

Community and Protective Services Committee

Report

5th Meeting of the Community and Protective Services Committee
March 29, 2022

PRESENT: Councillors M. Cassidy (Chair), M. Salih, J. Helmer, M. Hamou, S. Hillier, Mayor E. Holder

ALSO PRESENT: J. Bunn, A. Job and J. Taylor

Remote Attendance: Councillors J. Fyfe-Millar, A. Hopkins, S. Lehman, S. Lewis, M. van Holst and P. Van Meerbergen; L. Livingstone; P. Cooper, C. Crossman, K. Dickins, A. Dunbar, C. Finn, Deputy Chief Hepditch, O. Katolyk, E. Ling, H. Lysynski, D. MacRae, S. Mathers, J.P. McGonigle, R. Morris, N. Musicco, A. Pascual, K. Pawelec, C. Smith, G. Smith, S. Stafford, J. Tansley, T. Wellhauser, B. Westlake-Power

The meeting was called to order at 4:01 PM; it being noted that the following Members were in remote attendance: Mayor E. Holder; Councillors J. Helmer, S. Hillier and M. Salih

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor S. Hillier disclosed a pecuniary interest in clause 4.2 of this Report, having to do with the 2022 Rock the Park One-Time Policy Exemption Request, by indicating that his family puts on a five day event.

That it BE NOTED that Councillor J. Helmer disclosed a pecuniary interest in clause 3.1 of this Report, having to do with Short Term Accommodations, by indicating that he has used Airbnb to rent out his home in the past.

2. Consent

Moved by: S. Hillier

Seconded by: M. Hamou

That Items 2.1 to 2.7 BE APPROVED.

Yeas: (4): M. Cassidy, J. Helmer, M. Hamou, and S. Hillier

Absent: (2): M. Salih, and E. Holder

Motion Passed (4 to 0)

2.1 2nd Report of the Accessibility Advisory Committee

Moved by: S. Hillier

Seconded by: M. Hamou

That the following actions be taken with respect to the 2nd Report of the Accessibility Advisory Committee, from its meeting held on February 24, 2022:

a) the Civic Administration BE ADVISED that the Accessibility Advisory Committee endorses the Accessible Election Plan 2022, as appended to the Agenda; and,

b) clauses 1.1 and 3.1 BE RECEIVED.

Motion Passed

2.2 2nd Report of the London Housing Advisory Committee

Moved by: S. Hillier
Seconded by: M. Hamou

That the 2nd Report of the London Housing Advisory Committee, from its meeting held on March 9, 2022, BE RECEIVED.

Motion Passed

2.3 RFP-2022-007 Contract Award Recommendation for Service Delivery Improvements Project on Behalf of the London and Middlesex Local Immigration Partnership

Moved by: S. Hillier
Seconded by: M. Hamou

That, on the recommendation of the City Manager, the following actions be taken with respect to the staff report, dated March 29, 2022, related to the Request for Proposal (RFP) 2022-007 – Developing a Model for Community Planning of Settlement Services for the London and Middlesex Local Immigration Partnership, as per the City of London Procurement Policy Section 12.2 (b), requiring Committee and City Council approval for RFP awards greater than \$100,000:

- a) the Request for Proposal 2022-007, in the amount of \$429,419, (excluding HST), BE AWARDED to Mellor Murray Consulting; it being noted that the proposal submitted by the proponent meets the City's requirements and complies with the Procurement of Goods and Services Policy;
- b) the Civic Administration BE AUTHORIZED to undertake all administrative acts which are necessary in relation to this award;
- c) the approval given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract with the Consultant for the work; and,
- d) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or any other documents, to give effect to these recommendations. (2022-T10)

Motion Passed

2.4 Oakridge Resident Engagement Results

Moved by: S. Hillier
Seconded by: M. Hamou

That, on the recommendation of the Deputy City Manager of Neighbourhood and Community-Wide Services, the following actions be taken with respect to the staff report, dated March 29, 2022, related to the Oakridge Resident Engagement Results:

- a) the short-term project, upgrades to tennis courts in Oakridge Optimist Park, identified through resident engagement near the Oakridge Assessment Centre BE ENDORSED;
- b) the budget for the above-noted short-term project, upgrades to tennis courts in Oakridge Optimist Park, BE APPROVED in accordance with the Sources of Financing Report, as appended to the above-noted staff report; and,

c) the Civic Administration BE DIRECTED to proceed with implementation of the upgrades to tennis courts in Oakridge Optimist Park; it being noted that this work will be undertaken in accordance with the Procurement of Goods and Services Policy. (2022-D19)

