

Consolidated Clause in Policy and Finance Committee Report 2, which was considered by City Council on February 1, 2 and 3, 2005.

1

**From the Street into Homes: A Strategy to Assist Homeless Persons Find Permanent Housing**

*City Council on February 1, 2 and 3, 2005, amended this Clause by:*

- (1) amending Recommendation (1) of the Policy and Finance Committee by further amending the staff recommendations contained in the Recommendations Section of the report dated January 13, 2005, from the Chief Administrative Officer, the City Solicitor, the Commissioner of Community and Neighbourhood Services and the Acting Commissioner of Works and Emergency Services, as follows:*
  - (a) amending Recommendation (1) by:*
    - (i) inserting the words “private sector landlords, such as the Greater Toronto Apartment Association”, after the word “government”; and*
    - (ii) inserting the words “and rent support-based”, after the word “outreach-based”;*
  - (b) amending Recommendation (2) by:*
    - (i) inserting the words “and placement”, after the word “outreach”; and*
    - (ii) inserting the words “private sector landlords and”, after the words “work of”;*
  - (c) inserting in Recommendation (3) the words “market rent”, before the word “social”;*
  - (d) amending Recommendation (7) by:*
    - (i) inserting the words “including Toronto EMS”, after the word “divisions”; and*
    - (ii) inserting the words “a staff member of the Toronto Community Housing Corporation and a staff member of the Community and Neighbourhood Services Department”, after the words “Toronto Police Service”;*
  - (e) deleting from Recommendation (9) the word “pilot”, and inserting instead the word “street”;*

- (f) *amending Recommendation (10) by:*
- (i) *inserting the words “to Council for its meeting on July 19, 2005, through the”, before the words “Community Services Committee”; and*
  - (ii) *adding the words “such report to also include information regarding the number of outreach workers deployed by the City and all City-funded agencies”;*
- (g) *amending Recommendation (11) by:*
- (i) *inserting the words “and funding”, after the word “assessment”; and*
  - (ii) *deleting the word “reflect”, and inserting instead the words “adhere to”;*
- (h) *adding to Recommendation (17) the words “and the General Manager, Shelter Housing and Support, report to the Community Services Committee, on an annual basis, as to the progress made in this regard”;*
- (i) *deleting from Recommendation (20) the words “as outlined in”, and inserting instead the words “in accordance with the provisions of”;*
- (j) *adding to Recommendation (23) the words “and the Chief Administrative Officer be requested to compile a list from all agencies, boards, commissions and City departments of any under-utilized City-owned facilities or properties, with suggestions for possible consolidation of operations, with the intent that any surplus facilities identified be made available for affordable housing, such review to include 423 Old Weston Road in Ward 17”;*
- (k) *amending Recommendation (24) by:*
- (i) *deleting the words “on a regular basis”, after the words “Community Services Committee”, and inserting instead the words “every six months”; and*
  - (ii) *adding the words “the first report being due for the meeting of City Council on July 19, 2005”; and*
- (l) *adding to Part (c) of Recommendation (26) the words “and that this be considered the highest priority in ‘seat at the table’ discussions with the provincial government in requesting flexibility in the use of shelter per diems for rent supplements”,*

*so that the staff recommendations contained in the Recommendations Section of the report dated January 13, 2005, from the Chief Administrative Officer, the City Solicitor, the Commissioner of Community and Neighbourhood Services and the Acting*

*Commissioner of Works and Emergency Services, as amended by Council, shall now read as follows:*

*“It is recommended that:*

- (1) City Council make a commitment to ending street homelessness by working with other orders of government, private sector landlords, such as the Greater Toronto Apartment Association, and community partners to implement an outreach-based and rent support-based Homelessness Strategy to assist homeless persons find permanent housing;*

*Homeless Outreach Services:*

- (2) the City and its community partners further expand and intensify their outreach and placement activities and that those activities be co-ordinated with the work of private sector landlords and non-profit housing agencies which are opening new affordable and transitional housing units;*
- (3) City staff work with the providers of market rent, social, supportive and alternative housing to ensure better co-ordination between their placement procedures;*
- (4) outreach services continue to assist homeless persons in making applications for income support and to Housing Connections for social housing;*
- (5) the Commissioner of Community and Neighbourhood Services and/or the General Manager of Shelter, Housing and Support be given delegated authority to allocate up to \$1,500,000.00 from the Supporting Communities Partnership Initiative (SCPI) to engage additional street outreach workers and housing follow-up workers (including up to six temporary positions) as well as related outreach and follow-up initiatives;*
- (6) up to \$1,100,000.00 be allocated from the Mayor’s Homeless Initiative Reserve Fund to fund an emergency shelter facility including assessment and referral services as well as extended drop-in hours, for Winter 2005-2006, with an adjustment to the 2005 Operating Budget of \$300,000.00 gross and \$0 net;*
- (7) the General Manager, Shelter Housing and Support convene a Street Outreach Steering Committee, comprised of senior staff from appropriate City divisions, including Toronto EMS, the Toronto Police Service, a staff member of the Toronto Community Housing Corporation and a staff member of the Community and Neighbourhood Services Department, and key community partners including mental health, youth and Aboriginal services, shelter providers, and local businesses, which will assist in and assess the implementation of the outreach strategy;*

- (8) *the Toronto Police Service be requested to participate in the work of the Street Outreach Steering Committee and that this report be forwarded to the Toronto Police Services Board for its response;*
- (9) *the Street Outreach Steering Committee support the development of a street multi-disciplinary outreach team and service protocols designed to address the specific needs of homeless persons living with personality disorders, mental illness, addictions and developmental challenges;*
- (10) *to better focus ongoing outreach activities, the General Manager, Shelter Housing and Support recommend to Council for its meeting on July 19, 2005, through the Community Services Committee, an appropriate method for determining the number and service needs of homeless persons living on Toronto's streets and in its public spaces, such report to also include information regarding the number of outreach workers deployed by the City and all City-funded agencies;*
- (11) *criteria, assessment and funding procedures for grant programs related to housing and homelessness be revised as necessary to adhere to the City's priority of finding permanent solutions for persons living outside;*
- (12) *the City work with hospitals and correctional facilities to ensure specific housing options are included in discharge plans for those leaving care and custody;*
- (13) *the Commissioner of Community and Neighbourhood Services and/or the General Manager, Shelter Housing and Support be given delegated authority to allocate up to \$700,000.00 from the Supporting Communities Partnership Initiative to fund a pilot program designed to:*
  - (a) *assess the health needs of the homeless to assist them in accessing the most appropriate care;*
  - (b) *improve discharge planning from hospitals and correctional institutions; and*
  - (c) *facilitate the sharing, where permitted by law, of relevant medical information;*

*in order to decrease the number of homeless individuals with severe and persistent illnesses on the street and in shelters.*
- (14) *the Commissioner of Community and Neighbourhood Services and/or the General Manager, Shelter Housing and Support be given delegated authority to issue requests for proposals and execute agreements on behalf of the City as deemed necessary to allocate the SCPI funds outlined in Recommendations (5) and (13);*

*Access to Public Space:*

- (15) *in conjunction with the implementation of the Homelessness Strategy, City Council amend the Nathan Phillips Square By-law (1994-0784) as proposed in Attachment III and adopt the Interdepartmental Service Protocol (Attachment II, as amended) to guide implementation of the amended by-law;*
- (16) *City outreach staff and other City services be directed to employ the interdepartmental service approach outlined in the text of this report and contained in Attachment II to ensure public space is maintained in a safe, clean, accessible condition by assisting those who live there to access better alternatives;*

*Affordable Housing:*

- (17) *City Council support an achievable annual target of 1,000 new affordable housing units in the City of Toronto, including at least 500 to be targeted to low-income households on a rent-geared-to-income basis and urge the federal and provincial governments to reach an agreement enabling the Affordable Housing Program to proceed without delay, and the General Manager, Shelter Housing and Support, report to the Community Services Committee, on an annual basis, as to the progress made in this regard;*
- (18) *in order to meet the housing targets outlined in Recommendation (17), \$11,200,000.00 plus interest from the settlement between the City and the Province of Ontario in regard to cancellation of certain social housing projects by the former provincial government be allocated to the Capital Revolving Fund for affordable housing to support affordable housing activities in 2005 and beyond;*
- (19) *up to \$900,000.00 for a variety of activities including two temporary positions be allocated from the Mayor's Homeless Initiative Reserve Fund to expedite pre-development work by the City on affordable housing developments, with an adjustment to the 2005 Operating Budget of \$250,000.00 gross and \$0 net;*
- (20) *the Commissioner of Community and Neighbourhood Services and/or the General Manager, Shelter Housing and Support be given delegated authority to issue requests for proposals and execute agreements on behalf of the City as deemed necessary to allocate up to \$900,000.00 in accordance with the provisions of Recommendation (19) to expedite pre-development work on affordable housing developments;*
- (21) *the terms of reference for the Mayor's Homeless Initiative Reserve Fund be expanded to include pre-development due diligence work for affordable housing development;*

- (22) *\$3,000,000.00 from the settlement between the City and the Province of Ontario in regard to cancellation of certain social housing projects by the former provincial government be allocated to the Mayor's Homeless Initiative Reserve Fund for use in the development of transitional housing;*
- (23) *the General Manager, Shelter Housing and Support convene an interdepartmental working group to identify unused or derelict publicly and privately owned buildings and land suitable for development or conversion to supportive, transitional and affordable housing use, and the Chief Administrative Officer be requested to compile a list from all agencies, boards, commissions and City departments of any under-utilized City-owned facilities or properties, with suggestions for possible consolidation of operations, with the intent that any surplus facilities identified be made available for affordable housing, such review to include 423 Old Weston Road in Ward 17;*
- (24) *the General Manager, Shelter Housing and Support report to Community Services Committee, every six months, on the results of outreach activities, access to public space and the development of affordable housing, the first report being due for the meeting of City Council on July 19, 2005;*
- (25) *the 2005 EMT Recommended Operating Budget for Shelter, Housing and Support be increased by \$0.550 million gross and \$0.0 net including the addition of eight temporary positions to reflect the 2005 component of the initiatives detailed in this report;*

*Collaborations with Other Governments:*

- (26) *City Council urge the provincial government to:*
  - (a) *support the creation of new supportive housing units in Toronto including new supportive housing rent supplements;*
  - (b) *provide funding for new rent supplements as well as additional housing allowances;*
  - (c) *permit the conversion of shelter per diems for use as housing supports and portable rent supplements to assist homeless persons make the transition from the streets and shelters into permanent housing, and that this be considered the highest priority in 'seat at the table' discussions with the provincial government in requesting flexibility in the use of shelter per diems for rent supplements;*
  - (d) *increase funding to the Supports for Daily Living (SDL) program to help ensure that as new affordable housing units become available the necessary supports are in place to help new residents keep that housing;*



- (c) *City Council request the Minister of Community and Social Services to give favourable consideration to the reallocation of hostel per diems into portable rent supplements to facilitate the movement of shelter residents into permanent affordable housing and that she be requested to communicate her response to this Council as soon as possible;*
- (d) *with the support of other orders of government, the City of Toronto reconfirm its overall commitment to the annual target of building 2,000 units of affordable housing and 1,000 units of supportive housing, as identified in Anne Golden's Report on Homelessness; and, further, that the targets referred to in Recommendation (17) be recognized as the number that the City can realistically achieve with its investment of \$11.2 million in 2005;*
- (e) *City Council strongly urge the Toronto District Catholic School Board to waive its development charges on affordable housing units;*
- (f) *the section of the City of Toronto Municipal Code dealing with Public Squares be amended to prohibit camping on public squares, including civic centres, in a manner similar to the amendment to the Nathan Phillips Square By-law, as set out in Recommendation (15) in the report dated January 13, 2005, from the Chief Administrative Officer, the City Solicitor, the Commissioner of Community and Neighbourhood Services and the Acting Commissioner of Works and Emergency Services;*
- (g) *the Chief Administrative Officer, in consultation with the Commissioner of Community and Neighbourhood Services and the Chief Financial Officer and Treasurer, be requested to undertake discussions with the appropriate parties, in order to extend the operation of the temporary Edward Street Shelter beyond May 2005, and report to the Policy and Finance Committee for its meeting on February 15, 2005, on options for financing the extended shelter operations in the 2005 Operating Budget, such report to also examine options for developing the site for affordable housing;*
- (h) *the Commissioner of Community and Neighbourhood Services be requested to report to the Community Services Committee meeting on June 29, 2005, on any progress with respect to the negotiations for the possible use of 110 Edward Street for affordable housing, the replacement of the shelter beds and the Assessment Facility located there when the shelter closes, and on any progress in finding a new winter Assessment and Referral Shelter to open in November 2005;*
- (i) *the Chief Administrative Officer be requested to:*
  - (i) *report to the Community Services Committee on developing a mechanism and process, in order to prepare a proposal, for presentation to the Minister of Health and the Minister of Community and Social Services, which would address the funding and program issues that impact persons in need of mental health and addiction support;*

- (ii) *report to the Community Services Committee, in September 2005, on the gaps in services that are identified by the City's outreach services to the homeless; and*
- (iii) *report to Council, through the Community Services Committee, on the New York City experience, under Mayor Bloomberg, which indicates that a high number of subsidized housing units have recently been built and that the sources of funding for this housing be included;*
- (j) *the Commissioner of Community and Neighbourhood Services, in consultation with other City officials, be requested to increase the efforts being made to rid the shelters of bed bugs and make every possible effort to ensure the health and personal safety of clients, and report back on these issues as part of the Quality Assurance report due to be considered by Council in the first half of 2005;*
- (k) *the Commissioner of Community and Neighbourhood Services be requested:*

  - (i) *to ensure that two of the six outreach workers prescribed in the Homeless Strategy have specifically proven skills in interacting with youth, to ensure that the delicate skill sets needed to do effective outreach to youth are in fact being employed;*
  - (ii) *to consult with existing youth-serving agencies to discuss ways that a peer-to-peer counselling approach, meaning employment of formerly homeless youth for the task, could be utilized in their service delivery and report to the Community Services Committee after the 2005 Community Partnership Initiative Process, on those agencies known to be employing a youth peer-to-peer mentoring approach to building youth access to services;*
  - (iii) *to present quarterly reports on the development of the 1,000 transitional and affordable housing units to be delivered in 2005 and for the 995 units covered by housing allowances, rent supplements, and new supportive housing rent supplements and that the first report be submitted to the Community Services Committee in April 2005; and*
  - (iv) *as part of the housing plan, to canvass all Councillors to determine what lands or facilities may be available in their Wards towards the development of the 1,000 affordable and transitional housing units and that this be reported to the April 2005 meeting of Community Services Committee;*
  - (v) *to identify, on a ward-by-ward basis, all private sector units that are currently in receipt of rental supplements, and that each Member of Council be provided with a list of these units located in his/her Ward, subject to any privacy limitations;*

- (vi) *to submit a report to the Community Services Committee for its meeting scheduled to be held on April 27, 2005, on a training and employment plan to assist homeless persons to find employment;*
  - (vii) *to investigate the Wilson Foundation model, in Rochester, New York, involving City-owned housing, and report to the Community Services Committee on the feasibility of implementing such a model in Toronto;*
  - (viii) *to report to the Community Services Committee on an accountability framework and measurement standards to evaluate the effectiveness of funds used to address homelessness in the City of Toronto; and*
  - (ix) *to report to the Community Services Committee, in six months, on the effectiveness of the measures being used to remove the homeless from Nathan Phillips Square; and*
- (l) *the Chief Administrative Officer, in conjunction with the General Manager, Shelter, Housing and Support, be requested to report back to Council, through the Community Services Committee, in one year, on the status and results of implementation of the recommendations in the report dated January 13, 2005, from the Chief Administrative Officer, the City Solicitor, the Commissioner of Community and Neighbourhood Services and the Acting Commissioner of Works and Emergency Services.”*

*This Clause, as amended, was adopted by City Council.*

*Council also considered additional material which is noted at the end of this Clause.*

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**The Policy and Finance Committee recommends that City Council:**

- (I) adopt the staff recommendations in the Recommendations Section of the report (January 13, 2005) from the Chief Administrative Officer, the City Solicitor, the Commissioner of Community and Neighbourhood Services and the Acting Commissioner of Works and Emergency Services amended to read as follows:**
- “(1) City Council make a commitment to ending street homelessness by working with other orders of government and community partners to implement an outreach-based Homelessness Strategy to assist homeless persons find permanent housing;**

**Homeless Outreach Services:**

- (2) the City and its community partners further expand and intensify their outreach activities and that those activities be co-ordinated with the work of**

- non-profit housing agencies which are opening new affordable and transitional housing units;**
- (3) City staff work with the providers of social, supportive and alternative housing to ensure better co-ordination between their placement procedures;**
  - (4) outreach services continue to assist homeless persons in making applications for income support and to Housing Connections for social housing;**
  - (5) the Commissioner of Community and Neighbourhood Services and/or the General Manager of Shelter, Housing and Support be given delegated authority to allocate up to \$1,500,000.00 from the Supporting Communities Partnership Initiative (SCPI) to engage additional street outreach workers and housing follow-up workers (including up to six temporary positions) as well as related outreach and follow-up initiatives;**
  - (6) up to \$1,100,000.00 be allocated from the Mayor's Homeless Initiative Reserve Fund to fund an emergency shelter facility including assessment and referral services as well as extended drop-in hours, for Winter 2005-2006, with an adjustment to the 2005 Operating Budget of \$300,000.00 gross and \$0 net;**
  - (7) the General Manager, Shelter Housing and Support convene a Street Outreach Steering Committee, comprised of senior staff from appropriate City divisions, the Toronto Police Service, and key community partners including mental health, youth and Aboriginal services, shelter providers, and local businesses, which will assist in and assess the implementation of the outreach strategy;**
  - (8) the Toronto Police Service be requested to participate in the work of the Street Outreach Steering Committee and that this report be forwarded to the Toronto Police Services Board for its response;**
  - (9) the Street Outreach Steering Committee support the development of a pilot multi-disciplinary outreach team and service protocols designed to address the specific needs of homeless persons living with personality disorders, mental illness, addictions and developmental challenges;**
  - (10) to better focus ongoing outreach activities, the General Manager, Shelter Housing and Support recommend to Community Services Committee an appropriate method for determining the number and service needs of homeless persons living on Toronto's streets and in its public spaces;**
  - (11) criteria and assessment procedures for grant programs related to housing and homelessness be revised as necessary to reflect the City's priority of finding permanent solutions for persons living outside;**

