

**Right to
Housing**

in Toronto



**Shelter
Rights Review**

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Right to Housing Toronto Network (R2HTO) is a network of individuals and organizational supporters that are working to ensure that the City of Toronto takes a rights-based approach to its housing planning and policy.

The work of R2HTO is guided by a Steering Committee that consists of ACORN Canada, Advocacy Centre for Tenants Ontario (ACTO), Centre for Equality Rights in Accommodation (CERA), Centre for Independent Living in Toronto, Colour of Poverty - Colour of Change, Federation of Metro Tenants' Association (FMTA), Jane Finch Housing Coalition, Joy Connelly (Housing Advocate), Ingrid Palmer (Housing Advocate), Regini David (Housing Advocate), and Maytree.

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1. Executive Summary

The City of Toronto and its residents have been experiencing a homelessness and inadequate housing crisis for decades. This dual crisis has only increased because of the COVID-19 pandemic.

The Right to Housing Toronto Network (R2HTO) has completed a review of City of Toronto policies, strategies, and frameworks relating to the shelter system and have invited City of Toronto staff to describe the City's system-wide response to the COVID-19 pandemic within the shelter system. R2HTO has also discussed the City's shelter system at large and their response to COVID-19 with shelter providers, frontline staff, and advocates to understand the impact of the City's shelter-related policies, strategies, and frameworks on shelter residents.

The City has established a number of policies, strategies, and frameworks on the provision and administration of the shelter system. These include the HousingTO 2020-2030 Action Plan Implementation Plan and the Interim Shelter Recovery and Infrastructure Implementation Plan, which were both adopted by City Council in September 2020. Both plans contain shelter system-related goals, benchmarks and policies and both are centred on converting current emergency and transitional shelter sites to permanent housing infrastructure and transitioning the shelter system from one that focuses on the provision of emergency shelter to one that offers pathways to longer-term housing options. To further this transition the City released the *Shelter Design and Technical Guidelines* in January 2021 which include recommendations for the planning and design of new shelter infrastructure in Toronto. The City's Shelter, Support, and Housing Administration (SSHA) is also in the midst of drafting the SSHA 2021-2025 Service Plan which identifies specific actions that SSHA needs to take in the next five years to achieve the directions and outcomes in the HousingTO 2020-2030 Action Plan.

The City's shelter system has also implemented several enhancements and adjustments to respond to the COVID-19 pandemic. We have heard directly from shelter providers, frontline staff, and advocates about this response and how the City can take additional steps to better align the shelter system with the right to adequate housing going forward. We have also heard during these conversations about the limitations of an approach that focuses on adjustments to existing policies and services, and the need to prioritize addressing the systemic and underlying causes of homelessness.

The City's emergency shelter system was neither designed nor intended to provide long-term housing for individuals and families. However, the absence of adequate housing options has fundamentally altered the function of the shelter system as more and more people rely on this system for long-term housing. Until such time as all people experiencing homelessness have timely access to appropriate and adequate permanent housing opportunities, the City must keep in mind that, for many Toronto residents, the shelter system is their home. In all cases, the City must ensure the entire shelter system functions in a way that upholds the right to adequate housing of all users of the system.

The right to adequate housing has been the subject of extensive authoritative commentary including guidelines from the United Nations Special Rapporteur on Adequate Housing on implementing the right to adequate housing. Drawing on all the above, this report identifies tangible actions the City must take to align the Shelter system policies, strategies, frameworks, and services with its commitment to the progressive realization of the right to housing.

Our recommendations for the City are based on the following principles:

1. People experiencing homelessness must be provided access to emergency shelter, temporary accommodations, and permanent housing opportunities that provide peace, security, and dignity.
2. Shelter residents, both long-term and short-term, should possess an appropriate degree of security of tenure which guarantees protection against relocation, unnecessary or discriminatory discharge/eviction, and involuntary return to homelessness.
3. Emergency shelters, transitional shelters, and temporary accommodations must contain adequate services and facilities essential for the health, dignity, security, privacy, comfort, and nutrition of shelter residents.
4. All shelters and temporary accommodation must provide shelter residents and staff with adequate, comfortable and dignified space, a healthy and supportive living environment with protection from threats to physical health, mental health or physical safety, including from any

form of sexual or other harassment, discrimination or bullying.

5. Emergency shelters, transitional shelters, and temporary accommodations must be accessible to individuals of all abilities and needs. Members of disadvantaged groups must have access to a shelter system that accommodates their abilities and needs, including cultural needs. Shelters must provide supportive environments for marginalized communities such as LGBTQ and Indigenous residents.
6. Shelter residents must have access to emergency shelters, transitional shelters, temporary accommodations, and permanent housing opportunities that allow access to health-care services, support networks, schools, childcare centres, social and familial networks, and employment.
7. New and current shelters, temporary accommodations, and permanent housing opportunities for shelter residents must be constructed in a way, and have policies in place, that enable and support the expression of cultural identity and diversity.
8. The right to meaningful and effective participation is essential to ensuring that individuals can claim their right to housing and is centred on the principles of dignity, the exercise of agency, autonomy, and self-determination. Residents of shelters and temporary accommodation are entitled to meaningful participation in the design and implementation of policies, programs, and practices that affect them.
9. Access to justice to claim the right to housing and other human rights must be ensured for individuals and families residing in emergency shelters, transitional shelters, and temporary accommodation.
10. The City must implement comprehensive and rights-based policies, measures, and strategies for transitioning shelter and temporary residents into permanent housing and addressing the underlying causes of re-entry into the shelter system.

2. Introduction

In December 2019, the City of Toronto took the historic step of recognizing and committing to progressively realizing the human right to adequate housing in its HousingTO 2020-2030 Action Plan. In doing so, the City committed to progressively realizing this right for all residents, giving priority to those who are most disadvantaged, and dedicating the maximum of its available resources to the realization of this right. At the heart of the right to adequate housing is the recognition that claiming this right means more than simply securing physical shelter; rather, housing and shelter must be understood in relation to the inherent dignity of the human person. For individuals and families experiencing homelessness and residing in shelters, this means having access to adequate emergency shelter and permanent housing opportunities that provide security of tenure, availability of services, affordability, habitability, accessibility, appropriate location, and cultural adequacy.

The COVID-19 epidemic has forced the City of Toronto to confront the dual realities that have persisted within its shelter system for decades: first, a growing number of individuals and families experiencing homelessness have come to rely on the shelter system for longer-term housing. Second, the City's shelter infrastructure, as it exists, is not well suited to ensure the health and wellbeing of its residents either during a pandemic or otherwise. We take note that these realities are a prima facie violation of human rights: a shelter system that does not offer a pathway out of homelessness and cannot ensure the physical and mental health and wellbeing of its residents is a violation of the right to adequate housing.

This report is based on discussions R2HTO has conducted with staff at the City of Toronto, as well as with frontline staff and advocates serving shelter residents and people experiencing homelessness. It also reviews the City of Toronto's policies, programs, frameworks and services that govern the shelter system, and human rights documents including the United Nations Special Rapporteur on Adequate Housing's guidelines on the implementation of the right to adequate housing. Drawing on these sources, this report provides tangible recommendations about how the City can ensure that its approach to designing and administering its shelter system adheres to human rights principles and requirements. While we heard many different perspectives and experiences from the City staff, front-line workers, and advocates, there is one consistent point of agreement: the status quo across the shelter system is unacceptable and requires an urgent and coordinated response. To be successful, the way forward on

reorienting the City's shelter system must be founded on human rights principles and must uphold human rights in every aspect of its implementation.

3.1 An Overview of the City's Shelter System

The City of Toronto is responsible for the administration of provincial and federal shelter and housing-related funding and the planning and management of the City's shelter system. While several City divisions are involved in the above, the Shelter, Support and Housing Administration (SSHA) is the division with primary responsibility over the City's shelter system. This responsibility includes the direct operation of some emergency and transitional shelters, administering and ensuring compliance with operating agreements with community organizations that deliver shelter and related services, providing oversight for the implementation of the Toronto Shelter Standards by these service providers, and developing policies relating to the shelter system.¹

The City's shelter system includes emergency and transitional shelter beds, temporary refugee program beds, 24-hour respite sites, 24-hour women's drop-ins, street outreach, funding and oversight of 250 housing providers with 92,000 social and affordable housing units, as well as the provision of various housing support programs, including prevention services, drop-in services, supports, and housing allowances. Emergency and transitional shelters are divided into five (5) sectors: adult men, adult women, mixed adult (co-ed), youth and family.

