

March 20, 2019

Planning and Housing Committee

**Re: PH3.2 – Zoning Revisions for Municipal Shelters
Supports for Shelter and Respite Services in the Downtown East**

Dear Chair and Members,

On June 26, 2018, City Council endorsed CD29.5 – Closing the Service Gap in the Downtown East Revitalization Area. This decision set into motion a 12-month Action Plan developed to address serious social, health, safety issues and to address challenges marginalized community members have in accessing basic services. The Downtown East has been especially impacted by increased numbers of overdoses, drug-related crime, and a social safety net unequipped to effectively provide wrap-around services that can address the scale of the issues before us.

Toronto Police open data shows that three of the top ten neighbourhoods by number of assaults are in the Downtown East. Toronto Paramedic Services reports that 28 of the top 50 intersections, by rate of overdose, are located within the boundaries of the Downtown East. Simultaneously, the Downtown East area is home to three of the City's ten 24-hour respite sites, 14 of Toronto's 44 City-referred shelters, and has unacceptably high levels of child poverty. Fundamentally, the services and supports in the Downtown East are unable to adequately meet the needs of the existing population.

These issues are not new to the Downtown East, though recent increases in overdoses, shelters hitting capacity, and the lack of affordable housing have made area challenges worse. In 2003, City Council enacted provisions to cap new City shelter sites in wards already having 500 or more shelter beds to address the concentration of facilities in areas already struggling to meet the needs of the existing population. It was also at this time that new zoning regulations were put in place, requiring a 250 metre separation distance between new and existing municipal shelters.

In June 2019, a new Downtown East 5-year Action Plan will be presented to City Council. This document will be the culmination of work mapping needs, services, and gaps in how social services are delivered to the diverse communities that live in the study area. This will be an invaluable document and will provide the first comprehensive overview to inform new investment and service allocation decisions. To effectively address the chronic and serious challenges in the area, it is critical that the 5-year Downtown East Action Plan be factored into the City's decision making.

Recognizing the importance of increasing as-of-right permissions to locate new shelter facilities in all wards, it is imperative that City Council's approach to comprehensive neighbourhood planning be considered concurrently, to promote a healthier and more inclusive liveable city for all.

RECOMMENDATIONS

Request that the Planning and Housing Committee direct the Executive Director, Social Development, Finance & Administration, and the General Manager, Shelter Supports & Housing Administration, undertake an analysis of the 12-month Action Plan for the Downtown East enacted by City Council at its regular meeting held on June 26-29, 2018, and report directly to the March 27, 2019 meeting of City Council on the following:

1. How the development of the 5-year Action Plan for the Downtown East can be used to inform the locating of new shelters, respite sites, and other services for vulnerable populations in the Action Plan boundaries.
2. How the as-of-right provisions would impact decision making with regards to siting new shelter facilities in local geographies with existing shelter or respite facilities already lacking adequate programming and wrap-around services, including access to washrooms, daytime programming, counselling and referrals, and complex case work support systems.

Respectfully submitted,



City Councillor Kristyn Wong-Tam
Ward 13, Toronto Centre

Clause embodied in Report No. 3 of the Planning and Transportation Committee, as adopted by the Council of the City of Toronto at its regular meeting held on February 4, 5 and 6, 2003, and its Special Meetings held on February 7, 2003, and February 10 and 11, 2003.

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**Enactment of a Municipal Shelter By-law and
Adoption of Related Council Policies and Procedures**

(City Council at its regular meeting held on February 4, 5 and 6, 2003, and its Special Meetings held on February 7, 2003, and February 10 and 11, 2003, amended this Clause:

(1) *by adding to the end of Recommendation No. (1)(a)(3) of the Planning and Transportation Committee, the words “and further, for the purposes of calculating the cap, the greatest annual quantum, on a ward basis, for motel spaces be included”, so that such recommendation now reads as follows:*

“(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, and further, for the purposes of calculating the cap, the greatest annual quantum, on a ward basis, for motel spaces be included;”;

(2) *by inserting in Recommendation No. (2) of the Planning and Transportation Committee, the word “expeditious” before the second occurrence of the words “Site Plan Control”, so that such recommendation now reads as follows:*

“(2) any existing Site Plan Control by-law in the City be amended to ensure that all municipal shelters are subject to expeditious Site Plan Control until such time that a harmonized Site Plan Control By-law is developed, and that a stakeholder group be established consisting of, but not limited to, representatives from the Toronto Association of Business Improvement Areas, shelter advocates, ratepayer and tenant groups and staff from Urban Design Division of Urban Development Services, to provide input into the development of the harmonized Site Plan Control By-law and its guidelines for shelters;”;

(3) *by adding to the end of Recommendation No. (1)(b) embodied in the joint report dated December 20, 2002, from the Commissioner of Urban Development Services and the Commissioner of Community and Neighbourhood Services, the words “or emergency shelter, hostel or crisis care facility”, so that such recommendation now reads as follows:*

“(b) a minimum separation distance of 250 metres be required between any new municipal shelter and any existing municipal shelter or emergency shelter, hostel or crisis care facility;”;

(4) *in accordance with the following recommendations embodied in the report dated January 28, 2003, from the Commissioner of Community and Neighbourhood Services:*

“(1) the size of each new municipal shelter be approved as part of the Council approval process for each new municipal shelter as described in clause 2(iv) of the Revised Draft Municipal Shelter By-law; and

(2) the appropriate City officials be authorized and directed to take the necessary action give effect thereto.”;

(5) *to provide that shelters approved under this By-law not exceed 80 singles or 80 families, and this limit be established as a Council policy and not as part of the By-law;*

(6) *to provide that, in the process of identifying potential shelter sites, staff shall advise the Ward Councillor immediately of those sites that are potentially viable;*

(7) *to provide that the site location process with respect to this By-law include deliberations at the respective Community Council, in addition to the Community Services Committee, in order to allow the Ward Councillor and local community residents to discuss and depute the location of any new proposed shelter;*

(8) *to provide that this By-law not apply to prohibit a municipal shelter use at 8 Warrendale Court in the former City of Etobicoke;*

(9) *by adding thereto the following:*

“It is further recommended that:

(a) City Council request additional funding from the provincial and federal governments for supportive housing, in order to provide accommodation for people with mental health and/or addiction problems;

(b) the Province of Ontario be requested to:

(i) provide legislation to allow the use of current shelter funding to be used for housing subsidies;

(ii) pay an additional \$40 million (of which \$16 million is the shortfall, with an additional \$24 million) to set up a Rent Subsidy Account that will be held in trust by the City of Toronto, such Account to be used as follows:

(1) people who are homeless can apply to this fund to help them solve their homeless situation; and

(2) those who are facing severe financial difficulties and who may become homeless through the loss of their home can apply;

- (c) *the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Budget Advisory Committee on placing a cap of \$120 million per year on the operating expenditure for shelters or housing for homeless persons;*
- (d) *Council resolve to substantially solve the homeless situation by December 2006, and the Commissioner of Community and Neighbourhood Services be requested to submit a plan to the Community Services Committee before the end of this term of Council, the core of such plan to focus on using part or all of the \$120 million per year towards the creation of affordable transitional housing and/or rental subsidies for homeless persons, and how support services could be provided to those using rental subsidies;*
- (e) *the Commissioner of Community and Neighbourhood Services be requested to research the variety of reasons why homeless persons do not wish to enter a shelter, and using these reasons as a basis, submit a report to Council, through the Community Services Committee by the end of May 2003, with proposed actions that would be effective in encouraging homeless persons to use the shelter system;*
- (f) *the Commissioner of Community and Neighbourhood Services and the Commissioner of Urban Development Services be requested to investigate how other large urban centres in North America handle and deal with homeless persons, specifically the cities of Vancouver, Montreal, Chicago, New York and Detroit, as well as other cities which would be beneficial in providing this type of information, and submit a report to Council by the end of June 2003, through the Community Services Committee, such report to include:*
 - *by-laws, if any, which these cities have passed with respect to ensuring that homeless persons will move to shelters;*
 - *how successful these by-laws are at present; and*
 - *what other initiatives they have taken to deal with the problem; and*
- (g) *when there are no homeless persons living on the streets in the City of Toronto and the current hostel beds are empty, the Municipal Shelter By-law be rescinded.”)*

The Planning and Transportation Committee recommends that:

- (1) the joint report (December 22, 2002) from the Commissioner, Urban Development Services and the Commissioner, Community and Neighbourhood Services be adopted, subject to:**
 - (a) amending Recommendation (3) by deleting the words “except to replace existing shelter beds that may be closed within that ward”, so as to read:**
 - “(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;”**

- (b) **amending Section (1)(a) of Appendix D titled “Community Information Process” by deleting the words “120 metres” and substituting the words “250 metres”, so as to read:**
- “(a) **Staff will contact and meet with the Councillor in whose Ward the site is located, will advise the Councillor(s) as to their recommendations regarding the use of the site and will inform the Councillor that the Community Information Process will commence within 15 working days. Where a site is within 250 metres of another Ward(s), staff will also meet with the other affected Councillors.”;**
- (2) **any existing Site Plan Control by-law in the City be amended to ensure that all municipal shelters are subject to Site Plan Control until such time that a harmonized Site Plan Control By-law is developed, and that a stakeholder group be established consisting of, but not limited to, representatives from the Toronto Association of Business Improvement Areas, shelter advocates, ratepayer and tenant groups and staff from Urban Design Division of Urban Development Services, to provide input into the development of the harmonized Site Plan Control By-law and its guidelines for shelters;**
- (3) **the Toronto Police Services Board be requested to explore the feasibility of having Police recruits, as part of their training, supervise homeless shelters in order to provide all future police recruits with an opportunity to become aware of the plight of the homeless and become sensitive to their needs; and**
- (4) **the Commissioner of Community and Neighbourhood Services be requested to report to the Community Services Committee on those shelters not providing 24 hour service and identify how the City can redress this lack of service on a site by site basis.**

The Planning and Transportation Committee reports having requested the Commissioner, Community and Neighbourhood Services to report directly to City Council for its meeting on February 4, 2003 on matters relating to the size and funding of shelters in relation to the various target groups, such report to include comment on the following motion proposed by Councillor Sutherland:

“That the joint report (December 20, 2002) from the Commissioner, Urban Development Services and the Commissioner, Community and Neighbourhood Services, be amended by capping the size of shelters to 50 beds for single adults and 30 beds for families”.

The Planning and Transportation Committee submits the following communication (January 9, 2003) from Mayor Lastman:

Members of Toronto City Council continue to take action on homelessness and the lack of affordable housing in Toronto.

In 1999, Council stated its intention to permit emergency shelters in all parts of the City, causing great debate on how such a policy should be implemented.

In April 2002, I received Council's draft of the Municipal Shelter Bylaw. Since then, the public has been invited to share their input. Several hundred individuals and groups either wrote or made presentations to various committees and Community Councils.

The public's advice has been crucial in developing additional recommendations, and because of this the proposed new Shelter Bylaw now requires that each new 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.

We have to improve access to shelter services throughout Toronto and respond to resident concerns about the concentration of shelter services. For this reason, in addition to the bylaw, I believe Council should also adopt a moratorium on new shelter expansion in wards that currently have 500 or more shelter beds.

We must move forward with a new and improved Municipal Shelter Bylaw that balances the need for new shelters with the concerns expressed by our local communities. Let's make a decision and begin implementing the new bylaw and policies.

The Planning and Transportation Committee also submits the following joint report (December 20, 2002) from the Commissioner of Urban Development Services and Commissioner of Community and Neighbourhood Services:

Purpose:

To respond to comments and recommendations of City Council and Community Councils in considering the draft Municipal Shelter By-law, and to forward 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.

Financial Implications and Impact Statement:

There are no direct financial implications arising from this report.

Recommendations:

It is recommended 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; and
 - (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.

Background:

In 2001 Council directed the Commissioner of Urban Development Services to:

“submit a report to the Planning and Transportation Committee for its meeting scheduled to be held on June 4, 2001, on an expedited timetable to implement the “Fair Share” amendments to the zoning by-laws previously requested by Council that will enable the location of shelters across the City of Toronto.”

This direction was consistent with a May 1999 direction from Council that the Commissioner report on a form of by-law, similar to the public use exceptions in the former North York and Toronto zoning by-laws, that would accommodate emergency shelters and other municipal housing uses in all parts of the amalgamated City.

On September 11, 2001 the Planning and Transportation Committee held the statutory public meeting to consider a draft zoning by-law to permit municipal shelters across the City of Toronto. When the draft by-law was subsequently considered by Council in April, 2002, the entire clause was referred to the Mayor’s office, as detailed below.

Altogether, there have been a number of reports before Council regarding the by-laws and the policies, programs, processes and procedures that would be put in place to support and complement the by-law. Standing Committees and Community Councils have heard many deputations and received many submissions on the by-law and on the related matters. Most of the pertinent staff reports are contained within Clause 1 of Joint Report No. 2 of the Planning and Transportation Committee and the Community Services Committee. At its meeting of April 16, 17, and 18, 2002 City Council considered this Clause, entitled “Enactment of a Municipal Shelter By-law”, and struck out and referred this Clause 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 DiGiorgio:

“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 exceeds 30”;
- (b) Approval of 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) 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 development 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.

The Clause that was struck out and referred to the Mayor's office is anticipated to also be before Committee under separate cover, as are the subsequent recommendations from each Community Council. The Community Council meetings requested by Council were originally scheduled for July, 2002 but were cancelled due to the labour disruption. The meetings were held on September 17, 18 and 19, 2002. The Community Councils heard 63 deputations and received 89 submissions.

In 2002, City Council has also adopted the Multi-Year Shelter Strategy for the City of Toronto and new Shelter Standards.

The Multi-Year Shelter Strategy sets out the future direction and financing of the shelter system and was developed as a tool to guide decision making about the shelter system. The three major priorities of the Strategy are: improving the current shelter system, advocating for long-term solutions to homelessness, and enhancing accountability of the system. Within each of these priorities are a number of objectives including: improving shelter access City wide by encouraging shelter development outside the downtown core; implementing new minimum standards for all shelters; developing a quality assurance program; and focusing on services that help people leave the streets and shelter. The Strategy will be updated on an annual basis.

The new Shelter Standards were adopted following a thorough review and revision of the existing shelter standards. These standards provide shelter operators and residents with a clear set of expectations and guidelines for the provision of shelter beds and services in Toronto. The key areas covered include: standards of organization; access to shelters; resident rights and responsibilities; program standards; food and safety standards; health and safety standards; and staff straining. The new Standards respond to a number of key issues and concerns that had been raised by shelter operators, community advocates and City Council and will be implemented in 2003.

Comments:

(1) Introduction

At the September 11, 2001 public meeting, the April, 2002 Council meeting and the September, 2002 Community Council meetings, many deputations and submissions were made regarding the by-law criteria and conditions that could be introduced and the City policies, procedures and

programs that could be implemented. It is important to note that the proposed overall approach to the approval and provision of municipal shelters has included, and continues to include, not only the Municipal Shelter By-law, but also related Council policies, the due diligence process (including site and property assessments), the Community Information Process, and site plan control. The related Council policies include the moratorium and approval process recommended in this report, and also the Multi-Year Shelter Strategy and related new Shelter Standards, adopted in 2002. Collectively, this comprehensive and integrated approach will help meet the City's need to deliver appropriate shelter services in a timely manner while addressing many of the community concerns raised in the extensive public consultation process that has taken place.

An important and over-riding message that staff heard through this public consultation exercise is that while the provision of municipal shelters throughout the City is necessary, the draft by-law and related policies and procedures should be more restrictive and afford greater scrutiny than what was being proposed. Staff have analyzed the issues raised by City Council and Community Councils and have put forward options that, should Council so wish, will create a much more restrictive approach to permitting municipal shelters across the City than was originally proposed. The options include additional locational restrictions (250 m separation distance, arterial road locations, exclusion from existing permissive zoning provisions) in the draft by-law, a moratorium in Wards with more than 500 shelter beds as a Council policy, additional site evaluation criteria in the due diligence process, greater clarity and certainty in the Community Information Process, site plan control, and an explicit process for Council approval of all individual municipal shelters.

The proposed changes to the draft by-law or to Council policy and procedures are discussed in this report. The draft by-law containing revisions is attached as Appendix A. The revised Site Assessment and Property Assessment protocols are attached as Appendices B and C, respectively, with revisions arising from this report in italics. The recommended Community Information Process is attached as Appendix D, also with revisions in italics. The discussion of other planning-related issues raised by City Council and Community Councils is attached as Appendix E. The discussion of other policy, program, and operational issues raised by City Council and Community Councils is contained in attached Appendix F. The existing "essential service" provisions in the zoning by-law for former North York, about which staff were specifically requested to report, are attached as Appendix G. Appendix H is a map showing arterial roads (major and minor).

(2) Options for Revisions to the Draft Municipal Shelter By-law

Many recommendations were made by both Council and Community Councils regarding conditions and criteria that could be included as part of the by-law. The following issues were the subject of numerous comments and recommendations made throughout the debates and discussions on the draft by-law and could be addressed in the by-law should Council so wish.

Council may choose to include some or all of the provisions discussed below as part of the new by-law. Staff note that the inclusion of both the distancing provision and the arterial road location provision will substantially limit the potential municipal shelter sites that could be considered by staff without a rezoning process. These provisions will thus limit the effectiveness of the by-law in meeting the intent of the original Council direction, which was to permit the

as-of-right location of emergency shelters operated by or for the City across the entire City of Toronto.

(a) Council Approval of Individual Municipal Shelter Sites

At its meeting of April 16, 17 and 18, 2002, as part of the Clause struck out and referred to the Mayor's office, Council had before it a report from the Acting Commissioner of Community and Neighbourhood Services dated November 14, 2001 that contained the due diligence process, including criteria for selecting and assessing new municipal shelter sites should the by-law be enacted, and a Community Information Process.

That report had also recommended that upon enactment of the Municipal Shelter By-law, Council approve a process for reviewing and recommending new shelter sites that would include:

- (i) completion of a due diligence process documenting the assessment of the sites/property being considered (now revised and attached as Appendices B and C to this report). ;
- (ii) a Community Information Process (now revised and attached as Appendix D to this report); and
- (iii) a requirement for staff to provide to Council, through standing committee, a report that includes information on the recommendation regarding the site, provides details on the site and property assessment process and describes the opinions and positions of the local residents and Councillor (now addressed in Recommendation No. 5 to this report).

A Preliminary Project Review by the Building Division will be part of the due diligence process, once Shelter, Housing and Support staff have assessed the site and property to the extent necessary to determine that the potential exists for a municipal shelter. The Site Assessment protocol in attached Appendix B has been revised to include this process. The review by Building Division of the application and plans will determine whether the proposed work would comply with the provisions of the applicable general zoning by-laws and whether other approvals would also be required. In order to complete this review, the Building Division will require a letter from Community and Neighbourhood Services Department confirming that the project is being considered as a potential municipal shelter.

Three Community Councils (Toronto East York, Scarborough, Humber York), as well as City Council and a number of deputants have recommended that the requirement for City Council approval of each municipal shelter site be included within the by-law. The inclusion of this requirement would simply formalize what would be a necessary step in any event, and this report provides for such a revision to the draft by-law.

The proposed by-law contained in Appendix A to this report has been revised by inserting a requirement for Council approval of any new municipal shelters. The due diligence process and the Community Information Process as referenced above and contained in Appendices B, C and D are also recommended for adoption and will complement this revision to the draft Municipal Shelter By-law. The process of securing this Council approval of each municipal shelter through a report to Community Services Committee on the results of applying Council-adopted policy and the by-law requirements, the due diligence exercise and the Community Information Process, is also formalized through a separate recommendation (No. 5) in this report.

Later in the municipal shelter approval process, the Building Division will require, prior to issuing a building permit for a municipal shelter use, confirmation from Community and Neighbourhood Services Department that Council has approved the municipal shelter as required under the by-law.

(b) Minimum Separation Distance Between Municipal Shelters

Four Community Councils and City Council requested that this report address a minimum separation distance between shelters. Council and three Community Councils (Toronto East York, North York, Humber York) recommended a 250 m separation distance, while one (Scarborough) recommended a 500 m minimum separation distance. This is a key issue that has also been raised by many deputants during the course of the Municipal Shelter By-law debate. City Planning staff have previously advised that should Council wish to include a distancing provision in the By-law, the existing 245 m minimum separation distance used in the former City of Toronto in relation to group homes and crisis care facilities be rounded to 250 m. While a variety of distances have been suggested in various recommendations and deputations, the 250 m distance has been the one most consistently recommended. As such, the draft by-law (Appendix A) has been revised to include a 250 m minimum separation distance. As City Planning staff has reported previously, there is no planning rationale for a minimum separation distance.

This distancing provision will apply only to new municipal shelters established after adoption of the By-law. As such, existing facilities that may not presently comply with the 250 m minimum distance separation are not rendered non-conforming. Staff of Shelter, Housing and Support Division of Community and Neighbourhood Services note that while a minimum separation distance of 250 m would somewhat reduce the number of sites that could be considered, the negative impact of this criteria on site availability would be offset by the significantly larger geographical area that would be available for site search under this new by-law.

(c) Locations Restricted to Arterial Roads

While only the Scarborough Community Council recommended a restriction of municipal shelters to arterial roads, this criterion has been the subject of debate, deputation and discussion. The inclusion in the draft by-law of a condition requiring municipal shelters to be located on arterial roads would begin to address community concerns regarding the placement of shelters in areas that are mainly residential. The restriction to arterial roads can be thought of as a proxy for locating municipal shelters on the periphery of residential areas as opposed to in the middle of such areas. However, there is no planning rationale for this restriction. The draft by-law (Appendix A) has been revised to incorporate this requirement. The identification of arterial roads is based on the road classifications adopted by Council in the Road Classification System. A map showing major and minor arterials is attached as Appendix H.

The restriction of municipal shelters to arterial roads does not mean that every portion of a minor arterial road, for example, will be acceptable for municipal shelter use. All other criteria

contained in the by-law and in Council-adopted policy, including the due diligence exercise, would also be applied, and it is emphasized that specific Council approval will be required for every new municipal shelter if the proposed draft by-law is adopted. Staff anticipate that in considering the draft by-law contained in attached Appendix A, Council members may have concerns about the merits of potential shelter locations on specific arterial roads. The by-law could become very complex and lengthy if Council attempts to include exceptions for specific arterial roads or portions thereof. The implementation of the Site Assessment process, together with the input of local residents and the Ward Councillor, is the more appropriate method for determining suitability of specific arterial road locations.

Shelter, Housing and Support staff note that the inclusion of the arterial road criterion will greatly limit the number and location of sites that could be considered for municipal shelter development. Previous experience has shown that a location on an arterial road does not significantly reduce community opposition.

(d) Lawfully Existing Municipal Shelters

The City's shelter system has been developing over the past 30 or so years. The facilities have been labelled with various names during that time. Some lawfully existing facilities which meet the proposed definition of a municipal shelter are owned and/or operated on behalf of the City by third party operators. The status of any such existing facilities should not be altered to non-conforming status by the passage of the new by-law. Staff are recommending inclusion of a by-law provision that any lawfully existing facilities meeting the new definition on, or any such facilities as yet unconstructed but for which building permits have been issued by, the date of by-law adoption, be deemed to comply with the provisions of the new by-law.

(e) Site-specific Permissive Exceptions
for Three Municipal Shelter Locations

There are three municipal shelters for which Council has already approved funding, but for which the planning and development will not likely have sufficiently advanced to the point where a building permit could be obtained prior to adoption of the new by-law. The municipal addresses are 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, having a frontage of 41.65 m on the east side of Canterbury Place in the former City of North York. Considerable City resources have already been expended to date on establishing shelters on these sites, and a funding commitment has been made by Council. The draft by-law contained in Appendix A has been revised to include permissive exceptions for these three sites only.

(f) Exclusion of Municipal Shelters as Permitted Uses
in Existing Zoning By-law Provisions

Midtown Community Council, at the meeting of September 17 and 18, 2002, requested staff to report on amending the zoning by-law for the former North York to specifically delete municipal shelters as a use permitted under the "Essential Services" provisions. Staff consider it reasonable that if Council wishes to implement certain locational and other criteria in a Municipal Shelter

By-law, all municipal shelters should be subject to the same criteria. The Chief Building Official is of the opinion that unless the essential service provisions are amended as recommended by Midtown Community Council, then some municipal shelters could potentially be approved in former North York without being subjected to the criteria in the Municipal Shelter By-law. The amendments proposed by Midtown Community Council would add a municipal shelter use to the list of uses specifically deemed not to be “essential services” in the zoning by-law for former North York.

Similarly, a municipal shelter could be classified as a “public use” under the permissive provisions of section 11(1) of the zoning by-law of the former City of Toronto, and could also be permitted as a “hostel” use. A review of all other existing zoning by-laws by Urban Development Services staff has revealed that similar “public service” provisions also exist in the by-laws of all former local municipalities except Scarborough. In former Etobicoke, such provisions apply only to former Long Branch, Mimico and New Toronto. For consistency, all of these existing permissive provisions should be appropriately amended to exclude a municipal shelter use. The revised draft Municipal Shelter By-law attached as Appendix A contains such revisions to existing zoning by-law provisions.

(3) Other Planning-Related Issues

A number of other recommendations were made by Council and Community Councils regarding locational criteria and the approval process for municipal shelters. City Council and three Community Councils (Toronto East York, North York, Humber York), raised the issue of site plan approval for municipal shelters. Council also raised the issue of applying the North York “essential service” provisions City-wide. Locational issues raised included a moratorium on municipal shelters in wards with more than 500 existing shelter beds (City Council, Toronto East York, North York, Midtown), restrictions on locations within flood plains (Council, Humber York), park areas (Humber York) and employment areas (Scarborough); a requirement that shelter locations be accessible to 7 day per week transit service (Scarborough); consideration of the concentration of assisted housing in the area (Scarborough); assessing the suitability of the host community (Scarborough); and equitable distribution of shelters (Scarborough). Process issues raised by Scarborough Community Council included retention of the current Planning Act approval process, inclusion of locational criteria in the Official Plan, and a site approval appeal process.

The moratorium, site plan approval, and North York “essential service” suitability issues are discussed below in this section of the report, with specific recommendations addressing the first two. The other issues mentioned above are discussed in Appendix E attached to this report. In summary, staff do not consider it appropriate to address any of these matters in the by-law itself. Stemming from the discussion of these issues contained in Appendix E, staff have revised the Site Assessment protocol contained in attached Appendix B to explicitly include consideration of the flood plain, park, and employment area matters. Transit accessibility was already a consideration, and remains so, in that protocol. The Community Information Process in Appendix D has been revised to stipulate a mandatory public meeting to be attended by staff from both the City and the operating agency.

(a) Site Plan Approval

The requirement that municipal shelter uses be subject to site plan control cannot be implemented through the zoning by-law. A site plan control by-law under Section 41 of the *Planning Act* is the appropriate vehicle for this purpose. The development of a City-wide site plan control by-law is currently in process. This report recommends that 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, when the creation of a municipal shelter use constitutes development, it would be subject to site plan control.

(b) Suitability of the North York “Essential Services” By-law Provisions as a City-wide Model

As noted above, the former North York Zoning By-law contains provisions to permit “essential services”, under which an emergency shelter operated by or for the City could be permitted. These existing provisions are reproduced in Appendix G attached to this report. City Council, in April, 2002, requested that the Commissioner of Urban Development Services report on the differences between these existing North York provisions and the proposed Municipal Shelter By-law (as it was then proposed), and on the feasibility of implementing the North York provisions as a model for use City-wide.

Both the North York provisions and the proposed Municipal Shelter By-law as proposed at that time would permit a municipal shelter in any zone, subject to the zoning standards applicable in the particular zone. However, the North York essential services provisions are much broader in scope, in that they permit any use (except parking lots and office buildings) by a government, government agency or public utility deemed to be a necessary public service, and are not limited to the municipal level of government or to shelter uses. The draft Municipal Shelter By-law, as contained in Appendix A to this report, has also been further modified by the inclusion of more restrictive conditions, as noted in the recommendations and in the above discussion.

The North York provisions are thus more permissive with respect to the range of public service uses permitted by the by-law. However, the proposed municipal shelter by-law clarifies the intent to permit shelters provided by a third party “for the city.” Further, it would not be appropriate to extend the permissive provisions of the North York by-law for all other types of public uses within the narrower context of considering municipal shelters. The upcoming project to review and harmonize the zoning by-laws on a City-wide basis to implement the new official plan will provide a more appropriate context for considering more general public service use permissions.

(c) Moratorium on Municipal Shelters in Wards with Greater than 500 Existing Municipal Shelter Beds

Three Community Councils and City Council requested that this report address a moratorium on additional Municipal Shelters in wards already containing more than 500 municipal shelter beds. The City Solicitor has advised that the proposed By-law is not the appropriate vehicle, for legal reasons, by which to impose such a moratorium. A moratorium implies a temporary suspension of the By-law permissions, which is not legally possible through section 34 of the *Planning Act* (a zoning by-law). A use is either permitted or not permitted by a zoning by-law. Furthermore,

reliance in the zoning by-law on Ward boundaries to define the geographic areas is problematic because the Ward boundaries can change, rendering zoning compliance variable. Reliance on the total number of municipal shelter beds in a geographic area for zoning compliance is also problematic because that total can also change.

The more appropriate vehicle for instituting such a moratorium would be a Council-adopted policy that no additional municipal shelter sites be developed in wards already containing 500 or more existing municipal shelter beds, except to replace existing shelter beds that may be closed within the ward for any number of reasons. Again, it is emphasized that the draft by-law has been amended to include the requirement for Council approval of individual shelter sites, and the number of existing shelter beds in a Ward will be considered by staff in the report to Committee and Council in recommending whether or not to approve a specific shelter. This report recommends that, should Council wish to impose such a moratorium, that it be adopted as a Council policy. This will meet the long term objectives to achieve a more broad distribution across the City of shelter beds while at the same time protecting the existing beds. This moratorium will be revisited as part of the Multi-Year Shelter Strategy annual review.

(4) Municipal Shelter Policy, Program and Operational Issues

There were other issues related to municipal shelter policies, programs and operations raised by City Council and Community Councils that cannot be, or are not most appropriately, addressed within the by-law. These issues include: a facilities review and operational review of existing shelters; supervision of shelters by police recruits; length of shelter stays; tracking of shelter residents; consideration of the recommendations of the Mayor's Homelessness Action Task Force; the establishment of community liaison committees; the establishment of a complaints procedure for shelter operations; and size limits on municipal shelters and a Committee of Adjustment approval process for exceeding the size limits. These issues are discussed in the attached Appendix F.