- (12) the City work with hospitals and correctional facilities to ensure specific housing options are included in discharge plans for those leaving care and custody;
- (13) the Commissioner of Community and Neighbourhood Services and/or the General Manager, Shelter Housing and Support be given delegated authority to allocate up to \$700,000.00 from the Supporting Communities Partnership Initiative to fund a pilot program designed to:
- (a) assess the health needs of the homeless to assist them in accessing the most appropriate care;
  - (b) improve discharge planning from hospitals and correctional institutions; and
  - (c) facilitate the sharing, where permitted by law, of relevant medical information;
- in order to decrease the number of homeless individuals with severe and persistent illnesses on the street and in shelters.
- (14) the Commissioner of Community and Neighbourhood Services and/or the General Manager, Shelter Housing and Support be given delegated authority to issue requests for proposals and execute agreements on behalf of the City as deemed necessary to allocate the SCPI funds outlined in Recommendations 5 and 13;

**Access to Public Space:**

- (15) in conjunction with the implementation of the Homelessness Strategy, City Council amend the Nathan Phillips Square By-law (1994-0784) as proposed in Attachment III and adopt the Interdepartmental Service Protocol (Attachment II, as amended) to guide implementation of the amended by-law;
- (16) City outreach staff and other City services be directed to employ the interdepartmental service approach outlined in the text of this report and contained in Attachment II to ensure public space is maintained in a safe, clean, accessible condition by assisting those who live there to access better alternatives;

**Affordable Housing:**

- (17) City Council support an achievable annual target of 1,000 new affordable housing units in the City of Toronto, including at least 500 to be targeted to low-income households on a rent-geared-to-income basis and urge the federal

**and provincial governments to reach an agreement enabling the Affordable Housing Program to proceed without delay;**

- (18) in order to meet the housing targets outlined in Recommendation 17, \$11,200,000.00 plus interest from the settlement between the City and the Province of Ontario in regard to cancellation of certain social housing projects by the former provincial government be allocated to the Capital Revolving Fund for affordable housing to support affordable housing activities in 2005 and beyond;**
- (19) up to \$900,000.00 for a variety of activities including two temporary positions be allocated from the Mayor's Homeless Initiative Reserve Fund to expedite pre-development work by the City on affordable housing developments, with an adjustment to the 2005 Operating Budget of \$250,000.00 gross and \$0 net;**
- (20) the Commissioner of Community and Neighbourhood Services and/or the General Manager, Shelter Housing and Support be given delegated authority to issue requests for proposals and execute agreements on behalf of the City as deemed necessary to allocate up to \$900,000.00 as outlined in Recommendation 19 to expedite pre-development work on affordable housing developments;**
- (21) the terms of reference for the Mayor's Homeless Initiative Reserve Fund be expanded to include pre-development due diligence work for affordable housing development;**
- (22) \$3,000,000.00 from the settlement between the City and the Province of Ontario in regard to cancellation of certain social housing projects by the former provincial government be allocated to the Mayor's Homeless Initiative Reserve Fund for use in the development of transitional housing;**
- (23) the General Manager, Shelter Housing and Support convene an interdepartmental working group to identify unused or derelict publicly and privately owned buildings and land suitable for development or conversion to supportive, transitional and affordable housing use;**
- (24) the General Manager, Shelter Housing and Support report to Community Services Committee on a regular basis on the results of outreach activities, access to public space and the development of affordable housing;**
- (25) the 2005 EMT Recommended Operating Budget for Shelter, Housing and Support be increased by \$0.550 million gross and \$0.0 net including the addition of eight temporary positions to reflect the 2005 component of the initiatives detailed in this report;**

**Collaborations with Other Governments:**

- (26) City Council urge the provincial government to:**
- (a) support the creation of new supportive housing units in Toronto including new supportive housing rent supplements;**
  - (b) provide funding for new rent supplements as well as additional housing allowances;**
  - (c) permit the conversion of shelter per diems for use as housing supports and portable rent supplements to assist homeless persons make the transition from the streets and shelters into permanent housing;**
  - (d) increase funding to the Supports for Daily Living (SDL) program to help ensure that as new affordable housing units become available the necessary supports are in place to help new residents keep that housing;**
  - (e) work with the City to implement and fund a co-ordinated system in Toronto for access to supportive housing;**
  - (f) establish an inter-ministerial working group on affordable and supportive housing to work with City of Toronto staff to improve the delivery of housing and housing support services to the homeless and facilitate co-ordination between the municipal and provincial governments;**
  - (g) close service gaps in the diagnosis and treatment system for homeless persons with mental health and addiction issues by increasing the number of mental health, addiction treatment, detox, and infirmary beds and ensuring these services are available to homeless persons; and**
- (27) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto;”;**
- (II) amend Principle 3 contained in Attachment II, entitled “City Of Toronto Interdepartmental Service Protocol For Homeless People Camping In Public Spaces”, to read as follows:**
- “(3) The City will engage in ongoing proactive communication with homeless individuals, the public, service providers, community agencies and other groups, including local businesses and the police, to assist in the successful implementation of the protocol;”;** and

**(III) appeal to the Province of Ontario for additional funding to implement a 3,000 target of new “truly affordable homes”.**

Action taken by the Committee

The Policy and Finance Committee:

- (1) requested the Commissioner of Community and Neighbourhood Services to submit a report directly to Council for its meeting to be held on February 1, 2005:
  - (i) outlining the status of improvements made to date in Toronto shelters and the matters still outstanding;
  - (ii) outlining the cost of providing 2,000 rent supplements to provide housing to people who are currently shelter users;
  - (iii) commenting on the effects of shifting expenditure for this amount from Shelter to rent supplement; and
  - (iv) outlining any discussions that have been held with the Province to enable this shift of expenditure to occur and offering suggestions concerning how the Province might be persuaded to provide the ability to spend dollars on rent supplements rather than shelters;
- (2) requested the Chief Administrative Officer to submit a report directly to City Council for its meeting to be held on February 1, 2005, on the feasibility of allocating 5 percent of the proceeds from the sale of surplus City property to be used for the construction of “crash” affordable housing;
- (3) the City Solicitor, in consultation with the Chief Planner, be requested to submit a report to the Planning and Transportation Committee on the use of a portion of Section 37 of the *Planning Act* contributions for “crash” homelessness initiatives, including “crash” affordable housing and contributions to the Capital Revolving Fund; and
- (4) referred the submissions by Mr. Michael Shapcott, Research Co-ordinator, Toronto Disaster Relief Committee and Ms. Jennifer Dalton, Toronto Youth Cabinet, to the Chief Administrative Officer and the Commissioner of Community and Neighbourhood Services for a report directly to City Council on February 1, 2005.

**The Policy and Finance Committee submits the report (January 13, 2005) from the Chief Administrative Officer, the City Solicitor, the Commissioner of Community and Neighbourhood Services and the Acting Commissioner of Works and Emergency Services:**

Purpose:

This report proposes an outreach-based strategy to assist homeless persons find permanent housing.

### Financial Implications and Impact Statement:

This report recommends the allocation of \$18.4 million of existing federal and City reserve funding and provincial settlement monies for use in focused outreach activities and the development of new affordable housing options.

From the settlement between the City and the Province of Ontario in regard to the 1995 cancellation of certain social housing projects by the former provincial government, \$14.2 million has become available to fund affordable housing projects. This report recommends that \$11.2 million plus interest be transferred to the Capital Revolving Fund (CRF) for affordable housing and \$3.0 million be transferred to the Mayor's Homelessness Initiative Reserve Fund (MHIRF) for transitional housing.

The report also recommends the following expenditures: \$1.5 million (\$1.2 million for 2005) from the Supporting Communities Partnership Initiative (SCPI) to engage street outreach workers, housing follow-up workers and related initiatives including six temporary positions; \$1.1 million (\$300,000 for 2005) from the MHIRF for an emergency shelter, assessment and referral service and expanded drop-in hours for Winter 2005-2006; \$0.7 million (\$525,000 for 2005) from SCPI for a pilot project to help homeless people access care; and \$0.9 million (\$250,000 for 2005) from the MHIRF for pre-development work for affordable housing development, including two temporary positions.

Overall, the report recommends that the 2005 EMT Recommended Budget for Shelter, Housing and Support be adjusted by \$550,000.00 gross and \$0 net, including eight temporary positions. The 2006 impact of \$1,450,000.00 gross and \$0 net will be included in the 2006 Operating Budget Submission for the Shelter, Housing and Support.

The CRF (uncommitted balance of \$12.1 million including proposed contributions and allocations) and MHIRF (uncommitted balance of \$3.8 million including proposed contributions and allocations) funding will support the Let's Build program and various shelter programs within the 2005 and future year operating budgets.

The Chief Financial Officer and Treasurer has reviewed this report and concurs with the financial impact statement.

### Recommendations:

It is recommended that:

- (1) City Council make a commitment to ending street homelessness by working with other orders of government and community partners to implement an outreach-based Homelessness Strategy to assist homeless persons find permanent housing;

Homeless Outreach Services:

- (2) the City and its community partners further expand and intensify their outreach activities and that those activities be co-ordinated with the work of non-profit housing agencies which are opening new affordable and transitional housing units;
- (3) City staff work with the providers of social, supportive and alternative housing to ensure better co-ordination between their placement procedures;
- (4) outreach services continue to assist homeless persons in making applications for income support and to Housing Connections for social housing;
- (5) the Commissioner of Community and Neighbourhood Services and/or the General Manager of Shelter, Housing and Support be given delegated authority to allocate up to \$1,500,000.00 from the Supporting Communities Partnership Initiative (SCPI) to engage additional street outreach workers and housing follow-up workers (including up to six temporary positions) as well as related outreach and follow-up initiatives;
- (6) up to \$1,100,000.00 be allocated from the Mayor's Homeless Initiative Reserve Fund to fund an emergency shelter facility including assessment and referral services as well as extended drop-in hours, for Winter 2005-2006, with an adjustment to the 2005 Operating Budget of \$300,000.00 gross and \$0 net;
- (7) the General Manager, Shelter Housing and Support convene a Street Outreach Steering Committee, comprised of senior staff from appropriate City divisions, the Toronto Police Service and key community partners including mental health, youth and Aboriginal services and shelter providers, which will assist in and assess the implementation of the outreach strategy;
- (8) the Toronto Police Service be requested to participate in the work of the Street Outreach Steering Committee and that this report be forwarded to the Toronto Police Services Board for its response;
- (9) the Street Outreach Steering Committee support the development of a pilot multi-disciplinary outreach team and service protocols designed to address the specific needs of homeless persons suffering from personality disorders, mental illness and addictions;
- (10) to better focus ongoing outreach activities, the General Manager, Shelter Housing and Support recommend to Community Services Committee an appropriate method for determining the number and service needs of homeless persons living on Toronto's streets and in its public spaces;
- (11) criteria and assessment procedures for grant programs related to housing and homelessness be revised as necessary to reflect the City's priority of finding permanent solutions for persons living outside;

- (12) the City work with hospitals and correctional facilities to ensure specific housing options are included in discharge plans for those leaving care and custody;
- (13) the Commissioner of Community and Neighbourhood Services and/or the General Manager, Shelter Housing and Support be given delegated authority to allocate up to \$700,000.00 from the Supporting Communities Partnership Initiative to fund a pilot program designed to:
  - (a) assess the health needs of the homeless to assist them in accessing the most appropriate care;
  - (b) improve discharge planning from hospitals; and
  - (c) facilitate the sharing, where permitted by law, of relevant medical information;in order to decrease the number of homeless individuals with severe and persistent illnesses on the street and in shelters.
- (14) the Commissioner of Community and Neighbourhood Services and/or the General Manager, Shelter Housing and Support be given delegated authority to issue requests for proposals and execute agreements on behalf of the City as deemed necessary to allocate the SCPI funds outlined in Recommendations 5 and 13;

Access to Public Space:

- (15) in conjunction with the implementation of the Homelessness Strategy, City Council amend the Nathan Phillips Square By-law (1994-0784) as proposed in Attachment III and adopt the Interdepartmental Service Protocol (Attachment II) to guide implementation of the amended by-law;
- (16) City outreach staff and other City services be directed to employ the interdepartmental service approach outlined in the text of this report and contained in Attachment II to ensure public space is maintained in a safe, clean, accessible condition by assisting those who live there to access better alternatives;

Affordable Housing:

- (17) City Council support an achievable annual target of 1,000 new affordable housing units in the City of Toronto, including at least 500 to be targeted to low-income households on a rent-geared-to-income basis and urge the federal and provincial governments to reach an agreement enabling the Affordable Housing Program to proceed without delay;
- (18) in order to meet the housing targets outlined in Recommendation 17, \$11,200,000.00 plus interest from the settlement between the City and the Province of Ontario in regard to cancellation of certain social housing projects by the former provincial government be allocated to the Capital Revolving Fund for affordable housing to support affordable housing activities in 2005 and beyond;

- (19) up to \$900,000.00 for a variety of activities including two temporary positions be allocated from the Mayor's Homeless Initiative Reserve Fund to expedite pre-development work by the City on affordable housing developments, with an adjustment to the 2005 Operating Budget of \$250,000.00 gross and \$0 net;
- (20) the Commissioner of Community and Neighbourhood Services and/or the General Manager, Shelter Housing and Support be given delegated authority to issue requests for proposals and execute agreements on behalf of the City as deemed necessary to allocate up to \$900,000.00 as outlined in Recommendation 19 to expedite pre-development work on affordable housing developments;
- (21) the terms of reference for the Mayor's Homeless Initiative Reserve Fund be expanded to include pre-development due diligence work for affordable housing development;
- (22) \$3,000,000.00 from the settlement between the City and the Province of Ontario in regard to cancellation of certain social housing projects by the former provincial government be allocated to the Mayor's Homeless Initiative Reserve Fund for use in the development of transitional housing;
- (23) the General Manager, Shelter Housing and Support convene an interdepartmental working group to identify unused or derelict publicly and privately owned buildings and land suitable for development or conversion to supportive, transitional and affordable housing use;
- (24) the General Manager, Shelter Housing and Support report to Community Services Committee on a regular basis on the results of outreach activities, access to public space and the development of affordable housing;
- (25) the 2005 EMT Recommended Operating Budget for Shelter, Housing and Support be increased by \$0.550 million gross and \$0.0 net including the addition of eight temporary positions to reflect the 2005 component of the initiatives detailed in this report;

Collaborations with Other Governments:

- (26) City Council urge the provincial government to:
  - (a) support the creation of new supportive housing units in Toronto including new supportive housing rent supplements;
  - (b) provide funding for new rent supplements as well as additional housing allowances;
  - (c) permit the conversion of shelter per diems for use as housing supports and portable rent supplements to assist homeless persons make the transition from the streets and shelters into permanent housing;

- (d) increase funding to the Supports for Daily Living (SDL) program to help ensure that as new affordable housing units become available the necessary supports are in place to help new residents keep that housing;
  - (e) work with the City to implement and fund a co-ordinated system in Toronto for access to supportive housing;
  - (f) establish an inter-ministerial working group on affordable and supportive housing to work with City of Toronto staff to improve the delivery of housing and housing support services to the homeless and facilitate co-ordination between the municipal and provincial governments;
  - (g) close service gaps in the diagnosis and treatment system for homeless persons with mental health and addiction issues by increasing the number of mental health, addiction treatment, detox, and infirmary beds and ensuring these services are available to homeless persons; and
- (27) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background:

At its meeting of October 26 to 28, 2004, Council received an information report from the Commissioner of Community and Neighbourhood Services titled "Additional Actions Needed to Provide Shelter and Outreach Services to Street Homeless Persons This Winter." This report was in response to a direction from the October 14, 2004, meeting of the Policy and Finance Committee, in response to a request from the Mayor, which directed the Commissioner of Community and Neighbourhood Services to report directly to Council on any additional actions needed to provide shelter and outreach services to street homeless persons this winter.

Council debated many ways to address street homelessness including, but not limited to, a wider range of affordable housing options, improved living environments in shelters, new and enhanced legal and legislative frameworks and more enforcement of current provincial laws and City by-laws.

The motions from the meeting were not adopted and were referred to the Commissioner of Community and Neighbourhood Services, the Acting Commissioner of Works and Emergency Services (WES), the City Solicitor, the Chief Administrative Officer and the Homeless and Socially Isolated Persons Advisory Committee, for consideration in consultation with the Mayor, with a request that they submit a joint report in January on a defined solution to the homelessness crisis in Toronto. Responses to those motions are found in Attachment I.

At its meeting of November 30 to December 2, 2004, Council adopted a report from the Commissioner of Community and Neighbourhood Services titled "Measures Needed Respecting Homeless Issues." The report outlined the components of a Winter Plan including the opening of a new emergency shelter with an assessment and referral service as well as extended hours of operation for a number of drop-in centres. A motion of Council requested the Commissioner to

report monthly to Community Services Committee on the number of homeless people still sleeping on the streets in the Downtown area and on what measures have been taken each month to reduce these numbers.

Comments:

The test of a compassionate and inclusive city is its success in meeting the needs of its most vulnerable residents. Among the most vulnerable of Toronto's residents are those who live on its streets and in other public spaces. In many ways Toronto's success as a city can be measured by its ability to meet the fundamental right of its residents to live in safety and security.

People are on the street for many reasons. Some have fallen on difficult times, without work and without a network of support. Others suffer from mental illnesses or drug or alcohol addictions. Some perceive emergency shelters to be dangerous places or they profess a preference for the freedom and independence of street life.

In most situations there is no legal authority to compel those living on the street to come inside. Homeless people cannot be forced to take advantage of shelter. Nor is it possible to enact by-laws or laws that do so. Nevertheless, living on the street is inherently unsafe and unhealthy. Homelessness denies people hope and the opportunity to fulfil their full potential.

New and existing government housing initiatives and changes in the rental housing market have created new opportunities for the City of Toronto to find solutions to homelessness. A variety of housing options are needed. Some homeless people require transitional housing to help them move from shelters or the street to permanent accommodation. Others with special needs or mental illness need supportive housing—ongoing supports—to help them live independently.

The Homelessness Strategy proposed in this report gives a clear new focus to City policy: To the greatest extent possible, City resources should be dedicated to getting people off the street into homes and to help them keep their housing. The strategy combines focused outreach with a new commitment to affordable housing options to enable the homeless to find appropriate, long-term accommodation. The strategy also recognizes that streets and other public spaces of the city should be accessible to all.

The recommendations in this report have been developed by an interdepartmental group including the Mayor's Office and are informed by input from homeless persons, housing advocates, the Toronto Police Service, community outreach and housing providers, hostel operators and other concerned Toronto residents.

The strategy builds on the work of the Mayor's Homelessness Action Task Force. When the Golden report was released in January 1999 there were no government housing programs or new affordable housing units under construction. Today new government programs are in place and affordable and transitional housing units are being built. In 2005, through these efforts, 737 new affordable housing units and 411 transitional housing units will become home to families and individuals who would otherwise be homeless or unable to afford their current housing.

There are also increased housing opportunities in the private rental market. In 1999 the reported vacancy rate in private rental housing was a mere 0.9 percent, while today it has risen to 4.3 percent. Despite higher vacancy rates, affordable housing remains elusive for many low-income residents of Toronto. Government restraints on social assistance and the minimum wage have continued to make it difficult for low-income earners to pay the rent and other necessary living expenses.

