

## Licensing and Standards Committee

<b>Meeting No.</b> 2	<b>Contact</b> Mary Carroll, Committee Administrator
<b>Meeting Date</b> Friday, February 16, 2007	<b>Phone</b> 416-392-7822
<b>Start Time</b> 9:30 AM	<b>E-mail</b> mcarrol@toronto.ca
<b>Location</b> Committee Room 1, City Hall	

### Attendance

Members of the Licensing and Standards Committee were present for some or all of the time periods indicated under the section headed "Meeting Sessions", which appears at the end of the Minutes.

Councillor Howard Moscoe (Chair)	X
Councillor Denzil Minnan-Wong (Vice Chair)	X
Councillor Sandra Bussin	R
Councillor Mike Del Grande	X
Councillor Rob Ford	X
Councillor Anthony Perruzza	X

### Confirmation of Minutes

On motion by Councillor Minnan-Wong, the Minutes of the meeting of the Licensing and Standards Committee held on January 19, 2007, were confirmed.

<b>LS2.1</b>	ACTION	Adopted	Transactional	Wards: All
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### Enhanced Property Standards for Designated Heritage Buildings

(January 17, 2007) report from Executive Director, Municipal Licensing and Standards, and Chief Planner and Executive Director, City Planning Division

### Recommendations

The City Planning Division and Municipal Licensing and Standards Division recommended that:

1. City Council:

- a. prescribe minimum standards for the maintenance of the heritage attributes of property designated under Part IV (Individual Designation) or Part V (Heritage Conservation Districts) of the Ontario Heritage Act, as listed in Attachment 1; and
  - b. require designated properties that do not comply with the standards to be repaired and maintained to conform with the standards;
2. Municipal Code Chapter 629, Property Standards, be amended to include the heritage property standards listed in Attachment 1;
  3. the Executive Director, Municipal Licensing and Standards, be directed to implement and enforce the amended property standards relating to designated heritage properties, with the assistance of the City Planning Division staff;
  4. the Executive Director, Municipal Licensing and Standards, in consultation with the City Solicitor, be directed to report to the Licensing and Standards Committee on the use of the City's powers under the City of Toronto Act to effect the immediate repair of deficiencies which could contribute to deterioration in the structural integrity of a designated heritage building;
  5. the Executive Director, Municipal Licensing and Standards, and the Chief Planner and Executive Director, City Planning Division, be directed to report in one year to the Licensing and Standards Committee on any additional staff resources needed to effectively enforce the enhanced heritage property standards; and
  6. the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction of any necessary bills.

### **Financial Impact**

These recommendations will have no financial impact beyond what has already been approved in the current year's budget.

### **Summary**

Recent revisions to the Ontario Heritage Act (the Act) permit Council to implement Heritage Property Standards to protect the heritage attributes of properties designated under the Act. Existing property standards apply to all buildings, however, this tool could give additional protection against the loss of heritage features on designated buildings through neglect and ensure repairs that are made maintain the heritage character of the building. Staff recommend that Council amend the existing Property Standards by-law to include enhanced property standards for heritage properties. These enhancements are in the areas of appearance and maintenance of heritage attributes.

Municipal Licensing and Standards (Investigations) and City Planning (Heritage Preservation Services) staff will work together within the existing property standards enforcement system to identify and protect the heritage attributes of designated buildings. The right of an owner to delay repairs during appeals of orders issued in the current system can frustrate the City's attempts to require owners to maintain property. Staff recommend a further report on the City's

power, under the City of Toronto Act, to carry out emergency repairs to protect the structural integrity of heritage property. The use of the City's ability to prosecute an owner who, inadvertently or willingly neglects a heritage building which, as a result, requires demolition without the consent of Council, is discussed.

Limited staff resources to perform investigations and appear at appeal hearings could diminish the effectiveness of heritage property standards.

### **Background Information**

Jt Rpt 2007-01-17 Enhanced Property Standards for Designated Heritage Buildings

(<http://www.toronto.ca/legdocs/mmis/2007/ls/bgrd/backgroundfile-1524.pdf>)

Planning Heritage Report - Attachment 1

(<http://www.toronto.ca/legdocs/mmis/2007/ls/bgrd/backgroundfile-1126.pdf>)

### **Committee Recommendations**

On motion by Councillor Moscoe, the Licensing and Standards Committee recommended that:

1. City Council:
  - a. prescribe minimum standards for the maintenance of the heritage attributes of property designated under Part IV (Individual Designation) or Part V (Heritage Conservation Districts) of the Ontario Heritage Act, as listed in Attachment 1; and
  - b. require designated properties that do not comply with the standards to be repaired and maintained to conform with the standards;
2. Municipal Code Chapter 629, Property Standards, be amended to include the heritage property standards listed in Attachment 1;
3. the Executive Director, Municipal Licensing and Standards, be directed to implement and enforce the amended property standards relating to designated heritage properties, with the assistance of the City Planning Division staff;
4. the Executive Director, Municipal Licensing and Standards, in consultation with the City Solicitor, be directed to report to the Licensing and Standards Committee on the use of the City's powers under the City of Toronto Act to effect the immediate repair of deficiencies which could contribute to deterioration in the structural integrity of a designated heritage building;
5. the Executive Director, Municipal Licensing and Standards, and the Chief Planner and Executive Director, City Planning Division, be directed to report in one year to the Licensing and Standards Committee on any additional staff resources needed to effectively enforce the enhanced heritage property standards; and
6. the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction of any necessary bills.

Carried, with Councillor Ford voting in the Negative.

## Decision Advice and Other Information

Councillor Ford moved that the staff report be received, motion lost.

LS2.2	Information	Deferred	Transactional	Wards: All
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### Seizure of Motor Vehicles Involved in Prostitution Related Offences

(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.

#### Background Information

Rpt 2007-01-25 Seizure of Motor Vehicles Involved in Prostitution Related Offen.  
<http://www.toronto.ca/legdocs/mmis/2007/ls/bgrd/backgroundfile-1525.pdf>

### 2a 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

Letter (February 14, 2007) from Councillor Frances Nunziata  
(<http://www.toronto.ca/legdocs/mmis/2007/ls/bgrd/backgroundfile-1642.pdf>)

Councillor Nunziata was also in attendance.

### Decision Advice and Other Information

On motion by Councillor Del Grande, the Licensing and Standards Committee:

1. deferred this matter to its March 30, 2007 meeting; and
2. directed the City Solicitor to report to its March 30, 2007 meeting on the current legislation in effect in the Alberta regarding the seizure of motor vehicles involved in prostitution related offences.

LS2.3	Information	Noted/Filed	Transactional	Wards: All
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### Taxicab Driver Protective Shield Program

(August 2, 2006) letter from City Council

#### Summary

City Council on July 25, 26 and 27, 2006, referred to the first meeting of the new Licensing and Standards Committee in 2007, the report (June 19, 2006) from the Executive Director, Municipal Licensing and Standards, entitled "Taxicab Driver Protective Shield Program", and recommending that:

1. the Executive Director of Municipal Licensing and Standards Division conduct a feasibility study regarding a mandatory taxi shield program and report to Planning and Transportation Committee by March 2007; and
2. the Executive Director of Municipal Licensing and Standards Division undertake an independent, statistically valid survey of Toronto citizens who are taxicab users to determine their views on the implementation of a mandatory taxi cab shield program.

### Background Information

June 19, 2006 Staff Report  
(<http://www.toronto.ca/legdocs/mmis/2007/ls/bgrd/backgroundfile-1610.pdf>)  
Taxicab Driver Protective Shield Program - Letter from Council  
(<http://www.toronto.ca/legdocs/mmis/2007/ls/bgrd/backgroundfile-1565.pdf>)

## Communications

- (February 12, 2007) letter from John McIntyre, Taxicab Benefits Association - LSMMain
- (February 13, 2007) Report from Louis M. Seta - LSMMain
- (February 16, 2007) Report from Gerald H. Manley - LSMMain
- (February 16, 2007) letter from Ian Allanby - LSMMain

### 3a Taxicab Driver Protective Shield Program

(February 15, 2007) letter from Councillor Janet Davis

#### Summary

Recommending that the recommendations in the staff report dated June 19, 2006, from the Executive Director, Municipal Licensing and Standards, be deleted and replaced with the following:

It is recommended that:

1. the Executive Director of Municipal Licensing and Standards Division conduct a poll of all persons who hold a taxi-driver license, an ambassador licence or who are owner-operators in the City of Toronto to determine if the majority of drivers support a mandatory protective shield program, such a poll to be conducted as part of the regular license-renewal process;
2. the Executive Director of Municipal Licensing and Standards Division report back to the Licensing and Standards Committee no later than May 2008, with the results of the poll; and
3. if the results of the above-mentioned poll show that a majority of respondents are in favour of a mandatory shield program, the Executive Director of Municipal Licensing and Standards will include in the same report:
  - a. options for financing the installation of protective shields through a taxi fare surcharge or other viable financing options without direct costs to the City of Toronto; and
  - b. recommendations for a process to establish standards for protective taxi shields.