The establishing of community liaison committees was, and continues to be, included in the Community Information Process (Appendix D). The community liaison committees will, among other roles, convey community concerns to Council and facilitate strategies to address community concerns regarding the development and operation of the municipal shelters. The Community Information Process has also been clarified to stipulate that staff must convene a public meeting when a municipal shelter is under consideration, and that staff from both the City and the operating agency must attend to provide information and hear community concerns.

(5) Council Determination Regarding No Further Notice Required

Section 34(17) of the *Planning Act* requires that when a change is made in a proposed zoning by-law after the public meeting is held, Council must determine whether any further notice is to be given regarding the proposed by-law. In this case, the effect of the amendments proposed to the draft by-law is to make the by-law more restrictive toward municipal shelter uses than was the draft by-law considered at the statutory public meeting. Therefore, staff recommend that no further notice be given.

(6) Community Council Deputations

City Council requested that this report “address a process whereby any new recommendations are referred to the Community Councils for the hearing of deputations”. Even prior to the non-statutory public meetings at the September, 2002 Community Council meetings, there were four formal opportunities for public deputations regarding the proposed by-law. Because the proposed changes to the draft by-law have the effect of placing greater restrictions on the number and location of potential sites for municipal shelters, it would not appear to be necessary to hold further deputation meetings at the Community Councils. Further deputations will be heard at the meeting of Planning and Transportation Committee where this report is considered, and this additional opportunity for public input is considered sufficient in light of the more restrictive provisions in the draft by-law.

Conclusions:

Council and Community Councils have made a number of recommendations arising from consideration of a previous draft of the Municipal Shelter By-law. Four of these: Council approval, a 250 metre distancing provision, locations on major and minor arterial roads, and exclusion of municipal shelters from existing permissive zoning provisions, have been suggested for possible inclusion in the by-law. Staff note that should Council choose to implement all four criteria it will greatly limit the number of potential sites that will be available for municipal shelter use. This will limit the effectiveness of the By-law in responding to the original Council direction to forward zoning amendments to permit municipal shelters as-of-right across the City. Additional revisions to the by-law include a provision deeming lawfully existing municipal shelters as complying with the by-law, and a provision specifically permitting Council-approved municipal shelters on three particular sites where consideration of municipal shelters is well underway, with funding approval already given by Council.

The proposed Municipal Shelter By-law is one component in the proposed overall City approach to assessing and approving municipal shelter sites. The other components of the proposed overall approach include new Council policy including a moratorium in Wards with more than 500 shelter beds, a revised due diligence process, a revised Community Information Process, and a report to Council, as well as the previously adopted Multi-Year Shelter Strategy and related new Shelter Standards, and a revision to the proposed City-wide Site Plan Control By-law to subject municipal shelters to site plan approval.

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Appendix A

REVISED DRAFT MUNICIPAL SHELTER BY-LAW

Authority: Planning and Transportation Committee, Clause _ of Report No. _
as adopted by Council on ~, 2003

Enacted by Council:

CITY OF TORONTO
BY-LAW NO. _____ -2003
Municipal Shelter By-law

WHEREAS City Council has recognised that there continues to be a need for emergency shelter accommodation within the City;

AND WHEREAS Council is prepared to provide such services throughout the City;

AND WHEREAS authority is given to City Council by Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended to pass this By-law;

AND WHEREAS City Council has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*:

The Council of the City of Toronto **HEREBY ENACTS** as follows:

1. For the purposes of this By-law, “Municipal Shelter” means a supervised residential facility, operated by or for the City of Toronto, or any agency of the City of Toronto, which provides short-term emergency accommodation and associated support services.
2. Notwithstanding any other general or specific provision in any By-law of the City of Toronto or of its former municipalities, municipal shelters shall be a permitted use in all zones or districts of the City of Toronto, provided:
 - (i) any new buildings or additions comply with all other applicable zoning provisions of the zone or district;
 - (ii) the lot on which the municipal shelter is located is on a major arterial road or minor arterial road as described on the Road Classification System, as amended, for the City of Toronto;
 - (iii) the lot on which the municipal shelter is located is at least 250 metres from any other lot with a municipal shelter; and
 - (iv) the municipal shelter, including its location, has been approved by City Council.

3. Any supervised residential facility, operated by or for the City of Toronto or any agency of the City of Toronto, which provides short-term emergency accommodation and associated support services and that is lawfully existing on, or for which a building permit has been issued by, *[date of By-law adoption]*, is deemed to comply with Section 2 of this By-law.
4. Subsections 2(i), 2(ii) and 2(iii) of this by-law shall not apply to prohibit a municipal shelter use at the following locations:
 - (a) 101 Ontario Street in the former City of Toronto;
 - (b) 717 Broadview Avenue in the former City of Toronto; and
 - (c) Part 11, Expropriation Plan 9457, Part Lot 19, Concession 1 West of Yonge Street, also known as 0 Canterbury Place in the former City of North York.
5. By-law No. 7625 of the former City of North York is amended in section 2.34 by adding “municipal shelter,” after “but shall not include a”, so that section 2.34 reads as follows:

“2.34 **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 municipal shelter, public parking lot, parking station, or office building.”
6. By-law No. 438-86 of the former City of Toronto is amended as follows:
 - (a) In Subsection 11(1), add the following words following clause (iii):

“except the permissions in paragraph 1 shall not permit the use of any land, building or structure as a municipal shelter.”; and
 - (b) In Section 2, add “a municipal shelter,” after “does not include” in the definition of “hostel”, so that the definition reads as follows:

“ ‘*hostel*’
means a building or part of a building that contains dwelling accommodation consisting of rooms without culinary facilities, but does not include a municipal shelter, a *rooming house* or a *crisis care facility*.”
7. By-law No. 1- 83 of the former City of York is amended in clause 3.1.2 by adding “and except where the use is a municipal shelter” after “except a G District”, so that the clause reads as follows:

“The local municipal corporation or any local Board or agency thereof, may use any land or erect or use any land or use any building or structure in any district except a G District and except where the use is a municipal shelter, provided that such use of a building or structure located in any R District shall be in substantial compliance with the height, coverage and yard regulations prescribed for such district, but there shall be no exterior storage in yards of goods, materials or equipment in any R District. Any building erected or used under the provisions of this Section shall be of a character and maintained in general harmony with residential buildings of the type permitted in said district.”

8. The Zoning Code for the former City of Etobicoke is amended as follows:
- (a) Section 330-7, Public Services and Utilities, (former Village of Long Branch) is amended by adding “but not including a municipal shelter” after “may, for the purposes of the public service”, so that the section reads as follows:
- “Notwithstanding anything contained in this chapter, the village or any local board thereof as defined in the Department of Municipal Affairs Act, any telephone or telegraph company, a transportation system owned or operated by or for the village, any department of the Dominion or Provincial Government, including the Hydro-Electric Power Commission of the Province of Ontario, may, for the purposes of the public service, but not including a municipal shelter, use any land or erect or use any building or structure in any district notwithstanding that such building or structure or proposed use does not conform to the provisions of this chapter for such district, provided that such use, building or structure, if located in any R District, shall be in compliance with the height, coverage and yard regulations prescribed for such district but that there shall be no exterior storage in yards of goods, materials or equipment in any R District and that any building erected or used under the provisions of this section shall be of a character and maintained in general harmony with residential buildings of the type permitted in the said district.”
- (b) Section 340-11, General Permitted Uses, (former Town of Mimico), sub-section A, is amended by adding “but not including a municipal shelter” to the end of the sentence, so that the sub-section reads as follows:
- “A. Essential public services authorized by the Town of Mimico, the Mimico Public Utilities Commission, the Municipality of Metropolitan Toronto, the Province of Ontario or other government board, agency or authority, but not including a municipal shelter.”
- (c) Section 350-10, Public Services and Utilities, (former Town of New Toronto), is amended by adding “but not including a municipal shelter”

after “may, for the purposes of the public service”, so that the section reads as follows:

“Notwithstanding anything contained in this chapter, the Town of New Toronto or any local board thereof as defined in the Department of Municipal Affairs Act, any telephone or telegraph company, a transportation system owned or operated by or for the Town of New Toronto, any department of the Dominion or Provincial Government, including the Hydro-Electric Power Commission of the Province of Ontario, may, for the purposes of the public service, but not including a municipal shelter, use any land or erect or use any building or structure in any use district notwithstanding that the proposed use does not conform to the provisions of this chapter for such a district, provided that such use, building or structure, if located in any R District, shall be in compliance with the height, coverage and yard regulations prescribed for such district but that there shall be no exterior storage in yards of goods, materials or equipment in any R District and that any building erected or used under the provisions of this section shall be of a character and maintained in general harmony with residential buildings of the type permitted in the said district.”

9. By-law No. 1916 for the former Borough of East York is amended by:
 - (a) adding in Section 6.2.1, (Permitted Uses in R1A Density Zones), “but not including a municipal shelter” after “a facility owned by the Corporation of the Borough of East York”, so that the section reads as follows:

“Residential; a day nursery operated in a municipally-owned community centre, or in a public library, or in a school, or in a church building existing at the date of the passing of this By-law; Institutional; a facility owned by the Corporation of the Borough of East York but not including a municipal shelter; a public park; a playground. Uses accessory to the foregoing.”
 - (b) adding in Section 6.3.1, (Permitted Uses in R1B Density Zones), “but not including a municipal shelter” after “a facility owned by the Borough of East York”, so that the section reads as follows:

“Residential; a day nursery operated in a municipally-owned community centre, or in a public library, or in a school, or in a church building existing at the date of the passing of this By-law; Institutional; a facility owned by the Borough of East York but not including a municipal shelter; a public park; a playground. Uses accessory to the foregoing.”
10. By-law No. 6752 for the former Borough of East York is amended by:

- (a) adding in Section 7.2.1, (Permitted Uses in R1A Density Zones), “but not including a municipal shelter” after “facilities owned by the Corporation of the Borough of East York”, so that the section reads as follows:

“Residential; facilities owned by the Corporation of the Borough of East York but not including a municipal shelter; a day nursery operated in a municipally-owned community centre, or in a public library, or in a school, or in a church building existing at the date of passing of this By-law. Uses accessory to the foregoing.”; and

- (b) adding in Section 7.3.1, (Permitted Uses in R1B Density Zones), “but not including a municipal shelter” after “facilities owned by the Corporation of the Borough of East York”, so that the section reads as follows:

“Residential; facilities owned by the Corporation of the Borough of East York but not including a municipal shelter; a day nursery operated in a municipally-owned community centre, or in a public library, or in a school, or in a church building existing at the date of passing of this By-law. Uses accessory to the foregoing.”.

ENACTED and PASSED this day of , 2003.

MAYOR

CITY CLERK

Appendix B

ASSESSMENT OF SITE UNDER CONSIDERATION FOR MUNICIPAL SHELTER USE

(Revisions in italics)

The purpose of this document is to assist in the assessment of the location of a site being considered for shelter use.

1) ADDRESS: _____

WARD: _____ COUNCILLOR: _____

Shelter, Housing and Support contact (name, title and phone #):

Are staff recommending this site for further consideration as a shelter site? Yes/No

Closest Intersection: _____

Is this site within 120 metres of a Ward boundary? yes/no

If yes, which Ward: _____ Councillor: _____

2) SERVICE DESCRIPTION – DESCRIBE PROPOSED CLIENT GROUP AND TYPE OF SHELTER:

Estimate number of beds proposed for the site:

Estimate breakdown of beds by client group (i.e.: single men/single women/couples, adults/children):

3) COMMUNITY AGENCY INVOLVED:

Agency contact (name, title, phone #):

Information on agency (i.e.: do they currently contract with City or operate a shelter, track record, etc.)

4) PLANNING/ZONING INFORMATION

In which of the former cities is the site located?

What is the current Official Plan designation and zoning for the site?

Is the site located on a Major or Minor arterial road? (check with Transportation)

Is the site in a flood plain?

Is the site in natural heritage area *or a park*?

Is the site in an industrial area?

Is the site in an employment district? (contact EDCT for opinion)

Planning Contact: (name, title and phone number of the section manager):

Zoning Contact: (name, title and phone number):

5) DESCRIBE THE LOCAL COMMUNITY:

Describe the community immediately surrounding the site:

West of the site is:

East of the site is:

North of the site is:

South of the Site is:

Describe local residential community (provide information on age of community, built form, any ongoing changes to the neighbourhood):

Describe the local business community (provide information on built form, type of business, ongoing changes):

Record any municipal emergency shelters within the local community:

Name of shelter	Address of shelter	Number of beds	Orientation to proposed site (i.e.: direction, number of blocks)	Estimate distance to the proposed site (metres)	Client group served

Is the proposed site within a 250 metre radius of any other Municipal Shelter?

What is the proximity of the nearest school?

	Distance to site	Name of school	Address
Public Elementary			
Public Secondary			
Catholic Elementary			
Catholic Secondary			

There is a separate document for a second stage of school assessment.

6) PUBLIC TRANSIT

Describe transit access and routes available: (What is the closest transit route? Does it connect to the subway? Is this a 24-hour route? How regular is service on weekdays? Sundays and holidays?)

7) SOCIAL/HEALTH/EDUCATION SUPPORTS:

Please describe the location of the following in relation to the site:

Hospital:

Community Health Centre or Health Clinic:

Employment Centre, HRDC office:

Income Support office:

Bank:

Drop-in:

8) COMMUNITY RESOURCES:

Please describe the locations of the following in relation to the site:

Park(s):

Community centre(s):

Public library(ies):

Retail food store:

STAFF ASSESSMENT OF WHETHER THE CITY SHOULD PURSUE DEVELOPMENT OF THIS AS A SHELTER SITE

(provide yes/no/neutral response and reasons for recommendation)

Date Building Division, UDS contacted for Preliminary Project Review (PPR): _____

Building Division contact (name, title, phone number): _____

Results of Building Division Preliminary Project Review: (summarize results and attach copy of PPR document)

Date Councillor informed: _____

Appendix C

ASSESSMENT OF PROPERTY UNDER CONSIDERATION FOR MUNICIPAL SHELTER USE

(Revisions in italics)

SH & S STAFF ASSESSING PROPERTY:

ADDRESS: _____

WARD: _____ COUNCILLOR: _____

CLOSEST INTERSECTION: _____

Service description – describe proposed client group and type of shelter:

Description of Property: (i.e.: single family dwelling, warehouse, retail space):

Is the building currently tenanted?

Is the building City or privately owned? (circle one)

Is the building for lease or sale? (circle one)

Valuation of building and recent price history:

-What is the listed/lease price?

-If this is a purchase, what is the source of funding?

-How many beds could this building support?

-How old is the building?

Describe condition of exterior of building:

Describe parking on site:

Describe front yard of property (size, condition, objects in yard):

Describe rear yard of property (size, condition, objects in yard):

Could property accommodate outdoor activity area for children?

Describe condition of interior of building:

BUILDING LAYOUT

Number of bedrooms, location and approximate size:

Number of toilet rooms/bathrooms, location and approximate size:

Number of showers and location:

Size and location of kitchen:

Number of offices available and location:

Size and location of common areas:

Does site have disabled access?

BUILDING SYSTEMS:

Heating:

-What type of heating system?

-How old?

- Can it support the proposed use?
- What type of upgrading would be required?
- Estimated cost:

Electrical:

- What type of electrical system?
- How old?
- Can it support the proposed use?
- What type of upgrading would be required?
- Estimated cost:

Plumbing:

- Can existing plumbing support the proposed use?
- What type of upgrading might be required?
- Estimated cost?

Cooling:

- Does site have air conditioning?

Elevator on site?

- Make:
- Last inspection:
- Capacity of elevator:

Fire System:

- Describe fire system:
- What is the age of the fire system:
- When was last inspection?

Environmental:

- Are there any indications of asbestos in the building?
- Any sign that chemical materials have been stored on site or off site contamination?
- Is phase one environmental assessment available? Yes/No

Any potential fire or building code concerns with the property?

Contacts from other departments:

Department	Name	Title	Phone number
Buildings			
Fire Services			
Public Health			

Inspections by other departments:

Department	Date of Inspection	Name of Inspector	Phone number
Buildings			
Fire Services			
Public Health			

Describe any issues arising out of inspections:

Describe the internal renovations that would be required to occupy the building with the proposed use. Provide estimated costs of work:

Proposed source of funding for the renovations:

ASSESSMENT OF PROPERTY

Staff assessment of whether City should pursue development of property:

(provide yes/no/neutral response and reasons for reaching this conclusion)

Date Councillor Informed: _____

Appendix D

COMMUNITY INFORMATION PROCESS

(Revisions in italics)

Once staff have identified a potential site and completed due diligence on the site by completing the site assessment and property assessment processes:

- (1) In the case of a City owned site:
 - (a) Staff will contact and meet with the Councillor in whose Ward the site is located, will advise the Councillor(s) as to their recommendations regarding the use of the site and will inform the Councillor that the Community Information Process will commence within 15 working days. Where a site is within 120 metres of another Ward (s), staff will also meet with the other affected Councillors.
 - (b) Following the meeting with the Councillor, staff *must* schedule an evening public meeting to inform the Community regarding the proposed use of the site as an emergency shelter. This meeting will take place no sooner than 15 days after the meeting with the Councillor(s). At this meeting attendees will be canvassed regarding interest in participating in a future Community Liaison Committee as noted in 1(e)(vi).

- (c) Staff will prepare a written communication that will be circulated to local residents and businesses within 120 metres of the approved site informing them of the proposed use of the site and identifying the date, time and location of the public information meeting.
- (d) The written communication will include the following information:
 - (i) address of the site
 - (ii) agency to be operating the site
 - (iii) clients to be served on the site
 - (iv) capacity of the site
 - (v) hours of operation
 - (vi) staffing of the site
 - (vii) services to be provided on site
 - (viii) contact name and number from the City for information; and
 - (ix) contact name and number from the agency for information.

Where required information will be translated to accommodate local constituents.

- (e) At the public information meeting *City staff and a representative from the agency* will provide:
 - (i) *Further details on the project described in the written communication;*
 - (ii) the date of any further community information meetings that will be held;
 - (iii) the date of the Community Services Committee at which the proposed use of the site will likely be considered;
 - (iv) information on how deputations can be made before the Community Services Committee;
 - (v) the date of the Council meeting at which the proposed use of the site will likely be considered; and
 - (vi) solicit the names of residents who may be interested in participating in a Community Liaison Committee.
- (f) Staff will call a meeting of the Community Liaison Committee prior to the Community Services Committee meeting to answer any further questions that might have arisen and to provide them with information on the report that will be going forward to Community Services Committee.
- (g) Should the development of the site be approved, staff will call together the Community Liaison Committee.
- (h) During the development of the new *municipal* shelter, the Community Liaison Committee will meet once a month, or at scheduled times as agreed to by the committee.
- (2) In the case of a privately owned site, the following additional steps will be followed:

- (a) the city will secure a commitment from the owner with the cost and the main terms of a lease or purchase agreed upon. All offers of purchase or lease by the City will be conditional upon the final approval of the site for *municipal* shelter use by Toronto City Council.
- (b) Staff will contact and meet with the Councillor in whose Ward the site is located, will advise the Councillor(s) as to their recommendations regarding the use of the site and will inform the Councillor that a recommendation will be made to the Administration Committee regarding the purchase of the site. Where a site is within 120 metres of another Ward(s), staff will also meet with the other affected Councillor(s).
- (c) Staff will provide a report to the Administration Committee who will make recommendations regarding the proposed financial terms of the conditional offer to purchase or lease. If the Administration Committee approves the financial terms, staff will inform the local Councillor(s) that the Community Information Process will commence within 15 working days.

Process will then mirror that described for City owned sites from 1(c) onward.

Appendix E

DISCUSSION OF OTHER PLANNING-RELATED ISSUES RAISED BY COUNCIL AND COMMUNITY COUNCILS

Contents:

- E-1 Prohibition in Flood Plains and Areas Subject to Flooding
- E-2 Prohibition in Park Areas
- E-3 Prohibition in Employment Areas
- E-4 7-day per Week Transit Access
- E-5 Concentration of Assisted Housing
- E-6 Equitable Distribution of Shelters (Fair Share)
- E-7 Provisions in Official Plan
- E-8 Approval Appeal Process
- E-9 Maintain *Planning Act* Approval Process
- E-10 Suitability of the Host Community

Discussion:

- E-1 Prohibition in Flood Plains (Source: City Council and Humber-York CC)

It was recommended that this report address a prohibition for municipal shelters within floodplains or areas subject to flooding. The process through which flood plains and related Special Policy Areas are delineated makes it impractical for them to be included and mapped as part of the Municipal Shelter By-law. Staff previously recommended that the issue of flood plains be added to the Site Assessment protocol (Appendix B), and this has been done. This

process will identify, as part of the due diligence exercise, whether the site being considered is located in a flood-prone area and a Special Policy Area. The results of discussions with City Planning, Building and Conservation Authority staff would be brought forward to Council when seeking approval for specific sites.

Staff have previously reported in detail with respect to prohibiting municipal shelters in floodplains. Such a prohibition was not recommended for inclusion in the by-law for the following reasons:

- significant urban development has occurred within floodplains in those limited areas designated in official plans as Special Policy Areas, (such as the Don River floodplain) within which the zoning by-laws currently permit urban development and in which municipal shelters may be a needed and appropriate use; and
- floodplain mapping is carried out by the Toronto and Region Conservation Authority (TRCA) and is subject to frequent updating. Staff have concerns with basing zoning boundaries and compliance on lines mapped by another agency and subject to possible changes in criteria and frequent updating.

The requirement in the draft by-law for Council approval of individual municipal shelters provides a further means by which to ensure that the location of any new shelter is appropriate.

E-2 Prohibition in Park Areas (Source: Humber-York CC)

The Humber-York Community Council requested that this report address the prohibition of municipal shelters within “parkland”. Staff do not consider this restriction as being necessary or desirable within the By-law, given that;

- Shelter, Housing and Support would not consider such a location in any event, and such a prohibition can be appropriately addressed through the application of the Site Assessment protocol; and
- “parkland” is difficult to define and delineate for zoning by-law purposes. Many City parks are not separately zoned but are permitted within other zones or districts.

Consideration of the park location issue has been added to the Site Assessment protocol (Appendix B attached to this report). The requirement in the draft By-law for Council approval of individual municipal shelters provides a further means by which to ensure that the location of any new shelter is appropriate.

E-3 Prohibition in Employment Areas (Source: Scarborough CC)

It was recommended that by-law provisions prohibit municipal shelters within employment/industrial areas in order that they remain stable for employment uses. Staff have previously addressed a similar issue, the restriction of municipal shelters to the periphery of industrial areas, in some detail in the report to Planning and Transportation Committee dated September 28, 2001, and in the report dated November 21, 2001 to the joint meeting of Planning

and Transportation Committee and Community Services Committee. Staff did not support the restricting of municipal shelters to the periphery of employment/industrial areas, for the reasons summarized as follows:

- the main issues, i.e. appropriate environment for residential uses and minimizing impact on viability of employment area, are complex and difficult to capture in precise legal language of zoning by-law;
- difficulty defining what is an industrial area, particularly when a mix of uses already exists;
- inconsistent terminology in existing by-laws, with a myriad of definitions and classifications;
- lengthy study and listing in By-law of all existing industrial zones would be required;
- there are potentially suitable shelter locations within employment areas, where accessibility to transit, commercial uses, parks, and educational, social and other services is important for shelter residents; and
- while a blanket prohibition in employment/industrial areas is not recommended, the Site Assessment protocol would be the more appropriate place to address the site suitability and impact issues.

These reasons remain valid, and staff do not recommend a prohibition in the By-law for municipal shelter uses within employment/industrial zones or districts. However, consideration of this issue, with input from Economic Development staff, has been added to the Planning/Zoning information section of the Site Assessment protocol attached as Appendix B. The requirement in the draft by-law for Council approval of individual municipal shelters provides a further means by which to ensure that the location of any new shelters is appropriate.

E-4 7-day per Week Transit Access (Source: Scarborough CC)

This comment was tied to the recommendation for arterial road locations. Staff does not consider this further restriction as being necessary since almost all arterial road locations will be adequately served by transit. In fact, most arterial roads do receive 7-day transit service, and those that do not are almost all within convenient walking distance of a 7-day transit route. The adequacy of transit services is already addressed in the proposed Site Assessment protocol (Appendix B).

E-5 Concentration of Assisted Housing (Source: Scarborough CC)

It was recommended that the amount of assisted housing in the potential host community be taken into consideration, including existing group homes. Staff believe that assisted housing and group homes are not comparable to municipal shelters in that they are permanent forms of housing. However, it should be noted that the proposed Site Assessment protocol (Appendix B) requires that staff record and report on municipal shelters within the local community. The assessment would further require staff to provide a description of the community immediately surrounding the site and to describe the local residential community.

E-6 Equitable Distribution of Shelters (Fair Share) (Source: Scarborough CC)

As reported in this document, many factors will be taken into consideration in siting new municipal shelters. As such it is not appropriate to categorically state that shelters must be located in every ward within the City, nor is it appropriate to designate specific numbers of shelter beds that should be located in each ward. Such an approach could hinder, rather than expedite, the approval of new municipal shelters. Instead, in the Multi-year Shelter Strategy that was adopted by Council in July of 2002, it was recommended that shelters be developed in Community Council districts that do not currently have shelter capacity. This provides greater flexibility in siting than would be afforded by identifying specific bed numbers by ward.

Through the adoption of the Multi-year Shelter Strategy, Council also adopted a harmonization strategy that encourages the development of shelter beds outside the downtown core.

Staff are further recommending through this report that Council adopt a “moratorium” policy that no new municipal shelter be located in wards with 500 or more existing shelter beds, to be revisited annually as part of the annual review of the Multi-Year Shelter Strategy.

These three policies direct staff to seek out new municipal shelter sites in areas that have not traditionally provided high levels of shelter capacity.

E-7 Provisions in Official Plan (Source: Scarborough CC)

It was recommended that this report address the inclusion of provisions for municipal shelters in the official plan, and further requested that the official plan policies include four specific conditions:

- (a) maximum number of single beds or families per shelter;
- (b) restricting locations to major arterial roads with 7 day per week transit service;
- (c) prohibiting municipal shelters in employment/industrial areas; and
- (d) a minimum separation distance of 500m.

The specific conditions set out in the above list are discussed elsewhere in this report. This discussion deals with the broader issue of including municipal shelter provisions in the official plan. There is little advantage to including detailed conditions pertaining to municipal shelters in the official plan. Any necessary conditions can be included either in the zoning by-law, in the case of a minimum separation distance and arterial locations, or addressed in the Site Assessment protocol (Appendix B).

E-8 Approval Appeal Process (Source: Scarborough CC)

It was recommended that there be an appeal process for any decision made by Council approving the location of a municipal shelter. As required by a provision now contained in the draft by-law, Council must approve each municipal shelter site and facility, so an “appeal” of a Council decision would essentially mean a reopening of the matter at Council. Because an

appeal of a Council decision would be to the same body, i.e. Council, that made the original decision, there would appear to be nothing to be gained by formalizing such an “appeal” process. The reopening process is currently available to Councillors under the existing rules (Procedural By-law), and no additional appeal procedure is necessary.

E-9 Maintain *Planning Act* Approval Process (Source: Scarborough CC)

The Scarborough Community Council recommended “that the Planning Act process be used for implementing the zoning by-law on an application-by-application basis”. Such a process represents, for much of the City, the status quo, and for former North York and former Toronto in particular, where municipal shelters can be, and have been, approved as-of-right, this would be reducing rather than enhancing the City’s ability to locate new municipal shelters expeditiously. This requirement would be a direct contradiction of City Council’s original direction to bring forward an as-of-right by-law amendment to expedite the provision of municipal shelters. If City Council decides not to proceed with adoption of the proposed by-law, the status quo will be preserved but nothing will have been done to expedite the City’s provision of shelter beds for the homeless population.

E-10 Suitability of the Host Community (Source: Scarborough CC)

The suitability of the host community will be ultimately determined by Council through the approval process recommended in this report (Recommendation No. 5). The staff report seeking Council approval will address the implementation of the Site Assessment protocol (Appendix B), which includes a description of the local residential and business communities, accessibility to schools and transit, the social, health, education and employment support services available, and accessibility to community resources including parks, community centres, libraries, and food stores. The staff report will also include information on the public information meeting and the input of the Community Liaison Committee, local residents and the Ward Councillor.

Appendix F

DISCUSSION OF OTHER POLICY, PROGRAM AND OPERATIONAL ISSUES RAISED BY COUNCIL AND COMMUNITY COUNCILS

Contents:

- F-1 Shelter Facilities Review
- F-2 Shelter Operation Review
- F-3 Police Recruits Supervising Municipal Shelters
- F-4 Length of Stay
- F-5 Tracking of Residents
- F-6 Formation of Community Liaison Committees
- F-7 Implement a Complaints Procedure
- F-8 Mayor’s Homelessness Action Task Force
- F-9 Size of Municipal Shelters and Related Committee of Adjustment Approval Process

Discussion:

F-1 Shelter Facilities Review (Source: City Council, Toronto East York CC, North York CC, Midtown CC)

It was recommended that 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.

Through the new Shelter Standards adopted as part of the Multi-Year Shelter Strategy, the city will be implementing space standards for shelters in order to address health and safety issues. An initial review of the system shows that 93% of beds within the existing system meet or exceed the new space standards. The Shelter, Housing and Support Division has also recommended facility standards for washrooms, toilets and showers. An initial review of shelters indicates that all meet the standards for toilets and that 3 washbasins and 5 showers will need to be added to existing shelters. Through the 2003 budget process, Shelter, Housing and Support has submitted a business case for the retention of a consultant to review the physical condition of all shelter sites in the City. The review will look at the building structure, building interior and exterior, roofing, electrical and mechanical systems, life safety, equipment/appliances, elevators, and condition of grounds and site.

F-2 Shelter Operation Review (Source: North York CC, Toronto East York CC)

It was recommended by North York CC that the Commissioner of Urban Development Services examine existing by-laws and determine the type of shelters the City operates, where municipal shelters should be located, how municipal shelters are generally operated and the estimated demand for service. The Toronto East York CC further recommended that 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.

Shelter, Housing and Support currently has listings of all shelters operated by and for the City, including location, number of beds and client group served. Staff are also aware of the location of Provincially-funded Violence Against Women shelters.

All agencies funded by the City provide funding submissions to the City on an annual basis and City staff do regular site visits to review service delivery and contract compliance. These processes will be updated in 2003 with the introduction of the new shelter standards. Further, in 2003 Hostel Services will be introducing a quality assurance program that will increase focus on most aspects of the operations.

