

# Community and Protective Services Committee

## Report

The 5th Meeting of the Community and Protective Services Committee  
March 2, 2021

PRESENT: Councillors J. Helmer (Chair), S. Lewis , M. Salih, A. Kayabaga,  
S. Hillier, Mayor E. Holder

ALSO PRESENT: J. Bunn, M. Ribera and M. Schulthess

Remote Attendance: Councillors M. Cassidy, J. Morgan and M. van Holst; Inspector B. Berg, C. Cooper, S. Corman, K. Dickins, S. Glover, Chief L. Hamer, Deputy Chief M. Hepditch, Deputy Chief A. Hunt, W. Jeffery, O. Katolyk, L. Livingstone, L. Marshall, N. Musicco, A. Pascual, C. Saunders, K. Scherr, B. Somers, C. Smith, S. Stafford, B. Westlake-Power and R. Wilcox

The meeting was called to order at 4:00 PM; it being noted that the following Members were in remote attendance: Mayor E. Holder, Councillors M. Salih, A. Kayabaga and S. Hillier

### 1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

### 2. Consent

Moved by: S. Lewis  
Seconded by: S. Hillier

That Items 2.1 to 2.10 BE APPROVED.

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

**Motion Passed (6 to 0)**

#### 2.1 1st Report of the Animal Welfare Advisory Committee

Moved by: S. Lewis  
Seconded by: S. Hillier

That the 1st Report of the Animal Welfare Advisory Committee, from its meeting held on February 4, 2021, BE RECEIVED.

**Motion Passed**

#### 2.2 1st Report of the London Housing Advisory Committee

Moved by: S. Lewis  
Seconded by: S. Hillier

That the 1st Report of the London Housing Advisory Committee, from its meeting held on February 10, 2021, BE RECEIVED.

**Motion Passed**

2.3 1st Report of the Diversity, Inclusion and Anti-Oppression Advisory Committee

Moved by: S. Lewis

Seconded by: J. Helmer

That the 1st Report of the Diversity, Inclusion and Anti-Oppression Advisory Committee, from its meeting held on February 18, 2021, BE RECEIVED.

**Motion Passed**

2.4 Upgrade the Computer Aided Dispatch (CAD) System 9.3 to 9.4 and Migrate to OnCall Analytics

Moved by: S. Lewis

Seconded by: S. Hillier

That, on the recommendation of the Managing Director, Neighbourhood, Children and Fire Services, subject to the advice of the Fire Chief and the Deputy Fire Chief, the following actions be taken with respect to the staff report dated March 2, 2021, related to an Upgrade to the Computer Aided Dispatch (CAD) System 9.3 to 9.4 and the Migration to OnCall Analytics:

- a) the "Fixed Price Statement of Work" submitted by Intergraph Canada Ltd., doing business as Hexagon Safety & Infrastructure division, 10921-14 Street NE, Calgary, Alberta, T3K 2L5, BE ACCEPTED for the upgrade of software for the Computer Aided Dispatch from version 9.3 to 9.4 and the migration from the existing Intergraph Business Intelligence to Hexagon OnCall Analytics – Dispatch Advantage at a total purchase price of \$282,014 (excluding HST) in accordance with section 14.4(d) of the Procurement of Goods and Services Policy;
- b) the financing for this purchase BE APPROVED in accordance with the Sources of Financing Report, as appended to the above-noted staff report;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with the purchase;
- d) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract, agreement or having a Purchase Order relating to the subject matter of this approval; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required. (2021-A03)

**Motion Passed**

2.5 Sole Source Award for the Implementation of the Giwetashkad Indigenous Homelessness Strategic Plan

Moved by: S. Lewis

Seconded by: S. Hillier

That, on the recommendation of the Acting Managing Director, Housing, Social Services and Dearness Home, the following actions be taken with respect to the staff report dated March 2, 2021, related to the Sole Source Award for the Implementation of the Giwetashkad Indigenous Homelessness Strategic Plan:

- a) a contract BE AWARDED to Atlohosa Family Healing Services for the period of April 1, 2021 to March 31, 2022, at a maximum annual allocation of \$990,000, to implement the actions in The Giwetashkad Indigenous

Homelessness Strategic Plan with an option to renew for up to five additional one-year terms at the City's sole discretion, based on satisfactory services, performance, and funding/budget availability through the City of London, and/or other funding sources;

b) the Civic Administration BE AUTHORIZED to undertake all administrative acts which are necessary in relation to this project; and,

c) the approval hereby given BE CONDITIONAL upon the Corporation entering into a Purchase of Service Agreement with Atlohsa Family Healing Services. (2021-S14)

**Motion Passed**

2.6 2021-2022 Homeless Prevention Program Funding Allocations - Single Source Procurement (#SS21-09)

Moved by: S. Lewis

Seconded by: S. Hillier

That, on the recommendation of the Acting Managing Director, Housing, Social Services and Dearness Home, the following actions be taken with respect to the revised staff report dated March 2, 2021, as appended to the Added Agenda, related to the 2021-2022 Homeless Prevention Program Funding Allocations for the Single Source Procurement (#SS21-09):

a) the Single Source Purchase of Service Agreements BE APPROVED, as set out in the Homeless Prevention 2021-2022 Program Proposed Ontario Community Homeless Prevention Initiative Allocations, as appended to the above-noted staff report;

b) the Civic Administration BE AUTHORIZED to undertake all administrative acts which are necessary in relation to this matter; and,

c) the approval given, herein, BE CONDITIONAL upon The Corporation of the City of London entering into Purchase of Service Agreements with the above-noted Agencies. (2021-S14)

**Motion Passed**

2.7 A New Provincial-Municipal Vision for Social Assistance

Moved by: S. Lewis

Seconded by: S. Hillier

That, on the recommendation of the Acting Managing Director, Housing, Social Services and Dearness Home, the staff report dated March 2, 2021, with respect to A New Provincial-Municipal Vision for Social Assistance, BE RECEIVED. (2021-S04)

**Motion Passed**

2.8 Suppressing Crime - Theft of Gasoline and Scrap Metal

Moved by: S. Lewis

Seconded by: S. Hillier

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the staff report dated March 2, 2021, with respect to Suppressing Crime and the Theft of Gasoline and Scrap Metal, BE RECEIVED. (2021-P01)

**Motion Passed**

2.9 Property Standards Related Demolitions

Moved by: S. Lewis  
Seconded by: S. Hillier

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the proposed by-law, as appended to the staff report dated March 2, 2021, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021, to approve the demolition of abandoned buildings located at the municipal addresses of 152 Adelaide Street North, 10 Centre Street and 1420 Hyde Park Road, in the City of London, and the property shall be cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition, in accordance with the City of London Property Standards By-law and Building Code Act. (2021-P01/P10D)

**Motion Passed**

2.10 Back to Business By-law Extension

Moved by: S. Lewis  
Seconded by: S. Hillier

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, and the Managing Director, Environmental and Engineering Services and City Engineer, the Managing Directors and designates BE DELEGATED authority in regulations related to business reopening supportive actions, including business application and permit processing procedures, until December 31, 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; it being noted that the staff report dated March 2, 2021, with respect to this matter, was received (2021-S12/S08)

**Motion Passed**

**3. Scheduled Items**

3.1 Update on the United Nations Safe Cities and Safe Public Spaces Initiative (Safe Cities London)

Moved by: E. Holder  
Seconded by: S. Lewis

That, on the recommendation of the Director, Service, Innovation and Performance, with the concurrence of the City Manager, the following items with respect to an Update on the United Nations Safe Cities and Safe Public Spaces Initiative (Safe Cities London), BE RECEIVED:

- the staff report dated March 2, 2021, as appended to the Agenda;
- the Safe Cities London Scoping Study, dated March 2020, from Anova, as appended to the Agenda;
- the revised Safe Cities London Action Plan 2021-2024, from Anova and the City of London, as appended to the Added Agenda; and,
- the presentation, dated March 2, 2021, as appended to the Agenda;

it being noted that a presentation from R. Wilcox, Director, Service, Innovation and Performance and Dr. A. Trudell, Anova, was received with respect to this matter. (2021-S12)

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

**Motion Passed (6 to 0)**

### 3.2 Vacant Buildings By-law Review

Moved by: M. Salih

Seconded by: S. Lewis

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the following actions be taken with respect to the staff report dated March 2, 2021, related to the Vacant Buildings By-law Review:

a) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend By-law No. A-35, being “A by-law to regulate vacant buildings”; and,

b) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend By-law No. A-54, as amended, being “A by-law to implement an Administrative Monetary Penalty System in London” to designate By-law No. A-35, being “A by-law to regulate vacant buildings” and add a related penalty schedule;

it being pointed out that at the public participation meeting associated with this matter, the individuals indicated on the attached public participation meeting record made oral submissions regarding this matter;

it being noted that the communication from A. Miller, By E-mail, was received with respect to this matter. (2021-P01/R01)

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

**Motion Passed (6 to 0)**

Voting Record:

Moved by: S. Lewis

Seconded by: A. Kayabaga

Motion to open the public participation meeting.

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

**Motion Passed (6 to 0)**

Moved by: S. Lewis

Seconded by: E. Holder

Motion to close the public participation meeting.

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

3.3 Property Standards By-law Review

Moved by:

That the following actions be taken with respect to the staff report dated March 2, 2021, related to the Property Standards By-law Review:

- a) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to repeal and replace By-law CP-16, being “A by-law prescribing standards for the maintenance and occupancy of property”;
- b) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend By-law No. A-6653-121, being “A by-law to establish the positions of Hearings Officer”; and,
- c) the revised attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend By-law No. A-54, as amended, being “A by-law to implement an Administrative Monetary Penalty System in London” to provide for an amended Penalty Schedule “A-6” for the Property Standards By-law.
- d) the Civic Administration BE DIRECTED to review the Residential Rental Units Licensing By-law CP-19, as amended, and report back at a future meeting of the Community and Protective Services Committee on the possibility of expanding the regulations to include rental units contained in apartment buildings, stacked townhouses and townhouses and to incorporate the following requirements for all rental units:
  - all new and existing rental units be licensed, regardless of the type of unit;
  - random inspections of rental units and building be undertaken to ensure compliance with the City’s Property Standards By-law and other regulations to prevent the deterioration and disrepair of rental units; and,
  - the establishment of a complaint reporting system that is accessible to tenants;
- e) the Civic Administration BE DIRECTED to report back at a future meeting of the Community and Protective Services Committee with a draft Terms of Reference for the establishment of a Tenant/Landlord Taskforce that would include representation from tenants, London Property Management Association, and other community stakeholders, including, but not limited to Lifespin, to develop an action plan to address enforcement of property standards by-law matters and health concerns within the City of London’s jurisdiction, including developing educational material to assist individuals with navigating the enforcement process and communicating with the Province of Ontario with respect to concerns identified with respect to potential legislative changes to address the concerns;

it being pointed out that at the public participation meeting associated with this matter, the individuals indicated on the attached public participation meeting record made oral submissions regarding this matter;

it being noted that communications from the following individuals were received with respect to this matter:

- Councillors A. Kayabaga and M. Salih – Resubmitted from the February 9, 2021 Agenda;
- A. Hagen, By E-mail;

- C. O'Brien, Drewlo Holdings Inc.; and,
- J. Hoffer, Cohen Highley Lawyers. (2021-P01)

**Motion Passed**

Voting Record:

Moved by: A. Kayabaga

Seconded by: E. Holder

Motion to open the public participation meeting.

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

**Motion Passed (6 to 0)**

Moved by: A. Kayabaga

Seconded by: S. Hillier

Motion to close the public participation meeting.

Yeas: (5): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, and S. Hillier

**Motion Passed (5 to 0)**

Moved by: S. Lewis

Seconded by: M. Salih

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

Yeas: (5): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, and S. Hillier

Absent: (1): E. Holder

**Motion Passed (5 to 0)**

Moved by: A. Kayabaga

Seconded by: M. Salih

Motion to approve part d) of the clause.

