



Agenda

Licensing and Standards Committee

Meeting No. 4
Meeting Date Friday, May 4, 2007
Start Time 9:30 AM
Location Committee Room 1, City Hall

Contact Helen Smith, Manager
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Councillor Howard Moscoe (Chair)	Councillor Sandra Bussin	Councillor Rob Ford
Councillor Denzil Minnan-Wong (Vice Chair)	Councillor Mike Del Grande	Councillor Anthony Perruzza

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Declarations of Interest under the Municipal Conflict of Interest Act

Speakers/Presentations

Confirmation of Minutes: March 30, 2007

Communications/Reports

LS4.1	Presentation			
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Briefing to the Committee Members on the Taxi Industry

Deferred from March 30, 2007 meeting.

Summary

Presentation by Municipal Licensing and Standards staff.

LS4.2	Information			
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Review of Taxicab Licensing Thresholds

(April 16, 2007) report from Executive Director, Municipal Licensing and Standards

Summary

This report reviews the City's taxicab driver thresholds in response to a request from the Licensing and Standards Committee. It analyses the impact of the thresholds on taxicab drivers and provides observations with respect thereof.

In 2006, out of 9,954 applicants, 110 taxicab drivers licence applicants (both new and renewals) were refused licenses by Municipal Licensing and Standards Division for threshold-related violations. This represents 1.1% of all taxicab driver applicants for that year.

No recommendations to change the existing threshold mechanism are provided given the number of taxicab driver applicants impacted.

Background Information

Review of Taxicab Licensing Thresholds

(<http://www.toronto.ca/legdocs/mmis/2007/ls/bgrd/backgroundfile-3219.pdf>)

LS4.3	ACTION			
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Seizure of Motor Vehicles Involved in Prostitution Related Offences

Deferred from February 16, 2007 meeting.

(January 25, 2007) report from City Solicitor

Summary

At its meeting on September 28, 29, and 30, 2005, City Council requested the City Solicitor to report back with respect to legislation in other provinces dealing with this issue, and in particular, Bill 28 of Nova Scotia, which proposed to give municipalities authority to seize and impound vehicles being used to commit offences under the prostitution related sections of the Criminal Code of Canada.

Currently the only jurisdictions in Canada with legislation providing for the seizure of vehicles, in prostitution related offences are Alberta, Manitoba and Saskatchewan. No province has granted the authority to municipalities to pass by-laws in this regard. The validity of the legislation in Manitoba and Saskatchewan has not been challenged. However, if Ontario were to pass a similar law, there are strong legal arguments to challenge the law's validity.

3a Seizure of Motor Vehicles Involved in Prostitution Related Offences

(February 14, 2007) letter from Councillor Frances Nunziata

Summary

Advising that in 2005, Council directed the City of Toronto to enter into discussions with the Attorney General of Ontario in order to gain powers similar to municipalities in Nova Scotia, that would give police authority to seize and impound any vehicle used to commit an offence under Sections 211, 212 or 213 of the Criminal Code. My Office is currently in the process of following up on that Directive; and requesting that the above item be deferred to the Licensing and Standards Committee meeting on March 30, 2007.

Background Information

Seizure of Motor Vehicles Involved in Prostitution Related Offences
<http://www.toronto.ca/legdocs/mmis/2007/ls/bgrd/backgroundfile-3246.pdf>

LS4.4	ACTION			
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Coordinated Enforcement of Problem Properties

(April 20, 2007) Member Motion from Councillor Kyle Rae

Recommendations

1. That the City of Toronto, Municipal Licensing and Standards Division, work with the Province to develop a centralized database of information about complaints, bylaw and legislation violations, convictions, etc., to be shared between provincial (Alcohol and Gaming Commission of Ontario) and municipal (Municipal Licensing and Standards, Toronto Police Service, Toronto Public Health, Toronto Fire Services) enforcement agencies. A central database would allow for better monitoring of problem properties

and facilitate co-coordinated, systemic responses between relevant enforcement agencies,

2. That the City of Toronto establish and appropriately resource Problem Property Teams to better monitor and coordinate efforts between enforcement agencies, and that consideration be given to include community representatives to allow for broader input.