#### Speakers

Mr. Gerald Manley

Martin Silva

Steve Okopny

Aldo Marchese, Independent Cab Owners' Association

Mike Tranquada, President, Independent Toronto Taxi, and filed a submission

Stephen Hozack Jr.

Ahmet Gulkan

Ervin S Shaw

Jim Bell

Councillor Davis

### Decision Advice and Other Information

A motion by Councillor Ford that the following late registrants each be allowed 5 minutes to speak, was lost.

A motion by Councillor Perruzza that they each be allowed 2 minutes to speak, was carried.

Stephen Hozack, Jr.  
Ahmet Gulkan  
Ervin S. Shaw  
Jim Bell

On motion by Councillor Minnan-Wong, the Licensing and Standards Committee:

1. noted and filed the following agenda items:
  - LS2.3 Report (June 19, 2007) from the Executive Director, Municipal Licensing and Standards to the Planning and Transportation Committee; and
  - LS2.3a Communication (February 15, 2007) from Councillor Janet Davis;
2. directed that at an appropriate time the Executive Director, Municipal Licensing and Standards, undertake a review on:
  - a. the issue of prepayment of fares as a deterrent to crime against taxi drivers, and on how this could be introduced, if City Council endorses this concept; and
  - b. the feasibility of implementing the “safe taxi” product as presented in Martin Silva’s submission. (Councillor Moscoe)

A motion by Councillor Moscoe that the Licensing and Standards Committee recommend that City Council approve an appropriate question being placed on the Taxi Driver Renewal form, to determine support for a mandatory protective shield program, was not put.

LS2.4	Information	Referred	Transactional	Wards: All
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### Truck Billboard Advertising

(October 6, 2006) letter from City Council

### Summary

City Council on September 25, 26 and 27, 2006, referred to the Licensing and Standards Committee motion J(11) by Councillor Joe Mihevc, seconded by Councillor Kyle Rae, requesting that:

". . . City Council request the City Solicitor to develop a by-law banning the operation of vehicles used for the sole purpose of advertising, modelled after similar by-laws in Vancouver and Montreal; and that a draft by-law, with a supporting staff report, be forwarded to Council for consideration in the winter of 2007, through the Licensing and Standards Committee."

### **Background Information**

Ltr 2006-10-06 Truck Billboard Advertising

(<http://www.toronto.ca/legdocs/mmis/2007/ls/bgrd/backgroundfile-1553.pdf>)

### **Communications**

(February 13, 2007) e-mail from Corinne Alstrom - LSMMain

(February 13, 2007) e-mail from Erin Wood - LSMMain

(February 13, 2007) e-mail from Krista Dalby - LSMMain

(February 14, 2007) e-mail from Alice Barton - LSMMain

(February 14, 2007) e-mail from Josh Hilbert - LSMMain

(February 14, 2007) e-mail from Sara Pickett - LSMMain

### **Decision Advice and Other Information**

On motion by Councillor Moscoe, the Licensing and Standards Committee:

1. endorsed in principle a by-law banning the operation of vehicles used for the sole purpose of advertising, modelled after similar by-laws in Vancouver and Montreal; and directed the City Solicitor to develop a draft by-law, with a supporting staff report, to be forwarded to Council for consideration in the winter of 2007, through the Licensing and Standards Committee; and
2. directed the Executive Director, Municipal Licensing and Standards, to report to the Licensing and Standards Committee on the related matter of trucks and tractor trailers used by strip plazas and other commercial properties for the sole purpose of circumventing the sign by-law, to determine how they can also be prohibited.

LS2.5	ACTION	Adopted	Transactional	Wards: All
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### **Interpretation of the Sign By-law: Video Equipped Signs at Drive-Through Locations**

(October 12, 2006) letter from North York Community Council



## Summary

The North York Community Council on September 13, 2006, referred to the Licensing and Standards Committee a motion by Councillor Howard Moscoe requesting that:

" . . . the interpretation of the sign by-law with respect to video equipped signs within drive-through locations be referred to the Licensing and Standards Committee, or the appropriate successor Committee dealing with these matters, for its consideration."

## Background Information

Ltr 2006-10-12 Sign By-Law Inter.: Video Equipped Signs at Drive Through Loc.  
(<http://www.toronto.ca/legdocs/mmis/2007/ls/bgrd/backgroundfile-1528.pdf>)

## Committee Recommendations

On motion by Councillor Moscoe, the Licensing and Standards Committee recommends to City Council that video signs at drive-through locations that are directed at stationary vehicles on site, if they cannot be viewed from the street, be permitted.

