



October 20, 2021

Economic and Community Development Committee

RE: EC25.5 Results of the 2021 Street Needs Assessment and Shelter, Support and Housing Administration's Homelessness Solutions Service Plan

Dear Councillors,

**Faculty of Health
Critical Disability**

Studies

**Dr. A.J. Withers
Adjunct Faculty**

ROOM #313
STONG COLLEGE
YORK UNIVERSITY
4700 KEELE ST
TORONTO ON
CANADA
M3J 1P3

withersa@yorku.ca

My name is Dr. A. J. Withers, I hold a PhD in Social Work, specializing in homelessness and disability studies.

I am the lead author of the Emergency Winter and Shelter Support and Infrastructure Plan, (hereafter the Winter Plan) released October 12, 2021. Please find this heavily researched and comprehensive report and plan for the shelter system and City of Toronto housing and homelessness policy is enclosed. The report can also be found at: <http://www.shjn.ca/wpcontent/uploads/2021/10/Winter-Plan-Final.pdf>. The authors of this report are 12 researchers, front-line workers, people with lived experience, and community advocates; many of whom have been involved with the Toronto unhoused community for decades.

The report was released by the Shelter and Housing Justice Network, a network of homelessness and housing advocates, shelter providers, healthcare professionals, faith leaders, legal workers, and researchers who have come together to address the issue of homelessness in Canada on a local, provincial, and national level.

The positions held in this deputation are my own and not those of SHJN or any other authors of the Winter Plan.

There are numerous policy implications emerging out of the 2021 Street Needs Assessment (SNA). I address some of these in my deputation for item EC25.6 2022 Shelter Infrastructure Plan, Community Engagement Review and Amendments to Contracts and Purchase Orders to Support Shelter Services. It is my hope that you will read this deputation in conjunction with that deputation.

The Homelessness Solutions Service Plan and the Winter Plan

These are components of the shelter system that are in place because of recommendations of and advocacy by community advocates:

- Warming centres
- 24-hr drop-ins for women and trans people
- Respite sites
- Out-of-the-Colds
- The City Council mandate for 90% capacity in the shelter system
- The 1,000 shelter spaces motion passed by City Council in 2018

Much of the shelter system has been designed by community advocates. SSHA was opposed to all of these things, perhaps excluding Out-of-the-Colds.

The Winter Plan documents what the shelter system and homelessness and housing policy need right now to address the housing crisis.

The Homelessness Solutions Service Plan (HSSP) comes very short of what is called for in the Winter Plan.

There are some good things about the HSSP. It is very positive that there will be an Indigenous funding stream.

The plan is also shiny and glossy. Indeed, that is what much of it is, it is a glossy plan with little substance.

Shelter-Hotels

It is deeply concerning that, despite the difference it has made in people's lives and the improvement in service for many people that SSHA plans to eliminate the shelter-hotel system. There are problems with these sites documented



in the Winter Plan. Nevertheless, the authors conclude that these leases must be extended until the Spring of 2023 and not terminated until all shelter-hotel residents are housed in units that they find appropriate. This is another instance of the disregard for the desires of shelter system users and recommendations of community advocates – especially those who are actually on the ground working with unhoused people.

Equity and the HSSP

The HSSP is disingenuous in asserting it is “advancing reconciliation” given the City of Toronto’s recent and current treatment of Indigenous people in encampments. The City of Toronto is in violation of international law with respect to Indigenous people’s rights and general human rights. The Winter Plan documents the multiple ways that the City of Toronto is in violation of the *United Nations Declaration on the Rights of Indigenous Peoples Act*, the Truth and Reconciliation Commission of Canada’s Calls to Action, and the City’s own stated commitments to Indigenous peoples with respect to its treatment of encampment residents.

Similarly, the Winter Plan found the City of Toronto is in violation of local human rights commitments, and human rights standards at multiple jurisdictional levels with respect to its treatment of encamped individuals.

Positively, the HSSP will prioritize several marginalized groups to access housing from the shelter system. However, only “people with developmental disabilities” are listed in this section, rather than all disabled people. This is concerning – especially given the documented concerns with accessibility in the shelter system.

Further, the HSSP does not address these issues while people are in the shelter system. The HSSP asserts that the Shelter Design and Technical Guidelines (the Guidelines hereafter) will assist shelter providers to make shelters more responsive to the needs of 2SLGBTQ+ people. This is not the case. The Guidelines only recommend that shelters should provide integration with and linkages to 2SLGBTQ+ communities.¹ Neither the HSSP nor the Guidelines address the systemic cisgenderism documented in the Winter Plan.

The assertion that the HSSP is “focusing on equity” is insufficient and fails to address the human rights and equity issues in the shelter system.

Street Needs Assessment Findings

The most substantial changes between the 2018 SNA and the 2021 SNA are the number of people who are unhoused, why they are unhoused and why they remain unhoused.

Chronic Homelessness

There is a significant increase in the number of “chronically homeless” people. Three-quarters (77%) of all unhoused people in the 2021 SNA were classified as “chronically homeless” – which means they have been homeless for six months or longer. This is up from half (48%) of respondents in 2018.² **A 29% increase in the proportion of people who are considered “chronically homeless” in three years is alarming.**

What does this mean?

1. **Housing First is a policy failure.** Housing First is designed to target people who have been homeless for six or more months and get them out of homelessness – to reduce the proportion of “chronically homeless” people to zero. SSHA has utterly failed in this regard.
2. **Housing First policy is brutal and cruel.** The requirement that people become “chronically homeless” before being able to access additional supports means that people have to be homeless for six months before getting additional help. There is an increasing and alarming rate of violence in the Toronto shelter system – not supporting people get out of it as quickly as possible exposes people to witnessing and experiencing physical and sexual violence.³ These supports should be open to everyone. The Winter Plan recommends that housing allowances be open to everyone;

¹ City of Toronto Shelter Design and Technical Guidelines. p. 18-19.

² City of Toronto, “Street Needs Assessment - 2018” (Toronto, 2018), <https://www.toronto.ca/wp-content/uploads/2018/11/99be-2018-SNA-Results-Report.pdf>.

³ See the Winter Plan section on violence, self-harm and theft in the shelter system.

that the City eliminate any and all conditions that applicants must be "chronically homeless." This is particularly important because SSHA recognizes that many marginalized groups are part of the "hidden homeless" and, therefore, undercounted in the SNA (and don't qualify for many SSHA supports).

3. **City housing plans are inadequate.** SSHA asserts: "Based on the current HousingTO target to create 1,800 units of supportive housing a year, this would be sufficient to provide supportive housing pathways out of homelessness for everyone currently experiencing chronic homelessness in our system within 2-3 years."⁴ **With such a dramatic increase in "chronic homelessness" it is wholly inadequate to only plan for the existing population.** This is especially the case given SSHA's inadequacy in housing people in the shelter system.⁵ **The Winter Plan calls for 5,000 rent-geared-to-income units a year** in addition to what is currently planned in order to address the population of people who are "chronically homeless," those who are enumerated in the SNA and will inevitably become "chronically homeless" without sufficient assistance to access housing, and the "hidden homeless" population that is not enumerated in the SNA but lives in precarious, and often violent situations. The 2021 SNA clearly demonstrates that, adjusting for the closed borders due to the COVID-19 pandemic, the unhoused population has been rising and there is every indication it will continue to do so.
4. **2,250 new, permanent, non-congregate shelter beds are needed immediately, 5,710 beds are needed in the very near future.** The Winter Plan calculated that 2,250 beds are needed; this is a different methodology than past demands. It puts the shelter system at 100% capacity each night, not 90% capacity as recent past demands for 2,000, 1,500 and 1,000 beds have done between 2017 and 2019. This does not need to be adjusted for the 2021 SNA because the Shelter System Flow data was used. Factoring in City Council's mandate to keep the shelter system at 90% capacity, would be 2,930 beds. This is the magnitude of the crisis. In 2018, the demand was calculated at 1,500 more beds to bring the shelter system to 90% capacity. **The need has increased by over 1,400 beds in 3 years.**⁶ This does not factor in an anticipated increase in the number of unhoused people once the borders open which is an additional 2,781 spaces to bring the system up to 90% based on 2018 numbers. **The total to bring the system to 90% is 5,710 beds,** adjusting for the same number of people in refugee response sites as in 2018.⁷

Refugee Population

With the closure of the border, there are very few refugees in the shelter system, particularly in refugee response sites.⁸ Nevertheless, the 2021 SNA found that **the number of people in temporary refugee response shelters has dropped by over 2,500 since 2018.**

Even still, the shelters are full. They continue to be over the 90% capacity goal every night and to turn people away from the system because the City cannot meet their needs (e.g. accessibility, gender, etc.).⁹

What does this mean?

1. **The shelter crisis is a policy crisis.** Both SSHA and Council have scapegoated refugees for the crisis in the shelter system in the past. Recognize that the over-capacity shelter system is your own making because of your own policies and you can make decisions to change it.

⁴ SSHA. (2021) Homeless Solutions Service Plan, p. 13.

⁵ See Winter Plan, shelter system, particularly shelter-hotel section.

⁶ 2018 data was calculated using the SNA while 2021 data is calculated using Shelter System Flow data – both sets of data are considered to be best available data at the time.

⁷ There were 2,618 people in refugee response sites in 2018; 90 in 2021.

⁸ The SNA questions for determining who a refugee is are flawed so the number of refugees never captures an accurate number of recent refugees – this is discussed in full in the refugee section of the Winter Plan. The number of refugees in refugee response sites is more likely to capture recent refugees.

⁹ City of Toronto, "Daily Shelter & Overnight Service Usage," 2021, <https://www.toronto.ca/city-government/data-research-maps/research-reports/housing-and-homelessness-research-and-reports/shelter-census/>; Factcheck Toronto, "Claim: The City of Toronto Continually Provides Safe, Inside Space to People Living Outside," 2021, <https://factchecktoronto.ca/2021/05/18/shelter-unavailable/>.

2. **More beds are needed now.** As people fleeing for their lives arrive in Toronto again, this city will have nowhere for them to go but the street. Some refugee sites continue to remain open and have capacity for refugees but much of the shelter-hotel system has transitioned to COVID-response sites and the shelter system is full. City Council has a human rights obligation to find decent places for refugees to stay.

SSHA Consultations

The Winter Plan raises concerns about community consultations. SSHA frequently fails to meaningfully consult with people living in the shelter system and encampments. Occasional, single surveys are insufficient and do not replace ongoing conversation and consultation. Further, the close relationship between the Toronto Alliance to End Homelessness (TAEH) and the Shelter, Support and Housing Administration is concerning. From my observations, including those based on freedom of information records, TAEH has been the primary, and often exclusive, advisor to SSHA on policy matters. TAEH has also received funds from SSHA on multiple occasions. Even the appearance of a tit-for-tat between government and community advisors taints that advice. The Winter Plan puts forward several recommendations with respect to community relations, including setting up advisory groups with people currently living in encampments and in the shelter system and discontinuing funding to TAEH.

