

THE CITY OF TORONTO

City Clerk's Division

Minutes of the Tenant Defence Sub-Committee

Meeting No. 1

Friday, March 11, 2005

The Tenant Defence Sub-Committee met on Friday, March 11, 2005, in Committee Room 3, City Hall, Toronto, commencing at 10:10 a.m.

Members Present:

Councillor Shelley Carroll, Acting Chair
Councillor Gloria Lindsay Luby
Councillor Pam McConnell
Councillor Jane Pitfield

No declarations of interest pursuant to the Municipal Conflict of Interest Act were made.

Confirmation of Minutes

On motion by Councillor Pitfield, the Tenant Defence Sub-Committee confirmed the Minutes of the meeting held on November 17, 2004.

1.1 2005 Status Report: Applications under the Tenant Support Grants Program

The Tenant Defence Sub-Committee considered a memorandum (February 1, 2005) from the General Manager, Shelter, Housing and Support Division, providing, for information, an update of the applications received under the 2000, 2001, 2002, 2003, 2004 and 2005 Tenant Support Grant Program as of February 1, 2005.

On motion by Councillor Lindsay Luby, the Tenant Defence Sub-Committee received the memorandum.

1.2 Annual Report of the Tenant Defence Fund Outreach and Organizing Team - January 1 to December 31, 2004

The Tenant Defence Sub-Committee considered a memorandum (February 2 2005) from the General Manager, Shelter, Housing and Support Division, forwarding for information a copy of the Annual Report of the Tenant Defence Fund Outreach and Organizing Team about their outreach and tenant organizing activities during the 12-month period between January 1 and December 31, 2004, during the three-month period between July 1 and September 30, 2004, in accordance with the City's Purchase of Service Agreement.

On motion by Councillor Pitfield, the Tenant Defence Sub-Committee:

- (1) received the memorandum; and
- (2) further requested staff to provide the Sub-Committee with a copy of the forthcoming report from the Commissioner of Works and Emergency Services to the Works Committee, on how the multi-residential waste levy will be implemented.

1.3 Information on Criteria and Process for the Tenant Support Grants Program

The Tenant Defence Sub-Committee considered a memorandum (January 25, 2005) from the General Manager, Shelter, Housing and Support Division, forwarding for information copies of the public education materials outlining the criteria and process for the Tenant Support Grants, along with applications for the Basic and Additional Tenant Support Grant.

On motion by Councillor Lindsay Luby, the Tenant Defence Sub-Committee received the memorandum.

1.4 Status Report – Condition of Property at 103-105 West Lodge Avenue (Ward 14 - Parkdale - High Park)

The Tenant Defence Sub-Committee considered a report (January 27, 2005) from the Executive Director, Municipal Licensing and Standards Division, Urban Development Services, responding to a request from the Tenant Defence Sub-Committee pursuant to the Decision Document from the November 17, 2004 Meeting for a report on the site conditions at 103-105 West Lodge Avenue relating to issues within the purview of the Municipal Licensing and Standards Division, Urban Development Services.

Recommendation:

It is recommended that this report be received for information purposes.

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On motion by Councillor McConnell, the Tenant Defence Sub-Committee:

- (1) received the report; and
- (2) requested the Executive Director, Municipal Licensing and Standards Division, to report to the next two meetings of the Tenant Defence Sub-Committee on April 19, 2005 and June 22, 2005, on an update of municipal licensing and standards issues at 103-105 West Lodge Avenue.

**1.5 Status Report - Condition of Property at 1765-1775 Weston Road
(Ward 11 - York South – Weston)**

The Tenant Defence Committee had before it the following:

- (a) Report (February 2, 2005) from the Executive Director, Municipal Licensing and Standards Division, Urban Development Services, responding to a request from the Tenant Defence Sub-Committee pursuant to the Decision Document from the November 17, 2004 Meeting for a report on the site conditions at 1765-1775 Weston Road, relating to issues within the purview of the Municipal Licensing and Standards Division.

Recommendation:

It is recommended that this report be received for information purposes.

- (b) Communication (February 14, 2005) from Councillor Nunziata, Ward 11 York South-Weston, recommending that the tenants of 1765 and 1775 Weston Road issue a Form T6 to the Ontario Rental Housing Tribunal; and that the Tenant Defence Sub-Committee approve sufficient funds to cover the application fees as well as the cost of engaging legal representation.
- (c) Communication (March 8, 2005) from Councillor Jenkins, Ward 25 Don Valley West, requesting that the Tenant Defence Sub-Committee support Item 5 in the communication (February 14, 2005) from Councillor Nunziata, Ward 11 York South-Weston.
- (d) Communication (March 8, 2005) from Councillor Walker, Ward 22 St.Paul's, recommending that the tenants of 1765 and 1775 Weston Road be granted the maximum of \$10,000.00 for their legal representation at the Ontario Rental Housing Tribunal.

