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**PLANNING AND TRANSPORTATION COMMITTEE  
AGENDA  
MEETING No. 2**

<b>Date of Meeting:</b>	<b>January 28, 2003</b>	<b>Enquiry:</b>	<b>Christine Archibald</b>
<b>Time:</b>	<b>9:30 a.m.</b>		<b>Committee Administrator</b>
<b>Location:</b>	<b>Council Chamber</b>		<b>(416) 392-7039</b>
	<b>City Hall</b>		<b>carchiba@toronto.ca</b>
	<b>100 Queen Street West</b>		

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**DECLARATIONS OF INTEREST PURSUANT TO THE MUNICIPAL CONFLICT OF INTEREST ACT.**

**PUBLIC HEARING**

**1. 9:30 A.M. ENACTMENT OF A MUNICIPAL SHELTER BY-LAW AND ADOPTION OF RELATED COUNCIL POLICIES AND PROCEDURES**

Mayor Lastman  
(January 9, 2003)

**Advising** that Members of Toronto City Council continue to take action on homelessness and the lack of affordable housing in Toronto, advising that the proposed shelter by-law now requires that each shelter be:

- individually and explicitly approved by Council
- at least 250 metres from any shelter
- situated on a major or minor arterial road, and
- all existing shelter beds will be protected where they currently exist

and stating that the City must move forward with a new and improved Municipal Shelter By-law that balances the need for new shelters with the concerns expressed by local communities.

**1(a).**

Commissioner of Urban Development Services and  
Commissioner of Community and Neighbourhood Services  
 (December 20, 2002)

**Responding** to comments and recommendations of City Council and Community Councils in considering the draft Municipal Shelter By-law, **forwarding** for consideration a revised overall approach to the selection, assessment and approval of municipal shelter sites comprising a revised draft by-law together with revised policies and procedures, and **recommending** that:

- (1) should Council wish to adopt zoning by-law provisions that are more restrictive toward municipal shelters than the draft by-law previously considered at the statutory public meeting, at the Council meeting of April, 2002 and at the Community Council meetings held in September, 2002, the following be incorporated in the draft by-law:
  - (a) each municipal shelter site be individually and explicitly approved by Council;
  - (b) a minimum separation distance of 250 metres be required between any new municipal shelter and any existing municipal shelter;
  - (c) new municipal shelters be required to be located on arterial roads (major and minor);
  - (d) lawfully existing facilities, and those with building permits issued prior to the date of by-law adoption, that meet the by-law definition of a municipal shelter, be deemed to comply with the new by-law requirements;
  - (e) municipal shelters be specifically permitted at three sites where Council has previously authorized funding for such a use, namely: 101 Ontario Street and 717 Broadview Avenue in the former City of Toronto; and Concession 1 West of Yonge Street, Part Lot 19, Expropriation Plan 9457, Part 11, also known as 0 Canterbury Place in the former City of North York;
  - (f) a municipal shelter use be explicitly excluded as a permitted use in those provisions within existing

zoning by-laws under which the use might otherwise be permitted, including the relevant “essential service”, “public service”, “public use”, and “hostel” provisions in the zoning by-laws for the former North York, York, East York, Toronto, and Etobicoke;

- (2) in accordance with Recommendation No. 1, above, the City Solicitor submit a by-law for the consideration of Council substantially as contained in Appendix A attached to this report;
- (3) a moratorium on the location of new municipal shelters be adopted to the effect that no new municipal shelter sites be approved in wards already having 500 or more municipal shelter beds, except to replace existing shelter beds that may be closed within that ward;
- (4) the revised Site Assessment and Property Assessment protocols, and the revised Community Information Process, as contained in Appendices B, C and D, respectively, attached to this report, be adopted;
- (5) the required City Council approval of each new municipal shelter site and facility be achieved through the forwarding of a report to Community Services Committee, with appropriate analysis and recommendations, from the Commissioner of Community and Neighbourhood Services, and addressing, but not limited to:
  - (a) the moratorium adopted by Council in Recommendation No. 3, above;
  - (b) the requirements of the Municipal Shelter By-law;
  - (c) the due diligence process involving the Site and Property Assessments set out in Appendices B and C to this report;
  - (d) the implementation of the Community Information Process set out in Appendix D to this report; and
  - (e) the input of the local residents and Councillor(s);

