

THE CITY OF TORONTO

City Clerk's Office

Minutes of the Tenant Defence Sub-Committee

Meeting 1

Monday, July 9, 2007

The Tenant Defence Sub-Committee met on Monday, July 9, 2007, in Committee Room 4, City Hall, Toronto, commencing at 10:00 a.m.

Members Present:

Councillor Michael Walker, Chair
Councillor Cliff Jenkins
Councillor Pam McConnell
Councillor Frances Nunziata
Councillor Janet Davis
Councillor Shelley Carroll

Regrets:

Councillor Anthony Perruzza

No declarations of interest pursuant to the *Municipal Conflict of Interest Act* were made.

Confirmation of Minutes

On motion by Councillor McConnell, the Tenant Defence Sub-Committee confirmed the minutes of its meetings held on May 29, 2006, and September 7, 2006.

1.1 Review of Tenant Defence Fund Program

The Tenant Defence Sub-Committee considered a presentation by Katherine Chislett, Director of Housing and Homelessness Supports and Initiatives, Shelter, Support and Housing Administration, regarding a review of the Tenant Defence Fund Program.

The Tenant Defence Sub-Committee also considered a consultation paper (November 15, 2006) from Toronto Shelter, Support & Housing Administration.

On motion by Councillor Nunziata, the Tenant Defence Sub-Committee received the informative presentation.

1.2 Review of Tenant Defence Sub-Committee

The Tenant Defence Sub-Committee considered a presentation by Phil Brown, General Manager, Shelter, Support and Housing Administration, regarding a review of the Tenant Defence Sub-Committee.

On motion by Councillor Davis, the Tenant Defence Sub-Committee;

1. received the presentation for information; and
2. requested the General Manager, Shelter, Support and Housing Administration, to report further on this matter at its meeting on Monday, November 12, 2007.

1.3 2007 Status Report: Applications under the Tenant Support Grants Program

The Tenant Defence Sub-Committee considered a memorandum (June 29, 2007) from Phil Brown, General Manager, Shelter, Support & Housing Administration, forwarding a summary of all outstanding applications received under the Tenant Support Grant Program as of June 25, 2007.

On motion by Councillor Jenkins, the Tenant Defence Sub-Committee received the memorandum for information.

1.4 Request for a Tenant Support Grant under the Tenant Defence Fund from 25 St. Mary Street Tenants' Association

The Tenant Defence Sub-Committee considered a report (June 29, 2007) from Phil Brown, General Manager, Shelter, Support & Housing Administration, regarding a request for a Tenant Support Grant under the Tenant Defence Fund from 25 St. Mary Street Tenants' Association.

The Tenant Defence Sub-Committee considered a communication (July 5, 2007) from Councillor Kyle Rae.

On motion by Councillor McConnell, the Tenant Defence Sub-Committee recommended to the Community Development and Recreation Committee that City Council:

- (1) approve a grant of up to \$1,000 to the tenants' association of 25 St.

Mary Street from the 2007 Tenant Support Grants Program to assist the tenants towards the payment of their legal costs for disputing their landlord's application for above-guideline rent increases; and

- (2) authorize the General Manager, Shelter, Support and Housing, to take necessary actions to implement Council's approval.

1.5 Implementing By-law for s.111 of City of Toronto Act – Rental Housing Protection

The Tenant Defence Sub-Committee considered a report (June 6, 2007) from the Chief Planner and Executive Director, City Planning Division, addressed to the Planning and Growth Management Committee regarding the implementation of By-law for s.111 of the City of Toronto Act – Rental Housing Protection.

The Tenant Defence Sub-Committee also considered recommendations adopted by the Planning and Growth Management Committee at its meeting held on Thursday, June 28, 2007, for consideration by City Council at its meeting on July 16, 2007, as follows:

“The Planning and Growth Management Committee recommends that Council:

1. Approve proposed Municipal Code Chapter 667, Residential Rental Property Demolition and Conversion Control, as set out in the draft by-law in Appendix 1, to implement the City's authority under s. 111 of the City of Toronto Act, 2006 to prohibit and regulate the demolition of rental housing properties and the conversion of rental housing to a purpose other than residential rental purposes.
2. Approve the proposed fees for applications under Municipal Code Chapter 667, to be added to Schedule 16 of Appendix C of Municipal Code Chapter 441, Fees, as set out in Appendix 3.
3. Amend § 415-17 of Municipal Code Chapter 415, Development of Land, (the codified version of section 4 of By-law No. 229-2000) by replacing the words “rental housing” with “six or more rental housing units” so that the revised section is as follows:

‘The authority for the giving of draft condominium approvals, under section 50 of the Condominium Act except for applications involving the conversion of six or more rental housing units and exemptions from draft approval as appropriate, is delegated to the Chief Planner and his or her representatives.’
4. Approve the related amendments to Municipal Code Chapter 363 Demolition Control as contained in section 2 of the draft by-law in Appendix 1.
5. Authorize the City Solicitor to introduce a bill in Council substantially in the form

of the draft by-law in Appendix 1.

6. Revoke the "Application, Notice and Meeting Requirements for Condominium Conversion and Demolition Applications" contained in Appendix A of Clause 3 of Report No. 3 of the Urban Environment and Development Committee, as adopted by City Council on March 2, 3 and 4, 1999, as they are now superseded by the provisions for notice and meetings in Chapter 667 in the draft by-law.
7. Authorize the City Solicitor, in consultation with the Chief Planner and Chief Building Official, to introduce bills directly into Council to amend proposed Municipal Code Chapter 667, as necessary, to reflect the wording of any future amendment of the definition of "all applicable law" in the Ontario Building Code with respect to by-laws under section 111 of the City of Toronto Act, 2006.
8. Direct the City Clerk to provide notice of the enactment of a by-law under section 111 of the City of Toronto Act, 2006 to the Ontario Municipal Board, the Director of the (Ontario) Real Property Registration Branch and the Land Registrars for the Toronto Land Registry Offices.
9. Authorize and direct the appropriate City Officials to take the necessary action to give effect thereto; and

The Planning and Growth Management Committee requested the Chief Planner and Executive Director, City Planning, to report to Council on July 16, 2007, on protection of large-family size units in high-rent buildings under the proposed by-law."

