

## **Licensing and Standards Committee**

<b>Meeting No.</b>	15	<b>Contact</b>	Dela Ting, Acting Administrator
<b>Meeting Date</b>	Thursday, July 3, 2008	<b>Phone</b>	416-397-7769
<b>Start Time</b>	9:30 AM	<b>E-mail</b>	lsc@toronto.ca
<b>Location</b>	Committee Room 1, City Hall		

---

*The Decision Document is for preliminary reference purposes only. Please refer to the Committee's Report to City Council or to the Minutes for the official record.*

### ***How to Read the Decision Document:***

- *Recommendations of the Committee to City Council appear after the item heading*
- *Any amendments by Committee to recommendations appearing in a staff report are italicized.*
- *Other action taken by the Committee on its own authority, which does not require Council's approval, is listed in the decision document under the heading "Decision Advice and Other Information".*
- *Declarations of Interest, if any, appear at the end of an item.*

### ***Minutes Confirmed – June 6, 2008***

<b>LS15.1</b>	<b>ACTION</b>	Adopted		Wards: All
---------------	---------------	---------	--	------------

### **Amendments to Municipal Code Respecting Dangerous Trees, Standards to Limit Entry to Vacant Buildings and Fencing of Hazardous Land Under the City Of Toronto Act, 2006.**

(June 17, 2008) Report from City Solicitor, Executive Director, Municipal Licensing and Standards

### **Committee Recommendations**

The Licensing and Standards Committee recommends that:

- (1) City Council amend the Municipal Code, under the authority of the City of Toronto Act, 2006, to permit the City to remedy certain unsafe or potentially unsafe conditions by:

- (a) amending Chapter 813, Trees, to require owners or persons in charge of any premises to remove decayed, damaged or dangerous trees or branches that pose a danger to persons or property as described in section 105.1 of the City of Toronto Act, 2006;
  - (b) re-enacting the standards to protect against entry into vacant buildings, as defined in the Building Code Act, 1992 and set out in Chapter 629, Property Standards, in a new or other Municipal Code Chapter;
  - (c) requiring fencing of hazardous land;
  - (d) providing for rights of entry, notice, remedial action and adding costs incurred to the tax roll in accordance with section 105.1 of the City of Toronto Act, 2006 and otherwise in accordance with the general provisions pertaining to rights of entry (section 376), remedial action and addition of costs to the tax roll (section 386) as necessary to deal with unsafe and potentially unsafe conditions.
- (2) City Council authorize the City Solicitor to introduce the necessary Bills amending the Municipal Code in accordance with Recommendation (1).
  - (3) City Council repeal former City of Toronto Municipal Code, Chapter 331, Trees, Article II Dangerous Trees; and
  - (4) City Council amend Municipal Code Chapter, 629, Property Standards, as necessary.

### **Financial Impact**

The recommendations will enable City Divisions to recover certain remediation costs for specific types of emergency work more effectively than at present where it is more difficult to recover for the reasons set out in this report and, in particular, by the current need to utilize legal resources in court applications for, in many cases, relatively small sums of money. While the City would lose the benefit of priority lien status for certain work, it would still be able to add such expenses to the tax roll. Overall, the financial implications are minimal and the City will be in a better position to recover some of its remediation costs more efficiently.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact statement.

### **Summary**

This report proposes amendments to the Municipal Code respecting dangerous trees and dangers posed by vacant buildings and hazardous land under the City of Toronto Act, 2006. These amendments would permit the City to remedy certain unsafe or potentially unsafe conditions and to recover its expenses of doing so in a manner that is more expeditious and less costly than under the procedures that apply to the enforcement and recovery of expenses in respect of Emergency Orders under the provisions of the Building Code Act, 1992.