The issue of where municipal shelters should be located will be addressed through the new Council policy, the By-law requirements, and the proposed Site Assessment protocol. Council will maintain control through the requirement for Council approval.

Estimated demand for service has been provided in the Multi-Year Shelter Strategy for the City of Toronto that was approved by Council in July of 2002. Further information on demand for service was before Council at its meeting of November 2002.

F-3 Police Recruits Supervising Municipal Shelters (Source: City Council, North York CC, Midtown CC)

It was recommended that 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 informal discussions with City staff, staff of the Toronto Police Services Board have indicated it would be unlikely that police recruits could assist with supervision of shelter sites as part of their training. By statute, police recruits are put through a rigorous structured training program including three months of training at the Ontario Police College in Aylmer, Ontario. Placing recruits in shelters would remove them from the regular training curriculum and could not be done without additional cost and hardship to the Toronto Police Service. The services of the recruits would be removed from primary response (emergency) duties and the training experience they derive therefrom.

As provided for in the *Police Services Act*, Section 44(2), a police officer shall complete his/her initial training within six months of appointment. The *Act* further provides the Board with only a year probationary period to consider an officer's employment, which is done by monitoring the officer's performance. This is a very important period for the employer to properly assess the ability of a recruit to fulfil the requirement of a police officer. Due to the requirements of the *Act*, deviation from the established training curriculum could expose the Board and Service to unforeseen and unacceptable liability.

Should Council wish to pursue this proposal, a formal request for this service should be recommended and passed by Council and forwarded to the Toronto Police Services Board. The Board would request the Chief of Police to respond, as deployment of recruits is an operational matter in the jurisdiction of the chief.

F-4 Length of Stay (Source: Scarborough CC)

It was recommended that a standard length of time be established for residents to stay in shelters and that a monitoring system be developed. Shelter stays vary between people who stay one night in the system, and families who stay for many months as they are unable to access permanent or supportive housing in the community. The imposition of a fixed length of stay simply forces individuals and families who have not yet found housing to move to the street or to move on to another shelter, seriously affecting any case plan that has been put in place and likely extending their episode of homelessness.

F-5 Tracking of Residents (Source: Scarborough CC)

As reported in the Multi-year Shelter Strategy, staff of Shelter, Housing and Support are currently developing options for a web-based computer system that would link information about admissions and discharges at individual shelters to a common data base.

F-6 Formation of Community Liaison Committees (Source: Toronto East York CC)

It was recommended that 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.

The proposed Community Information Process (attached as Appendix D) addresses the issue of Community Liaison Committees as part of the process for establishing shelter sites under the new municipal shelter by-law. In any case where a site is being considered for development, staff are required to call a public meeting and as part of that meeting to request the names of individuals who are interested in participating in a Community Liaison Committee. If the site is recommended for development, staff will meet with this group to answer any questions that they may have regarding the development. Should the site be approved by Council for development, staff must then fully constitute a Community Liaison Committee and ensure that it meets on a regular basis during development. The process of reporting to Committee and Council to seek approval of a municipal shelter (Recommendation No. 5) will involve the transmittal of issues and comments raised by the Community Liaison Committee at the public meeting.

F-7 Implement a Complaints Procedure (Source: Toronto East York CC)

It was recommended that the Commissioner of Community and Neighbourhood Services develop a complaints procedure that includes response and resolution both from the local liaison committee and from the Commissioner. At the present time, complaints regarding shelter operations are received by the operators themselves, by the Shelter, Housing and Support Division or by local Councillors. Complaints may come from individuals using the service or from local residents.

When shelter operators receive complaints they are handled by the Executive Director or the Board of Directors. Many complaints are resolved at this level. Complaints received by Shelter, Housing and Support are documented by the Agency Review Officers and followed up with the agency in question.

Complaints and appeals procedures are outlined in the new Shelter Standards approved by Council.

F-8 Mayor's Homelessness Action Task Force (Source: City Council)

It was recommended by Council that the Mayor 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.

An update on all recommendations from the Mayor's Homelessness Action Task Force will be before Council in February of 2003. The original Task Force did not focus on the development of the shelter system as the orientation of the report was towards the development of permanent social and supportive housing. The report recommended that resources should be redirected from providing hostel spaces to helping people find and maintain permanent housing, on condition that a sufficient new supply of supportive and low-cost housing is created. To date the supply of new housing has been minimal and has not kept pace with demand for emergency shelter space; therefore the closure of beds has not been feasible.

Staff have spoken to the staff of the Toronto Community Housing Corporation (TCHC) regarding the Mayor's Task Force recommendations and the development of the emergency shelter system. While the TCHC is not directly involved in the provision of services to homeless individuals and families, they have an interest in this area as the major provider of subsidized housing in Toronto. The TCHC Board of Directors recently approved a Community Management Plan that includes a commitment to work with the City of Toronto to develop transitional housing for persons who are homeless. An initial allocation of units within the current TCHC portfolio can be used for this purpose provided that there are sufficient support resources to assist persons in this housing. The proposal is that the program would target persons who are chronic or long-term users of shelter spaces. The City and TCHC will work together to identify the capital and operating resources that would be necessary to support this type of program.

F-9 Size of Municipal Shelters and Related Committee of Adjustment Approval Process
(Source: City Council, Scarborough CC, Humber York CC)

Many deputants opposing the Municipal Shelter By-law expressed concern that the by-law was not clear about the size of facilities being discussed. At the April, 2002 Council meeting, the Mayor's office was asked to consider a criteria that would set a maximum municipal shelter capacity of 50 beds, or 30 families. Two of the Community Councils also recommended that size restrictions be considered.

There are legal difficulties in differentiating shelter types in a by-law through use of the term "family". Case law prevents a zoning by-law from restricting the "user" rather than the "use", and more specifically prevents zoning based on a "family" criterion. A zoning by-law cannot discriminate on the basis of an arbitrary definition of "family". There is no acceptable definition of "family" that is sufficiently specific that it could be used as a supportable and proper basis for the suggested differentiation. Thus, there is no way to distinguish in the by-law the type of municipal shelter and the related maximum size.

Under the provisions of the draft by-law, Council will explicitly approve each new municipal shelter and will control the size through this approval authority. As such, staff are not recommending the establishment of capacity restrictions. Council may wish to review this issue as part of the annual review of the Multi-Year Shelter Strategy.

Both Humber-York Community Council and City Council requested that this report address the motion by Councillor DiGiorgio to the effect that a municipal shelter that exceeded the size limits would be approved by Committee of Adjustment. Because staff are not recommending

that size limits be included within the draft by-law, there would be no zoning variance process required. The draft by-law attached as Appendix A has been amended to require that every municipal shelter be approved by Council, and the size of any specific municipal shelter can thus be reviewed and controlled by Council through the approval process recommended in this report, as well as through any applicable zoning by-law provisions affecting building size.

Appendix G

EXISTING “ESSENTIAL SERVICE” PROVISIONS IN ZONING BY-LAW OF FORMER NORTH YORK

Excerpts from the former City of North York Zoning By-law No. 7625

Section 2: Definitions

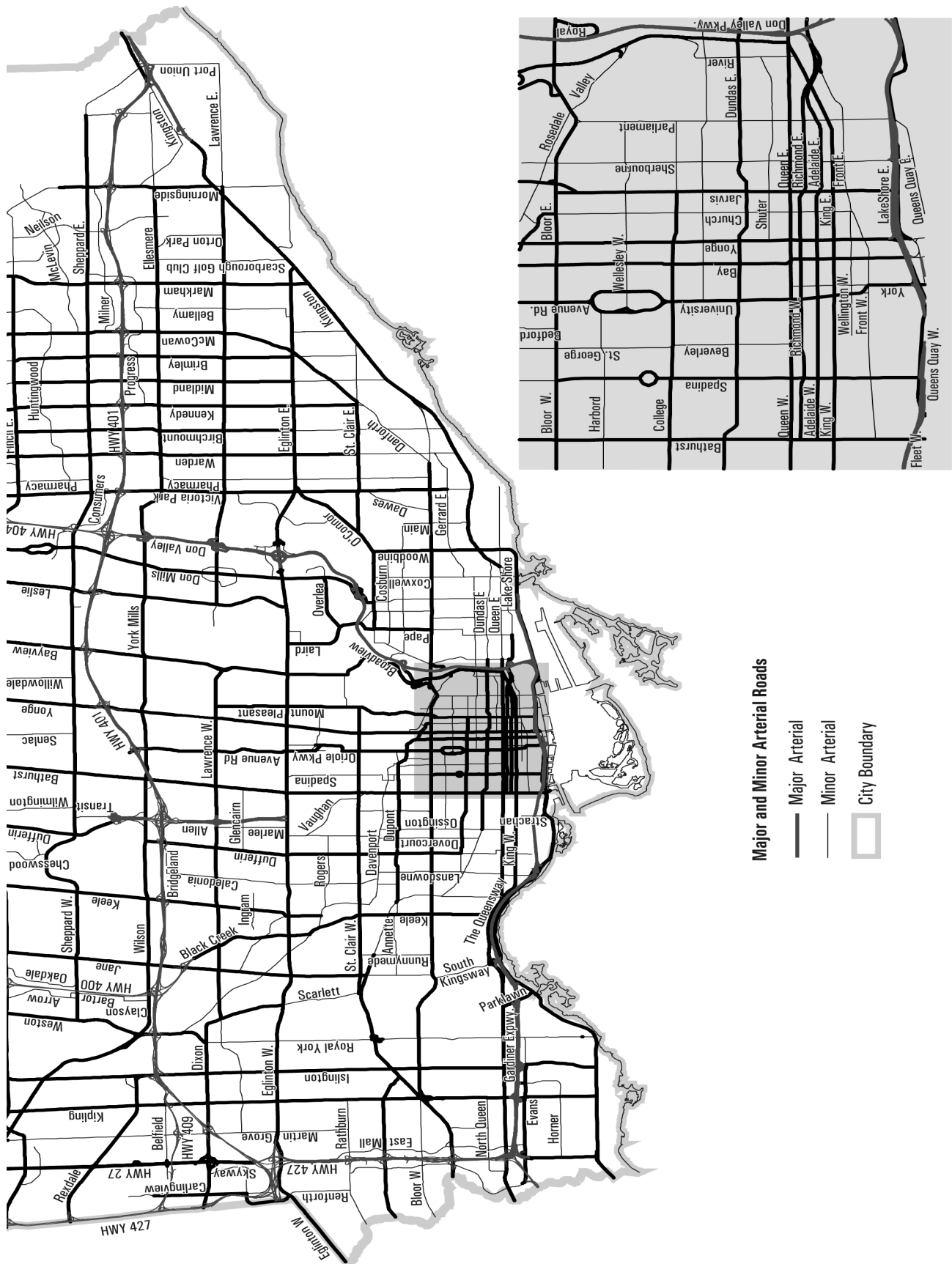
2.34 **Essential Services** means the construction, installation, alteration, operation or maintenance by a government, government agency or public utility corporation of any building, line, sewer, pipe or work, and incidental structure which is necessary to the provision of a public service, but shall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

Section 6: General Provisions for All Zones

6(2) Special Uses Permitted

(c) **Essential Services**

Essential services shall be permitted in all zones subject to the regulations of the zone.



The Planning and Transportation Committee also submits 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:

(City Council on April 16, 17 and 18, 2002, struck out and referred this Clause 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.)

(City Council on February 13, 14 and 15, 2002, deferred consideration of this Clause to the next regular meeting of City Council scheduled to be held on April 16, 2002.)

The joint Planning and Transportation and Community Services Committees recommends:

- (1) based on the findings of fact and the recommendations contained in the report (July 30, 2001) from the Commissioner of Urban Development Services, that:**

- (a) a **Municipal Shelter By-law** be enacted substantially in accordance with the draft By-law appended as Attachment 1 to the report (July 30, 2001) from the Commissioner of Urban Development Services; and
 - (b) appropriate City Officials be authorized to take the necessary action to give effect thereto, including making any unsubstantive technical, stylistic or format changes to the proposed Municipal Shelter By-law as may be necessary;
- (2) that upon the enactment of the Municipal Shelter By-law, the:
 - (a) process for reviewing and recommending new emergency shelter sites as detailed in the report (November 14, 2001) from the Acting Commissioner of Community and Neighbourhood Services;
 - (b) the process of approving new emergency shelter sites detailed in page five of the foregoing report; and
 - (c) the Community Information Process described in Appendix C of the foregoing report;be adopted, subject to:
 - (i) amending the process for reviewing and recommending new emergency shelter sites by adding a further criteria that a neighbourhood support plan be developed;
 - (ii) the Acting Commissioner of Community and Neighbourhood Services being directed to implement a Community Safety Plan, in consultation with local residents and the Community Liaison Committee for the shelter, following approval of any shelter or site;
 - (iii) the Acting Commissioner of Community and Neighbourhood Services being directed to ensure that appropriate support services are available prior to the approval of any shelter or site;
 - (iv) priority being given to establishing emergency shelters in areas of the City that have one or no shelters; and
 - (v) all proposed emergency shelters being subject to site plan control process;
- (3) that potential locations for emergency shelters and transition and social housing be identified by City staff using external assistance and/or by an appointed City official and that members of Council be consulted on possible locations within their wards, particularly in wards that currently have no shelters; and

- (4) the Acting Commissioner of Community and Neighbourhood Services be requested to prepare a communication outlining the process for approval of emergency shelters, written in clear English, for distribution to the community.**

A motion to adopt the report (November 14, 2001) from the Acting Commissioner of Community and Neighbourhood Services, as amended, carried on the following division of votes:

Yeas: Councillors Ashton, Duguid, Chow, Hall, Johnston, Mihevc, Milczyn, Moscoe, Pantalone, Silva, and McConnell - 11

Nays: Councillors Kelly, Tziretas, and Walker - 3

The joint Planning and Transportation and Community Services Committees reports having:

- (1) requested the Acting Commissioner of Community and Neighbourhood Services to:
 - (a) hold an information meeting consisting of interested persons and deputants at the joint Planning and Transportation and Community Services Committees meeting on December 12, 2001, and report directly to City Council for its meeting on February 13, 2002 with an analysis of the comments received; and
 - (b) report directly to City Council for its meeting on February 13, 2002 on how the emergency shelter by-law will be implemented; and
- (2) the Chief Administrative Officer to report directly to City Council for its meeting on February 13, 2002 on the future ability or long term plan for the City to continually finance emergency shelters.

The joint Planning and Transportation and Community Services Committees submits the following communication (October 11, 2001) from the City Clerk:

City Council, at its meeting held on October 2, 3 and 4, 2001, had before it, Clause No. 2 contained in Report No. 10 of The Planning and Transportation Committee, headed "Enactment of a Municipal Shelter By-law".

Council directed that this Clause, together with the report dated September 28, 2001, from the Commissioner of Urban Development Services, be struck out and referred to a joint meeting of the Community Services and Planning and Transportation Committees, for consideration with the following reports to be submitted by the Acting Commissioner of Community and Neighbourhood Services, in consultation with the Advisory Committee on New Emergency Shelter Sites:

- (1) a report providing a review of the existing guidelines for the selection of emergency shelter sites, including internal safety and school issues, such report to include formal guidelines to be used in the selection of emergency shelter sites;

- (2) a report providing a review of the existing Protocol for Community Notification and Public Input for the Establishment of Emergency Shelter sites;
- (3) a report incorporating the issues raised in Recommendation No. (3) embodied in the report dated September 28, 2001, from the Commissioner of Urban Development Services, such issues being those to include guidelines for the selection of sites within areas regulated by the Toronto and Region Conservation Authority, within the City of Toronto's natural heritage system and within industrial areas; and
- (4) a report addressing the issue of the appropriate minimum separation between municipal shelters.

(Clause No. 2 of Report No. 10 of the Planning and Transportation Committee, headed "Enactment of a Municipal Shelter By-law", which City Council on October 2, 3 and 4, 2001, struck out and referred, together with the report dated September 28, 2001, from the Commissioner of Urban Development Services, to a joint meeting of the Community Services and Planning and Transportation Committees, for consideration with reports to be submitted by the Acting Commissioner of Community and Neighbourhood Services, in consultation with the Advisory Committee on New Emergency Shelter Sites)

(City Council on October 2, 3 and 4, 2001, struck out and referred this Clause, together with the report dated September 28, 2001, from the Commissioner of Urban Development Services, to a joint meeting of the Community Services and Planning and Transportation Committees, for consideration with the following reports to be submitted by the Acting Commissioner of Community and Neighbourhood Services, in consultation with the Advisory Committee on New Emergency Shelter Sites:

- (1) a report providing a review of the existing guidelines for the selection of emergency shelter sites, including internal safety and school issues, such report to include formal guidelines to be used in the selection of emergency shelter sites;
- (2) a report providing a review of the existing Protocol for Community Notification and Public Input for the Establishment and Development of Emergency Shelter sites;
- (3) a report incorporating the issues raised in Recommendation No. (3) embodied in the report dated September 28, 2001, from the Commissioner of Urban Development Services, such issues being those to include guidelines for the selection of sites within areas regulated by the Toronto and Region Conservation Authority, within the City of Toronto's natural heritage system and within industrial areas; and
- (4) a report addressing the issue of the appropriate minimum separation between municipal shelters.)

The Planning and Transportation Committee, based on the findings of fact and recommendations contained in the report (July 30, 2001) from the Commissioner of Urban Development Services, recommends that this report be adopted.

The Planning and Transportation Committee reports, for the information of Council, having:

- (1) referred the following amendment to the draft by-law proposed by Urban Intelligence Inc. to the Commissioner of Urban Development Services with a request that she report, in consultation with the City Solicitor, directly to City Council for its meeting on October 2, 2001 on the legal implications of this proposed by-law amendment, whether there are any concerns regarding its implementation and provide appropriate wording for incorporation into the by-law:

“For the purposes of this By-law, Municipal Shelter means a supervised residential facility, operated by or for the City of Toronto, or any agency of the City of Toronto, or a facility approved by the City of Toronto that is operated by a charitable organization, which provides short-term emergency accommodation and associated support services.”; and

- (2) requested the Commissioner of Urban Development Services, in consultation with the City Solicitor, to report directly to City Council for its meeting on October 2, 2001 on:
 - (a) amending the draft by-law by stating that emergency shelters not be located in floodplains nor the interior of industrial parks; and
 - (b) the viability of limiting the distances between shelters if more than one shelter is situated in a community, and provide comments on suggested limiting distances such as 150 metres, 300 metres, 450 metres and so forth.

The Planning and Transportation Committee submits the following report (July 30, 2001) from the Commissioner, Urban Development Services:

Purpose:

This report recommends the enactment of a Municipal Shelter By-law. A municipal shelter is a supervised residential facility, operated by or for the City of Toronto, or by an agency of the City, providing short-term emergency accommodation and associated support services. The report presents a draft By-law, for consultation and public input, which permits municipal emergency shelters in all zones or districts in the City, provided any new buildings or additions comply with all other applicable zoning provisions of the zone or district.

Financial Implications and Impact Statement:

There are no financial implications.

Recommendations:

It is recommended that City Council:

- (1) enact a Municipal Shelter By-law substantially in accordance with the draft By-law appended as Attachment 1; and
- (2) authorize the appropriate City Officials to take the necessary action to give effect thereto, including making any unsubstantive technical, stylistic or format changes to the proposed Municipal Shelter By-law as may be necessary.

Background:

At its meeting on June 26, 27 and 28, 2001, City Council had before it a report (May 18, 2001) from the Commissioner of Urban Development Services regarding municipal emergency shelters (see Attachment 2). This report:

- responded to outstanding requests by City Council for a by-law to permit emergency shelters city-wide;
- provided an overview of the emergency shelter system;
- reviewed the process for identifying new municipal shelter sites and the Council-mandated protocol for community notification and public input;
- proposed the introduction of a By-law to permit municipal emergency shelters throughout the City, in order to provide a wider range of options as well as reduce the timing associated with site planning and development; and
- advised that such a By-law would not require Official Plan Amendments.

City Council adopted the May 18, 2001 report, including a recommendation that staff proceed with the issuance of the Statutory Notice for a Public Meeting at Planning and Transportation Committee on September 11, 2001 to consider amendments to the Zoning By-laws of all the former municipalities to permit an emergency shelter, operated by or for the City of Toronto, in any zoning district within the City.

This report is in response to Council's direction.

Comments:

Developing a Municipal Shelter By-law: Policy Considerations

As noted in the May 18, 2001 report, the zoning by-laws of the former area municipalities present a significant challenge to the timely delivery of new municipal emergency shelter facilities in the City of Toronto. In particular, they have impeded the City's ability to respond when suitable opportunities, at appropriate locations, have arisen that would best meet the needs of specific client groups.

The current locations of municipal emergency shelters are increasingly out of step with changing needs across the City. As a result, the zoning by-laws represent a considerable obstacle to the effective and efficient delivery of an important municipal service response.

In developing a Municipal Shelter By-law, a number of factors were considered. The By-law should:

- provide the City with a broader range of potential municipal emergency shelter options;
- facilitate an effective, efficient, and timely service response to meet the varied and specific needs of the families and individuals accessing municipal emergency shelter services; and
- recognize that Shelter, Housing and Support staff conduct detailed suitability assessments of potential sites, in consultation with City Planning staff.

The attached draft Municipal Shelter By-law permits emergency shelters in all zones or districts in the City, provided any new buildings or additions comply with all other applicable zoning provisions of the zone or district.

Public Consultation Process Unaffected by the By-law

The enactment of the Municipal Shelter By-law does not affect the current site selection approach which includes a public consultation process.

The Advisory Committee on New Shelter Sites, whose membership is made up of City Councillors, will continue to review all municipal emergency shelter proposals. The Advisory Committee will also continue to advise and assist staff in the identification and development of potential sites.

As well, Council has established a protocol for community notification and public input. The protocol commits staff to:

- consult with the local Councillor prior to finalizing site selection and to involve them in on-going discussions with the community;
- respect community concerns regarding significant concentration of services;
- provide early notification to communities regarding plans to develop a municipal emergency shelter in their area; and
- establish on-going dialogue with communities regarding site development and to inform communities regarding criteria used for site selection.

The protocol will be unaffected by the enactment of the proposed By-law.

Conclusion:

This report recommends the enactment of a Municipal Shelter By-law. The By-law is intended to operate in the context of community consultation regarding new locations, including a Council-mandated protocol on public input. The By-law will help to ensure an effective and efficient municipal service response. It will assist in facilitating the location of municipal emergency shelters where they best reflect: (a) the City's objectives and resources, (b) the specific needs of the families and individuals accessing the service, and (c) the interests of local communities.

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Attachment 1

**DRAFT ZONING BY-LAW AMENDMENT TO PERMIT
MUNICIPAL EMERGENCY SHELTERS
ACROSS THE CITY OF TORONTO**

Authority: Planning and Transportation Committee, Clause of Report No.
as adopted by Council on , 2001
Enacted by Council:

CITY OF TORONTO

BY-LAW NO.

To enact a Municipal Shelter By-law

WHEREAS City Council has recognised that there continues to be a need for emergency shelter accommodation within the City;

AND WHEREAS Council is prepared to provide such services throughout the whole of the City;

AND WHEREAS authority is given to City Council by Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended to pass this By-law;

AND WHEREAS City Council has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*:

The Council of the City of Toronto **HEREBY ENACTS** as follows:

1. For the purposes of this By-law, “Municipal Shelter” means a supervised residential facility, operated by or for the City of Toronto, or any agency of the City of Toronto, which provides short-term emergency accommodation and associated support services.
2. Notwithstanding any other general or specific provision in any By-law of the City of Toronto or of its former municipalities, municipal shelters shall be a permitted use in all zones or districts of the City of Toronto, provided any new buildings or additions comply with all other applicable zoning provisions of the zone or district.

ENACTED and PASSED this day of ,2001.

MAYOR

CITY CLERK

Attachment 2

(Clause No. 6 of Report No. 6 of the Planning and Transportation Committee, headed “Proposal for the Development of a Zoning By-law Permitting Emergency Shelters City-wide”, which was adopted, without amendment, by City Council at its meeting held on June 26, 27 and 28, 2001)

(City Council on June 26, 27 and 28, 2001, adopted this Clause, without amendment.)

The Planning and Transportation Committee recommends that:

- (1) **the report (May 18, 2001) from the Commissioner of Urban Development Services be adopted; and**
- (2) **the Commissioner of Community and Neighbourhood Services, in consultation with the Commissioner of Urban Development Services, be requested to report to the Planning and Transportation Committee for consideration at the Public Hearing on:**
 - (a) **a mechanism that ensures Ward Councillors are advised, at an early stage, that an emergency shelter is proposed to be located in his/her ward; and**
 - (b) **the criteria for siting, including issues such as, but not limited to, flood plains and brownfields.**

The Planning and Transportation Committee submits the following report (May 18, 2001) from the Commissioner, Urban Development Services:

Purpose:

To respond to Council's direction to report further on appropriate zoning changes that would permit emergency shelters to be located in all areas of the City.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that:

- (1) City Council direct and authorize staff to proceed with issuance of the statutory Notice for a Public Meeting at Planning and Transportation Committee on September 11, 2001 to consider amendments to the Zoning By-laws of all the former municipalities to permit an emergency shelter operated by or for the City of Toronto in any zoning district within the City; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Background:

At its regular meeting held on April 23, 24, 25, 26, 27, and its special meeting held on April 30, May 1 and 2, 2001, City Council considered two motions regarding the establishment of emergency shelters in the City of Toronto. Council directed that:

“the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee for its meeting scheduled to be held on June 4, 2001, on an expedited timetable to implement the “Fair Share” amendments to the zoning by-laws previously requested by Council that will enable the location of shelters across the City of Toronto.”

This direction is consistent with the May, 1999 direction by Council that the Commissioner of Urban Development Services report on the form of a by-law, similar to the public use exceptions in the former North York and Toronto Zoning By-laws, which would accommodate emergency shelters and other municipal housing uses in all parts of the amalgamated City.

Council further directed that:

“the Building and City Planning Divisions of Urban Development Services be requested to fast track the planning approval process in the development of shelters”

A working group consisting of Urban Development Services staff from the Policy and Research Section as well as Community Planning staff from each of the District offices; Legal Division staff from Corporate Services, and Shelter, Housing and Support Division staff from Community and Neighbourhood Services, have held a number of meetings to review these issues in detail. After extensive review and analysis of the planning provisions contained in the by-laws of all the former municipalities, this report presents the results of those discussions, provides a context for considering the expansion of the emergency shelter system, and recommends a zoning approach to facilitate the City's timely provision of shelter accommodation.

Comments:

The Shelter, Housing and Support Division administers the City's emergency shelter programs. It directly operates such facilities and also contracts with community non-profit shelters through "purchase of service" agreements. These facilities serve four client groups: single men and women, families, and youth, in over 60 locations. Up to 5,000 people are accommodated on a nightly basis.

(a) Expansion of the Emergency Shelter System

The City has been clear that the long-term solution to homelessness is the construction of supportive and affordable housing and the further development of prevention programs (e.g., housing help, eviction prevention) that help people avoid the shelter system entirely. Nevertheless, at the present time, there is an ongoing and increasing need for emergency shelter and the provision of emergency shelter services continues to be an important part of the City's overall homelessness strategy.

In October 2000, Council approved a strategy for the development of the emergency shelter system. The strategy supported the development of permanent, year-round full service shelters that provide greater supports to clients and increase the diversity of services available. The strategy discussed both the expansion of the system for single adults and youth and the expansion of the family shelter system.

Single Adults and Youth

During the 2000 budget process, a target of 675 net new emergency shelter beds for single adults and youth was established. Approximately 300 beds remain to be opened in order to reach this target. Of these 300 beds, approximately one-third have already been approved for development and will be located on sites which are known to the local community. Active searches are underway for sites for the remaining 200 beds. At least five new sites will be required and the target is to deliver these beds in 2001, although this is recognized as a challenging target to achieve.

Families

Based on current demand and capital resources available, two to three more family shelters will be developed over the next three years. Council has approved one new 160-bed shelter for families and has authorized a search for another site for a family shelter of 70 beds. These new

facilities will allow an improvement in services to homeless families by providing better physical facilities and increased supports. This expansion is in support of Council's direction to reduce the City's reliance on commercial motels for family shelters, particularly the concentration of service in the Kingston Road area. In addition, some existing shelters have identified the need for new and improved facilities which could result in the relocation of existing facilities.

It is difficult to estimate the number of new shelters that will be developed over the next three years. Council approval to date will result in less than 10 new sites being required over the next two years. For 2003 to 2005, the approved capital budget of Shelter, Housing and Support allocated \$7.5 million annually for new shelter development. This budget is not presently assigned to particular projects or sites.

(b) Siting of New Emergency Shelters

The ongoing demand for emergency shelter space has resulted in significant expansion of the system over the past few years. Shelter needs, particularly for youth and families, are spread throughout the City and are no longer simply a downtown phenomenon. In order to make the provision of new shelter space as effective and expeditious as possible, staff have developed a number of processes to support site development.

In searching for new shelter sites, the Shelter, Housing and Support Division considers the suitability of the facility to meet the particular needs of the specific client group such as ready access to transit or proximity to other associated support services such as health services, employment programs and schools. Staff also consider other issues, including:

- can the property be renovated to accommodate the clients and required staff?
- is the site of sufficient size to make the program operation financially feasible?
- how will this use impact on the surrounding neighbourhood?

Due to limited capital resources, new shelters are generally established in existing buildings that can be renovated or retrofitted for use. A small number of facilities are developed through new construction.

Locations that have been identified as sites for new shelters are reviewed with the Advisory Committee on New Shelter Sites. This Committee, made up of City Councillors, advises and supports staff in the search for and development of new emergency shelter sites.

Once sites have been approved, staff are also currently mandated by Council to follow a protocol for community notification and public input. This protocol commits the staff to:

- consult with local Councillors prior to finalizing a site and to involve them in on-going discussions with the community;
- respect community concerns regarding significant concentration of services;
- provide early notification to communities regarding plans to develop an emergency shelter in their area; and
- establish on-going dialogue with communities regarding site development and to inform communities regarding criteria used for site selection.

While the majority of shelters for single adults are currently located in the central part of the City, many of the youth and family shelters are located more widely. Staff do not restrict site searches to particular areas of the City, but look throughout the City to identify appropriate properties that can meet both program and client needs.

In fact, the targeting of services to areas of need outside the downtown area was identified as a priority in the Community Plan for Homelessness in Toronto that was approved by Council in October of 2000. Staff are constrained, however, by many of the existing Zoning By-laws that are in place. Over the past two years facilities have been established in areas where the by-laws have provisions for public service uses, but few areas in the City have by-laws specifically permitting emergency shelters. This means that most sites require rezoning or minor variances in order to become a permitted use. The minimum time required to complete either of these processes has been six to twelve months, assuming no appeals are made to the Ontario Municipal Board.