Emergency shelters serve individuals and families experiencing homelessness with or without a referral. Clients may self-refer in person or over the phone. The typical length of stay in an emergency shelter is intended to be of short duration.

Transitional shelters serve individuals and families with a referral from an emergency shelter, Central Intake, Streets to Homes Assessment and Referral Centre or another agency. Clients cannot self-refer. The typical length of stay in a transitional shelter is intended to be longer to enable clients to address their individual housing and service needs.

¹ A description of these standards follows below.

3.2 The City of Toronto’s Policies, Standards, and Frameworks Applicable to Shelters

The City released the HousingTO 2020-2030 Action Implementation Plan² and the COVID-19 Interim Shelter Recovery Strategy³ in September 2020, which will form the basis of the SSHA’s upcoming service plan (discussed below).⁴ Taken together, these documents lay out a series of benchmarks, timelines, and goals centered around the transformation of Toronto’s shelter system from an emergency-response based shelter system to one that prioritizes housing infrastructure and supports, including repurposed shelter space and new affordable and supportive housing units, while providing access to permanent, supportive housing. This transformation is a laudable goal and would align with the City’s commitment to the progressive realization of the right to housing. However, we note that the City has made similar commitments in the past and, in particular, in the 2014-2019 Service Plan. Service users, frontline workers and advocates are very keen to see progress towards these goals and see the City take concrete steps towards its realization, particularly as more and more Toronto residents are forced to rely on emergency shelters for long-term housing.

This section begins by reviewing past and current policies, standards and frameworks that guide the administration of the City’s shelter system. A description of measures taken by the City’s shelter system in response to the COVID-19 pandemic follows.

The City of Toronto Shelter Standards

Created in 1992, the City of Toronto Shelter Standards (hereinafter “Shelter Standards”) include guidelines/expectations and set the minimum requirements for the City of Toronto-funded shelter services in Toronto.⁵ All emergency and transitional shelters funded or directly operated by the City of Toronto are required to follow the Shelter Standards.

² Available online: <https://www.toronto.ca/legdocs/mmis/2020/ph/bgrd/backgroundfile-156646.pdf>

³ Available online: <https://www.toronto.ca/legdocs/mmis/2020/ph/bgrd/backgroundfile-156419.pdf>

⁴ Ibid at page 3.

⁵ Available online: <https://www.toronto.ca/community-people/community-partners/emergency-shelter-operators/toronto-shelter-standards/>

Every five (5) years, SSHA updates the Shelter Standards through a process that begins by engaging shelter providers, current/former clients of the shelter system, City staff from a variety of divisions and other stakeholders. Proposed updates to the Shelter Standards are reviewed by SSHA in consultation with shelter providers to determine their feasibility and impact on shelter services. A broader public consultation on the proposed updates may take place afterwards.

The most recent version of the Shelter Standards (2015-2019) was approved by City Council in 2015. Directives that update the Shelter Standards were issued in 2018, 2019, and 2020. These directives updated expectations of service provision by shelters for harm reduction, housing access waitlist, menstrual products, and to respond to COVID-19.

24-Hour Respite Site Standards

In the absence of provincial standards governing the delivery of these services, the City of Toronto developed an interim set of 24-Hour Respite Site Standards which took effect on April 30, 2018 and were in place while the City engaged in a consultation process to develop permanent Respite Site Standards. The final version of the 24-Hour Respite Site Standards was approved by SSHA's General Manager and released on November 15, 2018.⁶

All 24-Hour Respite Sites and 24-Hour Women's Drop-Ins that receive City of Toronto funding through SSHA are required to follow these standards.

SSHA Housing Stability Service Planning Framework 2014-2019

Released and approved by City Council in December 2013, the SSHA Housing Stability and Service Planning Framework 2014-2019 (hereinafter Service Planning Framework) is the framework for the planning, management, delivery and provision of SSHA's range of housing and homelessness services between 2014-2019.⁷ The purpose of this framework was to transform the existing siloed network of social housing administration and emergency responses to homelessness into an integrated housing

⁶ Available online: https://www.toronto.ca/wp-content/uploads/2018/12/9427-RespiteStandards_181203_AODA-Dec3.pdf

⁷ Available online: <https://www.toronto.ca/wp-content/uploads/2017/11/913c-2014-to-2019-housing-stability-service-planning-framework.pdf>

stability service system.”⁸ A key goal identified in the Service Planning Framework is the review and update of the City of Toronto Shelter Standards.

2020 Shelter Infrastructure Plan and System Update Report

The 2020 Shelter Infrastructure Plan and System Update was released on June 11, 2019.⁹ The report provides an update to City Council around key initiatives planned for the following year regarding the shelter system. A 2021 Shelter Infrastructure Plan has not been released.

SSHA 2021-2025 Service Plan

SSHA is currently developing its next five-year plan, the 2021-2025 Service Plan (“Service Plan”). The Service Plan will replace the 2014-2019 Service Planning Framework.

The stated purposes of the SSHA 2021-2025 Service Plan are to identify specific actions that SSHA needs to take in the next five years to achieve the directions and outcomes in the HousingTO 2020-2030 Action Plan, to inform the next round of funding for the City’s grants program, and to inform a prioritization approach to connecting people experiencing homelessness to permanent housing.¹⁰

City staff have committed to engaging with shelter staff, sector partners community providers, service users, and people with lived experience of homelessness while drafting the Service Plan.¹¹

⁸ Ibid at page 5.

⁹ Available online: <https://www.toronto.ca/legdocs/mmis/2019/ec/bgrd/backgroundfile-134569.pdf>

¹⁰ City of Toronto Presentation: Shelter, Support and Housing Administration 2021-2025 Service Plan. Delivered February 23, 2021.

¹¹ The engagement effort will include targeted sessions to service users, people with lived experience of homelessness, and specific engagement with the Toronto Indigenous Community Advisory Board, Black-led and Black service organizations, and youth experiencing homelessness. The timeline for the release of the Service Plan is as follows:

- Survey: February - March 2021
- Engagement: February - April 2021
- Draft Service Plan: Summer 2021
- Council approvals: September 2021

HousingTO 2020-2030 Action Plan and Implementation Plan

In December 2019, the City released the Housing TO 2020-2030 Action Plan (the Action Plan) which includes specific policy recommendations for the City's shelter system. At the forefront of these recommendations is a renewed call for focusing on upstream interventions that prevent people from becoming homeless. Other recommendations focus on enhanced emergency response measures, connecting homeless individuals and families with permanent housing and support opportunities, and increasing the availability of supportive housing. A more detailed breakdown of the Action Plan's shelter related priorities is included in the Appendix.

In October 2020, the City adopted the HousingTO 2020-2030 Implementation Plan (the Implementation Plan) as an accountability framework to monitor the City's progress towards implementing the policies and meeting the targets included in the Action Plan. The Implementation Plan contains several shelter system-related benchmarks that focus on converting current emergency and transitional shelter sites to permanent housing infrastructure. A more detailed breakdown of the Implementation Plan's benchmarks is included in the Appendix.

Interim Shelter Recovery and Infrastructure Implementation Plan

In October 2020, the City adopted the Interim Shelter Recovery and Infrastructure Implementation Plan (Shelter Recovery Plan), outlining the City's planned response to the COVID-19 pandemic for homelessness and shelter services for the 12-month period between October 2020 and October 2021.

The Shelter Recovery Plan identifies twelve priorities for this time period. These priorities focus on measures to invest in housing and supports to transition the shelter system from prioritizing emergency shelter responses to longer-term housing options. The twelve priorities are separated into three categories – priorities for action between October 2020 and October 2021, priorities for action to address the disproportionate representation of Black people in Toronto's homeless population, and an Indigenous Strategy. A more detailed breakdown of these priorities is included in the Appendix.

Shelter Design and Technical Guidelines

Released in January 2021, the City's *Shelter Design and Technical Guidelines* (Design Guidelines) include recommendations for the planning and design of new shelters in Toronto.¹² The Design Guidelines are not meant to apply retroactively to existing shelters within the City but do offer recommendations regarding the renovation of existing shelters.¹³ A detailed breakdown of the objectives and design principles of the Design Guidelines are included in the Appendix.