Yeas: (5): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, and S. Hillier

Absent: (1): E. Holder

**Motion Passed (5 to 0)**

Moved by: S. Lewis

Seconded by: S. Hillier

Motion to approve part e) of the clause.

Yeas: (5): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, and S. Hillier

Absent: (1): E. Holder

**Motion Passed (5 to 0)**

Moved by: S. Hillier  
Seconded by: S. Lewis

Motion made that the Community and Protective Services Committee  
RECESS.

**Motion Passed**

The Community and Protective Services Committee recesses at 7:40 PM and resumes in public session at 7:46 PM, with Councillor Helmer in the Chair and Councillors Hillier, Kayabaga, Lewis and Salih participating.

3.4 Tow Truck Business and Impound Yard Storage Business Licence By-law Amendment

Moved by: S. Lewis  
Seconded by: S. Hillier

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the following actions be taken with respect to the staff report dated March 2, 2021, related to the Tow Truck Business and Impound Yard Storage Business Licence By-law Amendment:

a) the revised attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend By-law No. L.-131-16, being "A by-law to provide for the Licensing and Regulation of Various Businesses;

b) the revised attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend By-law No. A-54, as amended, being "A by-law to implement an Administrative Monetary Penalty System in London" to provide for an amended Penalty Schedule "A-5" for the Business Licensing By-law for the categories of Tow Truck Business and Impound Yard Storage Business;

it being pointed out that at the public participation meeting associated with this matter, the individuals indicated on the attached public participation meeting record made oral submissions regarding this matter;

it being noted that the communications dated February 10, 2021 and February 26, 2021, from T. Wong, CAA, were received with respect to this matter. (2021-P09)

Yeas: (5): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, and S. Hillier

Absent: (1): E. Holder

**Motion Passed (5 to 0)**

Voting Record:

Moved by: S. Lewis  
Seconded by: S. Hillier

Motion to open the public participation meeting.

Yeas: (5): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, and S. Hillier

Absent: (1): E. Holder

**Motion Passed (5 to 0)**



Moved by: S. Lewis  
Seconded by: S. Hillier

Motion to close the public participation meeting.

Yeas: (5): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, and S. Hillier

Absent: (1): E. Holder

**Motion Passed (5 to 0)**

**4. Items for Direction**

None.

**5. Deferred Matters/Additional Business**

5.1 Deferred Matters List

Moved by: S. Lewis  
Seconded by: A. Kayabaga

That the Deferred Matters List for the Community and Protective Services Committee, as at February 22, 2021, BE RECEIVED.

Yeas: (5): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, and S. Hillier

Absent: (1): E. Holder

**Motion Passed (5 to 0)**

**6. Confidential**

None.

**7. Adjournment**

The meeting adjourned at 8:43 PM.

## PUBLIC PARTICIPATION MEETING COMMENTS

### 3.2 PUBLIC PARTICIPATION MEETING – Vacant Buildings By-law Review

- J. Thompson, Life Spin - As many of you know Life Spin has been an advocacy organization in London for over thirty years, and last year we served more than eight thousand low income families. The bylaw revisions, we're hoping will support these families, all of them, to live with some equity. We commend the City of London staff and council for the action to enact vacant property by-law changes, particularly the need to provide floor plans for first responders, the restriction on the length of vacancy allowed and the addition of fines in the subsequent proposed changes to By-law 54. However, we believe that the changes in the by-laws will not make any real change without strict enforcement. We started to map some of the vacant properties that folks have been drawing to our attention and I've included a map there in our report. One of the things that we noticed about the map is that a lot of the properties that are vacant and boarded up inappropriately are owned by land speculators and developers, and they're setting their own standards of disrepair and decay. We believe that the Municipal Act gives you the tools to enforce the standards and to immediately make the repairs that are necessary. There is dangerous and hazardous conditions for the residents, the neighbours and the first responders. The fines are a wonderful addition and it's nice that they can be in there. I do have a question about them being doubled, because I think that's a wonderful tool was mentioned previously. Fines often bring action. They can be doubled, so the first fine is four hundred dollars, that's doubled to eight hundred the next time it's not been repaired or fixed up, will it double to sixteen hundred dollars? That's a clarification I think will give you even more power if you can keep doubling fines until the landowners do the work they are supposed to be doing. We believe that if you go in immediately and start to make the repairs if they're not fixed, that gets you a proactive way to address the judgment to the neighbourhood, the health and safety risks to the first responders and other residents in the area. The cost to make the repairs are recoverable from the offending property owners under the Municipal Act, and in addition to the proactive enforcement we're asking that council consider an affordable housing strategy that aligns building acquisition with both the standards and the enforcement. For example, the city of Chicago has an initiative, they call it the Troubled Building Initiative, and it's a tool that they used to help reclaim troubled and abandoned buildings to prevent these buildings from deteriorating into a state of disrepair which may lead to displacement, the loss of affordable housing and unnecessary demolition, so there are examples out there. We've included some links for you to find a way to that and how that becomes part of a broader strategy for the whole community. As a community we need to regain control of all the physical factors blighting the lives of poor residents, abandon properties may be the single most destructive because they attract so many other conditions making other challenges become even worse. So what's left at the end of the process is those struggling to make it on low incomes remain in their neighborhoods only by doubling up, by living in substandard housing and by paying a high percentage of their meagre incomes for housing. We believe that London needs a strategy that prioritizes vacant properties, getting control of them and taking them from irresponsible landowners. In order for this strategy to work, bringing properties into compliance, imposing tax liens for not maintaining the by-law standards, should be implemented immediately, and all vacant lots and abandoned buildings. We respectfully request that council direct staff to pursue the implementation of an affordable housing strategy that incorporates building acquisition as part of a response to vacant property by-law enforcement protocol. And that's me, thank you very much.

- M. Hendry - My name is Matthew Hendry, I live in ward seven, and I'd like to contribute a few points to this discussion on vacated housing and vacant buildings, which I hope will clarify the picture for a lot of people. I'd like to also thank Ms. Thompson for her remarks as part of this discussion and I'd like to offer a sincere apology. Earlier this summer, as part of a special project for Life Spin, I made a poster depicting a now burned down building on King Street. The building that was pictured was 689 King Street. It caught fire in December and, at the time that I wrote the report, I hesitated to forward it to people on city council and I hesitated to forward it to the City of London because I feared that it would cause trouble. I now realize that my failure to forward the report to people within the City of London has created even more heartache and had the potential to create even more trouble than having forwarded it. To those hurt by this inaction, I can only offer my sincerest apologies and the promise to do better. That said, I wonder if there is not a larger error. The failure to recognize a clear avenue to improve the situation of living, improve safety, spur financial revenue and refurbish many neighbourhoods in order to create a better tomorrow for the City of London. As someone who has attended school and worked in several of the neighbourhoods within London, I have often wondered if the appearance of a neighbourhood impacts life decisions, and after all this time I can say yes. It affects both your outlook on life, your mental health and your physical well being. The vacated buildings in our city give off a rundown look, and this scares many people away from, not only the neighbourhood, yet also from opportunities. One personal example I can think of, right off the bat, would be St. John ambulance, which is located almost right in the heart of Old East Village. Those who have been involved with this organization as volunteers and members know that the organization does amazing work however St. John Ambulance has struggled to gain new volunteers and members, especially for their youth programs. You look at the surrounding neighbourhood, the frequent transit inactivity, the lack of street lighting, and it's easy to figure out why. No parent in their right mind is going to let a second year high school student take a city bus into a neighbourhood full of rundown buildings to volunteer for an organization, no matter how great that organization is and no parent has the time to repeatedly drive their kids halfway across the city just for peace of mind in respect to safety. Another example I have is out in Lambeth where the city has allowed the Baker family farm to sit. For those of you who haven't put two and two together to complete the picture, one of the most recent would have been owners of this farm was Frank Baker. He was a member of our Lion's Club and passed away a little over two years ago. The city had yet, and still has yet to do anything with respect to this property, which is perfectly visible from the north side of Wharncliffe Road South and Main Street as you head into Lambeth. I've got plenty of solutions in the report I wrote for Life Spin on this and am happy to email all of you a copy of the report. As a show of faith, I ask that all of you take the ten minutes to read the research that I've put into this issue. As an added step, I'd ask everyone in the city to think about what we can do to give you more opportunity and all of these issues addressed, including this one. An excellent start would be immediately improving the lighting, transportation amenities and housing conditions in our neighbourhoods so that parents actually feel safe allowing children to bus into these areas. A second suggestion we would make would be to look into what additional efforts the city can take to ensure that kids enrolled in activities in any of our neighbourhoods are not having to look over their shoulder every five seconds. Thank you.

## Appendix 'C'

Bill No. \_\_\_\_\_  
2021

By-law No. A-54-\_\_\_\_\_

A by-law to amend By-law No. A-54, as amended, being "A by-law to implement an Administrative Monetary Penalty System in London" to provide for an amended Penalty Schedule "A-6" for the Property Standards By-law.

WHEREAS section 434.1 of the Municipal Act authorizes the City to require a person, subject to conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality;

AND WHEREAS the Municipal Council considers it desirable to enforce and seek compliance with the designated by-laws, or portions of those by-laws, through the Administrative Monetary Penalty System;

AND WHEREAS the Municipal Council on June 25, 2019 passed By-law No. A-54, being "A by-law to implement an Administrative Monetary Penalty System in London;"

AND WHEREAS the Municipal Council deems it appropriate to amend By-law No. A-54 with respect to Schedule "A-6" for the Property Standards By-law,

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

1. That Schedule "A-6" of By-law No. A-54 being the Penalty Schedule for Property Standards is hereby repealed and replaced with the attached new Schedule "A-6"
2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on \_\_\_\_\_, 2021.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading –  
Second Reading –  
Third Reading –

**Schedule “A-6”  
Administrative Monetary Penalty System By-law  
Penalty Schedule for Property Standards**

1. For the purposes of Section 2 of this By-law, Column 3 in the following table lists the provisions in the Designated By-law identified in the Schedule, as amended.

2. Column 2 in the following table set out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 3.

3. Column 4 in the following table set out the Administrative Penalty amount that is payable for contraventions of the designated provisions listed in Column 3.