SNA Methodology

I have significant methodological concerns with the SNA.¹⁰

As a methodology instructor at the graduate level at York University, I find the description and the rigor of the 2021 SNA deeply concerning. This is not to say that there are methodological flaws with the study itself; however, SSHA provides insufficient information to come to independent conclusions about the validity of the study.

Firstly, SSHA provides a methodology statement as an appendix with the SNA but this is incomplete. Indeed, each year, there have been critiques from the community that SSHA does not release its method for adjusting to account for areas that are not counted; yet this method is still not available and is not included in the 2021 SNA – 15 years into the counts.

Secondly, the 2021 SNA asserts that it uses the 2018 methodology. The 2018 methodology intended to have a control group. However, according to that SNA, “40% did not show up to participate, resulting in a sample too small to provide a stable and precise adjustment.” Are methodological decisions now grandparented in based on previous study ineptitude?

Every SNA has adjusted the count of outdoor homeless people significantly upwards, factoring in the control group. Consequently, this change in methodology from the 2006, 2009 and 2013 studies could significantly decrease the outdoor population.

The SNA claims legitimacy by stating “Toronto's outdoor point-in-time count follows both the national coordinated point-in-time count standards developed in collaboration with the Canadian Observatory on Homelessness, as well as the New York City's Department of Homeless Services approach.”¹¹ It should be noted, however, that these are vague guidelines. They are not rigorous, nor do they contain standardized methodological procedures and techniques.

SSHA should make additional information about the methodology of the SNA, especially because it engages in complex sampling and adjustment. The public and City Council should be able to make independent assessments of the SNA.

Conclusion:

The plan before you is not simply inadequate, it is willfully negligent.

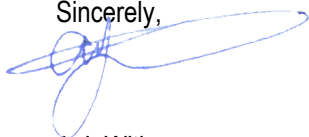
¹⁰ E.g.: Joanne Bretherton and Nicholas Pleace, “Women and Rough Sleeping: A Critical Review of Current Research and Methodology” (York, 2018), <http://eprints.whiterose.ac.uk/138075/>; Paul G. Letkemann, “First Nations Urban Migration and the Importance of ‘Urban Nomads’ in Canadian Plains Cities: A Perspective from the Streets,” *Canadian Journal of Urban Research* 13, no. 2 (2004): 241–56; Monika Schneider, Daniel Brisson, and Donald Burnes, “Do We Really Know How Many Are Homeless?: An Analysis of the Point-In-Time Homelessness Count,” *Families in Society: The Journal of Contemporary Social Services* 97, no. 4 (October 3, 2016): 321–29, <https://doi.org/10.1606/1044-3894.2016.97.39>.

¹¹ P. 62.

SSHA cannot competently conclude that its current housing plans will be sufficient; it cannot reasonably claim that the documented violence and discrimination in the shelter system are addressed in this plan.

This committee can choose to bring this city deeper into crisis and despair or it can choose beds and housing. It can pass motions for beds and housing today; it can enact the entirety of the Winter Plan today.

Sincerely,

A handwritten signature in blue ink, appearing to read 'A.J. Withers', with a large, sweeping flourish extending to the right.

A.J. Withers

Winter Plan Key Demands

1. Immediately incorporate 2,250 permanent, non-congregate shelter beds into the system.
2. Repeal the 'no camping' bylaw.
3. Extend shelter-hotel leases.
4. Increase the target of newly attributed housing allowances in 2021 from 1,440 to 3,000.
5. Freeze all evictions with the emergency powers of the *Emergency Management and Civil Protection Act*.
6. Issue an inclement weather alert when necessary and open inclement weather sites during alerts.
7. Implement COVID-19 indoor air quality safety measures.

ENDORSEMENTS

The following organizations have endorsed the Winter Plan and the Plan for Moving Forward: Spring 2022 and Beyond:

17 Paton Road Focus Group
Health Providers Against Poverty
Ontario Coalition Against Poverty
Street Nurses Network
Sanctuary
Interfaith Coalition to Fight Homelessness
The Common Table
Toronto Overdose Prevention Society
Toronto Urban Native Ministries

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INTRODUCTION

The City of Toronto often opens additional spaces in the winter months to accommodate increased demand.¹ These plans are announced in a Winter Plan, and the City of Toronto has previously had to add additional spaces because its original plan was insufficient. In 2020, the City initially said it would be opening 560 spaces,² then increased it to 620 spaces.³ However, 120 of those spaces were pre-existing housing undergoing refurbishment that did not open until May 2021.⁴ In 2017, the City of Toronto was told by advocates that its plan for the forthcoming winter was inadequate.⁵ In December 2017, Toronto City Council had to take emergency action to open 400 new spaces because the winter plan was inadequate⁶ – as advocates had been saying. At that time, Mayor John Tory refused to open the armoury, one of the demands of advocates. Nevertheless, the City opened Moss Park Armoury less than a month later – in early January 2018 – because of the immediate crisis in the shelter system.⁷

Rather than establish another inadequate winter plan that leaves people in the cold and City staff scrambling, community advocates and researchers have drafted a reasonable and adequate winter plan and plan for spring 2022 and beyond. This plan would help the shelter system begin to transition towards a dignified, safe system and move more people into housing in the short term and create housing in the long term.

As the “State of the Crisis” section of this report establishes, there are significant and widespread changes needed in the shelter system, housing policy, and Shelter, Support and Housing Administration. This community-proposed Winter Plan is evidence-based and grounded in the experiences of people who are living and working in the shelter system. Winter Plan Key Demands have been identified;⁸ however, it is only with the full implementation of this Winter Plan that the necessary change for unhoused people will be implemented, and a more safe, humane, and just shelter system will be developed.

¹ E.g. City of Toronto, [“City of Toronto Opens Two 24/7 Warming Centres,”](#) January 4, 2018; City of Toronto, [“Toronto’s 2020-2021 Winter Plan for People Experiencing Homelessness Includes More Spaces and Enhanced Street Outreach,”](#) October 6, 2020; Shelter Support and Housing Administration, [“CD29.08 2019 Shelter Infrastructure Plan and System Update Report,”](#) Toronto, May 30, 2019.

² City of Toronto, [“Toronto’s 2020-2021 Winter Plan for People Experiencing Homelessness Includes More Spaces and Enhanced Street Outreach,”](#) October 6, 2020.

³ City of Toronto, [“City of Toronto Continues to Take Extraordinary Steps to Help and Protect People Experiencing Homelessness during COVID-19,”](#) December 3, 2020; also see: Factcheck Toronto, [“Claim: Over the Last Several Weeks, the City’s Winter Services Plan...”](#) Factcheck Toronto, December 23, 2020.

⁴ The initial plan said the 220 units would open in December. How was the City unaware at the time that housing that was going to take another eight to nine months would not be ready in two-three months at the time of the announcement? These units have also been counted as increased shelter under the winter plan and new housing – neither of which are true as it was housing from which TCHC tenants were evicted, that was repaired and then reopened. See: City of Toronto, [“Toronto’s 2020-2021 Winter Plan”](#); City of Toronto, [“City of Toronto Continues”](#); A. J. Withers, [“Losing for the Win: Government Spin and Dismantling Social Housing Stock and Calling It Progress,”](#) February 8, 2021.

⁵ E.g. community deputations in Toronto City Council, [“CD21.6 Review of Current Winter Respite Services and Planning for 2017/18,”](#) June 7, 2017.

⁶ Toronto City Council, [“CD24.7 2018 Shelter Infrastructure Plan and Progress Report,”](#) December 5, 2017.

⁷ Lauren O’Neil, [“Toronto Is Finally Adding More Shelter Beds as Cold Spell Continues,”](#) *BlogTO*, January 3, 2018.

⁸ See Summary: Winter Plan Key Demands above.

WINTER PLAN

COVID-19

1. **On-site rapid COVID-19 testing** available throughout the shelter system and ensure mobile vaccination clinics visit all shelters every two weeks.
2. **Provide high-quality N95 or KN95 masks** to all shelter residents and staff who want them.
3. **Implement COVID-19 indoor air quality safety measures** and ensure full transparency at every shelter system site, including public reporting. This shall include:⁹
 - a. Building and room occupancy rates that factor in the following variables: time spent in room, ventilation rate, room volume, and type of activity in room.
 - b. Ensuring all bathrooms, showers, and kitchens use safer practices including effective and well-maintained exhaust fans that vent outdoors and are always on.
 - c. Ensuring all areas of the building, including sleeping areas, dining rooms, common rooms, waiting rooms, and offices maintain appropriate indoor air quality. This includes:
 - i. A well-maintained HVAC system that achieves at least six air exchanges per hour in each room. Each air exchange should replace all the air in the room. This can be done using fresh air brought in from the outside. Or it can be done using a combination of fresh air from the outside and air that has passed through a high-quality filter. In the context of pandemic conditions, it is advisable to adjust the HVAC system in order to increase the ratio of outdoor air as much as possible, up to 100 percent, while maintaining thermal comfort in the room.
 - ii. An HVAC filter with the highest possible MERV rating for each HVAC system. MERV 13 or higher is ideal but consult with experts as the filter must be compatible with HVAC system.
 - iii. An HVAC filter that is well-sealed and changed regularly.
 - iv. Use of high-quality portable HEPA filters in each room. Units should be the appropriate size for the room. Staff should be trained on the use, placement, and safe maintenance of these units. Please note, portable HEPA filters are not appropriate for bathrooms. Upper-room ultraviolet disinfection, where safe and appropriate, installed and maintained by experts. Of particular use in high-risk areas such as shared bedrooms and dining areas.
 - v. Additional measures may include:
 - o Natural ventilation such as open windows, where weather permits.
 - o Professionally-installed, in-duct ultraviolet disinfection.
 - o Fans that exhaust to the outside in common rooms, with expert advice and depending on room and building specifications.
4. **Implement protocols to air out common rooms between uses.** Where the room's air exchange rate is known, the air should change over three times between uses. Where the room's air exchange rate is not known, the room should be allowed to air out for at least two hours.
5. **Full reporting and transparency about shelter system site air quality.** This includes the status of HVAC systems, portable filtration, ultraviolet disinfection, and natural ventilation at all sites, including installations, retrofits, replacements, repairs, and maintenance. Where HVAC systems are being retrofitted or replaced, provision of an accurate, site-by-site timeline for when work will be complete along with an accounting of temporary mitigation measures.
6. **Work with experts** to implement all air quality measures. This includes using professional, licensed, specialized contractors to select, install, and maintain HVAC systems, exhaust fans, and UV disinfection units.