A total of thirteen focus groups of shelter stakeholders were held to ensure the Design Guidelines address current challenges faced in shelters, to highlight needs that should be addressed in new shelter design and determine best practices for the design of future shelters. Focus group participants included individuals with lived experience of homelessness (including individuals currently residing in shelters), frontline shelter staff and providers, SSHA staff, representatives of partner organizations, and other individuals with relevant shelter knowledge or expertise. Following the completion of the above focus groups, a draft of the Design Guidelines was circulated among the stakeholders for feedback and ongoing engagement.

SSHA Harm Reduction Framework

The City released a Harm Reduction Framework in April 2017,¹⁴ which provides harm reduction¹⁵ guidelines for all services that SSHA operates and funds. The purpose of the Harm Reduction Framework is to integrate harm reduction into SSHA policies and programs to support the removal of barriers to housing for people who use substances.¹⁶ The initial focus of the Harm Reduction Framework focused on the emergency shelter system before moving to a phased roll-out process across housing, drop-in programs, and other homelessness services. A detailed breakdown of the specific harm reduction steps described in the framework are included in the Appendix.

¹² Available online: <https://www.toronto.ca/wp-content/uploads/2021/01/8cea-shelter-design-and-technical-guidelines.pdf>

¹³ Ibid at page 2.

¹⁴ Available online: <https://www.toronto.ca/wp-content/uploads/2017/10/9791-SSHA-Harm-Reduction-Framework.pdf>

¹⁵ The City has adopted the following definition of Harm Reduction: "*Harm reduction is defined as an approach, set of strategies, policy or any program designed to reduce substance-related harm without requiring abstinence.*" This definition is adopted from the following report: Canada Housing and Mortgage Corporation Research Report. (2005). Homelessness, Housing, and Harm Reduction: Stable Housing for Homeless People with Substance Use Issues.

¹⁶ Supra note 14 at page 2.

Access to Health Services Framework for People Experiencing Homelessness

SSHA is currently working with partners, including the Toronto Central Local Health Integrated Network and Parkdale Queen West Community Health Centre Network, on a Health Services Framework for People Experiencing Homelessness. The goal of this framework is to ensure people who are experiencing homelessness can access health services in shelter, respite, and/or drop-in services. The framework will focus on three key health service streams to support people experiencing homelessness: primary care (including psychiatry), mental health and case management, and harm reduction (overdose prevention, safer supply, and peer support).

Shelter System Flow Data Dashboards

Toronto recently released Shelter System Flow Data dashboards (“Data Dashboards”) which highlight the number of people entering and exiting the shelter system, including other overnight services such as 24-Hr Respite, hotel/motel programs, and warming centers.¹⁷ The dashboards include general data about people experiencing homelessness who are entering and leaving the City of Toronto shelter system each month, including the number of unique people who have used the shelter system at least one time in the past three months and are considered to be actively experiencing homelessness.

The dashboards include data about specific categories of shelter residents (a detailed breakdown of these categories is included in the Appendix). The available data can be filtered by several sub-populations and demographic information around age and gender.¹⁸ Over time, the demographic information will be expanded to include racial identity, Indigenous identity, and veteran status. The City hopes to use the data to learn more about who is entering the shelter system and how many can exit into permanent housing with the stated goal of informing the development of more successful housing options and homelessness prevention strategies.¹⁹

¹⁷ Available online: <https://www.toronto.ca/city-government/data-research-maps/research-reports/housing-and-homelessness-research-and-reports/shelter-system-flow-data/>

¹⁸ Specific sub-populations include: Chronically Homeless, Families, Single Adult, Unaccompanied Youth, Refugees.

¹⁹ Toronto Alliance to End Homelessness. *Toronto Alliance to End Homelessness congratulates City of Toronto launch of Homelessness Shelter Data Dashboard*. March 1, 2021 Press Release. Available online: <https://static1.squarespace.com/static/56c4a231d51cd428ca552a3a/t/603d55be39568e4fca4289bb/1614632382623/TAEH+Press+Release+-+Toronto+Shelter+Data+Dashboard+-+March+1+2021+-+FINAL.pdf>

3.3 Response to COVID-19

General

As of March 24, 2021 there were 15 active COVID-19 outbreaks in shelters/congregate settings with a total of 309 active cases of COVID-19. Over the course of the pandemic, and current to March 22, 2021, there were a total of 1,136 confirmed cases of COVID-19 linked to outbreaks in the City's shelter system.²⁰

Between March 15th and December 31st, 2020 SSHA spent a projected \$170.5 million on direct shelter expenses in response to the COVID-19 pandemic. A total of \$59.64 million of this \$170.5 million was spent on hotel and the opening of other spaces. An additional \$12.95 million was spent on wage top-ups under the Toronto Pandemic Pay Program to frontline workers. A detailed breakdown of this spending is included in SSHA's 2021 Budget Briefing Note.²¹

SSHA anticipates a \$281 million budget for COVID-19 response in 2021. A projected \$276 million is allocated to continue to operate additional temporary spaces using hotels and other sites for 12 months. \$103.19 million dollars will be spent on hotels. The \$281 million figure accounts for expenses relating to full shelter occupancy during the winter months (3,000 spaces), enhanced services at five sites, a new staffing model that allows redeployed City staff to return to their base employment position, and inflationary costs.²²

In December 2020, City Council adopted the Emergency Housing Action Plan to support the creation of housing opportunities as part of the City's COVID-19 response, including supportive housing opportunities dedicated to people experiencing chronic homelessness.²³

²⁰ Daily statistics can be found online at: <https://www.toronto.ca/home/covid-19/covid-19-latest-city-of-toronto-news/covid-19-status-of-cases-in-toronto/>

²¹ City of Toronto. 2021 OPERATING BUDGET BRIEFING NOTE COVID-19 Budget Implications: Shelter, Support & Housing Administration Division. Available online: <https://www.toronto.ca/legdocs/mmis/2021/bu/bgrd/backgroundfile-160336.pdf>

²² Ibid.

²³ Toronto City Council. December 16, 2020 meeting of the Planning and Housing Committee. Agenda item PH19.11 - available online: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.PH19.11>

Enhanced safety and social distancing measures

Over the course of the COVID-19 pandemic, the City has taken steps to respond to social distancing and Infection Control and Prevention (IPAC) requirements within the shelter system. These steps include enhanced measures to ensure social distancing, screening for COVID-19 symptoms, isolation and recovery programs, and distribution of personal protective equipment (PPE). A detailed list of these measures is included in the Appendix.

In addition to these measures, SSHA deployed a Quality Assurance Team to all overnight services (shelters, 24-hour respite sites, and expansion sites) to assess compliance with IPAC direction from Toronto Public Health and the Ministry of Health; and establish and assess compliance with 2-meter physical distancing requirements in sleeping spaces that included determining site capacity and bed configuration for client and staff safety.

Use of existing housing stock (empty TCHC units, private market rentals) to provide shelter residents with permanent housing

Since the beginning of the pandemic, over 3,200 people have been moved into permanent housing through the Rapid Re-Housing Initiative (RRI), housing allowances, and rent-geared-to income.

In March 2020 SSHA launched a Rapid Rehousing Initiative in partnership with TCHC to identify vacant units that can be used immediately to provide housing to shelter residents and/or individuals residing outdoors. More than 300 units were filled in 2020 through this program. The City expects an additional three-hundred (300) units to be made available through this initiative in 2021.²⁴

In addition to the above, the Toronto Housing Allowance Program (THAP) has been maintained as an essential service as part of SSHA's COVID-19 response.²⁵ The THAP is a portable, non-repayable monthly subsidy that assists recipients with monthly rent in private-market homes.

²⁴ Toronto Housing Secretariat. Presentation to the Aboriginal Affairs Advisory Committee. February 2021. Available online: <https://www.toronto.ca/legdocs/mmis/2021/aa/bgrd/backgroundfile-164137.pdf>

²⁵ More detail about the THAP is available online: <https://www.toronto.ca/community-people/employment-social-support/housing-support/subsidized-housing-housing-benefits/#:~:text=A%20housing%20allowance%20is%20a,available%20until%20March%2031%2C%202024>

The use of temporary accommodations (hotel sites) to provide emergency shelter

Since March 2020 the City has opened forty new temporary sites to create physical distancing in the shelter system and provide space for people to move indoors from encampments. Twenty-five of these sites (twenty of which are located in hotels) are currently active, providing 2,600+ temporary spaces. The City provides a detailed daily summary of occupancy and capacity of these temporary sites on its website.²⁶

The temporary accommodation sites are staffed 24 hours a day, seven days a week, and provide supports for residents including meals and laundry, access to harm reduction, mental and physical health supports, counsellors/case managers who work with clients to develop permanent housing plans, and offer assessments and referrals to other community services, as needed.