- (6) Council determine that no further notice be given in respect of the proposed by-law, pursuant to subsection 34(17) of the *Planning Act*;
- (7) the Commissioner of Urban Development Services, in consultation with the City Solicitor, be directed to include in the proposed city-wide site plan control by-law a requirement that development to accommodate a municipal shelter use be subject to site plan control; and
- (8) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

**1(b).**

Clause No. 1 of Joint Report No. 2 of the Planning and Transportation Committee and the Community Services Committee, entitled "Enactment of a Municipal Shelter By-law", which City Council on April 16, 17 and 18, 2002, **struck out** and **referred** to the Office of the Mayor, with a **request** that the Mayor:

- (1) review the proposed Municipal Shelter By-law on the basis of the 105 recommendations outlined in the final report of the Mayor's Homelessness Action Task Force, in consultation with officials of the Toronto Community Housing Corporation;
- (2) address a process whereby any new recommendations are referred to the Community Councils for the hearing of deputations;
- (3) submit a report thereon to City Council for consideration at its meeting scheduled to be held on October 1, 2002, through the Planning and Transportation Committee; and
- (4) give consideration to the following additional motions:

Moved by Councillor Di Giorgio:

"It is recommended that the proposed Municipal Shelter By-law include the following provisions:

- (a) approval by City Council of any proposed Municipal Shelter where the number of beds does not exceed 50 or the number of families does not exceed 30; and

- (b) approval by the Committee of Adjustment of any proposed Municipal Shelter where the number of beds exceeds 50 or the number of families exceeds 30.”;

Moved by Councillor McConnell:

“It is recommended that:

- (a) the proposed Municipal Shelter By-law include the following provisions:
  - (i) approval by City Council of any proposed Municipal Shelter;
  - (ii) a minimum separation distance of 250 metres between Shelters; and
  - (iii) a restriction of the location of Municipal Shelters in any area comprising a flood plain or which has been or may be subject to flooding hazards;
- (b) Municipal Shelters be added to the list of proposed developments which are subject to site plan control; and
- (c) pursuant to Section 34(17) of the Planning Act, no further notice in respect of the proposed Municipal Shelter By-law be required.”; and

Moved by Councillor Pitfield:

“It is recommended that:

- (a) in future, a moratorium on additional shelters be placed on Wards that have 500 beds or more;
- (b) the Acting Commissioner of Community and Neighbourhood Services be requested to conduct a facilities review of existing shelters, with special attention to the number of washrooms; and
- (c) the Chair of the Toronto Police Services Board be requested to explore the feasibility of having police recruits supervise homeless shelters, as part of their

training, to ensure the safety of residents, at no cost to the City.”

In addition, City Council requested that:

- (A) in the interim, the Community Councils hold public meetings on this matter, at special meetings, if necessary, and forward their comments in this regard to the Planning and Transportation Committee, in accordance with the above schedule; and
- (B) the Commissioner of Urban Development Services report, in accordance with the schedule and process outlined above, on the differences between the current North York By-law No. 7625 and the proposed City-wide by-law, and on the feasibility of implementing the current North York By-law as a model for use City-wide.)

1(c).

**Notice of action taken by Community Councils at their various meetings in September, 2002, as directed by City Council on April 16, 17 and 18, 2002. (Action No. A of the Clause contained in 4(a) refers).**

- (i) City Clerk, Etobicoke Community Council  
(September 25, 2002)

**Advising** that Etobicoke Community Council, at its meeting on September 18 and 19, 2002, **recommended** to the Planning and Transportation Committee that the proposed schedule for consideration of this matter by Council in February 2003 be amended to provide that it be deliberated by the Planning and Transportation Committee in November 2002 and subsequently by Council

- (ii) City Clerk, Humber York Community Council  
(September 19, 2002)

