

Licensing and Standards Committee

Meeting No.	4	Contact	Helen Smith, Manager, Community Council and Committees
Meeting Date	Friday, May 4, 2007	Phone	416-392-0146
Start Time	9:30 AM	E-mail	hsmith@toronto.ca
Location	Committee Room 1, City Hall		

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LS4.3	NO AMENDMENT			
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Seizure of Motor Vehicles Involved in Prostitution Related Offences

City Council Decision

City Council on May 23, 24 and 25, 2007, adopted the following motion:

1. That City Council request the Province of Ontario to enact legislation providing for the seizure of vehicles in prostitution related offences, similar to the legislation in Manitoba, Saskatchewan and Alberta.

(January 25, 2007) report from City Solicitor

Committee Recommendations

The Licensing and Standards Committee recommends that City Council request the Province of Ontario to enact legislation providing for the seizure of vehicles in prostitution related offences, similar to the legislation in Manitoba, Saskatchewan and Alberta.

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.

Speakers

Councillor Frances Nunziata

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	AMENDED			
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Coordinated Enforcement of Problem Properties

City Council Decision

City Council on May 23, 24 and 25, 2007, adopted the following motions:

1. 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 including City Councillors and community representatives to allow for broader input.
2. The City of Toronto, Municipal Licensing and Standards Division, work with the Province to develop a centralized database of information about complaints, by-law 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.

3. Revenue Canada officials be invited to participate in the Problem Property Teams as well.

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

Committee Recommendations

The Licensing and Standards Committee recommends that:

1. 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 including City Councillors and community representatives to allow for broader input; and
2. 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.

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>)

Speakers

Councillor Paula Fletcher
Councillor Gord Perks

Decision Advice and Other Information

The Licensing and Standards Committee requested that upon adoption of the Recommendations, the Executive Director, Municipal Licensing and Standards report to the Licensing and Standards Committee, in consultation with the City's Community Safety Secretariat staff, on models for local and divisional problem property teams and that:

- a. the report outline a criteria for a "problem property";
- b. Municipal Licensing and Standards staff consult with 3-1-1 staff as to the templates available for reporting processes that would assist with a common database; and
- c. the Executive Director, Municipal Licensing and Standards, in consultation with the City Solicitor, report on how the cost of Problem Property enforcement could be charged back to the problem property owners and added to the property tax bill for collection purposes and that the revenue from this proposal be used to finance the Problem Property Team initiative.

Submitted Friday, May 4, 2007

Councillor Howard Moscoe, Chair, Licensing and Standards Committee