Motion Passed

2.5 Roles and Responsibilities of Local School Boards and Collaboration with the City of London

Moved by: S. Hillier

Seconded by: M. Hamou

That, on the recommendation of the Deputy City Managers of Neighbourhood and Community-Wide Services, Social and Health Development, Environment and Infrastructure, and Planning and Economic Development, the staff report, dated March 29, 2022, with respect to Roles and Responsibilities of Local School Boards and Collaboration with the City of London BE RECEIVED. (2022-S13)

Motion Passed

2.6 Parks and Recreation Master Plan Annual Report

Moved by: S. Hillier

Seconded by: M. Hamou

That, on the recommendation of the Deputy City Managers of Neighbourhood and Community-Wide Services and Environment and Infrastructure, the staff report, dated March 29, 2022, with respect to the Parks and Recreation Master Plan Annual Report BE RECEIVED. (2022-R04/R05)

Motion Passed

2.7 Multi-Program Ontario Transfer Payment Agreement - Homelessness Prevention Program Approval

Moved by: S. Hillier

Seconded by: M. Hamou

That, on the recommendation of the Deputy City Manager, Social and Health Development, the proposed by-law, as appended to the staff report, dated March 29, 2022, BE INTRODUCED at the Municipal Council meeting to be held on April 12, 2022, to:

a) authorize and approve the Multi-Program Ontario Transfer Payment Agreement (Homelessness Prevention Program), as appended to the above-noted by-law, between Her Majesty the Queen in Right of Ontario, as represented by the Minister of Municipal Affairs and Housing and The Corporation of the City of London

b) authorize the Mayor and the City Clerk to execute the above-noted Homelessness Prevention Program (HPP) Transfer Payment Agreement;

c) delegate authority to the Deputy City Manager, Social and Health Development or written designate, to approve and execute any further amendments to the HPP Transfer Payment Agreement if the Amendments are substantially in the form of the above-noted HPP Transfer Payment Agreement;

d) delegate authority to the Deputy City Manager, Social and Health Development, or written designate to undertake all the administrative, financial and reporting acts (including signing authority) associated with the above-noted HPP Transfer Payment Agreement and any amendments, including but not limited to investment plans and amendments to investments plans, application forms for funding budgets, cash flows, other financial reporting, including financial claims and directions, consents and other authorizations, as may be required, provided that the monetary amounts do not exceed the maximum amount of Ontario's contribution specified in the HPP Transfer Payment Agreement that are necessary in connection with the above-noted HPP Transfer Payment Agreement; and,

e) confirm that the Deputy City Manager, Social and Health Development, or their written designate, has the powers as set out in section 2 of By-law A-7924-5, being the authority to execute the Municipal Purchase of Service Agreements with Service Providers, employing the standard form Agreement authorized and approved in that by-law that do not require additional funding or are provide for in the City's current budget, and that do not increase the indebtedness or contingent liabilities of The Corporation of the City of London, with no further approval required from Municipal Council, with respect to Operating Services Categories only. (2022-S14)

Motion Passed

3. Scheduled Items

3.1 Public Participation Meeting - Short Term Accommodations

Moved by: M. Hamou

Seconded by: M. Cassidy

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, the proposed by-laws, as appended to the staff report, dated March 29, 2022, related to Short Term Accommodations, BE RECEIVED;

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

- T. George
- D. Ferreira, providing the attached submission
- A. Wayland
- Nick
- D. Wood
- D. Denomme
- J. and K. Romnes
- J. Fernandez
- D. Yimmesghen
- P. Chandawani
- C. Thomas
- M. Razak
- A. Fernandez
- D. Wang
- L. Murphy
- A. Wojtak
- V. King
- H. Belanger
- K. Toy
- C. Afanador
- R. Metron

- A. Lindsay
- S. Bollert
- S. Kukadia
- P. McFarlane
- T Choy. (2022-C01)

Yeas: (2): M. Cassidy, and M. Hamou

Nays: (1): M. Salih

Recuse: (1): J. Helmer

Absent: (2): S. Hillier, and E. Holder

Motion Passed (2 to 1)

Voting Record:

Moved by: S. Hillier

Seconded by: M. Hamou

Motion to open the public participation meeting.

Yeas: (3): M. Cassidy, M. Hamou, and S. Hillier

Recuse: (1): J. Helmer

Absent: (2): M. Salih, and E. Holder

Motion Passed (3 to 0)

Moved by: M. Hamou

Seconded by: M. Cassidy

Motion to close the public participation meeting.

