two locations identified by Shedule 3A Maps.

It should be noted that Council has delegated authority to the Licence Manager (Director, Municipal Compliance) to administer the Business Licensing By-law, including receiving and processing applications for licences and renewals, and issuing licences. It is thus the discretion of the Licence Manager to issue or deny licences under the by-law, pursuant to the provisions of the by-law. However, the fact that there would no longer be a location map in the By-law to consider issuing a licence for negates that possibility.

It should also be noted that Section 7.6 of the By-law specifically prohibits the transfer of a licence. *“(N)o licence issued under this By-law may be sold, purchased, leased, mortgaged, charged, assigned, pledged, transferred, seized, distrained or otherwise dealt with.”*

1.5 Reducing the Number of Licensed Adult Live Entertainment Parlours

The Business Licensing By-law states that “*Council may, at any time, consider an application to amend Schedule 3A of this By-law to delete a location, to substitute a new location for an existing location, or to add a new location.*” (Schedule 3, Section 9.1).

Section 4.1 of Schedule 3 of the By-law limits the number of Adult Live Entertainment Parlour Owner licences that may be issued. Currently, the maximum number of licences that can be issued is three, which corresponds with the number of locations in which an ALEP is allowed to operate.

Therefore, if one of the locations was deleted from Schedule 3A, it would be reasonable for Council to consider reducing the number of ALEP Owner licenses by amending Section 4.1 of Schedule 3 of the By-law. The draft amending by-law attached to this report provides for this consideration.

It should be noted that both the City of Guelph and the City of Hamilton have amended their business licensing by-laws to reduce the maximum number of Adult Entertainment licences to two. The Court of Appeal in *Brantford (City) v. Konakov* [2004] O.J. No. 114, stated “The powers of ‘licensing, regulating, governing, classifying and inspecting’ contained in s. 225 of the Municipal Act relating to adult entertainment parlours do not include the power to prohibit what is an otherwise lawful activity: *Treesann Management Inc. v. Richmond Hill (Town)* (2000), 47 O.R. (3d) 221 (Ont. C.A.)” Under the Municipal Act, 2001, a municipality may limit the number of adult entertainment establishments in any defined area in which they are permitted. Also under the Municipal Act, 2001 a municipality is prohibited from conferring on any person the exclusive right of carrying on any business, trade or occupation unless specifically authorized to do so under the Act.

1.6 Public Meeting

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 (Section 9.6).

This report has been submitted on behalf of Civic Administration to provide background as part of the required public meeting; October 4, 2022.

1.7 Committee Recommendation and Council Decision

Section 9.7 of the Business Licensing By-law states that the Community and Protective Services Committee shall recommend to the Council whether to make an amendment to Schedule 3A of this By-law, and that City Council shall make the final decision whether to amend Schedule 3A of this By-law.

2.0 Additional Information

The License Manager considers the following research & information necessary for Community and Protective Services Committee and Council, as per Section 9.7 of the By-law.

2.1 The Impacts of Adult Entertainment

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 reports regarding substitution and deletion of Adult Live Entertainment Parlours and Adult Entertainment Body-rub Parlours, 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^a 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.
- 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^b concludes that among the best practices for regulating sex-oriented 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.

3.0 Conclusion

2010 Dundas Street is listed as a permitted location for an Adult Live Entertainment Parlour as per Schedule 3A (Map 3) of the Business Licensing By-law, however the location has not functioned as an Adult Live Entertainment Parlour for at least two years, does not have an active Owner License, and has not had an active Operator Licence since January of 2021.

In the past five years, Council has considered two separate applications by Paris Clubs Corporation to substitute a new Adult Live Entertainment Parlour location for the 2010 Dundas Street location and twice these amendments have been refused: 802 Exeter Road (2018) and 238 Dundas (2022).

^a 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)

^b 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)

In 2011 Council considered removing this location from the By-law due to inactivity, but did not, for various reasons.

If Council recommends an amendment to Schedule 3A of the By-law - deleting 2010 Dundas Street (Map 3) - it would reduce the number of defined areas/locations within Schedule 3A of the By-law from three to two.

If a location was deleted from the By-law, it would be reasonable for Council to consider reducing the limitation on the total number of licences authorized under this By-law in Section 4.1 of Schedule 3 from three to two, in order to match the number of locations defined in Schedule 3A.