<b>Column 1 Item #</b>	<b>Column 2 Short Form Wording</b>	<b>Column 3 Provision Creating or Defining Offence</b>	<b>Column 4 Administrative Penalty Amounts</b>
1	Fail to repair in an acceptable manner	2.2	\$400.00
2	Fail to maintain heritage attributes	2.7 (b)	\$400.00
3	Fail to properly secure openings	2.8.2 (a)	\$400.00
4	Fail to use proper boarding	2.8.2 (b)	\$400.00
5	Fail to properly treat boarding	2.8.2 (c)	\$400.00
6	Fail to prevent moisture penetration	2.8.3	\$400.00
7	Fail to implement maintenance plan	2.8.4	\$400.00
8	Fail to maintain exterior property - debris	3.1.1 (a)	\$400.00
9	Fail to maintain exterior property - pests	3.1.2 (b)	\$400.00
10	Fail to maintain exterior property - weeds	3.1.2 (c )	\$400.00
11	Fail to maintain exterior property – unreasonable overgrowth	3.1.2 (d)	\$400.00
12	Fail to maintain exterior property – growth causing unsafe conditions	3.1.2 (e)	\$400.00
13	Fail to maintain exterior property – unused vehicles	3.1.2 (f)	\$400.00
14	Fail to maintain exterior property – accumulation of materials	3.1.2 (g)	\$400.00
15	Fail to maintain exterior property – dilapidated structures/uncovered cavities	3.1.2 (h)	\$400.00
16	Fail to provide for uniform exterior surface	3.1.3 (a)	\$400.00
17	Fail to provide markings on exterior surface	3.1.3 (b)	\$400.00
18	Fail to prevent unstable soil conditions	3.1.4	\$400.00
19	Fail to maintain lighting	3.1.5	\$400.00
20	Fail to maintain conditions of development and redevelopment	3.1.6	\$400.00
21	Fail to maintain exterior furniture	3.1.7	\$400.00
22	Fail to maintain accessory buildings	3.2.1	\$400.00
23	Fail to maintain fences	3.3.1	\$400.00
24	Fail to maintain retaining walls	3.4.1	\$400.00
25	Fail to comply with municipal refuse collection	3.5.1	\$400.00
26	Fail to comply with refuse collection	3.5.2 (a)	\$400.00
27	Fail to make readily accessible refuse storage	3.5.2 (b)	\$400.00
28	Fail to maintain refuse storage facilities	3.5.2 ( c)	\$400.00
29	Cause obstruction by refuse	3.5.2 (d)	\$400.00
30	Fail to properly operate refuse compactor	3.5.2 (e)	\$400.00
31	Fail to maintain outside storage of refuse in litter free condition	3.5.3 (a)	\$400.00
32	Fail to maintain outside storage of refuse facility	3.5.3 (b)	\$400.00
33	Fail to screen outside refuse storage facility	3.5.3 ( c)	\$400.00
34	Fail to properly screen outside refuse storage facility from grade	3.5.3 (d)	\$400.00
35	Fail to properly screen outside refuse storage facility with visual barrier	3.5.3 (e)	\$400.00

<b>Column 1 Item #</b>	<b>Column 2 Short Form Wording</b>	<b>Column 3 Provision Creating or Defining Offence</b>	<b>Column 4 Administrative Penalty Amounts</b>
36	Fail to maintain outside refuse storage facility an odour controlled condition	3.5.3 (f)	\$400.00
37	Fail to provide for adequate inside refuse storage	3.5.4	\$400.00
38	Fail to maintain refuse chute system	3.5.5	\$400.00
39	Fail to frequently remove temporary refuse storage	3.5.6 (a)	\$400.00
40	Fail to store refuse temporarily in unsafe manner	3.5.6 (b)	\$400.00
41	Fail to cover temporary refuse storage	3.5.6 9 (c)	\$400.00
42	Fail to provide for capable structural system	4.1.1	\$400.00
43	Fail to provide for structural condition engineers report	4.1.2	\$400.00
44	Fail to maintain wall foundations	4.2.2 (a)	\$400.00
45	Fail to install sub soil drains	4.2.2 (b)	\$400.00
46	Fail to maintain sills or other supports	4.2.2 (c)	\$400.00
47	Fail to maintain grouting or waterproofing	4.2.2 (d)	\$400.00
48	Fail to restore wall to original appearance	4.2.2 (e)	\$400.00
49	Fail to preserve materials resistant to weathering or wear	4.2.2 (f)	\$400.00
50	Fail to restore or replace foundations walls floors and roof slabs	4.2.2 (g)	\$400.00
51	Fail to restore or replace cladding finishes and trims	4.2.2 (h)	\$400.00
52	Fail to repair settlement detrimental to the building	4.2.2 (i)	\$400.00
53	Fail to remove or replace unsecured materials	4.2.2 (j)	\$400.00
54	Fail to provide apertures to perform their intended function	4.3.1	\$400.00
55	Fail to maintain all doors, windows, skylights and shutters	4.3.2	\$400.00
56	Fail to maintain a required opening with a screen or other durable material	4.3.4	\$400.00
57	Fail to secure doors and windows from within unit	4.3.5	\$400.00
58	Fail to provide for screens on windows	4.3.6	\$400.00
59	Fail to provide for screens on windows in an acceptable manner	4.3.7	\$400.00
60	Fail to maintain roof and related roof structures	4.4.1	\$400.00
61	Fail to maintain chimneys and associated roof structures	4.4.2	\$400.00
62	Fail to maintain floors, stairs, porches, verandas, decks and balconies	4.5.1	\$400.00
63	Fail to provide and maintain guard	4.5.3	\$400.00
64	Fail to provide for required guard on stairs	4.5.4	\$400.00
65	Fail to provide for guard serving unfinished space	4.5.5	\$400.00
66	Fail to provide for guard with proper openings	4.5.6	\$400.00
67	Fail to provide for guard which does not facilitate climbing	4.5.7	\$400.00
68	Fail to provide and maintain handrail	4.5.8.2	\$400.00
69	Fail to provide for central handrail	4.5.8.3	\$400.00
70	Fail to provide for proper stairs within the interior of a residential dwelling unit	4.5.9.1	\$400.00
71	Fail to provide for proper residential stairs not within dwelling unit	4.5.9.2	\$400.00
72	Fail to provide for proper non-residential stairs	4.5.9.3	\$400.00
73	Fail to provide for proper service room stairs	4.5.9.4	\$400.00
74	Fail to maintain exterior surfaces	4.6.1	\$400.00
75	Fail to remove stains or defacement from exterior surfaces	4.6.2	\$400.00
76	Fail to provide for temporary barricading with compatible finishes	4.6.3	\$400.00

<b>Column 1 Item #</b>	<b>Column 2 Short Form Wording</b>	<b>Column 3 Provision Creating or Defining Offence</b>	<b>Column 4 Administrative Penalty Amounts</b>
77	Fail to maintain interior cladding and finishes of walls, ceilings and elevator cages	4.7.1	\$400.00
78	Fail to maintain interior cladding and finishes from stains and other defacement	4.7.2	\$400.00
79	Fail to only use habitable space for human habitation	4.8.1	\$400.00
80	Fail to provide for proper interior cladding and finishes of walls, ceilings and floors for human habitation	4.8.2 (a)	\$400.00
81	Fail to provide for proper doors and windows for human habitation	4.8.2 (b)	\$400.00
82	Fail to provide for proper heating system for human habitation	4.8.2 (c )	\$400.00
83	Fail to provide for proper plumbing and drainage systems for human habitation	4.8.2 (d)	\$400.00
84	Fail to provide for proper electrical systems for human habitation	4.8.2 (e)	\$400.00
85	Fail to provide for a minimum floor area for human habitation	4.8.2 (f)	\$400.00
86	Fail to provide for a minimum headroom for human habitation	4.8.2 (g)	\$400.00
87	Fail to disconnect service providing light, heat, refrigeration, water or cooking facilities	4.8.3	\$400.00
88	Fail to provide toilet or urinal in room intended for sleeping or preparing, consuming or storing food	4.8.4	\$400.00
89	Fail to provide for minimum headroom in areas normally to be used as a means of egress	4.8.5 (a)	\$400.00
90	Fail to provide for a minimum headroom in areas normally to be used as a means of egress where entire area is not considered in computing the floor area	4.8.5 (b)	\$400.00
91	Fail to provide for minimum headroom for service rooms and service spaces	4.8.5 ( c )	\$400.00
92	Fail to provide for minimum headroom over stairs and landings	4.8.5 (d)	\$400.00
93	Fail to provide for a minimum headroom where door frame is located under structural beam	4.8.5 (e)	\$400.00
94	Fail to provide for and maintain ventilation in habitable room	4.8.6 (a)	\$400.00
95	Fail to provide for natural ventilation with minimum free flow	4.8.6 ( c )	\$400.00
96	Fail to provide for natural ventilation and exterior walls or through skylights	4.8.6 (d)	\$400.00
97	Fail to provide for mechanical ventilation with proper air exchange	4.8.6 ( e )	\$400.00
98	Fail to provide for natural ventilation in every washroom	4.8.6 (f)	\$400.00
99	Fail to provide for mechanical ventilation in every washroom as an alternative to natural ventilation	4.8.6 (g)	\$400.00
100	Fail to provide for a natural ventilation in every enclosed attic or roof space	4.8.6 (h)	\$400.00
101	Fail to provide for required roof, eave or gable end ventilation	4.8.6 (i)	\$400.00
102	Fail to provide ventilation in crawlspace or non-habitable basement space	4.8.6 (j)	\$400.00
103	Fail to adequately ventilate accessory rooms and residential buildings with multiple dwelling units	4.8.6 (k)	\$400.00
104	Fail to exceed maximum occupancy of habitable floor space	4.8.7	\$400.00

<b>Column 1 Item #</b>	<b>Column 2 Short Form Wording</b>	<b>Column 3 Provision Creating or Defining Offence</b>	<b>Column 4 Administrative Penalty Amounts</b>
105	Fail to provide for proper windows in living room, dining rooms and bedrooms to provide for natural light	4.8.8	\$400.00
106	Fail to equip and maintain dwelling unit with sink provided with portable hot and cold water	4.8.9 (a)	\$400.00
107	Fail to provide utility outlets suitable for refrigerator and cooking stove	4.8.9 (b)	\$400.00
108	Fail to provide for splash back and countertop around kitchen sink	4.8.9 (c)	\$400.00
109	Fail to maintain kitchen appliances and fixtures when equipped	4.8.9 (d)	\$400.00
110	Fail to provide for a least one enclosed sanitary facility	4.8.10	\$400.00
111	Fail to provide for minimum floor area within dwelling unit	4.8.11 (a)	\$400.00
112	Fail to provide for minimum floor area for sleeping accommodation	4.8.11 (b)	\$400.00
113	Fail to provide for minimum floor area for dining space	4.8.11 ( c)	\$400.00
114	Fail to provide for minimum floor area for combined dining space	4.8.11 (d)	\$400.00
115	Fail to provide for minimum floor area of kitchen area	4.8.11 (e)	\$400.00
116	Fail to provide for a minimum floor area of kitchen area for multiple occupants	4.8.11 (f)	\$400.00
117	Fail to provide for minimum floor area of bedrooms	4.8.11 (g)	\$400.00
118	Fail to provide for minimum floor area of bedrooms	4.8.11 (h)	\$400.00
119	Fail to provide for minimum floor area of bedrooms	4.8.11 (i)	\$400.00
120	Fail to provide for an enclosed space to accommodate for water closet bathtub or shower stall	4.8.11 (j)	\$400.00
121	Fail to maintain multiunit security devices where equipped	4.8.12	\$400.00
122	Fail to provide for sanitary and kitchen facilities based on tenant occupancy	4.9.1	\$400.00
123	Fail to provide for a required floor area	4.9.2	\$400.00
124	Fail to equip with cooking facilities	4.9.3	\$400.00
125	Fail to be equipped with sanitary facilities	4.9.4	\$400.00
126	Fail to keep all buildings free of pests	4.10.1	\$400.00
127	Fail to maintain elevating devices	5.1.1	\$400.00
128	Fail to maintain heating ventilating and mechanical systems	5.2.1	\$400.00
129	Fail to maintain minimum temperatures	5.2.2	\$400.00
130	Used portable heating as primary source of heat	5.2.3	\$400.00
131	Fail to provide for multi-unit duct type smoke detector	5.2.4	\$400.00
132	Fail to maintain plumbing and drainage free from leaks and freezing	5.3.1 (a)	\$400.00
133	Fail to supply portable hot and cold water based on occupancy served	5.3.1 (b)	\$400.00
134	Fail to provide for hot water at appropriate temperature	5.3.1 ( c)	\$400.00
135	Fail to maintain provided washing machines and plumbing fixtures	5.3.2	\$400.00
136	Fail to maintain air conditioners as to prevent condensation drainage	5.3.3	\$400.00
137	Fail to maintain septic systems	5.3.4	\$400.00
138	Fail to properly decommission septic systems	5.3.5	\$400.00
139	Fail to provide for electrical outlets	5.4.1	\$400.00



<b>Column 1 Item #</b>	<b>Column 2 Short Form Wording</b>	<b>Column 3 Provision Creating or Defining Offence</b>	<b>Column 4 Administrative Penalty Amounts</b>
140	Fail to provide for electrical wall switches in required rooms	5.4.2	\$400.00
141	Fail to conform to Ontario Electrical Code	5.4.4	\$400.00
142	Fail to provide for and maintain lighting outlet in required rooms	5.4.5	\$400.00
143	Fail to provide for and maintain access lighting	5.4.6	\$400.00
144	Fail to maintain central station electrical connections as required	5.4.7	\$400.00
145	Fail to maintain recreational amenity spaces and equipment	5.5.1	\$400.00

At the discretion of the Officer, fines may be doubled for any and all subsequent repeat offences.