⁹ Recommendation 3 was informed and largely adapted from the following: Llana James, Jeffrey A. Siegel, and Patricia O'Campo, "[How Safe Are Ontario's Shelters and Other Shared Living Settings from Airborne COVID-19?](#)" *The Conversation*, June 28, 2021; Jeffrey Siegel, "[Reducing Transmission of Respiratory Illness in Community Spaces through Improved Indoor Air Quality.](#)" MAP Centre for Urban Health, July, 2021. For greater detail, additional measures to improve indoor air quality, and an important list of resources, see "[Reducing Transmission of Respiratory Illness.](#)"

Housing

1. **Freeze all evictions with the emergency powers of the *Emergency Management and Civil Protection Act*.**
2. **Create and operationalize a definition of “affordable housing” that makes housing affordable for poor people.** Apply it to all City projects immediately, including Housing Now and Housing Opportunities Toronto.
3. **Increase the target of newly attributed housing allowances in 2021 from 1,440 to 3,000** and dedicate the additional allowances to ALL unhoused people. Eliminate any and all conditions that applicants must be “chronically homeless,” i.e., homeless for at least six months. Housing allowances are a stop-gap measure that can help save lives in the very short term. In the medium and long term, we need more rent-geared-to-income social housing and for housing not to be commodified - this is the only way people can have lasting housing security.
4. **Fast-track an overhaul of the allowances process so applicants get proof of entitlement to a specific allowance BEFORE they start their housing search.** Many people who apply for a housing allowance cannot secure housing. People need to know if and how much they will get before speaking to private landlords. Private landlords do not rent units to social assistance recipients who can show only a vague promise of a potential housing allowance coming on top of a social assistance cheque that cannot cover the rent.
5. **Implement the [plan for overhaul](#) of all housing allowance and benefit programs** by the 17 Paton Road Focus Group, and endorsed by multiple organizations, including the recommendation that the Canada Ontario Housing Benefit recipients not be taken off the Centralized Waiting List.
6. **Expropriate 214-230 Sherbourne.** The community has demanded this land for years and will help fill the urgent need for rent geared to income housing in the Downtown East End.¹⁰
7. **Eliminate the ‘Retroactive Rule’ for the Housing Stabilization Fund.** Stop denying the Housing Stabilization Fund to applicants who use the basic needs portion of their assistance cheque, borrow money, etc., to obtain what they need.
8. **Call on the provincial government to freeze rents.**

Encampments

1. **Implement an immediate moratorium on encampment evictions.**
2. **Repeal the ‘no camping’ bylaw (s. 608-13).** People have the right to exist.
3. **No injunctions against or prohibition of the building and use of small shelters.** They save people's lives - especially in the winter and because the shelter system is full.
4. **Provide encampments with water.** This includes, but is not limited to, access to running water where infrastructure exists; rotation of HTO To Go water trailers through encampments – making each truck available to an encampment at all times unless it is in use at another event, being filled, or repaired; providing bottled water and ice as needed.
5. **Stop the harassment** of encampment residents by all city staff, including but not limited to police, parks ambassadors, City of Toronto corporate security, and bylaw officers.
6. **Require Toronto Fire Services to fulfill Recommendation 33 of the 2018 Faulkner Inquest** to work with the community to implement a harm reduction fire safety approach in encampments.
7. **Listen to encampment residents.** Consult with encampment residents regularly. Create a discussion table that is open to encampment residents.
8. **Distribute fire safety supplies** to encampments. This includes, but is not limited to buckets of sand, fire extinguishers, and fire blankets (in accordance with Recommendation 21 of the 2018 Faulkner Inquest).

¹⁰ See: Mona Dai et al., “[Expropriate 214-230 Sherbourne: A Community Driven Report for Public Housing at 214-230 Sherbourne Street](#)” (July 3, 2019).

9. **Increase funding to community-based outreach groups for supplies and staff by \$2 million** to distribute survival supplies.
10. **Full transparency on all survival supply funding and distribution**, including by SSHA and groups in receipt of funds to distribute funds survival supplies. This includes, but is not limited to, existing practices of water distribution during heat alerts, sleeping bags, and other supplies during cold alerts, as well as additional supplies from the above proposed funding.

Shelter System

1. **Immediately incorporate 2,250 permanent, non-congregate shelter beds into the system**, at least 1,000 of which are low-barrier.¹¹
2. **Stop relying on respites and drop-ins as de facto shelters.**
3. **Listen to shelter residents.** Establish a Shelter Advisory Committee of current and past shelter residents to provide advice to improve shelter operations and appropriate housing options. Consultations should include discussions about increasing vaccine uptake, improving distribution and general administration. Collaborate with shelter residents who use drugs to determine and help implement what harm reduction policies, programs and practices work best for the residents at the sites where they reside.
4. **Make the food better.** Adhere to medical and religious needs, make it more nutritious. Increase respite site food budgets.
5. **Expand overdose prevention, education, training, and response.** Training must include CPR using a bag-valve-mask (BVM).¹²
6. **Immediately implement the recommendations of the [Toronto Shelter-Hotel Overdose Preparedness Assessment Project](#).**
7. **Provide grief and loss supports to residents** of the shelter system. Many residents have had people they care about die from overdose; they need support to help process this.
8. **No scapegoating refugees** for overcrowding in the shelter system. Overcrowding is the result of the City of Toronto's longstanding policy.
9. **Make shelter bed access transparent.** Put daily Wrap-up Code data (no suitable bed available at time of call) and Service Queue Daily Close-out (no bed provided by 4 AM) publicly available online to accompany the Daily Shelter & Overnight Service Usage.
10. **Re-open the Peter St. Referral Centre** 24 hours a day, 7 days a week as an indoor space for people.

Shelter-Hotels

1. **Stop hoarding beds.** Stop the practice of keeping blocks of shelter-hotel beds free for encampment residents. This is especially pressing when people are turned away while trying to access shelter.
2. **Eliminate the 30-day restriction on accessing rooms.** Having accessed any shelter service in the last 30 days should not prohibit encampment residents from accessing shelter-hotels.
3. **Make shelter-hotel space available to all.** If someone wants to move into a shelter-hotel, they should be able to.
4. **Extend shelter-hotel leases.**

¹¹ See Appendix C for rationale used to develop this demand.

¹² Ventilation with bag-valve masks are the evidence based clinical recommendations for opioid overdose; Pascual and Gaulton find it may be sufficient to revive someone without naloxone. Matthew Niehaus, Nicholas Goodmanson, and Lillian Emler, "[Management of Opioid Overdoses](#)," in *Opioid Use in Critical Care*, ed. Jose L. Pascual and Timothy G. Gaulton (Cham: Springer, 2021), 187–94; Kenneth Williams et al., "[Evidence-Based Guidelines for EMS Administration of Naloxone](#)," *Prehospital Emergency Care*, 23 no.6 (2019): 749–63.

Cold Alerts, Inclement Weather and Warming Centres

1. **Issue an inclement weather alert** when Environment Canada forecasts, for the City of Toronto:
 - a. **Cold:** A temperature of -5°C or colder, or a temperature above -5°C with a windchill -10°C or below.
 - b. **Freezing rain:** When freezing rain is expected to pose a hazard to transportation or property or when freezing rain is expected for at least two hours.
 - c. **Snowfall:** When 15 cm or more of snow falls within 12 hours or less.
 - d. **Rainfall in winter:** When 25 mm or more of rain is expected within 24 hours.
2. Require City operated and funded facilities to do the following during inclement weather alerts:
 - a. **Drop-in centers take as many clients as possible** within COVID, Public Health and Toronto Fire Occupancy standards.
 - b. **Anyone in need of a place to go can walk into a sector-appropriate shelter**,¹³ without undergoing typical intake and eligibility procedures for the night in question.
 - c. **Clients can access any sector appropriate shelter**, not just their assigned shelter for the night in question. If accessing another site in emergency weather, the client's registered original bed must still be held but can be used for emergency needs while the client is staying elsewhere during the alert.
3. **Fully staff and equip emergency warming centres.** This includes but is not limited to, harm reduction services and supplies, hot meal service, wi-fi, as well as connection to rapid housing and housing workers. Housing workers shall assist people wanting to be housed and those living in improperly heated or otherwise inadequate housing who need tenant's rights, legal or other housing assistance.
4. **Identify at least four more warming centre sites** that can be activated during all inclement weather alerts to address overflow and occupancy/social distancing needs. These sites shall be in addition to the four sites used last year.
5. **No shelter bans.** No shelter suspensions or sanctions can be carried out during extreme cold weather alerts and/or when City warming centres are open. Any clients who have been sanctioned/suspended/banned can return to the shelter during these periods, if necessary.
6. **Create an Inclement Weather Emergency Staffing Fund.** Make this fund available to drop-ins, and shelter system operators; it shall allow them to place 1-2 additional staff on shifts during cold/inclement weather alerts to properly address increased needs, work on referrals, and ensure safety because of increased capacity, etc.

Daytime Space

1. **30 percent funding increase to the drop-ins.** The nearly 50 Drop-In locations across Toronto require increased funds because continuation of service, proper PPE, and staffing levels must be ensured. Additionally, resourcing for hot meals and winter clothing banks need to be increased. Many services also require COVID-related adaptations.
2. **30 percent increase in funding to the Toronto Drop-In Network** to assist in the coordination of, training for, and knowledge dissemination to and about these spaces and services, including up-to-date resource lists of available spaces and crisis services.
3. **Creation of a Capital Grants Fund for daytime space operators** to improve air quality and/or improve/install proper heating/cooling systems, in return creating more safe daytime spaces.

If all of these demands are not met, the community will organize and agitate until the basic needs of unhoused people are met.

PLAN FOR MOVING FORWARD: SPRING 2022 AND BEYOND

The Shelter, Support and Housing Administration, directed by the Economic and Community Development Committee and Toronto City Council, needs to urgently move forward on the following:

Housing

1. **Build 5,000 rent geared to income units a year** in addition to currently planned units.
2. **Provide housing options.** Not everyone needs or wants supportive housing. A variety and more flexible referral options are needed. This can only be accomplished with substantially more units.
3. **Take input from people in need of housing,** including, but not limited to, about what kind of housing is needed, what kinds of supports are needed, and where it should be.
4. **Expropriate for housing.** The City of Toronto must develop expropriation policies that include: expropriation of buildings owned by landlords with repeated health and safety violations, expropriation of abandoned buildings, expropriation from landlords with more than 1,000 units to reduce commodification and limit the concentration of units. Expropriate unused land to prevent speculation and commodification.¹⁴

Encampments

1. **Listen to encampment residents.** Continue to consult with encampment residents regularly. Maintain and promote the Encampment Discussion Table, provide encampment residents when in-person meetings become possible, provide TTC fares and food to make attending meetings practical, and pay residents an honorarium for their time and labour.