The success of the Homelessness Strategy will depend on the renewed commitment of all orders of government to support ongoing and sustainable solutions to homelessness. Those solutions will require adequate and equitable funding commitments by all governments. They will also require flexible regulations and arrangements so that resources can be used for housing the homeless rather than merely sustaining them on the streets and in shelters. And they will require greater co-ordination and expansion of services to the homeless, particularly those who are young, Aboriginal or suffer from mental health or addiction problems.

The sections of this report deal first with homeless outreach services, then with access to public space, including Nathan Phillips Square, then with affordable housing, and finally with collaborations with other governments.

#### Homeless Outreach Services:

Outreach services are the first steps involved in connecting with street homeless people, bringing them off the streets, and linking them with other parts of the service system and wider community. Outreach provides ongoing contact with people living on the street. It helps them meet their immediate needs and works with them to explore their options for shelter and to access a range of service, depending upon the specific needs of the individual. Services can include personal contact and casework, assistance in getting identification, transportation and food programs, medical assistance, storage of personal belongings, applications for financial assistance, and help to return to their home community. During the 2002-2003 program year, City-funded street outreach workers made an estimated 27,200 referrals to help homeless people access needed services.

In 2004, recognizing that the City needed to do more to directly address the needs of the street homeless and support the efforts of community agencies that provide services, the City of Toronto began to take a new approach to street outreach services. Three City outreach workers are now working with community-based outreach staff to assist them in helping homeless people move from the streets by hands-on support, and even more importantly, by identifying barriers on a case by case basis and working system wide to come up with practical solutions. This new focus on outreach marked an important step in the development of services for the homeless, and provides “on the ground” experience with the day-to-day barriers faced by homeless people and service agencies.

The new outreach workers are also able to bring more co-ordination to the responses of both City departments and community agencies to the needs of homeless people living on the streets. Outreach staff are now working extensively with homeless persons who have been sleeping at Nathan Phillips Square. The new City shelter/assessment and referral facility at 110 Edward

Street is successfully providing new options for the occupants of Nathan Phillips Square with a focus on solutions rather than just survival.

To ensure that shelter options for people living on the streets continue to be available next winter, this report recommends that up to \$1,100,000.00 be allocated from the Mayor's Homeless Initiative Reserve Fund to fund an emergency shelter facility including assessment and referral services as well as extended drop-in hours for Winter 2005-2006.

The early success of outreach efforts underscores the need to intensify the approach. The Homelessness Strategy recommends additional investments and initiatives including the engaging of at least six additional system wide street outreach workers for one year (City staff) and funding enhancements for community agencies for housing access workers and housing follow-up workers dedicated to supporting people living in their homes in partnership with existing street outreach teams. To implement these initiatives and other related initiatives recommended under the heading "Homelessness Outreach Services", it is recommended that up to \$1.5 million in funding be allocated from the Supporting Communities Partnership Initiative.

The strategy also recommends that the criteria for City grants programs related to housing and homelessness reflect the priorities of the City and clearly express that the objective of street outreach is to get people off the streets and to provide ongoing support to help them remain housed rather than to sustain them in their homelessness. While many community-based outreach activities funded by the City have moved in this direction there is a need to reinforce these important objectives. This recommendation would specifically affect the City of Toronto Homelessness Initiatives Fund and the Off the Streets into Shelter Fund.

The key to the strategy is being able to find appropriate homes for people living on the street. Providing support in identifying the available options is an essential task of the outreach work. The homeless on the streets and in shelters have priority access to social housing through the Housing Connections waiting list but are often not aware of this access. Proactive street outreach services will help inform them of their options. More co-ordination is needed between outreach activities and the agencies that provide transitional/supportive housing and alternative housing (funded through the Ministry of Health and Long-Term Care, the Ministry of Community and Social Services, federal capital funding programs, and the social housing system, plus tenant rents). In particular, there is a need for a better linkage between the waiting lists for social housing and those for supportive and alternative housing. Too often the systems work independently and the homeless are unable to access available opportunities. There is also a need for better co-ordination between outreach services and the providers of transitional housing when vacancies provide new housing opportunities.

To provide further co-ordination and oversight of outreach activities, the strategy recommends the establishment of a Street Outreach Steering Committee. This committee would bring together senior staff from the appropriate City divisions, representatives of the Toronto Police Service, and community representatives – in particular, representing mental health, youth and Aboriginal services and hostel providers. The role of this committee will be to assist and assess the implementation of the outreach strategy.

The Homelessness Strategy recognizes how serious and complex the issues of mental illness and addiction are among the street homeless population. Issues related to people with concurrent disorders is a key area of consideration in the development of the City's comprehensive drug strategy. Those who suffer from some combination of mental illness and addiction often resist leaving the street and are difficult to house when they do. Appropriate treatment options and ongoing supports are often necessary to assist them in making the transition into stable housing and to help them keep their housing. To address some of these challenges the Homelessness Strategy proposes the formation, on a pilot project basis, of a multi-disciplinary outreach team. The team would include street outreach workers and health and mental health professionals who are trained to make assessments and connect persons with personality disorders, mental illnesses or addictions to useful resources. A protocol to cover the co-ordination of the various services required would also be developed.

Many people end up on the street after being discharged from hospitals and correctional facilities with no other place to go. As part of the Homelessness Strategy, City staff will work with these facilities to develop or revise discharge plans that include housing options tailored to the specific needs of the individual leaving care or custody.

Improving health care delivery to the homeless is another component of the Homelessness Strategy. It is recommended that a pilot project be initiated bringing together healthcare professionals and shelter, drop-in and street outreach workers. The purpose of the project would be to assess health needs of homeless individuals in order to direct them to the most appropriate resources, to improve discharge planning (including housing options) of homeless people from hospitals back to the community, and to enhance the sharing of medical information to allow for quicker and better health decisions.

To better focus the outreach components of the Homelessness Strategy, it is recommended that a method be developed to determine the number and specific needs of Toronto's street homeless. It is proposed that in order to assist ongoing outreach efforts, the General Manager of Shelter, Housing and Support, in consultation with the Street Outreach Steering Committee, report to Community Services Committee on how this can be accomplished. Getting a better determination of street homeless populations will assist the City to better monitor the success of the Homelessness Strategy.

#### Access to Public Space:

In a modern, inclusive city access to public space should be shared equally. Residents should feel comfortable in all parts of the city. But sometimes, public space becomes contested terrain. Sometimes the rights of the homeless come in conflict with those of other citizens. It is important to recognize that while a few homeless persons may engage in anti-social or illegal behaviour, it is the behaviour and not the condition that warrants an enforcement response. Outreach is the first and most important step in balancing rights of access. City by-laws and federal and provincial laws, while useful as a last resort, have only limited application and efficacy.

There are several laws and by-laws that are relevant to maintaining access to public space. The provincial *Trespass to Property Act* enables owners or occupiers of property to prohibit persons from entering their property or engaging in prohibited behaviour while on the property. The

provincial *Mental Health Act* gives police the authority to remove people who are considered to be a danger to themselves or others. The provincial *Safe Streets Act* outlaws aggressive panhandling and roadway squeegeeing—activities sometimes associated with homelessness. The Criminal Code also contains provisions that could be used to address activities such as aggressive panhandling or obstruction with the lawful use or enjoyment of property. The City may, in exercising its authority over highways, enact a by-law to prohibit sleeping on streets and sidewalks subject to the enforcement difficulties set out below.

In practice, the Toronto Police Service (TPS) enforces federal and provincial law as required but recognizes that, unlike the situation in jurisdictions outside of Canada, homelessness is not illegal. Police Service officials state, that the police are just one component of a larger social response. While officers would prefer more legislative clarity in dealing with homelessness, the TPS recognizes that homeless persons are in crisis and need appropriate services including outreach support. This report recommends that the Toronto Police Service be requested to participate in the work of the Street Outreach Steering Committee.

The City has by-laws in place, which prohibit camping in parks and public squares (but not public rights-of-way), depositing debris in public spaces and blocking sidewalks. The *Municipal Act, 2001* contains various provisions relating to the City's ability to enforce its by-laws. The enforcement mechanisms that are available to the City include the authority to create offences, establish fines, take remedial action and charge back the cost of doing so, enter land in certain circumstances, enforce agreements and apply for court orders to close premises for certain licensing offences.

The *Municipal Act* does not give the City authority to take action to enforce its by-laws in a way that “affects one’s person,” such as arrest, detention or use of force. Nor is such authority granted to the City under other legislation or the common law. With limited exceptions, it is the police that have authority to take action that affects one’s person. However, the police, in enforcing municipal by-laws, have no greater authority than the City’s own enforcement staff which means that they too cannot arrest, detain or use force as a way of enforcing the by-laws. Accordingly, if the police arrest, detain or use force against a person, the authority to do so must be found in legislation (e.g. the Criminal Code or the *Trespass to Property Act* or the *Mental Health Act*) or the common law rather than in municipal by-laws.

Sometimes the clearance of streets or other public space becomes necessary. Over the past several years, Works and Emergency Services periodically cleaned public right of way corridor lands based on a staff protocol first developed in 1999. Under this protocol a “Notice of Advice” form is given to individuals and posted at the site to advise persons that installations and/or certain activities are contrary to the Municipal Code Chapter 313, Streets and Sidewalks or By-law No. 211-74.

At the present time, Works and Emergency Services routinely cleans the litter and debris in the vicinity of homeless persons, removing wet or soiled materials. WES staff have neither the legislative authority nor the resources to move the persons along. These clean-ups have not entailed the removal of personal belongings without either the owner’s consent or the consent of City outreach staff. Any temporarily abandoned dry or personal possessions found at a sleeping location are bagged and set to the back of the sidewalk for the person to pick up. If the sidewalk

is blocked, restricting safe pedestrian passage, the goods are placed in storage for 60 days, then disposed of. Although storage is available it is rarely required because the person will generally remove their own belongings. This clearance activity, undertaken in collaboration with outreach staff, gives effect, within the current legal and legislative frameworks, to an April 2004 Council motion which gave direction to keep public spaces clear and unobstructed for pedestrian traffic.

There are, however, situations in which street homelessness constitutes a specific health and safety risk. The former encampment under the Bathurst Street bridge in 2004 is an example of a situation in which homeless persons were living under a bridge adjacent to a demolition site. The combined efforts of several City departments (including Community and Neighbourhood Services and Works and Emergency Services) as well as community agencies resulted in the dismantling of the encampment after occupants had first been linked to income support, housing options and other forms of assistance. The interdepartmental service protocol (see Attachment II) describes the operating procedures, which guided the process. The Homelessness Strategy proposes that this co-ordinated approach be extended to other situations which would include transit shelters, public rights-of-way, underpasses and transportation corridors.

Nathan Phillips Square:

Over the past several years an increasing number of homeless persons have been sleeping overnight in Nathan Phillips Square. What started as a few people sleeping nightly in the square increased to over 100 during 2004.

The City administration implicitly accepted this situation at a time when there were fewer options available to homeless persons. An ambiguity in the wording of the Nathan Phillips Square By-law (1994-0784) created uncertainty about the permissibility of camping in the square. The informal practice of permitting sleeping in the square has now resulted in the perception that the City supports this activity. The direction set out in this report suggests that the City can do better and should facilitate and deliver alternatives to living outside.

Late in 2004, Council authorized the opening of a new temporary emergency shelter with 80 beds at 110 Edward Street, including a referral and assessment service. This initiative, coupled with intensive outreach efforts and the onset of winter, has led to a considerable decline in the number of persons currently sleeping in the square. In early January 2005, only about 14 individuals remained. Outreach activities are ongoing to assist them to find accommodation alternatives.

In light of the approach proposed in the Homelessness Strategy, it is recommended that the practice of permitting sleeping in the square be discontinued by assisting homeless persons there to access alternative accommodation through the application of the Interdepartmental Service Protocol (Attachment II). Furthermore, this report recommends that the intent of the Nathan Phillips Square By-law be clarified by amending it to add a specific prohibition against sleeping in the square (See Attachment III).

## Affordable Housing:

The key to a successful city is to ensure all residents have access to safe and affordable housing, including the homeless. This has been affirmed in the Listening to Toronto sessions, the Mayor's Affordable Housing Summit and the priorities adopted by City Council last summer.

The City of Toronto has an essential role to play in developing and implementing affordable housing. During the past fifty year years the City, working in partnership with other orders of government, non-profit, co-operative and private sector groups, has helped create over 108,000 units of social housing.

The City's existing social housing is a tremendous legacy, which provides affordable and secure housing for a broadly diverse range of Toronto residents. On an annual basis the 95,000 social housing units administered by the City of Toronto provide new housing opportunities for persons in need. In 2003 alone, through resident turn-over, 4,000 households, including 400 who were homeless, moved into existing social housing administered by the City. However, with a current waiting list of 65,000 families and individuals there is a pressing need to do more.

Since 1999, the City has continued to advocate and lead the effort to develop new affordable housing and re-engage the other orders of government in funding new initiatives. Since the inception of Let's Build in 1999, the City has approved the creation of 2,400 units of affordable and transitional/supportive housing which have either been completed or are in the development process. This development activity has been made possible through City and federal funding augmented by provincial and community resources.

In February 2004, the federal and provincial governments joined with the City of Toronto to announce the approval of 903 new rental homes to be funded under the new Affordable Housing Program. This was an important development because it represented the renewal of federal and provincial funding for affordable housing in Toronto.

Despite this progress there is roughly \$300 million in federal funding designated for affordable housing in Ontario that is yet to be spent. Negotiations are now underway between the federal and provincial governments on a revised framework for the Affordable Housing Program, including the mechanism by which the provincial government will fulfil its election commitment to cost-share the program. Once these negotiations are completed it is anticipated that there will be about \$600 million in affordable housing funding available province-wide over the next four to five years. Toronto is working closely with the provincial government to move the program forward. This is expected to result in \$30 to \$50 million annually in new provincial and federal funding coming to Toronto to support a range of affordable housing initiatives for a four to five year period.

During January and early February this year the federal government is undertaking a national consultation. The stated purpose of the consultation is to develop a partnership-based housing framework that would build on existing programs and introduce new initiatives. This is good news because it demonstrates that the federal government continues to see itself having an active role in funding affordable housing and following through on its election commitment to invest an additional \$1.5 billion in affordable housing across the country.

The time has now come for the City of Toronto to step up its own efforts to develop affordable housing. It is therefore recommended that the City commit to a target of 1,000 affordable housing units annually, with 500 of the homes being available to families and individuals on a rent-g geared-to-income basis. While this goal falls short of the 2,000 units annually recommended by the Golden Task Force, it is an achievable target given the range of incentives the City can provide in combination with ongoing federal and provincial funding. The Homelessness Strategy also urges the federal and provincial governments to quickly reach an agreement enabling the Affordable Housing Program to proceed without delay.

There now exists an opportunity to move forward on an additional 530 units in a “quick start” program. The Minister of Public Infrastructure Renewal recently informed the City that affordable housing funding of \$14.3 million is available to contribute toward projects that can be started soon. Proceeding with this opportunity in the next several months will enable the City to undertake a “quick start” program in 2005 while waiting for the new program to commence. The Commissioner of Community and Neighbourhood services will report to the March meeting of the Community Services Committee on specific projects that would qualify for this funding.

To ensure that rents are affordable to people on the waiting list or who are homeless will require the City to augment federal and provincial funding, as has been done in other Let’s Build activity. This will be made possible by investing the existing funds from the legal settlement between the Province and the City arising from the 1995 cancellation of certain affordable housing projects by the former provincial government. The settlement was in two portions, both earmarked for housing purposes. The first portion, received in 2000, was used to replenish the Capital Revolving Fund (CRF) for affordable housing and the second portion, \$14.2 million, was received in 2002. Its use is restricted to funding rent supplements or other City affordable housing initiatives. The City Solicitor has advised that these can include the CRF. This report recommends that \$11.2 million plus interest from the settlement be allocated to the Capital Revolving Fund to support affordable housing activity in 2005 and beyond.

Funding pre-development due diligence work is another important step to moving ahead quickly on affordable housing in 2005 and beyond. This work helps determine sites’ development potential and moves them faster toward planning approvals and issuance of a request for proposals. Such activities include consultant studies on environmental conditions and other technical concerns, community consultation processes, specialized financial and real estate advice, and negotiations with adjacent landowners. This report recommends that up to \$900,000.00, including two temporary positions be allocated from the Mayor’s Homelessness Initiative Reserve Fund (MHIRF) to expedite pre-development due diligence work. This would be drawn down in the operating budget for the Shelter, Housing and Support division. Normal spending authorities would apply. It is recommended that the terms of reference of the MHIRF be expanded to reflect this new funding activity.

This report also recommends that \$3,000,000.00 from the settlement be transferred to the MHIRF to be used for the development of transitional housing. This will enable the fund to continue to serve its primary mandate—supporting transitional/supportive housing development to help house homeless people. The most recent Council approvals of such projects, in summer 2004, included \$1.2 million from the MHIRF for the development of 450 new units.

Finding suitable new locations is also an essential part of the development of affordable, transitional and supportive housing. Throughout the city there are a variety of sites including publicly and privately owned land and buildings that are not currently in use. Some of these may be suitable development sites. This report recommends the creation of an interdepartmental working group to identify unused or derelict publicly and privately owned buildings and land suitable for conversion or development. The work group would replace existing committees with more limited mandates.

Finally, it is recommended that the General Manager of Shelter, Housing and Support report to Community Services Committee at regular intervals on the progress of outreach activities, access to public space and the development of affordable housing.

#### Collaboration with Other Governments:

Many of the tools needed to find permanent solutions to street homelessness rest in the hands of other orders of government. The Homelessness Strategy proposes a series of new investments and regulation changes that will significantly improve services to the homeless and assist in the development of affordable, transitional and supportive options.

The first is an expanded commitment to supportive housing. It is this type of housing that makes it possible for those with mental illnesses and other special needs to live independently. In a report to the provincial government in 2002, the Toronto Peel Mental Health Implementation Task Force emphasised the urgent need for more supportive housing for the mentally ill. The task force report estimated that the City of Toronto requires an additional 3,200 spaces to meet demand. The Homelessness Strategy recommends that Council urge the provincial government to dedicate the resources necessary to create new supportive housing units in Toronto including new supportive housing rent supplements. At least 1,000 units of supportive housing are needed annually. This report also recommends that the Province work more closely with the City to implement and fund a co-ordinated system in Toronto for access to supportive housing.

Because of the overlapping jurisdictions related to the funding of affordable and transitional housing, and housing supports, more co-ordination is needed. The Homelessness Strategy recommends the creation of an inter-ministerial working group composed of representatives of the City of Toronto and the ministries of Municipal Affairs and Housing, Public Infrastructure Renewal, Health and Long-Term Care, Community and Social Services, and Community Safety and Correctional Services. The work group will seek ways of improving planning and service delivery co-ordination.