## Background Information

Staff Report from City Solicitor and Executive Director, Municipal Licensing and Standards  
<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-14296.pdf>

LS15.2	ACTION	Amended		Wards: All
--------	--------	---------	--	------------

## Fence Sight Lines

(June 16, 2008) Report from Executive Director, Municipal Licensing and Standards

## Committee Recommendations

The Licensing and Standards Committee recommends to City Council that:

1. The amendments to Toronto Municipal Code Chapter 447, Fences be adopted substantially in the form set out in Appendix “A”, subject to such minor stylistic and substantive changes as may be deemed necessary or appropriate by the Executive Director of Municipal Licensing and Standards or the City Solicitor.
2. *The By-law be further amended so that it shall not be permitted to allow any vegetation to grow or object to be placed in such a way as to obstruct the view through an open-construction fence that is within 2.4 metres of a lot line and a driveway.*
3. Municipal Licensing and Standards develop and make available information materials for the general public, as deemed necessary; and
4. Staff be directed to take any necessary actions to implement and otherwise put into effect the above recommendations.

## Financial Impact

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

## Summary

One of the fundamental aims behind fence height restrictions is to ensure that sight lines are not obstructed so as to create hazards for both pedestrian and vehicular traffic.

Staff reviewed the City’s current fence provisions and identified a number of amendments that would make the By-law clearer and would tighten restrictions around driveways, where most sight line issues occur. In particular, the proposed amendments would require that any fence within 2.4 metres of any driveway be of chain-link or equivalent open-fence construction for at least 2.4 metres from the lot line at which the driveway begins. This would ensure a clear view for anyone reversing a motor vehicle from a driveway.

Some related and incidental amendments are also proposed, including the expansion of the

meaning of fence, as used in the By-law, and the inclusion of a definition for driveway.

The proposed amendments would apply to new fences and those that are replaced.

This report was prepared in consultation with the City Solicitor.

### Background Information

Staff Report from Executive Director, Municipal Licensing and Standards  
<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-14297.pdf>

LS15.3	ACTION	Amended		Ward: 44
--------	--------	---------	--	----------

### Amendment to Toronto Municipal Code 545, Licensing, Areas Where Driving Instructions Prohibited

#### *Public Notice*

(June 18, 2008) Report from Executive Director, Municipal Licensing and Standards

### Committee Recommendations

The Licensing and Standards Committee recommends that:

1. City Council amend Toronto Municipal Code, Chapter 545, Licensing, Section 545-15(5) by repealing the words “on the north by Finch Avenue East, on the west by Neilson Road, on the south by Ellesmere Road, and on the east by Meadowvale Road” and replacing them with “on the west by Meadowvale Road, on the east by the Municipal Boundary, on the north by Finch Avenue East, and on the south by Lawrence Avenue East”.
2. ***City Council require that all licensed driving schools in Toronto be notified and that municipalities, adjacent to Toronto within the vicinity of the prohibited area, be requested to notify their licensed driving schools as well; and***
3. City Council direct the City Solicitor to prepare the necessary bill to give effect to these recommendations.

### Financial Impact

The recommendations will have no financial impact beyond what has already been approved in the current year’s operating budget.

### Summary

DriveTest, the provincially licensed operators of Ontario’s Driver Examination Centres, formerly managed by the Ontario Ministry of Transportation and now operated by Serco DES Inc. under a ten year licence agreement with Ministry, recently relocated a driver examination

centre from Morningside Road and Highway 401 to 91 Rylander Blvd.

As a result of this relocation the current boundary of the area restricted for the provision of driving instruction found in the City of Toronto Municipal Code, Chapter 545, Licensing, which reads "...the area bounded on the north by Finch Avenue East, on the West by Neilson Road, on the south by Ellesmere Road, and on the east by Meadowvale Road..." no longer coincides with the current driver examination area. Therefore, an amendment to the City of Toronto Municipal Code, Chapter 545, Licensing, is being recommended to create a restricted area surrounding the new driver examination centre.

### **Background Information**

Staff Report from Executive Director, Municipal Licensing and Standards  
(<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-14298.pdf>)

<b>LS15.4</b>	Information	Withdrawn		Wards: All
---------------	-------------	-----------	--	------------

### **History of Ground Transportation at Lester B. Pearson Airport and the Airport Exemption Issue**

(June 19, 2008) Report from Executive Director, Municipal Licensing and Standards

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

Item LS15.4 was withdrawn at the request of staff and therefore not considered by the Licensing and Standards Committee.

### **Financial Impact**

There are no financial impacts arising from this report beyond what has already been approved in the current year's budget.