Shelter System

1. **No spring bed cuts.**
2. **Renew shelter-hotel leases until at least April 2023.** The shelter system has been able to allow for social distancing with the opening of shelter-hotels. Shelter-hotel leases will end, and the 2,582 people currently staying in them will have to be moved into the rest of the shelter system.¹⁵ If at some point, shelter-hotel residents are evicted, they must be **housed with an option the resident finds appropriate and acceptable.**
3. **Maintain and strengthen the Shelter Advisory Committee.** Promote the Committee in all shelters when in-person meetings become possible, provide TTC fares, and food to make attending meetings practical; pay residents an honorarium for their time and labour. Create site-specific committees with residents to address site issues, including, but not limited to, harm reduction needs.
4. **Increase disability access.** Increase the percentage of accessible spaces in new shelters to account for the existing deficit of accessible spaces and projected growth. Release all accessibility audit reports and the number of accessible shelter spaces so this process can be open and transparent.¹⁶
5. **Phase-out respite sites** replace spaces with private, single bed, low-barrier shelter beds.
6. **Continue and complete expansion of overdose prevention, education, training, and response.** This must include system-wide access to oxygen, naloxone, and emergency medical assessment and monitoring equipment.
7. **Have two referral centres open 24 hours a day** that people can go to and access shelter and can stay in if there is no space. One of these sites is on Peter St., open another site in the Downtown East End.

¹⁴ Use of expropriated land should be planned by/in conjunction with the Indigenous nations that are the traditional caretakers of Takaronto.

¹⁵ Finding housing for people in shelter-hotels has been largely unsuccessful, see Streets to Homes section at State of the Crisis, G.

¹⁶ See definition of accessible for what is meant by disability access.

Emergency Spaces and Inclement Weather

1. **Implement an Inclement Weather Program.**
2. **Issue an Inclement Weather Alert and open emergency weather centres** (formerly warming centres and cooling centres) when Environment Canada forecasts and/or the following occurs:
 - a. **Cold:** A temperature of -5°C or colder, or a temperature above -5°C with a windchill -10°C or below.
 - b. **Freezing Rain:** When freezing rain is expected to pose a hazard to transportation or property or when freezing rain is expected for at least two hours.
 - c. **Severe Thunderstorm:** When conditions are favourable for the development of severe thunderstorms with one or more of the following conditions:
 - i. Wind gusts of 90 km/h or greater, which could cause structural wind damage;
 - ii. Hail of two centimetres (cm) or larger in diameter; or
 - iii. Heavy rainfall, as per rainfall criteria (below), excluding those for winter and during thaw (see above).
 - d. **Snowfall:** When 15 cm or more of snow falls within 12 hours or less.
 - e. **Rainfall in Summer:** When 50 mm or more of rain is expected within 24 hours or when 75 mm or more of rain is expected within 48 hours.
 - f. **Rainfall in Winter:** When 25 mm or more of rain is expected within 24 hours.
 - g. **Heat:** Issued when two or more consecutive days of daytime maximum temperatures are expected to reach $\geq 31^{\circ}\text{C}$ and nighttime minimum temperatures are expected to be $\geq 20^{\circ}\text{C}$ or when two or more consecutive days of humidex values are expected to reach ≥ 40 .

SSHA Policy

1. **Adopt a compassionate and universal homelessness policy.** Abandon the ideologically driven, neoliberal policy of Housing First which forces many people to become and remain unhoused for six months before accessing additional supports to get housed.
2. **Discontinue using the Toronto Alliance to End Homelessness (TAEH) as a primary consulting group.** Unhoused people, including encampment residents and shelter residents, are the experts in homelessness, life in the shelters, and their needs. They should be the primary advisors about what they need.

The TAEH's members are largely supportive housing providers and partners with governments, businesses and landlords. These groups' interests are different than, and often oppositional to, unhoused people.
3. **Do not provide the Toronto Alliance to End Homelessness with funds.** This includes not having the TAEH perform paid services with/for the City. It is a strong conflict of interest for a group to both consult with and receive funds from the City.

EQUITY IMPACT STATEMENT

There are significant equity and social justice concerns in the Toronto Shelter System that these plans and the corresponding report attempt to address and mitigate.

Indigenous people, who account for 2.5 percent of Toronto's population, make up 16 percent of the unhoused population. They are over six times more likely to be homeless than non-Indigenous people, and nearly 60 percent of unhoused Indigenous people are either sleeping outside or at sub-standard respite facilities. Indigenous people are also more likely to stay homeless longer than non-Indigenous people.¹⁷

Homelessness is deeply racialized in Toronto. BIPOC (Black, Indigenous and people of colour) are highly impacted by homelessness. Two-thirds of all unhoused people (63 percent) are BIPOC. One-third of unhoused people in Toronto are Black (31 percent) while only 9 percent of the population of Toronto is Black.¹⁸

Unhoused youth are disproportionately 2SLGBTQ, with nearly a quarter (24 percent) identifying as 2SLGBTQ; 11 percent of adults identified as members of this community. 3 percent of all unhoused people are trans, non-binary, or Two-Spirit.¹⁹

Disabled people²⁰ are overrepresented in the unhoused population in Toronto. Nearly a quarter of all unhoused people in Toronto report having a physical disability (23 percent); nearly a third report having a mental health issue (32 percent).²¹ An estimated 22 percent of the population is disabled in Canada.²²

Refugees are also disproportionately unhoused in Toronto.²³

Women face gender-based violence which is both a cause of homelessness and a threat while homeless.²⁴ 42 percent of unhoused people counted as homeless in 2018 were women; 54 percent were men.²⁵ Women are less likely to be enumerated in the City of Toronto's Street Needs Assessment which only counts people sleeping outside and in the shelter system. Women's homelessness is often what is called 'hidden homelessness' ("[c]ouch surfing, doubling up with other families in conditions of extreme overcrowding, cycling in and out of abusive relationships, trading sex for temporary accommodation," etc.).²⁶ Housing First programs, like those of the City of Toronto's, focus on "chronic homelessness" which direct programming resources to people who have been unhoused for six months or longer. This means that the gendered nature of homelessness is not properly taken into account as unhoused women are less likely to be acknowledged as unhoused and, therefore, less likely to be given access to services.²⁷

The City of Toronto states that it is committed "to apply an equity lens to its activities to identify and remove barriers and to support best practices in planning, budgeting, implementing and evaluating its programs and services."²⁸ As this report demonstrates, City of Toronto policies and practices, through action or omission, negatively and disproportionately impact

¹⁷ The 2018 Street Needs Assessment is used throughout this report. As of time of writing, October 9, 2021, the 2021 Street Needs Assessment report had not yet released even though the City of Toronto said it would be released in September, 2021. City of Toronto, "[Street Needs Assessment - 2018](#)" (Toronto, 2018).

¹⁸ City of Toronto, "[Population Demographics](#)," in *T.O. Health Check: An Overview of Toronto's Population Health Status* (Toronto: City of Toronto, 2019); City of Toronto, "[Street Needs Assessment - 2018](#)."

¹⁹ City of Toronto, "[Street Needs Assessment - 2018](#)."

²⁰ The authors use "disabled people" here, following many disabled activists and scholars who prefer it over "people with disabilities." See: Mike Oliver, *Understanding Disability: From Theory to Practice*, 2nd ed. (Basingstoke: Palgrave Macmillan, 2009); A J Withers, *Disability Politics and Theory* (Black Point: Fernwood, 2012).

²¹ This cannot be interpreted as 23% + 32% as there will, undoubtedly be some overlap between these groups; however, 31% listed chronic/acute medical condition and 27% listed addiction - these people would largely be considered disabled under the Ontario [Human Rights Code](#). While the exact number of disabled people cannot be determined using the Street Needs Assessment, it is apparent that, whatever the number, it is substantially higher than the general population. City of Toronto, "[Street Needs Assessment - 2018](#)"; Adele Furrie, "[The Evolution of Disability Data in Canada: Keeping in Step with a More Inclusive Canada](#)," Canadian Survey on Disability Reports, November 28, 2018.

²² Stuart Morris et al., "[A Demographic, Employment and Income Profile of Canadians with Disabilities Aged 15 Years and over, 2017](#)," 2018.

²³ The refugee population data is not considered valid by the authors; it is, nevertheless, evident that refugees are overrepresented. See Refugees section below for more on this point. City of Toronto, "[Street Needs Assessment - 2018](#)."

²⁴ Laura Cowan et al., "[The Street Health Report 2007](#)" (Toronto, 2007); Homes for Women, "[Housing First, Women Second? Gendering Housing First: A Gender Equal Approach to Implementing Housing First](#)" (Toronto, 2013); K. Schwan et al., "[The State of Women's Housing Need & Homelessness in Canada: Literature Review](#)" (Toronto: Canadian Observatory on Homelessness Press, 2020).

²⁵ City of Toronto, "[Street Needs Assessment - 2018](#)."

²⁶ Homes for Women, "[Housing First, Women Second?](#)" 5.

²⁷ Homes for Women, "[Housing First, Women Second?](#)"; also see: A. J. Withers, *Fight to Win: Inside Poor Peoples' Organizing* (Black Point: Fernwood, forthcoming 2021).

²⁸ City of Toronto, "[Equity, Diversity & Inclusion](#)."

specific human rights protected groups. The recommendations in the Winter Plan and the Plan for Moving Forward: Spring 2022 and Beyond will begin to address some of these inequities.

FINANCIAL IMPACT

There are extraordinary financial impacts necessitated by the recommendations in this report that can no longer be ignored. Numerous community experts and organizations have reviewed this report and agree on the urgency to provide the necessary funding.

People who have been dehousing, community front-line workers, researchers, and advocates continue to request the City of Toronto adequately supply encampments and fund the shelter system, community supports and social housing.

This report necessitates that the City Manager coordinate a funding response that recognizes the multiple crises and states of emergency that unhoused people are in and the health and safety, equity and human rights implications that this report exposes.

STATE OF THE CRISIS

A. Housing Crisis

1. Overview

Housing crisis

There is a housing crisis in Toronto.

While people often refer to housing affordability in terms of homeownership, half of Torontonians rent their homes.²⁹ The Canada Mortgage and Housing Corporation (CMHC) defines “affordable housing” as housing with shelter costs equal to or less than 30 percent of total before-tax household income.³⁰ The City of Toronto, however, defines “affordable housing” as “at or below the Average Market Rent (AMR) for the City of Toronto by unit type.”³¹ A new definition of “affordable housing” is under review by Toronto City Council. This definition could lead to a substantial decrease in “affordable” rents, as it is not only market dependent but also relative to average income. It, therefore, could make affordability further vulnerable to gentrification.³² If the amendment passes, “affordable housing” will, by design, exclude people in receipt of Ontario Works (OW) from all “affordable housing” and people in receipt of the Ontario Disability Support Program (ODSP) from anything larger than a bachelor apartment.³³ Because the City of Toronto’s “affordable housing” policy (current and proposed) excludes people on OW, it fails to help them exit homelessness and maintain housing.

²⁹ Tenancy rates are higher in Toronto than the rest of Canada, however, one-third of people in Canada are tenants, David Macdonald, “[Unaccommodating: Rental Housing Wage in Canada](#)” (Ottawa, 2019); Advocacy Centre for Tenants Ontario, “[Where Will We Live?](#)” (Toronto, 2018).

