

Protecting the Affordable Rental Housing Stock

RIGHTS
REVIEW

EXECUTIVE SUMMARY

Right to
Housing
in Toronto



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Right to Housing Toronto (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’ Associations (FMTA), Jane Finch Housing Coalition, Maytree, West Scarborough Community Legal Services, and housing advocates Joy Connelly and Ingrid Palmer.

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Executive Summary

The City of Toronto's stock of affordable housing consists of public, private, co-operative and non-profit models that stem from various eras of federal and provincial investments and policy innovation. The most significant and recent period of intervention unfolded throughout the 1970s and 1980s, winding down in the 1990s.

While new housing construction has continued over the last couple of decades, almost all of the new stock of rental housing is not affordable for a large segment of Toronto's population, particularly its lower income households. In fact, 37% of households in Toronto spent more than 30% of their before-tax income on shelter, which means they have been living in unaffordable housing. 87% of households who are living in private rental housing and earning \$30,000 or less are paying unaffordable rents.

Meanwhile, the remaining stock of public and private affordable housing is aging and is occasionally in a state of disrepair. Households living in these types of units have struggled to find alternative, affordable options or an effective recourse to improve their current living conditions. At the same time, many of these buildings face the risk of being renovated or demolished and redeveloped into units that are considerably more expensive, in turn risking the displacement of lower income tenants.

Threats to tenure security, poor living conditions, and lack of affordable housing options are all examples of shortcomings in progressively realizing the right to housing. These conditions have, in part, been created by a public policy environment that has favoured market mechanisms to solve social problems. For example, loosening of rent regulations have incentivized landlords to hike rents. In addition, higher orders of government have retreated from past financial commitments towards funding community housing, even as the federal government has started to once again intervene.

While there is clearly a need to increase the supply of quality, affordable housing options to address our current housing crisis, more immediate benefits can be achieved through introducing measures to protect existing affordable housing. Building off the Rights Review on Safety and Maintenance, this report delves into the management of community housing stock and existing incentive structures that make market housing less affordable.

Here, all levels of government have a role to play. The federal government can leverage its fiscal powers to support local efforts to protect housing. Significantly, provincial powers over municipalities means their use of effective legislation, regulation and funding can potentially build municipal capacity to deliver more effectively on affordable housing.

However, the City of Toronto's range of initiatives to protect affordable housing is the focus of analysis in this report. As the City has taken on the bulk of responsibilities around community housing management and has various tools available to mitigate the loss of affordable market housing, a review of its initiatives sheds light on the extent to which its measures are working. A rights-based lens is applied to recommend ways in which the City can build upon its current work and strengthen ways to protect affordable housing.



Right to Housing Principles

Our recommendations for the City of Toronto are based on the following right to housing principles:

1 The City should consider new policies and review existing policies to ensure they protect affordable housing stock and benefit residents in most need of affordable housing options.

2 The City must use all available revenue tools and resources to act with urgency to protect affordable housing for low- to moderate-income renter households.

3 The City should leverage all available avenues to facilitate collaboration between the various service and housing providers involved in the provision of affordable rental housing and access to justice for renters.

4 The City must engage with impacted communities and the full range of stakeholders (i.e. developers, landlords, neighborhood groups, nonprofit organizations) to build a shared understanding of the right to housing and create cohesive, inclusive and diverse communities.

5 The City should leverage all available avenues to reconcile policy objectives and encourage cooperation between different orders of government to preserve affordable rental housing stock.

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Recommendations for the City of Toronto

1 Maximize the use of available policy tools to expand protection of all affordable housing options.

PRINCIPLE 1: The City should consider new policies and review existing policies to ensure they protect affordable housing stock and benefit residents in most need of affordable housing options.

Recommendations for the City of Toronto:

- Establish a unified regulatory regime where multi-tenant houses are permitted in every residential zone, with clear standards to ensure adequacy and safety for all residents.
- End discriminatory restrictions on multi-tenant houses so the safety and well-being of renters are protected, regardless of income or housing type.
- Strengthen the Replacement Policy based on the recommendations of the City of Toronto Auditor General's report, including strengthening processes and oversight to ensure that lower income tenants' needs are not neglected in the process.
- Ensure the City's proposed renoviction by-law is based on a broad interpretation of municipal powers to effectively achieve its intended objective of deterring renovictions.
- Implement a right of first refusal for the City on any sale of existing or potential rental housing and advocate for sufficient funding from higher orders of government to fully realize this right.

2 Direct the City's maximum available resources to pre-serve affordable housing.

PRINCIPLE 2: The City must use all available revenue tools and resources to act with urgency to protect affordable housing for low- to moderate-income renter households.

Recommendations for the City of Toronto:

- Explore other dedicated funds, such as committing an annual portion of reserve funds to support the continuation of operating agreements with non-profit housing providers.
- Introduce new revenue tools, such as those explored in the [Rights Review on Increasing Supply](#), to draw on more funding to build capacity for enforcing property standards and continue funding housing programs.

- Continue to invest in social infrastructure such as educational and employment opportunities to ensure an integrated approach to preservation is in place.
- Increase funding of available incentives for landlords to keep investing in affordable stock, as opposed to demolishing and/or selling off this housing stock.
- Invest in resources to better monitor and enforce the new short-term rental regulation.

3 Improve collaboration between all service and housing providers.

PRINCIPLE 3: The City should leverage all available avenues to facilitate collaboration between the various service and housing providers involved in the provision of affordable rental housing and access to justice for renters.

Recommendations for the City of Toronto:

- Create platforms to convene the City's 230 non-profit and cooperative housing providers on a regular basis to share best practices, pool resources more effectively, aggregate data, and better align on outcomes.
- Promote cooperation and interaction between private and public housing providers.
- Build the capacity of community legal aid clinics and other service providers to engage with tenants on eviction prevention.

4 Engage with tenants proactively to strengthen existing programs and create new approaches to comprehensively preserving affordable housing.

PRINCIPLE 4: The City must engage with impacted communities and the full range of stakeholders (i.e. developers, landlords, neighborhood groups, nonprofit organizations) to build a shared understanding of the right to housing and create cohesive, inclusive and diverse communities.

Recommendations for the City of Toronto:

- Encourage communities impacted by the housing affordability crisis to engage in civic action to have their voices heard.
- Provide meaningful consultative opportunities for lower-income households, in particular communities directly impacted by housing policies/programs, to be involved in the policy decision-making processes.
- Proactively engage with tenants to include their lived experiences to inform program design and strengthen the implementation of complex initiatives such as revitalization projects.
- As explored in our [Rights Review on Safety and Maintenance](#), build the capacity of tenant organizations and facilitate their access to funding and resources, including the Tenant Defense Fund, so that they can advocate for the protection of affordable rental housing.
- Increase awareness of tenants, landlords and other stakeholders on their legal rights and responsibilities.

5 Advocate for evidence-based policies and investments by higher orders of government to strengthen efforts to preserve affordable housing.

PRINCIPLE 3: The City should leverage all available avenues to reconcile policy objectives and encourage cooperation between different orders of government to preserve affordable rental housing stock.

Recommendations for the City of Toronto:

- Advocate for the creation of a platform that convenes all levels of government to discuss housing challenges/priorities and articulate collective actions, including regulatory and legislative harmonization, data collection, and funding stabilization.
- Advocate for more funding from higher orders of government to help the City's new initiatives such as the acquisition of at-risk private rentals.
- Advocate for the immediate development and implementation of an adequately resourced federal and/or provincial acquisition program to protect at-risk affordable rentals.

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