Resources for shelters and homeless service providers

The City has authored and/or compiled a number of COVID-19 related resources for shelter and homeless service providers.²⁷ These resources include materials on preventing and managing COVID-19 outbreaks, testing and screening for COVID-19, and guidelines for social distancing. A detailed list of the categories for these resources is included in the Appendix.

3.4 Forthcoming COVID-19 Response Measures

Toronto's City Council 2021 budget process has recently completed, and several commitments were made towards improving, expanding, and making shelter-related programs and services more accessible.²⁸ While this work is ongoing and not yet complete, it is worth mentioning that we will be monitoring progress to ensure these measures are implemented using a human rights-based approach. A list of commitments made by City Council during the 2021 budget process is included in the Appendix.

²⁶ Available online: <https://www.toronto.ca/city-government/data-research-maps/research-reports/housing-and-homelessness-research-and-reports/shelter-census/>

²⁷ These resources are available online: <https://www.toronto.ca/home/covid-19/covid-19-reopening-recovery-rebuild/covid-19-reopening-guidelines-for-businesses-organizations/covid-19-guidance-homelessness-services-congregate-living-settings/>

²⁸ See specifically Agenda Item EX 21.2 - Capital and Operating Budget 2021. Available online: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.EX21.2>

In February 2021, the Housing Secretariat's office provided an update on housing and homelessness related goals for 2021 to the Aboriginal Affairs Advisory Committee.²⁹ The presentation includes specific goals and benchmarks as well as a description of current housing and homelessness related programs.

4. Reports from the Ground: What the Community is Saying About the City's Shelter System

The COVID-19 pandemic has led to widespread agreement among shelter system stakeholders that, when the City emerges from the pandemic, there cannot be a return to the old models of providing shelter to the most vulnerable residents of Toronto. During R2HTO's conversations with frontline workers and advocates we heard, overwhelmingly, about the need to seize on the consensus that has emerged during the pandemic for undertaking a transformational shift of the shelter system to one that focuses on providing long-term, supportive housing opportunities to people experiencing homelessness. At the same time, we also heard calls to ensure that people experiencing homelessness can still access dignified, responsive, and adequate emergency shelter when needed. The City must respond to both priorities while taking immediate and comprehensive action to address the systemic causes of homelessness.

Another common theme that emerged was around the disparities of access that exist among shelter residents who are able to navigate pathways to permanent housing independently versus those who require high levels of support. More adaptive, responsive, and appropriate supports are necessary to ensure that the most vulnerable people experiencing homelessness receive the support they need. At the heart of this theme is a widespread consensus that the pathway forward for the City's shelter system must include moving away from the congregate setting model entirely.

An equally important theme that emerged during our conversations was the need to better equip shelter workers with the tools and resources they require to continue their work in high-stress environments often marked by low-pay and low-morale. While placing more value on the work done by frontline shelter workers is a laudable goal in and of itself, we also note the consensus that better

²⁹ Supra note 23.

training and support for shelter workers will translate into more dignified conditions and better outcomes for shelter residents.

Ensuring the shelter system can serve all existing and potential users

We take notice of and are troubled by the longstanding discrepancy between the number of spaces that the City includes in its plans for the shelter system and the number of spaces that are required according to front-line workers and users of the system. The discrepancies in these numbers are in the thousands, meaning that there are thousands of people on any given night, according to front-line workers and system users, who do not have access to safe and adequate indoor space. We also take notice of the fact that the City routinely exceeds its own 90% capacity limits for its shelters, with the City's data frequently indicating occupancy rates of closer to 100% capacity and front-line workers and shelter system users regularly reporting that there are no available beds for the hundreds of individuals sleeping outside.

Constraints on the capacity of the system appear to be driven primarily by a logic that views unused shelter beds as evidence of either a lack of need or a lack of efficient use of existing resources, rather than what it really is: a system that is struggling to meet the needs of its existing and potential users as outlined in this report. Rather than employing an approach that seeks to ensure full usage of existing capacity before providing additional capacity, the City should instead plan for and fund excess capacity in the system in order to ensure that everyone who needs the shelter system has reasonable access to it. It is simply not reasonable, as evidenced from the lived experience of shelter residents and the experience of frontline workers, to maintain a shelter system that strives to provide fewer than or even an equivalent number of spaces than potential system users, given the unique needs that shelter residents have. If this approach was effective, we would not have witnessed the significant growth of individuals living in encampments throughout the City over the past decade. Adding capacity to the system would require an additional financial investment; however, this is money well spent to ensure that the City's most vulnerable have safe, adequate and dignified indoor space until such time that they can move into permanent housing, and this approach would also align with the City's commitments to the right to housing.

In the meantime, so long as individuals are not provided with adequate options for temporary shelter or permanent housing that meets their needs, the City should expect that some individuals experiencing

homelessness will continue to choose to reside outside, in encampments or otherwise. Under its human rights obligations, the City must both continue to work to identify or create adequate indoor shelter space for those individuals and provide supports to them so that they can live in dignity.

Systems navigation support and access to permanent housing opportunities

We heard from frontline workers and advocates on the necessity of accounting for two broad categories of shelter residents – those who are relatively independent and those who require more comprehensive support – when designing and implementing better frontline support programs and pathways to permanent housing. It was agreed among those with whom we spoke that the most likely way for individuals experiencing homelessness to access permanent housing opportunities remains through the City’s shelter system. However, there was widespread consensus that the shelter system is not suitable for individuals experiencing homelessness who require in-depth support; thus, the process for accessing permanent housing through the shelter system favours shelter residents who are relatively independent.

To address the above, we heard calls for a more responsive support system for those who are unable to navigate the journey through the shelter system to permanent housing on their own and require comprehensive supports. This is especially the case when it comes to individuals who experience homelessness outside of the downtown core as access to permanent housing opportunities can require engagement with City staff and resources that are located or more readily accessible in the downtown core.

Frontline workers and advocates also noted a lack of access among shelter residents to experienced housing workers who can assist with systems navigation. It is clear from our conversations that the City needs to immediately recruit additional, experienced housing workers and connect them with shelter residents as well as those living outdoors. There is also a need to rethink the purpose and role of the shelter worker, to one more explicitly directed to housing outcomes. To facilitate this, housing workers need to be provided with appropriate training and be supported and empowered to assist shelter residents with securing permanent housing and other critical steps, such as obtaining access to income support programs like the Ontario Disability Support Network, Ontario Works, or pension/Old Age Security benefits.

A consensus exists among the frontline workers and advocates we spoke with that the COVID-19 pandemic has reoriented efforts to provide permanent housing for shelter residents, along with people living on the street or in encampments. There is hope that what started as a crisis-response effort has led to a broader and significant rethinking of the wider homelessness and housing sector in Toronto and the City with the conversation shifting towards permanent housing, and not exclusively on the provision of emergency shelter. The COVID-19 Interim Shelter Recovery Strategy was widely seen, if implemented, as a vehicle for significant change. We also heard that there is hope of a broader understanding and acceptance emerging at the City that housing is a prerequisite for both individual and public health. Several frontline workers and advocates spoke about the difficulty and confusion over ways in which their clients could access new permanent housing opportunities (e.g., rapid housing, modular housing, vacant TCHC units). We heard from these individuals that the process for accessing these opportunities can be confusing, lengthy, cumbersome, and not properly structured for assisting high-needs clients. Several frontline workers and advocates pointed out that the only exit data the City and shelter providers typically track is on the number of discharges from shelters. The lack of comprehensive data collection made it very difficult to determine whether shelter residents were able to secure and sustain permanent housing. We heard calls for more robust demographic-based data collection efforts to better respond to and address the disparities among shelter residents from marginalized communities that disproportionately experience homelessness. We note that these conversations took place prior to the City announcing the roll-out of their Shelter System Flow Data Dashboards, which appear to be responsive to some of these concerns.

Use of congregate settings

We heard very loudly and clearly from frontline workers and advocates that the entire shelter system needs to recognize and reconceptualize the use of indoor space to align with human rights principles and the right to housing – whether shelter, temporary accommodation, or respite sites – and for the system as a whole to adapt to reflect this.

