

Community and Protective Services Committee

Report

14th Meeting of the Community and Protective Services Committee
September 12, 2023

PRESENT: Councillors E. Pelozza (Chair), S. Stevenson, J. Pribil, C. Rahman, D. Ferreira

ABSENT: Mayor J. Morgan

ALSO PRESENT: Councillor S. Lewis; L. Livingstone; M. Butlin, C. Cooper, K. Dickins, A. Dunbar, M. Feldberg, M. Hefferton, A. Job, E. Ling, S. Mathers, N. Musicco, T. Pollit and C. Smith

Remote Attendance: E. Bennett, S. Corman, D. Kramers, M. Schulthess and E. Skalski

The meeting was called to order at 4:02 PM.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

2.1 5th Report of the Accessibility Community Advisory Committee

Moved by: C. Rahman

Seconded by: J. Pribil

That the 5th Report of the Accessibility Community Advisory Committee, from its meeting held on August 24, 2023, BE RECEIVED.

Yeas: (5): E. Pelozza, S. Stevenson, J. Pribil, C. Rahman, and D. Ferreira

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

3. Scheduled Items

3.1 Business Licensing By-law Amendment to Schedule 2 Adult Entertainment Body-Rub Parlour - 609 Clarke Road

Moved by: S. Stevenson

Seconded by: C. Rahman

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, the revised attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on September 26, 2023, to amend By-law No. L.-131-16, being "A by-law to provide for the Licensing and Regulation of Various Businesses" to reduce the number of Adult Entertainment Body-rub Parlour Owner licences authorized under this By-law from six (6) to five (5) and to delete "Map 6 – 609 Clarke Road" from Schedule 2A of the By-law;

it being pointed out that M. Walker made a verbal presentation at the public participation meeting held in conjunction with this matter. (2023-C01)

Yeas: (5): E. Pelozza, S. Stevenson, J. Pribil, C. Rahman, and D. Ferreira

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Additional Votes:

Moved by: S. Stevenson

Seconded by: C. Rahman

Motion to open the public participation meeting.

Yeas: (5): E. Pelozza, S. Stevenson, J. Pribil, C. Rahman, and D. Ferreira

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Moved by: S. Stevenson

Seconded by: C. Rahman

Motion to close the public participation meeting.

Yeas: (5): E. Pelozza, S. Stevenson, J. Pribil, C. Rahman, and D. Ferreira

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

3.2 Vehicle for Hire By-law - Amendments/Information Report

Moved by: C. Rahman

Seconded by: S. Stevenson

That the following actions be taken with respect to the staff report, dated September 12, 2023, related to the Vehicle for Hire By-law:

a) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on September 26, 2023, to amend By-law No. L.-130-71, being the Vehicle for Hire By-law, including increasing the vehicle age limit requirements of all zero emission vehicles and hybrid gas-electric vehicles and accessible vehicles;

b) the above-noted staff report BE RECEIVED; and,

c) the Civic Administration BE DIRECTED to report back at a future meeting of the Community and Protective Services Committee with respect to: increasing the age of gas powered vehicles in service from 10 to 12 years, report back on concerns of increasing the age limit requirements of all zero emission vehicles, hybrid gas-electric vehicles and accessible vehicles from 12 years to 15 years and other concerns raised during the public participation meeting (ie. vehicle inspection frequency, the consideration of forming a vehicle for hire task force and an environmental scan of other municipalities related to vehicle inspection frequency, including a specific inspection schedule directly related to age of vehicle and all regulations related to the age of a vehicle;

it being noted that the communication, as appended to the Added Agenda, from K. Al Tarhuni, Mygreen Taxi, with respect to this matter, was received;

it being pointed out that the following individuals made verbal presentations at the public participation meeting held in conjunction with this matter:

- G. Tabidi;
- F. Bander;
- K. Al Tarhuni;
- M. Abbasey;
- H. Savehilaghi;
- Paul;
- M. Wni; and,
- Y. Fekre. (2023-C01)

Yeas: (5): E. Pelozza, S. Stevenson, J. Pribil, C. Rahman, and D. Ferreira

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Additional Votes:

Moved by: C. Rahman

Seconded by: S. Stevenson

Motion to open the public participation meeting.

