

Right to Housing

in Toronto

Right to Housing in Toronto Deputation to Committee of Adjustment on 233 Carlton
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The Right to Housing in Toronto is a coalition of organizations and individuals working to support the implementation of the human right to housing by the City of Toronto. Our members include the Centre for Equality Rights in Accommodation, Maytree, Advocacy Centre for Tenants Ontario, Federation of Metro Tenant Associations, and ACORN.

We come before you today to offer information about Toronto's commitments and obligations vis-à-vis the right to housing, in order to support and inform your decision in the application regarding 233 Carlton.

As you well know, this is the new site for the Adelaide Women's Resource Centre, one of our City's only two 24-hour, low-barrier drop-in sites for women, trans, Two-Spirit, and gender-diverse people who face homelessness, gender-based violence, and multiple barriers that limit their access to housing and other services. Your decision on this application will have a profound impact on the future of this vital service. We urge you to support this application so that this new site can be opened without delay.

The human right to adequate housing is articulated by the United Nations as the fundamental right of every person "to live somewhere in peace and dignity." This right is enshrined in several binding international treaties signed by Canada, most significantly the *International Covenant on Economic, Social, and Cultural Rights*.

In June 2019, the Government of Canada implemented this right in Canadian law for the first time. The *National Housing Strategy Act* commits the Government of Canada, through its housing policies and strategies, to progressively realize the right to adequate housing for all in Canada, with priority to those in greatest need.

In December 2019, Toronto City Council followed suit, adopting the *HousingTO Action Plan*, Canada's first municipal housing and homelessness plan based on human rights. The *HousingTO* plan is founded on the *Toronto Housing Charter*, which affirms the following rights which are of relevance to this application:

"All residents have the right to housing that is accessible and takes into account the specific needs of historically disadvantaged and marginalized groups."

“All residents have a right to equal treatment with respect to housing, without discrimination contrary to the Ontario Human Rights Code and to protection against arbitrary requirements that result in discrimination based on membership in groups protected by the Code or on homelessness or housing status.”

Further, the City of Toronto commits to “Require that any future City decisions, policies, services, and programs that impact housing are screened and assessed for impact on the Toronto Housing Charter.”

As a City body making decisions that impact housing, the Committee of Adjustment has an important role to play in upholding these commitments to decision-making based on human rights. Your decision in response to this application engages human rights in two important respects.

First, this decision will have an impact on access to shelter for one of the most vulnerable groups in our City. That impact must be considered alongside the technical aspects of the application.

Secondly, in receiving and weighing communication from neighbours and others with regards to such applications, this Committee is charged with a duty to distinguish legitimate objections from those that discriminate – in intent or in effect - on the basis of grounds protected under the Ontario Human Rights Code, including gender, disability, and source of income.

The City of Toronto’s 2017 shelter siting policy appropriately states that the purpose of public engagement is to promote the success of a new shelter, not to determine whether or not it is to be approved. In the extensive public engagement on this site, however, the City has encountered persistent, discriminatory objections to the opening of the Women’s Centre.

Many of the objections you have received are technical in nature, and are not my area of expertise. But it will be important for the Committee to discern whether these technical concerns or requests for deferrals merely screen a discriminatory intent to keep the persons served by the Women’s Centre out of the neighbourhood.

To conclude, we urge the Committee, in your decision today, to uphold the right to adequate housing and shelter, free from discrimination, for all residents of the City of Toronto.