### **Summary**

The purpose of this report is to provide additional information to the Licensing and Standards Committee regarding the history of taxicab and limousine regulation as it relates to Toronto's Lester B. Pearson International Airport and the Greater Toronto Airport Authority (GTAA).

### **Background Information**

Staff Report from Executive Director, Municipal Licensing and Standards  
(<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-14299.pdf>)

LS15.5	ACTION	Referred		Wards: All
--------	--------	----------	--	------------

### **GPS Units in Taxi Cabs**

(June 20, 2008) Memo from Councillor Norm Kelly, Ward 40 - Scarborough-Agincourt

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

The Licensing and Standards Committee referred the memo (June 20, 2008) from Councillor Norm Kelly to the Executive Director, Municipal Licensing and Standards for consideration and consultation with the taxi industry and report back to the Licensing and Standards Committee.

#### **Summary**

Request for the mandatory installation of GPS (Global Positioning Systems) in all cabs licensed by the City of Toronto.

#### **Background Information**

Memo from Councillor Norm Kelly - Ward 40 Scarborough-Agincourt  
<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-14300.pdf>

LS15.6	ACTION	Referred		Wards: All
--------	--------	----------	--	------------

### **Request for Regulation of Operating Hours for 24-Hour Businesses**

(June 26, 2008) Memo from Councillor Frances Nunziata, Ward 11 - York South - Weston

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

The Licensing and Standards Committee advised Councillor Frances Nunziata to clarify and address issues raised in her memo (June 26, 2008), addressed to the Licensing and Standards Committee, with the Executive Director, Municipal Licensing and Standards to better examine options the City of Toronto has to regulate the operating hours of 24-hour business establishments.

#### **Summary**

Request of City Solicitor and Executive Director Municipal Licensing and Standards to provide options that the City has to regulate the operating hours of 24-hour business establishments.

#### **Background Information**

Memo from Councillor Frances Nunziata Ward 11 - York South - Weston  
<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-14542.pdf>

<b>LS15.7</b>	<b>ACTION</b>	Adopted		Wards: All
---------------	---------------	---------	--	------------

### **Public Washrooms in Retail Stores**

(July 2, 2008) Memo from Councillor Howard Moscoe, Ward 15 - Eglinton - Lawrence

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

The Licensing and Standards Committee requested the Executive Director, Municipal Licensing and Standards to:

1. draft an amendment to the City of Toronto Property Standards By-law that:
  - (a) will enable Municipal Licensing and Standards inspectors to enforce the Building Code requirements for mercantile occupancies to provide washrooms to which customers have access;
  - (b) include requirements for open customer access and appropriate signage; and
  - (c) allow for no more than six months for compliance.
2. table the matter for a statutory public hearing at the October 15, 2008 Licensing and Standards Committee meeting; and
3. consult with the Chief Building Official and the Medical Officer of Health.

#### **Summary**

Request for amendment to Property Standards By-law to enforce Building Code requirements for public washrooms in Mercantile Occupancies.

#### **Background Information**

Memo from Councillor Howard Moscoe, Ward 15 - Eglinton - Lawrence  
<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-14564.pdf>

<b>LS15.8</b>	<b>ACTION</b>	Withdrawn		Wards: All
---------------	---------------	-----------	--	------------

### **Request for Temporary Event Licenses for Limousines**

(July 2, 2008) Letter from Councillor Karen Stintz, Ward 16 - Eglinton - Lawrence

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

The Chair ruled Item LS15.8 out of order for the following reasons:

1. the parties involved and named in the letter (July 2, 2008) from Councillor Karen Stintz

are in court action with the City of Toronto; and

2. the matter to be considered would require an extensive public hearing which could not happen in time for the Toronto Film Festival.

This item was therefore not considered.

### **Summary**

Request for Municipal Licensing and Standards staff to meet the increased demands for vehicles during the Toronto Film Festival and other signature City events.

### **Background Information**

Letter from Councillor Karen Stintz, Ward 16 Eglinton - Lawrence  
(<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-14543.pdf>)

### **Meeting Sessions**

Session Date	Session Type	Start Time	End Time	Public or Closed Session
2008-07-03	Morning	9:35 AM	10:15 AM	Public