

**City Council****Motion without Notice**

MM19.40	ACTION			Ward:All
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**Accountability and Consumer Protection for Pre-Construction Condo and Townhouse Buyers - by Councillor Paula Fletcher, seconded by Councillor Mary Fragedakis**

*\* This Motion has been deemed urgent by the Chair.*

*\* This Motion is not subject to a vote to waive referral. This Motion has been added to the agenda and is before Council for debate*

**Recommendations**

Councillor Paula Fletcher, seconded by Councillor Mary Fragedakis, recommends that:

1. City Council request the Province of Ontario to review the Planning Act, the Condominium Act (1998), the Ontario New Home Warranties Plan Act, the Building Code Act (1992), and any other relevant legislation with a view to considering whether any amendments should be made to better promote consumer protection for prospective condominium and townhouse purchasers.
2. City Council request the City Manager and the Interim City Solicitor to consider whether there are any steps that the City could take within its existing jurisdiction that would better promote consumer protection for prospective condominium and townhouse purchasers, and if so, report to the Planning and Growth Management Committee on any such steps.
3. City Council express its concern and support for the purchasers of the Leslieville Urbancorp condominiums who have been given numerous move-in dates for their properties.

**Summary**

As Toronto's development boom continues, with more and more condo and in-fill development applications before Council all the time, there is more opportunity for problems with the development process to arise. Pre-construction sales are very routine, with sales centres often open and paperwork signed before community consultations are held or the development is approved by Council.

While most of these transactions are executed in good faith, when problems arise in the construction of the new units, there is not always an ability to mitigate their potential effects on purchasers.

Recently there has been a highly publicized incident involving in-fill townhouses in which

purchasers were experiencing many delays in their closing and move-in dates. Understandably, these purchasers expected their governments to be of assistance but were disappointed to find that there are no provincial laws protecting purchasers in these circumstances. While my Office was able to assist in facilitating meetings with purchasers and Tarion, the City had no power to compel the developer to provide concrete information to the purchasers.

News reports indicate purchasers across Toronto faced similar challenges. The City and Province must work together to, where possible, establish appropriate legislation to provide for better consumer protection for purchasers.

### **Background Information (City Council)**

Member Motion MM19.40