³⁰ Canadian Mortgage and Housing Corporation, “[Identifying Core Housing Need.](#)”

³¹ This definition is currently before City Council as a proposed amendment of the City’s Official Plan. The new definition, if it passes, would define affordable housing as the least of 100% of average market rent or 30% of the income of people making between the 20th and 50th percentile income for one-person households for bachelor units – the income percentile increases with unit size. City of Toronto, “[PH16.6 Proposed Official Plan Amendment to the City’s Affordable and Mid-Range Rent Definitions.](#)” September 22, 2021.

³² On gentrification in Toronto see: Stefan Kipfer and Roger Keil, “[Toronto Inc? Planning the Competitive City in the New Toronto.](#)” *Antipode* 34, no. 2 (2002): 227–64; Martine August and Alan Walks, “From Social Mix to Political Marginalisation? The Redevelopment of Toronto’s Public Housing and the Dilution of Tenant Organisational Power,” in *Mixed Communities: Gentrification by Stealth?*, ed. Gary Bridge, Tim Butler, and Loretta Lees (Bristol: The Policy Press, 2012), 273–98; on gentrification in general, see: Kate Shaw, “[Gentrification: What It Is, Why It Is, and What Can Be Done about It.](#)” *Geography Compass* 2, no. 5 (September 2008): 1697–1728; Neil Smith, *The New Urban Frontier: Gentrification and the Revanchist City* (London ; New York: Routledge, 1996); Neil Smith, “[New Globalism, New Urbanism: Gentrification as Global Urban Strategy.](#)” *Antipode* 34, no. 3 (2002): 427–50.

³³ The 50th percentile annual individual income in Toronto, the upper ceiling for the definition, is \$31,705 a year. 30% of this is \$9512 in rent a year, or \$793 a month. Current rent for a bachelor apartment is \$1,211. This is a **reduction of \$418 per month** this is positive and significant. However, the bottom of the definition, the 20th percentile is currently \$11,475 a year. People on Ontario Works make \$8,796 a year. A single person on Ontario Disability Support Program (ODSP) receives \$14,028 a year, but the City has foreclosed on possibility of a 1 bedroom unit because the income percentile increases to 30th to 60th percentile and people on ODSP don’t make the cut-off of \$17,107. Statistics Canada, “[Total Income Explorer, 2016 Census.](#)” September 13, 2017; City of Toronto, “[PH16.6 Proposed Official Plan Amendment.](#)”

On average, a renter needs to make \$20.20 per hour to afford a one-bedroom apartment in Canada.³⁴ This situation is more extreme in Toronto: a renter has to earn \$27.74 per hour to afford a one-bedroom apartment.³⁵ Ontario's minimum wage is \$14.35 per hour.³⁶ At minimum wage, a worker must work 79 hours per week to afford Toronto rent. A single person's OW amounts to about \$4.58 per hour, and a single person's ODSP is about \$7.31 per hour.³⁷ In Toronto, "there are no neighbourhoods where it is possible to afford a one- or two-bedroom unit on a single minimum wage."³⁸ Many households have multiple people who live there but depend on one income, exacerbating the financial strain of shelter costs.³⁹ Minimum wage workers, many part-time workers, and people on social assistance face significant budgetary deficits for shelter costs. For these groups, spending 30 percent or less of their income on rent is almost always impossible.

Housing costs have increased substantially over the past several years. **Average market rents have increased between 34 percent and 70 percent since 2012.**⁴⁰

Non-payment of rent leads to housing precarity and it can lead to eviction. Of the 190,000 eviction applications filed in the City of Toronto between 2010 and 2018, 75 percent were for non-payment of rent.⁴¹ Toronto tenants face an increased risk of eviction and increased housing precarity because of the COVID-19 pandemic – deepening the pre-existing housing crisis.⁴²

There is a high demand for rent-geared-to-income (RGI) housing units, with over 70,000 households on the wait list for social housing. The waitlist peaked in 2018 with over 100,000 households.⁴³ The list has likely been shortened partly because of a policy that the Government of Ontario implemented requiring people on the waiting list to accept the first unit offered, or be removed from the list, regardless of the condition or location.⁴⁴ It is now more difficult to stay on the waiting list, meaning some people will wait for years for housing only to have to restart the process.

These factors have contributed to a dramatic rise in homelessness. The number of unhoused people in Toronto has increased by over 60 percent since 2013.⁴⁵

Safe, affordable housing is vital, and it is a critical social determinant of health. Lack of access to decent, affordable housing leads to a greater risk of illness or death.⁴⁶

The right to adequate housing is recognized as a national and international human right.⁴⁷ The City of Toronto implemented the *Toronto Housing Charter: Opportunity for All* in 2017 under Mayor John Tory. It says:

It is the policy of the City of Toronto that fair access to a full range of housing is fundamental to strengthening Toronto's economy, its environmental efforts, and the health and social well-being of its residents and communities.

And:

September 22, 2021; City of Toronto, "[Current City of Toronto Average Market Rents & Utility Allowances](#)"; Income Security Advocacy Clinic, "[OW and ODSP Rates and the OCB Fall 2021](#)," September 17, 2021.

³⁴ Macdonald, "[Unaccommodating: Rental Housing Wage in Canada](#)."

³⁵ Macdonald.Macdonald.

³⁶ Government of Ontario, "[Minimum Wage](#)," Your guide to the Employment Standards Act.

³⁷ Rates calculated at 40 hours a week, 4 weeks a month, Income Security Advocacy Clinic, "[OW and ODSP Rates and the OCB Fall 2021](#)."

³⁸ Macdonald, "[Unaccommodating: Rental Housing Wage in Canada](#)," 5.

³⁹ Macdonald, "[Unaccommodating: Rental Housing Wage in Canada](#)."

⁴⁰ Authors' calculation City of Toronto, "[Current City of Toronto Average Market Rents](#)."

⁴¹ Scott Leon and James Iveniuk, "[Forced out: Evictions, Race, and Poverty in Toronto](#)" (Toronto, 2020).

⁴² Toronto Foundation, "[The Toronto Fall Out Report: Half A Year in the Life of COVID-19](#)" (Toronto, 2020).

⁴³ City of Toronto, "[Social Housing Waiting List Reports](#)" (Toronto: City of Toronto), accessed July 1, 2019.

⁴⁴ Government of Ontario, "[Ontario Making Community Housing More Efficient](#)," Ontario Newsroom, 2019.

⁴⁵ Calculating with the 2018 Street Needs Assessment or the most recent Shelter Flow Data (August, 2021) it is over 60 percent, City of Toronto, "[Street Needs Assessment - 2018](#)" (Toronto, 2018); City of Toronto, "[Shelter System Flow Data](#)," August 2021.

⁴⁶ Marcia Gibson et al., "[Housing and Health Inequalities: A Synthesis of Systematic Reviews of Interventions Aimed at Different Pathways Linking Housing and Health](#)," *Health & Place* 17, no. 1 (January 1, 2011): 175–84; Wellesley Institute, "[Precarious Housing in Canada](#)," (Toronto, 2010); World Health Organization, "[WHO Housing and Health Guidelines](#)" (Geneva, 2018).

⁴⁷ United Nations General Assembly, "[International Covenant on Civil and Political Rights](#)," Assembly resolution 2200A (XXI), 1966; United Nations General Assembly, "[International Covenant on Economic, Social and Cultural Rights](#)," Assembly resolution 2200A (XXI), 1966; [National Housing Strategy Act](#) (S.C. 2019, c. 29), s. 313; also see: Leilani Farha and Kaitlin Schwan, "[A National Protocol for Homeless Encampments in Canada](#)," 2020.

All residents should have a safe, secure, affordable and well-maintained home from which to realize their full potential.

The City of Toronto's HousingTO 2020-2030 Action Plan's Vision is that:

Toronto is a city with a diverse range of housing opportunities. It is a place where families and individuals live in safe, well-maintained and affordable housing with respect and dignity and where people have equal opportunities to succeed.⁴⁸

This vision sets a key goal and implicitly recognizes that Toronto does not have safe, well-maintained, and affordable housing.

The acute housing crisis in the City of Toronto has led to increased homeless, evictions and precarity for tens of thousands of people.

2. Inadequate Policy Solutions

i. Vacant home tax

In addition to the City not creating sufficient housing, the City of Toronto continues to put forward weak and inadequate policy solutions to address the housing crisis. City Council has approved, in principle, a vacant home tax of 1 percent. 1 percent is far too low to incentivize the rental of empty housing; simply requiring these greedy property owners to honestly report that their properties are vacant is inadequate.⁴⁹

ii. Inclusionary zoning

Inclusionary zoning (IZ) is a tool available to the City to increase the stock of much needed permanently affordable rental housing.⁵⁰ Toronto's draft IZ policy only requires 5-10 percent of the floor area be reserved for "affordable" rental units in new high-rise condo buildings and 3-5 percent in new high-rise rental buildings.⁵¹ These proportions are considerably lower than many other cities using IZ including Montreal, New York City, and London, UK.⁵² In addition, the City continued reliance on a flawed definition of "affordable" means Toronto's inclusionary zoning policy will not create truly affordable housing. This is exacerbated by allowing developers to create profoundly unaffordable condo units selling for over \$680,000 but still branded as "affordable."⁵³

iii. Housing allowances

The City of Toronto's Shelter, Support and Housing Administration oversees multiple housing allowance programs to about 7,100 households that provide between \$250 and \$600 in support to tenants to assist with monthly rent payments.⁵⁴ There are four priority groups that qualify for housing allowances. For unhoused people, it is only "chronically homeless" people who qualify – which means they have to be homeless for 6 months or longer.⁵⁵ As of 2018, "chronically homeless" people are about 30 percent of the recipients of City of Toronto housing allowances.⁵⁶

⁴⁸ City of Toronto, "[HousingTO: 2020-2030 Action Plan](#)" (Toronto, 2019), 9.

⁴⁹ City of Toronto, "[Recommended Tax Design and Steps to Implement a Vacant Home Tax in Toronto](#)," June 21, 2021.

⁵⁰ Changes to Ontario's Legislation, including the *Planning Act*, stifles IZ, interfering with municipal planning. Inclusionary Housing Canada, "[Ontario's Latest Legislation Stifles IZ](#)," October 9, 2019.

⁵¹ City of Toronto, "[PH16.7 Attachment 1: Draft Inclusionary Zoning Official Plan Amendment](#)," 2020; City of Toronto, "[PH16.7 Attachment 2: Draft Inclusionary Zoning By-Law](#)," 2020.

⁵² Jeremy Withers, Melisa Bayon, and Beth Wilson, "[Toronto Has the Chance to Create Affordable Housing, Improving Thousands of Lives](#)," *Toronto Star*, 2021; also see: Emily Paradis, "[Inclusionary Zoning: US Evidence and Implications for Ontario](#)," Social Planning Toronto, (Toronto, 2018).