## Decision Advice and Other Information

The Licensing and Standards Committee requested staff to report directly to the March 5, 2007 meeting of City council, on whether applications have been received from gas service stations, for a permit to install video signs at gas pumps.

LS2.6	Information	Referred	Transactional	Wards: All
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## Strategy and Process to deal with Business Licenses When Night Clubs Frequently Break City By-laws

(February 5, 2007) letter from Councillor Adam Vaughan, (Ward 20 - Trinity Spadina)

## Summary

Suggesting that the City should create a process to regulate and deal with businesses that routinely break City building codes, safety standards and nuisance by-laws, by creating a system that quickly and effectively pulls business licences from operators who fail to operate within agreed to boundaries; and requesting that staff from Municipal Licensing and Standards, Legal, Building and the Toronto Police Service, report on a strategy and process to deal with revoking the business licences of night clubs that frequently violate City by-laws.

## Background Information

(February 5, 2007) letter from Councillor Adam Vaughan  
(<http://www.toronto.ca/legdocs/mmis/2007/ls/bgrd/backgroundfile-1730.pdf>)

## Decision Advice and Other Information

On motion by Councillor Moscoe, the Licensing and Standards Committee referred this matter to the Executive Director, Municipal Licensing and Standards, to meet with Councillor Vaughan to clarify the remedies being sought in order to address the concerns in his communication.

LS2.7	Information	Referred	Transactional	Wards: All
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## Airport Taxis

(February 15, 2007) letter from Councillor Howard Moscoe (Ward 15 - Eglinton-Lawrence)

### Summary

In 1978, the Government of Ontario enacted amendments to the Municipal Act, which enabled taxis and limousines, then licensed by Transport Canada to pick up fares in the City of Toronto going to the Airport, notwithstanding the fact that they were not licensed by the City of Toronto. Transport Canada was succeeded by the Greater Toronto Airport Authority and the regulations which permit airport cabs to pick up in Toronto, Government Airport Concession Operations Regulation (GACOR) permits continued. Years later, this legislation was incorporated into Chapter 545 of the Toronto Municipal Code. On January 1, 2007 the Province of Ontario proclaimed the new City of Toronto Act making Toronto exempt from the previous restrictions to the affect that the Greater Toronto Airport Authority (GTAA) taxis and limousines can no longer pick up fares in the City of Toronto. This change was made at the request of the City of Toronto which has always felt an obligation to protect the taxis and limousines it licenses from transportation providers, including GTAA licensed taxis and limousines, that are illegally picking up fares in the City of Toronto. As requested by the Licensing and Standards Committee at its last meeting, staff will be reporting on this at the March meeting, but to leave no question of the issue under consideration, I am tabling this motion to ensure that the appropriate public notice can be given.

### Background Information

February 15, 2007 letter from Councillor Howard Moscoe  
<http://www.toronto.ca/legdocs/mmis/2007/ls/bgrd/backgroundfile-1731.pdf>

### Decision Advice and Other Information

On motion by Councillor Moscoe, the Licensing and Standards Committee referred this matter for consideration at its March 30, 2007 meeting and directed the City Clerk to give appropriate notice under Ch.162 of the Municipal Code, Public Notice, that the Committee will also be considering the following amendments:

Notice of Motion by Councillor Moscoe

That Toronto Municipal Code, Chapter 545-2, Licence requirement, is hereby amended by:

1. Removing from Subsection B(1) the following wording “...*except where such conveyance is made to an airport owned and operated by the Crown in right of Canada*”

*situated outside the municipality by a cab rearing a valid and subsisting plate issued in respect of such airport under the Government Airport Concession Operators Regulations made under the Department of Transport Act (Canada)”;*

2. Adding a new Subsection as follows:
  - a. No taxicab or delivery vehicle licensed by the City of Toronto be permitted to carry any additional license or permit issued by another jurisdiction, and no Toronto license or permit will be allowed to be affixed to a vehicle already carrying a license or permit issued by another jurisdiction;
  - b. Notwithstanding (a) taxis currently licensed by the City of Toronto that are in possession of a valid GACOR (Government Airport Concession Operators Regulation) permit prior to January 1, 2007 shall be grandfathered and the appropriate wording be included in the Toronto Municipal Code, Chapter 545; and
  - c. that the City Clerk give appropriate notice as required under Chapter 162 of the Municipal Code, Public Notice.

### Meeting Sessions

Session Date	Session Type	Start Time	End Time	Public or Closed Session
2007-02-16	Morning	9:30 AM	11:45 AM	Public

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Chair