**Advising** that Humber York Community Council, at its meeting on September 17, 2002, **recommended** that the Planning and Transportation Committee be advised that the Humber York Community Council **supports**:

- (1) the enactment of the proposed Municipal Shelter By-law;

- (2) the motion moved by Councillor McConnell, subject to the words "or parkland" being inserted after the words "flood plain" in recommendation (iii), viz:

"It is recommended that:

- (a) the proposed Municipal Shelter By-law include the following provisions:
- (i) approval by City Council of any proposed Municipal Shelter;
  - (ii) a minimum separation distance of 250 metres between Shelters; and
  - (iii) a restriction of the location of Municipal Shelters in any area comprising a flood plain or parkland or which has been or may be subject to flooding hazards;
- (b) Municipal Shelters be added to the list of proposed developments which are subject to site plan control; and
- (c) pursuant to Section 34(17) of the Planning Act, no further notice in respect of the proposed Municipal Shelter By-law be required.";

- (3) the motion moved by Councillor Di Giorgio, viz:

"It is recommended that the proposed Municipal Shelter By-law include the following provisions:

- (a) approval by City Council of any proposed Municipal Shelter where the number of beds does not exceed 50 or the number of families does not exceed 30; and
- (b) approval by the Committee of Adjustment of any proposed Municipal Shelter where the number of beds exceeds 50 or the number of families exceeds 30."

**(iii)** City Clerk, Midtown Community Council  
(September 18, 2002)

**Advising** that Midtown Community Council, at its meeting on September 17 and 18, 2002:

- (1) **supported** the following motion placed by Councillor Pitfield at the meeting of City Council held on April 16, 17 and 18, 2002:

“It is recommended that:

- (a) in future, a moratorium on additional shelters be placed on Wards that have 500 beds or more;
- (b) the Acting Commissioner of Community and Neighbourhood Services be requested to conduct a facilities review of existing shelters, with special attention to the number of washrooms; and
- (c) the Chair of the Toronto Police Services Board be requested to explore the feasibility of having police recruits supervise homeless shelters, as part of their training, to ensure the safety of residents, at no cost to the City;” and

- (2) **requested** staff to report on amending Section 2-34 of the (former) City of North York Zoning By-law No. 7625 headed “Essential Services”, by adding the words “or municipal shelter” so that such subsection shall read as follows:

“‘Essential Services’ means the construction, installation, alteration, operation or maintenance by a government, government agency or public utility corporation of any building, line, sewer, pipe or work, and incidental structure which is necessary to the provision of a public service, but shall not include a public parking lot, parking station, office building or municipal shelter.”

(iv) City Clerk, North York Community Council  
(September 23, 2002)

**Advising** that North York Community Council on September 18, 2002, recommended to the Planning and Transportation Committee that:

- (1) the proposed Municipal Shelter By-law not be adopted in its current form;
- (2) the new Municipal Shelter By-law include the following provision:
  - (i) a minimum separation distance of 250 metres between Shelters;
- (3) in future, a moratorium on additional shelters be placed in Wards that have 500 beds or more;
- (4) the Commissioner of Community and Neighbourhood Services be requested to conduct a facilities review of existing shelters, with special attention to the number of washrooms;
- (5) the Chair of the Toronto Police Services Board be requested to explore the feasibility of having police recruits supervise homeless shelters, as part of their training, to ensure the safety of residents, at no cost to the City; and
- (6) the Commissioner, Urban Development Services, be requested to examine the existing By-laws, including the old City of Toronto By-law, and determine:
  - (i) the type of shelters the City operates;
  - (ii) where municipal shelters should be located;
  - (iii) how municipal shelters are to be generally operated; and
  - (iv) the estimated demand for the services.

