

**7TH REPORT OF THE**  
**COMMUNITY AND PROTECTIVE SERVICES COMMITTEE**

Meeting held on April 8, 2013, commencing at 7:30 PM, in Council Chambers, Second Floor, London City Hall.

**PRESENT:** Councillor D. Brown (Chair), Councillors B. Armstrong, J.L. Baechler, J.P. Bryant and H.L. Usher and B. Westlake-Power (Secretary).

**ALSO PRESENT:** Councillors M. Brown, S. Orser and S.E. White and A. Barbon, J. Braam, B. Coxhead, I. Gibb, J. Jessop, O. Katolyk, G. Kotsifas, L. Livingstone, M. Ribera, C. Saunders and S. Stafford.

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**I. DISCLOSURES OF PECUNIARY INTEREST**

1. That it BE NOTED that the following pecuniary interests were disclosed:
  - a) Councillor B. Armstrong discloses a pecuniary interest in clause 6 of this Report having to do with Amendments to the Fees and Charges By-law, specific to Residential Rental Units Licensing, by indicating that he owns rental properties; and
  - b) Councillor J.P. Bryant discloses a pecuniary interest in clause 6 of this Report having to do with Amendments to the Fees and Charges By-law, specific to Residential Rental Units Licensing, by indicating that she has a rental unit in her home.

**II. CONSENT ITEMS**

2. 4th Report of the London Housing Advisory Committee

Recommendation: That the 4th Report of the London Housing Advisory Committee, from its meeting held on March 13, 2013, BE RECEIVED.

Motion Passed

Yeas: D. Brown, B. Armstrong, J.L. Baechler, J.P. Bryant and H.L. Usher (5)

3. 3rd Report of the London Diversity and Race Relations Advisory Committee

Recommendation: That the 3rd Report of the London Diversity and Race Relations Advisory Committee, from its meeting held on March 21, 2013, BE RECEIVED.

Motion Passed

Yeas: D. Brown, B. Armstrong, J.L. Baechler, J.P. Bryant and H.L. Usher (5)

4. 3rd Report of the Accessibility Advisory Committee

Recommendation: That the 3rd Report of the Accessibility Advisory Committee, from its meeting held on March 28, 2013, BE RECEIVED.

Motion Passed

Yeas: D. Brown, B. Armstrong, J.L. Baechler, J.P. Bryant and H.L. Usher (5)

5. London Majors Baseball License Agreement for Use of Labatt Park

Recommendation: That, on the recommendation of the Managing Director of Parks & Recreation, the following actions be taken with respect to a Licence Agreement for the Use of Labatt Park:

- a) the by-law, appended to the staff report dated April 8, 2013, BE INTRODUCED at

the Municipal Council meeting on April 16, 2013, to:

- i) approve a Licence Agreement between the City of London and London Majors Baseball for non-exclusive use of Labatt Park for the period of April 16, 2013 to October 31, 2014;
  - ii) delegate to the Managing Director of Parks and Recreation, or designate, the authority to authorize and approve such further other documents, including agreements, that may be required in furtherance of the licence agreement that are:
    - A) consistent with the requirements contained in the Agreement;
    - B) do not require additional funding or are provided for in the City's current budget; and
    - C) do not increase the indebtedness or liabilities of The Corporation of the City of London, subject to prior review and approval by the City Solicitor;
  - iii) authorize the Managing Director of Parks and Recreation, or designate, to execute any agreements approved under i) or ii), above; and
- b) the Civic Administration BE DIRECTED to monitor the terms of the Agreement and the Club's ability to pay.