Most existing City of Toronto shelters were designed around the use of congregate settings. We heard about the significant challenges and feelings of being unsafe that congregate settings create for people experiencing homelessness; especially those struggling with mental health and/or substance use challenges. The frontline workers and advocates we spoke with urged the City to ensure any effort to

create, convert, renovate, or modernize shelter infrastructure eliminates congregate settings and focus on one bedroom and non-shared spaces as the new normal.

The need for individualized, private, and personal shelter spaces as a way to ensure privacy and dignity of shelter residents was also emphasized. In addition, the frontline workers and advocates we spoke with indicated that people experiencing homelessness who are provided with self-contained units and rooms can become more comfortable and adjust to living in space of their own, which can build experience with self-sufficiency, skills and familiarity that will help ensure that their ultimate move into permanent housing is more likely to be sustainable.

Use of existing housing supply to house shelter residents

Frontline workers and advocates noted a long history of pre-pandemic efforts between shelter, housing and other homeless-serving providers and City staff to develop a direct partnership with Toronto Community Housing Corporation. The goal of this effort was to build a pathway to increased permanent housing opportunities, within TCHC properties, for people experiencing homelessness. The partnership with SSHA and TCHC has now been actualized over the course of the pandemic and the result has been more permanent housing opportunities for shelter residents in TCHC buildings.

That having been said, we also note that frontline workers and advocates expressed disappointment that a conversation about building new social housing units to provide permanent housing for shelter residents appears to be missing at the City level.

In addition, we heard that the City's internal process for purchasing and converting existing housing infrastructure into permanent housing is slow and cumbersome, and there doesn't appear to have been any meaningful steps taken to make this process quicker and more responsive to the current crisis.

Temporary accommodations

The use of temporary accommodation sites during the pandemic has been seen as a positive opportunity among shelter providers to reach individuals and demographics who have been reluctant to engage with the shelter system prior to the pandemic. Policies like these that allow social networks (for example, residents of a particular encampment) to relocate to shelter spaces and/or temporary

accommodation sites that keep them together is seen as one reason why this engagement has increased.

We heard a great deal of concern, however, around temporary accommodations relying too heavily on a traditional shelter model and, in particular, the imposition of rules that are not suitable for properly assisting shelter residents in need of support and don't accommodate the individual needs of residents.

We heard that, as is the case in traditional shelters, high-needs clients are cycling in and out of temporary accommodation and homelessness due to a lack of available supports. This lack of support often results in these residents being removed from temporary accommodations and back into homelessness.

We also heard frontline staff and advocates raise concerns about the relocation of shelter residents into temporary accommodations far from their community and support network. This displacement has led to some residents moving back into encampment settings to be near their support network.

Shelter policies

Moving inside, whether to shelters or permanent housing, can be an overwhelming process for individuals experiencing homelessness. We heard that stringent rules, shared accommodation with strangers, curfews, and negative attitudes among City staff can make this transition difficult and sometimes leads to individuals returning to encampments and sleeping outdoors.

Frontline workers and advocates report a degree of misunderstanding on behalf of City staff of what homelessness entails. This lack of understanding is reflected through policies and questions that shelter residents report being subjected to (e.g., "why don't you have a cellphone," "why can't you reduce the number of personal items to two bags," "why don't you want a roommate"). We also heard about the need to strengthen capacity among shelter staff and for continued training around cultural sensitivities, equity, anti-racism, anti-sexism, anti-transphobia, etc. One way to address this, suggested by frontline workers and advocates, is to ensure the decision-making process at the City considers voices from the community, including individuals experiencing homelessness and agencies assisting individuals experiencing homelessness. This would also align with the City's commitment to implement the right to adequate housing.

It needs to be noted that we heard widespread support for shelter workers and a consensus that shelter and homelessness sector workers are undervalued and occupy positions that are defined by low-pay, low morale, and high-stress working environments. To address these problems, we heard calls for a significant amount of investment in the shelter workforce. The shelter system needs higher worker per client ratios, better training and education for staff – especially to support the evolution of the system towards better housing outcomes, better pay and comprehensive sick-day policies for staff.

Outer boroughs

The makeup of the homeless community is changing throughout the areas of the City outside of the downtown core. Individuals who are experiencing homelessness outside of the downtown core are often less visible. There was consensus among frontline workers and advocates that less visibility leads to less attention from the City and, therefore, less access to and availability of resources. We heard about individuals experiencing homelessness outside of the downtown core not having reliable access to showers, drinking water, warming centres, and COVID-19 isolation/recovery hotels. We also heard about individuals experiencing homelessness outside of the downtown core being required to travel 1.5 – 2 hours downtown via public transit to access these resources. The City needs to work with agencies serving individuals experiencing homelessness outside of the downtown core to ensure shelters and the process for transitioning to permanent housing reflect this change and offer necessary support throughout the City.

Frontline workers based in Scarborough noted very little consultation between the City and agencies assisting individuals experiencing homelessness in Scarborough prior to temporary accommodations opening in Scarborough. These frontline workers reported first hearing from their clients about these new temporary accommodations opening and not from City staff. These same workers expressed frustration that the temporary accommodations in Scarborough are inaccessible to and did not prioritize those who were experiencing homelessness in Scarborough.

Harm reduction

Frontline workers and advocates spoke about how, prior to the pandemic, the relationship between homeless advocates, the health system at large, and the shelter system was tenuous with few opportunities for partnership around the issue of harm reduction. Encouragingly, we also heard that,

over time, there has been a more structured engagement with the shelter and homelessness sector on providing harm reduction services. New partnerships and collaboration initiatives have been formed and harm reduction services and policies are more readily available. We heard directly from frontline workers and advocates about the need for this momentum to continue and for the ongoing need to staff shelters and temporary accommodation sites with clinical staff including nurses, nurse practitioners, harm reduction workers, peer support workers, etc.

5. Recommendations: How the City can Uphold its Human Rights Obligations

Toronto is in the midst of a decades long adequate and affordable housing crisis. Although this crisis has negatively affected people across most income levels, the worst impacts of this crisis are felt on any given night across the City by thousands of homeless people. Simply put, the lack of affordable and adequate housing opportunities across the City leaves homeless individuals and families with nowhere to go. Consequently, the City's emergency shelter system has become de facto long-term housing for the nearly 5,000 individuals (22% of the entire shelter resident population) who have lived in a shelter for six-months or longer.³⁰

The City's emergency shelter system was neither designed nor intended to provide long-term housing for individuals and families. However, the absence of adequate housing options has fundamentally altered the function of the shelter system as more and more people rely on this system for long-term housing. While ensuring access to permanent and adequate housing is the most effective way to break the cycle of homelessness, providing this access remains an urgent work in progress for the City despite the ongoing crisis. Until such time as all people experiencing homeless have timely access to appropriate and adequate permanent housing opportunities, the City must acknowledge that the shelter system is home for many individuals. In all cases, the shelter system must operate in a way that upholds the right to adequate housing of its residents.

³⁰ Interim Shelter Recovery Strategy at page 10. Available online: <https://www.toronto.ca/legdocs/mmis/2020/ph/bgrd/backgroundfile-156419.pdf>

In December 2019 the United Nations Special Rapporteur on Adequate Housing published guidelines on the implementation of the right to adequate housing which summarize the relevant international human rights law and offer clear direction for the City on what must be done to uphold the rights of individuals who avail of the City's shelter system.³¹ Based on these guidelines, R2HTO has developed some key recommendations and actions for the City to take to align its shelter policies, services, and programs with its commitment to the progressive realization of the right to housing.

1. People experiencing homelessness must be provided access to emergency shelter, temporary accommodations, and permanent housing opportunities that provide peace, security, and dignity

Principle 1: The Right to Adequate Housing is more than a right to mere physical shelter. Rather, the Right to Adequate Housing must be understood in relation to the inherent dignity of the human person.³² This means that shelter residents and people experiencing homelessness have the right to shelter (both emergency and temporary shelters) and permanent housing opportunities that provide security of tenure, availability of services, affordability, habitability, accessibility, appropriate location, and cultural adequacy.

Recommendations for the City of Toronto:

- Recognize that homelessness is a gross violation of human rights and the right to adequate housing and therefore, dedicate the maximum available resources to ensure that all individuals experiencing homelessness have safe, adequate, and dignified options for temporary and emergency shelter as well as meaningful access to permanent housing opportunities.
- Prioritize the housing needs of the most marginalized and those in the most desperate circumstances and ensure rights-based decision-making in which those affected are part of the decision-making process, and in which decisions are reviewed for compliance with human rights and the right to housing.