Summary

At its meeting of March 28, 2007, the Toronto Drug Strategy Implementation Panel approved two motions brought forward by one of its subcommittees, the Neighbourhood Strategies Working Group. The Neighbourhood Strategies Working Group is developing locally-based strategies to reduce the harms of alcohol and other drug related activity and crime for individuals and neighbourhoods. The motions seek to improve coordination between agencies involved in property regulation and licensing enforcement through the development of a centralized database, and the establishment of Problem Property Teams.

Central Database

A central database would enable consistent information to be shared and facilitate coordinated, systemic responses between all relevant enforcement agencies. Often authorities are not aware that other enforcement agencies have recorded infractions or laid fines on a particular property. For example, a bar may have Fire Code violations and Public Health infractions in addition to Liquor Licence offences. Properties with repeat and multiple violations may have a negative impact on their local neighbourhood. Shared information would allow for improved identification of “problem properties” and direct the level and type of enforcement response needed in each case. A model database system does exist for this type of information sharing and coordination. The Toronto Police Service uses such a system to share information about marijuana grow operations with Municipal Licensing and Standards, Toronto Public Health and other enforcement bodies.

Problem Property Teams

Problem Property Teams address property regulation and licensing issues in a comprehensive and coordinated way. Team members include Municipal Licensing and Standards (MLS), Toronto Public Health, Toronto Fire Services, the Toronto Police Service, and the Alcohol and Gaming Commission of Ontario (AGCO). The City of Toronto did have Problem Property Teams at one time, one for each of the four quadrants of the city. The Teams were led through MLS and funded by the provincial government. However, the teams were disbanded when the Province withdrew funding. There are some ‘ad hoc’ committees set up by City Councillors to deal with problem properties in their wards. However, given that these issues are city-wide, re-establishing centralized Problem Property Teams would be a more strategic and responsive use of resources.

Background Information

Coordinated Enforcement of Problem Properties

(<http://www.toronto.ca/legdocs/mmis/2007/ls/bgrd/backgroundfile-3220.pdf>)

LS4.5	ACTION			
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Licensed Entertainment Facilities

Deferred from March 30, 2007 meeting.

(March 30, 2007) letter from Councillor Adam Vaughan

Summary

To ask that the Licensing and Standards Committee request two reports from city staff with respect to licensed entertainment facilities, including planning mechanisms that can be used to allow for long-term moratoriums and appropriate density thresholds for number of facilities in any one area.

Background Information

Licensed Entertainment Facilities

<http://www.toronto.ca/legdocs/mmis/2007/ls/bgrd/backgroundfile-3222.pdf>

LS4.6	ACTION			
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Barrier Free Access By-law

(April 20, 2007) Member Motion from Councillor Frances Nunziata

Recommendations

1. City Council direct the Executive Director of Municipal Licensing and Standards, in consultation with the City Solicitor, to undertake the detailed review necessary to determine if the City should and can enact a by-law to require the retrofitting of existing buildings with amenities to facilitate accessibility, and to report back to the Licensing and Standards Committee.

Summary

The City of Toronto Act, 2006 may provide the City of Toronto with additional authority to pass by-laws related to barrier free access to buildings for persons with physical or sensory disabilities.

With respect to an existing building, Chapter 629, Property Standards, would require the maintenance of any ramp or other installation, but it does not have the authority to require the installation of any new amenities. With respect to new construction or in cases where there is significant renovation, the Ontario Building Code (O.B.C.) provides for barrier free requirements, however these provisions do not apply to existing buildings.

The City's authority under the City of Toronto Act, 2006 to adopt a by-law requiring existing buildings to provide barrier free access has been reviewed briefly by Legal Services; however a

detailed policy analysis and legal review of any proposed by-law would be necessary to decisively answer this question.

Background Information

Barrier Free Access By-law

(<http://www.toronto.ca/legdocs/mmis/2007/ls/bgrd/backgroundfile-3221.pdf>)