The introduction of a by-law allowing emergency shelters throughout the City would provide staff with a broader range of sites to consider and would also reduce the timing associated with site planning and development. The most effective and expedient provision of shelter facilities requires the ability to respond quickly wherever suitable facilities become available to best meet the needs of specific client groups. Levels of transit service and access to schools or other support services, however, are not evenly distributed geographically across the City. The criteria associated with selecting appropriate locations for emergency shelters varies by the program needs of the group being served. Shelter, Housing and Support staff consider a variety of program and facility requirements when establishing these facilities. The proposed changes to the Zoning By-laws will provide a broader range of site options across the City.

(c) Official Plan Amendments Not Required

An approved City-wide policy basis already exists in the Official Plan of the former Municipality of Metropolitan Toronto (MetroPlan) to proceed directly with the necessary amendments to the zoning by-laws of the former municipalities. Amendments to the Official Plans of the former municipalities are not necessary.

Section 3.2.1 of MetroPlan establishes policies respecting housing availability. Policy 122, in particular, states (*italics added*):

122. That Area Municipal official plans and zoning by-laws *shall* provide for a full range of housing types comprising a mix of unit sizes, styles, built forms and on-site facilities, including:
 - (c) providing opportunities within each area municipality for transitional and *emergency accommodation*.

The current Official Plans of the former area municipalities all contain statements and policies which generally speak to ensuring that a range of housing opportunities are available to meet the diverse needs of the City's residents. There are no specific policy limitations in the local Official

Plans that contradict MetroPlan's direction to provide for emergency accommodation across the City.

(d) Form of a By-law to Accommodate Affordable Housing and Emergency Shelters in All Parts of the City of Toronto

Council's direction of May 11, 1999 effectively provides for three possible zoning approaches, each of which have been thoroughly reviewed by Planning staff in consultation with City Legal staff. One approach is simply to permit municipal shelters in any zone or district. Council's direction further expands this to also permit "other municipal housing uses" as well. A third approach arises through Council's additional reference to the "public use permissive exceptions" in the zoning models from the former City's of Toronto and North York.

It is useful to address the third approach first because it is the broadest and most permissive. Section 11 of the former City of Toronto Zoning By-law No. 438-86 establishes a wide variety of exceptions to the by-law. An excerpt of Section 11, Clause (1)1 is appended as Attachment A, as it is the provision most applicable. Any undertaking by the former City of Toronto or Municipality of Metropolitan Toronto and their respective agencies, the Toronto Harbour Commission, a telephone company, a provincial or federal agency such as Ontario Hydro or Canada Post, for example, are essentially permitted in any zone. Similarly, the North York By-law No. 7625, an extract of which is appended as Attachment B, permits "essential services" works provided by any government, government agency or public utility in any zone.

Both of the by-law approaches noted above may be sufficient to accommodate any municipal emergency shelter initiatives by the City of Toronto. If similar provisions were to be mirrored in all zoning by-laws, however, a variety of other uses such as municipal works yards, water and sewage treatment plants, or various undertakings by other utilities or levels of government would also be permitted anywhere in the City.

Such a broad exception could have significant land use planning implications involving other land uses beyond emergency shelters, which would require substantial consultation and evaluation. Such a broad exemption at this time could substantially increase the risk of appeals to the Ontario Municipal Board, unrelated to emergency shelters, as well as the length and complexity of any hearing on those appeals. This would greatly hinder the City's ability to respond to the specific issue of homelessness and urgent need to provide emergency shelter accommodation expeditiously. Strict reliance on the models of the former Toronto and North York by-laws, which themselves would require amendment in order to be used in the manner directed by Council, is therefore not recommended. Both By-laws do, however, suggest that an exemption for municipal emergency shelters is a technique which can be employed.

A permission for "other municipal housing uses", in addition to shelters, would only include municipal housing initiatives by the Toronto Housing Company, which provides a variety of housing services to individuals, families and seniors. Such initiatives are best evaluated on a case by case basis, consistent with proper planning principles applied to any other housing development. This will ensure that affordable housing can ultimately be delivered and integrated in a manner most compatible and consistent with the context of the receiving neighbourhood. Such developments are also already largely permitted within the City's various residential zones. While not as broadly permissive as the former Toronto and North York examples discussed

above, allowing such developments in any zone or district could also result in similar risks of appeal and extended hearing before the Ontario Municipal Board, which could unduly hinder the City's ability to deliver needed emergency shelter accommodation.

As a result, Planning staff conclude that in order to facilitate the delivery of emergency shelter accommodation in the most expedient manner where suitable sites or buildings become available, Council should consider proceeding with a zoning by-law amendment to permit municipal emergency shelters only.

Staff have also concluded, in consultation with City Legal staff, that it is appropriate to do this with one simple by-law to allow a municipal shelter, operated "by or for" the City of Toronto, as a permitted land use in any zone or district, notwithstanding provisions to the contrary in any zoning by-law of the former municipalities. Any new buildings or additions to existing buildings, however, would continue to be governed by the applicable development standards for the zone or district in which the shelter is located, such as building setback, coverage or parking requirements.

(e) Shelters Operated "By or For" the City of Toronto

As discussed previously, the City's emergency shelters are operated either directly by the Shelter, Housing & Support Division, or through "purchase of service" contracts with community non-profit shelter providers. In most instances, the latter will continue to be responsible for obtaining other necessary approvals, such as building permits to carry out renovations to facilities for shelter use.

The Commissioner of Community and Neighbourhood Services should ensure that external shelter providers are provided with a confirmation of having a "purchase of service" contract with the City when applying for a building permit. This will assist Buildings staff to determine whether the proposal is subject to the relief afforded by the proposed by-law and will assist in expediting the development review process as directed by Council.

(f) Next Steps

Council's previous directions on this issue include further reporting by staff on the "form of a by-law to permit emergency shelters in all parts of the amalgamated City", and the method of implementing same in an "expedited" manner. As discussed in this report, the suggested approach is to implement a by-law that would "permit a shelter operated by or for the City of Toronto in any zoning district, notwithstanding any existing zoning provisions (of the former municipalities) to the contrary". Given Council's particular interest in proceeding expeditiously, Planning staff conclude that this report provides clear direction around staff's proposal on the by-law.

Staff conclude that the appropriate and expeditious approach simply be to issue the required statutory Public Notice this summer regarding the proposed zoning changes discussed in this report. Staff would prepare a draft by-law that would be available prior to the September meeting of the Planning and Transportation Committee. Public input could then be received and considered by the Planning and Transportation Committee at a statutory Public Meeting on the same date noted above: September 11, 2001. This would enable earlier implementation of the proposed initiative by Council, potentially at its meeting of October 2, 3 and 4, 2001.

Conclusions:

Homelessness, as thoroughly examined in the Mayor's Homelessness Action Task Force, consistently reported on in the press and raised by the public during consultations on the development of a the new Official Plan for the amalgamated City, continues to be one of the most important issues facing the City of Toronto. There is now a high expectation by residents that concerted attention will be given by the City to address the growing needs of the homeless.

The causes and solutions for homelessness are multi-faceted, complex and require action on many fronts. The development and adoption of zoning mechanisms to ensure that new emergency shelters can be established as required and in a timely manner will enable the City to quickly respond to the significant and growing need for shelter space in Toronto and would make a substantial contribution toward meeting the varied needs of the homeless.

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Attachment A

**EXCERPT FROM THE
(Former) CITY OF TORONTO
ZONING BY-LAW No. 438-86**

SECTION 11 - EXCEPTIONS APPLYING TO ALL USE DISTRICTS

(1) PERMISSIVE EXCEPTIONS

Notwithstanding anything hereinbefore contained, none of the provisions of this by-law or of any *restrictive by-law* applies: (1997-0422)

1. to prevent the use of land or the erection or use of a building or structure in a Gh district, T district, Tr district, R district, CR district, MCR district, RA district, Q district, I district or IC district for the purposes of the public service by the *Corporation* or a local board thereof, as defined by The Department of Municipal Affairs Act, R.S.O. 1950, Chapter 96, the Corporation of the Municipality of Metropolitan Toronto, the Toronto Harbour Commissioners, a telephone or telegraph company, a department of the Government of Ontario or Canada, including Ontario Hydro, or Canada Post Corporation, provided where the land, building or structure is in a Gh district, T district, Tr district, R district,

CR district, MCR district, RA district, Q district, I district or IC district: (555-87) (425-93) (1994-0178) (1994-0532) (1995-0492) (1996-0238) (1997-0422)

- (i) no goods, material or equipment shall be stored in the open except in an I-district, where open storage is otherwise permitted by this by-law,
- (ii) the requirements respecting parking, loading, angular planes, *landscaped open space, common outdoor space, height, lot* line setbacks and spacing of facing external walls are complied with, and (425-93)
- (iii) a building erected under the authority of this paragraph shall be designed and maintained in general harmony with buildings of the type permitted in those districts.

Attachment B

**EXCERPT FROM THE
(Former) CITY OF NORTH YORK
ZONING BY-LAW No. 7625**

SECTION 2 DEFINITIONS

2.34 Essential Services

“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 or office building.

SECTION 6 GENERAL PROVISIONS FOR ALL ZONES

6(2) Special Uses Permitted

(c) Essential Services

The Planning and Transportation Committee also submits the following report (August 26, 2001) from the Acting Commissioner of Community and Neighbourhood Services:

Purpose:

This report reviews the criteria used in the process of identifying potential sites for emergency shelter development and the process used for notifying Councillors when an emergency shelter site is proposed for their Ward.

Financial Implications and Impact Statement:

None

Recommendation:

It is recommended that this report be received for information.

Background:

At its meeting on June 26, 27 and 28, 2001, City Council had before it a report from the Commissioner of Urban Development Services regarding the development of a zoning by-law permitting emergency shelters City-wide. At this meeting Council directed the staff of Urban Development Services to proceed with issuing the Statutory Notice of a Public Meeting to consider this issue.

This Public Meeting will take place at the Planning and Transportation Committee on September 11, 2001. The Commissioner of Community Services, in consultation with the Commissioner of Urban Development Services, was requested to report back to the September 11, 2001, meeting providing information on 1) a mechanism that ensures that Ward Councillors are advised at an early stage regarding the proposal to locate a shelter in their ward, and 2) the criteria for siting, including issues such as, but not limited to, flood plains and brownfields.

Comments:

(1) Criteria to Review Properties for Emergency Shelter Use

Over the past number of years, significant time and effort has been put into searching for new sites that can meet the increasing demand for emergency shelter services. Staff have looked at municipally and privately owned properties all over the City. Staff have traditionally looked for existing buildings that could be renovated or converted for use as an emergency shelter. The introduction of the Federal Supporting Communities Partnership Initiative (SCPI) has allowed staff to also consider the possibility of new construction on vacant land.

In reviewing sites or buildings for emergency shelter use, staff consider the following criteria:

- (a) Could the site/building meet the needs of the intended client group (for example family shelters require indoor and outdoor recreational space for children)?
- (b) Are the services appropriate to/needed by the proposed client group accessible within the neighbourhood or by TTC?
- (c) Is the site/building of sufficient size to make the program operation financially feasible (generally 30 clients or more)?
- (d) Is the site/building currently vacant (i.e. not currently tenanted with residential or commercial uses)?
- (e) Are there other emergency shelter services in the immediate vicinity?
- (f) Is the site accessible by TTC?
- (g) Does the building have adequate heating, electrical and plumbing infrastructure to support the proposed use?

- (h) Is there access to the site for emergency vehicles (fire or ambulance)?
- (i) Are there any environmental concerns? Is there ground contamination, asbestos, etc.? Is it feasible to remediate the site to Provincial environmental standards?
- (j) Are there zoning or planning issues associated with the property/building?

After considering these criteria, staff assess whether use of the site would be justified in light of the costs and time that would be needed to do the required renovation/construction. In addition, staff consider any possible political or community concerns that may arise due to the development of the site.

For every site that has been developed in recent years, many others have been reviewed by staff and rejected as they do not meet the above criteria.

(2) Councillor Notification

A process for Councillor notification has been in place since 1999 through the Council approved Protocol for Community Notification and Public Input for the Establishment and Development of Emergency Shelter Sites. This document is attached as Appendix A.

The Protocol requires staff to meet with the local Councillor once a potential site has been identified in their ward. Where a site is close to the border of two wards, staff will also contact Councillors in the adjacent wards.

When the decision is made to develop the site, staff work closely with the local Councillor(s) and the operating agency on outreach to the local community, including the timing of public meetings. In consultation with the local Councillor and the community group working on the shelter development, staff will convene a Community Liaison Committee that will include the local Councillor.

This work is overseen by the Advisory Committee for New Emergency Shelter Sites. The purpose of the Committee is to advise and support staff on the search for and development of additional emergency shelter sites. Currently the membership of the Advisory Committee includes Councillors Duguid, Jones, Layton, McConnell, Mihevc, Pitfield and Sutherland.

Conclusions:

Since late 1997 there has been significant expansion of the emergency shelter system. Staff have a process in place for reviewing potential sites that considers both the existing condition of the site/building and the proposed use. When a site is identified for possible development, there is a formal Council approved process for notifying Councillors and the local community. This process is overseen and supported by the Advisory Committee for New Emergency Shelter Sites.

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Appendix A

Protocol For Community Notification And Public Input For The Establishment And
Development Of Emergency Shelter Sites

Once a potential site has been identified:

- (1) Staff, in consultation with the Advisory Committee for New Emergency Shelter Sites, will contact and meet with the Councillors in whose Ward the site is located. Where a site is close to the border of two wards, staff will also contact and meet with the other affected Councillors.
- (2) In the case of a city-owned site, staff will prepare a written communication to the local residents and businesses informing them of the proposed use of the site and identifying any public meetings to be held. This communication will be reviewed with the Advisory Committee and local Councillors and will include the following information:
 - (a) address of the site;
 - (b) capacity of the site;
 - (c) hours of operation;
 - (d) clients to be served on the site;
 - (e) staffing of the site;
 - (f) services to be provided on site; and
 - (g) contact name and number for information.

Staff will ensure that this communication is circulated to the community. Staff will also ensure that information is provided to local residents and business associations. Where required, information should be translated to accommodate local constituents.

The Community Notification and Public Input Process must be completed within one month.

- (3) In the case of a privately owned site, the following approach be adopted:
 - (a) the City secures a commitment from the landlord with the cost and the main terms of a lease agreed upon, pending the completion of a community notification and public input process; and
 - (b) following the completion of the community notification and public input process, as described in Item No. (2), the lease agreement is immediately confirmed or, if required, there is further review of the situation.
- (4) As requested staff will attend community meetings to provide information on the shelter development.

- (5) Staff, in consultation with the local Councillors, will put in place a community liaison committee comprised of residents, business owners and local Councillors and will ensure that members of the committee are kept informed about the shelter, prior to and after its opening, and have the opportunity to identify and work through issues and concerns that they might have.
- (6) Once the shelter is open, a 24-hour phone number will be made available where local residents can call with concerns or questions.

The Planning and Transportation Committee also submits the following communication (September 11, 2001) from Councillor Prue:

Recommendations:

- (1) That the City be mapped and divided into designated areas for the purposes of planning shelter locations;
- (2) that all current supportive housing, low-rent units, half-way homes and other shelters be mapped within these designated areas; and
- (3) that a maximum mix of supportive housing, low-rent units, half-way homes and other shelters be determined for each of these designated areas of the City and that once that level has been reached, that no additional units of this nature be permitted within a one kilometre radius.

Background:

Concerns have been raised by many communities that have a high number of shelters, low rental housing, half-way home and other types of supportive housing, that they will continue to be viewed as acceptable sites for additional housing of this nature.

To ensure that these areas do not have concentrations of any one type of housing, the City should map these locations, determine a maximum number of units and provide a buffer zone. This will share the solution to the problem throughout the new City, taking the pressure off of communities which already feel saturated.

The Planning and Transportation Committee reports having held a statutory public hearing on September 11, 2001 and advises that appropriate notice of this meeting was given in accordance with The Planning Act and the regulations thereunder and the following persons addressed the Committee:

- Perry Missell, Toronto East District Neighbourhood Association, spoke in support of the enactment of a Municipal Shelter By-law and indicated willingness to act in a reference capacity;
- Carol Seljak, Bloor Danforth Residents Committee, stated that the draft By-law required further work, and expressed concern regarding the lack of definitions in the draft by-law, the lack of community consultation in the process, and the lack of accountability;

- Brian V. Ralph, Portlands Citizen Action Committee, urged the Committee not to adopt the staff reports and draft by-law on municipal emergency shelters and requested that, should the Committee determine that the by-law may have merit, the matter be sent back to staff for a comprehensive review, which should include consultations with community groups;
- Barbara Silverstein urged the Committee to refer the matter back to staff for further review because there is no criteria set out in the By-law and no definition of what is “fair share”. She indicated the by-law sets a precedent which amounts to poor planning, and the onus for good planning should not rest with City officials;
- Ann Fitzpatrick, Children’s Aid Society of Toronto, spoke in support of the report and the enactment of a municipal shelter by-law because it provides an effective strategy to achieve Council resolutions regarding fast tracking shelter development, meeting targets of shelter development and maintaining 90% occupancy levels in shelters. Ms. Fitzpatrick urged Councillors to take an active role in finding sites in their wards;
- Albert Storchak urged the Committee not to adopt the by-law and stressed that models for shelters should be re-examined so that the needs of children are taken into consideration since the location of shelters has an impact on local schools;
- Collette Skelly stated that the draft by-law on municipal shelters is flawed and should be referred back. The draft by-law in its present form would allow shelters to be placed beside small houses and would, therefore, disregard planning principles;
- Mardi Noble spoke in opposition to the draft by-law on municipal shelters indicating that the draft by-law is flawed because there is no regard for zoning and planning principles, and no forum for discussion or accountability;
- Maureen Gilroy spoke in opposition to the draft by-law on municipal shelters and requested that it be referred back for revision. The by-law strips citizens and elected officials of their power and places it in the hands of bureaucrats. Community consultation will change to community notifications. The Committee was urged to place power back in the hands of citizens by having elected officials consult with citizens;
- Elizabeth Borek spoke in opposition to the draft by-law and urged the Committee to refer the draft by-law back because it disregards planning principles and places power in the hands of bureaucrats, is vague, has no set criteria, does not include definitions of what specific terms mean, will divide communities, is not cost effective and is not user friendly;
- Lillian Adamakis spoke in opposition to the draft by-law and stated that, because there is a lack of data with regard to shelters, analysis of shelters becomes difficult. The Committee was urged to reject the draft by-law because it was unnecessary and undemocratic. Rent subsidy was presented as a solution;
- Debbie Blythe spoke in opposition to the draft by-law and urged that it be referred back to the Commissioner of Urban Development Services. Some current shelters are not

- coordinated and are not well managed. Shelters need to be better managed and affordable housing is needed;
- Laurie McGugan urged the Committee to refer the draft by-law back for further review because it is flawed. Issues of concern are lack of definitions, lack of models for shelters, no indication as to whether all shelters should have services on site. Size and location are important factors for family shelters, number of beds need to be stated and security requirements. The draft by-law places too much decision-making in the hands of staff. Concern was expressed about lack of notification and no meaningful voice in the process;
 - Andrew Bodie urged the Committee to defer decision-making on this issue as part of the overall process of the new Official Plan deliberations. Concerns were expressed regarding unknown costs in connection with the draft By-law and the arbitrary terms of the draft By-law. It was suggested that the emergency facilities contain no more than twelve beds;
 - Doug Hum, Etobicoke Lakeshore Housing Task Force, spoke in support of the draft By-law and stated that homelessness is a stark reality. Shelters are a first step and need to be provided so the homeless do not perish because of the cold;
 - Bruce Davis, Executive Vice-President, Urban Intelligence Inc., spoke on behalf of the Canadian Red Cross Society in support of the draft By-law and submitted a proposed amendment to the By-law which defines the term "Municipal Shelter";
 - Alex St. Germain, Drop-in Co-ordinator, Toronto Christian Resource Centre, spoke in support of the draft By-law and expressed the hope that the City can expedite the shelters because winter is approaching;
 - Carmel Hili, Christian Resource Centre, spoke in support of the draft By-law and in support of consultation within the community. Concern was expressed regarding very little housing being built and shelters were proposed as the second best option.

The Planning and Transportation Committee also had before it the following material which was forwarded to all Members of Council with the agenda of the Planning and Transportation Committee for its meeting on September 11, 2001, and copies thereof are on file in the office of the City Clerk, City Hall:

- Notice of Public Meeting (August 10, 2001) respecting this proposal;
- communication (September 9, 2001) from William deBacker, President, Edithvale-Yonge Community Association, proposing that the Emergency Shelter By-law be modified to prohibit no more than two such facilities within 500 metres of each other;
- communication (September 8, 2001) from the North Riverdale Resident's Association opposing the new by-law amendment in its current form;
- communication (undated) from Ralph Wissborn, President, West Rouge Community Association, opposing the new amendments to the Municipal Emergency Shelter By-law;

- communication (September 7, 2001) from Carol Seljak, Bloor-Dufferin Residents Committee, opposing the new amendments to the Municipal Emergency Shelter By-law;
- communication (September 10, 2001) from Colin F. Caie supporting the change to the Municipal Emergency Shelter By-law;
- communication (September 10, 2001) from Debrah and Joel Weiss requesting that the amendment be referred back for further consideration;
- communication (September 10, 2001) from Andrew Brodie, Coldwell Banker Pinnacle R.E., forwarding comments respecting the Emergency Shelter By-law;
- communication (September 7, 2001) from Denisa Krga requesting that the proposed amendment to the by-law to facilitate shelter housing be redrafted as the current changes do not offer specific definitions as to its intended uses;
- communication (undated) from David Vallance, Acting Chair, The Confederation of Resident & Ratepayer Associations (CORRA)(Toronto), opposing the proposed Municipal Emergency Shelters By-law;
- communication (September 10, 2001) from Brian Maguire, Secretary, North Hill District Home Owners' Association, requesting that the proposed By-law be redrafted to be more specific than its current wording;
- communication (undated) from David Vallance forwarding comments respecting the proposed Emergency Shelters By-law;
- communication (September 10, 2001) from Don Purvis, Chair, Seaton Ontario Berkeley Residents Association Inc. (S.O.B.R.A.), supporting the proposal for the fair share and distribution of Hostels and Support Services throughout the Mega City;
- communication (September 11, 2001) from Peter Smith, Co-Chair, Portlands Citizen Action Committee, opposing the staff report and draft by-law;
- communication (undated) from the Children's Aid Society of Toronto supporting the report to amend City zoning to permit municipally funded emergency shelters in all zones and districts of the City;
- communication (undated) from Elizabeth Borek opposing the proposed by-law amendment;
- communication (September 11, 2001) from Doug Hum, Etobicoke Lakeshore Housing Task Force, supporting by-law changes that will remove barriers to providing shelters to those in need;
- proposed Motion to amend the Municipal Shelter By-law (undated), as follows:

For the purposes of this By-law, Municipal Shelter means a supervised residential facility, operated by or for the City of Toronto, or any agency of the City of Toronto, or a facility approved by the City of Toronto that is operated by a charitable organization, which provides short-term emergency accommodation and associated support services; and

- communication (undated) from Dalton C. Shipway requesting that environmentally sensitive areas and tree planting sites be added to the criteria.

(City Council on October 2, 3 and 4, 2001, had before it, during consideration of the foregoing Clause, the following report (September 28, 2001) from the Commissioner of Urban Development Services:

Purpose:

To discuss possible revisions to the draft Municipal Shelter By-law with respect to: minimum separation distances between shelters; shelters in floodplains and the interior of industrial parks; and facilities operated by charitable organizations.

Financial Implications and Impact Statement:

There are no financial implications arising from this report.

Recommendations:

It is recommended that:

- (1) the Acting Commissioner of Community and Neighbourhood Services, in consultation with the Advisory Committee on New Emergency Shelter Sites, review the existing guidelines for selection of emergency shelter sites and report back to Community Services Committee with formal guidelines to be used in the selection of emergency shelter sites;
- (2) the Acting Commissioner of Community and Neighbourhood Services, in consultation with the Advisory Committee on New Emergency Shelter Sites, review the existing Protocol for Community Notification and Public Input for the Establishment and Development of Emergency Shelter Sites and report back to Community Services Committee with an updated Protocol for Community Notification;
- (3) Council direct the Acting Commissioner of Community and Neighbourhood Services to incorporate in the guidelines for the selection of sites for municipal shelters the following:
 - (a) new municipal shelters be prohibited in existing and proposed Flood and Fill Regulated Areas as delineated by the Toronto and Region Conservation Authority, except within Special Policy Areas as designated in the applicable Official Plan;

- (b) new municipal shelters be prohibited in the City's natural heritage system as designated in the new Official Plan for the City, and as currently proposed to be designated;
 - (c) avoid locating new municipal shelters on sites unduly isolated by surrounding industrial uses; and
 - (d) consider the compatibility of the proposed municipal shelter with the existing and potential industrial uses on surrounding land;
- (4) all new sites for municipal shelters operated by or for the City, or any agency of the City, be brought forward to City Council for approval in conjunction with the Community Notification process;
 - (5) should Council wish to include in the By-law a minimum separation distance as discussed in the body of this report, that the By-law be amended to deem any municipal shelter legally existing as of the date of adoption of the By-law, or any municipal shelter sites for which building permits have been issued within 6 months from the date of adoption of the By-law, as being in compliance with any minimum separation distance contained in the By-law;
 - (6) should Council include a minimum separation distance between municipal shelters in the By-law, Council determine that no further notice be given in respect of the proposed by-law, pursuant to subsection 34(17) of the Planning Act; and
 - (7) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Background:

At its meeting of September 11, 2001, the Planning and Transportation Committee held a public meeting on a draft, city-wide Zoning amendment by-law to permit municipal shelters in all zones or districts in the City, subject to compliance with all other applicable zoning provisions. The Committee adopted the report dated July 30, 2001 from the Commissioner of Urban Development Services, which recommended the enactment of a Municipal Shelter By-law by Council.

In addition, the Committee:

- (1) referred the following amendment to the draft by-law proposed by Urban Intelligence Inc. to the Commissioner of Urban Development Services with a request that she report, in consultation with the City Solicitor, directly to City Council for its meeting on October 2, 2001 on the legal implications of this proposed by-law amendment, whether there are any concerns regarding its implementation and provide appropriate wording for incorporation into the by-law:

“For the purposes of this By-law, Municipal Shelter means a supervised residential facility, operated by or for the City of Toronto, or any agency of the City of Toronto, or a facility approved by the City of Toronto that is operated by a charitable organization,

which provides short-term emergency accommodation and associated support services.”; and

- (2) requested the Commissioner of Urban Development Services, in consultation with the City Solicitor, to report directly to City Council for its meeting on October 2, 2001 on:
 - (a) amending the draft by-law by stating that emergency shelters not be located in floodplains nor the interior of industrial parks; and
 - (b) the viability of limiting the distances between shelters if more than one shelter is situated in a community, and provide comments on suggested limiting distances such as 150 metres, 300 metres, 450 metres and so forth.

This report is in response to the requests from Planning and Transportation Committee.

Comments:

The City Solicitor, the Acting Commissioner of Community and Neighbourhood Services, and staff of the Toronto and Region Conservation Authority have been consulted in the preparation of this report.

1. Council Adoption of Formal Guidelines for Site Selection

During the September 11, 2001 public meeting of Planning and Transportation Committee on the Municipal Shelter By-law, a number of deputants and Councillors expressed concerns regarding the current process for selecting sites and suggested the development of guidelines for this purpose. As noted in the report dated August 26, 2001 entitled “Emergency Shelters: Overview of Location Criteria and Councillor Notification” that was before the Committee, there are already guidelines in place governing site selection. However, to respond to the concerns expressed, staff are recommending that the Acting Commissioner of Community and Neighbourhood Services, in consultation with the Advisory Committee on New Emergency Shelter Sites, formalize the site selection guidelines and bring them forward for approval in a report to Community Services Committee and Council.

2. Inclusion in By-law of Minimum Separation Distances Between Shelters

The Planning and Transportation Committee requested information on the viability of a minimum separation distance between shelters. The original intent of Council’s direction to allow municipal emergency shelters throughout the City was to provide staff with a broader range of sites to consider, and to reduce the time associated with site planning and development. Inclusion of locational criteria, such as minimum separation distances, will in fact reduce the number of sites that can be considered. The more restrictive the locational criteria, and in particular the greater the minimum separation distance, the fewer site options will be available.

The location of the 55 existing emergency shelters within the City is illustrated on Attachment 1 to this report. As can be seen, the majority of the existing shelters and the heaviest concentration are in the Downtown. The following table provides the ranges of separation distances of these municipal shelters from the nearest shelter.

Table 1: Effect of a Minimum Separation Distance on Existing Emergency Shelters

Separation Distance	No. of Overlapping Shelters	Percent of Total (55)
150 m	17	31%
250 m	26	47%
300 m	33	60%
450 m	37	67%
600 m	39	71%
750 m	39	71%
900 m	39	71%

Note: Excludes Assaulted Women’s Shelters and Motel Programs

Source: Toronto Community and Neighbourhood Services Department, Sept. 2001

This table does not include the motel programs located on Kingston Road, because those facilities are actually motels licensed under the Innkeepers Act and as such would not be affected by this proposed By-law. The Assaulted Women’s Shelters are funded by the Province and are excluded from the map (Attachment 1) because they do not meet the definition of a municipal shelter and for security and confidentiality reasons. Consequently, they are also not included in the above Table 1. What this table clearly illustrates is that the greater the distance separation, the higher the number of existing shelters that would not conform.

The existing Zoning By-law applicable to the Downtown has a minimum separation distance of 245 m between any group homes and crisis care facilities (which historically may have included some municipal shelters), but there is an over-riding provision in the former Toronto Zoning By-law (s.11.1) that would permit municipal shelters virtually anywhere. The above Table 1 shows that if the minimum separation distance was set at 250 m, 47% (26) of the existing 55 emergency shelters would not comply.

If Council wishes to include such a distance and also maintain maximum flexibility and the widest range of site options, it is suggested that the existing 245 m minimum separation distance contained in the former City of Toronto Zoning By-law be rounded to 250 m and be included in the Municipal Shelter By-law. This distance would be measured from property boundary to property boundary.

If Council does decide to include a minimum separation distance, it is important that any existing municipal shelters or sites with building permits not become legal non-conforming uses by virtue of non-compliance with this newly imposed separation distance. If the By-law is amended to include a minimum separation distance, staff recommend that the By-law also deem any existing municipal emergency shelters or sites with building permits to comply with the minimum separation distance. To accommodate sites currently well into the process but not yet at the building permit stage, staff recommends that sites with buildings permits issued within 6 months of the adoption of the By-law also be deemed to comply.

