

Licensing and Standards Committee

Meeting No.	12	Contact	Dela Ting, Acting Administrator
Meeting Date	Friday, April 11, 2008	Phone	416-397-7769
Start Time	9:30 AM	E-mail	lsc@toronto.ca
Location	Committee Room 1, City Hall		

Licensing and Standards Committee		
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: A complete list will be distributed at the meeting

Confirmation of Minutes: February 15, 2008

Communications/Reports

(Deferred from February 15, 2008 - 2008.LS11.1) (Deferred from November 30, 2007 - 2007.LS9.9)

LS12.1	ACTION			Ward: 17
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Ward 17 Pilot Project - Symington Place (1884 Davenport Road) and Pelham Park Gardens (61 Pelham Park Gardens)

(November 15, 2007) Report from Executive Director, Municipal Licensing and Standards

Financial Impact

This report will have **no** financial impact beyond what has already been approved in the current year's budget.

Summary

All the Notices and Orders issued as a result of the original inspections have been complied with by Toronto Community Housing Corporation (TCHC).

In October of 2007, a joint inspection of the properties with representatives of TCHC was conducted on the exterior and common areas to ascertain the current conditions of maintenance, repair and cleanliness.

It was noted that TCHC had initiated additional remedial work, which is in progress on matters such as brick repairs and carpets replacement.

However, deficiencies were identified for which orders have been issued.

The Municipal Licensing and Standards Division has no outstanding compliant files from tenants in the subject buildings however we continue to work with TCHC to resolve the matters that require attention.

Background Information

Staff Report from Executive Director, Municipal Licensing and Standards
<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-11356.pdf>

LS12.2	ACTION			Wards: All
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Greater MLS Enforcement - Student Residences

(February 12, 2008) Memo from Councillor Susan Hall, Ward 1 - North Etobicoke

Summary

Request that staff report on the feasibility of new measures to restrict conversions of existing residential homes for student housing.

Background Information

Councillor Susan Hall Memo

(<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-11892.pdf>)

LS12.3	ACTION			Wards: All
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Technical Amendments to Toronto Municipal Code Chapter 629, Property Standards

(March 25, 2008) Report from Executive Director, Municipal Licensing and Standards

Recommendations

The Executive Director, Municipal Licensing and Standards Division, recommends that:

1. Council adopt the proposed by-law amendments to Toronto Municipal Code Chapter 629, Property Standards, substantially in the form set out in Appendix A;
2. The City Solicitor be directed to prepare the necessary bill to give effect to any recommendations adopted by Council; and
3. City staff be authorized and directed to take any other action necessary to implement the by-law amendments.

Financial Impact

There are no financial implications as a result of the adoption of the recommendations contained within this report.

Summary

This report recommends the adoption of standards for guards, handrails, lighting levels and hot water temperature consistent with those currently found in the Building Code, as part of Municipal Code Chapter 629, Property Standards (the "By-law").

The Ontario Superior Court of Justice (SCJ) decision in *R. v. Rexlington Heights Ltd.* (9, 11, 25 & 27 Bergamot Avenue) in 2005, affects the City's ability to enforce sections of the Property Standards By-law that make reference to the Building Code for compliance standards. The Judge determined that a general reference to the Building Code for any specific item in the By-law, as is the case for guards and handrails, does not preclude consideration of the Code in its entirety. The Judge also found that the Building Code cannot be applied to pre-existing buildings (subject to certain exceptions, such as for material alterations or repairs). The sections of the By-law that are affected by this decision relate to guards, handrails and lighting levels (within all types of occupancy). The inclusion of these standards within the By-law will affectively sever reliance on the Building Code as it relates to the technical standards and specifics for compliance in regard to these sections.

The standards in the Building Code are considered to be the minimum level for health and safety as it relates to new construction. Under section 15.1 of the Building Code Act, 1992, the City has clear authority to adopt standards for maintenance and occupancy that apply to property (as defined) erected before or after the standard is established. As most of the proposed provisions are health and safety-related, the adoption of the amendments will convey the intent to apply the current minimum standards (based on the Building Code standards) to pre-existing buildings. The amendments will introduce a level of consistency within the standards as they are applied to all property, from development through to on-going maintenance. Also, these amendments will allow conditions within buildings that are identified as being sub-standard, to be brought into compliance.

The City Solicitor was consulted in the preparation of this report.