Rent supplements and other approaches to make rents for existing housing more affordable are key to the Homelessness Strategy. They make affordable housing available quickly and allow for a variety of housing choices. Rent supplements are subsidies which help those who cannot afford to pay market rents find and keep accommodation. They vary based on what rent the tenant can afford to pay. Usually the subsidies are linked to specific rental units through a contract with the landlord, but they can also be linked to the individual giving them more choice in deciding where to live. (These are called “portable” rent supplements.) A new approach announced by the provincial government and currently being implemented by the City, called the Housing Allowances Pilot Program, helps reduce the rent for units through a contract between

the City and the landlord, however, the rent reduction does not fluctuate with the tenant's income.

Housing supports are also critical in helping people get off the streets and to keeping them housed. Depending upon the needs of the individual, supports may include services such as budgeting, assistance with homemaking, community living and personal care. They may be short-term, or needed for a longer time. Ongoing supports may also be needed to enable people with special needs to live independently in the community.

The use of portable rent supplements in combination with housing supports has already proven successful in Toronto. In 2002, the use of rent supplements and support services made it possible to provide homes for 100 displaced Tent City residents, many of whom had lived on the street for years. An evaluation of the pilot project released in June 2004, showed that nearly 90 per cent of former Tent City residents remained housed a year and a half after the relocation. The annual per capita cost of providing rent supplements, Ontario Works/Ontario Disability Support Plan shelter costs and housing supports was \$11,631.00 compared to the \$16,156.00 it would have cost the City and the Province to house an individual in an emergency shelter for a year. This evaluation confirms that permanent housing is both better for the individual and less expensive than emergency responses.

The strategy recommends that the Province fund additional rent supplements in Toronto annually as well as additional housing allowances. At least 1,000 new rent supplements and housing allowances are necessary to keep up with current need. In addition, the Homelessness Strategy urges the Province to give the City more flexibility in the use of current provincial funding. Specifically, the City needs the ability to convert the per diems paid by the Province for shelter use into portable rent supplements and also housing supports. With respect to the critical role of housing supports, it is recommended that the Province significantly increase funding to the Supports to Daily Living (SDL) program so that supports are in place to assist the residents of both new and existing homes to maintain their housing.

City and community-based staff working with homeless populations have identified significant gaps in health, mental health and addiction treatment services. In particular there is an urgent need for more mental health, addiction treatment, detox, and infirmary beds to meet the needs of homeless persons. This report recommends that City Council urge the provincial government to address these gaps. The January 12 provincial announcement providing additional resources for mental health services is a welcome new investment which will assist vulnerable people.

### Conclusions:

This report proposes an outreach-based strategy to enable homeless persons find and keep permanent housing. It recommends the allocation of \$18.4 million in existing City and federal funds to be used for intensifying street outreach activities to help people leave the street and for developing new affordable homes. The Homelessness Strategy also proposes a protocol to help ensure equal access to public space in the city. The strategy is based on the understanding that life on the street is inherently unhealthy and unsafe and that the extensive contact that comes with street outreach work offers the best means of helping homeless persons to leave the streets behind.

The Homelessness Strategy also recognizes that new and existing government funding programs provide a unique opportunity to move forward with the development of much needed affordable, transitional and supportive housing. The report recommends that the City of Toronto commit to the development of 1,000 affordable housing units annually, with 500 of the homes being available to families and individuals on a rent-g geared-to-income basis. It also urges other orders of government to undertake the funding and regulatory changes which will result in better service to the homeless and more rapid development of affordable housing options.

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List of Attachments:

- I. Responses to Clause 21 of Policy and Finance Committee Report 8, Considered by Council October 26-28, 2004.
- II. City of Toronto Interdepartmental Service Protocol For Homeless People Camping In Public Spaces.
- III. Amendment of by-law No. 1994-0784 of the Former Corporation of the City of Toronto regarding Nathan Phillips Square.
- IV. Nathan Phillips Square by-law No.1994-0784.

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Attachment I.

Responses to Clause 21 of Policy and Finance Committee Report 8  
Considered by Council October 26-28, 2004

“Additional Actions Needed to Provide Shelter and Outreach Services to Street Homeless Persons”

Motion 1

“. . . report to include a comparison study of dollars spent on: (a) shelter systems; (b) social services; and (c) policing; including percentage ratios with respect to total City populations and including the ratios of ‘state vs. city’ funding for Toronto, Stockholm, Oslo, Amsterdam, Copenhagen, Frankfurt, Milan, London, Paris and New York City.”

While learning from other jurisdictions is a useful way to improve services in Toronto, preparing comprehensive financial or systematic comparisons is expensive and requires dedicated resources. Moreover, comparative data can be misleading due to differences in social and economic context, governmental jurisdiction, administrative models, definitions, housing market conditions and other factors. Staff continue to monitor information that becomes available on policies, programs and services elsewhere and adapt best practices when appropriate.

#### Motion 2

“That the Commissioner of Community and Neighbourhood Services be requested to improve shelter locations by putting enclosed cubicles that will ensure a safe accommodation environment.”

There are a variety of designs in the 66 shelter sites in the City. In most programs residents will share a small dormitory space with five or six other people. In a small number of larger shelters, particularly those for single adult men, larger dormitories are used. In these facilities operators often provide greater privacy by providing some sort of privacy barrier. A safe environment in shelters is promoted by having staff on duty at all times; securing entrances against unwanted entry; and disallowing prohibited weapons, illegal substances and contraband on shelter property. Many shelters also provide lockers so that clients can secure their belongings.

#### Motion 3

“That the Commissioner of Community and Neighbourhood Services be requested to conduct a program of surprise inspections of our shelters for cleanliness and safety.”

Shelter operators are required to maintain high standards of cleanliness and safety. The Shelter Standards, approved by Council, give Hostel Services staff the authority to conduct site reviews and visit shelters throughout the year on an as-needed basis or conduct unannounced checks including random audits to ensure these standards are maintained.

#### Motion 4

“That the City Solicitor, in consultation with the Commissioner of Community and Neighbourhood Services, submit a report to the Community Services Committee on the feasibility of the City establishing a nuisance by-law to deal with people causing obstructions on public sidewalks.”

The obstruction of public sidewalks is probably the type of conduct that could appropriately be governed by the City under its public nuisance authority. There are currently in place by-laws of all the former local municipalities and the former Municipality of Metropolitan Toronto that prohibit the encumbering or obstruction of sidewalks. As a nuisance by-law can only be enforced in the same way as these existing by-laws, the enactment of a nuisance by-law would not enhance the City’s ability to deal with the obstruction of public sidewalks.

## Motion 5

“That the Commissioner of Community and Neighbourhood Services be requested to report to the Community Services Committee on what it would take to offer sufficient resources to solve the problem of homelessness in the City of Toronto.”

The current report outlines a strategy to address homelessness by providing focused outreach, by ensuring access to public space and developing more affordable housing options. The proposed strategy is based on making the best use of current resources. The magnitude of the housing challenge is underscored by the Toronto City Summit Alliance in its April 2003 report, *Enough talk*, which identified the following housing needs for the Greater Toronto region (costs annual unless otherwise noted):

- (i) 4,000 new rental units at \$130 million;
- (ii) 2,500 rent supplements for those units, costs stepping up at \$18 million more each year;
- (iii) 10,000 rent supplements for people on the waiting list, at \$36 million;
- (iv) an adequate shelter component in Ontario Works, at \$50 million;
- (v) 500 new supportive housing units at \$40 million; and \$24 million (annually for five years) for public housing regeneration.

## Motion 6

“That Council request the Police Services Board to ensure that by-laws which deal with people who are causing obstructions on public sidewalks and other activities such as squeegeeing, be actively enforced.”

The *Police Services Act* gives the Toronto Police Services Board the authority, after consultation with the chief of police, to determine the objectives and priorities with respect to police services in the City. While the City has authority to advise the Board of its own objectives and priorities and request that the Board operate in accordance with those objectives and priorities, it has no authority to direct the Board or the police service to do so.

## Motion 7

“That the Commissioner of Community and Neighbourhood Services be requested to report to the Community Services Committee on the possibility of expanding partnerships with private landlords to create a subsidized system for providing housing for the homeless.”

The City of Toronto is currently undertaking a number of initiatives using private rental units to house homeless individuals and families. The Commissioner of Community and Neighbourhood Services reports regularly on such initiatives to Community Services Committee. Most recently he reported to Committee on a Toronto pilot for the new provincial Strong Communities Housing Allowance Program.

## Motion 8

“That City Council request the Province of Ontario to immediately declare homelessness as an emergency situation in the City of Toronto.”

Toronto City Council has in the past declared homelessness to be a national disaster. From a legal perspective, the *Emergency Management Act* describes an emergency as “a situation or an impending situation caused by the forces of nature, an accident, an intentional act or otherwise that constitutes a danger of major proportions to life or property.” In the opinion of the City Solicitor, long-term social and economic problems of an ongoing, systemic nature such as homelessness do not fall within the definition of “emergency” as set out in the *Act*. It should also be noted that the declaration of an emergency does not necessarily entail new funding from the federal or provincial government.

## Motion 10

“That City Council request the Provincial Government to amend legislation to allow the City of Toronto to pass a by-law to prohibit loitering on City sidewalks.”

Because loitering is a matter within federal jurisdiction and is dealt with in the Criminal Code, the provincial government cannot give a municipality authority to pass by-laws to prohibit it. Nor can the federal government give the City authority to pass such by-laws because only the province can give powers to municipalities.

## Motion 11

“That the Commissioner of Community and Neighbourhood Services be requested to report to the Community Services Committee with details on the New York City by-law which allowed it to discourage homelessness and panhandling on City streets.”

In the United States, criminal law comes under the authority of the states. Conduct associated with homelessness is regulated by the laws of both New York State and New York City. For example, the New York State Penal Code prohibits loitering (the definition of which includes begging) and obstruction of vehicular and pedestrian traffic. New York City’s Administrative Code prohibits the solicitation of funds without a license and aggressive panhandling.

The New York City Police Department has adopted and actively implements a policy of preventing people from panhandling and sleeping on the streets. Authority for the police department to enforce this policy can be found in the New York City Charter that gives the police department power to “regulate, direct, control and restrict the movement of vehicular and pedestrian traffic for the facilitation of traffic and the convenience of the public as well as the proper protection of human life and health; remove all nuisances in the public streets, parks and places; arrest street mendicants and beggars...”. The police department relies on this provision as express authority for it to enforce state and city laws by arresting panhandlers and homeless persons in public places.

In some cases, protocols have been developed between specific community-based street outreach services and the police so that outreach services or transport to a shelter intake facility would be provided as an alternative to enforcement, however, the degree to which this type of co-ordination occurs varies across the city. Even with these measures in place, New York City's latest street count revealed that there are over 2,500 homeless people on the streets of Manhattan, Brooklyn and Staten Island.

#### Motion 12

“That the Mayor request the Toronto Police Services Board to demand that the Toronto Police Service, in a humane and civil manner, do everything legally possible to discourage persons from panhandling, squeegeeing and sleeping on the streets of Toronto.”

As mentioned in the response to Motion 6, the City does not have the authority to direct the actions of the Toronto Police Services Board or the Police Service.

#### Motion 13

“That the Province of Ontario be requested to increase the rent supplement allocated to the City of Toronto in order to allow for initiatives such as rooming house environments and transitional housing, where people could have their own rooms that could be locked up, rather than the social housing list currently accessed by the waiting list.”

This report recommends that City Council urge the Province of Ontario to support the creation of new rent supplements annually as well as additional housing allowances.

#### Motion 14

“That the City Solicitor be requested to report back to City Council on the enactment of a Quality-of-Life by-law wherein City Council states that it is inhumane to allow residents to sleep on City streets.”

There are no legislative provisions that give the City authority to enact by-laws for the purpose of addressing issues pertaining specifically to the “quality of life” of its residents. The most closely related authority of the City is found in section 130 of the *Municipal Act, 2001*, which states:

A municipality may regulate matters not specifically provided for by this *Act* or any other *Act* for purposes related to the health, safety and well-being of the inhabitants of the municipality.

The authority given to the City under this provision is to “regulate.” Accordingly, a by-law could not validly be enacted under s.130 for the sole purpose of stating that it is inhumane to allow residents to sleep on City streets as such a by-law does not regulate any matter. The authority to regulate does not include the authority to “prohibit”. Accordingly, s.130 could not be relied as authority for a by-law that prohibits people from sleeping on City streets. However, the City may, in exercising its authority over highways, enact a by-law to prohibit sleeping on streets and sidewalks subject to the enforcement difficulties set out in this report.

### Motion 15

“That the Commissioner of Community and Neighbourhood Services be requested to report to the next regular meeting of Council, through the Community Services Committee, on an action plan on how the homeless people currently sleeping at Toronto City Hall can be assisted towards housing or care, and on using an approach similar to the Tent City model with other large groups of homeless people.”

An action plan to assist the people currently sleeping at Toronto City Hall is currently in effect. As part of the plan, outreach workers are assisting people in directly accessing housing. As well, the City has established an Access and Referral Centre at 110 Edward Street to assist those on the street in finding appropriate shelter and housing. The current report recommends that City Council urge the provincial government to permit the conversion of shelter per diems for use as housing supports and portable rent supplements. Implementation of this change would significantly enhance access housing options by the homeless.

### Motion 16

“That the Mayor meet with the Minister of Health and Long-Term Care and the Minister of Community and Social Services, on a plan for the Province to assist with funding to enable those people from the streets who are mentally ill, or who suffer from substance abuse, to be given support and/or institutional help.”

The Mayor has written to the Minister of Health and Long-Term Care and is in ongoing discussions with the Minister of Community and Social Services. This report recommends the establishment of an inter-ministerial working group on affordable and supportive housing to work with City of Toronto staff to improve the delivery of housing and housing support services to the homeless and facilitate co-ordination between the municipal and provincial governments.

### Motion 17

That the Chief Administrative Officer, in consultation with the Acting Commissioner of Works and Emergency Services and the Executive Director, Human Resources, be requested to submit a report to the Administration Committee on the feasibility of enlisting homeless persons who are currently unemployed but able to work, to gain work experience in areas such as litter collection.”

Providing opportunities to enlist homeless people to gain work experience and to contribute their skills to the workforce is an important part of addressing the complex issues faced by these individuals and their families. Consequently, a range of projects are already underway in the City to provide assistance to people who are homeless to develop greater self-sufficiency and to access the labour market. Any employment program would be subject to the provisions of the collective agreements the City has with its employee groups.

## Motion 18

“That:

- (1) the by-laws which deal with people who are causing obstructions on public sidewalks be more strenuously enforced by the Toronto Police Service and the City’s by-law enforcement officers, and that these people be asked to move; and
- (2) the Commissioner of Community Neighbourhood Services, the Acting Commissioner of Works and Emergency Services and the City Solicitor, in consultation with the Mayor, be requested to bring to the November 30, 2004 Council meeting, through the Community Services Committee, a joint report on solutions to the crisis of persons living on Toronto streets.”

The current report responds to the request in 18(2). The section of this report titled “Access to Public Space” specifically addresses the enforcement issues referred to in 18(1). As mentioned in the response to Motion 6, the City does not have the authority to direct the actions of the Police Service.

## Motion I(1)

- (a) ...that a zero tolerance policy be adopted with respect to sleeping on City property;

While there does not appear to be any legally recognized interpretation of the term “zero tolerance,” the adoption of a zero tolerance policy with respect to sleeping on City property would likely mean that all instances of sleeping on City property would have to be responded to with some form of enforcement though the type of enforcement might vary. Because there are currently by-laws in place which permit sleeping on certain City property in certain situations, it would not be possible at this time to enact a zero tolerance policy with respect to sleeping on all City property. To enact a such a policy, the City would first have to prohibit sleeping on all City property at all times or limit the application of the policy to specified City properties.

- (b) ...that a voluntary registry be set up and homeless persons be identified, listed and offered choices for regular shelter, if they so request;
- (c) ... that a tracking system be developed to monitor the whereabouts of those registered, to ascertain the efficacies of the program;

Homeless persons who interact with high-support street outreach or drop-ins are requested to voluntarily provide their names and pertinent details so that the supporting agency can keep track of the clients with whom it is working. Persons who request service directly at a shelter must provide their names. Street outreach workers, as part of their case management functions, monitor the situation of their clients on a regular basis.

There is no legislation that expressly permits or prohibits the establishment by the City of a voluntary registry or tracking system for homeless persons. Accordingly, the City’s authority to collect, use and disclose the personal information required to operate a registry would be

governed by the *Municipal Freedom of Information and Protection of Privacy Act* (“MFIPPA”). With respect to collection of personal information, subsection 28(2) of MFIPPA states:

No person shall collect personal information on behalf of an institution unless the collection is expressly authorized by statute, used for the purposes of law enforcement or necessary to the proper administration of a lawfully authorized activity.

Assuming that the provision of services to homeless persons in order to assist them to find permanent housing would be considered a “lawfully authorized activity,” the key legal question that arises is whether a voluntary registry or tracking system is necessary for the “proper administration” of those services. The answer to this question would depend on an assessment of several factors including the purpose, scope, function and use of the system. As no registry or tracking system has been developed yet, it is not possible to answer that question at this time.

(d) ... that those who do not wish to avail themselves of the opportunity to seek shelter be encouraged to use the City’s available shelter facilities.”

City and community-based outreach staff encourage homeless persons to seek shelter accommodation as a short-term solution. This report proposes an outreach-based strategy which seeks to find and access long-term housing options for the homeless.

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## Attachment II.

### City Of Toronto Interdepartmental Service Protocol For Homeless People Camping In Public Spaces

This document sets out the interdepartmental protocol intended to guide City staff in providing outreach services to homeless individuals camping outside in public spaces to assist them access permanent solutions, prior to the enforcement of City by-laws which may cause their displacement and the removal of their belongings.

#### Outreach Services to Assist Homeless People in Public Places: Overview and Goals:

The goal of the City outreach initiative is to assist and encourage people currently camping in public spaces to access safer and healthier alternatives to living outside, including housing, support services and shelter. The initiative also seeks to balance the need to provide appropriate supports to vulnerable individuals camping in public spaces with the civic responsibility of maintaining the use of public spaces for public use.

The outreach initiative to homeless persons provides a more intensive, proactive and coordinated effort among City departments. Outreach efforts to the homeless also include connecting and co-ordinating the activities of relevant community and government agencies to access a mix of supports and resources, streamline access to services, and avoid duplication of effort.

The outreach initiative provides the co-ordination and delivery of human services prior to any enforcement activities related to public spaces, such as removal of unauthorized structures, personal goods and debris. In many circumstances it is anticipated that given the appropriate outreach and supports over time, individuals will be assisted in securing better alternatives than sleeping outside and will voluntarily vacate public spaces making enforcement unnecessary.