Motion Passed

Yeas: D. Brown, B. Armstrong, J.L. Baechler, J.P. Bryant and H.L. Usher (5)

### III. SCHEDULED ITEMS

#### 6. Amendments to Fees and Charges By-law

Recommendation: That the matter of amendments to the Fees and Charges By-law A-46, to include Residential Rental Units Licensing By-law fees and Property Standards Order Fees BE REFERRED back to Civic Administration to review and report back to a future meeting of the Community and Protective Services Committee, with respect to additional information including such matters as units not currently in compliance, continued non-compliance and a more reasonable fee increase for the program (not full recovery) including a variety of options;

it being noted that the Community and Protective Services Committee (CPSC) received the attached presentation from the Manager of Licensing and Municipal Law Enforcement and a verbal presentation from Deputy Fire Chief, J. Jessop;

it being further noted that the CPSC received the following in support of residential unit licensing:

- a) a communication dated April 2, 2013, from S. Grindrod, Western University – Housing & Ancillary Services; and
- b) a communication from B. Hull, Vice-President Administration, Fanshawe College.

Motion Passed

Yeas: D. Brown, J.L. Baechler and H.L. Usher (3)

It being pointed out that at the public participation meeting associated with this matter, the following individuals made oral submissions in connection therewith:

- J. Hoffer, Cohen Highley, representing the London Property Management Association – providing the attached submission.
- S. Palmer, 301 Consortium Court – indicating that she is speaking for several landlords and property managers to express concern related to the lack of focus on non-compliance with the by-law; questioning what is being done about those landlords who are not applying, and indicating that the fee increase is not justified.
- C. McKone, 23 Applewood Lane – noting that he is representing a small group of landlords, with 32 building currently licensed under this by-law; advising that he has

embraced the program even though he disagrees with it and that the fee increase is penalizing people who are doing a good job.

- G. Anthony, 530 Elizabeth Street – posing questions related to the references cited about the City of Oshawa by-law and suggesting that the City of London is not comparable because the rental revenue levels are quite different.
- S. Morrison, 803 Waterloo Street – indicating that he owns 6 or 7 rental properties in Old North and noting agreement with previous comments in opposition to the proposed fee increase; advising that this program is already very expensive for small landlords and that it is not fair that other rental properties aren't paying anything; further noting that the increased license fee will result in less building maintenance and will negatively affect his business; suggesting that the by-law isn't increasing safety, but is a punitive tax on small landlords.
- V. VanLinden, 431 Ridgewood Crescent – offering to the committee a “tenant's” point of view, noting she has lived in this type of rental housing most of her life; noting that low-income individuals choose this type of housing and support for affordable housing, while stating that she opposes such a steep fee increase; advising that over 4,000 Londoners rely on the foodbank and likely some of these people are living in the affected properties and requesting that such an increase not be allowed.
- Resident – noting that he started to liquidate his rental properties with the implementation of the by-law as he did not want to be bothered with the additional hassle; noting that fire inspections are only pass or fail, and that there is an issue with that legislation in that a lot of properties aren't substandard but can't be deemed in compliance; suggesting that the costs of the program should have been known and that the City is now trying to “bait and switch” and this is unfair to homeowners.
- E. Sims, 65 Nottinghill Crescent – indicating that she is a small landlord and does not feel the fee should be increased on a program that serves no purpose; suggesting that the fee increase will result in less investment by owners on rental properties, and that the amount will be imposed on tenants.
- L. Palumbo, 502 Central Avenue – noting that he is opposed to the fee increase but not the principles of the by-law, and he thought that the services of the program were already provided through other fees; advising that responses should be based on complaints from tenants and that no one should be living in unsafe housing; advising that most properties are already in compliance and landlords are generally doing a good job; suggesting that a licensing program should be required and questioning the costs amounting to \$420,000; noting that the fee increase is targeted to a small portion of the community and that funds should be raised through fines for non-compliance, not the registration of those in compliance.
- S. McNally, 133 Toulon Crescent – noting that he is opposed to the by-law and that infractions should raise funds not the licensing fee.
- M. Black 1609 Hillside Drive – noting that prior to the program all inspections were already being done by responsible landlords; advising that he owns several properties; suggesting that the by-law was originally implemented due to problems in specific areas and that new density and development is taking the pressure off some neighbourhoods; advising that the market is soft and problems are correcting themselves, and that fee increases will be passed along to the tenants and the increase is not necessary.
- D. McKelvey, 32 Hope Street – advising that he renovates old houses and recently brought one back from ‘oblivion’ but cannot afford to do this work in London anymore because of this by-law.
- A. Kaplansky – indicating that an 800% fee increase is not justified and that the City should spend less time in court fighting development if its concerned about budget constraints; indicating that development should be promoted.
- M. Shmukler, 1643 Hillside Drive – advising that he was considering new windows in some of his properties but will have to reconsider this work due to the proposed fee increase.
- D. McBurney, 4-466 South Street – indicating support for the by-law but noting that the increase is significant; suggesting that the program needs to be expanded, reminding of the reasons it was created in the first place – sub-standard housing; noting that rental prices in London are over-inflated creating an artificially high market and that the City takes on ancillary costs and has paid utilities for bad landlords.
- B. Zhang, 258 Brunswick Crescent – noting his opposition to the increase of 800% and his agreement with other comments made; and questioning where \$420,000 goes annually for the program.
- W. Dow, 1174 Fogarty Street – advising that she owns a rental property near