Legal staff advise that if the draft By-law considered at the September 11, 2001 public meeting is changed prior to adoption, Council would need to explicitly determine whether any further notice is to be given in respect of the proposed by-law pursuant to Section 34(17) of the Planning Act. However, since any such amendments contemplated in this report would appear to make the By-law more restrictive with respect to shelters, rather than less restrictive, the recommendation is therefore to not require further public notice should any such amendments be made to the draft By-law.

3. Prohibiting Emergency Shelters in Floodplains

Staff of the Toronto and Region Conservation Authority (TRCA) have been consulted on this issue. While development is not generally permitted within Flood and Fill Regulated Areas, significant exceptions exist within Special Policy Areas (SPA) as designated in the applicable Official Plan. For example, large portions of the Downtown, King-Parliament, the East Bayfront, the West Don Lands, South Riverdale, and the Port lands in the former City of Toronto are within a SPA in the Don River floodplain. Existing zoning permits development in this SPA.

There are other significant SPA's, existing and proposed, across the City. If the City were to generally prohibit emergency municipal shelters in all Flood and Fill Regulated Areas, they would be prohibited in significant areas of the City (SPA's) where their future location might be considered appropriate and necessary.

The only means by which shelters could be specifically permitted in SPA's through the Zoning By-law, meaning this Municipal Shelter By-law, while generally prohibiting them in Flood and Fill Regulated Areas would be to delineate all such SPA's and Regulated Areas in schedules to the Municipal Shelter By-law. In principle, staff has concerns with attempting to base zoning boundaries on lines mapped by another agency, albeit a government agency, where such mapping is subject to possible changing criteria and frequent updating. The Zoning By-law is not a policy document. A Zoning By-law map must be very precise, to enable precise measurement of location. This mapping in By-law schedules would be a complex task in itself, but in addition, a Zoning By-law amendment process to change the schedules would be required every time the Official Plan SPA designations, or TRCA's Regulated Areas, are amended. This is a cumbersome process, and staff do not consider this approach in the By-law to be necessary.

As discussed above, by limiting the permission for emergency shelters to shelters operated by, or on behalf of, the City, the City retains full control over the location and operation. Council can direct the Acting Commissioner of Community and Neighbourhood Services to not consider sites within a Flood and Fill Regulated Area unless the sites are also within a designated SPA. That would avoid the need for a complex By-law mapping and updating process.

TRCA staff also recommended that the prohibition of shelter site locations be extended to TRCA's proposed Flood and Fill Regulated Areas and to the City's natural heritage system. The natural heritage system has been mapped by City Planning staff and will be designated in the new city-wide Official Plan. City Planning staff agrees in principle with this approach.

Accordingly, this report recommends that the Acting Commissioner of Community and Neighbourhood Services be directed to incorporate in the site selection guidelines for municipal shelters the prohibition of such shelters on sites within TRCA's existing and proposed Flood and Fill Regulated Areas except where the sites are also within a Special Policy Area as designated in

the applicable Official Plan. Further, this report recommends the prohibition of locations within the City's natural heritage system as will be designated in the new Official Plan, and currently as proposed to be designated. The TRCA's permit process for new development within Flood and Fill Regulated Areas will complement the City's approach.

4. Prohibiting Emergency Shelters in the Interior of Industrial Parks

Staff is not recommending an amendment to the By-law to prohibit location of municipal emergency shelters in the interior of industrial parks. The planning issues related to this matter include the provision of an appropriate environment for residential uses, and the minimizing of adverse impact of residential uses on the viability of an industrial use or area. Such issues are complex and are extremely difficult to appropriately address in the stark, unambiguous legal language required in a Zoning By-law. A more appropriate course of action would be for the Commissioner of Community and Neighbourhood Services to take this issue into consideration in reviewing sites or buildings for emergency shelter use.

As indicated, the prohibition of shelters in the interior of industrial parks is very difficult to effectively implement through a Zoning By-law amendment. There is difficulty in defining and then identifying what is an "industrial park". There are dozens of industrial designations in existence in the Zoning By-laws of the six former municipalities, many of which have a significant commercial component, and a few of which even permit residential uses under certain conditions. A lengthy study of such industrial designations and the existing conditions would be required to identify those areas that might meet some arbitrary definition of an "industrial park". There is also difficulty in defining what the "interior" of such industrial designations or areas would be, and how the by-law could be worded to somehow prohibit emergency shelters in the "interior", while still permitting them on the periphery. The complex variations in size, configuration, uses and existing built environment within the City's many industrial areas mitigate against a simple solution. To go so far as to prohibit emergency shelters in certain industrial zones would be to rule out many potentially suitable locations for emergency shelters, contrary to Council's intent to expeditiously provide accommodation for the homeless.

This report recommends that the Acting Commissioner of Community and Neighbourhood Services incorporate in the municipal shelter site selection guidelines the additional provisions to avoid the location of shelters on sites unduly isolated by surrounding industrial uses, and to have regard for the compatibility of the proposed shelter use with existing and potential industrial uses on surrounding lands.

5. Updated Protocol for Community Notification

As noted above, at the September 11, 2001 meeting, Planning and Transportation Committee had before it a report dated August 26, 2001 entitled "Emergency Shelters: Overview of Location Criteria and Councillor Notification". A Protocol for Community Notification and Public Input for the Establishment of New Emergency Shelter Sites was attached as Appendix A to that report, and has now been in existence for two years. Again due to comments expressed at the public meeting and by Councillors, this report is recommending that the Acting Commissioner of Community and Neighbourhood Services, in consultation with the Advisory Committee on New Emergency Shelter Sites, review the existing Protocol and report back to Community Services Committee with an updated Protocol for Community Notification.

6. Formal Council Approval of Municipal Emergency Shelter Sites

Concerns have been expressed that the proposed By-law would reduce the need for Council approval of a site before it begins operation as a municipal shelter. While that was not the intent of the By-law, in order to directly address that concern in a formal manner, this report recommends that any proposed new site for a municipal shelter operated by or on behalf of the City be approved by Council in conjunction with the Community Notification process.

7. Extend the By-law to Emergency Shelters Provided by Charitable Organizations

At the September 11, 2001 public meeting held by Planning and Transportation Committee, Urban Intelligence Inc., acting on behalf of the Red Cross, requested an amendment to the draft by-law to extend the use permission to “a facility approved by the City of Toronto that is operated by a charitable organization”. Staff, including Legal staff, have reviewed this matter and have the following comments.

The proposed terminology could include programs receiving no capital or operating funding from the City. As such, they would not be bound to follow the siting criteria used by the City, nor to follow existing notification protocols. Additionally, if they have no agreement with, and receive no operating funding from, the City, the City would have no capacity to influence or monitor ongoing operations.

As discussed in previous reports, the City’s emergency shelters are operated either directly by the Shelter, Housing and Support Division of Community and Neighbourhood Services, or through “purchase of service” contracts with community non-profit shelter providers. External shelter providers will be provided with a confirmation of having a “purchase of service” contract with the City for submission when applying for a building permit, to assist Buildings staff in determining whether the proposed shelter is a shelter within the meaning of the By-law.

Staff is of the opinion that this amendment would not be consistent with the original intent of the proposed by-law, which limits the city-wide permissions to emergency shelters operated by, or on behalf of, the City or its agencies. The range of organizations falling within the scope of “charitable organizations” is large, and the City would have limited control over the operations of their programs. Furthermore, the term “facility” is too broad and if Council is inclined to approve the request, the wording would have to be more specific to avoid potential interpretation problems.

It is not clear what is meant by a facility “approved by the City of Toronto”. There are no statutory approval processes in place other than the usual funding and planning approvals and building permit processes. If the Zoning By-law permits the use, the City could not refuse planning or building permit approvals without valid reasons under the respective legislation, so by agreeing to the proposed wording change, Council would forfeit a considerable degree of control over the location of such non-municipal emergency shelters.

Staff of the Toronto and Region Conservation Authority (TRCA) were consulted with respect to the floodplains issue discussed above, and indicated that if the By-law was amended to include

non-municipal emergency shelters, they would have heightened concerns about potential locations being sought within floodplains and natural heritage areas by charitable organizations, again due to the reduced Council control.

This report does not recommend any revisions to the draft By-law in response to this request.

Conclusions:

The City Solicitor, the Acting Commissioner of Community and Neighbourhood Services, and staff of the Toronto and Region Conservation Authority have been consulted in the preparation of this report.

City Council requested staff to forward the Municipal Shelter By-law as an important component in the program to provide accommodation for the homeless in an effective and timely manner. Planning and Transportation Committee requested this further report to provide additional information on minimum separation distances, shelter locations within floodplains and industrial parks, and extending the By-law to charitable organizations.

Staff is of the view that the concerns expressed by the public and by Councillors will be adequately and comprehensively addressed through a three-pronged implementation approach: the Municipal Shelter By-law; site selection guidelines; and the Community Notification protocol. This report recommends that these site selection guidelines and Community Notification protocol be appropriately revised and formally adopted by Council.

Due to the very specific and precise language required in the Zoning By-law, of which the Municipal Shelter By-law would be a part, the suitability of the By-law to address the very complex and variable nature of floodplains and industrial parks is limited. Such matters would much more appropriately be addressed through the aforementioned site selection guidelines. Similarly, concerns regarding the community notification process would best be addressed through the Community Notification protocol. This report recommends that these concerns be specifically dealt with through the updating and formal adoption of these complementary implementation tools.

To provide further reassurance of a high level of Council oversight in the location and operation of municipal shelters, this report recommends that all new municipal shelter sites be formally approved by Council in conjunction with the Community Notification process, with no extension of the By-law to facilities operated by charitable organizations.

If Council wishes to include a minimum separation distance, 250 m would retain close to maximum flexibility regarding site options (the lower the distance, the greater the City's flexibility). Should a minimum separation distance be included in the By-law, existing shelters and those shelter sites at or near building permit stage should be deemed to comply so that they do not become legal non-conforming uses. In addition, in the event of such changes to the draft By-law, Council is required to determine whether further notice is to be given. Since any such amendments would be more, rather than less, restrictive toward shelters, no further notice is recommended.

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(A copy of the Attachment, "Location of Existing Emergency Shelters", referred to in the foregoing report, is on file in the office of the City Clerk.)

(City Council also had before it, during consideration of the foregoing Clause, the following communications, forwarding comments with respect to the proposed Municipal Shelter By-law:

- (a) (September 20, 2001) from Mr. William H. Roberts, Director, Swansea Area Ratepayers Association;
- (b) (September 26, 2001) from Mr. David Vallance, Acting Chair, Confederation of Resident and Ratepayer Associations (CORRA); and
- (c) (October 1, 2001) from Mr. Andrew Brodie, Sales Representative, Coldwell Banker Pinnacle R.E.)

The joint Planning and Transportation and Community Services Committees also submits the following report (November 14, 2001) from the Acting Commissioner of Community and Neighbourhood Services:

Purpose:

This report details an updated process for the selection and approval of new emergency shelter sites, including an updated Community Information Process that would be put in place should Council approve the enactment of an Emergency Shelter By-law.

Financial Implications and Impact Statement:

None.

Recommendations:

It is recommended that upon the enactment of the Municipal Shelter By-law:

- (1) the process for reviewing and recommending new emergency shelter sites as detailed in this report be approved;
- (2) the process of approving new emergency shelter sites detailed on page five of this report be approved;

- (3) the Community Information Process described in Appendix C be approved; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Background:

At its meeting of October 2, 3 and 4, 2001, Council had before it a report from the Planning and Transportation Committee titled "Enactment of a Municipal Shelter By-law". The report presented a draft By-law that permits municipal emergency shelters in all zones or districts in the City provided any new buildings or additions comply with all other applicable zoning provisions of the zone or district. Accompanying this was a report from the Acting Commissioner of Community and Neighbourhood Services titled "Emergency Shelters: Overview of Location Criteria and Councillor Notification".

Council referred these reports and their recommendations back to a joint meeting of the Community Services Committee and Planning and Transportation Committee and directed that they be considered with the following reports to be submitted by the Acting Commissioner of Community and Neighbourhood Services, in consultation with the Advisory Committee on New Emergency Shelter Sites:

- (1) a report providing a review of the existing guidelines for the selection of emergency shelter sites, including internal safety and school issues, such report to include formal guidelines to be used in the selection of emergency shelter sites;
- (2) a report providing a review of the existing protocol for Community Notification and Public Input for the Establishment and Development of Emergency Shelter Sites;
- (3) a report incorporating the issues raised in Recommendation No. (3) embodied in the report dated September 28, 2001, from the Commissioner of Urban Development Services, such issues being those to include guidelines for the selection of sites within areas regulated by the Toronto and Region Conservation Authority, within the City of Toronto's natural heritage system and within industrial areas; and
- (4) a report addressing the issue of the appropriate minimum separation between municipal shelters.

This report incorporates the information requested in the preceding recommendations 1 – 3. Recommendation 4 is dealt with in a separate report from the Commissioner of Urban Development Services that is also before Committee.

Staff have consulted with the Advisory Committee on New Emergency Shelter sites in the preparation of this report.

Comments:

Expansion of the Emergency Shelter System

The shelter system has been expanding for the past 20 years with a period of rapid expansion having taken place since 1997. In order to assist with this ongoing expansion of the emergency shelter system, Council established the Advisory Committee on New Emergency Shelter Sites in 1999. The Committee was to advise and support staff on the search for and development of new emergency shelter sites. The Committee was directed by Council to assist by reviewing sites identified for potential development, helping staff to assess and balance the needs of communities surrounding shelter sites and the needs of the City-at-large, and guiding staff in developing the processes for communicating to local communities regarding new shelter sites. This Committee was not explicitly authorized by Council to approve new emergency shelter sites.

At the same time Council approved the Protocol for Community Notification for the Establishment and Development of Emergency Shelter Sites. The purpose of the protocol was to set out a clear process to be used when the City is establishing a new emergency shelter site. The protocol required staff to meet with the local community, to provide information on the proposed services and to identify a contact person to answer community questions and respond to community concerns.

During internal discussions regarding the development of the Emergency Shelter By-law and in the deputations to Committee it became clear that both the community and local ward Councillors were seeking greater clarification regarding the processes used for selecting and approving sites for emergency shelter use.

The City has been faced with a conflicting set of demands in relation to the development of new emergency shelter sites. High occupancy rates in the shelter system and the ongoing high demand for shelter services have required a rapid response and have led Council to direct staff to take all the steps necessary to immediately open emergency shelter beds. At the same time staff have been directed to ensure that the process for selection and opening of new emergency shelter sites is thorough, thoughtful and allows for community input. These conflicting demands have sometimes frustrated local communities, local ward Councillors and indeed City staff and reconciling them continues to be a challenge.

Assessment of Sites for Emergency Shelter Development

Staff have developed a process for reviewing and selecting sites for emergency shelter development that takes into consideration the location of the site (including impact on the surrounding neighbourhood), the condition and layout of the property and the cost of required renovations or construction. Staff have used this process to date. The process can however be strengthened to address the concerns of local Councillors in conjunction with approval of the Municipal Shelter By-law.

(1) Due Diligence

The process for reviewing and identifying new sites involves two major assessments. The first is a review and assessment of the location of the property; the second is the review and assessment of the type and condition of the building on the property. These provide an initial scan and

technical review that guide staff in making a final recommendation based on the merits of the site and the property.

- (a) Site Assessment - Potential sites are identified by staff in a number of ways. Available City properties can be identified through Facilities and Real Estate. Private sites can be brought to the attention of staff by the general public, community agencies or realtors.

Staff will open a file for each site that is identified for investigation. As a first step staff will produce a map of the local community around the site including any local schools or other emergency shelters. Staff will then arrange to visit the site in order to begin the due diligence process. Staff will complete the "Assessment of Site under Consideration for Shelter Use" form which is attached as Appendix A.

This form requires staff to provide the following types of information:

- (i) type of shelter, client group and number of beds proposed for the site;
- (ii) official plan designation and zoning information on the site, including whether it is located in a flood plain or natural heritage area;
- (iii) a description of the local community around the site including the age and built form of the local residential and commercial communities, and any ongoing changes in the neighbourhood (e.g. new commercial or residential construction);
- (iv) number of municipal emergency shelters within a 250-metre, 500 metre and 1 kilometre radius of the site including name(s) of shelter(s), client group(s) being served and total number of beds;
- (v) proximity of schools. In the case of family shelters an assessment of the local school situation will be done including information on the projected number of children from the shelter who will attend local schools, actual enrolment and Ministry rated capacity of the school, and feedback on principal's and School Board's position on enrolment of children from a shelter in the local school;
- (vi) public transit – closest transit route, hours of operation and frequency, connection to subways;
- (vii) social, health and education supports in the neighbourhood; and
- (viii) community resources in the neighbourhood (libraries, parks, community centres).

Based on an evaluation of this information staff will recommend whether the City should pursue the development of this site and why.

- (b) Property Assessment – Staff will also make an assessment of the actual property/building on the site being considered by completing the "Assessment of Property Under Consideration for Shelter Use" attached as Appendix B. This form will contain the following information:
- (i) type of shelter, client group and number of beds proposed for the site;
 - (ii) name of property owner, cost of lease/sale and type of building (i.e.: residential, warehouse, etc.);
 - (iii) condition of the exterior and interior of the building and the front and rear yards;

- (iv) layout of the building including number and size of bedrooms, washrooms, showers, kitchen, common areas and office spaces;
- (v) description of building systems including heating/cooling, electrical, plumbing, fire system;
- (vi) dates of inspections and names of contacts in Toronto Fire Services, Buildings and Public Health;
- (vii) potential Fire Code or Building Code issues;
- (viii) types of renovations that might be required and estimated cost of work;
- (ix) source of funding for renovations; and
- (x) valuation of the property and recent price history.

Again based on this information, staff will make a recommendation regarding the use of the property as an emergency shelter.

These forms provide a systematic and consistent method for collecting information about sites and buildings to allow for an objective assessment of all relevant factors. They are not check lists with yes or no answers wherein a formula can be used to determine whether the site is or is not suitable. They provide the due diligence information necessary for determining whether a site may be suitable for emergency shelter use. Staff must weigh the information collected on both forms and make recommendations based on these reviews.

Approval process for new emergency shelter sites

While approval of new emergency shelter sites has often taken place through the Standing Committee and Council there is no Council approved process for the approval of new emergency shelter sites. The Advisory Committee on New Emergency Shelter Sites has fulfilled part of this approval role over the last number of years. In conjunction with the enactment of the Municipal Shelter By-law it is proposed that Council approve the process for the approval of new emergency shelter sites as described below. This process requires that approval of new emergency shelter sites rests only with the appropriate Standing Committee(s) and Council. Only Council would be able to provide final approval of a new site for development.

It should be noted that the Advisory Committee on New Emergency Shelter sites would continue to meet, as needed, to provide advice on particular sites but would no longer be part of the formal site approval process. A schedule of regular meetings would no longer be set; rather meetings would be at the call of the Chair of the Community Services Committee. This will allow staff to continue to benefit from the ongoing advice that has been helpful in the assessment of certain sites.

The new approval process would work as follows:

- (1) staff would identify a site and complete the due diligence process as noted above;
- (2) staff would inform the local Councillor of the site being assessed and would provide the local Councillor with their recommendation regarding the site. If the site were within

- 120 metres of a Ward boundary, staff would also inform the Councillor from the adjoining ward(s) of the site being assessed and the staff recommendation;
- (3) staff would seek input and advice from the Advisory Committee on New Shelter Sites as required regarding site recommendations;
 - (4) staff would initiate the Community Information Process as described below and detailed in Appendix C;
 - (5) the Community Information Process would take place over a four-week period;
 - (6) staff would prepare a report for Community Services Committee making a recommendation on the use of the site, reporting on the due diligence on the site, and describing the position of the local Councillor and opinions of the local residents;
 - (7) Community Services Committee at its regular meetings will review the reports and hear deputations from the public regarding the proposed use of the site and make a recommendation to Council regarding the proposed use of the site; and
 - (8) Council will make the final decision regarding the use of the site for an emergency shelter. Council decisions will be final.

This process would take approximately 3 – 4 months and possibly longer depending on Committee and Council schedules. In cases where the City is looking to privately lease or purchase a property it should be noted that staff would be required to bring forward an early report to an in-camera meeting of the Administration Committee seeking their endorsement of the financial terms and conditions of any offer to purchase or lease. All offers to lease or purchase would be conditional upon Council's final approval of the site for use as an emergency shelter. This will add 4 – 6 weeks to the approval process.

One consequence of this formalized approval process is that time frames will not always meet expectations regarding the rapid opening of emergency shelters, particularly seasonal ones, in order to respond to emerging needs.

Community Information Process

The updated Community Information Process is attached as Appendix C. This would replace the existing Community Notification Protocol but retains the key elements of the existing notification process.

The Community Information Process will continue to require that staff meet with the local Councillor and Councillors in immediately adjoining wards. Further, local residents and businesses will continue to be provided with written information on the size of the facility, the agency operating the program, client groups to be served, services to be provided on the site, staffing levels, etc. Staff will still hold public meetings to answer community questions and respond to community concerns. Community Liaison Committees will continue to be formed to

provide an ongoing venue for discussion between the staff developing the emergency shelter site and residents who wish to have input into the shelter program design and development.

Based on experience over the past two years and comments from local residents and Ward Councillors, staff are proposing the following additions to the new community information process:

- (a) written communication regarding the proposed new shelter site will be distributed by staff to all residents and businesses within a 120 metre radius of the site;
- (b) this communication will provide information on the dates of the Community Services Committee and Council meetings at which this proposed site is likely to be considered. The written communication will further provide information on how the public can deputize to standing committee and how to contact the Clerk's office;
- (c) at the initial public meeting the City will once again provide notice of the date of the Community Services Committee at which the site is likely to be discussed; and
- (d) in the staff report to Community Services Committee the input and opinions of the local Councillor(s) and the local residents will be included.

Again, in cases where there is a private lease or purchase, staff will go forward to Administration Committee with a report on the site following their meeting with the local Councillors.

Conclusion:

The passing of the municipal shelter by-law will allow staff to consider emergency shelter sites throughout the City of Toronto. In order to support this expanded capacity to develop sites, staff are recommending changes to strengthen the existing processes for selecting and approving emergency shelter sites. This report has described and recommended improved processes for assessing and approving new emergency shelter sites. The report recommends that upon enactment of the Municipal Shelter By-law, the final approval of new emergency shelter sites would rest with Standing Committee and Council. The report further recommends that upon enactment of the Municipal Shelter By-law, an updated process for informing local communities regarding proposed new emergency shelter sites be instituted.

Contact:

Phil Brown
General Manager, Shelter, Housing and Support Division
Phone: 392-7885; Fax: 392-0548
Email: pbrown1@city.toronto.on.ca

Appendix A Assessment of Site under Consideration For Shelter Use

The purpose of this document is to assist in the assessment of the location of a site being considered for shelter use.

(1) Address: _____

Ward: _____ Councillor: _____

Shelter, Housing and Support contact (name, title and phone #):

Are staff recommending this site for further consideration as a shelter site? Yes/No

Closest Intersection: _____

Is this site within 120 metres of a Ward boundary? yes/no

If yes, which Ward: _____ Councillor: _____

(2) Service Description - Describe Proposed Client Group and Type of Shelter:

Estimate number of beds proposed for the site:

Estimate breakdown of beds by client group (i.e.: single men/single women/couples, adults/children):

Assessment of Site under Consideration for Shelter Use

Address: _____

(3) Community Agency Involved:

Agency contact (name, title, phone #):

Information on agency (i.e.: do they currently contract with City or operate a shelter, track record, etc.)

(4) Planning/Zoning Information

In which of the former cities is the site located?

What is the current Official Plan designation and zoning for the site?

Is the site in a flood plain?

Is the site in natural heritage area?

Planning Contact: (name, title and phone number of the section manager):

Zoning Contact: (name, title and phone number):

(5) Describe the Local Community:

Describe the community immediately surrounding the site:

West of the site is:

East of the site is:

North of the site is:

South of the Site is:

Describe local residential community (provide information on age of community, built form, any ongoing changes to the neighbourhood):

Describe the local business community (provide information on built form, type of business, ongoing changes):

Record any municipal emergency shelters within the local community:

Name of shelter	Address of shelter	Number of beds	Orientation to proposed site (i.e.: direction, number of blocks)	Estimate distance to the proposed site (metres)	Client group served

What is the proximity of the nearest school?

	Distance to site	Name of school	Address
Public Elementary			
Public Secondary			
Catholic Elementary			
Catholic Secondary			

(* see attached document for second stage of school assessment)

(6) Public Transit

Describe transit access and routes available: (What is the closest transit route? Does it connect to the subway? Is this a 24-hour route? How regular is service on weekdays? Sundays and holidays?)

(7) Social/Health/Education Supports:

Please describe the location of the following in relation to the site:

- Hospital:
- Community Health Centre or Health Clinic:
- Employment Centre, HRDC office:
- Income Support office:
- Bank:
- Drop-in:

Assessment of Site under Consideration for Shelter Use

Address: _____

(8) Community Resources:

Please describe the locations of the following in relation to the site:

- Park (s):
- Community centre(s):
- Public library(ies):
- Retail food store:

Staff Assessment of Whether the City should Pursue Development of this as a Shelter Site
(provide yes/no/neutral response and reasons for recommendation)

Assessment of Site under Consideration for Shelter Use
Internal File Review Sheet

(1) Shelter, Housing and Support Staff Contact Name:

Date form submitted for review: _____

Signature: _____

(2) Reviewed by Director:

Date reviewed: _____

Signature of Director: _____

(3) Reviewed by General Manager:

Date reviewed: _____

Signature of General Manager: _____

(4) Date Councillor informed: _____

Assessment of Site under Consideration for Shelter Use
School Issues
Detailed information sheet

Site Address: _____

Describe discussions with school and Board re: proposed use of site (please record response of school and board staff to proposed use of the site)

Appendix B
Assessment of Property under Consideration
for Shelter Use

SH & S Staff Assessing Property:

Address: _____

Ward: _____ Councillor: _____

Closest Intersection: _____

Service description – describe proposed client group and type of shelter:

Description of Property: (i.e.: single family dwelling, warehouse, retail space):

Is the building currently tenanted?

Is the building City or privately owned? (circle one)

Is the building for lease or sale? (circle one)

Valuation of building and recent price history:

- What is the listed/lease price?
- If this is a purchase, what is the source of funding?
- How many beds could this building support?
- How old is the building?

Describe condition of exterior of building:

Assessment of Property under Consideration for Shelter Use

Address: _____

Describe parking on site:

Describe front yard of property (size, condition, objects in yard):

Describe rear yard of property (size, condition, objects in yard):

Could property accommodate outdoor activity area for children?

Describe condition of interior of building:

Building Layout

Number of bedrooms, location and approximate size:

Number of toilet rooms/bathrooms, location and approximate size:

Number of showers and location:

Size and location of kitchen:

Assessment of Property under Consideration for Shelter Use

Address: _____

Building Layout (Cont'd.)

Number of offices available and location:

Size and location of common areas:

Does site have disabled access?

Building Systems:

Heating:

- What type of heating system?
- How old?

- Can it support the proposed use?
- What type of upgrading would be required?
- Estimated cost:

Electrical:

- What type of electrical system?
- How old?
- Can it support the proposed use?
- What type of upgrading would be required?
- Estimated cost:
Assessment of Property under Consideration for Shelter Use

Address: _____

Building Systems (Cont'd.)

Plumbing:

- Can existing plumbing support the proposed use?
- What type of upgrading might be required?
- Estimated cost?

Cooling:

- Does site have air conditioning?

Elevator on site?

- Make:
- Last inspection:
- Capacity of elevator:

Fire System:

- Describe fire system:
- What is the age of the fire system:
- When was last inspection?

Environmental:

- Are there any indications of asbestos in the building?
- Any sign that chemical materials have been stored on site or off site contamination?
- Is phase one environmental assessment available? Yes/No

Assessment of Property under Consideration for Shelter Use

Address: _____

Building Interior (Cont'd.)

Any potential fire or building code concerns with the property?

Contacts from other departments:

Department	Name	Title	Phone number
Buildings			
Fire Services			
Public Health			

Inspections by other departments:

Department	Date of Inspection	Name of Inspector	Phone number
Buildings			
Fire Services			
Public Health			

Describe any issues arising out of inspections:

Assessment of Property under Consideration for Shelter Use

Address: _____

Describe the internal renovations that would be required to occupy the building with the proposed use. Provide estimated costs of work:

Proposed Work	Estimated Cost

Proposed source of funding for the renovations:

Assessment of Property under Consideration for Shelter Use

Address: _____

Staff assessment of whether City should pursue development of property:

(provide yes/no/neutral response and reasons for reaching this conclusion)

Assessment of Site under Consideration for Shelter Use
Internal File Review Sheet

(1) Shelter, Housing and Support Staff Contact Name:

Date form submitted for review: _____

Signature: _____

(2) Reviewed by Director:

Date reviewed: _____

Signature of Director: _____

(3) Reviewed by General Manager:

Date reviewed: _____

Signature of General Manager: _____

(3) Date Councillor Informed: _____

Once staff have identified a potential site and completed due diligence on the site by completing the site assessment and property assessment processes:

(1) In the case of a City owned site:

- (a) Staff will contact and meet with the Councillor in whose Ward the site is located, will advise the Councillor(s) as to their recommendations regarding the use of the site and will inform the Councillor that the Community Information Process will commence within 15 working days. Where a site is within 120 metres of another Ward (s), staff will also meet with the other affected Councillors.
- (b) Following the meeting with the Councillor, staff will schedule an evening public meeting to inform the Community regarding the proposed use of the site as an emergency shelter. This meeting will take place no sooner than 15 days after the meeting with the Councillor(s). At this meeting attendees will be canvassed regarding interest in participating in a future Community and Liaison Committee as noted in e) v).
- (c) Staff will prepare a written communication that will be circulated to local residents and businesses within 120 metres of the approved site informing them of the proposed use of the site and identifying the date, time and location of the public information meeting.
- (d) The written communication will include the following information:
 - (i) address of the site
 - (ii) agency to be operating the site
 - (iii) clients to be served on the site
 - (iv) capacity of the site
 - (v) hours of operation
 - (vi) staffing of the site
 - (vii) services to be provided on site
 - (viii) contact name and number from the City for information; and
 - (ix) contact name and number from the agency for information.

Where required information will be translated to accommodate local constituents.