Background Information

Staff Report from Executive Director, Municipal Licensing and Standards

(<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-11893.pdf>)

Appendix A

(<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-11895.pdf>)

LS12.4	ACTION			Wards: All
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Sign By-law Enforcement

(March 20, 2008) Report from Chief Building Official/Executive Director, Toronto Building and Executive Director, Municipal Licensing and Standards

Recommendations

1. That the Licensing and Standards Committee receive this report and refer it to the Community Councils together with the respective Sign Investigation Lists attached to this report.

Financial Impact

There are no financial impacts associated with this report.

Summary

This report provides information respecting the status of sign by-law complaints, investigations and enforcement actions and outlines the roles of Toronto Building and Municipal Licensing and Standards related to enforcing the existing sign by-laws.

The sign permit process, including the way sign permits are issued and signs are inspected, as well as the system for receiving and investigating complaints of non-compliance have been reviewed and improved. All complaints are currently being investigated on an ongoing basis by Toronto Building and/or Municipal Licensing and Standards, and proactive enforcement action is taken where appropriate, including revocation of permits, issuing of Notices of Violation and/or Orders to Comply, and court action. The responsibilities for sign bylaw development, sign variance reports, and inspection/investigation of sign permits and complaints have been more clearly defined.

Toronto Building will be reporting later this year to the Planning and Growth Management Committee on the development of a new harmonized consolidated by-law for signs on private property. In the process of developing the new by-law, consideration will be given to the possible establishment of a billboard tax and the need for increases in permit fees to cover the administration and enforcement of the sign by-law in order to ensure there is sufficient staff to do the necessary inspections and to preserve the integrity of the by-law and permit system in the future.

Background Information

Staff Report from Chief Building Official/Executive Director, Toronto Building and Executive Director, Municipal Licensing and Standards

<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-11914.pdf>

Attachment 1A

<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-11896.pdf>

Attachment 1B

<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-11897.pdf>

Attachment 2A

<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-11898.pdf>

Attachment 2B

<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-11899.pdf>

Attachment 3A

<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-11900.pdf>

Attachment 3B

<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-11901.pdf>

4a Licensing and Standards Committee Item 8.5 - Council Action

(November 26, 2007) Letter from City Council

Summary

City Council on November 19 and 20, 2007, adopted this Item, as amended, and in so doing, requested that the Licensing and Standards Committee refer the forthcoming report from the Chief Building Official/Executive Director and the Executive Director, Municipal Licensing and Standards, to the Community Councils with respect to ongoing inspection enforcement activities in their respective areas.

Background Information

City Council Letter

(<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-11904.pdf>)

LS12.5	ACTION			Wards: All
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Interpretation of Section 110 of the City of Toronto Act, 2006, with respect to the Regulation of Billboard Signs

Confidential Attachment - The receiving of advice that is subject to solicitor-client privilege

(March 27, 2008) Report from City Solicitor

Recommendations

The City Solicitor recommends that:

1. Council direct that confidential attachment 1 remains confidential indefinitely as it contains advice that is subject to solicitor-client privilege.

Financial Impact

There are no financial implications resulting from the adoption of this report.

Summary

This report is to provide solicitor – client advice concerning the interpretation of Section 110(1) of the City of Toronto Act, 2006 with respect to third-party advertising copy on first-party signs.

Background Information

Staff Report from City Solicitor

(<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-11908.pdf>)

Confidential Attachment LS12.5

LS12.6	ACTION			Wards: All
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Illegal Posting of Third Party Signage on Utility Poles, Traffic Signs & City Property

(March 27, 2008) Memo from Councillor Mike Del Grande, Ward 39 - Scarborough - Agincourt

Summary

Requesting that the Director of Municipal Licensing and Standards report back to the Committee at its next meeting on May 9, 2008 about the number of charges and fines that have been levied on those people who post illegal signs.

Background Information

Councillor Mike Del Grande Memo

<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-11902.pdf>

LS12.7	ACTION			Wards: All
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Tow Truck License Application Refunds

(April 3, 2008) Memo from Councillor Moscoe, Ward 15 - Eglinton-Lawrence

Summary

Policy with respect to the license application refunds.

Background Information

Memo from Councillor Howard Moscoe, Ward 15 - Eglinton-Lawrence

<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-11918.pdf>

Attachment 1

<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-11919.pdf>

Attachment 2

<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-11920.pdf>

Attachment 3

<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-11921.pdf>