



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Parking and By-law Services Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	October 4, 2016
SUBJECT/REPORT NO:	Elevators in Multi-Storey Residential Buildings (PED16045(b)) (City Wide) (Outstanding Business List Item)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	James Buffett (905) 546-2424 Ext. 5413 Robert Ustryzcki (905) 546-2424 Ext. 4721
SUBMITTED BY:	Jason Thorne General Manager Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That the Property Standards By-law No. 10-221 be amended to specify that an order to maintain an elevator may include the requirement that signs be installed providing the occupants of the building the contact information of the property owner / manager and the City of Hamilton Municipal Law Enforcement Section to call when elevators are inoperative or otherwise not maintained;
- (b) That the draft amending by-law to the Property Standards By-law No. 10-221, attached as Appendix "A" to Report PED16045(b) which has been prepared in a form satisfactory to the City Solicitor, be enacted; and
- (c) That the item respecting the operation of elevators in multi-storey residential buildings be removed from the Planning Committee Outstanding Business List.

EXECUTIVE SUMMARY

City Council, at its meeting held on March 30, 2016, approved Planning Committee Report 16-005, Item 5, to amend the Property Standards By-law respecting the maintenance of Elevators in Multi-Residential Buildings. In addition, Council amended the Planning Committee Report to include the direction that buildings having recurrent disabled elevator issues be required to provide signage at the elevator(s) that directs residents to call the City of Hamilton and that staff consult with the Advisory Committee for Persons with Disabilities to the nature and location of signage and report back to the

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Planning Committee with its recommendations for inclusion in the Property Standards By-law.

Alternatives for Consideration –Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

N/A

HISTORICAL BACKGROUND

Councillor Tom Jackson raised the issue of elevator maintenance in multi-storey residential buildings to the Seniors Advisory Committee for discussion at the Emergency and Community Services Committee meeting on May 12, 2014.

On February 7, 2015 the Seniors Advisory Committee requested that Council include elevator maintenance in the Vital Services By-law.

Council approved a motion by Councillor Matthew Green on March 11, 2015 directing staff to review and report to the Planning Committee regarding enforcement options for ensuring that elevators are operational in multi-storey residential buildings.

The Planning Committee considered Report PED16045 on February 16, 2016 respecting Elevators in Multi-Residential Buildings and directed staff to investigate the feasibility of requiring buildings having more than one elevator, that one elevator be kept operable at all times.

On March 22, 2016 the Planning Committee received Report PED16045(a) to amend the Property Standards By-law respecting the maintenance of Elevators in Multi-Residential Buildings. A motion was introduced by Councillor Jason Farr to recommend that the Property Standards By-law be further amended to require buildings having recurrent disabled elevator issues to provide signage at the elevator(s) directing residents to call the City of Hamilton.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

N/A

RELEVANT CONSULTATION

The Advisory Committee for Persons with Disabilities (ACPD) were consulted on August 9, 2016 in preparation of the staff recommendation.

Legal Services was consulted in the preparation of the draft amending by-law attached as Appendix “A” to Report PED16045(b).

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Elevators in multi-storey residential buildings that are temporarily out of service for regular maintenance or moving furniture may be viewed as an inconvenience; however, when the elevator(s) remain persistently inoperative or disabled, the residents and invited guests to the building may encounter significant challenges. Signs encouraging residents to call the City of Hamilton in buildings having recurring problems with disabled elevators may provide reassurance the building owner will respond accordingly.

Staff considered the nature, location and economics (low-income properties) of signs in multi-storey residential buildings, and following consultation with the ACPD, recommends that the City Property Standards By-law be amended to specify that an order to maintain an elevator may include the requirement that a sign be installed at each elevator button panel outside of on the main floor of the building and within each elevator. This requirement will be included in orders for buildings with recurrent issues with elevators. The signs, at a minimum, will:

- Provide the contact information of the property owner/manager, and the City of Hamilton Municipal Law Enforcement Services in the event an elevator is inoperative or otherwise not maintained.
- Present the information in Large Print (Arial 24 or Verdana 24 font; or greater) and a colour scheme using black type on white background, in accordance the City of Hamilton AODA Guidelines as follows (not to scale);

If the elevator is not being maintained contact:

Property Manager: XXX-XXX-XXXX

City of Hamilton: XXX-XXX-XXXX

- Include tactile information (formerly known as Grade 1 Braille); and
- Be displayed with the center line of one sign between 1475 mm and 1525 mm (58 in. and 60 in.), and a second sign between 1170 mm and 1220 mm (46 in. and 48 in.) above the finished floor.

Where the Property Standards Officer determines that the elevator(s) in the building do not comply with the Property Standards By-law, the officer may issue a Property

Standards Order to compel the property owner to remedy the contravention, and failing to do so, the City may complete the remedial work at the owner's expense as a priority lien.

Any amendment to the Property Standards By-law in regards to Report PED16045(b) will be communicated to the ACPD, Emergency and Community Services Committee, the Seniors Advisory Committee, and City Housing Hamilton.

In addition to signage, discussions at the ACPD remained focused on the building owner notifying each resident in the building of the inoperative elevator, suggesting that any such notification be conveyed in the language of the occupant. Considering the volume and complexity of the different languages and dialects thereto, in staff's opinion, this would be problematic and unachievable. Informing the tenants is best dealt with under the notification regime for serving a property standards order where the officer may post the order on the property.

ALTERNATIVES FOR CONSIDERATION

N/A

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Healthy and Safe Communities

Hamilton is a safe and supportive city where people are active, healthy, and have a high quality of life.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Report PED16045(b) – Draft amendment to the City of Hamilton Property Standards By-law 10-221.