Yeas: (2): M. Cassidy, and M. Hamou

Recuse: (1): J. Helmer

Absent: (3): M. Salih, S. Hillier, and E. Holder

Motion Passed (2 to 0)

4. Items for Direction

4.1 A. Valastro - Light Pollution By-law - REQUEST FOR DELEGATION STATUS

Moved by: M. Salih

Seconded by: M. Hamou

That the request for delegation from A.M. Valastro, with respect to a light pollution by-law BE APPROVED for a future meeting of the Community and Protective Services Committee; it being noted that the communications, dated December 7, 2021 and March 18, 2022, from A.M. Valastro, with respect to this matter, were received. (2022-C01/2022-E05)

Yeas: (4): M. Cassidy, M. Salih, J. Helmer, and M. Hamou

Absent: (2): S. Hillier, and E. Holder

Motion Passed (4 to 0)

4.2 2022 Rock the Park One-Time Policy Exemption Request

Moved by: E. Holder

Seconded by: J. Helmer

That the proposed by-law, as appended to the staff report, dated March 29, 2022, BE INTRODUCED at the Municipal Council meeting to be held on April 12, 2022, to amend By-law No. CPOL-142-394 being a by-law for a Council policy entitled Special Events Policies and Procedures Manual, to provide for the "Rock the Park 17-July 2022" event use of Harris Park for five (5) consecutive days; it being noted that the communications, as appended to the Agenda, from B. Jones, President, Jones Entertainment Group and G. Jones, Vice-President, Jones Entertainment Group, and the communication, as appended to the Added Agenda, from A.M. Valastro, with respect to this matter, were received. (2022-P11)

Yeas: (4): M. Cassidy, J. Helmer, M. Hamou, and E. Holder

Recuse: (1): S. Hillier

Absent: (1): M. Salih

Motion Passed (4 to 0)

4.3 2nd Report of the Animal Welfare Advisory Committee

Moved by: J. Helmer

Seconded by: M. Hamou

That the following actions be taken with respect to the 2nd Report of the Animal Welfare Advisory Committee (AWAC), from the meeting held on March 3, 2022:

a) clause 4.2 of the above-noted AWAC Report BE DEFERRED to the April 20, 2022 meeting of the Community and Protective Services Committee (CPSC) for consideration;

b) the requests for delegation from the individuals listed below BE APPROVED to be heard at the April 20, 2022 meeting of the CPSC:

- R. Laidlaw, Zoocheck
- W. Brown, Chair, AWAC
- V. Van Linden
- M. Lerner
- J. Van-Daele
- F. Morrison

c) the Civic Administration BE REQUESTED to prepare a report, including any necessary legal advice, for the April 20, 2022 CPSC meeting; and,

d) the remainder of the above-noted 2nd Report of the AWAC BE RECEIVED

it being noted that the communications, as appended to the Added Agenda, from R. Laidlaw, W. Brown, V. Van Linden, M. Lerner, J. Van-Daele, F. Morrison and M. Hamer, with respect to this matter, were received.

Yeas: (4): M. Cassidy, M. Salih, J. Helmer, and M. Hamou

Absent: (2): S. Hillier, and E. Holder

Motion Passed (4 to 0)

5. Deferred Matters/Additional Business

5.1 Deferred Matters List

Moved by: M. Hamou
Seconded by: J. Helmer

That the Deferred Matters List for the Community and Protective Services Committee, as at March 21, 2022, BE RECEIVED.

Yeas: (4): M. Cassidy, M. Salih, J. Helmer, and M. Hamou

Absent: (2): S. Hillier, and E. Holder

Motion Passed (4 to 0)

6. Confidential

Moved by: J. Helmer
Seconded by: M. Hamou

That the Community and Protective Services Committee convene In Closed Session for the purpose of considering the following:

6.1. (ADDED) Solicitor-Client Privilege

A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, with respect to the 2nd Report of the Animal Welfare Advisory Committee.

Yeas: (4): M. Cassidy, M. Salih, J. Helmer, and M. Hamou

Absent: (2): S. Hillier, and E. Holder

Motion Passed (4 to 0)

The Community and Protective Services Committee convened In Closed Session from 7:40 PM to 8:07 PM.

7. Adjournment

The meeting adjourned at 8:18 PM.

To: The Community and Protective Services Committee
From: David Ferreira
Re: Report to Community and Protective Services Committee, subject Short-term accommodations.

Thank you for allowing my attendance to this public participation meeting regarding Short-term accommodations.

Hello

Thank you

Councillor Chair Cassidy for allowing public input for these discussions and adding my words to the public record.

And thank you

Councillor Hamou
Councillor Helmer
Councillor Hillier
And Councillor Salih

My name is David Ferreira

I have been a lifelong resident of our city and I have a vested interest in London as it is home to my family, my friends, and my life. My memories and my future convictions are in London and I intend to do my part in assisting in our city's future.

From childhood, I was quick to learn that the home is located at the centre of the family; it brings security, pride, stability, and it is the centre of all things occurring in one's life. I have been closely following our city's issues. The level of homelessness, the rent affordability crises, and the lack of housing supply and sharp increase of home ownership cost is alarming to say the least. Therefore, I fully encourage city council taking action to mitigate these elephant sized issues.

