



Ward 12, Toronto – St. Paul's
City Hall, 100 Queen Street West
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January 8, 2020

Infrastructure and Environment Committee
100 Queen Street West
Toronto, ON M5H 2N2

Re: IE 11.8 - Logistical and Legal Implications of Eliminating Right of Way Occupancy for Private Construction Projects and Potential Provision of Construction Management Plans at Rezoning Stage

Dear Chair and Members,

I am writing to request that you consider the accompanying recommendation to take back our public streets to improve safety and mobility for Toronto residents.

Traffic congestion is a significant problem for all Torontonians. The Organization for Economic Cooperation and Development (OECD) recently noted that the Greater Toronto Area suffers from the longest work commute times in North America affecting motorists in Toronto and across the region. Moreover, City policies have adapted to that reality and now encourage residents to take transit, walk, and bike.

However, the increased need for space on our streets has not been reflected in Toronto's policy for right-of-way occupancy by developers. At present, the default position of the City is to almost always grant requests for lane and sidewalk closures to facilitate construction. These closures can last upwards of 2 years.

Recent successes with the King Street transit corridor and Bloor bike lanes have required use of the public right-of-way to be feasible. We cannot continue giving away our public space to private interests if we are going to make similar improvements to other thoroughfares. Indeed, the City is implementing rapid bus lanes on some avenues and there are studies to implement more in areas, including Midtown, that have greater development pressures and narrower streets.

It is important to note that, in most instances, the developer requires a portion of the right-of-way to construct their project only because it has been designed with a lot line-to-lot line footprint. If the City does, in some instances, provide land to facilitate a larger building, it should be done in the public interest. The City should be receiving affordable housing, childcare, or other vital services in exchange for the increased GFA developers are able to build as a result of using the public right-of-way for construction.

Thank you for your attention in this matter.

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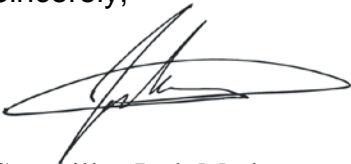


Recommendation:

1. City Council request the General Manager, Transportation Services, in consultation with the Chief Planner & Executive Director, City Planning, to report to the Infrastructure and Environment Committee in Q2 2020 with a report on implementing a new right-of-way occupancy permit policy that defaults to a denial of requests, except in some circumstances, which will require:

- a) Consultation with the TTC, all relevant Transportation Services departments, and City Planning to determine whether a closure will adversely impact any current or future public uses of a right-of-way, including those affecting pedestrians, motorists, transit users, and cyclists.
- b) A percentage of the additional Gross Floor Area achieved by the developer, as a result of City right-of-way use for construction, to be provided for public amenities, such as affordable housing, childcare, or seniors services.

Sincerely,

A handwritten signature in black ink, appearing to read "Josh Matlow". The signature is stylized with a large, sweeping underline.

Councillor Josh Matlow
City Councillor
Toronto – St. Paul's