⁵³ Average condo price in June, 2021 in the GTA was \$683,479, Rachelle Younglai, "[Toronto Housing Market Eases Again in June, Home Sales down for Third Month](#)," *Globe and Mail*, 2021. For more on Toronto's inclusionary zoning plans and critiques of it, visit [Progress Toronto](#).

⁵⁴ Ed Starr et al., "[A Pathway Out of Poverty: The City of Toronto's Housing Allowance Program – A Review](#)" (Toronto, 2018); City of Toronto, "[2021 Program Summary Shelter, Support and Housing Administration](#)," *BudgetTO*, 2021.

⁵⁵ Ed Starr et al., "[A Pathway Out of Poverty](#)."

⁵⁶ Ed Starr et al., "[A Pathway Out of Poverty](#)."

Housing allowances are portable. This means that once someone secures a housing allowance, they can move locations and, provided they continue to meet all other criteria, they can continue to receive their housing allowance.⁵⁷

Housing allowances require individuals to find housing on the private housing market. Housing allowance applicants must secure a rental agreement from a landlord to be approved for the allowance. Therefore, applicants do not know how much the allowance will be. Even if an applicant has been assured by a worker they will get an allowance, the applicant cannot demonstrate to a prospective landlord they will be able to pay a rent that is near or greater than their total income. This makes securing housing (and the housing allowance) very difficult.⁵⁸

There are equity barriers to the housing allowance. While Toronto is a Sanctuary City and services are not supposed to be denied on the grounds of immigration status,⁵⁹ legal status in Canada is a requirement to get a housing allowance from the City of Toronto.⁶⁰ Fewer disabled people have access to housing allowances than are proportional to the general population. It is speculated that this is because of the lack of accessible housing in the private market.⁶¹ Because women are less likely to be “chronically homeless” (see “Equity impact statement” above), they are less likely to get access to housing allowances as unhoused people – even when they are unhoused. Housing allowance recipients also report feeling discriminated against because they are recipients of the allowance.⁶²

There is compelling evidence that, when housing allowances are used in sufficient numbers, they work to inflate the housing market.⁶³ Housing allowances can, therefore, negatively impact people trying to avoid or escape homelessness.

Housing allowances can make positive interventions in certain individuals’ lives. These programs, however, have functional flaws and discriminate against some of the most marginalized unhoused people in Toronto.

iv. Housing Stabilization Fund

The Housing Stabilization Fund (HSF) is a benefit administered by Toronto Employment and Social Services (TESS) to people with emergency housing needs receiving OW and ODSP. The benefit is provincially funded and intended to prevent homelessness. It can be used to pay last month’s rent, to furnish a unit, to relocate to a more sustainable housing situation or for other urgent housing needs that will help prevent homelessness.⁶⁴

While many disabled people may have urgent disability-related needs that put them at risk of homelessness, TESS’s policy does not include disability accommodations and disability-related needs; this puts disabled social assistance recipients at risk of homelessness. Some disabled people have been successful in accessing the benefit on the grounds of “exceptional circumstances.”⁶⁵ However, because disabled people are not made aware of this possibility, they may never apply.

HSF applicants are penalized by the ‘retroactive rule’ which forces them to choose between risking losing housing or hundreds, even thousands, of dollars. HSF seekers must provide evidence of need in order to successfully apply for the benefit. However, HSF applications are reviewed retroactively, regardless of the need at the time of the application.⁶⁶

For people seeking to secure a housing unit, for example, they would need to provide proof they need the benefit. This proof could be through a promise to rent from a landlord stating how much the rent is. The City of Toronto states that HSF applicants will receive a response within four days. If there are no errors or delays, the HSF applicant will then secure the funds and can return to the landlord to rent the apartment. However, the nature of Toronto’s housing market makes this scenario virtually impossible for people who feel the need to secure an apartment right away because there is a good chance it will be gone before the applicant receives their HSF entitlement. In this scenario, if someone used the basic needs portion of their social assistance cheque to pay the last month’s rent – thinking they would be paid back, they would no longer be

⁵⁷ Ed Starr et al., “[A Pathway Out of Poverty.](#)”

⁵⁸ Joy Connelley and Emily Paradis, “[Coordinated Access to Housing and Supports Evaluation: Final Evaluation Report](#)” (Toronto, 2019).

⁵⁹ Chris Fox, “[City Council to Reaffirm Toronto’s Status as a Sanctuary City.](#)” *CTV News*, January 31, 2017.

⁶⁰ Connelley and Paradis, “[Coordinated Access to Housing and Supports Evaluation.](#)”

⁶¹ Ed Starr et al., “[A Pathway Out of Poverty.](#)”

⁶² Ed Starr et al., “[A Pathway Out of Poverty.](#)”

⁶³ A. J. Withers, “[Mapping Ruling Relations through Homelessness Organizing](#)” (York University, 2020).

⁶⁴ City of Toronto, “[Housing Stabilization Fund.](#)”

⁶⁵ Ontario Coalition Against Poverty and South Asian Legal Clinic of Ontario, “[Left in the Lurch: The Destabilizing Reality of Toronto’s Housing Stabilization Fund](#)” (Toronto, 2016); Withers, “[Mapping Ruling Relations.](#)”

⁶⁶ Ontario Coalition Against Poverty and South Asian Legal Clinic of Ontario, “[Left in the Lurch](#)”; Ontario Coalition Against Poverty, “[Toronto Robs from the Poor: The Misuse of the Housing Stabilization Fund](#)” (Toronto, 2017); Withers, “[Mapping Ruling Relations.](#)”

considered to be in need of the funds and be denied the HSF. Here, the person would have no money for food, transportation, etc. for the remainder of the month.⁶⁷

The retroactive rule may prolong homelessness for some people while it may create increased food insecurity for others. Need should be assessed at the time of the application. The City of Toronto penalizes individuals who use the basic needs portion of their cheque or go into debt to pay for an urgent need to prevent homelessness, making people's lives more precarious rather than less.

3. Conclusion

Toronto is in a state of acute housing crisis. The City of Toronto has recognized housing as a human right but failed to follow through on this right for many poor and unhoused people. Instead, the City of Toronto has responded with policies that have failed to address root causes or mitigate the growing numbers of people being dehousing.

B. Covid-19 Fourth Wave

1. Overview of COVID-19 fourth wave in Ontario

Since early 2020, Ontario has seen COVID-19 spread across the province, disproportionately affecting people who are homeless. With COVID-19 cases on the rise since mid-July 2021, Ontario has entered the fourth wave of the pandemic. Experts have warned this could be the worst wave Ontario has seen to date. As the Delta variant continues to spread, COVID-19 cases have reached over 850 cases a day in Ontario, with the majority of cases being in unvaccinated individuals.⁶⁸

2. Strategies for protecting unhoused people

From the beginning of the pandemic, the City of Toronto has said that it is committed to supporting people who are homeless. Shelter users, encampment residents, people surviving outside, frontline workers, and advocates have found not to be the case – even that the City of Toronto has been causing more harm than good in many instances. This is evidenced by the slow rollout of pandemic response for shelter users.⁶⁹ The displacement of encamped people goes against CDC guidelines of displacing encampment residents during a pandemic due to the high risk of spreading COVID-19.⁷⁰

3. COVID-19 within the Shelter System

COVID-19 transmission is especially risky in congregate shelters, where people live in close proximity, like many of Toronto's shelters and respite.⁷¹ April 2021, the Toronto shelter system saw close to 400 active COVID-19 cases at one time (Table 4). There have been at least 1,696 positive COVID-19 cases and nine deaths in the shelter system.⁷² There is often a lack of adequate space to physically distance or isolate when people start to show symptoms.⁷³ Shared dorms put shelter residents at increased risk of airborne transmission, even with social distancing.⁷⁴ Special care and, in many instances, infrastructural improvements are needed to prevent mass outbreaks of disease in shelters. Now, with the more contagious Delta variant as the dominant strain, and the possibility that the fourth wave will be the worst so far, COVID-19 will inevitably devastate the shelter system if more safety measures are not put into place.

⁶⁷ Ontario Coalition Against Poverty, "[The Fight for HSF Justice: Victories and Ongoing Struggles: Part 2](#)," July 7, 2017; Withers, "[Mapping Ruling Relations](#)."

⁶⁸ On September 16, 2021 Ontario reported 864 cases. Government of Ontario, "[All Ontario: Case Numbers and Spread](#)," COVID-19 (coronavirus) in Ontario, 2021.

⁶⁹ [Sanctuary et al. v. Toronto \(City\) et al., 2020 ONSC 6207](#); key informants – front-line workers.

⁷⁰ Centres for Disease Control and Prevention, "[Interim Guidance on People Experiencing Unsheltered Homelessness](#)," 2011.

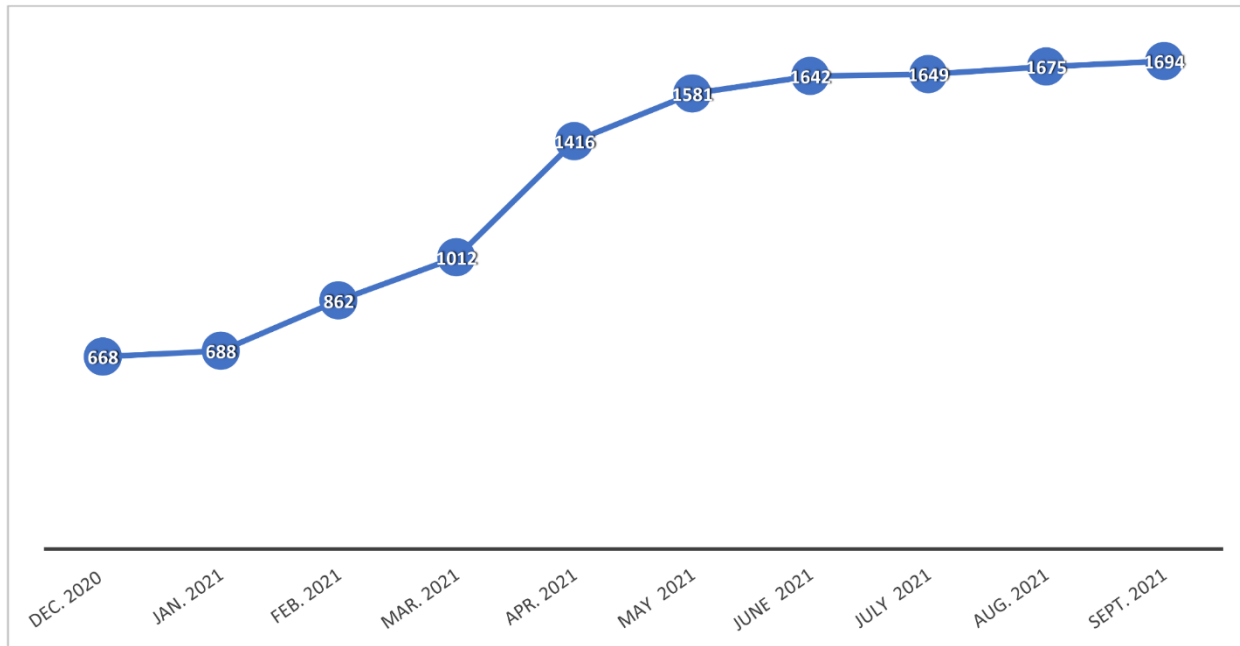
⁷¹ Nick Boisvert, "[Shared Dorms in Toronto Shelters Put Users at Risk of Airborne COVID-19 Transmission, Critics Warn](#)," *CBC News*, December 2, 2020.; Lloyd A.C. Chapman et al., "[Comparison of Infection Control Strategies to Reduce COVID-19 Outbreaks in Homeless Shelters in the United States: A Simulation Study](#)," *BMC Medicine*, (May 7, 2021); Thomas Roederer et al., "[Seroprevalence and Risk Factors of Exposure to COVID-19 in Homeless People in Paris, France: A Cross-Sectional Study](#)," *The Lancet Public Health* 6, no. 4 (April 1, 2021): e202–9.