(e) At the public information meeting staff will provide:

- (i) the date of any further community information meetings that will be held;
 - (ii) the date of the Community Services Committee at which the proposed use of the site will likely be considered;
 - (iii) information on how deputations can be made before the Community Services Committee;
 - (iv) the date of the Council meeting at which the proposed use of the site will likely be considered; and
 - (v) solicit the names of residents who may be interested in participating in a Community Liaison Committee.
- (f) Staff will call a meeting of the Community Liaison Committee prior to the Community Services Committee meeting to answer any further questions that might have arisen and to provide them with information on the report that will be going forward to Community Services Committee.
- (g) Should the development of the site be approved, staff will call together the Community Liaison Committee.
- (h) During the development of the new emergency shelter, the Community Liaison Committee will meet once a month, or at scheduled times as agreed to by the committee.
- (2) In the case of a privately owned site, the following additional steps will be followed:
- (a) The city will secure a commitment from the owner with the cost and the main terms of a lease or purchase agreed upon. All offers of purchase or lease by the City will be conditional upon the final approval of the site for emergency shelter use by Toronto City Council.
 - (b) Staff will contact and meet with the Councillor in whose Ward the site is located, will advise the Councillor(s) as to their recommendations regarding the use of the site and will inform the Councillor that a recommendation will be made to the Administration Committee regarding the purchase of the site. Where a site is within 120 metres of another Ward (s), staff will also meet with the other affected Councillors.
 - (c) Staff will provide a report to the Administration Committee who will make recommendations regarding the proposed financial terms of the conditional offer to purchase or lease. If the Administration Committee approves the financial terms, staff will inform the local Councillor (s) that the Community Information Process will commence within 15 working days.

Process will then mirror that described for City owned sites from 1 c) onward.

The Planning and Transportation and Community Services Committees also submits the following report (November 21, 2001) from the Commissioner of Urban Development Services:

Purpose:

To provide a review of the planning issues raised by City Council at its meeting of October 2, 3 and 4, 2001, related to the proposed Municipal Shelter By-law and to assist the above-noted committees in their consideration of the proposed By-law at a joint meeting scheduled for December 12, 2001.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that this report be received for information.

Background:

On September 11, 2001, the Planning and Transportation Committee (PTC) held the statutory Public Meeting to consider Council's proposal to enact zoning provisions enabling the City to establish a municipal shelter in any zoning district across Toronto. The Committee had before it a Planning report (July 30, 2001) recommending enactment of a proposed draft By-law. Deputations and communications were received by the Committee.

The Committee adopted the recommendation to enact the by-law in the form proposed by staff. However, the Committee also directed that additional reports be submitted directly to City Council on possible restrictions to shelters in floodplains and industrial areas, the viability of a distance separation requirement between shelters, and the inclusion of shelters operated by charitable organizations in a new By-law. A report to City Council dated September 28, 2001 responded to these matters.

At its meeting on October 2, 3 and 4, 2001, Council struck the recommendations before it and referred the matter to a joint meeting of the Community Services Committee (CSC) and the PTC, with a direction for additional staff reports. In this regard, the Acting Commissioner of Community and Neighbourhood Services is reporting separately on locational and site selection guidelines for new shelter sites as well as a protocol for community notification and consultation when new shelter facilities are established.

This report responds to Council's request for a review of the planning issues related to the selection of sites within (i) areas regulated by the Toronto and Region Conservation Authority (TRCA), (ii) natural heritage areas and (iii) industrial areas as well as (iv) minimum separation distances.

Comments:

(i) TRCA-Regulated Lands

At its October 2001 meeting, Council expressed its concern that if shelters were to be located on TRCA-regulated lands, there would be a risk of flooding, thereby potentially endangering the residents and staff as well as the facility. This issue was discussed in the September 28, 2001 report to City Council and emphasised that the Zoning By-law can not function as a policy document. It is a regulatory instrument that must contain spatial precision with respect to given lands.

Under the Planning Act, the responsibility to determine and adjust zone boundaries, after an open process of public consultation and input, falls on City Council. Staff have serious reservations about basing zone boundaries and permissions on lines which: (a) are established by an outside agency and (b) are subject to possible changes and frequent updating.

In addition, the inclusion of provisions in a new Municipal Shelters By-law to address potential hazard lands will require a detailed and accurate determination of currently regulated areas and further assessment of the implications of existing and forthcoming Special Policy Area provisions in the Official Plan which contemplate limited development permissions in such areas. Such an approach will significantly impact current work programs and further delay implementation of a shelter by-law.

In view of the above, Planning staff recommend against including such detail in the proposed By-law. City Council is the final approval authority for the establishment and operation of new shelter sites. As a result, it is more appropriate that the suggested limitation on shelter locations on sites at potential risk be dealt with as a policy element within Council's formally established site selection guidelines.

(ii) Natural Heritage Areas

Similar issues arise with respect to preventing the siting of shelters in natural heritage areas as in TRCA-regulated lands. Municipal parks are currently not consistently defined or zoned in the various by-laws in place across the City. In many cases, parks are a permitted use in any zone which means that they are not specifically recognized as a park under the By-law.

Until harmonization of zoning across the City is achieved, the development of zoning provisions to address shelters and the natural heritage system will require significant staff resources and would impact on other work programs. As Council is the final approval authority for the establishment and operation of new shelter sites, it is recommended that the issue of siting shelters within the natural heritage system be addressed as a policy element within Council's formally established site selection guidelines.

(iii) Industrial Areas

In the September 28, 2001 report to Council, Planning staff did not support a proposed amendment to the By-law to prohibit the siting of municipal emergency shelters in industrial areas. The planning issues related to this matter include the provision of an appropriate environment for residential uses and the minimizing of adverse impact of residential uses on the viability of an industrial use or area. These issues are complex and difficult to appropriately

capture in the legal language required of a Zoning By-law. A more appropriate course of action would be for the Commissioner of Community and Neighbourhood Services to take this issue into consideration in reviewing sites or buildings for emergency shelter use.

The prohibition of shelters within industrial areas is also very difficult to effectively implement through a Zoning By-law amendment. There is difficulty in defining and then identifying what is an industrial area, particularly one where there is already a mix of other uses such as commercial, office and residential. A lengthy study of existing industrial designations and the existing conditions would be required to identify those areas that might meet some arbitrary definition of an “industrial area”.

A proposed zoning approach that restricts shelters to the periphery, where they are located within industrial areas, is also not recommended. The broader locational context of a potential shelter site is more important than its situation within an industrial area. For example, the Golden Mile Employment District in Scarborough faces low density residential uses on its Pharmacy Avenue and Birchmount Road perimeters, whereas a potential site near the intersection of Eglinton and Warden Avenues in the heart of this employment district might exhibit numerous attributes for siting a new shelter, such as accessibility to transit, commercial, parks, educational, social and other services.

A related issue is the inconsistency of terminology, definitions and zoning classifications for industrial uses across the City under current by-laws. If Council wishes to restrict the siting of shelters within industrial areas, the most appropriate route would be to specifically schedule those streets affected as part of the new by-law. This would be a very time consuming and resource-intensive process.

Limiting shelter locations within industrial areas would be more appropriately addressed as a policy element within site selection guidelines formally established by Council and subject to final site approval by Council. In addition, to provide for suitable new shelter locations where viable opportunities present themselves, Planning staff do not recommend a blanket ban on industrial locations in either zoning or new site selection guidelines.

(iv) Minimum Separation Distancing

The issue of a minimum separation distancing requirement in the Zoning By-law was discussed in the September 28, 2001 report to City Council. The original intent of Council’s direction to allow municipal emergency shelters throughout the City was to provide staff with a broader range of sites to consider and to reduce the time associated with site planning and development. Inclusion of minimum separation distances which would reduce the number of sites that can potentially be considered runs counter to Council’s original intent. The more restrictive the locational criteria, and in particular the greater the minimum separation distance, the fewer site options will be available.

There is no “one-size-fits-all” distancing standard than can or should be implemented for municipal shelters. An arbitrary standard, be it 300 or 500 metres of separation, would have no defensible land use planning rationale before the Ontario Municipal Board. It would not reflect the great diversity and intensity of land uses across the city, the differing accessibility to

supportive services such as transit, or the nature and potential compatibility of intervening land uses.

A minimum separation distance of 250m between municipal shelters, measured from property boundary to property boundary, similar to existing separation requirements for group homes and crisis care facilities in the downtown area, was discussed in the September 28, 2001 report. In the event that Council determines that a minimum separation distance be established, the 250m distance requirement should be actively considered.

It is also important that any existing municipal shelters or sites with building permits not become legal non-conforming uses by virtue of non-compliance with any newly-imposed separation distance. If the By-law is amended, staff recommend that the By-law also deem any existing municipal emergency shelters or sites with building permits to comply with the minimum separation distance. To accommodate sites currently well into the process but not yet at the building permit stage, staff also recommend that sites with buildings permits issued within 6 months of the adoption of the By-law also be deemed to comply.

As previously reported, Legal staff have advised that if the draft By-law considered at the September 11, 2001 public meeting is changed prior to adoption, Council would need to explicitly determine whether any further notice is to be given in respect of the proposed by-law pursuant to Section 34(17) of the *Planning Act*. Since any amendments to the proposed Municipal Shelter By-law addressed in this report would act to make the by-law more restrictive with respect to shelters, rather than less restrictive, Planning staff are of the opinion that further formal public notice is not necessary.

Conclusions:

Planning staff continue to recommend the proposed Municipal Shelter By-law in the form originally reported to Planning and Transportation Committee, without further amendment, as the best means of implementing City Council's original shelter objectives.

The issues addressed in the September 28, 2001 staff report, and reviewed further in this report, reflect policy concerns of a nature that are not best addressed through zoning regulation. Rather, these are issues that can and should be considered, on an on-going case by case basis for each new shelter site, by the CSC and City Council. Site selection on this basis would follow clear siting guidelines that can be readily reviewed and updated as appropriate, and an open process of community consultation and participation. It will also better respond to the complex and diverse land use fabric of this city, and the unique shelter needs of different client groups themselves, than would any fixed set of zoning regulations.

Contact:

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Urban Development Services
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The joint Planning and Transportation and Community Services Committees also submits the following communication (December 10, 2001) from the City Clerk, Aboriginal Affairs Committee:

Recommendation:

The Aboriginal Affairs Committee advises having endorsed the concept of a Municipal Shelter By-law to ensure that emergency accommodation is quickly provided across the City of Toronto.

Background:

At its meeting on November 29, 2001, the Aboriginal Affairs Committee had before it Clause 2 of Report 10 of the Planning and Transportation Committee which City Council at its meeting on October 2, 3 and 4, 2001 referred back to a joint meeting of the Planning and Transportation Committee and the Community Services Committee and requested that the Acting Commissioner of Community and Neighbourhood Services, in consultation with the Advisory Committee on New Emergency Shelter Sites, prepare requested reports for submission to the joint meeting.

The joint Planning and Transportation and Community Services Committees also submits the following communication (December 5, 2001) from the City Clerk, Children and Youth Action Committee:

The Children and Youth Action Committee at its meeting held on November 29, 2001, requested that the following resolution be forwarded to the Joint Meeting of the Planning and Transportation Committee and the Community Services Committee scheduled to be held on December 12, 2001:

“WHEREAS family shelters were full in October 2001; and

WHEREAS there is urgency to develop new shelters to live up to previous Council resolutions regarding: fast tracking shelter development, identifying sites in all areas, and fair share of shelter developments across the City and shelters not exceeding the 90 percent capacity approved by Council;

NOW THEREFORE BE IT RESOLVED THAT the Children and Youth Action Committee urges City Council to support the Municipal Shelter By-law to allow shelters in all areas and wards of the City; in recognition that shelter capacity is over 90 percent.”

The joint Planning and Transportation and Community Services Committees also submits the following communication (December 3, 2001) from the City Clerk, Disability Issues Committee:

Recommendation:

The Disability Issues Committee reports having endorsed the enactment of a municipal shelter by-law.

Background:

At its meeting on November 28, 2001, the Disability Issues Committee had before it a presentation from Mr. M.S. Mwarigha, Program Director, CERA, regarding access to housing for people with disabilities.

The Disability Issues Committee noted that the Planning and Transportation Committee and the Community Services Committee will hold a joint meeting on December 12, 2001, to consider enacting a Municipal Shelter By-law.

The Disability Issues Committee endorsed the enactment of a municipal shelter by-law and directed that the joint Committees be advised accordingly.

The following persons appeared before the Planning and Transportation Committee in connection with the foregoing matter:

- Peter Smith, Portlands Citizens Action Committee;
- Charles Braive;
- David Walsh, Realco Property Limited;
- Elizabeth Borek, Lakeside Neighbourhoods Association;
- John Evenson;
- Paul Dineen, Chair, Old Cabbagetown B.I.A.;
- Donna Braniff;
- Wesley R. Porter;
- Ann Fitzpatrick, Children's Aid Society;
- Kenneth Tipper;
- Linda Dixon;
- Tanya Gulliver, Long Term Issues and Prevention Sub-Committee;
- Janet Sherbanowski;
- Kirk Thomas;
- Fred Skogland, Chair, Community Reference Board for Seaton House;
- Eva Curlanis-Bart, Garden District Residents Association;
- Kathleen Kelly;
- Karen Buck;
- Albert Stortchak;
- Karen Kates, North Riverdale Ratepayers Association;
- Laurie McGugan;
- Maureen Gilroy, Confederation of Residents and Ratepayers Association;
- Joyce Guspie, Toronto Association of Business Improvement Areas;
- Wendy Arnett;
- Vaune Rotenberg; and

- Michael Opara.

The joint Planning and Transportation and Community Services Committees also had before them the following material and copies thereof are on file in the office of the City Clerk, City Hall:

- appended to the communication (October 11, 2001) from the City Clerk:

From the Planning and Transportation Committee public meeting on September 11, 2001:

- communication (September 9, 2001) from William deBacker, President, Edithvale-Yonge Community Association, proposing that the Emergency Shelter By-law be modified to prohibit no more than two such facilities within 500 metres of each other;
- communication (September 8, 2001) from the North Riverdale Resident's Association opposing the new by-law amendment in its current form;
- communication (undated) from Ralph Wissborn, President, West Rouge Community Association, opposing the new amendments to the Municipal Emergency Shelter By-law;
- communication (September 7, 2001) from Carol Seljak, Bloor-Dufferin Residents Committee, opposing the new amendments to the Municipal Emergency Shelter By-law;
- communication (September 10, 2001) from Colin F. Caie supporting the change to the Municipal Emergency Shelter By-law;
- communication (September 10, 2001) from Debrah and Joel Weiss requesting that the amendment be referred back for further consideration;
- communication (September 10, 2001) from Andrew Brodie, Coldwell Banker Pinnacle R.E., forwarding comments respecting the Emergency Shelter By-law;
- communication (September 7, 2001) from Denisa Krga requesting that the proposed amendment to the by-law to facilitate shelter housing be redrafted as the current changes do not offer specific definitions as to its intended uses;
- communication (undated) from David Vallance, Acting Chair, The Confederation of Resident & Ratepayer Associations (CORRA) (Toronto), opposing the proposed Municipal Emergency Shelters By-law;
- communication (September 10, 2001) from Brian Maguire, Secretary, North Hill District Home Owners' Association, requested that the proposed By-law be redrafted to be more specific than its current wording;
- communication (undated) from David Vallance forwarding comments respecting the proposed Emergency Shelters By-law;

- communication (September 10, 2001) from Don Purvis, Chair, Seaton Ontario Berkeley Residents Association Inc. (S.O.B.R.A.), supporting the proposal for the fair share and distribution of Hostels and Support Services throughout the Mega City;
- communication (September 11, 2001) from Peter Smith, Co-Chair, Portlands Citizen Action Committee, opposing the staff report and draft by-law;
- communication (undated) from the Children's Aid Society of Toronto supporting the report to amend City zoning to permit municipally funded emergency shelters in all zones and districts of the City;
- communication (undated) from Elizabeth Borek opposing the proposed by-law amendment;
- communication (September 11, 2001) from Doug Hum, Etobicoke Lakeshore Housing Task Force, supporting by-law changes that will remove barriers to providing shelters to those in need;
- proposed Motion to amend the Municipal Shelter By-law (undated), as follows:

“For the purposes of this By-law, Municipal Shelter means a supervised residential facility, operated by or for the City of Toronto, or any agency of the City of Toronto, or a facility approved by the City of Toronto that is operated by a charitable organization, which provides short-term emergency accommodation and associated support services.”; and
- communication (undated) from Dalton C. Shipway requesting that environmentally sensitive areas and tree planting sites be added to the criteria.

From City Council on October 2, 3 and 4, 2001:

- communication (September 20, 2001) from William H. Roberts, Director, Swansea Area Ratepayers Association;
- communication (September 26, 2001) from David Vallance, Acting Chair, Confederation of Resident and Ratepayer Associations (CORRA); and
- communication (October 1, 2001) from Andrew Brodie, Sales Representative, Coldwell Banker Pinnacle R.E.
- communication (December 10, 2001) from Michael C. Bauer objecting to the changes that are being proposed to municipal shelter by-laws;
- communication (December 11, 2001) from Mirka Macalik endorsing the establishment of a task force to address the concerns and suggestions of ratepayers before any changes are made to the current shelter by-laws;

- communication (December 10, 2001) from Bert Bauer and Marie Bauer endorsing the establishment of a task force to address the concerns and suggestions of ratepayers before any changes are made to the current shelter by-laws;
- communication (December 10, 2001) from Brian V. Ralph opposing the adoption of the proposed Municipal Shelter By-law;
- communication (undated) from Olga J. Jensen, obo Citizens for Responsible Planning, endorsing the creation of a task force consisting of various resident and ratepayer groups, business groups, as well as representatives from the Police Force, to provide input that would prove beneficial to form criteria for site location of shelters before a by-law is enacted;
- communication (December 11, 2001) from Kenneth A. Tipper endorsing the concept of fair share as the proposed by-law does not address the imbalance of shelters in the City;
- communication (December 11, 2001) from Jana Macalik, Aether Design Limited, endorsing the establishment of a task force to address the concerns of the community in relationship with the proposed by-law;
- communication (December 11, 2001) from Andrew Brodie, Sales Representative, Coldwell Banker Pinnacle R.E., forwarding suggested amendments to the November 21, 2001 report;
- communication (December 11, 2001) from David Pearce, President, Toronto Real Estate Board, advising that the proposed by-law will have a detrimental effect on long-term property values;
- communication (December 11, 2001) from Victoria Schei supporting a balanced and imminent response to the establishment of sufficient shelters;
- communication (September 10, 2001) from Brian Maguire, Secretary, North Hill District Home Owners' Association, suggesting amendments to the proposed by-law to include only City-owned and operated shelters, quality of life criteria to surrounding neighbourhoods and an annual review;
- communication (December 11, 2001) from William H. Roberts, Director, Swansea Area Ratepayers Association, advising that they are willing to participate in any City committee dealing with the issues of Municipal Shelters;
- communication (December 11, 2001) from Heather McGregor, Executive Director, YWCA of Greater Toronto, noting that an adjustment to the by-laws is necessary to deal adequately with the realities of homelessness in the city;
- communication (December 6, 2001) from the Toronto Regional Ratepayers and BIA's expressing concern about the lack of criteria within the proposed municipal shelter by-law;

- communication (December 11, 2001) from David J. Smith, Executive Director, Evangel Hall, expressing the acute need for shelters and urging Council to relieve the crushing urgency of this problem;
- communication (December 11, 2001) from Ronny Yaron noting that it is not practical to concentrate shelters in one part of the city;
- communication (December 11, 2001) from Denisa Krga, Boulton Ave. Ratepayers Association, endorsing the establishment of a task force to address the concerns of the community in relationship with the proposed by-law;
- communication (December 11, 2001) from William Carson, endorsing the establishment of a task force to address the concerns of the community in relationship with the proposed by-law;
- communication (December 11, 2001) from Dawn Desjardins endorsing the creation of a committee of citizens, businesses and council members and that all decisions with respect to shelters be examined by this body and that recommendations presented to City Council be given due consideration;
- copy of overhead presentation by Community and Neighbourhood Services, titled "Proposed Selection and Annual Process for Shelters following enactment of Municipal Shelter By-law";
- communication (December 11, 2001) from Heather McGregor, Executive Director, YWCA of Greater Toronto, noting that an adjustment to the by-laws is necessary to deal adequately with the realities of homelessness in our city;
- map of Emergency Shelters, prepared by Shelter Housing & Support Division (Sept. 2001);
- communication (December 12, 2001) from Elizabeth Borek, Lakeside Area Neighbourhoods Association, supporting the City's move to implement Fair Share in the distribution of crisis care facilities and emergency shelters;
- communication (December 12, 2001) from Charles Braive requesting that the by-law be sent back for amendments to establish a more even distribution of shelters;
- communication (undated) from John Evenson endorsing the establishment of a task force to address the concerns of the community in relationship with the proposed by-law;
- chart of Long-Term Care: C.C.A.C., Spring, 2001, prepared by Community & Neighbourhood Services Department, Social Development & Administration Division;

- communication (December 11, 2001) from Ann Fitzpatrick, Children's Aid Society of Toronto, supporting the principle and substance behind the shelter by-law and supporting the provision of shelters for families and others in all areas of the City;
- communication (December 12, 2001) from Karen Buck supporting the City in its efforts to provide shelters and other forms of socially assisted housing;
- communication (undated) from Eva Curlanis-Bart, Vice-President, Garden District Residents Association, opposing the proposed emergency shelter by-law as it eliminates the voice of the community and gives the City unprecedented powers to make decisions without a framework of terms, conditions and criteria;
- communication (December 9, 2001) from Laurie McGugan endorsing the establishment of a task force to establish models for shelters and criteria for education issues;
- communication (December 12, 2001) from Kathleen Kelly requesting that further input be sought from all affected stakeholders;
- report (December 4, 2001) from the Acting Commissioner, Community and Neighbourhood Services, addressed to the Community Services Committee providing City Council with an update on the impact of additional beds introduced into the shelter system on the occupancy level in the single adult and youth system, which was received by City Council at its meeting on December 4, 2001;
- report (November 1, 2001) from the Acting Commissioner, Community and Neighbourhood Services, addressed to the Community Services Committee providing an update on initiatives to increase hostel capacity in the single adults and youth and family shelter systems, which was received by City Council at its meeting on December 4, 2001;
- schedule, entitled "Emergency and Transitional Shelters Committed Under SCPI", submitted by Vaune Rotenberg; and
- communication (December 12, 2001) from Maureen Gilroy forwarding a petition from 31 Residents, Ratepayers and Business Improvement Associations across the City of Toronto and endorsing the establishment of a task force to address the concerns of the community in relationship with the proposed by-law.

(City Council on February 13, 14 and 15, 2002, had before it, during consideration of the foregoing Clause, the following:

- (i) (February 5, 2002) joint report from the Chief Administrative Officer and the Acting Commissioner of Community and Neighbourhood Services, entitled “Long-Term Plan for Emergency Shelters”;
- (ii) (January 29, 2002) joint report from the Acting Commissioner of Community and Neighbourhood Services and the Commissioner of Urban Development Services, entitled “Implementation of the Municipal Shelter By-law”; and
- (iii) (February 4, 2002) report from the Acting Commissioner of Community and Neighbourhood Services, entitled “Feedback from Information Meeting on the Draft Municipal Shelter By-law”.)

(City Council also had before it, during consideration of the foregoing Clause, communications from the following respecting the enactment of a Municipal Shelter By-law:

- (i) (December 11, 2001) from Mr. William H. Roberts, Director, Swansea Area Ratepayers Association;
- (ii) (December 6, 2001) from Mr. Charles Noble, Playter Area Residents Association;
- (iii) (February 8, 2002) from Ms. Helen Hansen, Ms. Anne Hansen and Mr. Robert Hansen;
- (iv) (February 11, 2002) from Ms. Agnes Vermes, President, Leaside Property Owners Association Incorporated;
- (v) (February 12, 2002) from Mr. David Pearce, President, Toronto Real Estate Board;
- (vi) (February 13, 2002) fax transmittal from Mr. Cosimir Bart, Garden District Residents Association;
- (vii) (February 14, 2002) from Ms. Linda Lynch; and
- (viii) (February 15, 2002) from Mr. Andrew Brodie, Sales Representative, Coldwell Banker Pinnacle R. E.)

(Having regard that City Council deferred consideration of this Clause to its next regular meeting scheduled to be held on April 16, 2002, the aforementioned reports and communications will be resubmitted to Council.)

(City Council on April 16, 17 and 18, 2002, again had before it, during consideration of the foregoing Clause, the following joint report (January 29, 2002) from the Acting Commissioner of Community and Neighbourhood Services and the Commissioner of Urban Development Services:

Purpose:

This report outlines various steps that will be taken to implement the Municipal Shelter By-law following its passage by City Council.

Financial Implications and Impact Statement:

There are no direct financial implications from this report

Recommendation:

It is recommended that this report be received for information.

Background:

At the joint meeting of the Planning and Transportation Committee and the Community Services Committee on December 12, 2001, passage of the Municipal Shelter By-law was recommended to Council. In addition, the Acting Commissioner of Community Services was requested to report directly to City Council, at its meeting on February 13, 2002, on the implementation of the By-law. This report is in response to that request.

Comments:

Following Council passage of the Municipal Shelter By-law, the following steps will be taken to inform staff and the public regarding the by-law and to ensure smooth implementation.

(1) Notice of Approval

Following passage of the Municipal Shelter By-law, the City Clerk's office is required to issue a Notice of passing of the by-law in accordance with the Planning Act and associated Regulations. The Notice must explain the purpose and effect of the by-law, the by-law number and date of passage, the lands to which it applies, and information on appeals to the Ontario Municipal Board.

As the new By-law is intended to apply City-wide, it is reasonable for such required Notice to be given through newspaper publication. As well, the City Clerk must also provide Notice directly to any person or body that has submitted a written request to receive the Notice. Notice of Passing will also be provided by the City Clerk to all individuals and organizations who were originally provided with notice for the Public Meeting and the subsequent joint meeting of the Committees, as well as to any party providing oral or written submissions to the Committees at either meeting. The Notice will be posted on the City's web site.

(2) Enactment of By-law

Following Council adoption of the by-law, the City Clerk will provide notice to the Commissioner of Urban Development Services regarding its passage, together with the final by-law text and number. The Executive Director of Buildings/Chief Building Official will issue a divisional Interpretation Bulletin to be provided to all staff in the Building and City Planning Divisions, as well as to each Councillor. This bulletin will clarify the intent, purpose and effect of the new by-law, and the criteria for determining whether a proposed shelter facility qualifies

as a Municipal Shelter. This Bulletin will provide guidance to staff and will ensure consistent application and implementation of the By-law across all district offices.

(3) Confirming Proposed Facilities as Municipal Shelters

The Municipal Shelter By-law will apply only to shelters that are operated by the City of Toronto and its agencies, or by a community non-profit organization that has entered into a purchase of services contract with the City. To ensure that a prospective shelter operator qualifies as a Municipal Shelter under the By-law, a letter of confirmation will be issued by the General Manager, Shelter, Housing and Support Division, Community and Neighbourhood Services Department. This will be determined during the proposed site and property assessment process described in the report dated November 14, 2001 from the Acting Commissioner of Community and Neighbourhood Services.

If qualified, the proponent will be directed to make application to the Building Division for a Preliminary Project Review, with the letter of confirmation included. Review of the application and plans will determine whether the proposed work complies with the provisions of the applicable general zoning by-laws and whether minor variance and/or Site Plan Control approvals are also required.

Information regarding other approvals, by-laws and procedures relating to issuance of subsequent building permits will also be provided to the applicant. Application of Site Plan Control will continue consistent with current established by-laws, practices and Council policies in place across the City.

(4) Due Diligence, Community Information and Community Liaison

As per the report, dated November 14, 2001 from the Acting Commissioner of Community & Neighbourhood Services that is before Council today, once the By-law is enacted, whenever a new Municipal Shelter site is being considered, the steps described in the report will be followed. This would include: a due diligence review of all proposed shelter sites consisting of a site assessment and a property assessment, the approval of all sites through City Council, and a Community Information Process including written communications, community meetings and the development of a Community Liaison Committee (once a site is approved).

(5) Information for the Public

Once the By-law has been enacted, staff of the Shelter, Housing and Support Division will ensure that the Council reports and information on due diligence, community information and community liaison are placed on the City's web site.

Conclusions:

Following passage of the Municipal Shelter By-law by Council both internal and external communications will be used to inform staff and the public and to assist in its implementation.

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(City Council also had before it, during consideration of the foregoing Clause, the following report (February 4, 2002) from the Acting Commissioner of Community and Neighbourhood Services:

Purpose:

This report provides Council with an analysis of feedback from the additional information meeting held regarding the proposed Municipal Shelter By-law.

Financial Implications and Impact Statement:

There is no direct financial implication arising from the report.

Recommendation:

It is recommended that this report be received for information.

Background:

At its meeting on December 12, 2001, the joint Planning and Transportation and Community Services Committees recommended to Council the adoption of a Municipal Shelter By-law. As part of the discussion the joint Committee requested that the Acting Commissioner of Community and Neighbourhood Services hold an information meeting consisting of interested persons and deputants at the joint Planning and Transportation and Community Services Committees meeting on December 12, 2001 and report directly to City Council for its meeting on February 13, 2002 with an analysis of the comments received. This information meeting was in addition to the statutory meeting already having taken place pursuant to the Planning Act.

Comments:

(1) Organization of Meeting:

A team of staff from Community and Neighbourhood and Urban Development Services met to develop a format for the information session. The session was scheduled for Wednesday, January 30, 2002 from 7:00 to 9:00 p.m. in Room 309 of Metro Hall. Invitations to the meeting were sent out on Friday, January 18, 2002 along with an information package. The information package sent out with the invitation consisted of:

- (a) Reports circulated at the December 12, 2001 joint meeting of Community Services and Planning and Transportation Committees.
- (b) The decision document generated from the December 12, 2001 joint meeting.

- (c) The overhead presentation from Shelter, Housing & Support staff at the December 12, 2001 meeting.

Approximately 85 invitations and information packages were sent out by email or regular mail to all individuals, residents' associations or coalitions who had deputed or had submitted a written communication to the Planning and Transportation Committee meeting on September 11, 2001 or to the joint meeting on December 12, 2001. (Notice of these two earlier standing committee meetings had been sent out by the Clerk's Department to over 600 residents and ratepayers associations and other interested parties). Included on the invitation list for the information meeting were the Confederation of Residents and Ratepayers Association and also the Toronto Association of Business Improvement Areas.

The first response to the invitation was received on Monday, January 21 indicating that the first invitations had been delivered within 3 days of mail out.