Yeas: (5): E. Pelozza, S. Stevenson, J. Pribil, C. Rahman, and D. Ferreira

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Moved by: S. Stevenson

Seconded by: J. Pribil

Motion to close the public participation meeting.

Yeas: (5): E. Pelozza, S. Stevenson, J. Pribil, C. Rahman, and D. Ferreira

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Moved by: S. Stevenson

Seconded by: C. Rahman

Motion to refer the staff report, dated September 12, 2023, with respect to the Vehicle for Hire By-law, back to the Civic Administration.

Nays: (5): E. Pelozza, S. Stevenson, J. Pribil, C. Rahman, and D. Ferreira

Absent: (1): Mayor J. Morgan

Motion Failed (0 to 5)

4. Items for Direction

- 4.1 Community and Neighbourhood Safety and Security Concerns Options for Agencies, Staff, Volunteers and those Accessing Services

Moved by: S. Stevenson

Seconded by: J. Pribil

That, on the recommendation of the Deputy City Manager, Social and Health Development, the following actions be taken with respect to the staff report, dated September 12, 2023, related to Options to Address Safety and Security Concerns:

- a) the above-noted staff report BE RECEIVED;
- b) a one-time funding allocation of up to \$174,210 from the Social Services Reserve Fund for London Cares Homeless Response Services to support security services for 602 Queens Avenue and 448 Horton Street locations BE AUTHORIZED AND APPROVED;
- c) the additional programs identified to support safety and security in the Old East Village area, including additional Coordinated Informed Response programming and street cleaning to be accommodated within existing Housing Stability Services budgets BE ENDORSED; and,
- d) the Civic Administration BE AUTHORIZED to undertake all administrative acts which are necessary in relation to this matter;
- e) detailed services and cost breakdown for the one-time funding of \$174,210 BE PROVIDED prior to the Municipal Council meeting of September 26, 2023;

it being noted that the Community and Protective Services Committee received communications from the following individuals with respect to this matter:

- M. McMahon, Thames Valley Family Health Team;
- D. Wiseman, London Health Sciences Centre;
- B. Mitchell and L. Sibley, Canadian Mental Health Association;
- C. Lazenby, Unity Project;
- J. DeActis, The Salvation Army Centre of Hope;
- S. Courtice, London InterCommunity Health Centre;
- M. McIntosh, Regional HIV/AIDS Connection; and,
- Sister M. Ritchie, Sisters of St. Joseph. (2023-S14)

Additional Votes:

Moved by: S. Stevenson

Seconded by: J. Pribil

Motion to approve part c) of the clause.

Yeas: (4): E. Pelozza, S. Stevenson, J. Pribil, and C. Rahman

Nays: (1): D. Ferreira

Absent: (1): Mayor J. Morgan

Motion Passed (4 to 1)

Moved by: S. Stevenson

Seconded by: J. Pribil

Motion to approve parts a), b), d) and e) of the clause.

Yeas: (5): E. Pelozza, S. Stevenson, J. Pribil, C. Rahman, and D. Ferreira

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

5. Deferred Matters/Additional Business

5.1 (ADDED) Request for Funding for Soil Remediation - Vision SoHo (West Block)

