

<b>TO:</b>	<b>CHAIR AND MEMBERS COMMUNITY AND PROTECTIVE SERVICES COMMITTEE MEETING ON DECEMBER 1, 2020</b>
<b>FROM:</b>	<b>GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL</b>  <b>and</b>  <b>KELLY SCHERR, P.ENG., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL AND ENGINEERING SERVICES AND CITY ENGINEER</b>
<b>SUBJECT:</b>	<b>EXTENSION OF DELEGATED AUTHORITY IN BYLAWS RELATED TO BUSINESS REOPENINGS &amp; SUPPORTIVE ACTIONS</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Managing Director, Development & Compliance Services and Chief Building Official and the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to business reopenings & supportive actions:

- a) the report dated December 1, 2020 entitled “Extension of Delegated Authority in By-laws related to Business Reopenings & Supportive Actions”, BE RECEIVED; and,
  
- b) the Managing Directors and designates BE DELEGATED authority in regulations related to business reopening supportive actions including business application and permit processing procedures until April 14, 2021 in the following By-laws: Business Licence By-law, Streets By-law, Traffic and Parking By-law, Sign By-law, Parks and Recreation By-law, Sound By-law, Building By-law and Council Policy By-law.

<b>BACKGROUND</b>
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At its meeting held on June 16, 2020 the Municipal Council passed the following resolution:

- “WHEREAS the Province of Ontario on June 8, 2020 announced the next phase of opening businesses, previously ordered closed during COVID-19 pandemic response;
- AND WHEREAS the Province of Ontario on June 8 announced an amendment

to Regulation 719 under the Liquor Licence Act to support liquor sales licensees in temporarily extending their patios;

AND WHEREAS the municipality wishes to assist London businesses to achieve compliance with temporary regulations and requirements in a timely manner, with a focus on the principles of public safety and risk-based flexibility;

AND WHEREAS the Civic Administration has established a Back to Business Action Team and intake portal to receive and respond to requests from businesses;

AND WHEREAS the Civic Administration By-law permits the delegation of authority, therefore, the following actions be taken:

a) the City Manager and all Managing Directors and designates BE

DELEGATED the authority to amend the regulations related to reopening supportive actions including business application and permit processing procedures until December 31, 2020 in the following By-laws: Business Licence By-law, Streets By-law, Traffic and Parking By-law, Sign By-law, Parks and Recreation By-law, Sound By-law, Building By-law and Council Policy By-law;

b) the Civic Administration BE DIRECTED to proactively raise challenges to the reopening of businesses in London to other levels of government where specific changes to regulatory and/or operational mechanisms are required in order for the City to respond quickly to the needs of local businesses; and,

c) the Civic Administration BE DIRECTED to report back to the appropriate Standing Committee at an appropriate time to identify any impacts or changes made under this delegation;

it being noted that the above delegations and amendments shall apply only until December 31, 2020 or until as otherwise directed by Council;

it also being noted that the associated delegated authorities will assist with prompt reviews and approvals for business reopening items such as temporary restaurant patios, curbside pick-ups, vending stands and other applicable business practices;

it also be further noted the fees and charges associated with business applications, permits and encroachments can be considered with other financial matters at the June 23, 2020 meeting of the Strategic Priorities and Policy Committee.”

The purpose of this report is to extend the above identified delegation of authority past the previously identified date of December 31, 2020 based on continued evolving business needs during the ongoing pandemic.

## DISCUSSION

With regard to part a) in the June resolution noted above, the Back to Business Action Team has been able to quickly and efficiently support almost 200 inquiries and requests made through the [b2b@london.ca](mailto:b2b@london.ca) email portal. Examples of the use of this delegated authority are private property patio approvals in coordination with provincial legislation, the extension of patios approvals past October, quick implementation of business loading zones, providing temporary curbside customer parking locations, and making portions of municipal parking lots available for outdoor retail sales events. A summary of this activity is attached as Appendix "A" to this report.