Fanshawe but is not getting the expected revenue due to restrictions and that she adheres to the by-law; noting that she sells real estate and when she advises potential purchasers of the licensing requirement sales are negatively affected.

- D. Torhjelm, 442 Whisker Street – noting agreement with the previous comments made and expressing frustration with the need for the program at all; questioning the percentage of landlords that are licensed and suggesting that if the issue is compliance the City should be going after the unlicensed.
- M. Dow, 433 High Street – noting that the financial cost of the program is an affront to the taxpayer; and advising that she works 2 jobs to maintain her property and that the fee increase will be a deterrent.
- D. Hynes, 591 Rosedale Street – advising that he owns 2 rental homes and doesn't raise rent unless he has to and suggesting that \$100.00 may not seem like a lot, but it is a substantial increase.
- J. Pinheiro, 22 Drummond Place – suggesting that the increase is based on over-run services to cover the costs and questioning what additional increases may be in store.

#### **IV. ITEMS FOR DIRECTION**

##### **7. Child Care Funding Formula Update**

Recommendation: That, on the recommendation of the Managing Director, Neighbourhood, Children and Fire Services, the following actions be taken with respect to the new Provincial Child Care Funding Formula:

- a) the report dated April 8, 2013 BE RECEIVED; and
- b) the by-law, as appended to the staff report dated April 8, 2013, BE INTRODUCED at the Municipal Council meeting of April 16, 2013 to establish and maintain a Child Care and Early Childhood Development Reserve Fund. (2013-C01)

Motion Passed

Yeas: D. Brown, B. Armstrong, J.L. Baechler, J.P. Bryant and H.L. Usher (5)

#### **V. DEFERRED MATTERS/ADDITIONAL BUSINESS**

##### **8. Introduction of By-law for Approval of Liquor Licence Applications for the City of London**

Recommendation: That, on the recommendation of Tim Dobbie – Tim L. Dobbie Consulting Ltd. and the Managing Director of Parks & Recreation, with the concurrence of the City Manager, the by-law, appended to the report dated April 8, 2013, BE INTRODUCED at the Municipal Council Meeting of April 16, 2013 to:

- a) authorize the City Manager or written designate, to execute "Liquor Sales Licence Applications" for submission to the Alcohol and Gaming Commission of Ontario; and,
- b) repeal By-law A.-6558-217 and By-law A.-6304-32.

Motion Passed

Yeas: D. Brown, B. Armstrong, J.L. Baechler, J.P. Bryant and H.L. Usher (5)

#### **VI. CONFIDENTIAL**

*(See Confidential Appendix to the 7th Report, enclosed for Members only.)*

The Corporate Services Committee convened in camera from 9:47 PM to 9:59 PM, after having passed a motion to do so, with respect to the following matter:

- C-1. (ADDED) A matter Pertaining to Labour Relations or Employee Negotiations with respect to the School Crossing Guard Program.

**VII. ADJOURNMENT**

The meeting adjourned at 10:00 PM.