TORONTO
Councillor Stephen Holyday
Ward 3 Etobicoke Centre

Councillor Cesar Palacio
Chair, Licensing and Standards Committee
100 Queen Street West
M5H 2N2

October 11, 2016

Dear Chair and Members of the Committee,

Any homeowner who has been a casualty of a questionable bylaw complaint lodged against them knows that the weight of an investigation or an enforcement action impacts their entire household. There are many examples where one complaint blossoms into a long list involving neighbouring properties identified in the heat of the moment without consideration of the broader consequences.

A recent case in Ward 3 involved a cluster of 18 neighbouring houses with 47 investigation requests over the summer of 2016, many for questionable minor infractions such as long grass and weeds, property standards and fence configurations.

Regrettably the root cause of these complaint clusters often reveals itself to be the result of neighbour to neighbour disputes, where the city bylaw investigation system has been misappropriated by quarrelling parties as a retaliatory tool.

These situations represent a significant draw on precious city resources, cause tremendous social damage within a community, and lead to personal stress and expense of homeowners whether or not directly involved. While health and safety concerns will continue to be a priority of city bylaw enforcement, the propagation of runaway complaint clusters needs to stop.

Modifications to the current process could allow bylaw enforcement officers opportunity to pause enforcement on certain complaints in favour of permitting a community mediation solution as an intermediate step, treating the cause rather than the symptom of the conflict. The recommended motion submitted to the committee requests that city staff report back on possible improvements to the current process which would permit alternate dispute resolution to become part of the solution during the investigation and enforcement process.

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Recommended Motion for the Licensing and Standards Committee:

Licensing and Standards Committee request the Executive Director, Municipal Licensing and Standards, to report back to Licensing and Standards Committee on the feasibility of implementing an alternate dispute resolution process as a mandatory requirement for certain types of neighbour disputes that arise over a municipal By-law contravention before any enforcement actions are initiated by Municipal Licensing & Standards Officers.

Yours sincerely,

Stephen Holyday
Councillor, Ward 3
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