The Tenant Defence Sub-Committee:

1. on motion by Councillor Jenkins, requested the City Solicitor, in view of the City Council meeting on July 16, 2007, which will consider Planning and Growth Item 7.1, to report thereon in regard to the wording of an amendment to the proposed draft by-law delegating draft condominium approvals involving less than 6 rental units solely to the Chief Planner, so that it is in consultation with the local Councillor, who will have the option to refer the matter to the Community Council, as appropriate.
2. on motion by Councillor Nunziata, requested the Chief Planner and Executive Director, City Planning, to report at its next meeting on Tuesday, September 25, 2007, on the activities of the landlord of 927 St. Clair Avenue West relative to the proposed amendments to Municipal Code Chapter 667, Residential Rental Property Demolition and Conversion Control;

3. on motion by Councillor Nunziata, requested the General Manager, Shelter, Support and Housing Administration, to inform the appropriate City Divisions of the circumstances of 927 St. Clair Avenue West, most particularly that the building has been emptied and substantially demolished;
4. on motion by Councillor Nunziata, requested the General Manager, Shelter, Support and Housing Administration, in consultation with the Fire Marshall, Chief Planner and Executive Director, City Planning, Executive Director, Municipal Licensing and Standards, and Executive Director and Chief Building Official, to review the process for informing tenants about building situations following fires and other related emergencies; and
5. on motion by Councillor Nunziata, requested the General Manager, Shelter, Support and Housing Administration to assess whether support from the Tenant Defence Fund is applicable to tenants of 927 St. Clair Avenue West, in conjunction with York Community Legal Services, and report back at its next meeting on Tuesday, September 25, 2007.

1.6 Appointments – Tenant Defence Sub-Committee

The Tenant Defence Sub-Committee considered a communication (April 30, 2007) from the City Clerk advising that City Council, at its meeting beginning on April 23, 2007, considered Striking Committee Item 4.1, titled “Appointments of Members of Council to Advisory Committees”, which was adopted, as amended.

On motion by Councillor Carroll, the Tenant Defence Sub-Committee received the communication for information.

1.7 2007 Schedule of Meetings

The Tenant Defence Sub-Committee considered a communication from the Committee Secretary submitting the proposed 2007 Schedule of Meetings for the Tenant Defence Sub-Committee.

On motion by Councillor McConnell, the Tenant Defence Sub-Committee approved the 2007 Schedule of Meetings.

1.8 Refusal Report – 1465 Lawrence Avenue West – Official Plan Amendment; Applicant: Adam Brown, Sherman Brown (Ward 12 – York South-Weston) Etobicoke York Community Council – Report 7, Clause 24

The Tenant Defence Sub-Committee considered a communication (December 16, 2006) from the City Clerk advising that City Council, on September 25, 26, 27 and 28, 2006, took the following action on Clause 24 of Report 7 of the Etobicoke York Community Council:

1. referred this Clause back to the Etobicoke York Community Council for further consideration at its meeting in January 2007, and requested the City Solicitor to report to the Etobicoke York Community Council at that time, outlining the historical legal issues and agreements between the City and the owner of the property; and
2. referred the Clause to the Tenant Defence Sub-Committee, or its successor Committee, with a request that the Sub-Committee report to the Etobicoke York Community Council.

The Tenant Defence Sub-Committee considered a decision of City Council on February 5, 6, 7 and 8, 2007, as contained in Etobicoke York Community Council Report 2, Clause 11, as follows:

- “1. City Council refuse the Official Plan Amendment and Condominium Applications to convert 161 affordable rental units to condominium at 1465 Lawrence Avenue West.”

The Tenant Defence Sub-Committee also considered a report (January 11, 2007) from the City Solicitor addressed to the Etobicoke York Community Council regarding 1465 Lawrence Avenue West, Historical Legal Issues and Agreements between the City and the Owner, which was considered by the Etobicoke York Community Council at its meeting held on January 16, 2007.

On motion by Councillor Nunziata, the Tenant Defence Sub-Committee received this matter for information.

1.9 150 Finch Avenue West

The Tenant Defence Sub-Committee considered a communication (September 26, 2005) from Councillor Cliff Jenkins regarding legal action at 150 Finch Avenue West.

On motion by Councillor Jenkins, the Tenant Defence Sub-Committee requested the City Solicitor to report on this matter at its next meeting on Tuesday, September 25, 2007, to be considered as the first item on the agenda.

1.10 Election of Chair and Vice-Chair

On motion by Councillor McConnell, the Tenant Defence Sub-Committee elected Councillor Michael Walker as its Interim Chair until its next meeting on Tuesday, September 25, 2007, at which time a new Chair and Vice-Chair will be elected.

1.11 Maintenance Issues – Toronto Community Housing Corporation

The Tenant Defence Sub-Committee considered heard an oral submission from Sharon Gawtreay in regard to maintenance issues in Toronto Community Housing Corporation properties.

On motion by Councillor McConnell, the Tenant Defence Sub-Committee referred this matter to Phil Brown, General Manager, Shelter, Support and Housing Administration for appropriate action.

The Tenant Defence Sub-Committee adjourned its meeting at 11:35 a.m.

Chair