



Enabling Electronic Hearings of the Property Standards Committee

Date: September 1, 2020
To: Property Standards Committee
From: City Clerk
Wards: All

SUMMARY

The purpose of this report is to recommend amendments to the Property Standards Committee Rules to allow for electronic hearings for a period of one year following the termination of the municipal emergency related to the issue of COVID-19.

RECOMMENDATIONS

The City Clerk recommends that:

1. The Property Standards Committee enact the By-law in Attachment 1 to this report, to amend the Property Standards Committee Rules with respect to electronic participation.
2. The Property Standards Committee adopt the electronic hearing requirements and operational guidelines in Attachment 2 to this report.

FINANCIAL IMPACT

The City Clerk will work with the Executive Director, Municipal Licensing and Standards to identify any financial impacts in excess of what has been approved in the 2020 budget.

DECISION HISTORY

At its meeting of July 28 and 29, 2020, City Council authorized its local boards to extend or adopt remote electronic meeting rules for a period of one year following the later of the termination of the Provincial emergency or the termination of the municipal emergency related to COVID-19.

COMMENTS

COVID-19 measures in the City of Toronto

On March 17, 2020, the Premier of Ontario declared a state of emergency under section 7.0.1(1) of the Emergency Management and Civil Protection Act in response to the novel coronavirus (COVID-19). As of July 31, 2020, the City of Toronto is in *Stage 3* of the Province of Ontario's *Framework for Reopening our Province*. Under the Reopening Ontario Act – Stage 3 Orders, organized public events and gatherings are limited to a maximum of 50 members of the public.

As part of the City of Toronto's COVID-19 measures, all City buildings, including City Hall, are closed to the public.

Toronto's Medical Officer of Health is recommending physical distancing as a way to minimize COVID-19 transmission in the community. Physical distancing measures include:

- keeping 2 metres (6 feet) apart from others
- avoiding mass gatherings
- avoiding crowds.

These limitations on the assembly of people present a challenge to holding administrative hearings in accordance with current procedures.

Electronic Hearing possible under the City of Toronto Act

The City of Toronto Municipal Code Chapter 629, Property Standards, provides that the Property Standards Committee will hear appeals of orders issued under subsection 15.2(2) of the Building Code Act, 1992.

Bill 197, the COVID-19 Economic Recovery Act, 2020 has amended the City of Toronto Act, 2006 to permit City Council and its local boards to amend their procedures to permit a member of City Council, of a local board of the City or of a committee of either of them, to participate electronically in a meeting at any time as follows:

- a member who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any point in time; and
- a member can participate electronically in a meeting that is open or closed to the public.

City Council has authorized its local Boards to extend or adopt these remote electronic meeting rules for a period of one year following the later of the termination of the Provincial emergency or the termination of the municipal emergency.

The Ontario government terminated the provincial declaration of emergency in response to the COVID-19 Pandemic emergency on July 24, 2020.

As of September 1, 2020, the municipal emergency remains in effect.

Electronic Hearing Requirements and Guidelines

Meeting participants, including Members of the Committee, Applicants, City Officials and Interested Persons will use the City's video conference technology as the platform for electronic meetings.

In order to ensure that meetings of the Property Standards Committee continue to be open to the public, open sessions will be broadcast in real-time on the City Council YouTube channel so that the public may observe the meeting.

Detailed electronic meeting requirements and operational guidelines are outlined in Attachment 2 to this report.

CONTACT

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SIGNATURE

[Signed original on file]
City Clerk

ATTACHMENTS

Attachment 1 - Draft By-law - Amendments to the Property Standards Committee Rules with respect to electronic participation
Attachment 2 - Electronic Hearing Requirements and Operational Guidelines