⁷² Data as of October 7, 2021. City of Toronto, "[COVID-19: Active Outbreaks - Shelters](#)," 2021.

⁷³ [Sanctuary et al. v. Toronto \(City\) et al.](#)

⁷⁴ Boisvert, "[Shared Dorms in Toronto](#)."

Increase in COVID-19 Cases in Toronto's Shelter System



COVID-19 cases dramatically increased during the third wave of the pandemic and then slowed through the summer. With the arrival of the Delta variant and the fall, the rate of case increases has recently gone up.⁷⁵

Vaccination Rates in the Shelter System

4. Overview of Vaccination Rates in Shelters

Vaccination efforts for unhoused people in Toronto began in March 2021.⁷⁶ While the initial uptake was positive, vaccination rates slowed. Many shelter vaccination clinics have been postponed/cancelled because of outbreaks in those shelters.⁷⁷ Only half of shelter residents are fully vaccinated while 81 percent of Toronto residents 12 years of age and older are.⁷⁸ There are anywhere between 6,000 – 6,500 people who access a shelter bed on any given night. With fewer than half fully vaccinated, the shelter system is at risk of an increasing series of outbreaks.

5. Disproportionate Comorbidities and Vulnerabilities

Unhoused people live with multiple comorbidities, with the average age of death of a shelter user being approximately 50 years old (see Table 2 and Table 3) compared to 80 years old for the average Canadian. Unhoused people have higher rates of diabetes, heart disease, chronic obstructive pulmonary disease (COPD), liver disease, nutritional deficiencies, injuries, infectious diseases, and foot problems.⁷⁹ With respect to COVID-19, research done by Richard et al. at the Institute for Clinical Evaluative Sciences found that people experiencing homelessness are:

- Over 20 times more likely to be hospitalized;

⁷⁵ See Appendix A for the methodology for this chart.

⁷⁶ This population, even though at more risk of catching COVID, having serious disease and dying, was not originally classified as a “phase one” priority group. However, the provincial government, however, reconsidered and vaccinations began shortly after. Kevin Jiang, “[Toronto Will Begin Vaccinating City’s Homeless to Relief of Advocates: Wins and Good News for Our Community Don’t Come Often](#),” *Toronto Star*, February 28, 2021.

⁷⁷ Key informants – front-line workers.

⁷⁸ As of September 8th, 2021, SSHA “estimate[d] that 49% of people staying in the shelter system have now received two COVID-19 vaccines.” City of Toronto vaccination data for October 8, 2021. Shelter Support and Housing, “Update on Vaccination” (Toronto, September 8, 2021); City of Toronto, “[COVID 19: Vaccine Data](#),” 2021.

⁷⁹ Laura Cowan et al., “[The Street Health Report 2007](#)” (Toronto, 2007); Public Health Ontario, “[Evidence Brief: Homelessness and Health Outcomes: What Are the Associations?](#)” (Toronto, 2019).

- Over 10 times more likely admitted to the ICU;
- Over 5 times more likely to die within 21 days of their first positive test.⁸⁰

Increased rates of comorbidity, in addition to social factors, put unhoused people at greatly increased risk of catching COVID-19 and, if they contract the disease, it is more likely they will have severe disease and die from the disease.

6. Strategies to increase vaccination within the shelter system

Vaccination efforts within the shelter system took place in partnership with multiple agencies, including hospitals, clinics and local allied agencies. Strategies used to increase vaccine uptake included onsite education and vaccine administration. Despite this, vaccination rates for shelter residents continue to be lower than the general population at 49 percent of shelter users being fully vaccinated.

C. Shelter System

1. Overview of the shelter system

Toronto's shelter system consists of City-funded emergency warming centres, respite sites, 24 hour drop-ins, emergency shelters, family shelters, and shelter-hotels.⁸¹ The system is divided into sectors: youth, women's, men's, mixed-gender, and family. There are also shelters specifically for refugees. There are ongoing concerns about low levels of bed capacity and disability access, inadequate harm reduction and high levels of violence, self-harm, theft, transphobia/cisgenderism and death in the shelter system.

2. Capacity of the shelter system

In 1999 Toronto City Council mandated that the Shelter, Support and Housing Administration (SSHA) cap shelter occupancy, by sector, at 90 percent of capacity and allocated additional resources to do so. If the system is over 90 percent occupancy, the City cannot necessarily place people into appropriate shelter.⁸² Since that time, the City of Toronto has reaffirmed this mandate.⁸³ SSHA has never succeeded in meeting this mandate.

There are an estimated 8,479 people that SSHA considered "actively homeless."⁸⁴ At present, the shelter system is 96 percent full, with 6,593 people currently using the system. There are approximately 222 open beds.⁸⁵ This means there are 1,664 people that the City of Toronto acknowledges are "actively homeless" who cannot access shelter beds. Many people who are sleeping outdoors and in encampments are not enumerated in the "active homelessness."

People are routinely turned away when they try to access the shelter system. An average of 117 callers a day are denied access to shelter at the time of their call. An average of 38 people a day never got a spot in a shelter.⁸⁶

The shelter system is in crisis. It is over capacity, denies people as a matter of course and leaves people out in the cold.

⁸⁰ Lucie Richard et al., "[Testing, Infection and Complication Rates of COVID-19 among People with a Recent History of Homelessness in Ontario, Canada: A Retrospective Cohort Study](#)," *CMAJ Open* 9, no. 1 (January 1, 2021): E1–9.

⁸¹ SSHA also often considers transitional housing to be part of the shelter system. This report does not consider transitional housing as it is not accessible without a referral and acceptance into a specific program.

⁸² Toronto City Council made this mandate for the adult and youth sectors, see: SSHA, "[Staff Report on Capacity of the Emergency Shelter System](#)," *Community and Neighbourhood Services Committee, Toronto City Council*, March 24, 1999.

⁸³ Ontario Coalition Against Poverty, "[Update on Toronto Shelters Campaign: City Council Votes to Open Beds for Homeless!](#)," April 4, 2013; Toronto City Council, "[CD24.7 16.2b - Motion to Amend Item \(Additional\)](#)," December 6, 2017.

⁸⁴ "Active homelessness" is defined as a unique individual who has accessed the shelter system in the last 3 months but not exited the shelter system. August, 2021 is the most recently available data. City of Toronto, "[Shelter System Flow Data](#)."

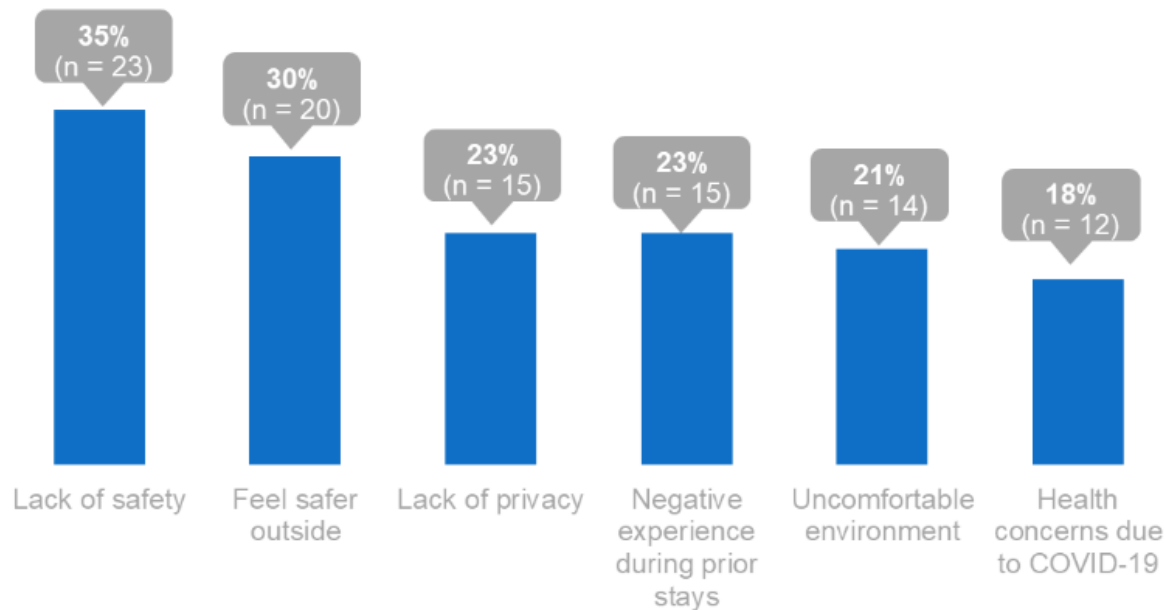
⁸⁵ See Appendix B for September 17, 2021 data used here, City of Toronto, "[Daily Shelter & Overnight Service Usage](#)."

⁸⁶ Available data for the period of October 30, 2020-February 28, 2021. MFOIPPA request to the City of Toronto # 2021-01799 provided by FactCheck Toronto. Also see: Factcheck Toronto, "[Claim: The City of Toronto Continually Provides Safe, inside Space to People Living Outside](#)," May 18, 2021.

3. Violence, self-harm, and theft in the shelter system

Toronto incident reports and surveys of unhoused people indicate that violent incidents are high, increasing, and make people feel unsafe. Violence, physical or sexual assault was listed as a main concern of residents of the Toronto shelter system by nearly half of all respondents (48 percent).⁸⁷ Lack of safety was the primary reason given by encampment residents for not accessing shelter.⁸⁸

Reasons identified by survey respondents for not accessing in shelter (survey results)



Survey of encampment residents indicate safety is the first and second most common reason people listed for not accessing the shelter system.⁸⁹

There have been over 10,000 violent incidents in the Toronto shelter system in the last five years.⁹⁰ The rate of incidents of violence has been increasing over time. 55 percent of people staying in respite and Out of the Cold sites reported witnessing physical or sexual violence in those types of facilities; 19 percent of people reported personally experiencing this kind of violence.⁹¹

⁸⁷ S. Nerad et al., "[Meeting Crisis With Opportunity: Reimagining Toronto's Shelter System. The Impact of COVID-19 on Toronto's 24 Hour Emergency Homelessness System](#)," 2021.

