

---

## City Council

### Notice of Motion

MM32.22	ACTION			Ward:All
---------	--------	--	--	----------

**Request for Report on Hours of Operation and Maintenance of Privately Owned Public Spaces (POPS) - by Councillor Mark Grimes, seconded by Councillor Justin J. Di Ciano**

*\* Notice of this Motion has been given.*

*\* This Motion is subject to referral to the Planning and Growth Management Committee. A two-thirds vote is required to waive referral.*

### Recommendations

Councillor Mark Grimes, seconded by Councillor Justin J. Di Ciano, recommends that:

1. City Council request the Chief Planner and Executive Director, City Planning, in consultation with the City Solicitor, to report to the Planning and Growth Management Committee with respect to:
  - a. the hours of operation of Privately Owned Public Spaces, particularly in comparison to the hours of operation of City parks; and
  - b. the feasibility of developers of new developments creating a reserve fund to assist condominium corporations in covering the incremental costs of the condominium corporations maintaining the Privately Owned Public Spaces for public use.

### Summary

In order to provide much needed open space, the City often negotiates with private developers to include Privately Owned Publicly Accessible Open Space as part of their developments. These spaces augment the Section 42 parkland contributions that are provided through these developments. Since the year 2000, through the development review process, at least 1 million square feet of Privately Owned Publicly Accessible Open Space space has been added to Toronto's downtown alone. Privately Owned Publicly Accessible Open Space may include plazas in front of office buildings and green spaces or walkways around residential buildings. Privately Owned Publicly Accessible Open Spaces are secured through various Planning tools, including Section 37 Agreements, Site Plan Agreements and easements. In the case of residential developments that are registered as condominiums, the condominium corporations become responsible for the on-going maintenance of the Privately Owned Publicly Accessible Open Space.

Some condominium corporations in south Etobicoke have expressed concerns with respect to

the hours of operation of the Privately Owned Publicly Accessible Open Space for public use, as well as the incremental costs incurred by the condominium corporations of maintaining the Privately Owned Publicly Accessible Open Space for public use.

The purpose of this Motion is to request the Chief Planner and Executive Director, City Planning, to report on the matter, in consultation with the City Solicitor.

**Background Information (City Council)**

Member Motion MM32.22

<http://www.toronto.ca/legdocs/mmis/2017/mm/bgrd/backgroundfile-107267.pdf>