## PUBLIC PARTICIPATION MEETING COMMENTS

### 3.3 PUBLIC PARTICIPATION MEETING – Property Standards By-law Review

- A. Darling, Neighbourhood Legal Services - My name is Allison Darling, I'm a staff lawyer here with Neighbourhood Legal Services. I wanted to say that I do support the changes to C.P. 16, particularly adding bed bugs in there regarding pests. As it stands, when we're helping a client who has issues with bed bugs, one thing goes property standards like cockroaches and I would have to contact the health unit to inspect for bed bugs. To begin, I have a question, whether or not this means that we could now send clients with bed bugs to by-law to inspect rather than the health unit. Also, I just wanted to also share concerns raised by Councillors Salih and Kayabaga, I have that there appears to be a gap in another by-law, C.P. 19, as it relates to licensing and agree that this should be revisited and wondering why apartments and stacked townhouses are not included in this definition? Then finally, is something kind of different, I would like to express concern ... regarding tenants abilities to access orders that are issued regarding bylaw infractions and that we might consider adopting a system more like Toronto where an investigation request and orders are available online and tenants are given a copy of these orders as a matter of right. As it stands right now, you know the tenants have to do a freedom of information request that is a little bit more burdensome, and so, in terms of their abilities to access this evidence it would be helpful if they were given more free access to the orders that are issued. That's all I have to say on this matter at this time.
- Ben - I'm part of Acorn and I've come to speak about tougher penalties against what we all call slumlords. I'm a family of two young girls and a handicapped wife. So, I get a little emotional when it comes my kids, but I've been after my landlord for almost two years. My house is infested, majorly infested, with mice half of my dwelling, I have a rental garage and a three bedroom house. Half of my house has no power and my garage no longer has power. I have black mold in all my bathrooms, my main toilet that my wife uses because she can't go up the stairs anymore, she can ice skate across the floor on the toilet. Every single window in my house, you can, from the outside you can push in, there is no security. My kids bedroom, I had to screw shut just so my kids wouldn't fall out of their window. I don't get any mail, I get junk mail because apparently where I live, it's a duplex now but it's supposed to be a single family dwelling, so I don't get mail I just get letters stating that the address is wrong. With all the power outages, I have no access to the fuse panel, the fuse panel is in the tenant's basement where he lives. It's been close to two years since I've had any contact with this landlord. I've had to close business because of my garage and my business was going strong. I ended up having to go on assistance because of this guy. I lost my job, I almost lost my kids because of this house. My wife might have to go live in the hospital now because this house is unsafe. Pretty much that's all I need to say. There needs to be tougher laws. I'm on the verge of losing my house, my kids, just because this landlord won't do simple repairs, or even at least, I have a degree in property maintenance, if he'd at least bring me the stuff, I'll do it myself, that doesn't even happen. I home school my kids now. I have to use a light that's plugged in into my kitchen right now just so I can have this conversation with you guys. To me, it's not fair. I've tried everything I can with this landlord and I'm about to have to go to a shelter with my kids because of this house and I can't go back to a shelter with my kids because of how we were treated last time, I just can't do it. So, I don't know what to do. I'm hoping you guys can make these laws stricter and help people. I know there are more people in this world, in London, that are dealing with the same thing, so hopefully we can get this by-law changed. Thank you.

- Devon – Hi, thank you for listening to our situations. So, I was previously living at 186 King Street, right downtown in the heart of London, so I guess I'll just get into it. So, I actually moved there in August during the pandemic because I was escaping an abusive living situation with an ex-partner, so I moved to that downtown apartment and it was supposed to be a fresh start for me. Less than a month later I realized that there was a very significant infestation of the entire building. So, obviously I immediately reached out to my building management who, by letter, and they never responded whatsoever. So, I had to continually, for months, track down these people because they don't have standard office hours and all of that, and they refused to respond to any sort of communication that's not face to face. And so, while I eventually reached out to these people, nothing ever got done. So, while they continued to do nothing, bed bugs began to become very apparent in the entire building. I did my best to try to track down that the management to address these issues and nothing, you know, ended up getting fixed and I just saw the problem get worse and worse. So what I did was I, it was a difficult process to figure out, but I reached out to the city by-law enforcement at London and the person on the , she agreed with me that the conditions were, you know, very unhealthy, to say the least. So the by-law, for two weeks, tried to reach out to the property management who never returned their calls, so she went down there in person and shared my details as the bylaw does currently. Prior to my complaint, I believe I had had two sprayings that were done. They told me that they had done more, but it was two, so the building produced two completed work orders that were from months prior to my complaint with the by-law, and so when the by-law officer returned my call, she told me she was closing my complaint because the building had produced those two forms for months before I had actually reached out to the city. She let me know that no inspections were being done whatsoever, even before COVID was our reality. And, because the by-law needed to share my info, of course, I started to be harassed by the building almost every day. So, because I was so scared, to be quite honest, among everything else I actually had to, every time I left my apartment, I would put my phone on record, because there was no way to, you know, prove my situation other than showing the disgusting conditions of the entire building. And it got worse. I would see it in the public areas, I would see it, you know, bed bugs, roaches crawling on the floors on the walls in the laundry room, and unfortunately, I had only been living there since August, there are people who've been living there for years. And, to be quite honest, before the by-law had reached out I had a casual relationship with the building management where, you know, they said to me "oh, we do care about these issues but we aren't given the resources to take care of them", which, you know, is questionable enough, but the unfortunate thing is, I went through everything, you know, I did everything right, reached out to the by-law and instead of actually having, you know, the help I needed, my complaint was closed. And because of the violence in that building, there's a lot of it, I actually had to leave because my ex-partner had actually begun stalking me in that building and even when telling the property management there was no concern whatsoever. You know, among other maintenance issues like locks not working, you know, it was never a concern and that was one of the things I'd shared with the by-law that never got addressed, so I eventually was forced to leave. And you know it's quite a traumatic thing, so I'm really hoping that some, you know, these changes to the by-law go through, because, like the gentleman just before me, you know, there are people with worse issues and I'm sure there are people who were, you know, living in much worse conditions than he is and what he shared was horrendous to listen to. Anyways, thank you.
- Jo-Dee Phoenix – Well, with thanks to the chair for recognizing me, and also thanks to Acorn for giving me this platform. The ones on the committee that I've worked with the past know that this is an issue that's been near and dear to my heart for a very long time and I'm very grateful that I found my group of people at Acorn that share the vision and the passion that I have for this issue. So, to be

brief on this, I want to share with the committee the experience that I had ten months ago with navigating my way through the by-law of property standards and I've been given the opportunities and resources in life to be somewhat savvy with the city's policies and procedures and I found this process to be overwhelming. I try to deal with my landlords through the staff, informally, and the issues were vast, some of them included graffiti that was located on our property for years that would not be removed, open, rotting garbage that had not been picked up on garbage day probably three or four months ago that had been strewn about the property and throughout our courtyard, noxious weeds that were literally five feet tall growing in all of the flower beds on the property, discarded mattress thrown about and the absolutely most disgusting one were the piles and piles of pet waste. So, when I brought it up informally with my property manager I had to debate the validity of my concern before they'd even recognize there was a problem. I had to debate why I shouldn't be doing it myself. So, once they recognized that, you know, that it's property standards and it is their responsibility, I was told as the previous speaker, "well city by-laws not doing any inspections because of COVID". I knew that wasn't true. So, I waited ten days for a response from my property manager and received nothing. I then went ahead and put it in writing to them as is the requirement under the by-law. At the same time I sent the city, under the by-laws, a copy of the formal notice to my property manager. No response from either party for two weeks. We're now almost three weeks into this process and nothing's been done. After the two week waiting period, I reached out to the city and said "hey what are we going to do?", it took a week for a response. We're now into a month. I had no follow up, no "this is what they're doing". My complaint included pictures of every complaint I had and a detailed description as to the location on the property. Two months later a by-law officer did reach out to me and had a conversation with me and assured me that the next day they would be attending the property. They did do that, and I'm very thankful they did that. I understand that lack of resources may be a problem with the city. If that's the case it shouldn't be, and it got done. The property managers were angry with me for a little while but I don't think I should have had to wait two months to get piles of pet waste removed from the property. That's unacceptable. I'm really, really concerned that we're now having this public discussion and landlords are getting the idea here that you're not going to enforce this. Whether that's right, wrong or indifferent, is a different case but they're getting the idea that you're not going to enforce the laws that are on the books. People that are in the low to moderate income category, we don't all have the same resources and opportunity. Most of my neighbours don't know these laws exist. Once they know they exist, they have no idea, as Ben so eloquently said before me, how to navigate their way through. My personal example knowing all these things, it took two months. In conclusion, I would just like to stress to the committee that in this great city, that I have a lot of pride in and I know all of you do, there should be absolutely no way that we should be allowing sub-standard properties to exist. We all should have pride whether we rent or own, we all live in the city, we all contribute, we're all in this together. So I'm pleading with you to adopt this and to work with the community to make things better for everyone. Thank you.

- E. Pugliese, Southcrest Drive, Acorn Volunteer - I've been getting more involved with the by-law level of things that when it comes to property standards, which will be the focus today. I do think that a lot of these issues are to do with larger problems, systemic issues but I'll try to stick to the specifics as much as I can. You know I work in the not for profit sector of an employment agency so I often come across clients that might live in affordable housing or have the same issues that a lot of other Acorn members have. Fortunately, myself, I do not suffer from any immediate maintenance or repair issues, but it's things more like the fact that a massive corporation, the property manager, can hike the rent 2.2% year after year, even during the pandemic, when by the looks of it costs are not increasing for these corporations, if anything they're making more, they're cashing in, and a lot of them even are not being taxed, it even goes to that point, so it feels like this, the

whole root of the of the neglect in property standards and maintenance is just all about the fact that, you know, I think it's incentivized. If property owners ignore things, they'll probably just end up paying nothing or very little anyway, so you know, I think we need to turn it around. As a couple other people mentioned, take the onus off of the tenant who is already paying and place that on the landlord, on the property owner. You know we're just looking for a transparent system we're not here to implement this, you know, just to shame people, or to be completely negative about it. We just want it to be a system where there's more equity for tenants. We're in a system where, you know, the landlords and owners have the majority of the power in the dynamic. I'll just conclude by saying that I think that we are all aware that we have these by-laws, we have these laws, that are already there, they exist, like so many other things, we draft these and they're beautiful, they're awesome, but then they pass and they just sit there and they kind of die on the vine because no one's willing to take accountability and ownership over enforcement. So what we want is we want a really detailed accountability system where landlords and owners are the ones that are responsible for ensuring that their properties are up to code not on the tenant who's already struggling, probably paying in most of what they earn and doesn't really have the capacity or ability to take that onus on. Thanks again for listening, appreciate it.