To respond to the needs of homeless individuals, the outreach initiative is delivered on a case-by-case basis and focused on a site-by-site approach. Staff efforts will focus on larger sites where more people are in need of assistance, where there are encampments, and where there are safety concerns. Staff efforts will also seek to address the needs of single individuals camped in parks, public transit shelters and city streets.

#### City Service Principles:

The following five principles guide the initiative:

- (1) The City is committed to working with homeless individuals living outside to respond to their individual needs on a case-by-case basis by assisting them access services and supports, including permanent housing.
- (2) The City will use a co-ordinated approach between City departments in responding to the needs and issues related to homeless people camping outside. Activities will also be co-ordinated with community agencies to access a mix of supports and resources, streamline access to services, and avoid duplication of effort.
- (3) The City will engage in ongoing proactive communication with homeless individuals, the public, service providers, community agencies and other groups to assist in the successful implementation of the protocol.
- (4) The City priority is to assist homeless people access safer, sustainable, and healthier alternatives than living outside, not enforcement. Enforcement will not occur until all support efforts have been completed and only after individuals have been formally notified that they are to vacate a public place. In the event of exceptional circumstances, however, intervention may be required to address immediate public safety concerns.
- (5) The City acknowledges that homeless individuals cannot be forced to accept services and supports. However, the refusal of an individual to accept services and supports is not sufficient reason to prevent the enforcement of City by-laws prohibiting camping in public places and erecting structures.

#### Program Delivery:

The outreach initiative provides intense street outreach supports to homeless people and, only when necessary, enforcement and removal activities.

City departments involved in human service programming such as Shelter, Housing and Support, Social Services and Public will participate in the outreach initiative, with SHS having the lead role. As part of this process the initiative will focus and prioritize the provision of human services including street outreach, drop-ins, shelters, income support, housing access, and related support services.

City departments with enforcement responsibilities include Works and Emergency Services, Parks and Recreation, and Facilities and Real Estate. Enforcement activities will depend upon the success of outreach activities, the need for such services, the location of the site, and the department responsible.

#### Focused Outreach:

- (1) The City will be proactive in responding to the needs of homeless people living outside. Locations where outreach services are needed will be identified by Shelter, Housing and Support, Works and Emergency Services, Parks and Recreation and other City departments and agencies.
- (2) The Shelter, Housing and Support Division will co-ordinate the delivery of outreach services and conduct needs assessments of individuals who are sleeping outside at specific sites. The needs assessment will include identification of community agencies working with the individual or who should be requested to assist.
- (3) Each individual will be offered assistance, as required, to access health, mental health, addiction and family reunification services, income support, housing and supportive housing options, and shelter and outreach services.
- (4) Through the work of Shelter, Housing and Support staff and other community support agencies, homeless individuals will be offered personal, timed and regular street outreach to assist in moving from living outside and securing better alternatives in advance of any enforcement activities.

#### Notification and Enforcement of Public Space:

- (1) Shelter, Housing and Support will coordinate efforts to provide services for homeless people provided by community agencies and other City departments, including Public Health and Social Services and will work closely with Works and Emergency Services, Parks and Recreation, Facilities and Real Estate and other departments to ensure that the timing of enforcement activities does not conflict with the outreach efforts.
- (2) Works and Emergency Services, Parks and Recreation, Facilities and Real Estate and other City departments and agencies are responsible for providing notice to individuals that camping is to be discontinued and that personal goods, debris and structures are to be cleared from a public space or right of way.
- (3) Notices will be given to individuals in advance. The timing of issuing notices will be determined in consultation with Shelter, Housing and Support staff. Formal enforcement

notices will provide relevant and clear communication to the individual. In addition, site specific information notices for each location will be attached to provide a list of resources to provide individuals with information regarding access to housing, support services and shelter in the area.

- (4) When public space enforcement activities are initiated by a City department. Shelter, Housing and Support outreach staff will at all times accompany enforcement officers to continue providing supports to individuals who up to that point had not accepted outreach services.
- (5) Where deemed necessary, by-law enforcement officers will co-ordinate activities with the Toronto Police Service to maintain the safety of staff and individuals still at the site.

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Attachment III.

Authority: Policy and Finance Committee Report No., Clause No., as adopted by City of Toronto Council on February 1, 2005

Enacted by Council: February 1, 2005

CITY OF TORONTO

Bill No.

BY-LAW No.

To Authorize the Amendment of By-law No. 1994-0784 of the Former Corporation of the City of Toronto regarding Nathan Phillips Square

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

1. Section 1 of By-Law No. 1994-0784 of the former Corporation of the City of Toronto regarding Nathan Phillips Square (the “By-Law”) is amended by adding the following definition before the definition of COMMISSIONER:

CAMP — includes sleeping in the Square during the day or night, whether or not a tent or temporary abode of any kind is used.

2. Section 2 of the By-law is amended by adding the following as subsection M:

M. Camp or erect or place a tent or temporary abode of any kind.

3. Subsection 3A of the By-Law is amended by deleting clause (4).

ENACTED AND PASSED this 1<sup>st</sup> day of February, A.D. 2005.

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Mayor

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City Clerk

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Attachment IV.

No. 1994-0784. A BY-LAW

To re-enact By-law Nos. 34-74 and 306-67 respecting Nathan Phillips Square” to reflect proposed Municipal Code Chapter 237, Nathan Phillips Square.

(Passed October 11, 1994.)

WHEREAS the City may pass by-laws with respect to Nathan Phillips Square under:

- (a) sections 6 (sale of refreshments in Square and City Hall) and 8 ( use of City Hall and Square for commercial or administrative purposes) of *The City of Toronto Act 1965*, S.O. 1965, c.171;
- (b) section 2 (by-laws for the use, regulation, protection and government of the Square) *The City of Toronto Act 1973*, S.O 1973, c. 213;

AND WHEREAS Council at its meeting held on September 26 and 27, 1994 adopted Clause 110 of City Services Committee Report No. 13 and authorized the introduction in Council of bills to repeal and re-enact By-law No. 34-74, being “A By-law To provide for the use, regulation, protection and government of Nathan Phillips Square.” and By-law No. 306-67, being “A By-law To prohibit or regulate the erection of signs or other advertising devices and the posting of notices on buildings or vacant lots within Nathan Phillips Square.”, to reflect the drafting style and Interpretation Chapter of the City’s proposed Municipal Code, with the additional revisions noted on Revised Chapter 237, on file with the City Clerk;

THEREFORE the Council of the Corporation of the City of Toronto enacts as follows:

ARTICLE I

1. As used in this Article, the following terms shall have the meanings indicated:

COMMISSIONER -- The Commissioner of City Property.

DESIGNATED AREA -- An area designated under Section 6A for the parking of portable display units for the purpose of selling food products or refreshments.

PERMIT ZONE -- Any part of the Square that is designated by shading on the map in Schedule A at the end of this chapter.

PORTABLE DISPLAY UNIT -- A pushcart or other portable display unit approved under this By-law for the purpose of vending.

SQUARE -- The land delineated by a heavy line on the map in Schedule A at the end of this chapter.

VENDING -- To sell, offer for sale, display, place or expose any goods, wares, merchandise, products, crafts, jewellery, refreshments, foodstuffs or any other items.

VENDOR - Any person who, under the authority of an agreement entered into under Section 6B, sells, offers for sale, vends, displays, places or exposes any goods, wares, merchandise, products, crafts, jewellery, refreshments, foodstuffs, refreshments or any other items.

2. No person shall, within the limits of the Square:
  - A. Climb or be on any arch, tree, roof of a building or any part of a building, structure or fixture, except any portion which is a public walkways.
  - B. Set off fireworks except theatrical special effects pyrotechnics under Class 7.2.5 of the Federal Explosives Regulations.
  - C. Enter or be in the reflecting pool or throw or place objects in it.
  - D. Stand on any receptacle or container for plants, shrubs or trees.
  - E. Ride a bicycle.
  - F. Wear any ice skates other than on the part of the Square that is physically laid out and intended for use by the public as an ice rink area.
  - G. Drop or throw any object from a roof of a building or from the Colonnade.
  - H. Throw or in any way propel any stone or other missile or projectile in a manner which may cause injury or damage to or endanger any other person or property or which interferes with the use and enjoyment of the Square by any other person.
  - I. Light any fire.
  - J. Ride or stand on any skateboard, roller skate or roller blade.
  - K. Release or hand out helium-filled balloons.
  - L. Light or carry any candle or torch, except a light stick.

3. A. No person shall, within the limits of the Square, except in accordance with terms and conditions of any permission granted by Council, including any related permit, or a permit issued by the Commissioner under Section 5:

- (1) Solicit for or engage in any trade, occupation, business or calling, including producing, manufacturing, selling or offering for sale any goods, wares or merchandise, but this subsection does not apply to the sale of newspapers.
- (2) Drive or park any motor vehicle.
- (3) Use any apparatus, mechanism or device for the amplification of the human voice, music or other sound, or any sound-producing or noise-making instrument or device.
- (4) Camp or erect or place a tent or temporary abode of any kind.
- (5) Erect or place a booth or other structure of any kind.
- (6) Affix any signage, flyer, fabric or other substance to any building, walkway, Colonnade, column, arch or the Peace Garden.
- (7) Set off any theatrical effects pyrotechnics under Class 7.2.5 of the Federal Explosives Regulations, and any application for permission to set off these types of fireworks is subject to the approval of the Chief Fire Official.

B. (1) No person shall, within the permit zone, except in accordance with the terms and conditions of any permission granted by Council, including any related permit, or a permit issued by the Commissioner under Section 5:

- (a) Use any public address system, amplifier, loudspeaker or any other similar instrument or device and if that instrument or device is under the control of an employee of the City Property Department and, if owned by the City, the applicable charge is paid for the employee's services.
- (b) Drive and park any motor vehicle on the Square when it is essential to facilitate an event if:
  - [1] The motor vehicle is escorted by an employee of the City who walks in front of it.
  - [2] The motor vehicle operates with flashing lights.
  - [3] The applicant provides a certified copy of a certificate of insurance, satisfactory to the City Treasurer, in which the City is a named insured and is indemnified against all liabilities which may in any way arise from the motor vehicle being permitted on the Square.

- (c) Erect or place a platform, dais or similar structure or device.
  - (d) Display an exhibit of any kind.
  - (e) Carry on or engage in a demonstration of any sport.
  - (f) Present or take part in any dramatic, musical, artistic or other performance. Poetry reading is deemed not to be an artistic or other performance within the meaning of this subsection, but is deemed to be public speaking.
  - (g) Erect any tent for the enhancement of events and for the provision of shelter from heat or inclement weather during the event if:
    - [1] Any necessary permits are first obtained from the Department of Buildings and Inspections.
    - [2] The tent is erected and secured by a professional tent erection company so that:
      - (a) The slabs on the Square are not damaged; and
      - (b) All fastening devices are clearly marked.
    - [3] The applicant provides a certified copy of a certificate of insurance, satisfactory to the Commissioner of Finance, in which the City is a named insured and is indemnified against all liabilities which may in any way arise from the tent being permitted on the Square.
  - (h) Sell items by registered charities and not-for-profit organizations at designated locations, but only for fundraising activities associated with the event.
  - (i) Erect any sign, including any banner, for an event on which corporate sponsorship is acknowledged, except that no permanent advertising signage shall be permitted.
- (2) No permit shall be issued for any of the activities or things described in Subsection B(1) to a person who has been charged under any section of this Article if the proceedings resulting from the charge have not been finally terminated.
  - (3) The sale of certain items shall be subject to the following:
    - (a) An applicant for a permit for an activity under Subsection B(1) may also apply for permission, for the number of persons specified by the

applicant, to sell or distribute items such as but not limited to buttons, t-shirts, books, magazines, literature or other publications, during the event and if the sale of the items is directly related to the activity.

(b) Where a permit is issued for an activity under Subsection B(1), the Commissioner shall also issue identification markers for each person for whom permission has been sought to sell or distribute items during the activity, and no provision of this Article shall apply to prevent the sale or distribution of any such item during the activity by a person displaying the identification marker if the sale or distribution of the item is otherwise lawful.

(4) Despite any other provision of this Article, the playing of unamplified musical instruments is prohibited during an activity for which a permit has been issued unless prior permission has been granted by the Commissioner, by the City Services Committee or by Council.

4. A. Subject to Section 3B(2), the Commissioner shall issue permits for carrying on, engaging in or doing any of the activities or things described in Section 3B(1) within the permit zone, except that no permit shall be issued for, and despite the issuance of a permit no person shall carry on, engage in or do any of the activities or things:

(1) Subject to Section 3A, for a commercial purpose;

(2) If the period and place have been in whole or in part previously approved under a permit issued to another person; or

(3) If the place is:

(a) Physically unfit for use by the public due to conditions caused by the weather or arising out of or related to Square maintenance or development.

(b) A garden or grassed area.

(c) A part of the Colonnade.

B. Whenever a permit is not issued for any reason in Subsection A(2) or (3), a suitable alternative period and place shall be offered by the Commissioner to the applicant.

C. Despite Subsection A, if the Commissioner is of the opinion that the carrying on, engaging in or doing of any activity or thing referred to in the subsection may, if permitted, lead to or result in injury to persons or damage to property, a permit shall not be issued, but the Commissioner shall report the matter to Council for its decision.

5. A. Where the Commissioner determines that an application for permit as received does not comply with the provisions of this Article, the Nathan Phillips Square guidelines or the policies of Council, an applicant may appeal the refusal to the City Services Committee.

B. Where an applicant has appealed the Commissioner's refusal to the City Services Committee, the Committee, after affording the applicant, any objectors and any other interested persons the opportunity to be heard on the matter, shall recommend to Council whether a permit should be granted, but a permit shall not be recommended or granted unless the Committee or Council is of the opinion that the application complies with the provisions of this Article, the Nathan Phillips Square guidelines and the policies of Council.

6. A. Council may, upon consideration of the recommendations of the Commissioner, designate areas on the Square, which may be used for the purpose of vending.

B. Requests for proposals may be issued by the Commissioner for the operation within the Square of portable display units for vending in designated areas and Council may establish the payment of annual fees in accordance with the proposal approved by it and may require the successful proponent to enter into an agreement with the Corporation upon such terms and conditions as may be required by the Commissioner, in consultation with the City Solicitor, including the terms and conditions contained in Subsection E.

C. Despite anything contained in this or any other by-law, an agreement entered into under this section shall permit the vendor to vend from a portable display unit in a designated area according to the terms and conditions prescribed in the agreement and this section.

D. The vendor shall have the exclusive use of the designated area described in the agreement.

E. Any agreement entered into under this section shall contain the following:

- (1) The vendor shall pay an annual fee as set out in the agreement.
- (2) The vendor shall provide a certified copy of a certificate of insurance in accordance with this section, satisfactory to the Commissioner of Finance, in an amount of at least \$2,000,000.00 per occurrence in which the City is a named insured and is indemnified against all liabilities which may in any way arise from the use of the designated area or anything undertaken or neglected to be undertaken in connection with the permitted use.
- (3) The vendor shall agree to the following terms and conditions:
  - (a) The vendor agrees that the portable display unit shall be constructed of wood, stainless steel, galvanized metal, aluminium or steel with a baked enamel finish or other durable materials and that it shall be constructed and maintained to the satisfaction of the Commissioner.

- (b) The vendor agrees that no sponsorship or advertising shall be placed on any umbrella or canopy used in association with the portable display unit.
- (c) Where the portable display unit is equipped with propane-heater, the vendor agrees to provide a report, from the holder of a certificate under Section 10 of Ontario Regulation 250/94 made under the *Energy Act*, with respect to propane heaters, indicating that the propane heater meets the requirements of the Storage, Handling and Utilization Code, being Ontario Regulation 250/94.
- (d) The vendor agrees to make all necessary repairs and maintain the appearance of the portable display unit in a manner satisfactory to the Commissioner.
- (e) The vendor agrees to vend the items listed in the proposal or agreement and shall not change, alter, add or delete items without the prior written approval of the Commissioner.
- (f) The vendor agrees at all times to observe and comply with, and to ensure strict observance of, all statutory requirements, rules, regulations and by-laws of any municipal or other authority which in any manner affect or relate to the use of the designated area for vending purposes.
- (g) The vendor agrees that there may be at any given time no more than three (3) agents or employees engaged in selling the vendor's products from the portable display unit in the designated area and that the vendor and any agents or employees, where required by Metropolitan Corporation By-Law No. 20-85, as amended, shall hold a valid licence in good standing, issued by the Metropolitan Licensing Commission for the sale of the items proposed to be sold from the portable display unit.
- (h) The vendor agrees that the portable display unit shall not be left unattended in a designated area.
- (i) The vendor agrees to, at all times and at his or her own expense, keep and maintain the designated area and any area adjacent to it in a clean, sanitary and attractive condition free from papers, rubbish and debris of all kinds, satisfactory to the Commissioner.
- (j) The vendor agrees to allow the Commissioner, the Commissioner of Public Works and the Environment, their designates, or any person authorized by a public utility, to enter the designated area for the purpose of installation, maintenance and repair of any pavement, supports, pipes, cables, wires, poles or any other installation or utility.

- (k) The vendor agrees that the term of the agreement, including any option to renew, shall be as provided for in the request for proposals or as otherwise approved by Council and contained in the agreement, so long as the Commissioner is satisfied that the vendor is not in default of any of the provisions of the agreement. Where the Commissioner is not satisfied, he or she shall submit a report to the City Services Committee which shall, after affording the permit holder the opportunity to be heard, report to Council. After consideration of the recommendations of the Commissioner and the City Services Committee, Council may take such action as it deems fits in accordance with the agreement and this section.
- (l) The vendor agrees that the Commissioner may, upon written notice and without affording the vendor an opportunity to be heard, for purposes of special events, maintenance or construction or where he or she knows or has reason to believe that the health or safety of the public is endangered, suspend permission to occupy the designated area for up to four (4) weeks or until the next meeting of Council, whichever comes first, and no compensation or fee reimbursement of any kind shall be payable by the City to the vendor.
- (m) The vendor agrees, upon the cancellation, revocation or suspension of the permission to use the designated area by Council or the Commissioner, that he or she shall, at his or her own cost and expense, immediately remove the portable display unit and all appurtenances related to it from the designated area upon receiving notice, in writing, from the Commissioner to do so and shall not make any claim against the City on account of the removal and shall leave the designated area in a safe and proper condition to the satisfaction of the Commissioner. If the vendor neglects, refuses or fails to do so within the time specified in the notice, the Commissioner may remove the portable display unit from the designated area and restore the designated area to a safe and proper condition and may charge the costs of removal and restoration to the vendor. The certificate of the Commissioner shall be final in determining the costs, and the City may recover the costs from the vendor in any court of competent jurisdiction as a debt owed to the City by the vendor.
- (n) The vendor agrees that City Council may cancel, revoke, refuse to renew or suspend permission to use the designated area in the event of non-compliance with the agreement or this section, or any other reason as may be deemed sufficient, after allowing the vendor the opportunity to be heard by the City Services Committee, and no compensation or fee reimbursement of any kind shall be payable by the City to the vendor.