In 2015, I got a great job from a great employer and was able to save enough money to purchase my first and only home, which I still own and live in today. This home is also a rental property; a purpose-built duplex, which required a lot of work that I have been attending to for the past 6 years. I live in one of the apartments while renting the other, and my strategy to pay the bills required both my income and the rent to get by.

In late 2020, I was let go from my job, which couldn't have come at a worse time. I was eligible for Employment Insurance, which I received, and I still collected rent; however,

considering the costs of everything, I didn't even come close to paying all the bills, let alone affording food. By Christmas of 2020, it was obvious I was in big trouble, and at the beginning of 2021, I became a real example of the collateral damage that arose from the global situation. Like many others, I lost my job in a pandemic. I had bills piling up with insufficient income and a real sense of fear; and I struggled for a while. After a stroke of luck, my tenants informed me they were moving out. With no immediate job prospects, but immediate bills and obligations, I found the short-term rentals market as my answer. The Short-Term Rental market has been the only reason that I have been able to keep a roof over my head, and I come here hoping to keep that option available. I am one of the Short-Term Rental hosts in London, and I, am a real and true local who now is relying on this income to meet my financial obligations until I find employment.

Regarding the report to the committee. Sec. 2.1 of the report, which lists raw statistics for the Current Short-term Rental Market in London relies on research conducted by the Canadian Journal of Urban Research using Airdna as a primary source. The methodologies cited in the Canadian Journal relied on data extraction from "scrapes", which is a technique where a program extracts data from output generated from another program. There are inherent issues with this methodology, especially for this case. The Journal gets its data from Airdna, which in turn extracts its data from scraping the Airbnb site. However, all the information regarding active listings on Airbnb are composed by hosts. Host listing details are composed with marketing in mind, and this skews the data, and is hidden. For example, from the sources used in the report, my listing was categorized incorrectly. I currently am listed as an entire home, when in fact, I offer an apartment. The reasoning I list my apartment this way is because it's a duplex, and I provide the comforts of a home with a yard, no lobby, and a driveway. The platform does not have a category for what I offer, so I found this as the best fit. Therefore, from my own example, I can say the data cited, did not take into account marketing strategies of hosts, which lowers my confidence in the cited data. Instead, it groups everything into one neat and arbitrary story. Such bulk processing of statistical analysis is prone to such errors, and I can attest that the number of London Short Term Rentals that are in fact an entire home is certainly lower than the number reported.

As noted, Canadian research indicates that the profitability of short-term rentals has caused both commercial and individual landlords to leave the long-term rental market, thus resulting in a depleted supply of long-term housing. However, in the same report, it is also specified that the total number of short-term accommodations across all platforms in London has remained relatively stable showing only 4% growth between 2018 and 2021, at approximately 650 active rentals when published. However, as of today, the same source reports active listings in London, at 599. Additionally, airdna reports that approximately 69% of the 599 active listings are listed as "entire homes", which calculates to around 414 homes total. This represents less than one percent of the total homes in London.

Putting it simply, statements akin to short-term rentals having contributed to housing shortages in London and the dwindling supply of homes for sale and increasing rent

prices, is misleading. Also, only referencing “real local hosts”, in order to make the argument against big commercial providers with no other mentions of real local hosts in the report, makes me feel like an apparent afterthought. There is a large amount of data suggesting other factors at root for our issues; and, the 2021 Toronto Star hinted as much, as the city’s new short-term rental bylaws have not translated to a slowing of the market, nor translated into any affordability measures. This foreshadows the future of by-laws for Short Term Rentals in the fight against the housing crises in London.

The legislative process must be aware that this matter is not so black-and-white and that there are large grey zones. I agree that big commercial Short Term Rental providers should be regulated, or shut down entirely, leaving the local hosts to provide such accommodations as is intended. Nonetheless, such regulation should be enacted through a strategic and prudent approach. Any legislation attempting to curb the issues we face, should be mindful to avoid unnecessary collateral damage – or curbing the vital income needed by real local hosts. Not all hosts want to run a Short-Term Rental, myself included. I am in this market simply because I don’t really have any other choice at the moment, and I ask you to please, not take away my tools for my livelihood during tough times.

I have some questions

1. My house, a duplex, has 2 addresses. I reside at one address, and I provide the Short-Term Rental accommodations at the second address. How would this be viewed in a by-law? Is my STR considered a principle dwelling unit?
2. Is the goal to require licensing for all Short-Term Rentals or shut down big commercial providers while leaving local providers unscathed?
3. Will big commercial Short Term Rental providers be rejected for licensing altogether if they can’t provide proof of principle residence?
 - a. The report leans heavily on factors of rent affordability, lack of housing supply and the alarming increase of costs when purchasing a home today. If this is intended, I assume big commercial Short Term Rental providers who cannot prove principal residence will be prohibited in operation entirely by the proposed by-law.

Thank you