- J. Hoffer, Cohen Highley Lawyers – I'm representing London Property Management Association. I live at 200 St. James Street in London. I rent, by the way, from a very good landlord. LPMA has been in London for over fifty years. It's Ontario's longest standing regional landlord association and it is recognized throughout the industry, in the province of Ontario, as setting exceptional standards for education of its members and compliance with all standards of care and so on and so I'm here to express concerns about property standards by-law as well as about the proposal, the motion that there be a comprehensive licensing on all buildings throughout the city of London. I won't go into any of the technical issues that have been raised by LPMA regarding the property standards by-law that you had an opportunity to review the submission, you'll see in the second paragraph that the concerns really are about the scope of the provisions exceed the building code act requirements, whether that's going to impose retrofit, and if it does, we've highlighted some of the some of the fallout that has occurred where major work has to be done, particularly by retrofit, that it displaces tenants. When work is done in the costs get passed on to tenants, and so it's really a situation of owners are as interested as anyone in life safety matters but if they're required to do retrofit, it has a lot of consequences. So, it's members are asking that there be consultation with stakeholders to address that to ensure that the scope of the by-law does not exceed the jurisdiction of the municipality. There are a number of other issues with respect the licensing by-law, there was a concern of a minimum size requirements. I'm on the board of an affordable housing development, they're all bachelor units at a converted hotel. I haven't measured the floor space, but I just think time needs to be taken to make sure that people aren't displaced because of both kinds of criteria. Another problem that was identified by members was some of the subjective terms, some of the ambiguous terms, which basically leave it to the discretion of a by-law officer and, you know, everybody can have a different opinion, so when you have to have compatible finishes nobody really knows what that means except the person making that determination but it's the owner of the property that has to meet those requirements. So, we're asking that there be some consultation with stakeholders that is an appropriate means of creating an appropriate legislative product, and so that's all I have to say about property standards. When it comes to the motion about licensing, it was interesting that the three previous speakers all spoke, not about the fact of law, but about the fact that the laws aren't being enforced. It's easy to demonise landlords and say they're all bad and the reality and I know most of you are familiar with members of London's community, you know that they make quality products, they manage properties in a high quality manner and aren't deserving of that kind of demonization. The reality is, that LPMA looks to the rule of law in order to ensure that its members are in

compliance. I've highlighted in the submission, it's a separate submission that I gave you, the provisions of the residential tenancies act which prohibits any breaches of maintenance. Chair, the remedies are there. We deal with applications from tenants all the time and those applications, if they have merit, tenants get the orders that are looking for and LPMA members have no hesitation ensuring that work, and the same applies with respect to this notion of retaliation. Section 83, section 23 and section 29 of the act address those kinds of situations. Again, if there's merit to those allegations, landlords are punished severely both by way of administrative fines and by way of remedies that the orders impose. If, in addition to that, you have a collateral set up of enforcement that is available through London's own by-law, and again, we heard the issue is enforcement, but we also heard from staff that the by-law is a maintenance focused by-law, it's there to address maintenance issues, and so it's our submission that the emphasis for council should be on enforcement of the maintenance compliance requirements of the by-law and that regard should be had to the fact that the landlord tenant board the residential tenancies act are a whole other set of rules that is accessible to tenants who are seeking a remedy. The notion of a hotline for complaints, I think you all know how readily back kind of thing is open to abuse. It's a waste of people's time and money, it serves people with an axe to grind and it's just completely unproductive. Please read the submissions that we made, consider these things carefully and objectively and that's really all, thank you.

- M. Metcalf, Vice President of External Affairs for the University Students Council at Western University - The U.S.C. represents over thirty-five thousand students and it's one of those the largest not for profit corporations in London. We support, improve and enhance the student experience at Western and collaborate with the community of London as many of our students are local residents. I am here today to discuss the new proposal put forth by Councillors Kayabaga and Salih, regarding residential rental unit licensing by-law, also known as by-law C. 19. This proposal is important to the U.S.C. as these changes are poised to address issues students face with off campus housing. Our council has voted to endorse this proposal put forth by Councillors Kayabaga and Salih. It is no surprise that housing for students, especially in the wake of the pandemic, has not always been adequate. Poor rental conditions and the lack of maintenance are common concerns that are now exacerbated by stay at home orders. Personally speaking, I have had both amazing and inadequate housing in my time as a tenant in London, Ontario. As such, this attempt to better conditions for students and Londoners will improve the overall well being and is welcomed by the U.S.C. We commend landlords who provide safe and up-to-code housing and feel it should be the norm. The proposal to amend C. 19 has the potential to improve conditions for rental units in London. At the outset, the proposal would allow tenants in townhouses and apartments in the purview of by-law C. 19. We are pleased that London is considering making these changes. The U.S.C. supports this amendment and hopes that the changes are being suggested to better improve housing in the city. Students are important stakeholders in the community, contributing to the local economy and the diversity of the city of London. Thank you for your time and thank you to Councillors Kayabaga and Salih for bringing forth the proposed changes.
- B. Amendola - I am speaking on behalf of someone who's lived in various different areas downtown. I'm also a student, and so I've had a lot of student experiences that relate to dealing with landlords. They seem to prefer students lately because they like them to come in and out quickly so that they can increase the price of the rent. I know that that's not that's not a matter we're talking about but it should be noted that a lot of people are probably thinking "why aren't these people with bed bugs or with mold or with these various issues for years and years not moving?", because they can't. My parents have been trying to move out of a condemnable house for over a year. My mother has OCPD and is suffering dearly for it but, no matter where they apply, they can't get accepted because we're poor and that's the biggest issue. I really want to argue, in regard to the gentleman who is putting

his point forward in defense of landlords, is that he sounds like he's lived in a very a good situation himself and he represents a good company, but what he might not understand is that he's a rarity, or at least he is for people who, like myself, are poor and have to go with the lower quality areas because those were where the so called affordable houses were. Though, my current landlord is doing his best to buy up all the houses around the Talbot and Central area, proceeding to flip them all as best he can, as quick as he can, so that he can change rents from between five and eight hundred to over fourteen hundred dollars. So, this is going to massively increase the homelessness issue, obviously, but another issue about all this is that other than renovating his units so that he can increase these prices, he's also just increasing the prices of unrenovated units to match the current going rate, all while making absolutely no changes, whatsoever, to the poor maintenance of the building. Just yesterday, I was arguing with him, and yes, he makes me argue, about the fact that our hallways are not clean. He sends me text messages from his workers showing me that they're telling him the work is being done, but the fact is I live in the building, I'm experiencing the footprints that aren't going away no matter how much they say they're cleaning it, I'm experiencing the smell of garbage, I'm going to the garbage and seeing it piled up and having nowhere to put my own garbage near the dumpster. He complains that he somehow included in his lease that we're supposed to bring our own garbage to the curb when this is a unit with over twenty units a building with over twenty units, so that makes no sense. He loves to argue with me about by-laws and about what he should or shouldn't be responsible for. I have to request that he spreads salt on the ice so that I don't fall. I have to request, more than once every season, for him to address safety issues regarding snow. I have to request, more than times I can count them, to simply clean the hallways. Things that I'm quite sure this gentleman who is representing landlords takes for granted. He clearly seems like a rather privileged individual. He has had good access to good housing and that's great. The matter is the impoverished don't have that. I am someone with relatively severe mental health issues and I'm just lucky that today I'm able to come in and actually speak on this front, but for the for the fact of the matter is, most people living in poverty are dealing with complex poverty, which is imposing on our mental health constantly, not only just our physical health, and that makes it ten times harder for us to be able to speak up and to be able to represent ourselves. And we are the ones being affected most by COVID and by the lack of services due to COVID issues and specifically by the current structure, where that gentleman mentioned that we have other resources such as the landlord tenancy board. I tried that. I called them and it took them three months just to give me a hearing. By the time it came up, I was in school and I didn't have time to attend to it, so I didn't actually get to follow through with that. We need more ways to hold them accountable because right now it's a reactionary system where the poor get screwed because we're either busy working or busy at school so we can't address these hearings that are put very inconvenient times, well after we've made the report. We are also treated poorly and condemned and that's where the anonymous line would actually benefit though, I understand that there's complications to that. I actually have no problem making a report with my name on it, but there are a lot of tenants who are afraid of that discrimination, afraid of walking out of the building and having someone treat them like crap because they happen to mention the crappy situation they're living in. My landlord makes me justify, on a weekly basis, that I deserve a basic standard of living and the only reason I am even able to have this unit is because I happen to have moved before there is a huge change where rents just went sky high. Again, I know that's not the issue, but the fact of the matter is it impacts the way landlords treat things and if there's one thing I really hope that you'll consider it's not just the licensing but having some kind of clause where they're not allowed to hand the cost of the licensing down to us because that's something they love to threaten us with, but they'll increase the rent anyways. They shouldn't be allowed to hand this cost over to us when the fact is it's our way of having some kind of accountability because many of us are not privileged enough

to live like that man was trying to claim landlords keep things. They just don't. We wouldn't be saying these things if they did and if the system was working we wouldn't be here, we wouldn't be saying this. So that's my main point. Thank you.

- M. Wallace, LDI - Thank you for having me here tonight just one brief, you know, I sent an email off with my presentation, basically, today, and I do apologize for not making the deadline for it to be able to be published, but, as you know, I'm with LDI and we are a membership based group and I'm the only employee, so everyone else is volunteering their time, so it takes me a little bit of time to get people to respond back and so they were still responding back past the deadline for me to be able to have this put right on the actual agenda, but I hope you received an email with the information. So we're dealing with two items here tonight under this PPM. First is the property standards by-law and, you know, when you look at it, really we don't have, we're not sure what the issues, if there are any in it. Normally, I think you would expect that, in this kind of review, that's happened on this by-law, since 1999, that's the first one in over ten years, that there should be an opportunity, and I agree with the LPMA that they should just be referred back to staff to deal with a consultation with stakeholders, with that those who are in the business, to make sure they understand what those changes are and that they apply to the Ontario Building Code, which is what most of those changes are. But we want, I think it's only fair that they have an understanding that, based what on the report in front of us, the report arrives on Wednesday, it goes to Council on the twenty-third, I think there should be some opportunity for those who are in the industry to be able to talk to staff to make sure they understand what's in the report and what the changes that are coming forward, to be able to give you any proper advice on whether they agree or disagree or any changes that might be needed to be made. The second part is Councillor Kayabaga and Councillor Salih's motion, and I fully we fully agree at LDI that you need to address tenant issues that have come to their attention and I really appreciate the effort that people have made this evening coming telling their stories about their issues are with their tenancies that they have. We understand the motion is asking staff to review the residential rental units licensing by-law with the view to possibly expanding its reach to all new existing rental units, including apartments, stacked townhouses, and townhouses. LDI concurs with the letter dated February twenty-eighth from Drewlo Lifestyle Apartments, that the Councillors intent is reasonable, but the RRUL by-law is not the right tool to use address this problem. Much of London's residential rental stock has been provided by London-based, family-owned organizations for many decades. These professionally managed companies that provide a clean and safe homes for tens of thousands of families over the years in London. These organizations continue to build and develop residential rental homes for future generations in London. The recent Council-approved annual development activity report demonstrates the tremendous growth this housing sector. Our concern is the licensing mechanism, under the residential rental units licensing by-law could add unnecessary costs to both the rental units and to the city for staffing to manage the expanded licensing regime. LDI's recommendation is to have CPS Committee, this Committee ask staff to review the issues highlighted in Councillors Kayabaga and Salih's motion, consult with the industry on options to tackle and report back, to tackle these issues, and report back to Committee. We just believe that the licensing regime is the wrong approach. Yes, it is an issue, we've heard about it tonight, we need to find a solution and we need to be part of that solution. As politicians you know, a few bad actors, whatever you want to say, ones who can really paint a bad picture, on all landlords and that is just not the case. That's not the case in London, it's not the case anywhere. There are issues that need to be tackled. Licensing everybody, we don't believe is the answer. We need to find the answer. We would like to be at the table to help, and that was our suggestion. Thank you very much for your time.
- S. Lawrence - Thank you chair-person. I'd like to thank everyone for the privilege to be here and share my story. I am a mother of two young girls who I home school,