Prepared by: Ethan Ling, MSc.
Development Policy Coordinator

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

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 delete an Adult Live Entertainment Parlour location at 2010 Dundas Street, and to reduce the total number of Adult Live Entertainment Parlour Owner licences to two (2).

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 delete an Adult Live Entertainment Parlour location at 2010 Dundas Street (Map 3);

AND 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 reduce the total number of Adult Live Entertainment Parlour Owner licences to two (2) licenses from the current three (3);

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 is hereby amended by deleting "Schedule 3A, Adult Live Entertainment Parlour Locations, Municipal Address: 2010 Dundas Street, Map 3" in its entirety".
2. The Business Licensing By-law No. L.-131-16 is hereby amended by removing Section 4.1 of Schedule 3 and replacing it with the following. *"4.1 The total number of Adult Live Entertainment Parlour Owner licences authorized under this By-law is limited at any time to two (2) licences, and not more than one (1) licence shall be issued with respect to each defined area or location shown on Schedule 3A of this By-law."*
3. 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

First reading - , 2022
Second reading - , 2022
Third reading - , 2022



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Providing counselling, advocacy and support for abused women.

Dear Mr. Ethan Ling,

The London Abused Women's Centre supports the amendment to Schedule 3 of the Business Licensing By-law to delete 2010 Dundas Street (Map 3) from Schedule 3A of the Business Licensing By-law L.131-16 and to consider reducing the total number of Adult Live Entertainment Parlour Owner Licences authorized under this By-law from three (3) to two (2) for the following reasons:

- Evidence and research support the fact that Adult Live Entertainment Parlour Owner Licences provide a breeding ground for criminal activity including the trafficking of girls and women. www.canadiancentretoendhumantrafficking.ca/human-trafficking-trends-in-canada-2019-2020/
- Human Trafficking is an extremely lucrative crime in Canada and the provision of space from which to operate will only exacerbate the problem.
- It is incumbent on the City of London to follow its 2019-2023 Strategic Plan which includes the strategy of "Creating a Safe London for Women and Girls" [2019 Strategic Plan.pdf \(london.ca\)](#)
- It is incumbent on the City of London to adhere to the Calls for Justice as outlined in "Reclaiming Justice: The Final Report of the National Inquiry into Murdered and Missing Indigenous Women and Girls" [Final Report | MMIWG \(mmiwg-ffada.ca\)](#)
- "It [will take] sustained and strategic government leadership to bring about the system changes, supports for women and girls, and public awareness efforts to end sex trafficking in Canada," the report's authors concluded. "It also requires all of us to do our part." [Canadian Human Trafficking Hotline – The Canadian Centre To End Human Trafficking](#)
- Here are the highlights [Trafficking in persons in Canada, 2020 \(statcan.gc.ca\)](#) that elucidates and hopefully informs people in power about the impact this violent crime against women and girls has on our community

To be clear, the London Abused Women's Centre does not conflate the sex trade with human trafficking however one cannot ignore the fact that the two are intrinsically related and that every girl and woman is at risk of sexual exploitation in all its forms.

Thank you,

Wendy Goldsmith, Human Trafficking Coordinator

Jennifer Dunn, Executive Director

DEFERRED MATTERS

COMMUNITY AND PROTECTIVE SERVICES COMMITTEE

as of September 26, 2022

File No.	Subject	Request Date	Requested/Expected Reply Date	Person Responsible	Status
1.	<p><u>Special Events Policies and Procedure Manual</u> That the following actions be taken with respect to the “Special Events Policies and Procedure Manual”:</p> <p>a) the communication dated September 6, 2019 from Councillor A. Kayabaga, with respect to the “Special Events Policies and Procedures Manual” BE RECEIVED; and,</p> <p>b) the Civic Administration BE DIRECTED to review the City’s “Special Events Policies and Procedures Manual” and report back on possible amendment to the Manual to address the following matters:</p> <p>i) the disruption caused by special events being held in the evenings prior to a work and/or school day;</p> <p>ii) the application of the same rules/restrictions that are in place for Victoria Park to Harris Park; and,</p> <p>iii) increased fines and penalties for special events that contravene the Manual.</p>	September 10, 2019	Q1 2023	C. Smith J.P. McGonigle	
2.	<p><u>London Community Recovery Network - Ideas for Action by Municipal Council</u> That, on the recommendation of the Managing Director, Neighbourhood, Children and Fire Services, the Acting Managing Director, Housing, Social Services and Dearness Home, and the Managing Director, Parks and Recreation, the following actions be taken with respect to the staff report dated February 9, 2021 related to the London Community Recovery Network and ideas for action by Municipal Council:</p>	February 9, 2021	TBD	C. Smith K. Dickins S. Stafford	