³¹ Special Rapporteur on Adequate Housing. *Guidelines for the implementation of the right to adequate housing*. December, 2019. Available online: <https://www.ohchr.org/EN/Issues/Housing/Pages/GuidelinesImplementation.aspx>

³² Ibid at page 4.

- Immediately implement the Office of the Housing Commissioner, who can engage with affected communities and advise the City on its human rights obligations and how budgetary allocations and programs can be structured to meet these obligations.
- Work with and listen to stakeholders and shelter residents to provide shelter services that reflect and respect the needs identified by both, including and related to the number of spaces required in the shelter system, to ensure that every individual in the City of Toronto has appropriate and adequate temporary shelter options for their individualized needs while they are waiting for adequate permanent housing options. In particular, the City must plan for and invest in excess capacity in the shelter system.
- Until such time as there are options for encampment residents to move into safe and adequate indoor spaces, the City must allow those individuals to remain safely *in situ* with necessary services including access to water, sanitation and food, rather than engaging in the forced eviction of those sites, while continuing to work in earnest to identify or create adequate and appropriate temporary indoor shelter and permanent housing for those individuals.³³
- The City must ensure the entire shelter network and housing programs provide necessary supports to residents and can be accessed and used without discrimination on any grounds, including migration status, nationality, gender, family status, sexual identity, age, ethnic origin, disability, dependence on alcohol or drugs, criminal record, outstanding fines, or health. A rights-based approach centres the rights, dignity, and autonomy of individuals and ensures that they are engaged in decisions that affect them. People experiencing homelessness must not be required to reside in emergency shelters, temporary accommodations, or permanent housing where they deem such opportunities to be unsafe, inadequate for their needs or undermining of their dignity.

³³ This principle is explored more fully in R2HTO's Encampment Rights Review. Available online: <https://right2housingto.ca/wp-content/uploads/2020/09/R2HTO-Encampments-Rights-Review-final.pdf>

- People residing in emergency shelters, transitional shelters, and/or temporary accommodations must be provided timely access to permanent, affordable housing opportunities so as not to be forced to rely on emergency or temporary accommodations for extended periods of time.
- Access to income support programs, rent supplements, and support services are key tools to ensure access to permanent housing opportunities. Shelter staff and stakeholders should receive comprehensive training on assisting shelter residents in accessing these programs.
- The City should explore ways to purchase available short and long-term housing units to ensure that current and future shelter and temporary accommodation residents have access to a wide range of permanent and affordable housing opportunities with necessary supports.

2. Security of tenure

Principle 2: Shelter residents, both long-term and short-term, should possess an appropriate degree of security of tenure which guarantees protection against relocation, unnecessary or discriminatory discharge/eviction, and involuntary return to homelessness.

Recommendations for the City of Toronto:

- The City’s shelters house some of our most vulnerable populations and each shelter resident deserves a high level of certainty and security regarding where they reside.
- Retrogressive policies, programs, and measures that contribute to shelter residents exiting the shelter system into homelessness are a violation of international human rights law and the right to housing. No shelter resident should be evicted into homelessness.
- People residing in emergency shelters, transitional shelters, and temporary accommodations, whether on a short-term or a long-term basis, must not be relocated or discharged without their consent except in exceptional circumstances, and where all alternatives have been explored in consultation with affected residents.

- Where relocation or discharge from emergency shelters, transitional shelters, and temporary accommodations is unavoidable, all necessary measures must be taken in consultation with affected persons, to ensure access to alternative adequate accommodation and to avoid homelessness.

3. Availability of services, materials, facilities, and infrastructure

Principle 3: Emergency shelters, transitional shelters, and temporary accommodations must contain adequate services and facilities essential for the health, dignity, security, privacy, comfort, and nutrition of shelter residents.

Recommendations for the City of Toronto:

- Emergency shelters, transitional shelters, and temporary accommodations must provide adequate sanitation facilities, including toilets, and provide access to sanitation products including water, soap, sanitizers, harm reduction supplies, laundry and bathing facilities.
- Shelters must allow for physical separation, distancing, isolation, and, if necessary, quarantine to allow for disease control. If residents must move because of unsafe conditions, adequate alternate accommodation must be secured for them to move to immediately.
- Access to information on available health services must be provided to all shelter residents upon entry.
- The City must take urgent and immediate action to respond to the opioid crisis. This includes measures to expand peer support and other harm reduction services across the shelter system. The City's Harm Reduction Framework should be updated to reflect the realities of the current opioid crisis.
- The City must implement the Shelter Health Services Framework in all new and existing shelter locations.

- Appropriate psychological and social supports must be included in physical and mental health services and facilities.

4. Habitability

Principle 4: All shelters and temporary accommodation must provide shelter residents and staff with adequate, comfortable and dignified space, a healthy and supportive living environment with protection from threats to physical health, mental health or physical safety, including from any form of sexual or other harassment, discrimination or bullying.

Recommendations for the City of Toronto:

- The City must transition entirely from a congregate setting-based model for shelters and temporary accommodations and take steps to ensure personal space and privacy are paramount design features of new and renovated shelter infrastructure.
- Services, programs, and policies that provide safety, security and dignity for shelter residents must be developed and maintained using a rights-based approach, ensuring that shelter residents are able to participate in planning and reviewing and that all policies and programs advance the right to a place to live in peace, dignity and security.
- All facilities in the shelter system must be able to accommodate the diverse needs of users within a human rights framework based on the dignity and worth of every resident. The City must ensure that dedicated facilities are also available to serve the unique needs of marginalized groups. In particular:
 - Women and, if applicable, their family members who are fleeing domestic and/or intimate partner violence must have access to adequate alternative accommodations that ensure safety and provide access to social and health services.
 - Trans-identifying and gender-diverse individuals must be provided with dignified and safe emergency shelter options, recognizing the distinct forms of violence facing these individuals.

- Racialized groups must be able to access and reside within the shelter system without experiencing racism, violent incidents or other threats to their physical, mental and emotional safety and well-being.
- Indigenous people must have access to temporary accommodation and to permanent housing that is developed and managed based on their own priorities and strategies and administered through their own institutions and in accordance with their own traditions and customs, in accordance with the UN Declaration on the Rights of Indigenous Peoples.
- Individuals living with addiction must have access to harm reduction services and other programs to support their physical safety and health.
- Shelters must provide a safe environment for all residents. The City should ensure current and new shelters adhere to design measures (maximum visibility, easy access to exits) and implement user-focused policies that ensure physical safety and mental and emotional well-being. In particular, the City must invest in an appropriate staffing model for shelters that provides an appropriate staff to client ratio, and considers the unique needs of the population served, and challenges associated, with maintaining a safe environment for all residents.

5. Accessibility

Principle 5: Emergency shelters, transitional shelters, and temporary accommodations must be accessible to individuals of all abilities and needs. Members of disadvantaged groups must have access to a shelter system that accommodates their abilities and needs, including cultural needs. Shelters should provide supportive environments for marginalized communities such as LGBTQ and Indigenous residents.

Recommendations for the City of Toronto:

- Disadvantaged and marginalized groups must be accorded full and sustainable access to the City's shelter system.

- The City must ensure the entire shelter network provides necessary supports to residents and can be accessed and used without discrimination on any grounds, including migration status, nationality, gender, family status, sexual identity, age, ethnic origin, disability, dependence on alcohol or drugs, criminal record, outstanding fines or health. The shelter system must also accommodate the needs of persons with pets where possible.
- Efforts to renovate and repurpose existing shelter infrastructure must ensure the needs of the individuals who will reside within them, including individuals with disabilities, are met.
- The right to adequate housing has a particular meaning for persons with disabilities and the City has a distinct obligation to accommodate shelter residents with disabilities in a manner that ensures their dignity. This includes the provision of necessary accommodations, facilitating the ability for shelter residents with disabilities to live independently, and to foster inclusion in all aspects of the shelter system.
- Members of disadvantaged and marginalized groups and populations disproportionately affected by homelessness should be meaningfully engaged in shelter design, policy, and administration and ensure that shelters are responsive to diverse needs and lifestyles.

6. Location

Principle 6: Shelter residents must have access to emergency shelters, transitional shelters, temporary accommodations, and permanent housing opportunities that allow access to health-care services, support networks, schools, childcare centres, social and familial networks and employment.

Recommendations for the City of Toronto:

- The City has a responsibility to provide access to shelter and housing opportunities and create housing and shelter options for people throughout the City and not only in the downtown core.