(v) City Clerk, Scarborough Community Council  
(September 19, 2002)

**Advising** that Scarborough Community Council, at its meeting on September 17, 2002, **did not support** the as-of-right provisions of the Municipal Shelter By-law, and **recommended:**

- (1) that the proposed By-law be referred back to staff;
- (2) that the Commissioner of Urban Development Services be directed to report to Planning and Transportation Committee on making provisions for municipal shelters in the Official Plan policies;
- (3) that the Planning Act process be used for implementing the zoning by-law on an application-by-application basis;
- (4) that the By-law take into account an equitable distribution of shelters across the City;
- (5) that the amount of assisted housing already located in the potential host community be taken into consideration, including existing group homes;
- (6) that a standard be established for the length of time residents may remain in shelters and a monitoring system be developed;
- (7) that there be an appeal process for any decision made by Council respecting the location of a shelter;
- (8) that a method be established to assess the suitability of a potential host community;
- (9) that staff be directed to address the following issues in the Official Plan policies:
  - (a) the number of beds in single person shelters and the number of families per family shelter;

- (b) similar to the Group Home issue, the control of these shelters through the Official Plan such that they are located on major arterial roads which provide public transit seven days a week;
- (c) the protection of employment/industrial areas so that they remain stable for employment uses by not allowing municipal shelters to be located in such areas; and
- (d) the consideration of a distance separation of a minimum 500 metres between shelters

(vi) City Clerk, Toronto East York Community Council  
(September 20, 2002)

**Advising** that Toronto East York Community Council, at its meeting on September 17, 2002, **recommended** that:

- (1) the proposed Municipal Shelter By-law be adopted;
- (2) the Commissioner of Community and Neighbourhood Services set up a Community Liaison Committee for each current and future shelter, where appropriate, and on the basis of a request from local residents and/or the Ward Councillor;
- (3) the Commissioner of Community and Neighbourhood Services develop a complaint procedure that includes response and resolution both from the local liaison committee and from the Commissioner;
- (4) the Commissioner of Community and Neighbourhood Services undertake an operational review of existing shelters to ensure that they comply with the new shelter standards, that they provide efficient, effective and healthy services, that they provide appropriate supports, including 24 hour service, and that they have good neighbourhood policies in place;

- (5) approval by City Council be required of any proposed municipal shelter or municipally funded shelter;
- (6) a minimum separation distance of 250 metres be maintained between shelters, and those which presently do not comply with this restriction be designated as a legal non-conforming use;
- (7) municipal shelters be added to the list of proposed developments which are subject to site plan control; and
- (8) a moratorium be placed on additional shelters in Wards which have five hundred beds or more

**1(d).**

Communications from the following persons commenting on the proposed Municipal Shelter By-law as contained in the Council Clause contained in Item 4(a) of this agenda:

- (i) (October 8, 2002) from Iris Magness;
- (ii) (October 8, 2002) from Vanessa Magness;
- (iii) (October 9, 2002) from Kenneth A. (Sandy) Tipper;
- (iv) (September 17, 2002) from Elizabeth Block;
- (v) (September 11, 2002) from Perry Missal;
- (vi) (September 22, 2002) from Victoria Schei;
- (vii) (September 19, 2002) from Andrew Brodie, B.A. Hon., Sales Representative, Coldwell Banker Pinnacle R.E.;
- (viii) (September 17, 2002) from Kathleen Kelly;
- (ix) (September 16, 2002) from Gerri Orwin;
- (x) (September 16, 2002) from Jack Graham Orwin;
- (xi) (September 16, 2002) from Irina and Raz Rapaport;
- (xii) (September 17, 2002) from Winnie Wong;
- (xiii) (September 12, 2002) from Page Westcott, Vice-President, Bayview Cummer Neighbourhood Association (BCNA);

- (xiv) (September 13, 2002) from Bonnie Easterbrook;
- (xv) (September 13, 2002) from Shelley Ortved, President, Oriole Park Association;
- (xvi) (September 15, 2002) from Barbara Zaleski;
- (xvii) (November 14, 2002) from Tony Hamill; and
- (xviii) (November 6, 2002) from Paul Dineen, President, Old Cabbagetown BIA; Clause Schirmer, President, Winchester Park Residents' Association; Pierre Klein, President, Cabbagetown South Association; Chris Hutchison, Chair, Corktown Residents and Business Association; Michael Comstock, President, St. Lawrence BIA; and Barry Litowitz, Director, Queen East Business & Residents Association.