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- (e) Copy of Brief to the MRS Trust and the Canada Mortgage and Housing Corporation filed by Councillor Nunziata, Ward 11 York South-Weston.
 - A. Moved by Councillor Lindsay Luby, that the Tenant Defence Sub-Committee:
 - (1) recommend to the Community Services Committee that City Council approve a grant up to \$5,000.00 to the tenants of 1765 and 1775 Weston Road, to cover all reasonable costs not covered by the York Community Legal Clinic, in their dispute with the Owner;
 - (2) support the York Community Legal Clinic in their efforts to assist the tenants at 1765 and 1775 Weston Road in their dispute with their landlord;
 - (3) request the General Manager, Shelter, Housing and Support, and the Executive Director, Municipal Licensing and Standards, to report to the meeting of the Community Services Committee on April 27, 2005, on the status of the property and related tenant issues at 1765 and 1775 Weston Road.
 - (4) request the Executive Director, Municipal Licensing and Standards, to report to the meeting of the Tenant Defence Sub-Committee on April 19, 2005, on:
 - (a) the number of complaints received by the Division for inoperative elevators in multi-residential buildings;
 - (b) a strategy for dealing with chronic complaints of inoperative elevators in multi-residential buildings; and
 - (5) request the Chair of the Tenant Defence Sub-Committee to write the Chair of the Toronto Community Housing Corporation on the need to make dependable elevator service a priority in City of Toronto multi-residential buildings.

Carried

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B. Moved by Councillor McConnell, that the Tenant Defence Sub-Committee request:

- (1) the Executive Director, Municipal Licensing and Standards, to report to the meeting of the Tenant Defence Sub-Committee on April 19, 2005, on the condition of other multi-residential buildings owned by the same Corporation; and
- (2) the General Manager, Shelter, Housing and Support, to report to the meeting of the Tenant Defence Sub-Committee on April 19, 2005, on the status of the Province of Ontario's proposed legislation on tenant protection and rights.

Carried

(Community Services Committee; c. Chair, Tenant Defence Sub-Committee; Councillor Frances Nunziata (Ward 11 - York South-Weston); Councillor Cliff Jenkins (Ward 25 - Don Valley West); Councillor Michael Walker (Ward 22 - St.Paul's); Commissioner of Community and Neighbourhood Services; City Solicitor; General Manager, Shelter, Housing and Support Division; Executive Director, Municipal Licensing and Standards - March 11, 2005)

1.6 Charges for Visitor Parking at Multi-Residential Buildings

The Tenant Defence Committee considered the following communications:

- (a) (January 18, 2005) from Councillor Walker, Chair of Tenant Defence Sub-Committee, on charges for visitor parking at multi-residential buildings.

Recommendations:

- (1) City staff be requested to report back to the Tenant Defence Sub-Committee on whether the City has the ability, under the Tenant Protection Act, to deem a service as a Vital Service and whether or not Free Visitor Parking can be deemed as a Vital Service;
- (2) City staff be further requested to report on issues relative to site-specific zoning by-laws for apartment buildings and whether the requirement to provide visitor parking means that it should be free; and
- (3) the City Solicitor be directed to appear at the Ontario Rental Housing Tribunal in support of the appeal by the tenants at the properties represented

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by Dale Ritch in regard to the loss of Free Visitor Parking in Toronto's Multi-Residential buildings.

- (b) (March 10, 2005) from Kevin Milburn, Milburn Tenant Service, advising of tenant concerns at 50 and 70 Cambridge Avenue for installed meter visitor parking.
- (c) (March 10, 2005) from Bonnie Boivin, 50 and 70 Cambridge Tenants' Association, advising of tenant concerns at 50 and 70 Cambridge Avenue for installed meter visitor parking.

The following persons appeared before the Tenant Defence Sub-Committee:

- Derrick Snowdy; and
- Dale Ritch.

On motion by Councillor Pitfield, the Tenant Defence Sub-Committee:

- (1) received Recommendations 1 and 3 of the communication (January 18, 2005) from Councillor Walker; and
- (2) adopted the following Recommendation 2 of the communication from Councillor Walker:

"Urban Development Services staff be requested to report to the Tenant Defence Sub-Committee on issues relative to site specific zoning by-laws for apartment buildings and whether the requirement to provide visitor parking means that it should be free."
- (3) further requested the Urban Development Services staff to include in that report to the Tenant Defence Sub-Committee the status of the harmonization of the City's Zoning by-laws; and
- (4) requested the City Solicitor to report to the Tenant Defence Sub-Committee meeting on April 19, 2005, on whether the Toronto Police Services has the authority to issue tickets for cars parked illegally in visitors' parking lots in privately owned apartment buildings; and further that this report be submitted a week before the meeting or earlier if possible.

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The Tenant Defence Sub-Committee adjourned its meeting at 11:40 a.m.

Chair