- The above extends to shelter-adjacent services, including programs that work to provide shelter space to homeless individuals, and services that shelter residents rely on for their health and well-being.
- Shelter policies must allow for social networks and communities (for example, residents of a particular encampment) to relocate to shelter spaces that keep them together.
- The City must facilitate transportation for new and existing shelter residents so they can access shelters close to networks and supports.

7. Cultural adequacy

Principle 7: New and current shelters, temporary accommodations, and permanent housing opportunities for shelter residents must be constructed in a way, and have policies in place, that enable and support the expression of cultural identity and diversity.

Recommendations for the City of Toronto:

- Shelter policies, programs, and design should be trauma-informed and culturally responsive. The construction, design, and repurposing of shelters must account for cultural identity and diversity.
- Shelter and housing services for Indigenous populations should prioritize Indigenous-based ownership and operation. Indigenous shelter residents must also have access to Indigenous-led supportive services.
- All shelter providers should operate from an anti-Black racism framework.
- The City must fully implement the recommendations present in the Interim Shelter Recovery Strategy for addressing the disproportionate representation of Black and Indigenous individuals among the homeless population.

8. Meaningful engagement and effective participation from shelter residents

Principle 8: Shelter residents must be ensured the right to meaningful and effective participation in all decisions affecting them, including the design and implementation of policies, programs, and practices. Residents must be engaged as rights holders, ensuring their dignity, autonomy, exercise of agency and self-determination.

Recommendations for the City of Toronto:

- Shelter residents must be viewed as rights holders, with direct influence over shelter design, administration and policies, and not merely clients of the shelter system.
- Shelter residents are entitled to participate actively, freely and meaningfully in the design and implementation of all shelter system policies that affect them.
- The above includes all aspects of the design, construction, implementation and administration of shelter infrastructure and policies.
- The redesign and renovation of existing shelter infrastructure and the construction and development of new shelter models should centre on the lived experience of those who reside in shelters and be fully responsive to their feedback and input.

9. Access to justice

Principle 9: Access to justice to claim the right to housing and other human rights must be ensured for individuals and families residing in emergency shelters, transitional shelters, and temporary accommodation.

Recommendations for the City of Toronto:

- A rights-based approach to housing must be incorporated into every aspect of shelter development, administration, and design so that residents are able to identify ways in which

their right to housing or other human rights are being violated and to access a procedure in which their human rights concerns can be fully heard and through which necessary changes can be secured.

- Shelter residents must be provided with information about and access to legal aid services that can assist with enforcing their legal rights.
- Evictions are often a direct pathway into homelessness and reliance on the shelter system. The City must design and develop a proactive education and outreach campaign for tenants on understanding their legal rights throughout the legal eviction process. This should include, but not be limited to, specific information on understanding and responding to notices of termination, eviction applications, and eviction orders.
- In addition to the above, the City must take an active role in ensuring tenants are connected with eviction prevention services at the earliest possible time in the eviction process. Where such services are not made available or funded through other levels of government, the City should provide adequate funding for them.³⁴

10. Comprehensive and rights-based policies for preventing homelessness

Principle 10: Implement comprehensive and rights-based policies, measures, and strategies for transitioning shelter and temporary residents into permanent housing and addressing the underlying causes of re-entry into the shelter system.

Recommendations for the City of Toronto:

- Establish a Housing Commissioner and office as described in the 2020-2030 HousingTO Action Plan to receive and address systemic issues that lead to homelessness and any violations of the

³⁴ More recommendations on how the City can align their eviction prevention programs using a right-based approach can be found in our Eviction Rights Review. Available online: <https://right2housingto.ca/wp-content/uploads/2020/12/Evictions-Rights-Review-R2HTO.pdf>

right to housing within the shelter system.

- Prioritize the development of social, non-profit, rent-geared-to-income, supportive and deeply affordable housing, invest significantly in the development of housing for those who are exiting the shelter system, those who are most vulnerable, and those who are at high-risk of experiencing homelessness, and provide rent-geared-to-income subsidy for private rental to ensure access to affordable housing where appropriate non-profit housing is not available.
- Ensure the transformation and modernization of the existing shelter system into a system that provides a dignified and secure temporary home and facilitates transition to permanent housing, while ensuring that no one falls through the cracks during that transition period. In particular, this means implementing measures to prioritize the transformation of existing shelter infrastructure into permanent and supportive housing while ensuring essential emergency shelter options are readily available for people who require short-term, safe and adequate shelter.
- Expand availability of portable housing benefits, including the THAP, and designate the THAP an essential service on a permanent basis.
- Provide for higher worker per client ratios in the shelter system, better training and education for staff, better pay and comprehensive sick-day and other policies to support and recognize the important role of staff, who support some of the City's most vulnerable people. Shelter system workers should receive adequate support to transition to a role that focuses on providing access to permanent and supportive housing opportunities for their clients and supporting systems change to ensure improved housing outcomes.

APPENDIX:

The City of Toronto's Policies, Standards, and Frameworks Regarding Shelters

HousingTO 2020-2030 Action Plan and Implementation Plan

Specific goals relating to the shelter system referenced in the Action Plan include:

- Focus on upstream interventions that prevent people from becoming homeless by developing and implementing shelter diversion services and strategies.
- Ensure housing-focused emergency response to homelessness by:
 - providing street outreach and overnight accommodation that offers a safe, temperature-controlled indoor space and connections to other supports;
 - implementing a housing-focused service model at new shelter sites and explore opportunities to expand implementation to all shelters; and,
 - increasing partnerships with health service providers and improve coordination and integration of health services within shelter, 24-hour respite, and outreach services.
- Better connect people experiencing homelessness to housing and supports by:
 - implementing a coordinated access system that includes a by-name list of all people experiencing homelessness, a common assessment approach, and prioritization of populations with greatest needs; and,
 - building an integrated service delivery system and establish data sharing protocols within the housing and homelessness sector.
- Increase availability of supportive housing by:
 - providing an additional 1,000 shelter beds and shift all future investments toward developing permanent housing;
 - exploring opportunities to leverage existing shelter properties for development of supportive housing;
 - expanding the number of shelter beds designated for women, with a focus on women and children fleeing violence; and,
 - create 1,000 modular supportive housing opportunities for homeless individuals and chronic shelter users by 2030.

The Implementation Plan contained the following shelter system-related benchmarks:

- conduct a portfolio review of existing shelter sites to identify options to convert current shelter sites to permanent housing infrastructure for long-term shelter users;
- enhance the Shelter Management Information System to improve data tracking and reporting capabilities;
- implement the Shelter Health Services Framework in all new and existing shelter locations;
- explore opportunities to leverage existing shelter properties for the development of supportive housing;
- develop and implement the Coordinated Access System to match shelter users with new affordable housing opportunities;

- implement the new housing-focused service model at new shelter sites and expand the new housing-focused shelter service model across the existing shelter system; and,
- provide an additional 1,000 shelter beds and shift all future investments toward developing permanent housing.

Interim Shelter Recovery and Infrastructure Implementation Plan

The twelve priorities contained in the Interim Shelter Recovery Plan are as follows:

1. Invest in housing and supports to decrease the volume and duration of need for emergency shelter;
2. Deepen collaboration and coordination with health partners;
3. Shift the way the City shelters people to provide COVID-safe, dignified options;
4. Minimize the flow of people into traditional emergency shelters;
5. Address the disproportionate representation of Black people in Toronto’s homeless population;
6. Promote Black leadership in homelessness services;
7. Collect and act on data to address inequitable outcomes;
8. Work with the homelessness service system to ensure all providers operate from an anti-Black racism framework;
9. Prioritize Indigenous-specific housing in strategies to secure more permanent housing infrastructure;
10. Expand Indigenous-led outreach and supports for Indigenous individuals during the pandemic;
11. Establish protocol to ensure Indigenous individuals who have been moved into new housing are connected with an Indigenous provider; and,
12. Support Indigenous providers to act quickly and lead solutions.

Shelter Design and Technical Guidelines

The objectives of the Design Guidelines are described as follows:

- to guide and align the design of new shelters and renovations to existing shelters;
- to enhance positive outcomes and experiences for all shelter-users, staff, and visitors in new shelters, well integrated with and positively contributing to existing communities;
- the inclusion of design criteria in support of equity seeking groups; and,
- to facilitate designs that promote dignity, comfort, and choice to support shelter users in moving to permanent housing.³⁵

The Design Guidelines are centered around the following design principles:

- User-centered – shelters should be trauma-informed, accessible for people with physical disabilities, consistent with safe-use, harm reduction approaches, culturally responsive, compatible with pet ownership, and easily navigable.