not just due to the COVID, but even before that. We have lived at Scenic Drive, 470 Scenic Drive, for going on five years now. Every winter, we have the problem of heat, there isn't any, and what is there is substantially blown across with the arctic breezes that blow in through the broken windows. Now, these are windows that are no longer attached securely to the metal frame, the glass bends and flows. The people have tried to fix the heat, or so they claim, but the gentleman came in to bleed the systems, as they run on boilers. Even they say that one of the major problems with the heat and the at the lack of efficiency in that matter, is the windows need to be fixed. Replaced, in fact. Like I said, five winters in a row. Finally, this last month, I had the privilege of having London city by-law enforcement come out to our unit and I complied, they came in, well, they gave that the superintendent the temperature gauge to take in. I wish the by-law officer themselves could have done it, it would have been more accurate. The superintendent was so kind as to put her little finger on the instrument that's changing the heat. It was well below the twenty degrees that is called for before eleven o'clock. At times it's so cold in the room, in any of the rooms, especially the bathroom, that bathing my children I have to put a heater in the bathroom. There is no ventilation in the bathroom or in the kitchen. There's also been a problem with a lack of work order requests, action being taken on these. I'm not the only person in the building that that has these problems with Sterling Kmar, but they do not like to fill out the work orders and make sure that things are taken care of. I'm talking about things from simple maintenance from your closet door to infestations of pests, cockroaches and bed bugs. It was a year before they even came to spray our unit for the first time. We were in isolation, even before the pandemic, due to these pests, out of fear of contaminating other people we went to visit. By accident we did contaminate my senior citizen parents with the bed bugs because at the time we didn't know. This is my first experience with this. So, it ended up, back to the enforcement coming out over the heat, they came and took the first temperature, they made arrangements with myself and Sterling Kmar and the property management team to come back the next day. Sterling Kmar Property decided to be non-compliant, blaming this all of the sudden on the COVID situation, but their superintendent has no problem entering premises with no mask or protective equipment what on. We're facing eviction on Thursday as we finally have gotten up in front of the board, mind you it's on an eviction order, because we complained about the windows. When I complained about the windows, I even posted a little video to Facebook and I sent the management team the link. They were there within a day. Only one piece of glass was ever replaced. The master bedroom, which is the room I gave to my children so that they have room, is not even inhabitable at this point. The window is not secure on that wall and even if the inner windows, one can only be popped in, you can't have the both popped in and the lock. There's many more issues I would love to take the time to address, but the heating, the windows, basically vital services and pest control are not being done by Sterling Kmar. This is not the first building that has had these problems I am also aware that the CBC has done articles on the buildings they own on Mornington. Thank you for your time, Committee.

- D. Devine, 382 Hamilton Road - I moved to this location in November of 2016. When I was first shown the place, it was an absolute disaster left by the last tenant, as well, it needed major repairs to the roof, windows, entrance way. I tried to convince the property manager to have the repairs done before I moved in and they guaranteed me if I moved in as it was, repairs would begin in a reasonable amount of time come spring as most of the repairs aren't doable in the winter time. So, other than the roof, nothing was done at first. Months went by, spring came, eventually it rained so hard that it was raining in my hallway as hard as it was outside, so I sent them a video of this and his response was "oh, I thought it was okay since I hadn't heard anything", as if a roof repairs itself. Since fixing the roof, the only other thing he's actually done is small things like wall repairs, toilet repairs, but the windows and doors haven't been fixed. The furnace turns on every ten, fifteen minutes in the winter time because the draughts are so bad in here. I talk to

him about it, he'll send what he says is a contractor to do an estimate then I'll hear nothing from him again. When I asked him what happened, he claims the estimates were too high and he's been busy and I won't hear anything again and I wind up going through the same circle. The first summer I was here, I was hospitalized for a whole week with COPD flare ups caused by mold going into my living room window because of his other building that's located six feet from our building. I contacted him about this when I was in the hospital, he promised to have the building boarded up as soon as possible. It didn't happen for over a year and it only happened because police had to remove so many vagrants. Over time, I realized that the house has rodents living underneath it. They run through my house, my counters, my bed. And, I realized, as well, that the furnace is set up incorrectly so it's drawing the air in from under the building thereby pulling any airborne motes and feces particles and then pushing that into the house and this is also causing my COPD to flare every winter. We had a London enforcement officer make contact with them, he's done a few minor outside repairs, as well as get the furnace that stopped to start working a month before the end of winter last year working. Now he keeps asking me when I'll be moving out because he knows I'm trying to get out of here because of my health. When I first asked him what was the rush, he said he we wanted to renovate. I said okay well I would like to use my right, as an existing tenant, to continue living in it once it's renovated. After that you started saying that he wants to demolish both buildings and start over. I'm on ODSP, I'm having a very hard time getting into affordable housing since it's in such demand and they're so little. If he decides to evict all tenants on the grounds that demolishing, due to the maintenance costs being way too high, I could end up homeless for the first time in my life at the age of 52. That's all I wanted to say. I hope something is done about landlords like this, there's far too many of them, especially in the area that I live in, but I thank everybody for their time and I hope this will make a difference.

- J. Taylor, 69 Maitland Street - I'm sorry about the girl at Scenic Land, those guys should be in jail, that's been going on for over fifteen years I know other people that lived in that building. I've been on both sides of the coin, here, I've been a landlord and I am now just a tenant. The building I live in is slowly caving in on itself. I've texted every problem that occurred that I simply couldn't adjust myself. The only things that were immediately an emergency were ever repaired. This house has a, there's black mold completely through the attic, from a leaky roof we had a couple years ago before it got replaced, where it was raining in my living room. My big thing about this is education for low-income people. You can't say do this online, they don't have internet, a public phone is near impossible to find now. The guy next to me just got a phone three months ago. I don't know about how you cost these types of things, but sending a pamphlet or something might be an idea, in the mail so they have some readable material. The people in my neighborhood have no idea that they can go to the city for these problems. I made a complaint last year about my heat because my furnace is always ticking out. I already spent three days this winter freezing because when they do go to fix it they have some guy look at it and it's three days before somebody actually comes to fix it. There's a lot of sub-standard housing in London and there is a serious lack of affordable housing. Like the one lady was saying that the prices of rent in the city are just astronomical. I make a good living, I chose to actually live where I do, but I wouldn't move into a building where they're charging a thousand dollars a month for a one bedroom, that's just ridiculous. Education and enforcement, because there's got to be a way to hammer down on these guys a lot faster than the current system holds. Thanks.
- J. Thompson, Life Spin – Again, we welcome the opportunity to give input here into this by-law change. It's Jaqueline from Life Spin and I introduced the organization in the previous one, so I'm just going to skip right to the meat here because there's a lot to talk about. First of all, I want to draw your attention to the intent of the by-law. It states that the intent of the by-law is to provide a level of

protection and safety for tenants, occupants and surrounding neighbors by making living conditions suitable. We're going to get to that after. I just want to say that, in addition to the fines, we see there is an appeals committee, but we're not confident that the by-law changes will actually address and remedy the injustices and we would like to see that happen. We know that the municipal government also recognizes the value system of protection and safety. Why else label the intent was for the protection and safety for tenants and making living conditions suitable unless it is to acknowledge that the majority of landlords uphold hold these values as important and expect them to be addressed in, and through, public policy. We have some ideas that do not exacerbate the inequalities that exist in the world of landlord tenant relationships. There are some really good landlords out there but that's not why we're here tonight. We recognize that there's going to be no real change without strict enforcements, and again, the Municipal Act gives you the tools to make those changes and the actions that are necessary. By-law C.P. 16 permits the city to impose fines that can be made for failing to comply with the by-law and those fines also could be doubled. This is a powerful tool. By-law 54 gives city the power to make the repairs and charge the property owners with the activities done to bring the property into compliance with by-law C.P. 16. Like you do when you go on to a property and clean up someone's messy yard because the neighbours complained. You do have the power with by-law 54. We have had folks like Ben, come to us for help because the city has not enforced property standards, as requested. Families are losing their children because other levels of government enforcement don't believe these are safe places for children to be raised. Indeed, many of the conditions folks are living in cause or exacerbate other health conditions. There's an old adage that says where there's a will there's a way and we're bringing you the ways tonight so that you can protect the residents in our neighbourhoods. We're requesting that, in the event the property owner does not make repairs to bring these properties up to standard, the city immediately take measures to do so. If the repairs are so extensive that they cannot be done, the city needs to move the tenants to safe housing and the building needs to be condemned and secured. Should a relocation be deemed necessary for substantial repairs, we're asking the city to implement a mechanism to protect vulnerable tenants, such as seniors, people with disabilities, or those living on very low incomes who are among the most affected by redevelopment or renovations. This has also been done in other municipalities. The city of Vancouver recognizes that vulnerable tenants often require support to be relocated. They have implemented a tenant protection relocation and protection policy. In addition to proactive enforcement, we're requesting that consideration be given to developing an affordable housing strategy that outlines tenant protection and building acquisition with both standards and enforcement. Part of the Vancouver tenant relocation protection policy also addresses the need to protect affordable housing in our neighbourhoods. We talked about some of the neighbourhoods where a lot of the property standards are out of line and those are places where poor people can rent. The Vancouver model has a policy in it that is called the one for one replacement, where the owner is required to replace an existing dwelling unit on the site if they tear down one of those units because they're renovating them. The other issue is around the appeals. So, tenants don't have access to social equality if they can't access the institution that enforces their rights. Like Devon shared, there's fear, real fear, of reporting on property standards if you're living in substandard housing because you can't necessarily afford to move and you don't want to be harassed. This policy lacks attention to who's living in substandard conditions, the ability to pay fees to request an appeal or other property standards orders. Tenants require assistance to file an appeal are not considered, but there's also the problem that tenants don't necessarily get given a copy of the order so they can follow up with the landlord tenant board if that is where you were wanting them to go to get their rights protected. So, there is a problem with that and if a property owner does make an appeal, and the tenant believes the conditions have not been changed, how are they supposed to get that information in if they are not

given a copy of the order. We would suggest that, at the very minimum, if the property owner makes an appeal on the property standards, that they send an officer to do a full inspection of the property so that the burden doesn't fall onto the tenants to be the party responsible for enforcement. There's the issue of who can report, so we're going to go back to the intent of that bylaw here. Neighbours living next to these properties and community workers, social assistance workers, CAS workers and the like should be able to submit requests for inspection where they are aware of residents living in unsafe conditions. Remember the intent of the by-law includes surrounding neighbours. Currently, requests for inspections of clearly derelict properties are met with an automated message, "please send your landlord or property manager a dated letter or email outlining repairs that need to be conducted at your rental property and retain a copy for your records". Denying an accessible and fair reporting and appeal process for those tenants who are living in substandard conditions denies tenants rights and discourages the community at making efforts to make living conditions suitable. We're asking again that property standards the time to tenant protection, rental replacement, building repairs, in that position as part of a response of property standards by-law enforcement protocol. We need to have those properties reclaimed by the community if the owners are not responsible. We need to have those properties brought up to standards and the city has the power to do that. We need to have improved enforcement, that is why we are here tonight. Thank you.

## Appendix 'A'

Bill No.  
2021

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".

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;

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

AND WHEREAS the City deems it to be in the public interest, having regard to both public health and safety and consumer protection, to protect persons involved in motor vehicle accidents on highways and to ensure that highways are kept free of obstructions and impediments at accident scenes for emergency vehicles and emergency personnel.

AND WHEREAS it is deemed expedient to amend By-law No. L.-131-16, entitled "A by-law to provide for the Licensing and Regulation of Various Businesses", passed on December 12, 2017;

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

1. The Business Licensing By-law L.-131-16 is hereby amended by adding the attached new Schedule "20" "**Tow Truck Business & Impound Yard Storage Business**".
2. The Business Licensing By-law L.-131-16, Schedule 1 – Business Licence Fees is hereby amended by adding:
  - Tow Truck Business Licence fee of \$321.00
  - Impound Yard Storage Business Licence fee of \$321.00

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

PASSED in Open Council on \_\_\_\_\_, 2021.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First reading –  
Second reading –  
Third reading –

**Schedule '20'**  
**TOW TRUCK BUSINESS & IMPOUND YARD STORAGE BUSINESS**

**1.0 DEFINITIONS**

1.1 In this Schedule:

**“Accident Scene”**: means the general location or place where an incident or accident occurred involving a Motor Vehicle(s).