File No.	Subject	Request Date	Requested/Expected Reply Date	Person Responsible	Status
	<p>ii) the implementation plan for item #2.3 Downtown Recovery – free transit to the downtown, as it relates to transit initiatives to the downtown, BE REFERRED back to the Civic Administration to continue working with the London Transit Commission on this matter, with a report back to a future meeting of the Community and Protective Services Committee (CPSC) when additional details are available; and,</p> <p>iii) implementation plan for item #2.3 Downtown Recovery – free transit to the downtown, as it relates to parking initiatives in the downtown BE REFERRED back to the Civic Administration with a report back to a future meeting of the CPSC when additional details are available;</p>				
3.	<p><u>Recognizing the Impact of Hosting the COVID-19 Assessment Centres at Oakridge Arena and Carling Heights Optimist Community Centre</u></p> <p>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:</p> <p>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,</p> <p>b) the Civic Administration BE DIRECTED to explore potential provincial and federal funding opportunities for recreational infrastructure and to report back with recommended new or upgraded recreational amenities in the general area of both testing centres, along with a recommended source of financing;</p>	July 27, 2021	TBD	C. Smith	
4.	<p><u>Fire Master Plan Action Plan</u></p> <p>That, on the recommendation of the Fire Chief and with concurrence from the Deputy City Manager, Neighbourhood and Community-Wide Services, the</p>	June 21, 2022	TBD	Fire Chief C. Smith	

File No.	Subject	Request Date	Requested/Expected Reply Date	Person Responsible	Status
	<p>following actions be taken with respect to the staff report, dated June 21, 2022, related to the Fire Master Plan Action Plan:</p> <p>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,</p>				
5.	<p><u>Signage Containing Graphic Images of Alleged Aborted Fetuses</u></p> <p>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 By-law related to the prohibition of the display of graphic images in public</p>	July 26, 2022	TBD	S. Mathers	
6.	<p><u>Water for Dogs at the Pottersburg Dog Park</u></p> <p>That the following actions be taken with respect to the installation of a water supply for dogs at the Pottersburg Dog Park:</p> <p>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,</p>	July 26, 2022	TBD	K. Scherr	

RE: Zoning amendment to permit a pilot of temporary mobile shelters.

September 30, 2022

Dear Chair and members of the CPSC,

I raised this issue as an enquiry at the last council meeting, where an emergent motion could have been made. Instead, I am submitting it to your added agenda for thorough consideration by committee.

Temporary mobile shelters, that house one or two people, have become a reality in London. Charitable and faith-based organizations have expressed interest in using them to assist London's most vulnerable. When one considers that there are 274 faith-based organizations and many additional secular charitable organizations, it is not hard to see how the 350 individuals sleeping in the rough (including visitors to London) could potentially be sheltered by enlisting the aid of the broader community. How to make optimal use of these inexpensive structures is worthy of immediate study.

Though the city declined to pilot this strategy in the past, Ark Aid Mission is prepared to do so immediately. We can assist them by taking the actions necessary to ensure their efforts are compliant with our by-laws.

I would note that temporary mobile shelters also represent an attainable solution for smaller communities. If these communities are able to support their own vulnerable populations then they will not feel the need to send them to London. This would provide great relief to our front-line support workers.

For these reasons, I offer the following motion for your consideration.

That staff BE DIRECTED to initiate a city-led amendment to the zoning by-law which would allow a pilot of temporary shelters, including Conestoga huts, to be conducted at 696 Dundas St. London, ON N5W 2Z4 from October 2022 through April 2024 (two winters) at no cost to Ark Aid Mission.

Sincerely,

Michael van Holst
Councillor, Ward 1