- (o) The vendor agrees to display any identification or identification marker required by the Commissioner in such a way that it is clearly visible on the vendor's portable display unit.
- (p) The vendor agrees that he or she may not assign or transfer the agreement or permission for use of the designated area.
- (q) The vendor agrees that any violation of the terms of the agreement may be deemed to be a violation of this by-law and that the vendor, in addition to any remedies available under the agreement, may also be charged with an offence and subject to the penalty prescribed by Section 7.
- (r) The Commissioner shall cause each designated area to be clearly marked and delineated so as to identify to the public that the designated area has been designated for the use of the vendor, in accordance with the agreement and this section. The vendor shall not sell or display any items outside the designated area.
- (s) The vendor agrees that he or she shall not use the designated area in whole or in part for any purpose other than the sale of the vendor's products from a portable display unit in accordance with this section and the agreement.

F. Any violation of the terms and conditions of an agreement entered into under this section shall be deemed to be a violation of this by-law.

G. No person shall improperly accept the assignment or transfer of an agreement entered into under this section or the permission for the use of a designated area.

H. Despite any other provision of this section, no person shall vend in a designated area established under Subsection A, or otherwise occupy or use at any time any designated area for the purposes of vending, or park, stop or stand in any designated area any vehicle or portable display unit, unless the owner of the portable display unit is the holder of an agreement for the use of the designated area and the vehicle is a portable display unit as defined in this section and the agreement."

7. All applications for a permit for the use of the Square shall be submitted to the Events Co-ordinator in the City Clerk's Department, who shall be responsible for:

- A. The management, design, development, delivery and monitoring of City events on the Square; and
- B. The facilitating and monitoring of all other events on the Square.

8. Persons or organizations seeking to hold events on Nathan Phillips Square shall sign a declaration stating that:

- A. In the services that are being provided to the public or by the person or organization seeking to hold the event, the person or organization complies in all respects with the Ontario Human Rights Code.
- B. Any event to be held on the Square shall be open to all persons interested in attending the event.

9. This Article does not apply to:

- A. The driver, operator or crew member of an ambulance or police or fire department vehicle, or the rider or attendant of a police department horse, while in the performance of his or her duty.
- B. An employee of the City while doing work or performing services for or on behalf of the City.
- C. A person hired or engaged by the City to do any work or perform any services within the limits of the Square.
- D. A person engaged in location filming during a period and at a place as have been first approved in a permit issued by the City's Film Liaison with the approval of the Commissioner of City Property if the activities under the permit are carried on, engaged in or done during the period and at the place and in a manner consistent with the permit.

10. In addition to any penalty provided by this Article and subject to the provisions of this Article, the right of any person to enter or be upon the Square is conditional upon the person's refraining from carrying on, engaging in or doing any activity or thing that is prohibited under this Article.

11. Any person who contravenes any provision of this Article is guilty of an offence and, on conviction, is liable to a fine of not more than the maximum fine under Section 61 of the *Provincial Offences Act*.

12. An unexpired permission or permit issued under By-law No. 34-74 with for the use of any part of the Square is deemed to be the permission or permit for the same use of the part of the Square under this Article.

## ARTICLE II

13. As used in this Article, the following terms shall have the meanings indicated:

COMMISSIONER -- The Commissioner of City Property.

ERECTION OF A SIGN -- Includes the erection of a sign or other advertising device or posting of a notice.

SQUARE -- The land delineated by a heavy line on the map in Schedule A at the end of this chapter.

14. A. No person shall erect any sign, other than a sign referred to in Subsection B, or cause or permit any sign to be erected on the Square unless a permit for it has been issued by the Commissioner under this Article and the sign is in compliance with the permit.

B. The car wash and service station location under the surface of the Square and the Parking Authority of Toronto may maintain in their present positions on the Square any sign which was erected on the Square on July 7, 1967.

15. The Commissioner, upon receipt of an application describing the location, physical structure and dimensions of a sign and the wording or other inscription on it, in sufficient detail to ensure compliance with this Article, shall issue a permit to allow the erection of the sign if:

A. The applicant is the Parking Authority of Toronto or the proprietor or operator of the car wash and service station and the sign is similar in form and location to a sign the maintenance of which is permitted by Section 14B.

B. The applicant is a person, corporation or association who or which has been given permission by the Council to use the Square for purposes of an exhibit, concert, performance or activity and the sign is neatly printed on cardboard stock, masonite or similar material and if the sign is not a permanent advertising sign.

C. The applicant is an officer, employee or agent of a municipality or local board of a municipality occupying part of the City Hall or other part of the Square and the sign is to be erected in connection with the carrying out of a function of the municipality or local board.

D. The applicant holds from the City a lease or licence of a part of the City Hall or other part of the Square and is authorized by the lease or licence to erect the sign.

16. A. Council may, despite anything in this Article, upon application to it by the Parking Authority of Toronto or the proprietor or operator of the car wash and service station, made to the Council through the Commissioner in the manner set out in Section 15, grant to the Authority or the proprietor or operator permission to erect a sign other than those referred to in Section 15A.

B. If such permission is given, the Commissioner shall issue a permit.

17. A permit issued by the Commissioner under this Article shall prescribe the location, physical structure, dimensions and wording or other inscription on it of any sign to be erected under the permit.

18. The Commissioner may remove any sign erected on the Square other than a sign erected in compliance with this Article.

19. Any person who contravenes any provision of this Article is guilty of an offence and, on conviction, is liable to a fine of not more than the maximum fine under section 61 of the *Provincial Offences Act*.

20. An unexpired permit issued under By-law No. 306-67 for the erection of a sign on any part of the Square is deemed to be the permit required for the erection of the sign on the part of the Square under this Article.

21. This by-law comes into force on January 9, 1995.

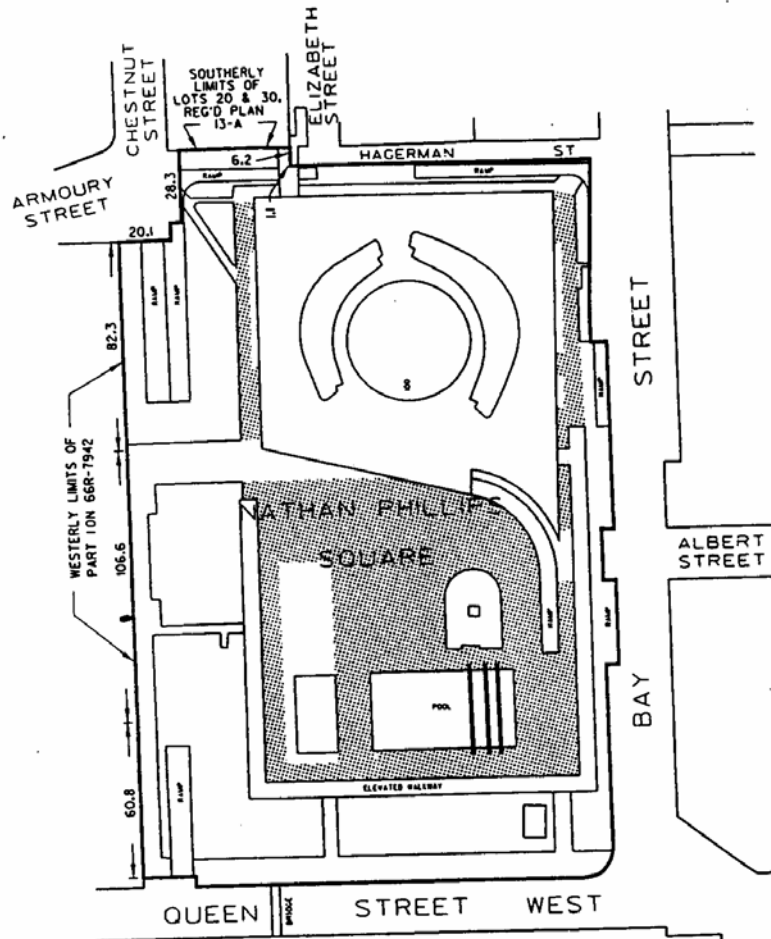
JUNE ROWLANDS,  
Mayor.



BARBARA G. CAPLAN  
City Clerk.

Council Chamber,  
Toronto, October 11, 1994.  
(L.S.)

Chapter 237

**SCHEDULE A  
NATHAN PHILLIPS SQUARE**



-  NATHAN PHILLIPS SQUARE
-  PORTIONS OF THE SQUARE WHERE CERTAIN ACTIVITIES REQUIRE A PERMIT



DEPARTMENT OF PUBLIC WORKS  
AND THE ENVIRONMENT  
SURVEY AND MAPPING SECTION  
TORONTO DECEMBER, 1993  
FILE: 1304  
MAP No. 50H-113 DRAWN: G.M.

The Policy and Finance Committee also considered the following communications:

- (1) (January 18, 2005) from the Advisory Committee on Homeless and Socially Isolated Persons;
- (2) (January 18, 2005) from Peggy Birnberg, Co-Chair, HomeComing Community Choice Coalition;
- (3) (January 18, 2005) from Nadira Sheralam;
- (4) (January 19, 2005) from David Caplan, Minister of Public Infrastructure Renewal and from Joseph Montana, Minister of Labour and Housing; and
- (5) (January 18, 2005) from Barbara Hurd, Community Legal Worker, Kensington-Bellwoods Community Legal Services.

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The following persons addressed the Policy and Finance Committee:

- James Robinson, Downtown Yonge B.I.A.;
- Cathy Crowe, Toronto Disaster Relief Committee;
- Michael Shapcott, Co-ordinator, Community-University Research Partnerships Unit, Centre for Urban and Community Studies, University of Toronto, and filed a written submission;
- Anne Fitzpatrick, Housing Acting Now, and filed a written submission;
- Margaret Vandenbroucke, Volunteer, Homelessness Action Group, and filed a written submission;
- Brad Butt, Executive Director, Greater Toronto Apartment Association, and filed a written submission;
- Tim Rourke;
- Bonnie Briggs; and filed a written submission;
- Professor Mariana Valverde, Centre of Criminology, University of Toronto;
- Adam Chaleff-Freudenthaler and Jennifer Dalton, Toronto Youth Cabinet, and filed written submissions;
- Murray MacAdam, Social Justice and Advocacy Consultant, Anglican Diocese of Toronto;
- Lee Creal, Housing Action Committee, Anglican Diocese of Toronto;

- Sheryl Lindsay, Hostel Outreach Program;
- Victor Willis, Executive Director, Parkdale Activity-Recreation Centre;
- Gaetan Heroux, Ontario Coalition Against Poverty;
- Molly Sutkaitis, Raging Grannies;
- Representing the Ontario Association of Hostels (OAH):
  - Keith Hambly, Fred Victor Centre;
  - Debbie Hill-Corrigan, Executive Director, Sojourn House; and
  - Dion Oxford, Salvation Army Gateway; and filed a written submission;
- Daniel J. Heap;
- Amber Kellen, Public Education and Advocacy Worker, John Howard Society of Toronto, and filed a written submission;
- Debra Phelps, Health Promoter, Queen West Community Health Centre, and filed a written submission;
- Tim Huff, Director, Youth Unlimited and Dion Oxford, Street Level Toronto, and filed a written submission;
- Don Weitz;
- Beric German, Toronto Disaster Relief Committee and Street Health;
- Wangari Muriuki and Maurice Adongo, Street Health;
- Stan Hutchings;
- Paula Johnstone; and
- Malcolm Katt, and filed a written submission.

The following Members of Council also addressed the Policy and Finance Committee:

- Councillor Doug Holyday, Etobicoke Centre;
  - Councillor Norman Kelly, Scarborough-Agincourt, and filed a written submission;
  - Councillor Giorgio Mammoliti, York West;
  - Councillor Jane Pitfield, Don Valley West; and
  - Councillor Michael Walker, St. Paul's.
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***City Council – February 1, 2 and 3, 2005***

*Council also considered the following:*

*Report dated January 31, 2005, from the Chief Administrative Officer:*

*Subject: Feasibility of Allocating 5 Percent of the Sales Proceeds of Surplus Properties to be Used for the Construction of “Crash” Affordable Housing (All Wards)*

*Purpose:*

*To report on the feasibility of allocating 5 percent of the proceeds from the sale of surplus City property to be used for the construction of "crash" affordable housing.*

*Financial Implications and Impact Statement:*

*There are no financial implications arising from the recommendations of this report.*

*Recommendation:*

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

*Background:*

*At its meeting held on January 19, 2005, Policy and Finance Committee considered a report from the Chief Administrative Officer, the City Solicitor, the Commissioner of Community and Neighbourhood Services and the Acting Commissioner of Works and Emergency Services entitled “From the Streets into Homes: A Strategy to Assist Homeless Persons to Find Permanent Housing”.*

*One of the key strategies proposed in the report includes collaborations with other governments. In this regard the report indicates on page 13 that it is expected that \$30 to \$50 million in new affordable housing funding will come to Toronto from the provincial and federal governments in the next four to five years.*

*In addition to this anticipated funding, the Policy and Finance Committee endorsed a series of recommendations made within the report to provide the funding towards affordable housing options:*

- \$14.2 million from the settlement between the City and the Province of Ontario in regard to the cancellation of certain social housing projects by the former Provincial government*
- \$11.2 million of this funding is to be transferred to the Capital Revolving Fund for affordable housing*
- \$3 million is to be transferred to the Mayor’s Homelessness Initiative Reserve Fund (MHIRF) for transitional funding*

- *\$1.5 million from the Supporting Communities Partnership Initiative (SCPI) to engage street outreach workers, housing follow-up workers and related initiatives*
- *\$1.1 million from the MHIRF for emergency shelter, assessment and referral service and expanded drop-in hours for Winter 2005-2006*
- *\$0.7 million from SCPI for a pilot project to help homeless people access care*
- *\$0.9 million from the MHIRF for pre-development work for affordable housing development*

*The Committee also requested the Chief Administrative Officer to submit a report directly to City Council at its meeting to be held on February 1, 2005 on the feasibility of allocating 5 percent of the proceeds from the sale of surplus City property to be used for the construction of “crash” affordable housing.*

*Comments:*

*Since 1999, the City of Toronto has supported the creation of new affordable housing through the Housing First Policy on surplus City-owned land and made a variety of sites available to non-profit housing agencies. The City also continues in many cases to provide grants, loans, and waivers on property taxes, development charges and building fees. The recommendations in the “From the Streets into Homes” report strengthens the City’s commitment to funding affordable housing solutions and finding homes for homeless families and individuals.*

*With respect to the disposition of proceeds from the sale of surplus City-owned real property, at its meeting of June 18, 19 and 20, 2002, City Council adopted as amended Clause No. 1 of Report No. 9 of the Policy and Finance Committee thereby, among other matters, approved the policy and procedures governing land transactions among the City Agencies, Boards, Commissions and Departments and the disposition of proceeds from the sale of surplus City-owned real property. Council further requested the Chief Financial Officer and Treasurer to report on the establishment of the necessary reserve funds to give effect to the policies and procedures.*

*City Council, at its meeting of November 26, 27 and 28, 2002, adopted Clause No. 4 of Report No. 15 of the Policy and Finance Committee thereby approving the creation of land acquisition reserve funds for City’s Agencies, Boards, Commissions and Departments consistent with Council’s aforementioned policy.*

*In the finalization of the policy governing land transactions among City Agencies, Boards, Commissions and Departments and proceeds from the sale of surplus City-owned real property, the issue of dedicating proceeds to a specific program has been thoroughly reviewed by the Property Management Committee.*

*The Committee has concluded that the dedication of a fixed percentage of the proceeds from surplus properties to a specific program would be counter to Council’s long-established practice of maintaining full accountability for the annual expenditure of City revenues. The allocation of funds held in the City’s Land Acquisition Reserve Fund (“LARF”) or other capital reserve funds should be made on an annual basis by Council and within the context of capital budget deliberations.*

*It is anticipated that funds allocated through the proposed 5% allocation of surplus property revenues would be relatively small and declining in the future as the City's stock of surplus property diminishes. Currently it is estimated that the City will realize \$10-15 million in revenues from the sale of surplus property in 2005.*

*This report has been prepared in consultation with staff from Facilities & Real Estate and Finance.*

Conclusions:

*Toronto City Council has approved a variety of measures to fund new affordable housing. The "From the Streets into Homes" report recommends the City make further investments and indicates that additional federal/provincial funding will shortly become available.*

*In the context of the Council approved policy entitled "Policy Governing Land Transactions Among City Agencies, Boards, Commissions and Departments and Proceeds from the Sale of Surplus City-Owned Real Property", it is not desirable to dedicate any percentage of the sales proceeds to any initiatives or programs, including but not limited to the use for the construction of "crash" affordable housing.*

Contacts:

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Report No.: cc05-29*

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*Report dated January 31, 2005, from the Chief Administrative Officer and the Commissioner of Community and Neighbourhood Services:*

*Subject: Response to Toronto Youth Cabinet's Submission to Policy and Finance Committee Regarding the "From the Street into Homes" Report*

Purpose:

*The purpose of this report is to respond to the recommendations brought forward by the Toronto Youth Cabinet (TYC) to Policy and Finance Committee regarding youth homelessness.*

Financial Implications and Impact Statement:

*There are no financial implications to this report.*

Recommendation:

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

Background:

*On January 19, 2005, a report entitled "From the Street into Homes: A Strategy to Assist Homeless Persons Find Permanent Housing" was considered at the Policy and Finance Committee. The Toronto Youth Cabinet made a deputation to the Committee that included several recommendations specific to youth homelessness. The Committee requested a report directly to City Council on the Youth Cabinet submission.*

*Staff from the Shelter Housing and Support Division met with representatives of the Toronto Youth Cabinet on January 27 to discuss the wide range of activities already being undertaken to address youth homelessness by the City in partnership with community agencies, and to more fully discuss the recommendations put forward by the Youth Cabinet. The meeting was productive and it was agreed that an ongoing relationship between the Youth Cabinet and staff in Shelter Housing and Support would be mutually beneficial. The meeting was useful in clarifying the areas of most concern to youth and for considering different ways to approach and resolve issues.*

*The City's Shelter Housing and Support Division currently funds many programs and services targeted directly to homeless youth. There are 13 youth shelters across the City, providing 579 beds. These shelters have staff who work with youth to find permanent housing and to support them to continue/return to school or to find employment.*

*Through the Homeless Initiatives Fund, 14 youth specific projects are funded which provide a range of services including housing help and eviction prevention, drop-in , harm reduction and street outreach services.*