- (2) Purpose of this meeting:

There were two main purposes of this meeting. The first was to provide interested parties, who had attended or written to the previous standing committees, with more detailed information on the proposed Municipal Shelter By-law and proposed process for selection of new emergency shelter sites. The standing committee format does not allow for questions and answers from deputants and it was intended that people would have an opportunity to question staff on specific issues that were of concern to them. Second, the feedback and questions from the meeting would be integrated into a report to Council that would be considered in conjunction with the reports recommending enactment of the by-law and new site selection processes.

- (3) Attendance at the meeting:

Thirty people recorded their names on the sign in sheets provided. A count by staff indicated that the attendance number was actually closer to 40, not including City staff.

- (4) Presentation by staff:

Two presentations were made by staff. The first presentation was made by staff of Urban Development Services and covered: Council process to date associated with enactment of the by-law; information on the role of zoning by-laws and how they may and may not be used; information on the term "as-of-right"; information on how to appeal new by-laws; and, an overview of site plan control. During this presentation there was extensive discussion with the audience regarding what is traditionally included in a zoning by-law and the difference between zoning by-laws and City policies.

The second presentation was made by staff of the Shelter, Housing and Support Division and covered: principles of the proposed shelter site approval process; process for assessing sites and properties being considered for as shelter use; the community information process for proposed new shelter sites; and, information on the structure of public information meetings and the formation of community liaison committees. This was the same presentation that was made by staff to the joint meeting on December 12, 2001.

- (5) Feedback from information meeting:

Staff took notes of questions asked and concerns raised during the course of this meeting. In addition, those in attendance were offered the opportunity to provide comments in writing to staff. A number of these forms were turned in to staff at the meeting and a small number were faxed to staff on the day following the meeting.

The following is an overview of the major themes that emerged from the verbal questions and comments, and the written comments from the people in attendance.

- (a) Position on By-law – Of the 40 people attending the meeting, almost all recommended that the by-law be rejected by Council. This is different compared with the deputations to Committee where approximately 25% of deputants supported the by-law with the remaining 75% opposing it. As with the deputants, some individuals recommended that the by-law be sent to a task force for review and others recommended specific criteria that should be included in the by-law (these are noted below).
- (b) Concern over the process – Many people at the meeting stated that they trust neither the staff nor the politicians to make the appropriate recommendations regarding the siting of emergency shelters. Some of the deputants came from two neighbourhoods where shelters are currently being developed and stated that they based their comments on their experiences in which they felt staff, standing committees and Council did not adequately recognize or respect the concerns of their local neighbourhoods. Individuals at the meeting further stated that their deputations to the standing committee meetings on September 11 and December 12 had not been adequately considered, nor had their comments been accurately recorded in the official record.
- (c) “Fair-share” – Speakers repeatedly stated that they did not believe this by-law would ensure an equitable distribution of emergency shelters across the City. Speakers stated that they believed new shelters would continue to be sited in the downtown wards that already have services and in areas where there will be the least political and community resistance. People wanted to see an overall plan for how emergency shelters would be developed.
- (d) Criteria in the By-law - Speakers at the meeting were frustrated with the lack of any criteria in the by-law and feel that the definition of emergency shelter contained in the by-law is inadequate. The criteria most commonly mentioned as needing to be included in the by-law were:
 - maximum number of beds permitted in any particular facility
 - maximum number of shelter beds permitted in an individual ward
 - requirement for even distribution of shelter beds across the city
 - definition of “short-term” stay
 - need for distancing provision in the by-law
 - school capacity issues

Some speakers also indicated they felt that the processes being approved for site review and selection should really be in the by-law or they were “not worth the paper they were written on”. People wished to see absolutes in the by-law to balance their lack of confidence in the shelter development process.

Community Consultation and Appeal

Speakers indicated that providing the community with information and input was not sufficient and that local communities should have much more say as to whether a shelter would be established in their neighbourhood. Speakers were also not satisfied with the area of public notification (120 metres) built into the new process and felt that it should be significantly larger.

Speakers also noted the new proposed process left them with no avenue of appeal. They stated that they would not be able to appeal Council decisions and that Council rarely rejects staff recommendations.

People suggested that communities are capable of coming up with the solutions. Communities should be involved in the establishment of emergency shelters in their neighbourhood and that this work should be done prior to sites being approved.

Conclusions:

An additional public information meeting was held on January 30, 2002 regarding the draft Municipal Shelter By-law. This meeting was attended by approximately 40 people who had previously deputed or written to standing committee meetings concerning the by-law. The individuals and groups at the meeting were not supportive of the by-law and made specific suggestions regarding inclusion of criteria that they felt would strengthen the by-law. There were also continued concerns that this draft by-law would not ensure an even distribution of new shelters across the City. Many attending the information meeting stated that they trust neither staff nor politicians to make appropriate recommendations regarding the siting of emergency shelters.

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(City Council also had before it, during consideration of the foregoing Clause, the following joint report (February 5, 2002) from the Chief Administrative Officer and the Acting Commissioner of Community and Neighbourhood Services:

Purpose:

This report describes the proposed time-line for developing a long-term plan for the development and financing of emergency shelters.

Financial Implications and Impact Statement:

There are no direct financial implications arising from the report.

Recommendation:

It is recommended that this report be received for information.

Background:

At its meeting on December 12, 2001, the joint Planning and Transportation and Community Services Committee recommended to Council the adoption of a municipal shelter by-law. As part of the discussions leading to this recommendation, the joint committee requested that the Chief Administrative Officer report directly to City Council on February 13, 2002 on the future ability or long-term plan for the City to continually finance emergency shelters.

Comments:

(1) Current Financing of Emergency Shelters

In a January 14, 2002 report to the Community Services Committee providing an update on the emergency shelter system, the Acting Commissioner of Community and Neighbourhood Services reported on current hostel budget issues. In this report and in the Chief Administrative Officer's presentation of 2002 budget issues to City Council it was noted that the City is currently experiencing a subsidy shortfall of \$13.7 million as a result of the hostel per-diem paid by the Province to the City of Toronto.

On February 4, 2002, the City met with the Provincial Ministry of Community and Social Services at the staff level to express concern regarding this funding shortfall and to request that the Province take action to compensate the City for the funding shortfall. Community Services Committee Chair, Councillor Brad Duguid, has requested a meeting with the Minister of Community and Social Services to communicate these concerns at the political level.

(2) Future Development and Financing of Emergency Hostels

In 1999 Council approved a target of adding 675 permanent new shelter beds to the single adult and youth system. Since that time a net total of 654 new emergency shelter beds have been opened. Operating funding for some of these new beds is being considered as part of the current budget process.

As the bed target set in 1999 has almost been achieved, staff of the Shelter, Housing and Support Division have been asked by Council to review the current system and come forward to Council with a report on the ongoing operation of the funding of the emergency shelter system for the next 3 – 5 years. This report would include:

- (a) estimates of future service demands and a description of factors that may affect demand;
- (b) recommendations as to whether expansion of the system is required and if so what type of shelters will be needed and in which areas of the City;
- (c) capital costs of maintaining and/or expanding the existing shelter system;
- (d) costs for operating the system over the next 3 – 5 years including any expansion that may be recommended;
- (e) the impact of provincial funding formulas for shelters and their operation and the availability of provincial and federal capital for new shelter development; and

- (f) information that will allow Council to determine the relative merits of ongoing expansion of the shelter system to respond to increasing demand as opposed to the creation of transitional housing and/or permanent affordable housing.

(3) Timeline for Presentation of Plan to Council

There are a number of initiatives currently underway that will have an impact on any long-term plan regarding the emergency shelter system. These include:

- (a) the Federal Affordable Housing Program;
- (b) the proposed Municipal Shelter By-law;
- (c) the proposed Municipal Housing Facility By-law for Affordable Housing;
- (d) a Federal decision regarding the future of the Supporting Communities Partnership Initiative (SCPI);
- (e) cost-sharing negotiations with the Ministry of Community and Social Services; and
- (f) 2002 City Budget approval.

With the exception of the federal announcement regarding SCPI, it is anticipated that there will be clear directions or approvals regarding all these items within the next 3 months. As such, Community and Neighbourhood Services staff will bring forward the report on the operation and financing of the emergency shelter system to the June meeting of the Community Services Committee and thus to the July Council meeting. This will also allow any Council recommendations regarding the shelter system and its funding to be integrated into the 2003 operating budget and the 2003 – 2007 capital budget.

Conclusions:

In July of 2002 Community and Neighbourhood Services staff will bring forward to Council a report regarding the ongoing operation and financing of the emergency shelter system. In the interim, discussions will continue with the Ministry of Community and Social services regarding existing subsidy shortfalls related to current hostel per-diems.

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(City Council also had before it, during consideration of the foregoing Clause, confidential report dated April 11, 2002, from the City Solicitor, such report to remain confidential in its entirety in accordance with the provisions of the Municipal Act, given that it contains information that is subject to solicitor/client privilege.)

(City Council also had before it, during consideration of the foregoing Clause, communications from the following respecting the enactment of a Municipal Shelter By-law:

- (December 11, 2001) from William H. Roberts, Director, Swansea Area Ratepayers Association;
- (December 6, 2001) from Charles Noble, Playter Area Residents Association;
- (January 29, 2002) from Denisa Krga;
- (February 8, 2002) from Helen Hansen, Anne Hansen and Robert Hansen;
- (February 11, 2002) from Agnes Vermes, President, Leaside Property Owners Association Incorporated;
- (February 12, 2002) from David Pearce, President, Toronto Real Estate Board;
- (February 13, 2002) from Cosimir Bart, Garden District Residents Association;
- (February 14, 2002) from Linda Lynch;
- (February 15, 2002) from Andrew Brodie, Sales Representative, Coldwell Banker Pinnacle R. E.;
- (April 13, 2002) from Robert Rotenberg;
- (April 15, 2002) from Helen Hansen and Robert Hansen;
- (April 15, 2002) from Ralph Wissborn, President, West Rouge Community Association;
- (April 15, 2002) from William H. Roberts, Director, Swansea Area Ratepayers Association;
- (April 17, 2002) from Andrew Brodie, Sales Representative, Coldwell Banker Pinnacle R.E.;
- (April 15, 2002) from Bonnie Easterbrook, John Innes Advisory Council;
- (April 15, 2002) from Robert W. Baron;
- (April 15, 2002) from Pamela Bailey;
- (April 13, 2002) from Lina Milone;
- (April 15, 2002) from Kathleen Kelly, Secretary, Moss Park Arena Board of Management;
- (undated) from Howard Chong, Kathleen Kelly and Yoga Paphmanathan, Co-Chairs, Lord Dufferin Junior and Senior Public School;
- (April 15, 2002) from Brian Maguire, Secretary, North Hill District Home Owners' Association;
- (April 12, 2002) from Ken Magill, President, Milliken Taxpayers' Association;
- (April 12, 2002) from Michael Visser, Chairman, Development Committee, Oriole Park Association;
- (April 15, 2002) from William H. Roberts, Director, Swansea Area Ratepayers Association;
- (April 12, 2002) from Peter Smith, Chairman, Portlands Citizen Action Committee;
- (undated) from the Toronto Real Estate Board;
- (April 15, 2002) from Raph Wissborn, President, West Rouge Community Association;
- (April 12, 2002) from Pierre Klein, President, Cabbagetown South;
- (April 12, 2002) from Peter Smith, President, Lakeside Area Neighbourhoods Association;
- (April 11, 2002) from David Vallance, Chair, The Confederation of Resident and Ratepayer Association Toronto (CORRA);
- (April 12, 2002) from Hiroshi Hattori, Treasurer, Danforth East Action Committee;
- (April 15, 2002) from Rex Hagon, President, Playter Area Resident's Association;

- (April 14, 2002) from Maureen Gilroy, President, North Riverdale Residents Association;
- (April 12, 2002) from Elizabeth Borek;
- (April 12, 2002) from Eva Curlanis-Bart, Community Representative, Gabrielle Roy Public School;
- (April 12, 2002) from Mardi Noble;
- (April 12, 2002) from Charles Noble;
- (April 12, 2002) from Robert W. Airey
- (April 12, 2002) from Peter Smith;
- (April 14, 2002) from Winnie Wong-Schnetzer;
- (April 14, 2002) from Laurie Clark and Steven Sokolowski;
- (April 12, 2002) from Gayle Murphy;
- (April 12, 2002) from Patrick Murphy;
- (April 15, 2002) from Francine Barry;
- (April 15, 2002) from Suzanne Edmonds;
- (April 15, 2002) from Alan Marsh;
- (April 12, 2002) from Elizabeth Burrell;
- (April 12, 2002) from M. Waller;
- (April 15, 2002) from Erlinda M. Mandel;
- (April 15, 2002) from Karen Buck;
- (April 12, 2002) from Linda Dixon;
- (April 12, 2002) from Nancy Hogarth;
- (April 15, 2002) from Sean Kelly and John O'leary;
- (April 15, 2002) from Alexander Wright;
- (April 15, 2002) from Debrah Weiss and Joel Weiss;
- (April 15, 2002) from Karen Kates;
- (April 12, 2002) from Maureen Gilroy;
- (April 15, 2002) from Janet Andrews and Peter Raposo;
- (April 12, 2002) from Bernadette Jones;
- (April 16, 2002) from Cary Blake;
- (April 15, 2002) from Ralph Draws;
- (April 12, 2002) from Iain and Sydney;
- (April 12, 2002) from Shirley Kalitsis;
- (April 12, 2002) from Julie and Roberto Passerino;
- (April 12, 2002) from John Rapski;
- (April 12, 2002) from Paul Coroliuc;
- (April 12, 2002) from Paul Saddy;
- (April 15, 2002) from Jeff Penfound;
- (April 12, 2002) from Bonnie Penfound;
- (April 16, 2002) from Vaune Davis;
- (April 16, 2002) from Judy Stinson and Andrew Muirhead;
- (April 15, 2002) from Eric Armstrong;
- (April 12, 2002) from Anthony Gilroy;
- (April 12, 2002) from Graham Orwin;
- (April 12, 2002) from Gerri Orwin;
- (April 15, 2002) from Rex Hagon;
- (April 14, 2002) from Julietta Rybczynski;
- (April 12, 2002) from Thomas Lafond;

- (April 12, 2002) from Peter and Sue Baker;
- (April 12, 2002) from Jian Jin Ping;
- (April 12, 2002) from Michiko Hattori;
- (April 12, 2002) from Mika Tomoe Hattori;
- (April 12, 2002) from Maya Kaory Hattori;
- (April 14, 2002) from Earl and Caroline Woodward;
- (April 15, 2002) from Denisa Krga;
- (April 15, 2002) from Elaine Alexander;
- (April 15, 2002) from Rod Sanford;
- (April 15, 2002) from Frank May;
- (April 15, 2002) from Janet Sherbanowski;
- (April 12, 2002) from Pierre Klein;
- (April 12, 2002) from Gregory Lambert;
- (April 15, 2002) from John Evenson;
- (April 12, 2002) from Laurie McGugan;
- (April 15, 2002) from Kim and Raul Galvez;
- (April 15, 2002) from Allan McCaffrey;
- (April 12, 2002) from Susan Spencer;
- (April 15, 2002) from Sanford Hersh;
- (April 15, 2002) from Chris Hutcheson;
- (April 15, 2002) from Bonnie Easterbrook; and
- (April 15, 2002) from Sarah Easterbrook.)

The Planning and Transportation Committee also submits the following transmittal letter (September 25, 2002) from the City Clerk, Etobicoke Community Council:

Recommendation:

The Etobicoke Community Council, at its meeting held 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.

Background:

The Etobicoke Community Council had before it a communication dated April 22, 2002, from the City Clerk, advising that City Council at its meeting held on April 16, 17 and 18, 2002, amongst other things, directed that Clause No. 1 of Joint Report No. 2 of The Planning and Transportation Committee and The Community Services Committee, headed "Enactment of a Municipal Shelter By-law", be forwarded to Community Councils for the hearing of deputations and comment to the Planning and Transportation Committee.

The Etobicoke Community Council also had before it, during consideration of this matter, the following communications in support of municipal shelters throughout the City:

- (i) (September 4, 2002) from G. J. Lewis;
- (ii) (September 10, 2002) from John Anga, President, Thistletown Ratepayers Association; and also commenting that the location of shelters should be reviewed on an individual basis;
- (iii) (September 12, 2002) from Ann Bosley, President, Toronto Real Estate Board; and also expressing concerns regarding the by-law's lack of criteria and adequate consultation; and
- (iv) (September 18, 2002) Patricia Larson.

The Etobicoke Community Council also had before it, during consideration of this matter, the following communications:

- (a) (September 16, 2002) from Ann Fitzpatrick, Community Worker, Children's Aid Society of Toronto, providing a child welfare perspective on the issue of access and equity in shelter distribution and development in the City; and commenting that the Society supports the Municipal Shelter By-law and that shelters for families and others should be permitted by as of right zoning in all areas of the City; and
- (b) (September 1, 2002) from Andrew Brodie, Sales Representative, Coldwell Banker Pinnacle, providing the position of the Toronto Real Estate Board excerpted from the Members MLS web site; and submitting personal comments respecting current litigation pertaining to the City's application of existing zoning of "care facilities" and "hostels".

The following persons appeared before the Etobicoke Community Council in connection with this matter:

- Barbara Hurd, Federation of Metro Tenants' Associations, and filed a submission;
- Helen Armstrong, Lamp Community Health Centre, and filed a submission;
- Scott McPhail, Youth Without Shelter, and filed a submission;
- Kenneth Hale, South Etobicoke Community Legal Services, and filed a submission;
- John Bagnall, Albion Neighbourhood Services, and filed a submission;
- Max Murray;
- Rhonda Roffey, Women's Habitat of Etobicoke, and filed a submission; and
- Janice Etter, and filed a submission.

The Planning and Transportation Committee also submits the following transmittal letter (September 19, 2002) from the City Clerk, Humber York Community Council:

Recommendation:

The Humber York Community Council recommends 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."

Recorded vote on Recommendations (1) and (2) moved by Councillor Moscoe:

Yes: Councillors DiGiorgio, Korwin-Kuczynski and Moscoe
No: Councillor Nunziata

Recorded vote on Recommendation (3) moved by Councillor DiGiorgio:

Yes: Councillors DiGiorgio, Korwin-Kuczynski and Moscoe
No: Councillor Nunziata

Background:

The Humber York Community Council at its regular meeting held on September 17, 2002, had before it Clause No. 1 contained in Joint Report No. 2 of The Planning and Transportation and The Community Services Committee, headed “Enactment of a Municipal Shelter By-law”, which was considered by the Council of the City of Toronto at its meeting held on April 16, 17 and 18, 2002.

The Humber York Community Council also had before it the following communications during consideration of this matter:

- (i) (September 12, 2002) from Ms. Ann Bosley, President, Toronto Real Estate Board;
- (ii) (September 16, 2002) from the East and West End Drop-In Networks;
- (iii) (September 17, 2002) from Mr. Roy Brown; and
- (iv) (Undated) from Ms. Silvina Hollingsworth.

The following persons appeared before the Humber York Community Council in connection with this item:

- Ms. Frances Labelle, Swansea Area Ratepayers’ Association;
- Mr. Peter Sovran, Noble Park Community Association;
- Ms. Yasmin Khan, West Coalition on Housing and Homelessness;
- Mr. Ken Sosa, Toronto Children’s Aid Society;
- Mr. Rob Draper, Weston Ratepayers’ and Residents’ Association;
- Ms. Laura Alderson, Weston Business Improvement Area; and
- Ms. Silvina Hollingsworth; and submitted a brief in regard thereto.

The Planning and Transportation Committee also submits the following transmittal letter (September 18, 2002) from the City Clerk, Midtown Community Council:

Recommendation:

The Midtown Community Council:

- (1) supports 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) reports having 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.”

Background:

The Midtown Community Council, at its meeting on September 17 and 18, 2002, had before it a communication (April 22, 2002) from the City Clerk, forwarding for information and any attention deemed necessary, Clause No. 1 contained in Joint Report No. 2 of The Planning and Transportation Committee and The Community Services Committee, headed “Enactment of a Municipal Shelter By-law”, which was considered by the Council of the City of Toronto at its meeting held on April 16, 17 and 18, 2002.

The Midtown Community Council also had before it the following communications:

- (i) (September 12, 2002) from Ann Bosley, President, Toronto Real Estate Board;
- (ii) (September 12, 2002) from Brian Maguire, Secretary, North Hill District Home Owners’ Association; and
- (iii) (undated) Judy Vellend, Homelessness Action Group.

Staff gave a brief presentation with respect to the proposed Municipal Shelter By-law.

The following persons appeared before the Midtown Community Council in connection with the foregoing matter:

- Eric Parker, Lawrence Park/Bayview Property Owners Association, and submitted a written brief;

- Margaret Vandembroucke; and submitted a written brief;
- Ann Fitzpatrick, Children's Aid Society of Toronto, and submitted a written brief; and
- Howard Watson, and submitted a written brief.

The Planning and Transportation Committee also submits the following transmittal letter (September 23, 2002) from the City Clerk, North York Community Council:

Recommendation:

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

- (1) that the proposed Municipal Shelter By-law not be adopted in its current form;
- (2) that 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) that 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) that 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.

Background:

The North York Community Council had before it a communication (April 22, 2002) from the City Clerk, forwarding Clause No. 1 of the Joint Report 2 of The Planning and Transportation Committee and The Community Services Committee, headed "Enactment of a Municipal Shelter By-law", and advising that the Council of the City of Toronto, at its meeting held on April 16, 17 and 18, 2002, struck out and referred this Clause to the Office of the Mayor, and requested, among other things, 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, for its meeting on September 9, 2002 for subsequent submission to City Council for its meeting on October 1, 2002.

The North York Community Council also had before it, communications from the following respecting the enactment of a Municipal Shelter By-law:

- (September 12, 2002) from Ms. Ann Bosley, President, Toronto Real Estate Board;
- (September 16, 2002) from Helen and Robert Hansen;
- (September 16, 2002) from Ms. Ann Fitzpatrick, Community Worker, Children's Aid Society of Toronto;
- (September 16, 2002) from Ms. Jayne Caldwell, Coordinator, West End Drop-In Network;
- (September 16, 2002) from Ms. Katherine Laird, Director of Legal Services, Advocacy Centre for Tenants Ontario;

A staff presentation was made by Rod Hines, Principal Planner, Community Planning, East District, City Planning Division, Urban Development Services.

The following persons appeared before the North York Community Council in connection with the foregoing matter:

- Ms. Rhoda Moldofsky, President, Bathurst Village Ratepayers' Association, and submitted a written brief;
- Mr. Joe Myers, Willowdale Community Legal Services;
- Ms. Josiann Nelson on behalf of the West Coalition on Housing and Homelessness, and submitted a written brief;
- Ms. Mary Truemner, lawyer from the Advocacy Centre for Tenants Ontario, and submitted a written brief;
- Mr. Ron Zinck, Manager, Eva's Satellite Youth Shelter;
- Ms. Page Westcott;
- Mr. Barry Rieder, Jane Finch Community Ministry;
- Ms. Yasmin Maharaj, Firgrove Tenant Association;
- Mr. Jim McMillan, representing Caledonia Village; and
- Mr. Keith McKey, Bayview Village Ratepayers Association.

The Planning and Transportation Committee also submits the following transmittal letter (September 19, 2002) from the City Clerk, Scarborough Community Council:

Recommendation:

The Scarborough Community Council does not support the as-of-right provisions of the Municipal Shelter By-law, and recommends:

- (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.

Recorded votes were taken on the foregoing motions and all carried by a unanimous vote of the Members present and voting, being Councillors Altobello, Ashton, Balkissoon, Berardinetti, Cho, Kelly, Moeser, and Shaw, with the exception of the foregoing Recommendation (4), Councillor Shaw having voted in the negative.

The following persons appeared before the Community Council in connection with the foregoing matter:

- Audrey Dyer, Homelessness Action Group, Trinity/St.Paul's United Church;

- Caroline Woodward;
- Alan Burke, President, East Beach Community Association;
- Donna Braniff;
- Wendy Arnett;
- Stephanie Stoyko;
- Leslie Snail Persaud;
- Nancy Jane Martineau;
- Robert Letts;
- Mary Fisico;
- Betty Smith;
- Victoria Shea;
- Dennis Barboza;
- Rene Calalang;
- Josh Allen; and
- Cheryl Lee.

The Community Council also received the following communications:

- (September 12, 2002) from the Toronto Real Estate Board; and
- (September 16, 2002) from the Children's Aid Society of Toronto;

copies of which were provided to all Members of Community Council, and forwarded to the Planning and Transportation Committee, and a copy thereof is on file in the Office of the City Clerk, Scarborough Civic Centre.

Background:

The Scarborough Community Council, at its Meeting held on September 17, 2002, had before it a communication (April 22, 2002) from the City Clerk, referring Clause 1 in Joint Report No. 2 of The Planning and Transportation Committee and The Community Services Committee, headed: "Enactment of a Municipal Shelter By-law", considered by City Council at its meeting held on April 16, 17 and 28, 2002, at which time Council, among other things, requested that the Community Councils hold public meetings on this matter and forward their comments to the Planning and Transportation Committee.

The Planning and Transportation Committee also submits the following transmittal letter (September 20, 2002) from the City Clerk, Toronto East York Community Council:

Community Council Recommendations:

The Toronto East York Community Council recommends 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.

The Toronto East York Community Council reports, for the information of the Planning and Transportation Committee, having

- (1) referred all submissions received to the Mayor and the Chief Administrative Officer for information;
- (2) forwarded the above recommendations to the Mayor and the Chief Administrative Officer for their consideration in the preparation of a Municipal Shelter By-law for the City of Toronto; and
- (3) requested the Mayor and the Chief Administrative Officer to include in their report, criteria and standards for new shelters (in compliance with the standards approved by City Council in July, 2002) and a local consultation and approval process.

Background:

The Toronto East York Community Council, on September 17, 2002, had before it Clause 1 contained in Joint Report No. 2 of The Planning and Transportation Committee and The Community Services Committee, headed "Enactment of a Municipal Shelter By-law", which was referred by City Council at its meeting held on April 16, 17 and 18, 2002.

The Toronto East York Community Council also had before it the following communications:

- (April 20, 2002) from Lester Brown, Gooderham and Worts Neighbourhood Association;
- (June 28, 2002) from Pierre Klein, President, Cabbagetown South;

- (June 27, 2002) from Julia McWally;
- (August 14, 2002) from Fran Hill, Queen East Business and Residents Association;
- (September 9, 2002) from Chris Hutcheson, Corktown Residents & Business Association;
- (September 12, 2002) from Ann Bosley, Toronto Real Estate Board;
- (September 16, 2002) from Jayne Caldwell, West End Drop-In Network;
- (September 16, 2002) from Ann Fitzpatrick, Children's Aid Society of Toronto;
- (September 17, 2002) from Katherine Laird;
- 58 letters in support of the proposed by-law;
- petition with 134 signatures in support of the proposed by-law;
- (September 17, 2002) from Kathleen Chung;
- submission from Deborah Blyth;
- (September 17, 2002) from Kathleen Kelly;
- submission by Eva Curlanis-Bart, Garden District Residents Association; and
- (September 16, 2002) from Maureen Gilroy.

The following persons appeared before the Toronto East York Community Council in connection with the foregoing matter:

- Kathy Laird, Advocacy Centre for Tenants Ontario;
- Nora McCabe;
- Chris Hutcheson, President, Corktown Residents and Business Association;
- Maureen Gilroy, Confederation of Residents and Ratepayers;
- Francesca Scalzo;
- Joice Guspie, North Riverdale Ratepayers' Association;
- Paul Dineen, Chair, Old Cabbagetown BIA;
- Jayne Caldwell, West End Drop-In Network;
- John Andras, Toronto Disaster Relief Committee;
- Kate Chung;
- Elizabeth Block;
- Catherine Beaton;
- Debby Blyth, Riverdale Residents' Association;
- Eva Curlanis-Bart, Garden District Residents Association;

- Phil Nazar, Toronto Christian Resource Centre;
- Alan Burke, President, East Beach Community Association (EBCA);
- Kathleen Kelly, Chair, Cabbagetown South Association; and
- Peter D. Smith, President, Lakeside Area Neighbourhoods Association.

The Toronto East York Community Council's recommendations are noted above.