With regard to part b) of the June resolution noted above, the Civic Administration is in contact with the Alcohol and Gaming Commission of Ontario. An amendment made to Regulation 719 under the *Liquor Licence Act* on June 8, 2020 permitted liquor sales licensees to temporarily increase the size of their patios or add a new patio. Administration is inquiring if the AGCO intends to extend the amendment past the current January 1, 2021 deadline.

It is noted from information gathered to date from the [b2b@london.ca](mailto:b2b@london.ca) email portal, 11 patio operators are intending to operate their service to the current December 31, 2020 expiry date and six expressed interest in being able to operate past that date if permission from the province is provided. Furthermore, at the time of writing this report, it was not clear whether or if any further Orders from the Province of Ontario regarding managing the coronavirus will have impacts on businesses and the use of public space. The B2B team will continue to monitor provincial restrictions and adapt supports wherever possible.

## CONCLUSION

The uncertainty associated with the COVID-19 pandemic continues. The ability for the Civic Administration to be responsive to the rapidly adapting needs of businesses remains. The above-noted delegations of by-law responsibility have been an important tool for the Civic Administration to be nimble and flexible in its response to businesses based on new and changing directions from the Province. This observation applies predominantly to consequences related to patio operations, but also to drop/off and delivery locations, municipal parking locations and costs, and sign placement. New requests continue to be received. The B2B team will be responsive to London Community Recovery Network ideas.

It is recommended the delegations of responsibility made earlier in 2020 in the bylaws cited above be extended past the current expiry date of December 31, 2020 so

Administration can remain as responsive as possible adapting to uncertain impacts that may result from Provincial direction. Extending the expiry date to April 14, 2021 coincides with the date in a typical year when permits for patios and other permissions resume and winter control operations subside.

<b>PREPARED BY:</b>	<b>REVIEWED AND CONCURRED BY:</b>
<b>O. KATOLYK, MLEO (C) CHIEF MUNICIPAL LAW ENFORCEMENT OFFICER</b>	<b>DOUG MACRAE, P.ENG., MPA DIRECTOR, ROADS AND TRANSPORTATION</b>
<b>RECOMMENDED BY:</b>	<b>RECOMMENDED BY:</b>
<b>GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT AND COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL</b>	<b>KELLY SCHERR, P.ENG., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL AND ENGINEERING SERVICES AND CITY ENGINEER</b>

c: Back 2 Business Team

**APPENDIX "A"**

**Back 2 Business Monitoring Report  
Cumulative Totals From June 8 start to October 31, 2020**

<b>Patio Approvals</b>	<b>31-Oct-20</b>
On Private Property	77
On City Property	17
<b>Total Patio Expansion Approvals</b>	<b>94</b>
Average processing time for patio (new and expansion) approvals is less than two days; fees are waived	
<b>B2B Email Activity</b>	<b>31-Oct-20</b>
<b>Total B2B Emails Received and Actioned</b>	<b>194</b>
<b>B2B Website Visits</b>	<b>31-Oct-20</b>
<b>Total B2B Website Visits</b>	<b>2,060</b>
<b>Temporary Right-of-Way Adaptations</b>	<b>31-Oct-20</b>
Temporary Lane Conversions for Social Distancing	5
Temporary New Pickup/Loading Zones	5
Temporary New Free Parking Locations	3
<b>Total ROW Adaptations</b>	<b>13</b>
<b>2h Free Parking [B2B20 Promo via HONK] -</b>	<b>31-Oct-20</b>
Onstreet Transactions	16,137
Municipal Lot Transactions	5,727
<b>Total Transactions</b>	<b>21,864</b>
<b>Core Area Construction Dollars - Program Launched August 1, 2020</b>	<b>31-Oct-20</b>
OEV - Distributed \$19,630 Redeemed	\$12,790
Downtown - Distributed \$31,000 Redeemed	\$7,990
<b>Total Distributed \$51,000</b>	
<b>Total Redeemed</b>	<b>\$20,780</b>