*Youth homelessness is an area of priority under the federal homelessness program Supporting Communities Partnership Initiative (SCPI). In the first round of the program, close to \$4 million was expended on 33 youth-related projects, including transitional housing projects, a youth shelter, small capital improvements to youth facilities and a wide range of youth specific services. Under the current SCPI funding, 23 projects have been approved to date, investing close to \$5 million in youth-related activity.*

*HRSDC managed a SCPI Youth Program directly between 2000-2004. Under this program, 39 additional projects for homeless and at-risk youth in Toronto were funded, including projects which created 124 new transitional housing beds/units and 30 new shelter beds. The federal government, under its youth employment strategy, also has a program called Skills Link which provides support to youth facing barriers to employment to develop the broad range of skills, knowledge and work experience they need to participate in the job market.*

Comments:

*The Toronto Youth Cabinet submission to Policy and Finance Committee made seven recommendations to the City. The recommendations are itemized below, with clarification and responses outlined after each recommendation.*

- (1) 10% of affordable housing built in the City of Toronto be dedicated to youth. The TYC includes supportive and transitional housing in this target.*
  - Under SCPI (2000 –2004), 135 units/beds of transitional housing were specifically developed for youth (includes the City of Toronto and HRSDC youth projects).*
  - Under SCPI (2003-2006) a 27-unit development is being targeted to young parents.*
  - Both supportive and transitional housing projects tend to accommodate people with similar support needs (e.g. mental health, refugees, abused women) rather than being age related.*
  
- (2) Design and implementation of an eviction prevention program specifically for youth.*
  - There are currently 8 projects which specifically provide housing help and eviction prevention services to youth.*
  - As part of the current review of housing help services being undertaken by the Division, the issue of access to these services by youth and whether the services need to be modified or adjusted to better serve youth will be specifically explored and addressed.*
  
- (3) Implement peer to peer mentorship and distribution of youth-friendly information guides.*
  - A number of youth friendly resources have been developed with SCPI funding. Staff will confirm that these are being appropriately distributed to maximize access by youth.*
  - The concept of peer-to-peer mentorship is known to be an effective approach for reaching hard-to-serve youth. Staff will consult with existing youth serving agencies to discuss ways that this approach might be more fully utilized in their service delivery and to discuss issues of access to services in general.*
  
- (4) Offer Parks and Recreation programs to homeless youth.*
  - The Parks and Recreation Strategic Plan includes a recommendation to provide day-time drop-in and recreation opportunities for homeless and out-of-school youth to build their self-esteem and connection with the community. An action*

*plan related to this strategic direction is under development by Parks and Recreation to enhance existing efforts in supporting these youth.*

- *Staff from Shelter Housing and Support will work with Parks and Recreation and the TYC to support implementation of this recommendation.*
- (5) *Identify homeless youth with mental health and/or substance use issues and develop policies and programs which recognize the additional needs of these youth.*
- *The specific needs of youth will be addressed through implementation of the pilot multi-disciplinary outreach team which will be assisting homeless people living with personality disorders, mental illness, addictions and developmental challenges.*
  - *The City will continue to work with the Ministry of Health and Long Term Care on these issues and advocate for the unique needs of homeless and at risk youth.*
- (6) *Undertake an assessment of all youth programs, services, housing supports and life skills training facilities funded by the City in order to increase consistency, effectiveness and efficiency of current services.*
- *A list of all agencies, programs and projects which are serving homeless or at risk youth and funded by the City will be provided to the TYC.*
- (7) *Allocate two of the six temporary shelter support workers to youth.*
- *The six positions which were identified in the January 19 staff report to Policy and Finance Committee, are not shelter support workers but rather street outreach workers who will support and enhance existing outreach programs, including those targeted at youth.*
  - *These workers will be hired to work with all people living on the streets. Youth living rough are a priority in the outreach program.*

*To further co-ordinate the work of Shelter Housing and Support with the Toronto Youth Cabinet, a representative of the TYC will be invited to be a member of the Street Outreach Steering Committee to be established by the General Manager. This will facilitate and support the implementation of the street outreach action plan and assist in addressing the TYC recommendations.*

*In a January 11 deputation regarding the Community and Neighbourhood Services Budget, the Toronto Youth Cabinet recommended the establishment of a youth subcommittee of the Advisory Committee on Homeless and Socially Isolated Persons. This has been discussed at the Advisory Committee and has received general support. Specific terms of reference are now being developed.*

Conclusions:

*This report provides a response to the Toronto Youth Cabinet submission to Policy and Finance Committee (January 19, 2005) regarding street homelessness. Specific follow-up will occur to include the TYC on the Street Outreach Steering Committee and establish a youth sub-committee of the Advisory Committee on Homeless and Socially Isolated Persons. The General Manager, Shelter, Housing and Support will also engage members of the Toronto Youth Cabinet in additional initiatives which focus on youth homelessness issues.*

Contact:

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Email: [pbrown1@toronto.ca](mailto:pbrown1@toronto.ca)*

*Trish Keachie, Manager  
Supporting Communities Partnership Initiative  
Phone: 416-397-4693  
Fax: 416-338-1144  
Email: [tkeachi@toronto.ca](mailto:tkeachi@toronto.ca)*

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*Report dated January 31, 2005, from the Commissioner of Community and Neighbourhood Services:*

*Subject: Improvements in Toronto Shelter Services*

Purpose:

*The purpose of this report is to update Council on improvements in Toronto shelter services and to comment on issues that require further attention.*

Financial Implications and Impact Statement:

*There are no financial implications arising from this report.*

Recommendation:

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

Background:

*Policy and Finance Committee, at its meeting of January 19, 2005, had before it a report entitled "From the Street into Homes: A Strategy to Assist Homeless Persons find Permanent Housing". At this meeting a number of deputants commented on the operation of and conditions in shelters.*

*The Policy and Finance Committee:*

- (1) requested the Commissioner of Community and Neighbourhood Services to submit a report directly to Council for its meeting to be held on February 1, 2005:*

- (i) *outlining the status of improvements made to date in Toronto shelters and the matters still outstanding.*

*This report responds to that request.*

*Comments:*

*This report discusses service and facility improvements made in Toronto shelters over the last few years in five key areas: program accountability, personal space, building conditions, programs and services, and current issues. During the deputations at the meeting of January 19, 2005, comments were made by deputants on a number of specific issues related to shelter services. Particular reference was made to overcrowding, daytime access, tuberculosis and bed bugs.*

*Program Accountability:*

*Over the past three years Hostel Services has developed new systems for improving program accountability. Two major initiatives have improved program accountability in shelters: revised shelter standards and the quality assurance review process.*

- (a) *Revised Shelter Standards*

*In November 2002 City Council approved revised shelter standards. These standards identify service expectations in shelters and outline agency governance requirements. These standards are the benchmark against which the quality of service is assessed in the quality assurance review process. Shelter providers were given until January 2004 to implement the standards in their operations.*

*The standards are organized into seven categories:*

- (i) *Standards of Organization – outlines the organizational requirements of purchase of service shelter operators, governance requirements, financial accountability mechanisms, program accountability processes and conflict of interest criteria;*
- (ii) *Access to Shelter – identifies acceptable admission and discharge practices, acceptable practices in providing service to clients who use substances, requirements if restricting service, and meeting the needs of transgendered, transsexual and two-spirited residents;*
- (iii) *Resident Rights and Responsibilities – identifies the rights and responsibilities a resident has when in a shelter, the ability for residents to provide input and procedures regarding complaints and appeals;*
- (iv) *Program Standards – identifies essential services a client can expect including personal space requirements, counselling supports, daytime access requirements, service requirements if children are present, confidentiality requirements and staff code of conduct;*

- (v) *Food Safety and Nutrition Standards – identifies the food requirements necessary to meet the requirements of Canada’s Food Guide, the provision of three meals and snacks and acceptable food safety practices;*
- (vi) *Health and Safety Standards – identifies health standards (including first aid, CPR, universal precautions, communicable disease information, etc.), safety standards (including fire safety, evacuation, maintenance, etc.), the storage and documentation protocols for resident medication, and how to deal with weapons, illegal substances and contraband;*
- (vii) *Staff Training – which identifies all the mandatory training requirements of an individual working in a shelter which are critical for safe and effective shelter service delivery, as well as recommended training which can improve the quality of shelter services.*

*The revised standards represented a significant enhancement from previous shelter standards. The revised standards set higher and more specific expectations for shelter operators and provide a framework for increased accountability.*

(b) *Quality Assurance Review Process*

*The Quality Assurance Review Process examines shelter operator compliance with the shelter standards, reviews core business practices, and commits to continuous improvement including updating the shelter standards every three years.*

*From June through December 2004 Hostel Services staff completed the first phase of the Quality Assurance Review Process, visiting each of the 65 shelters in Toronto to perform the review of their performance against the shelter standards. A day or more was spent at each site reviewing all applicable standards contained within the 165 shelter standards. Reviewing the standards required an examination of up to 479 separate measures in each shelter. These were reviewed by visually inspecting the facility, measuring sleeping areas, counting toilet and shower facilities, interviewing the Executive Director or shelter manager, reviewing program and financial files submitted to Hostel Services and reviewing Board Resolutions.*

*The reviews were completed by an interdisciplinary City staff team with a minimum of three staff conducting each site visit. This included an Environmental Health Officer from Public Health, the Hostel Services’ Agency Review Officer directly responsible for the shelter’s operations, and, one other Hostel Services staff member. During the quality assurance review, staff noted areas where the shelter was fully meeting, partially meeting or not meeting a standard.*

*The results from the review are being finalized and will be sent out to shelter providers and reported to Council in the first half of 2005. Once shelters receive their results they will be expected to develop a remediation plan to address any and all shortcomings identified during the site review process.*

*Personal Space:*

*Approximately 4,300 shelter beds are available on any given night to provide services to single men and women, youth and families. Services are provided in a variety of different settings, from a small 10-bed shelter up to programs with more than 500 beds spread across multiple floors. In most programs, residents will share a small dormitory space with five or six other people. In a small number of larger shelters, particularly those for single adult men, larger dormitories are used. In these facilities operators often provide greater privacy by providing some sort of privacy barrier. In new facilities Hostel Services is committed to design and planning to optimize the amount of personal space within the facility including bedrooms with only a small number of beds and larger common areas.*

*(c) Space Standards*

*The revised shelter standards marked the first time a personal space standard was introduced into shelter service delivery. The space standard stipulates that each person must have 3.5 square metres (37.7 square feet) in the sleeping area, and that there must be a separation distance of 0.75 metres (2.5 feet) between the edge of beds, including vertical separation of bunks. These particular measurements were chosen and approved by Council after research of Health Canada, United Nations High Commissioner for Refugees, U.S. Federal Emergency Management Agency, Doctors Without Borders, Humanitarian Charter and Red Cross standards, as well as examples from other jurisdictions.*

*Since Council passed the standard, City staff have measured space requirements in sleeping areas three times, the last of which was during the quality assurance review site visits. The purpose of these repeated measurements was to determine how reconfiguring existing space has impacted the original estimate of the number of beds to be taken out of the system and replaced. Twenty-three shelter facilities across all sectors of the shelter system were originally identified as having to lose beds as a result of the new space standards. Since that time, ten facilities have resolved the space issue through capital improvements or reconfiguring beds. An additional four facilities are currently in the process of making capital improvements to address their space issues. Only nine facilities have outstanding space standard requirements that are not met. Hostel Services is planning to retain an engineer and/or space consultant to help the remaining shelters slated to lose beds identify ways they can make minor renovations to meet the changes or configure their shelter space differently.*

*Building Conditions:*

*In 2003 Hostel Services initiated the first building condition study of the shelter portfolio. This marked the Unit's first step toward achieving a baseline of building conditions and formed the basis for strategic capital investment in the future.*

*As noted in the October 26, 2004 report to City Council "Building Condition Study of Shelter Facilities and Allocations from the Supporting Communities Partnership Initiative for Capital Repairs and Replacements" a building condition study was conducted on 55 shelter facilities.*

*The objectives of the building condition study were to: assess the current state of the building and outline anticipated timelines and costs of repairs and replacements; assess the capital reserve adequacy and demands to meet forecasted costs; assess the preventive maintenance practices at each facility; examine property and building value relative to the scale of anticipated costs; and, determine the suitability of converting the facility from a shelter to housing in the future. The outcome of the study was a portfolio summary report for the City and individual building condition studies for each service provider and the City.*

*The consultants concluded that the shelter portfolio is generally in good condition. The consultants were asked to look at the state of the portfolio up to 2034 – a 30-year time horizon generally accepted as suitable in studies of this nature. The estimated costs of repair and replacement over that time frame are \$120 million (in inflation adjusted dollars), which averages \$4 million per year, though the year over year predicted repair and replacement requirement can fluctuate.*

*The consultants also determined that there are approximately \$4 million of repairs and replacements in backlog work that needs to be completed. This ranges from small but important items such as replacing all of the caulking or re-treading stairs up to large ticket items such as overhauling the entire heating system, replacing the roof, or making significant structural repairs to the building foundation. Backlog work is repairs and replacements of building elements that have outlived their useful life and other immediate repairs required in 2004.*

*Using the findings from the building condition study, Hostel Services recommended, and Council approved in November 2004, \$1.68 million gross (\$0 net) in SCPI funding to address immediate capital repairs and replacements in 37 shelter facilities. These improvements are currently beginning and will be completed by March 2006.*

*Hostel Services is committed to providing opportunities for increased training on capital issues for shelter providers. This will include property management strategies, effective use of the building condition study for future planning, and assessing capital reserve contribution strategies.*

#### *Programs and Services:*

*Over the past few years programs and services have been improved by outlining mandatory core services, providing additional alternative services in winter months, ensuring that most services are available every hour of the day and every day of the week, and increasing program and service oversight in the annual budget submission and contract process. There has also been additional efforts in managing complaints about programs and services and ensuring front-line staff have training opportunities to maximize the effectiveness of services.*

#### *(d) Core Programs and Services*

*The revised shelter standards identified compulsory core programs and services which enhance the basic food and lodging services. All shelters must provide support and assistance that helps residents obtain appropriate housing, obtain the financial benefits that they are eligible for, access other appropriate resources or supports, and help to obtain clothing and transportation.*

*The goal of these services is to help homeless people move from the shelter back into the community and housing with the appropriate assistance and connections to help them stay housed once they move out of the shelter. These core services are non-negotiable and must be undertaken by each shelter provider regardless of which client group they serve, their program model or the amount of funding they receive. These core services are measured through the quality assurance review process.*

*(e) Additional Services in Winter Months*

*In the 2003/04 winter and again in the 2004/05 winter, Hostel Services has opened additional programs in the winter with a focus on serving those homeless people who are normally resistant to shelter services. In 2003/04, these programs were provided at Murray Street and the Fort York Armoury. The City has opened a seasonal facility at 110 Edward Street for the 2004/05 winter. In addition, Hostel Services introduced a pilot assessment and referral centre at the Edward Street facility. The centre helps homeless people connect with the main shelter system as well as other support services and housing and is an important link in helping homeless people on the street and Nathan Phillips Square access shelter and housing.*

*The Out of the Cold program also operates during the winter months. Different churches and synagogues open space nightly to accommodate homeless people. On average, 110 sleeping spaces are available in Out of the Colds nightly. Beginning in the winter of 2003/04, Hostel Services hired Dixon Hall, an experienced community based agency that operates three year-round shelter programs, to provide assistance to the volunteers providing the services in Out of the Colds. This has continued in the 2004/05 winter season. A first stage evaluation of Out of the Cold was conducted early in 2004 with further evaluation slated for 2005.*

*(f) Service Availability and Daytime Access*

*Hostel Services continues to work with shelter providers to ensure optimal access to shelters and their programs for homeless people. Many years ago, shelters for single adults closed early in the morning and did not reopen until late afternoon. There continues to be an impression that this is still the case. More than 85% of all shelter beds are, however, available 24 hours a day, 7 days a week. Hostel Services continues to work with the providers of the 15% of the beds that are unavailable to find ways to address the situation. It should be noted that while these facilities are open during the daytime, they may require that clients are actively involved in searching for housing or engaging in other programs. These activities may be occurring within the shelter or require the individual to engage other resources in the community. It should also be noted that of the remaining 15% of the beds, some are in shelters that were never intended to provide access 24 hours a day, 7 days a week, since there may be competing interests for the space within their facility making access of this nature impossible.*

*(g) Addressing Program and Service Complaints*

*Shelter users and staff are entitled to make complaints with regard to the programs and services within the shelter. Each shelter is expected to have a process to first attempt to address these concerns internally. Should the problem not be resolved internally or the person making the*

*complaint not feel comfortable doing so internally, they may contact Hostel Services for assistance in addressing the complaint.*

*Prior to 2004 complaints to Hostel Services were addressed by the Agency Review Officer responsible for the shelter. Beginning in 2004, a staff person has been dedicated to dealing solely with complaints. In doing so all complaints are now consistently documented and investigated.*

*(h) Toronto Hostels Training Centre*

*Hostel Services remains committed to building capacity amongst staff who work in the shelter system. This was first reflected in the revised shelter standards when mandatory and recommended training in various core areas of program and service delivery was explicitly outlined. This training is delivered by the Toronto Hostels Training Centre which provides a broad curriculum throughout the year and utilizes experts in a variety of fields to teach hostel workers about conflict resolution, substance use, communicable diseases, documentation, case management and understanding the Toronto shelter standards. Funding from SCPI has been made available to community agencies to pay for some of the mandatory training requirements. 287 separate training sessions were provided using this funding and 4,169 staff were trained.*

*Current Issues:*

*Over the past few years Hostel Services has improved issue identification so that issues are dealt with swiftly and appropriately. This process has included greater collaboration with key stakeholders and improved communication practices.*

*(i) Tuberculosis*

*Homeless individuals, for a variety of reasons including congregate living settings, are more vulnerable to contracting and developing tuberculosis. Annual rates of tuberculosis in the homeless population over the past five years have ranged from a low of 6 to a high of 24 out of 32,000 different people that use shelters annually. Hostel Services works closely with Toronto Public Health in the event of a tuberculosis outbreak in shelters and has been committed to learning from past outbreaks and improving future responses. During the current outbreak of tuberculosis, Toronto Public Health, in co-operation with Hostel Services, launched an extensive communication strategy with shelter providers and homeless people and conducted information sessions for those working with homeless people. Toronto Public Health conducted active case finding in all single men's and co-ed adult shelters and in 17 drop-ins in the City. Seven new active cases of tuberculosis have been identified as a result of this case finding. Toronto Public Health will be doing active case finding in women's shelters in February.*

*While homeless individuals account for only a small percentage of reported tuberculosis cases in Toronto annually, the communal nature of shelters makes it important to continuously examine practices and work towards improvements to decrease the risk of tuberculosis transmission. To that end, Hostel Services, with Toronto Public Health, will be working with the Ministries of Labour and Health and Long-term Care in 2005 to examine the issue of ventilation in shelters.*