Moved by: C. Rahman
Seconded by: E. Pelosa

That the following actions be taken with respect to the request from members of the Vision SOHO Alliance for funding for soil remediation; it being noted that a conditional grant of \$13,876,000 was approved by Council on August 3, 2022 for the Vision SOHO Alliance to provide up to 400 affordable housing units:

a) an increase to the conditional grant BE APPROVED, with the amount of such increase to be determined by the Deputy City Manager, Planning and Economic Development and not to exceed \$3,900,000 and the approval of the increase is subject to the following conditions:

i) the members of the Vision SOHO Alliance, working with the Deputy City Manager, Planning and Economic Development or designate to establish a final value and volume for the removal and disposal of unsuitable soils at the Zerim Development Corporation, The Chelsea Green Home Society, Homes Unlimited (London) Inc. and London Affordable Housing Foundation development sites;

ii) the submission and approval of updated proformas from members of the Vision SOHO Alliance;

iii) the members of the Vision SOHO Alliance commit to filling up to 50 additional units from the City's waiting lists;

iv) the members of the Vision SOHO Alliance providing all engineering reports and/or technical analysis related to the removal and disposal of unsuitable soils for review and acceptance by the City; and,

v) the provision of a strategy for the distribution of the funding and additional waitlist units between the Vision SOHO members;

b) subject to the conditions above, the Deputy City Manager, Planning and Economic Development BE AUTHORIZED to enter into the previously approved Contribution Agreements with the affected members of the Vision SOHO Alliance and once the amount of the increase to the grant is determined, amend the Contribution Agreements to support the increased conditional grant as the Deputy City Manager, Planning and Economic Development deems appropriate;

c) the source of financing for this request BE APPROVED as capital project SH3000 (Municipal Housing Division's approved Roadmap to 3,000 Units funding), noting that Finance Supports confirms there is sufficient budget in this capital project to support this request, and also support the original \$13,876,000 grant, as noted in clause a), above;

it being noted that the communication, dated August 24, 2023, from G. Playford, with respect to this matter, was received. (2023-E05)

Yeas: (5): E. Pelosa, S. Stevenson, J. Pribil, C. Rahman, and D. Ferreira

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Additional Votes:

Moved by: D. Ferreira
Seconded by: J. Pribil

Motion to move in camera for advice that is subject to solicitor-client privilege, including communications necessary for that purpose, related to this matter.

Yeas: (2): J. Pribil, and D. Ferreira

Nays: (3): E. Pelosa, S. Stevenson, and C. Rahman

Absent: (1): Mayor J. Morgan

Motion Failed (2 to 3)

6. Adjournment

The meeting adjourned at 6:56 PM.

Appendix "A"

Bill No. _____
2023

By-law No. - _____

A by-law to provide for the Licensing and Regulation of Various Businesses.

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

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

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

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting: in paragraph 5, Economic, social and environmental well-being of the municipality; in paragraph 6, Health, safety and well-being of persons; in paragraph 7, Services and things that the municipality is authorized to provide under subsection (1); in paragraph 8, Protection of persons and property; in paragraph 11 Business Licensing;

AND WHEREAS pursuant to the provisions of Part IV of the *Municipal Act, 2001*, as amended, a municipality may pass by-laws for licensing, regulating and governing businesses;

AND WHEREAS subsection 151(1) of the *Municipal Act, 2001* provides that, without limiting sections 9 and 10 of the Act, a municipality may provide for a system of licences with respect to a business and may:

- (a) prohibit the carrying on or engaging in the business without a licence;
- (b) refuse to grant a licence or to revoke or suspend a licence;
- (c) impose conditions as a requirement of obtaining, continuing to hold or renewing a licence;
- (d) impose special conditions on a business in a class that have not been imposed on all of the businesses in that class in order to obtain, continue to hold or renew a licence;
- (e) impose conditions, including special conditions, as a requirement of continuing to hold a licence at any time during the term of the licence;
- (f) license, regulate or govern real and personal property used for the business and the persons carrying it on or engaged in it; and,
- (g) require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with any part of a system of licenses established by the municipality.