The Planning and Transportation Committee also had before it the following communications, and copies thereof are on file in the office of the City Clerk:

- appended to 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:
 - (December 11, 2001) from Mr. William H. Roberts, Director, Swansea Area Ratepayers Association;
 - (December 6, 2001) from Mr. Charles Noble, Playter Area Residents Association;
 - (January 29, 2002) from Ms. Denisa Krga;
 - (February 8, 2002) from Ms. Helen Hansen, Ms. Anne Hansen and Mr. Robert Hansen;
 - (February 11, 2002) from Ms. Agnes Vermes, President, Leaside Property Owners Association Incorporated;
 - (February 12, 2002) from Mr. David Pearce, President, Toronto Real Estate Board;
 - (February 13, 2002) from Mr. Cosimir Bart, Garden District Residents Association;
 - (February 14, 2002) from Ms. Linda Lynch;
 - (February 15, 2002) from Mr. Andrew Brodie, Sales Representative, Coldwell Banker Pinnacle R. E.;
 - (April 13, 2002) from Mr. Robert Rotenberg;
 - (April 15, 2002) from Ms. Helen Hansen and Mr. Robert Hansen;
 - (April 15, 2002) from Mr. Ralph Wissborn, President, West Rouge Community Association;

- (April 15, 2002) from Mr. William H. Roberts, Director, Swansea Area Ratepayers Association;
- (April 17, 2002) from Mr. Andrew Brodie, Sales Representative, Coldwell Banker Pinnacle R.E.;
- (April 15, 2002) from Ms. Bonnie Easterbrook, John Innes Advisory Council;
- (April 15, 2002) from Mr. Robert W. Baron;
- (April 15, 2002) from Mr. Pamela Bailey;
- (April 13, 2002) from Ms. Lina Milone;
- (April 15, 2002) from Ms. Kathleen Kelly, Secretary, Moss Park Arena Board of Management;
- (undated) from Mr. Howard Chong, Ms. Kathleen Kelly and Yoga Paphmanathan, Co-Chairs, Lord Dufferin Junior and Senior Public School;
- (April 15, 2002) from Mr. Brian Maguire, Secretary, North Hill District Home Owners' Association;
- (April 12, 2002) from Mr. Ken Magill, President, Milliken Taxpayers' Association;
- (April 12, 2002) from Mr. Michael Visser, Chairman, Development Committee, Oriole Park Association;
- (April 15, 2002) from Mr. William H. Roberts, Director, Swansea Area Ratepayers Association;
- (April 12, 2002) from Mr. Peter Smith, Chairman, Portlands Citizen Action Committee;
- (undated) from the Toronto Real Estate Board;
- (April 15, 2002) from Mr. Raph Wissborn, President, West Rouge Community Association;
- (April 12, 2002) from Mr. Pierre Klein, President, Cabbagetown South;
- (April 12, 2002) from Mr. Peter Smith, President, Lakeside Area Neighbourhoods Association;
- (April 11, 2002) from Mr. David Vallance, Chair, The Confederation of Resident and Ratepayer Association Toronto (CORRA);

- (April 12, 2002) from Mr. Hiroshi Hattori, Treasurer, Danforth East Action Committee;
- (April 15, 2002) from Mr. Rex Hagon, President, Playter Area Resident's Association;
- (April 14, 2002) from Ms. Maureen Gilroy, President, North Riverdale Residents Association;
- (April 12, 2002) from Ms. Elizabeth Borek;
- (April 12, 2002) from Ms. Eva Curlanis-Bart, Community Representative, Gabrielle Roy Public School;
- (April 12, 2002) from Ms. Mardi Noble;
- (April 12, 2002) from Mr. Charles Noble;
- (April 12, 2002) from Mr. Robert W. Airey
- (April 12, 2002) from Mr. Peter Smith;
- (April 14, 2002) from Ms. Winnie Wong-Schnetzer;
- (April 14, 2002) from Ms. Laurie Clark and Mr. Steven Sokolowski;
- (April 12, 2002) from Ms. Gayle Murphy;
- (April 12, 2002) from Mr. Patrick Murphy;
- (April 15, 2002) from Ms. Francine Barry;
- (April 15, 2002) from Ms. Suzanne Edmonds;
- (April 15, 2002) from Mr. Alan Marsh;
- (April 12, 2002) from Ms. Elizabeth Burrell;
- (April 12, 2002) from M. Waller;
- (April 15, 2002) from Ms. Erlinda M. Mandel;
- (April 15, 2002) from Mr. Karen Buck;
- (April 12, 2002) from Ms. Linda Dixon;
- (April 12, 2002) from Ms. Nancy Hogarth;

- (April 15, 2002) from Mr. Sean Kelly and Mr. John O'leary
- (April 15, 2002) from Mr. Alexander Wright;
- (April 15, 2002) from Ms. Debrah Weiss and Mr. Joel Weiss;
- (April 15, 2002) from Ms. Karen Kates;
- (April 12, 2002) from Ms. Maureen Gilroy;
- (April 15, 2002) from Ms. Janet Andrews and Mr. Peter Raposo;
- (April 12, 2002) from Ms. Bernadette Jones;
- (April 16, 2002) from Cary Blake;
- (April 15, 2002) from Mr. Ralph Draws;
- (April 12, 2002) from Iain and Sydney;
- (April 12, 2002) from Ms. Shirley Kalitsis;
- (April 12, 2002) from Julie and Roberto Passerino;
- (April 12, 2002) from Mr. John Rapski;
- (April 12, 2002) from Mr. Paul Coroliuc;
- (April 12, 2002) from Mr. Paul Saddy;
- (April 15, 2002) from Mr. Jeff Penfound;
- (April 12, 2002) from Ms. Bonnie Penfound;
- (April 16, 2002) from Vaune Davis;
- (April 16, 2002) from Ms. Judy Stinson and Mr. Andrew Muirhead;
- (April 15, 2002) from Mr. Eric Armstrong;
- (April 12, 2002) from Mr. Anthony Gilroy;
- (April 12, 2002) from Mr. Graham Orwin;
- (April 12, 2002) from Mrs. Gerri Orwin;

- (April 15, 2002) from Mr. Rex Hagon;
- (April 14, 2002) from Ms. Julietta Rybczynski;
- (April 12, 2002) from Mr. Thomas Lafond;
- (April 12, 2002) from Peter and Sue Baker;
- (April 12, 2002) from Jian Jin Ping;
- (April 12, 2002) from Ms. Michiko Hattori;
- (April 12, 2002) from Ms. Mika Tomoe Hattori;
- (April 12, 2002) from Ms. Maya Kaory Hattori;
- (April 14, 2002) from Earl and Caroline Woodward;
- (April 15, 2002) from Ms. Denisa Krga;
- (April 15, 2002) from Ms. Elaine Alexander;
- (April 15, 2002) from Mr. Rod Sanford;
- (April 15, 2002) from Mr. Frank May;
- (April 15, 2002) from Ms. Janet Sherbanowski;
- (April 12, 2002) from Mr. Pierre Klein;
- (April 12, 2002) from Mr. Gregory Lambert;
- (April 15, 2002) from Mr. John Evenson;
- (April 12, 2002) from Ms. Laurie McGugan;
- (April 15, 2002) from Kim and Raul Galvez;
- (April 15, 2002) from Mr. Allan McCaffrey;
- (April 12, 2002) from Ms. Susan Spencer;
- (April 15, 2002) from Mr. Sanford Hersh;
- (April 15, 2002) from Mr. Chris Hutcheson;
- (April 15, 2002) from Ms. Bonnie Easterbrook; and

- (April 15, 2002) from Ms. Sarah Easterbrook;
- appended to the transmittal letter (September 25, 2002) from the City Clerk, Etobicoke Community Council:
 - (September 4, 2002) from G.J. Lewis;
 - (September 10, 2002) from John Anga, President, Thistletown Ratepayers Association, commenting that the location of shelters should be reviewed on an individual basis;
 - (September 12, 2002) from Ann Bosley, President, Toronto Real Estate Board, expressing concerns regarding the by-law's lack of criteria and adequate consultation;
 - (September 18, 2002) from Patricia Larson;
 - (undated) from John Bagnall, Albion Neighbourhood Services;
 - (undated) from Kenneth Hale, South Etobicoke Community Legal Services;
 - (undated) from Scott McPhail, Youth Without Shelter;
 - (September 18, 2002) from Kevin D. Kindellen, Vice President & General Manager, Alcan Foil Products, Division of Alcan Inc., Alcan Packaging;
 - (undated) from Helen Armstrong, Lamp Community Health Centre;
 - (undated) from Janice Etter and Rhona Swarbrick;
 - (undated) from Rhonda Roffey, Executive Director, Women's Habitat of Etobicoke;
 - (September 19, 2002) from Barbara Hurd, Chairperson, Federation of Metro Tenants; and
- appended to the transmittal letter (September 19, 2002) from the City Clerk, Humber York Community Council:
 - (September 12, 2002) from Ann Bosley, President, Toronto Real Estate Board;
 - (September 16, 2002) from Jayne Caldwell, East and West End Drop-In Network;
 - (September 17, 2002) from Roy Brown; and
 - (undated) from Silvina Hollingsworth;

- appended to the transmittal letter (September 18, 2002) from the City Clerk, Midtown Community Council:
 - (September 12, 2002) from Ann Bosley, President, Toronto Real Estate Board;
 - (September 12, 2002) from Brian Maguire, Secretary, North Hill District Home Owners' Association;
 - (undated) from Judy Vellend, Homelessness Action Group;
 - (September 17, 2002) from Eric E. Parker, President, Lawrence Park-Bayview Property Owners Association;
 - (undated) from Margaret Vandenbroucke;
 - (September 16, 2002) from Ann Fitzpatrick, Children's Aid Society of Toronto; and
 - (September 17, 2002) from Howard Watson;
- appended to the transmittal letter (September 23, 2002) from the City Clerk, North York Community Council:
 - (June 28, 2002) from Pierre Klein, President, Cabbagetown South Association;
 - (September 12, 2002) from Ann Bosley, President, Toronto Real Estate Board;
 - (September 16, 2002) from Helen and Robert Hansen;
 - (September 16, 2002) from Ann Fitzpatrick, Community Worker, Children's Aid Society of Toronto;
 - (September 16, 2002) from Jayne Caldwell, Coordinator, West End Drop-In Network;
 - (September 16, 2002) from Katherine Laird, Director of Legal Services, Advocacy Centre for Tenants Ontario;
 - (undated) from Rhoda Moldofsky, President, Bathurst Village Ratepayers' Association;
 - (undated) from Josiann Nelson, obo the West Coalition on Housing and Homelessness;
 - (September 18, 2002) from Mary Truemner, Lawyer, Advocacy Centre for Tenants Ontario; and

- (September 19, 2002) from Andrew Brodie, B.A. Hon., Sales Representative, Coldwell Banker Pinnacle R.E.;
- appended to the transmittal letter (September 19, 2002) from the City Clerk, Scarborough Community Council:
 - (September 12, 2002) from Ann Bosley, President, Toronto Real Estate Board;
 - (September 16, 2002) from Ann Fitzpatrick, Community Worker, Children's Aid Society of Toronto; and
 - (September 19, 2002) from Andrew Brodie, Coldwell Banker Pinnacle R.E.;
- appended to the transmittal letter (September 20, 2002) from the City Clerk, Toronto East York Community Council:
 - (April 20, 2002) from Lester Brown, President, Gooderham and Worts Neighbourhood Association;
 - (June 28, 2002) from Pierre Klein, President, Cabbagetown South Association;
 - (June 27, 2002) from Julia McWally;
 - (August 14, 2002) from Fran Hill, President, Board of Directors, Queen East Business and Residents Association;
 - (September 9, 2002) from Chris Hutcheson, President, Corktown Residents & Business Association;
 - (September 12, 2002) from Ann Bosley, President, Toronto Real Estate Board;
 - (September 16, 2002) from Jayne Caldwell, West End Drop-In Network;
 - (September 16, 2002) from Ann Fitzpatrick, Community Worker, Children's Aid Society of Toronto;
 - (September 17, 2002) from Katherine Laird;
 - 58 letters in support of the proposed by-law;
 - petition with 134 signatures in support of the proposed by-law;
 - (September 16, 2002) from M. Shotte;
 - (September 17, 2002) from Kathleen Chung;
 - submission from Deborah Blyth;

- (September 17, 2002) from Kathleen Kelly;
- submission by Eva Curlanis-Bart, Garden District Residents Association; and
- (September 16, 2002) from Maureen Gilroy.

- communications from the following persons commenting on the Proposed Municipal Shelter By-law contained in Clause No. 1 of Joint Report No. 2 of the Planning and Transportation Committee and the Community Services Committee, which was struck out and referred by City Council on April 16, 17 and 18, 2002:
 - (October 8, 2002) from Iris Magness;
 - (October 8, 2002) from Vanessa Magness;
 - (October 9, 2002) from Kenneth A. (Sandy) Tipper;
 - (September 17, 2002) from Elizabeth Block;
 - (September 11, 2002) from Perry Missal;
 - (September 22, 2002) from Victoria Schei;
 - (September 19, 2002) from Andrew Brodie, B.A. Hon., Sales Representative, Coldwell Banker Pinnacle R.E.;
 - (September 17, 2002) from Kathleen Kelly;
 - (September 16, 2002) from Gerri Orwin;
 - (September 16, 2002) from Jack Graham Orwin;
 - (September 16, 2002) from Irina and Raz Rapaport;
 - (September 17, 2002) from Winnie Wong;
 - (September 12, 2002) from Page Westcott, Vice-President, Bayview Cumber Neighbourhood Association (BCNA);
 - (September 13, 2002) from Bonnie Easterbrook;
 - (September 13, 2002) from Shelley Ortved, President, Oriole Park Association;
 - (September 15, 2002) from Barbara Zaleski;

 - (November 14, 2002) from Tony Hamill;

- (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.
- (January 22, 2003) from Ann Bosley, President, Toronto Real Estate Board;
- (December 27, 2002) from Maureen Houlihan, Co-ordinator, obo Board of Directors, Hugh Garner Housing Co-operative;
- (January 20, 2003) from Casimir Bartoszewica;
- (January 25, 2003) from Scott Foster;
- (January 26, 2003) from Thomas J. Robinson, President, West Rouge Community Association;
- (January 26, 2003) from The Outreach Committee, Fairlawn Heights United Church and the Fairlawn Neighbourhood Centre;
- (undated) from Choi Wong;
- (January 25, 2003) from Jan Poplawski;
- (January 20, 2003) from Barbara Zaleski;
- (January 28, 2003) from David Wurfel, Homelessness Action Group;
- (January 25, 2003) from Elaine Heaton, President, W.R.R.A.;
- (January 27, 2003) from Tiina Jenkins;
- (January 27, 2003) from Cathy Crowe, RN, Toronto Disaster Relief Committee;
- (January 27, 2003) from Bonnie Easterbrook and Patrick Hogan, Co-Chairs, John Innes Community Centre;
- (January 28, 2003) from Chris Hutcheson;
- (January 28, 2003) from Kenn Hale, Lawyer Director, South Etobicoke Community Legal Services and Elinor Mahoney, Community Legal Worker, Parkdale Community Legal Services;
- (January 27, 2003) from Agnes Vermes, Leaside Property Owners Association Incorporated;

- presentation material, entitled “Municipal Shelters: Proposed Citywide Zoning By-law and Related Council Policies”, submitted by Barbara Leonhardt, Director, Policy and Research, Urban Development Services and Phil Brown, General Manager, Shelter Housing and Support;
- (January 28, 2003) from Mirka Macalik;
- (January 28, 2003) from Ann Fitzpatrick and Margaret Murphy, Children’s Aid Society of Toronto;
- (January 28, 2003) from Paul Dineen, Chair, Old Cabbagetown Business Improvement Area;
- (January 28, 2003) from Kathy Laird, Director of Legal Services, Advocacy Centre for Tenants Ontario;
- (undated) from Lester Brown, President, obo Gooderham & Worts Neighbourhood Association;
- (undated) from Pierre Klein, President, Cabbagetown South Association;
- (undated) from Eva Curlanis-Bart, President, The Garden District Residents Association;
- (undated) from Phil Nazar, obo Toronto Christian Resource Centre;
- (undated) from Bonnie Briggs;
- (undated) from Faiza R. Ansari, Special Projects Co-ordinator, Greektown B.I.A.; and
- (undated) from Laurie McGugan.

Barbara Leonhardt, Director, Policy and Research, Urban Development Services and Phil Brown, General Manager, Shelter Housing and Support, gave a presentation to the Planning and Transportation Committee regarding the foregoing matter.

The following persons appeared before the Planning and Transportation Committee in connection with the foregoing matter:

- Donna Braniff
- Kathy Laird, Director of Legal Services, Advocacy Centre for Tenants Ontario
- Mirka Macalik
- Karen Kates
- Elinor Mahoney, Tenant Advocacy Group
- Paul Dineen, Chair, Old Cabbagetown B.I.A. and obo the Toronto Association of B.I.A.’s (TABIA);
- Ann Fitzpatrick and Margaret Murphy, Children’s Aid Society of Toronto;
- Tooker Gomberg;

- Lester Brown, Gooderham & Worts Neighbourhood Association;
- Eva Curlanis-Bart, President, Garden District Residents Association;
- Pierre Klein, President, Cabbagetown South Association;
- Kerre Briggs, Toronto Disaster Relief Committee;
- Sharon Carter, Queen East Business and Residents Association (QUEBRA);
- Maureen Gilroy;
- Phil Nazar, obo Toronto Christian Resource Centre;
- Faiza Ansari, Greektown on the Danforth B.I.A.;
- Victoria Masnyk, Swansea Area Ratepayers' Association/Swansea Area Ratepayers' Group;
- Laurie McGugan;
- Choi Wong;
- Robert Cishecki;
- David Wurfel, obo Homelessness Action Group;
- David Vallance;
- Joyce Guspie;
- Linda Dixon;
- Rick Davies, Toronto Disaster Relief Committee; and
- Bonnie Briggs.

(City Council at its regular meeting held on February 4, 5 and 6, 2003, and its Special Meetings held on February 7, 2003, and February 10 and 11, 2003, had before it, during consideration of the foregoing Clause, the following report (January 28, 2003) from the Commissioner of Community and Neighbourhood Services:

Purpose:

This report responds to a request from the Planning and Transportation Committee for further information on shelter sizes and addresses the recommendation to include shelter size limitations within the Municipal Shelter By-law.

Financial Implications and Impact Statement:

There are no financial implications arising from this report.

Recommendations:

It is recommended that:

- (1) The size of each new municipal shelter be approved as part of the Council approval process for each new municipal shelter as described in clause 2(iv) of the Revised Draft Municipal Shelter By-law; and*
- (2) the appropriate City officials be authorized and directed to take the necessary action give effect thereto.*

Background:

On January 28, 2003 the Planning and Transportation Committee held a special meeting to consider the report titled "Enactment of a Municipal Shelter By-law and Adoption of Related Council Policies and Procedures." In considering this report the Committee requested the Commissioner of Community and Neighbourhood Services report directly to Council for its meeting on February 4 to 6, 2003 on matters relating to the size of shelters in relation to the various target groups, such report to include comment on the following motion proposed by Councillor Sutherland:

"That the joint report (December 20, 2002) from the Commissioner, Urban Development Services and Commissioner, Community and Neighbourhood Service be amended by capping the size of shelters to 50 beds for single adults and 30 beds for families."

Comments:

1. Range in Shelter Size Across the Shelter System

The Shelter, Housing and Support Division directly operates five shelters and purchases service from an additional sixty community based agencies. The shelter system provides an array of programs and services to meet the diverse needs of persons who are homeless requiring shelter and support services. In the last five years, the shelter system has become more specialized and flexible to improve service access and to better meet the needs of high-risk groups such as street involved youth, people with mental health issues and people with addictions. The emergency shelter system today provides a broader array of services and programs including children's programs, housing assistance, case management, harm reduction and follow up support for people when they move to permanent housing.

The size of shelters and the specific shelter programs vary greatly across the shelter system. A range of factors are considered in determining the size of any shelter. These include:

- (1) client group and needs;*
- (2) emergency versus transitional;*
- (3) program specialization;*
- (4) amount of program space required;*
- (5) economies of scale;*
- (6) funding sources;*
- (7) community concerns; and*
- (8) physical structure and layout of the building including the bedroom size and configuration.*

The following chart illustrates the size range of shelters by client sector in the shelter system.

<i>Shelter Size by Client Sector</i>			
<i>Client Sector</i>	<i>Community Based Size Range</i>	<i>Average</i>	<i>City Operated Size Range</i>
<i>Single Men</i>	<i>5 to 260 beds</i>	<i>30 beds</i>	<i>545 beds at Seaton House (4 programs) 60 beds at Birchmount Residence 28 beds at Downsview Dells</i>
<i>Single Women</i>	<i>5 to 71 beds</i>	<i>33 beds</i>	<i>120 beds at Women's Residence (2 programs) 10 beds at Bellwoods House</i>
<i>Co-ed</i>	<i>5 to 70 beds</i>	<i>54 beds</i>	<i>N/A</i>
<i>Youth</i>	<i>28 to 100 beds</i>	<i>43 beds</i>	<i>N/A</i>
<i>Aboriginal</i>	<i>12 to 61 beds</i>	<i>41 beds</i>	<i>N/A</i>
<i>Family</i>	<i>22 to 160 beds</i>	<i>86 beds</i>	<i>160 beds at Birkdale Residence 150 beds at Family Residence 90 beds at Robertson House 100 beds at Satellite of Robertson House</i>

The chart demonstrates the wide range in shelter size in the shelter system with City Operated shelters often having a larger capacity than community based shelters. The average shelter size differs by client sector and ranges from 30 beds in the men's system to 86 beds in the family system. Family shelters tend to be larger than the majority of single shelters as rooms often accommodate families of four or more, depending on the number of children. Additionally, family shelters often need a minimum capacity to support a children's program or a licensed day care centre on-site at the shelter.

2. Financial Viability

The Shelter, Housing and Support Division provides operating funding for community based shelters through a purchase of service agreement. Funding for shelters is cost-shared 80:20 between the Province of Ontario and municipalities, up to the provincial maximum of \$38.00. The \$38.00 per night is not sustainable and does not reflect the cost of providing even the most basic services – food and a bed. Shelters are finding it increasingly difficult to provide shelter services within the current per diem funding levels. The average per diem in the shelter system is approximately \$47.00.

Shelter size often determines the base operating revenue of a community based shelter given shelters are funded on a per bed basis. The Shelter, Housing and Support Division recently undertook an analysis of per diem sustainability and found that the maximum \$38.00 set by the Province provides only meals and a bed in a 60 bed shelter with limited staff support and assuming a 100% occupancy level at all times. A 60-bed shelter with limited staff support would not be able to provide a safe and effective service meeting the new Shelter Standards.

A shelter capacity of a minimum of 60 or 70 beds is therefore often necessary to ensure economies of scale, financial viability and that basic staffing levels are maintained. Existing smaller shelters with a bed capacity of under 60 beds often have other funding sources, a higher per diem and established fund raising programs to ensure sufficient operating revenue is available.

3. *Evolution of the Shelter System*

The shelter system has changed dramatically over the last fifteen years. Shelters have shifted their focus from “warehousing” people who are homeless to a focus on long-term solutions whenever possible. There is a broader array of services available in emergency shelters and shelter development has become increasingly targeted to smaller, specialized programs.

Seaton House, for example, had a shelter capacity of over 800 beds in the late 1980’s with limited staffing support. The large numbers of beds coupled with inadequate staff resources resulted in conditions that were often overcrowded and unsafe. In 1992, Seaton House underwent an organizational review process that highlighted the need for fewer beds, sufficient staff to client ratios and specialized programming to better meet the needs of shelter residents. Seaton House currently has a capacity of 545 beds and has re-organized the George Street facility into four distinct programs. The four programs include two harm reduction programs with 165 beds, a long-term program with 140 beds and the hostel program with 240 beds.

Seaton House also operates two satellite programs in other locations: Birchmount Residence, for men over 55 and Downsview Dells, a program for men in recovery. The programs provided at Seaton House are now considered a “best practice” and have attracted interest from several countries for the innovative approach they have implemented to address the complex needs of homeless men.

The Shelter, Housing and Support Division has learned valuable lessons from the experience of Seaton House. Shelter development generally over the last number of years demonstrates the shift in philosophy regarding the best approach to providing shelter service. Shelter capacity of new shelters opened in the last two years has ranged from 15 to 70 beds and many have been transitional, smaller-scale programs. (See Appendix A – Shelter Development in 2001 and 2002)

The Division recently developed a Multi-Year Shelter Strategy to guide decision making, set development targets and prioritize funding investments. The Multi-Year Shelter Strategy sets out shelter development targets over the next ten years and recommends future development be focused on smaller-scale specialized and transitional programs. The directions in the Multi-Year Shelter Strategy were adopted by City Council in June 2002. The bed targets outlined in the Multi-Year Shelter Strategy were not approved by Council but were used to develop the ten-year capital plan submitted through the 2003 budget process. Shelter size in the ten-year capital plan ranges from 15 to 170 beds. Most shelters in the capital plan fall within the range of 40 to 60 beds.

4. *Inclusion of Size Restrictions in the Draft Municipal By-law*

When the report on the draft municipal shelter by-law was referred to the Mayor’s Office in April of 2002, Council requested that consideration be given to a recommendation to include the following provision in the by-law:

“Approval by City Council of any proposed Municipal Shelter where the number of beds does not exceed 50 or the number of families exceed 30.”

In responding to this recommendation in Appendix F of the report on the Enactment of a Municipal Shelter By-law staff noted:

“There are legal difficulties in differentiating shelter types in a by-law through the use of the term “family.” Case law prevents a zoning by-law from restricting the “user” rather than the “use”, and more specifically prevents zoning based on “family” criterion. A zoning by-law cannot discriminate on the basis of an arbitrary definition of “family.” There is no acceptable definition of “family” that is sufficiently specific that it could be used as a supportable and proper basis for the suggested differentiation. Thus, there is not way to distinguish in the by-law the type of municipal shelter and the related maximum size.”

Given this, staff did not recommend that size restrictions be placed in the by-law but recommended that the size of facilities be controlled through the explicit Council approval process required under the draft by-law and by any applicable zoning by-law provisions affecting building size. From the data presented in this report there is no “optimum” size for a shelter. The appropriate size for an individual shelter will be affected by, among other things, the client group being served, the type of programs being offered, the proposed location of the facility, and the funding available. There is no formula that can optimally combine these factors to determine a specific bed number that can always be applied.

Planning and Transportation Committee has now recommended that the most recent report to Council on the Municipal Shelter By-law be amended to include a size restriction. Based on the information provided above, staff continues to recommend that Council control the size of new shelters through its explicit authority, included in the draft by-law, to approve each new shelter site. Staff will be required to recommend shelter size in the report that will be brought forward to Council seeking site approval for each new site. This recommendation will have to be justified with information collected as part of the due diligence process.

Conclusions:

It is not possible to develop a formula that determines an optimum size for a shelter providing service to a particular client group. It is also not appropriate to place shelter size restrictions with the by-law, as by-laws cannot differentiate by family configuration. For these reasons staff continue to recommend that Council control the size of individual sites through the Council approval process that is explicitly required within the Draft Revised Municipal Shelter By-law.

Contact:

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Appendix A

*Shelter, Housing and Support – Hostel Services
Shelter Development 2001 to 2004*

Shelters Opened since January 2001

	<i>Shelter Name</i>	<i>Address</i>	<i>Client Group Served</i>	<i>Capacity</i>
1.	<i>Assemblies¹ (previously known as Church of God)</i>	<i>789 Warden Ave.</i>	<i>Co-ed adult</i>	<i>60</i>
2.	<i>Christie Ossington for Women</i>	<i>854 Bloor St. W.</i>	<i>Single women</i>	<i>20</i>
3.	<i>Christie Ossington for Men</i>	<i>973 Lansdowne Ave.</i>	<i>Single men</i>	<i>45</i>
4.	<i>Covenant- McGill Residence</i>	<i>21 McGill St.</i>	<i>Youth</i>	<i>28</i>
5.	<i>Dixon Hall – 2417 Danforth Avenue</i>	<i>2714 Danforth Ave.</i>	<i>Single men</i>	<i>70</i>
6.	<i>Elisa House</i>	<i>60 Newcastle Road</i>	<i>Single Women</i>	<i>40</i>
7.	<i>Native Child and Family</i>	<i>558 Bathurst Ave.</i>	<i>Youth-male</i>	<i>12</i>
8.	<i>Na Me Res – Tumivut</i>	<i>26 Vaughan Road</i>	<i>Co-ed youth</i>	<i>52</i>
9.	<i>Scott Mission</i>	<i>502 Spadina Ave.</i>	<i>Single men</i>	<i>40</i>
10.	<i>St. Clare’s Residence</i>	<i>3410 Bayview Ave.</i>	<i>Single women</i>	<i>28</i>
11.	<i>Scarborough Hope (previously know as Scarborough Junction)</i>	<i>3576 St. Clair Ave. E.</i>	<i>Co-ed adult</i>	<i>60</i>
12.	<i>Treasure House Ministries</i>	<i>184 Spadina Ave.</i>	<i>Co-ed adult</i>	<i>50</i>
13.	<i>Savard’s</i>	<i>1322 Bloor Street W.</i>	<i>Single women</i>	<i>30</i>

New Shelters Approved by Council, To be Opened in 2003-2004

	<i>Shelter Name</i>	<i>Address</i>	<i>Client Group Served</i>	<i>Capacity</i>
1.	<i>28 Bathurst Street</i>	<i>28 Bathurst Street</i>	<i>Single men</i>	<i>76</i>
2.	<i>717 Broadview</i>	<i>717 Broadview</i>	<i>Families</i>	<i>170</i>
3.	<i>Eva’s Youth</i>	<i>0 Canterbury Place</i>	<i>Youth</i>	<i>40</i>
4.	<i>Sojourn House</i>	<i>101 Ontario Street</i>	<i>Refugees</i>	<i>50</i>

1 Assemblies closed in November 2002.)

(City Council also had before it, during consideration of the foregoing Clause, the following communication (February 11, 2003) from Councillor Raymond Cho, Scarborough-Rouge River:

I recently received a letter from our City staff, John Jagt, from Shelter, Housing & Support in which it was noted that The Toronto Star had printed an article comparing the growing demand on shelters in both New York City and Toronto. As we all know, New York City has often been suggested as a successful model that Toronto would do well to emulate.

The following is the comparison:

	<i>New York City</i>	<i>Toronto</i>
<i>1998 Occupancy</i>	<i>21,000/night</i>	<i>3,790/night</i>
<i>2002 Occupancy</i>	<i>37,100/night</i>	<i>4,254/night</i>
<i>Increased Number</i>	<i>16,100/night</i>	<i>464/night</i>
<i>Increased Percentage</i>	<i>77%</i>	<i>12%</i>
<i>Averaged stay in family shelters</i>	<i>45 weeks</i>	<i>17 weeks</i>

Obviously, Toronto is doing something right!)

(City Council also had before it, during consideration of the foregoing Clause, the following communications:

- (a) (January 24, 2003) from Mark Avola, Director, Avola College of Hairstyling and Esthetics;*
- (b) (January 25, 2003) from Charles Noble, Playter Area Residents Association;*
- (c) (January 27, 2003) from G. Orwin;*
- (d) (January 28, 2003) from Victoria A. Masnyk, President, Swansea Area Ratepayers' Association and Swansea Area Ratepayers' Group;*
- (e) (undated) from Andrew Brodie, B.A. Hon., Sales Representative, Coldwell Banker Case Realty;*
- (f) Flyer, headed "Solution for Distribution!", submitted by Councillor Sutherland;*
- (g) (February 6, 2003) from Karen Mistelbacher and Tim Thomson, submitted by Councillor Flint;*
- (h) (January 22, 2003) from Ann Bosley, President, Toronto Real Estate Board;*
- (i) (February 5, 2003) from David Vallance, Chair, The Confederation of Resident & Ratepayer Associations in Toronto;*
- (j) (February 7, 2003) from James Robinson, Executive Director, Downtown Yonge Business Improvement Area;*
- (k) (undated) from Mr. Perry Missal, Toronto East Downtown Neighbourhood Association;*
- (l) (February 9, 2003) from Donna Braniff;*
- (m) (February 5, 2003) from Kathleen J. Kelly, Barrister, Arbitrator, Mediator;*
- (n) Map depicting 1 kilometre prohibited area from a BIA, submitted by Councillor Moscoe;*

- (o) *Map, entitled “Geographic Distribution of Hostels (2002) by Former Municipal Boundaries”, submitted by Councillor Moscoe;*
- (p) *Map, entitled “Geographic Distribution of Hostels (2002) by Former Municipal Boundaries”, depicting 1 kilometre prohibited area from a BIA and major arterial roads in the City of Toronto, submitted by Councillor McConnell; and*
- (q) *(February 11, 2003) from Marie Green.)*