*In addition to working to address tuberculosis, a communicable disease manual is currently being developed by Toronto Public Health. It provides an overview of a broad range of diseases, including tuberculosis, and other health matters that may be seen in shelters, and provides a brief explanation of the disease and the appropriate course of action. Hostel Services will be working with Toronto Public Health in 2005 to distribute and provide training related to the manual.*

*(j) Bed Bugs*

*While bed bug infestations have occurred at some shelters they also occur in hotels, dormitories, apartments and single family homes throughout the city. A bed bug itself does not pose a direct health risk and there is no known case of direct disease transmission in humans by a bed bug. However, bed bugs can leave itchy bumps, which if scratched open, may provide an opportunity for skin infection.*

*Hostel Services has tracked the issue for the past two years. Infestations appear to be sporadic and periodic. That is to say a shelter may have an infestation, get rid of it for several months, and then the problem re-emerges. Also, in some instances only a small area within a shelter is affected, while in other shelters the entire building has been impacted by an infestation. Some shelters have experienced no infestations to date.*

*Hostel Services has addressed the bed bug issue in several ways. Firstly, a primer on bed bugs was developed and distributed to all shelters and alternative housing providers that outlined practical ways of dealing with the issue. Secondly, the Unit organised information sessions with Toronto Public Health and a pest control expert. Over 80 staff from community agencies attended these sessions. Thirdly, the Unit conducted additional research on the issue with St. Michael's Hospital Inner-city Research Unit and Toronto Public Health which found a higher number of single family and apartment units than hostels in Toronto being treated by pest control operators and that multiple treatments tend to be required to eradicate the problem in communal living spaces such as hostels and dormitories. The researchers presented their findings to the Advisory Committee on Homeless and Socially Isolated Persons on November 29, 2004. Fourthly, Hostel Services conducts follow-up interviews with shelter operators throughout the year on the presence of bed bugs and magnitude of the problem. Lastly, Hostel Services has convened an ad hoc interdepartmental work group to continue to monitor and develop a co-ordinated city response to the issue.*

*Conclusions:*

*Over the past few years there have been improvements in Toronto shelter services. There is increased accountability through the revised shelter standards and the quality assurance review process. There have been improvements in sleeping areas and personal space standards. There are improvements to the physical space of shelters including a \$1.68 million SCPI funding investment for 2005 to address some of the findings of the building condition study. There are also improvements to programs and services including the establishment of core programs and services, the delivery of additional services in winter months, an ongoing focus on maximizing daytime access and providing training opportunities for shelter operators. Lastly, Hostel*

*Services is working in partnership with other agencies to address current issues including tuberculosis and bed bugs.*

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*Report dated January 31, 2005, from the Chief Administrative Officer and the Commissioner of Community and Neighbourhood Services:*

*Subject: Response to the Submission from Mr. Michael Shapcott to Policy and Finance Committee Regarding the City's "From the Street to Homes: A Strategy to Assist Homeless Persons Find Permanent Housing" Staff Report*

Purpose:

*The purpose of this report is to provide a staff response to the five major points put forward by Mr. Michael Shapcott in his submission to the Policy and Finance Committee entitled: "Social (subsidized) housing cures homelessness".*

Financial Implications and Impact Statement:

*There are no financial implications associated with this report.*

Recommendation:

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

Background:

*On January 19, 2005 the Policy and Finance Committee considered a staff report entitled "From the Street into Homes: A Strategy to Assist Homeless Persons Find Permanent Housing". The staff report recommends a focused homelessness strategy with action in four areas: homeless outreach services, access to public space, affordable housing, and collaboration with other governments. The strategy calls on City Council to approve \$18.4 million of existing*

*funding to provide additional outreach activities and support new affordable housing initiatives aimed at assisting homeless persons move from the street into homes.*

*The Policy and Finance Committee heard deputations from over thirty individuals, community groups and business representatives. As part of the deputations, Mr. Shapcott presented an eight page brief entitled “Social (subsidized) housing cures homelessness: Toronto City Council must correct flaws in proposed “Streets into Homes” strategy to meet the goal of ending homelessness”.*

*The Committee referred the submission of Mr. Shapcott to the Chief Administrative Officer and the Commissioner of Community and Neighbourhood Services for a report directly to City Council.*

*There are a range of issues addressed in Mr. Shapcott’s submission to the Policy and Finance Committee. However, for the purposes of this report, the staff response is focused on the five specific amendments he proposed to the city’s “From the Street to Homes” report. The five amendments proposed by Mr. Shapcott are:*

- (1) Commit at least an additional \$14.2 million in city dollars for new social (subsidized) housing to match the \$14.2 million in re-allocated dollars;*
- (2) Create a city-community committee to ensure delivery of new homes;*
- (3) Set the year one target at 3,000 truly affordable new homes;*
- (4) Drop the proposed ban on “camping” at Nathan Phillips Square; and*
- (5) Amend the street outreach strategy to make sure that temporary beds that will be lost in the spring are replaced and to effectively support existing outreach services.*

*Comments:*

*(1) Affordable Housing Funding*

*The staff report recommends City Council support an achievable annual target of 1,000 new affordable housing units, including at least 500 to be targeted to low-income households. To assist in achieving this target, recommendation (18) of the report proposes \$11.2 million from the settlement from the cancellation of former social housing projects be allocated to the Capital Revolving Fund for affordable housing. Recommendation (22) also proposes \$3 million in funding for new transitional housing. The report also urges the federal and provincial governments to reach an agreement to facilitate further federal and provincial affordable housing funding.*

*Mr. Shapcott proposes the city commit new dollars and double its commitment to new housing by providing \$14.2 million in addition to the \$14.2 million in existing funding. He suggests this would send a strong signal to other orders of government. He furthermore proposes that the city should get these funds from other city programs (such as police) or through tax revenues.*

*With respect to city investments in affordable housing it is worth noting that in addition to the \$14.2 million proposed for new homes the city offers a number of other financial incentives to reduce the cost of new affordable and transitional housing development. On an ongoing basis, as a part of the city's existing housing strategy, the city provides affordable housing proponents with municipal land, building and development fee waivers, and property tax exemptions under the Municipal Housing Facility By-law.*

*The focus of the "From the Street to Homes" strategy is to double the existing annual production of affordable housing in Toronto and to commit to half of these homes to be truly affordable to low-income families and individuals. This is considered an initial achievable target within the existing federal, provincial and municipal funding framework. In future years any additional city financial contributions to affordable housing will be made through the city's annual budgeting process.*

## *(2) Community Participation*

*The staff report proposes in recommendation (7) that the General Manager, Shelter, Housing and Support convene a Street Outreach Steering Committee comprised of city staff and community stakeholders to assist in implementation of the homeless outreach strategy.*

*Mr. Shapcott proposes that a new city-community steering committee on social housing be established to make sure that the new homes are actually built. He also notes that there is considerable expertise in the community to develop new housing.*

*At the present time there are 29 new affordable and transitional housing developments underway in Toronto. These homes are all being developed by external community partners with the support of City Council. In short, the city's existing affordable housing strategy is dependent on the participation and engagement of external community and private sector stakeholders. Current affordable housing initiatives undertaken by the city's Let's Build program are overseen by the Capital Revolving Fund Reference Group, which is chaired by Deputy Mayor Feldman. The current Committee includes representatives from CMHC, the community and private sector.*

*As requested by Toronto City Council, the Chief Administrative Officer is currently reviewing the role, responsibility and organizational location of the City's affordable housing programs, and will report to Council this spring. External housing experts are being consulted and the Chief Administrative Officer will consult Mr. Shapcott as part of the review.*

## *(3) Affordable Housing Targets*

*Recommendation (17) in the staff report proposes City Council support an achievable target of 1,000 new affordable housing units, including at least 500 to be targeted to low-income households on a rent-geared-to-income basis. This target is proposed as being realistic, achievable and within the city's ability to deliver.*

*Recommendation (26) of the report also urges the provincial government to support the creation of new supportive housing, new supportive housing rent supplements, rent supplements and housing allowances. On page 15 of the report the provincial government is urged to fund*

*1,000 new supportive housing units in Toronto annually. On page 16 of the report the provincial government is urged to fund 1,000 new rent supplements and housing allowances annually.*

*Mr. Shapcott proposes that the city set a year one target of 3,000 new social and supportive homes, year two target of 5,000 new social and supportive homes, with the target for year three onward to be set by the proposed city-community housing steering committee. He states that the targets set in the staff report are a substantial step-down from the Golden Task Force recommendations. He notes that there are currently just over 2,000 transitional, supportive and affordable homes being developed in Toronto.*

*With the cancellation of social housing programs by the federal and provincial governments in the 1990's, affordable housing development stopped in Toronto. The Mayor's Homelessness Action Task Force chaired by Anne Golden issued a comprehensive report recommending affordable housing targets for Toronto of 2,000 per year. The Task Force also proposed 5,000 new supportive housing units be developed but provided no timeline.*

*The "From the Street to Homes" strategy builds on the recommendations of the Mayor's Homelessness Action Task Force report and on the initiatives taken by City Council since that time. Since 1999 there continues to be a significant shortfall in funding from the federal and provincial governments for affordable housing. Over the last five years the city has worked with the non-profit and private sectors and helped put together funding for over 2,400 new units. Building new affordable housing doesn't happen overnight. The development process takes several years and sometimes longer. The City has accelerated both production and funding over the past five years and the proposed targets would advance this further.*

*The achievable affordable housing target of 1,000 units is being recommended until such time as additional federal and provincial funding permits a higher achievable target to be set. However, the report does strongly urge the provincial government to address the supportive housing needs of homeless persons. In this regard the provincial government announced in January 2005 that it would support several supportive housing agencies with rent supplement and support funding for up to 500 persons with mental illness. The report also urges the provincial government to fund additional rent supplements and housing allowances.*

*(4) Nathan Phillips Square*

*The staff report recommends that the practice of permitting sleeping in Nathan Phillips Square be discontinued by assisting homeless person's secure better alternatives. Recommendations (14) and (15) set out proposed amendments to the Nathan Phillips Square By-law and the adoption of an Interdepartmental Service Protocol to assist homeless persons. The adoption of these recommendations does not criminalize the poor or result in the arrest of any person sleeping at Nathan Phillips Square.*

*Mr. Shapcott proposes City Council reject the proposed ban on "camping" suggesting the proposed by-law is illegal and is an attempt to use municipal legislation to drive homeless people to a less visible location.*

*The adoption of the staff recommendations concerning Nathan Phillips Square does not make it illegal to be homeless in Toronto. Nor does it criminalize homeless persons or subject homeless persons to arrest.*

*The focus of the strategy as outlined on page 7 of the report is to dedicate city resources to getting people off the street into homes and to help them keep their housing. The goal is to provide homeless persons at Nathan Phillips Square with options aimed at ending their homelessness. To assist in this task the city opened a temporary emergency shelter two blocks north of City Hall at 110 Edward Street. This has provided much needed winter shelter for homeless persons who had been sleeping at City Hall. 110 Edward Street is also acting as the centre for counselling, assessment and referral to housing and other services.*

*The Interdepartmental Service Protocol provides guidelines for city staff to follow in assisting homeless persons camping in public places. The purpose of the protocol is to assist homeless persons secure better alternatives than sleeping outside – it is not designed directly or indirectly to drive homeless persons to less visible locations or perpetuate their state of homelessness.*

(5) *Street Outreach Strategy*

*The staff report makes twelve recommendations concerning street outreach activities that are contained in recommendations 2 to 13. To directly assist homeless persons move from the street into homes it is proposed that up to six new city outreach workers be engaged to work directly one-on-one with homeless persons in accessing services and supports. Funding for an emergency shelter and assessment centre for the winter of 2005/06 is also proposed.*

*Mr. Shapcott proposes that funding for outreach services be directed to existing outreach services rather than creating new services. He proposes that city staff develop a protocol to help homeless persons access income support through the Ontario Disability Support Program. Mr. Shapcott also suggests emergency relief strategies to assist homeless persons move from the streets into warming centres, safe houses, and temporary shelters.*

*The city outreach staff will work in partnership with existing community agencies. At the same time city outreach staff are uniquely positioned to ensure homeless persons access government support, including access to housing, income support and Ontario Disability Support.*

*The street outreach strategy is proposed to be overseen by a Street Outreach Steering Committee. This Committee will monitor and assess the success of the outreach initiative. The General Manager, Shelter, Housing and Support, will discuss with Mr. Shapcott the establishment of the Street Outreach Steering Committee.*

*City outreach staff and the city staff at 110 Edward Street are working to ensure persons have better options than returning to the street when the temporary shelter closes. The current effort will also be extended to assist those who wish to leave the street when the Out of the Cold program closes in early spring.*

*The “From the Street to Homes” strategy is focused on providing permanent sustainable supports to homeless persons rather than emergency responses. City outreach staff will assist in*

*linking homeless persons to new housing opportunities coming available in 2005. The one planned emergency response contemplated is the opening of a winter facility in 2005/06.*

Conclusions:

*The strategy recommended in the “From the Street to Homes” report provides a framework for providing realistic and long-term options for homeless persons that are better than living outside. To move forward it is proposed that Council support the actions proposed in the four key areas: street outreach, public spaces, affordable housing and collaboration with other governments.*

*This report provides a staff response to the five recommendations made by Mr. Michael Shapcott in his submission to the Policy and Finance Committee. Staff are not recommending Council adopt the recommendations proposed by Mr. Shapcott; however, the Chief Administrative Officer will consult with Mr. Shapcott on the current administrative review of the city’s affordable housing program and the General Manager, Shelter, Housing and Support, will discuss with Mr. Shapcott the establishment of the Street Outreach Steering Committee.*

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*Report dated February 1, 2005, from the Commissioner of Community and Neighbourhood Services:*

*Subject: Using Shelter Funding to Provide Rent Supplement Housing*

Purpose:

*The purpose of this report is to outline the cost and implications of providing 2,000 rent supplement units through the diversion of funding from the shelter system.*

Financial Implications and Impact Statement:

*There are no financial implications to this report.*

Recommendation:

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

Background:

*At its meeting on January 19, 2005, the Policy and Finance Committee had before it the staff report "From the Streets into Homes: A Strategy to Assist Homeless Persons Find Permanent Housing". Recommendation 26 (c) of the report stated "City Council urge the provincial government to: permit the conversion of shelter per diems for use as housing supports and portable rent supplements to assist homeless persons make the transition from the streets and shelters into permanent housing;"*

*In relation to the report, the Policy and Finance Committee:*

- (1) requested the Commissioner of Community and Neighbourhood Services to submit a report directly to Council for its meeting to be held on February 1, 2005:*
  - (i) outlining the status of improvements made to date in Toronto shelters and matters still outstanding;*
  - (ii) outlining the cost of providing 2,000 rent supplements to provide housing to people who are currently shelter users;*
  - (iii) commenting on the effects of shifting expenditure for this amount from shelter to rent supplement; and*
  - (iv) outlining any discussions that have been held with the Province to enable this shift of expenditure to occur and offering suggestions concerning how the Province might be persuaded to provide the ability to spend dollars on rent supplements rather than shelter.*

*Item (i) is addressed in a separate report to Council at the same meeting.*

Comments:

*Many clients of shelters in Toronto could move to housing if they could afford to do so. The recommendation in the report, "From the Streets into Homes", recognizes this possibility, and identifies a possible source of revenue to help homeless people find and maintain housing.*

*Two recent projects show this type of approach can be successful. The Emergency Homeless Pilot Project (EHPP) and the Next Steps Rent Supplement Demonstration Project both use rent supplements to bridge the gap between what a homeless person could afford and market rents. As well, these projects provide staff supports to help homeless people find housing, and maintain it once they are moved in.*

*In 2002, the use of rent supplements and support services under the EHPP made it possible to provide homes for 100 displaced Tent City residents, many of whom had lived on the street for an average of 8.5 years. Almost 90% of them were still housed 18 months later. Using rent supplements and supports, the Next Steps project proposes to house up to 300 people over the next year, two-thirds of whom would be long-term shelter users.*

*In order to estimate the costs of providing a new rent subsidy program with support services, the costs of existing programs have been used. The average cost of providing a rent supplement under the Strong Communities Rent Supplement Program is \$730 per month or \$8,760 annually. The estimated cost of providing support services to one tenant of alternative housing through the Supports to Daily Living program (inflation adjusted) is \$548 per month or \$6,570 annually. The table below shows estimated costs for the provision of 2,000 rent subsidies (at the level of current rent supplements), a small rent subsidy from the shelter portion of Ontario Works benefits, and staff supports necessary to help people from shelters move into and maintain housing. It does not include the costs associated with administration or food. The annual cost of providing 2,000 rent subsidy units under this approach would be \$33 million.*

	<i>Per diem</i>	<i>Annual per capita</i>	<i>Annual 2,000 units</i>
<i>Rent Subsidy Program</i>			
<i>Rent subsidy</i>	24.00	8,760	17,520,000
<i>OW shelter component</i>	3.78	1,380	2,760,000
<i>Support services</i>	18.00	6,570	13,140,000
<i>Total</i>	45.78	16,710	33,420,000

*The impact of shifting current operating funding out of the Toronto shelter system to support a rent subsidy approach would be significant. The rent subsidy program costs of approximately \$33 million for 2,000 units represents 40% of shelter services expenditures for 2004. A reduction in funding of this magnitude would result in the closure of shelter facilities and/or other support programs within the shelter system.*

*City staff have requested the ability to use shelter per diems for the purposes of housing and housing supports on numerous occasions. Staff have argued that the City needs to be able to create more affordable housing options, provide necessary supports and explore creative strategies to help people leave shelters. For example, the Commissioner of Community and Neighbourhood Services and the General Manager of Shelter, Housing and Support have met with the Deputy Minister of Community and Social Services to present evidence of the effectiveness of rent supplements in housing formerly homeless people from Tent City, and request that shelter per diems be eligible for this purpose. While receptive in principle, the Deputy Minister was unable to commit to a change in current policy due to legislative and interministerial policy issues that would first need to be resolved.*

*Conclusions:*

*The annual cost of providing 2,000 rent subsidy units with support services is estimated at \$33 million. This amount represents 40% of shelter services expenditures for 2004. If this amount were diverted from the shelter system, the impact would be significant.*

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*Communications:*

- (1) Discussion Paper, entitled “‘First Things First’ – A Proposal to End Street Homelessness in Toronto”, by Councillor Norm Kelly;*
- (2) Document prepared by the Shelter, Housing and Support Division, entitled “Status of Housing and Shelter Projects”, (August 2004), submitted by Councillor Paula Fletcher;*
- (3) (January 24, 2005) from Maureen Gilroy, Citizens For a Better Toronto;*
- (4) (January 24, 2005) from the Toronto Christian Resource Centre;*
- (5) (January 27, 2005) from Irmajean Bajnok, Acting Executive Director, Registered Nurses Association of Ontario; and*
- (6) (February 1, 2005) from Jayne Caldwell, Manager, Toronto Drop-In Network.*