AND WHEREAS the Municipal Council for The Corporation of the City of London considers it necessary and desirable for the public to exercise its licensing powers for the purposes of:

- (a) Health and safety including health and safety of service providers and consumers and patrons; and/or
- (b) Nuisance control; and/or
- (c) Consumer protection; and/or
- (d) Suppressing conditions conducive to crime;

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

AND WHEREAS the Municipal Council for The Corporation of the City of London is of the opinion that the delegation of legislative powers under this by-law to the Licence Manager and the Hearings Officer including without limitation the power to issue, revoke, suspend and impose conditions on a licence and prescribe operational standards to be imposed on licensees, including without limitation operational standards such as signage requirements, advertising requirements, hours of operation and records that are to be kept by licensees and the form and content thereof, are powers of a minor nature having regard to the number of people, the size of geographic area and the time period affected by the exercise of the power in accordance with subsection 23.2(4) of the *Municipal Act, 2001*;

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

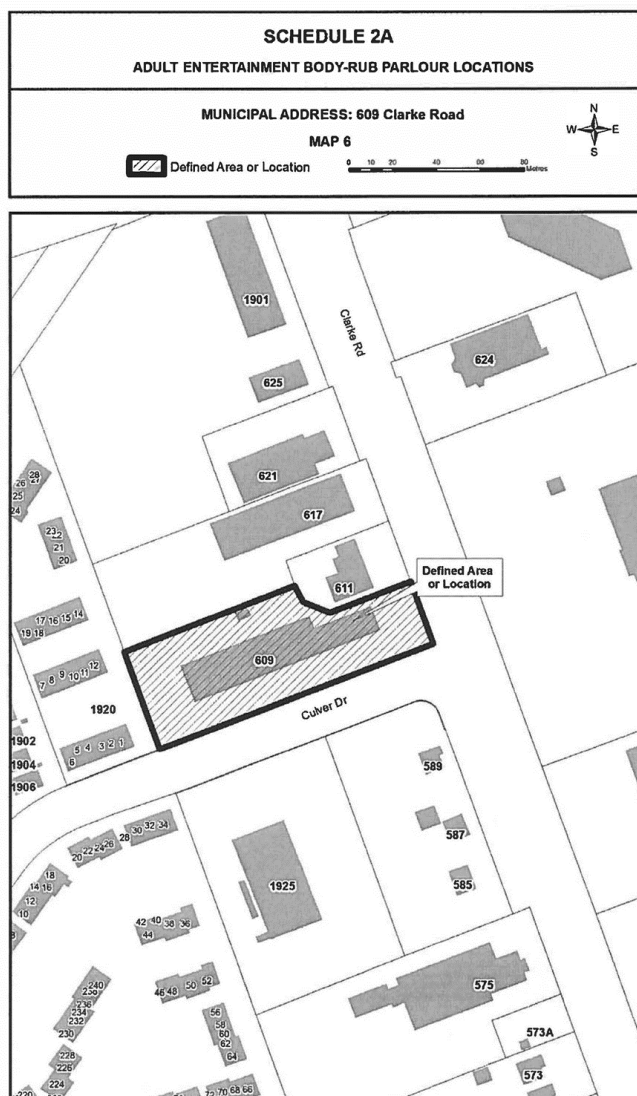
- (a) for services or activities provided or done by or on behalf of it;
- (b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board; and,
- (c) for the use of its property including property under its control.

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts the following amendments to the Business Licensing By-law:

Schedule 2 – Adult Entertainment Body-Rub Parlour

Delete Map 6 from Schedule 2A – Adult Entertainment Body-Rub Locations (see below)

DELETE: MUNICIPAL ADDRESS: 609 Clarke Road - MAP 6



4.0 LIMITATION ON NUMBER OF LICENCES

Amend section 4.1 of Schedule 2 of the Licensing By-law by replacing the existing sentence with the following:

- 4.1 Subject to section 4.2 the total number of Adult Entertainment Body-Rub Parlour Owner licences authorized under this By-law is limited to five (5), and not more than one (1) licence shall be issued with respect to each defined area or location shown on Schedule 2A of this By-law.