**“Highway”**: means a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.

**“Highway Traffic Act”**: means the Highway Traffic Act, R.S.O. 1990, as amended.

**“Impound”**: means to restrain or immobilize a motor vehicle.

**“Impound Yard Storage Business”**: means the business of storing vehicles once they are towed from an Accident Scene.

**“Local Road”**: means roads contained within the boundaries of the Municipality of the City of London.

**“Motor Vehicle”**: means a motor vehicle as defined in the Highway Traffic Act.

**“Tow Truck Business”**: means the business of providing Towing Services at an Accident Scene.

**“Tow Truck Operator”**: means a person who operates a Tow Truck offering Towing Services.

**“Towing Services”**: mean the provision or use of a tow truck including the assistance of the owner, operator, driver, or any passenger of a vehicle through the use of the equipment on or used in conjunction with the tow truck for the pulling, towing, carrying, or lifting of a motor vehicle at a place located within the City of London.

**“Tow Truck”**: means a Motor Vehicle that is designed, modified or used for pulling, towing, carrying or lifting of other Motor Vehicles with or without the assistance of lifts, winches, dollies, trailers or any like equipment.

**“Vehicle”**: means vehicle as defined in the Highway Traffic Act.

**2.0 LICENCE CATEGORIES:**

2.1 The following categories of licenses are established:

- (a) Tow Truck Business; and
- (b) Impound Yard Storage Business

**3.0 PROHIBITIONS:**

3.1 No person shall operate a Tow Truck Business without a current valid licence issued under this By-law.

3.2 No person shall operate an Impound Yard Storage Business without a current valid licence issued under this By-law.

3.3 No holder of a Tow Truck Business Licence shall permit a Tow Truck to safely park, stop, stand, make or convey an offer of Towing Services, within two hundred (200) metres of an Accident Scene unless directed by a police officer, a firefighter, or person involved in the accident, or if there is not a sufficient number

of tow trucks already at the Accident Scene to deal with all vehicles that apparently require the services of a Tow Truck.

- 3.4 No Tow Truck Operator parked, stopped or standing within two hundred (200) metres of an Accident Scene shall fail to immediately follow the direction of any police officer, firefighter or emergency medical services (EMS) including, but not limited to moving the Tow Truck two-hundred (200) metres from the Accident Scene.
- 3.5 No holder of a Tow Truck Business Licence shall charge or accept from any person any amount for Towing Services in contravention of the prescribed administrative regulations.
- 3.6 Every holder of a Tow Truck Business Licence shall provide Towing Services associated with a licenced Impound Yard Storage Business within the boundaries of the City of London.
- 3.7 No holder of an Impound Yard Storage Business Licence shall charge or accept from any person any amount for storage services at an Impound Yard in contravention of the prescribed administrative regulations.

#### **4.0 POWERS OF LICENCE MANAGER**

4.1 In addition to any other power, duty or function prescribed in this By-law, the Licence Manager may make regulations under this Schedule including:

- (a) prescribing signage that must be posted in an Impound Yard Storage Business as a condition for storing a Motor Vehicle including without limitation, the manner, form, size, location and content of such signage;
- (b) prescribing Towing fees;
- (c) prescribing Impound Yard Storage fees;
- (d) prescribing hours of operation of Impound Yards Storage Business;
- (e) prescribing the content of a registry for Tow Truck Business.

## Appendix 'B'

Bill No. \_\_\_\_\_  
2021

By-law No. A-54-\_\_\_\_\_

A by-law to amend By-law No. A-54, as amended, being "A by-law to implement an Administrative Monetary Penalty System in London" to provide for an amended Penalty Schedule "A-5" for the Business Licensing By-law for the categories of Tow Truck Business and Impound Yard Storage Business.

WHEREAS section 434.1 of the Municipal Act authorizes the City to require a person, subject to conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality;

AND WHEREAS the Municipal Council considers it desirable to enforce and seek compliance with the designated by-laws, or portions of those by-laws, through the Administrative Monetary Penalty System;

AND WHEREAS the Municipal Council on June 25, 2019 passed By-law No. A-54, being "A by-law to implement an Administrative Monetary Penalty System in London;"

AND WHEREAS the Municipal Council deems it appropriate to amend By-law No. A-54 with respect to Schedule "A-5" for the categories of Tow Truck Business and Impound Yard Storage Business in the Business Licensing By-law,

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

1. That Schedule "A-5" of By-law No. A-54, being the Penalty Schedule for Business Licensing By-law be amended to include the following rows:

Column 1 Item #	Column 2 Short Form Wording	Column 3 Designated Provision	Column 4 Administrative Penalty Amount
1	Operate Tow Truck Business without current valid licence.	3.1	\$500.00
2	Operate Impound Yard Storage Business without current valid licence.	3.2	\$500.00
3	Permit tow truck to park, stop, stand, make or convey offer of services within 200 meters of accident scene.	3.3	\$500.00
4	Fail to follow direction of first responder at accident scene.	3.4	\$500.00
5	Charge or accept fees for towing services in contravention of prescribed administrative regulations.	3.5	\$500.00
6	Fail to provide towing services associated with licensed impound yard storage business within the boundaries of the City.	3.6	\$500.00
7	Charge or accept fees for storage services in contravention of prescribed administrative regulations.	3.7	\$500.00



<b>Column 1 Item #</b>	<b>Column 2 Short Form Wording</b>	<b>Column 3 Designated Provision</b>	<b>Column 4 Administrative Penalty Amount</b>
8	Fail to comply with prescribed signage at impound yard storage business.	5.1 (a)	\$200.00
9	Fail to comply with prescribed hours of operation at impound yard storage business.	5.1 (d)	\$200.00
10	Fail to comply with prescribed content of registry for tow truck business.	5.1 (e)	\$200.00

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

PASSED in Open Council on , 2021.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading –  
Second Reading –  
Third Reading –

## PUBLIC PARTICIPATION MEETING COMMENTS

### 3.4 PUBLIC PARTICIPATION MEETING – Tow Truck Business and Impound Yard Storage Business Licence By-law Amendment

- D. Cameron: See attached presentation.
- F. Ibrahim, Low Price Towing: Thank you for having me here. My name is Fadi Ibrahim, I am the owner of Low Price Towing in London. We all know that, that the part of the meeting today because people are chasing. I am with the City 100% percent against chasing but we've been telling everyone in this meeting and other meetings that people are chasing because they are trying to make an honest living. I am with the City against any people that they gouging and put pressure at the citizen that should be no. I am with the City 100% and I am so glad that they coming with pricing list this way. Every tow truck company in the City of London they will, should charge the same as others and the other thing what I need to say, citizens they do have the right to choose who they are going to go with. I am against the idea that a Police Officer call a tow truck company to the scene without he even sometimes at the scene and sometimes he doesn't even ask the citizen. You, as a Police Officer, you should ask the citizen, after you ask them about the condition of their life, if they already call for a tow truck company or not and if they say yes, then awesome, if they say not at that time he will call for a tow truck company after the citizen agreed with him. Two days ago, actually, no, three days ago, at Dundas and Clarke there was an accident happen. I was at the scene across from the McDonald's by the TD Canada Trust, the customer he's a Manager at Chrysler Dodge Jeep at AutoMall Dundas East. He choose to go with me because he know me. The Officer attend to the scene, he said I don't need nobody at the scene other than Ross Towing. This is my scene, I need everything to go with Ross. I said "Officer, that shouldn't be happening like that." The lady, right away she stopped the Officer and she said "Sir, we are not going to go with Ross, we are going to go with Low Price Towing because we had an incident that it is our vehicle has been stolen before and we ask them today to release it to us and on Friday they didn't release it and we ended Monday paying \$600." and after that the Police went to the Ambulance, tried to brainwash the citizen and he said no, he had high blood pressure and he said "No, I'm going with Low Price Towing." So, and after that, he gave me the car. We don't need that to happen, we don't need to burn bridges between us as the tow truck operator and the Police Department as we are part of the city and we all should work together as one community, one unit but we need a fair system and this is what we hoping from you to do. The only thing we are asking is a fair system, we are with you with licencing, we are with you with putting one price list and anything like that we support you because we need law, we need everybody to follow the law include us okay, and but, you know what, we not getting treated equally and everything is going to one company, one company only and that, it shouldn't be like that. Yes, there is people they are chasing but the reason why people they are chasing because they are trying to make an honest living. The problem because there is no rotation, we need a fair rotation, fair system and everybody should follow the law and the rules and anyone that doesn't follow the law and the rules, bad, he will be the one who is in trouble, not somebody else. We shouldn't be brushed with the same brush. As a professional as we know our job and we have been in the towing business for more than 20 years, we are fully licenced and we have compound, we have all the money you need and we support you but we need something from you to support us. You asking us for licencing, you asking us for more paperwork, more money, more expense, that's on top of what we are facing right now with Coronavirus. We need something from the city to tell us you know what, we need from you one, two, three but we are giving you one, two, three. You can't, like, with all my respect, ask for everything and don't give us nothing and one person, he's the one who's getting everything. That, it is an unfair system. Thank you.

- Desmond Williams, 519 Tow: Hello. Thanks for having us. My name is Desmond Williams. I own towing company 519 Tow here in London. It just seems to me like these meetings and, the same issues keep coming up so I'm going to try to make this as short as possible because we keep talking about the same things here and it's kind of getting redundant now. If you want to licence a business class like towing, you want to give us plates on our tow trucks and you want to licence the impound facilities and you want to make rules and regulations as far as rates, capped rates and for storage, for towing, that's fine and the distance law, we've already been debating this for a long time now whether it's 200 metres, 100 metres, okay, we've already been going back and forth on these so the main thing that I have to say is that if you want to licence us, like Fadi was just explaining and Dwayne had explained, you have to at least acknowledge that the RFP does coincide in some way with this which it does, that's just a fact, I know that we keep saying that we are trying to keep that separate, okay, so we're going to keep it separate somewhat. You want to licence us, you want to regulate us, well you have to offer us something for our expenses, for the fees we are incurring when we already incur tons of fees every year just to operate our business, just to keep it open. So, I think the distance law can be debated, whether it's 100, 200 metres, I mean, we would like to have no distance law but if the City's pushing for it, that's fine, we've already put in there, Nicole and Orest have already put in the Good Samaritan Law which states that it is going to follow what the *Highway Traffic Act* says, which says, per vehicle involved in an accident there's allowed to be one tow truck per vehicle that appears to meet the services of the tow involved in each collision scene and that goes, that's exempt from the distance law so that's fair, so that would mean that the first two tow trucks on scene, for a two vehicle are allowed to be there and this would prevent the issue that we are having in the city now from five or six tow trucks showing up to one collision scene when there's only two or three cars involved. You've got five or six towing companies there so it's just unnecessary and the Fire Captains are getting sick of it and the EMS Paramedics and the Police are getting sick of it and this is the Police contractor doing it and all the other companies doing it. It's everybody doing it. What I found ironic was in the last Zoom meeting, the people who were pushing for this by-law are now the ones getting upset at the rules that have come forward to make it fair. You've got the Police contractor complaining about the distance law and saying that it's encouraging first on scene, well, it's just ironic to me, it's funny to me that he would even say that because his guys are the ones that are chasing the most and this is the Police contract company who has the contract with the Police and they are the ones chasing the accidents the most and they are the ones pressuring their guys to do it the most and this came out recently in the document that you've all had. They've all been sent from somebody who used to work for them but let's keep that aside. I think the main thing is we need to have clear communication between City Council and the industry which, so far, we have actually done quite a good job of and I think we need to keep giving input to each other in order to make the laws that are fair and to help regulate the industry properly so that business can go on in a clean-cut and professional manner which I think is all everybody's goal, like Fadi was saying and Dwayne was saying, regulate the rates, follow the *Consumer Protection Act*, follow the *Repairs, Storage and Liens Act*, and have everybody follow the rules, do a good job and that's the main thing, is tow trucks, our job is to be a first responder, our job is to come to the collision scenes and clean up the accidents and tow the vehicles off the road to safety. That's our job. Fire does their job, EMS does their job, Police do their job but the problem is, is we do not want to have this law interfering and babying it for the contractor, the Police, we don't want the Police saying to us "Oh, you have to keep 200 meters back." but the other guys are allowed to come in and we don't want to have Police, like Fadi was saying, Police sometimes use their authority and try to call a tow truck for the person without even speaking to them; that can't take place. It has to be fair so that the citizen has the right to choose, if they want to chose the contractor they can do that, if they want to choose the towing company of their choice they can do

that, if they want to choose the tow truck that's available to them first available on scene that's also their right to choose as per the *Highway Traffic Act* and I think that's the main thing is consumer protection and the *Repair, Storage and Liens Act* needs to be followed, as well as the by-law, and we just don't want anything getting in between the rights of the citizen and also the rights of the business owners who operate in the city. Anyways, thank you guys for your time and looking forward to what's going to happen here.