³⁵ Design Guidelines page 2.

- Respectful – shelters should minimize physical representations of the power imbalance between shelter users and workers and offer privacy in spaces where an expectation of privacy is given, such as bathrooms, sleeping quarters, and changing rooms.
- Safe – the Design Guidelines recommend a “Crime Prevention Through Environmental Design” methodology that encourages maximum visibility in all spaces (except where privacy concerns arise) and easy access to multiple exits where shelter residents and/or staff find themselves in situations of conflict.
- Healthy – among other steps to ensure the health of shelter residents and workers, shelters should incorporate access to health services on-site, be designed to limit the spread of infection, and should allow for optimal sleep.
- Environmentally Sustainable – align shelter design and renovation efforts with the Toronto Green Standard.
- Integrated in the Community – shelters should be integrated in the community through community engagement, programming, site design, and architectural design.
- Flexible – shelters should be designed to accommodate multiple present and future uses.

SSHA Harm Reduction Framework

The specific harm reduction steps described in the Harm Reduction Framework include the following:

- Ensuring locations have access to on-site harm reduction supplies, including naloxone.
- Mandatory staff training on drug use, overdose prevention and response.
- Grief and loss support services for shelter staff and residents.
- Creating an overdose response program for shelter residents that use drugs. Option may include:
 - Establishing a peer witnessing program where residents can consume drugs in the company of a hired or appointed staff person;
 - Conducting wellness checks and establishing monitoring options that are non-stigmatizing and not fear-based;
 - Establishing a safe inhalation or smoking space that allows harm reduction/peer workers to witness drug use from an appropriate distance;
 - Establishing virtual services, such as a dedicated on-call consumption support person available by telephone;
 - Establishing Resident Peer Harm Reduction Advisory Committees at all hotel locations;
 - Investigating options to support a safer supply of drugs; and,
 - Whenever possible, working with people with lived experience to develop and potentially deliver harm reduction and overdose-related services on-site.

Shelter System Flow Data dashboards

Specific categories of people captured in the Data Dashboards:

- people who are entering the shelter system (Inflow);
- people who entered the shelter system for the first time;
- people who previously used the shelter system, then moved to permanent housing, and have now returned;

- people who were previously using the shelter system, then did not use the system for 3 months or longer, and have now returned;
- people who are leaving the shelter system (Outflow);
- people who were using the shelter system and have moved to permanent housing;
- people who were using the shelter system previously, but have not used the shelter system in the past three months;
- people who are Actively Experiencing Homelessness; and,
- people who have used the shelter system at least one time in the past three months and did not move to permanent housing.

Toronto Shelter Standards

The City's Shelter Standards are guided by principles of service delivery designed to inform shelter providers in their actions, decision making and service approach. The six principles are:

- Respect and Dignity: shelter service delivery is based on accepting and respecting the inherent dignity, diversity, experiences and abilities of individuals.
- Client Centered Service: shelter services focus on clients' needs and empower them to collaborate in the development and implementation of a service plan. As much as possible, clients' preferences and their feedback about the services they receive are meaningfully considered and acted upon when appropriate.
- Housing First: Housing is a basic human need. All persons deserve safe, secure, affordable and well-maintained housing. The focus of shelter service delivery is to help clients find and maintain housing consistent with their service plans.
- Access to Shelter Services: all persons have the right to seek shelter services.
- Service Quality: High-quality service delivery relies on clear, achievable and measurable outcomes.
- Collaboration, Community Engagement and Partnerships: community engagement, support networks and partnerships are essential to enhancing the efficiency and effectiveness of the shelter system.

The Shelter Standards are subsequently divided into six sections:

- Client Rights and Responsibilities
- Complaints and Appeals
- Access Requests and Customer Service
- Basic Needs and Services
- Case Management, Supports and Services
- Health and Safety
- Administration

24-Hour Respite Site Standards

The Principles of Service Delivery in the 24-Hour Respite Site Standards include the following:

- **Respect and Dignity**: services will be delivered in a compassionate and non-judgemental manner that respects clients, their privacy and protects and enhances their dignity.
- **Client-Centred Service**: access and supports will be provided using a low-barrier approach that is client-centered, trauma-informed, grounding in harm reduction, approached from an anti-racism/anti-oppression perspective and involves clients in all key decisions regarding their needs.
- **Safety**: 24-Hour Respite Site services will be delivered in a manner that promotes and enhances the safety of clients, staff, volunteers and visitors.
- **Housing First**: helping clients to find and maintain housing is an effective way to help clients' transition from homelessness to permanent housing. Clients are provided with information, opportunities and choices to access housing and related supports.
- **Service Quality**: 24-Hour Respite Site service quality relies on clear, practical and achievable outcomes. Services will be delivered focusing on continuous improvement.
- **Collaboration and Partnerships**: 24-Hour Respite site services will be built on positive community relations and a network of supports to achieve better outcomes for clients.

The 24-Hour Respite Site Standards are subdivided into an additional seven sections:

- Client Rights and Responsibilities
- Compliments, Complaints and Appeals
- Access Requests and Customer Service
- Basic Needs and Services
- Supports and Programs
- Health and Safety
- Administration

Forthcoming COVID-19 Response Measures

The following shelter-related commitments were made by City Council during the 2021 Budget process:

- invest in the Emergency Housing Action Plan;
- direct the City Manager to advocate to the Provincial Government for immediate funding for the City's goal of creating a minimum of 1,098 new supportive housing units in 2021;
- commit to taking all measures needed to provide emergency housing, shelter or respite to ensure there are enough spaces to house everyone who is sleeping outdoors or in encampments this winter;
- provide City staff the authority and resources needed to fulfill this direction, including to site emergency shelter/hotel programs rapidly in all neighborhoods across the City where opportunities are available and take every step necessary to meet these timeframes, including expediting community notice and engagement, where necessary, before a program opens;
- direct the City Manager to report monthly on the City's website on progress for providing additional shelter, modular housing, the rapid housing initiative and supportive housing,

including specifically the number of units available for use as supportive housing program and the number of units with confirmed Provincial funding for supportive services, beginning in February 2021; and,

- request the City Manager to provide a comprehensive report in second quarter of 2021 that includes the status of funding secured for supportive housing funding from the Province and options to achieve the City's 2021 and future supportive housing targets.

Response to COVID-19

Enhanced Safety and Social Distancing Measures

- enhancing safety measures to ensure social distancing and protect shelter residents, staff, and stakeholders in the shelter system.
- ensuring the mandatory use of masks for staff throughout shifts and issuing a Directive for mandatory masks or face coverings for clients in all common areas.³⁶
- symptom screening at all points of entry into the shelter system and active daily screening and monitoring of all clients and staff for COVID-19 symptoms.
- transporting clients with symptoms to provincial assessment sites for testing and working with Ontario Health Toronto Region and hospital partners to deliver on-site testing as recommended by Toronto Public Health.
- operating an isolation and recovery program with wrap-around health and harm reduction supports for clients who await test results or test positive to recover.
- increased IPAC activities including enhanced cleaning protocols at all shelter sites.
- distribution of an average of approximately 100,000 pieces of personal protective equipment (PPE) weekly, including medical masks for use by staff.
- providing guidance on maintaining physical distancing, issuing a Directive including:
 - encouraging physical distancing in all areas of the shelter, including washrooms, dining and common areas;
 - adding visual cues throughout buildings, including in common staff spaces to assist clients and staff in maintaining physical distancing;
 - staggering meal times and/or providing meals to rooms, where possible; and
 - staggering or limiting use of common areas.

Resources for Shelters & Homeless Service Providers

The City's COVID-19 related resources for shelter and homeless service providers include materials on the following categories:

- Testing & Referrals to Isolation
- Screening
- Managing COVID-19 Outbreaks

³⁶ https://www.toronto.ca/wp-content/uploads/2020/09/98a6-TSS-directive_mask-requirements_Sept-15-2020.pdf

- Resources for Clients
- COVID-19 Directives, Memos & Policies
- City of Toronto COVID-19 Immunization Clinic
- Temporary Pandemic Pay
- Physical Distancing Posters
- Personal Protective Equipment (PPE) in Shelter Settings
- Infection Prevention and Control in Homelessness Service Settings



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