- Sheehan Abeysena, RMS Towing: Hi there. So, I'm sorry. Can you guys here me? Perfect. Ok, so I'm the owner of RMS Towing, Sheehan Abeysena. We are in London. So, one thing I'd like to bring forward to everyone is I am with the City, I believe there needs to be regulation, I believe there needs to be restrictions and I believe the proposed by-law is quite fair as long as there is fairness with the rules imposed. So, like Desmond said, if there's two vehicles there and two tow trucks there, no one should be soliciting, no one should be bothering the customers or the people involved in the accident. Once the first responders have completed their duties, taken care of the individuals involved in the accident, and the Police have done their investigation, they should allow for a fair chance for any tow truck that is regulated by the City to tow the vehicle, gain business and obviously be respectful to everyone there. One thing I will say is, in the recent past, Desmond and I, you know, we're very good friends, we're both business owners, we work together, we have been working on gaining unity amongst all the tow companies in London. So one thing we've been doing is we've been regulating if there's a collision, if, you know, RMS shows up, or if 519 shows up, we'll tell everyone else there's a two vehicle accident, there's two tow trucks here, no one else needs to come, we don't need ten trucks on scene. Our role is to be fair, to be courteous and to clear the roads. Essentially vehicles involved in an accident, if they are left on the roads, is a danger not only to the people involved in the accident as they will be walking around the vehicles, they'll be in the middle of traffic but also it is a danger to the public. When vehicles are involved in accidents, I'd say about 75% of the time, there's a secondary accident due to that accident. So it is essential that the vehicles are cleared promptly but also the main concern that the City has is regulation. So a proposed by-law with regulated rates, regulated storage rates, regulated compounds, regulated tow trucks is essential. The 200 metre rule should be followed like Desmond said, following the *Highway Traffic Act*. So if there are two tow trucks there, and there's a two vehicle accident, the tow truck operators should not be soliciting. Once the Police are done their investigation, or the first responders are done caring to the individuals involved and they clear the vehicles to the Collision Reporting Center, or if the Police attend and do their report there, the Police should give the tow companies on the scene a fair chance, meaning the tow trucks are marked somehow, whether it be plates, stickers, markers, and they can see the trucks, they say "Ok, this truck is regulated by the City, that truck is regulated by the City" and then they go to the individuals involved and say "You can use the trucks on the scene or we can call you a tow.". I believe that's fair. That does not put a monopoly on one tow company, that does not, you know, sway the customer or the person involved towards a specific company, let's say the Police contractor. If these rules are followed, I believe London will be, you know, a role model to many other cities and I believe that, with the by-law in place, with the correct regulations, with the correct rates, and the correct rules, all the tow companies can come together and work in union.
- Mitchell, 519 Tow: No, that's fine. Thank you. In regards to this, the only thing that I see, again, as an issue that has been kind of arisen, I originally came from the tri-cities, Kitchener, Waterloo, Guelph, where they have a current by-law that they actually got rid of in the 2020 financial year because of the issues of towing. So, in that by-law pretty much was similar to the one they are putting in now. The issue that will arise, again, I have seen it firsthand, is the 200 metre rule and unfortunately the combination of the current contract until whenever that comes up for renewal with the Police Services Board. So there needs, in regards to the 200 metre rule that the City wants to have stipulated with this by-law, there has to be

some strict enforcement of it and there has to be some non-biased enforcement about it like we are currently having at this time in regards to towing in general and in to the 200 metre rule.

- James Patrick Donovan, James Patrick Towing and Repairs: I figured it out. Hello everybody. My name is James from James Patrick Towing and Repairs. I just want to touch base on a couple of little things here. My business mostly does the aftermath of what you guys are currently talking about, accident calls. So we'll pick up from said yards, 519, RMS, Clarks, all kinds of different companies and we will do work with the insurance company, sometimes often paying bills for the insurance company or on behalf and then getting rid of the vehicle afterwards where it goes to an auction house or sometimes just a scrapping and lots of other cases. So, we only do maybe, I don't chase at all and neither do any of my guys. We have 11 trucks, well, I do, plated, on the road, I employ 15 people between the shop and drivers and I'm already licenced in the City of London. That's another thing I'm talking about but to have another fee for like a plate per truck now I've got to pay which I'm not too thrilled to do in especially during Covid time, you know, x amount of dollars per truck for a company I already have licenced in the City of London that I'm currently doing business the same way that I would be doing every day. I don't see a benefit that would come my way in any shape or form and not to talk about a contract holdover or anything like that but with this 200 meter rule, there's not really much opportunity for me to get, you know, let's say, an accident happens and a Police Officer shows up and they, you know, they pull up their phones and look up the next towing company on Google but they don't, they figure, we've got lots, for whoever may be the contract holder at the time, it really doesn't open it up for any of my advertising or anything I've done in the past to give me an opportunity to get more business while incurring a hefty fee for a business I already have licenced and there's a smaller one truck operations that are in town, guys I know, not much of chasers, just go around doing hooks all day, \$50-\$60 tows, tire changes, 3 AM calls, things like that, don't probably have a yard. Are they required to get a licence? Is it only for accidents? If it's only for accidents, how are we going to get them? There's, I don't know, I think this by-law needs a lot more work than just what it sounds like to me and it's, there's nothing in there for more business to, for anybody, it seems like there's a lot more red tape and that's something I really think that municipalities need to get out of doing not adding. I mean, I get that there's a lot of, believe me, I get it, there's a lot of overpriced towing in this world but not everybody's like that actually, there's quite a bit of just reasonable priced towing that just goes on so I'm I see there's an alarm in some cases but I don't know, I would really like to see this by-law be something that's for everybody, not just, you know, one person. I'm in London, on Dundas Street so I see a lot of accidents. We just don't do a lot of chasing, I mean can think of one but it literally happened at the corner of my shop and I just happened to have one of my trucks there. Other than that there's no chasing that happens there so this by-law just cost me a pile more money and red tape that just doesn't seem very fair and a lot of other guys are like that. And that's all I have to say on that.
- Frank Rondinelli, Charterhouse Towing: Hi. How are you? Good. My name is Frank Rondinelli. I have Charterhouse Towing. Been in business about 48 years on Charterhouse Crescent. I agree with the amendment to go ahead and licence towing yards, I agree with the towing business being licenced. I'd like to see more regulations put into place so there is no chasing really and bring it back to original. When I started into this business, we had a rotation that worked very, very well, it was fair, it was taken care of, it was regulated by the towing companies and the originators in the City of London. Other than that, all I can say is if you are honest, you are straight, and you keep to rules I believe that everybody should have a chance to make a living but if people stand up and say that they don't chase and they do chase and they're just out for the dollars, ok and the inflated bills come in the way they do, then I think really, it should really be looked over again and regulated properly especially for, to make it fair across the board with the consumer, the insurance companies, the garages and the towing company

themselves. It should all be made fair. It's, we're not a big city, we all can make a living and a good living, if we just stick to the, to the actual reality of it's a tow, it's an accident and I just believe after 48 years, coming up to 50 years in business I would really like to see it go back to the way it was but you can't go backwards so you need to look at the future and that is to regulate it and make it honest and fair for everybody.

- Scott Taylor, Ross Towing: Can you hear me here? Sorry about that. I don't know what happened. Anyway, thanks very much and I will be as brief as possible especially after this delay. I'm here representing Ross Towing in my capacity as PR and if there's anything that we've learned over the past couple of months and especially this evening is that a by-law is needed, universal fees, universal specifications for impound lots, all that stuff is extremely important not only to the City but to the motorists of the city and to, even to the towing operators. So, in my capacity representing Ross, we, the one thing I wanted to say was that it seems to me over the last couple of months that you've heard almost all from the towing operators and not necessarily so much from the public, even this evening seems to be a good representation of that. So I just wanted to give them a voice and last July and August, we commissioned a survey with the nationally respected Leje Voting firm about towing and I'm going to go quickly through just a few of the results and that is again agreeing with the by-law. Most residents disagree that towing should be a first-come, first-to-tow situation with no price limit. In fact, strongly disagree with that is 65% they want this by-law, they want the universal fees and they want to know where their car is going and to have a say in where their car is going. Next, 83% of area London residents, London area residents, agree their vehicle should be towed to a safe destination and with a pre-determined cost. So we know we've talked about how that hasn't always been the case in the City and the by-law looks like it is going to fix that, so again, you have addressed a major concern with motorists in London. Two-thirds of residents agree that the tow operator should not have a criminal background, again, that's up for debate as to what would be considered a criminal background but it does prove and illustrate the fact that people want proper towing, people want to know whose towing them and finally I think this is crucial to the by-law wording, if three-quarters of residents have a negative opinion of chasers and for half it is very negative. They, chasers in this situation, is referred to as those that race to a scene of an accident or a breakdown and listen to radio scanners and that sort of thing, we all know what it is. So, the main thing is, if it's going to be a first truck to the accident situation, chasers and the chasing is going to get worse so we're hoping that is something that the Committee and Council considers with great weight going forward as far as this by-law is concerned and that's pretty much it. I just wanted to let the people have a voice as well. Thank you.

CPS Meeting March 2, 2021

Chasing has been going on for many years even before RFP came out so what has changed now. The difference is that one company has the contract and wants all the towing within the city. It has been an unfair system for many years now since the RFP was changed almost last minute in 2017. City Council states it has nothing to do with the RFP however, this by-law is a direct result of the RFP.

Our company is for a by-law to be in place but with the by-law created it needs to be fair and not continue with the monopoly by one company.

We are for a by-law but it needs amendments for a few reasons:

**\*\*pricing\*\*** we have contracts with auto clubs and customers for set fees, how will that work?

**\*\*Will the customer have a chance to request a company before the contract holder gets the call? Will the Police still be able to insist on using contract holder even if the customer has a preferred company? It is happening now, where they are not even asked, the Police just call in the contract holder.**

What are the requirements for a Police background check?

What are the fees for licensing and will it be per driver, per truck or for the company?

If per company, will the fees be based on the number of trucks or just one overall fee?

What are the requirements for a compound?

Would the Police not have to be on scene to ask drivers if they have made their own towing arrangements?

What if you are called to an accident scene by the owner or driver of the vehicle, two car accident, you arrive on scene but there are already two trucks on site. Would we get a ticket even though we were called to the scene?

What is considered an accident? For instance does going into a ditch but no damage constitute an accident because they have left the roadway?

We have wanted some sort of licensing years ago but nothing got done about it. My question is why should we pay to do Police assisted accident towing within the city limits when they don't call us. We don't tow on behalf of the Police, we tow on behalf of our customers.

We have recovered them off the road, in gravel pits, flipped over and/or on fire with no Police or anyone else on scene. The customer calls us directly.

Recent call a dump truck roll over on the 401 and the OPP called Ross Towing right away without even talking to the trucking company, which is one of our customers.

Once we got the call from our customer we headed right out, Ross was already there. The customer called the OPP and insisted we do the recovery. OPP didn't ask the customer if they had a preference automatically called Ross.

We had the truck uprighted and cleaned up in a timely manner and the road opened again.

This happened February 9, 2021.