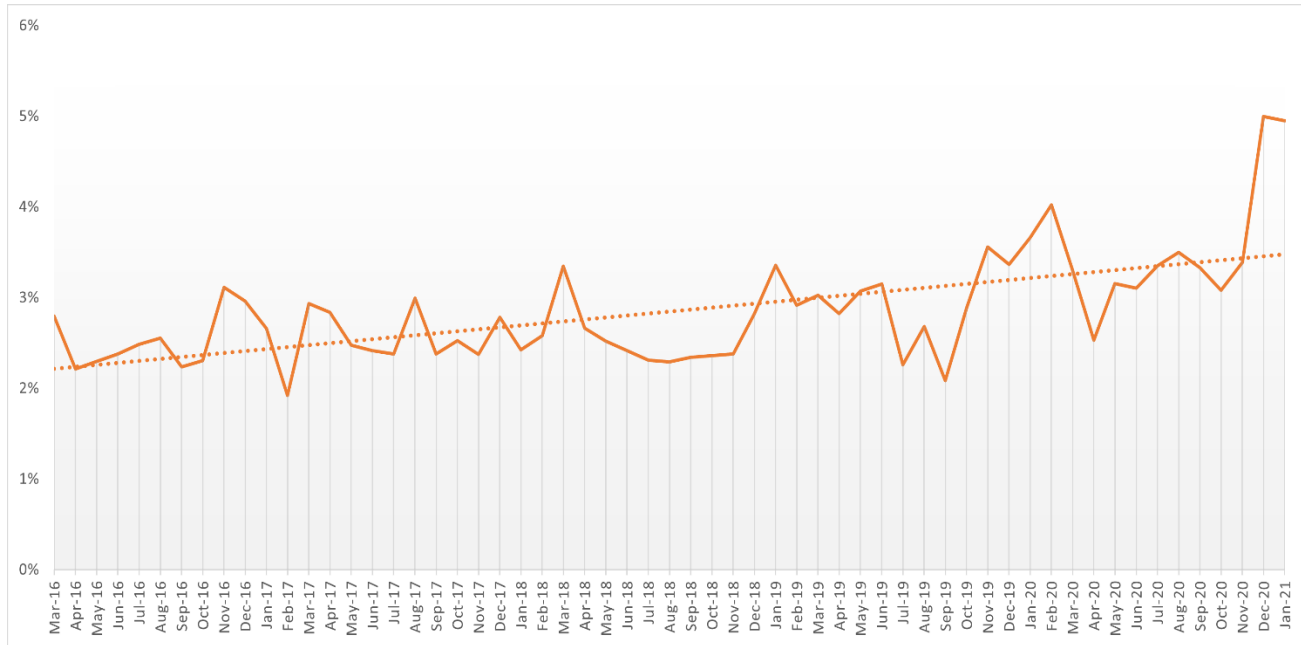
⁸⁸ From City of Toronto, "[COVID-19 Response Update: Protecting People Experiencing Homelessness and Ensuring the Safety of the Shelter System](#)" June 1, 2021, 22.

⁸⁹ City of Toronto, "[COVID-19 Response Update](#)," 22.

⁹⁰ Available data from March 2016-mid-February 2021. Data from MFOIPPA request to the City of Toronto # 2021-00378 provided by FactCheck Toronto. Also see FactCheck Toronto, "[Claim: People Experiencing Homelessness in Toronto Have Access to Safe, High Quality Emergency Shelter](#)," June 7, 2021.

⁹¹ This study refers to respites as "warming centres." The City has since re-categorized what used to be called warming centres as respites and created a new category of warming centres that are only open in urgent cold weather instances. Out of the Colds have been closed since early in the COVID-19 pandemic. Many, if not most, of the people who used Out of the Cold sites have shifted into respite sites within the shelter system. Ontario Coalition Against Poverty, "[Out in the Cold: The Crisis in Toronto's Shelter System](#)" (Toronto: Ontario Coalition Against Poverty, 2016).

Incidents of Violence in Shelters March 2016-January 2021



Number of violent incidents in the shelter system (assault, threats of harm/death, throwing objects) proportional to the shelter population.⁹² Dotted line indicates the increased trend over time.

There are increasing rates of self-harm in Toronto's shelter system. This is indicative of a decline in the well-being of shelter residents, which may be correlated with systemic issues and conditions in the system.⁹³

Shelter residents are concerned about the theft of their personal property in the Toronto shelter system. Theft is the most common main concern about the shelter system listed by shelter residents (50 percent).⁹⁴ 13 percent of people staying in Out of the Cold and respite sites reported staying there because they had had a past experience of theft in the normative shelter system.⁹⁵

Shelter residents are only permitted to bring two bags with them into the shelter.⁹⁶ Consequently, their few possessions often hold significant meaning and value, and in some instances, the loss of items may be experienced as traumatic.

Violence, self-harm, and theft are a threat to residents of Toronto's shelter system. There is documented evidence that violence and theft deter people from entering the shelter system. These incidents can be traumatic for those directly impacted and those with direct and indirect knowledge of events.

4. Deaths in the shelter system

The number of deaths of Toronto's shelter residents have increased at an alarming rate in 2020 and 2021.⁹⁷ Shelter resident deaths are 78 percent higher in the first eight months of 2021 over 2019.⁹⁸ These deaths are not directly attributable to COVID-19 fatalities; to date, there have been nine shelter deaths due to COVID-19.⁹⁹

⁹² MFOIPPA request # 2021-00378.

⁹³ FactCheck Toronto, "[Claim: People Experiencing Homelessness.](#)"

⁹⁴ Nerad et al., "[Meeting Crisis With Opportunity.](#)"

⁹⁵ Ontario Coalition Against Poverty, "[Out in the Cold.](#)"

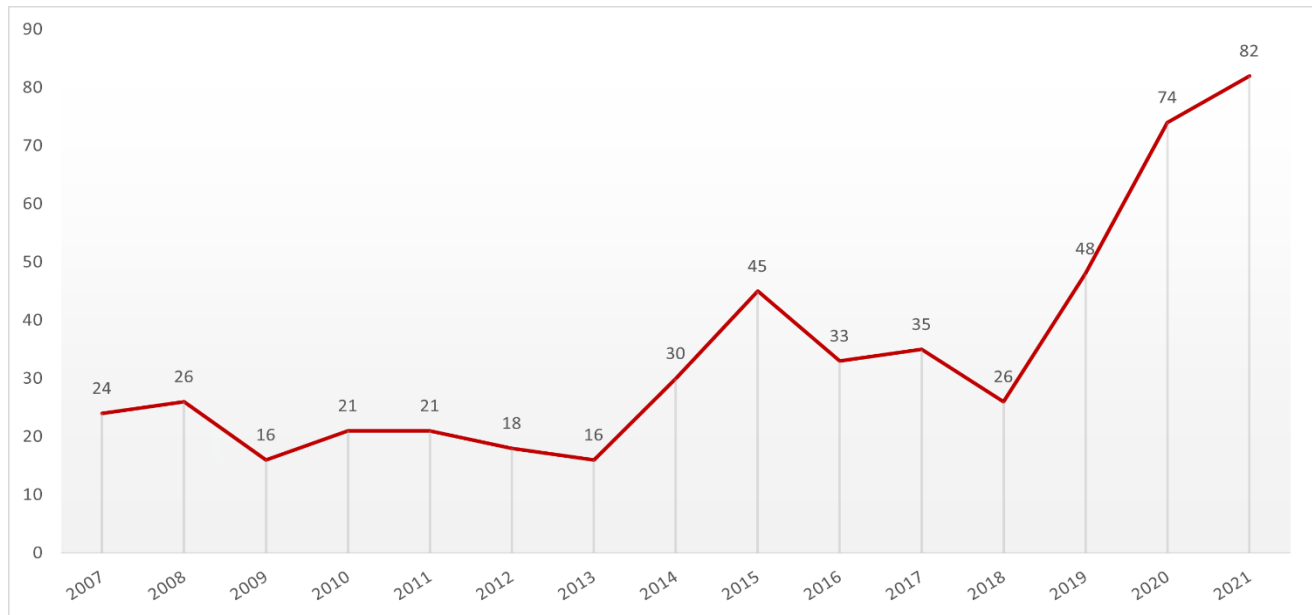
⁹⁶ Motion Record of the Respondent City of Toronto, *Black et al. v. City of Toronto*; City of Toronto, "[City of Toronto Restoring Alexandra Park While Continuing to Help People Experiencing Homelessness.](#)" 2021.

⁹⁷ Deaths of shelter residents are not necessarily in shelter. A resident may be discharged from shelter to hospital and die in hospital, for example.

⁹⁸ City of Toronto, "[Deaths of Shelter Residents.](#)"

⁹⁹ City of Toronto, "[Active COVID-19 Outbreaks in Toronto Shelters.](#)"

Shelter Resident Deaths: 2007-Present



Deaths of shelter residents January 2007-August 2021.

The dramatic increase in shelter deaths in 2020 and 2021 is largely attributable to opioid poisoning. There were 46 opioid poisoning or suspected drug-related deaths in the Toronto shelter system in 2020; in the first half of 2021, there were an estimated 26 of these deaths. **Nearly two-thirds of all deaths in the shelter system in 2020 (62 percent) were linked to opioid toxicity.** In 2018 and 2019, there were nine and ten opioid poisoning and suspected drug-related deaths, respectively.¹⁰⁰

The overall average age of death is 54 years, while the average age of death is 51 in 2020 and 48 in 2021.¹⁰¹

5. Drug toxicity and harm reduction

The overdose crisis in Toronto continues to escalate. At the start of the pandemic, local harm reductionists were alerting the City of Toronto to concerns of an escalation of fatal and nonfatal overdoses and the need to respond urgently.¹⁰² City of Toronto data underscores the inadequacy of harm reduction services, in particular overdose prevention, in the shelter system.

The overall trend in increases of deaths of unhoused people per year continues, with 94 deaths reported to June 30, 2021, compared to for 143 in 2020. Of these deaths, 49 percent were the result of drug toxicity in 2021 and 53 percent in 2020.¹⁰³ Therefore, **over half of all unhoused people who died in Toronto in 2020 died as a result of drug toxicity**, much higher than earlier years. Toronto's unhoused population died from overdoses were experiencing homelessness at over twice the rate than other jurisdictions in Ontario (27 percent vs 13 percent).¹⁰⁴

¹⁰⁰ City of Toronto, "[Overdoses in Homelessness Services Settings](#)."

¹⁰¹ City of Toronto, "[Deaths of Shelter Residents](#)."

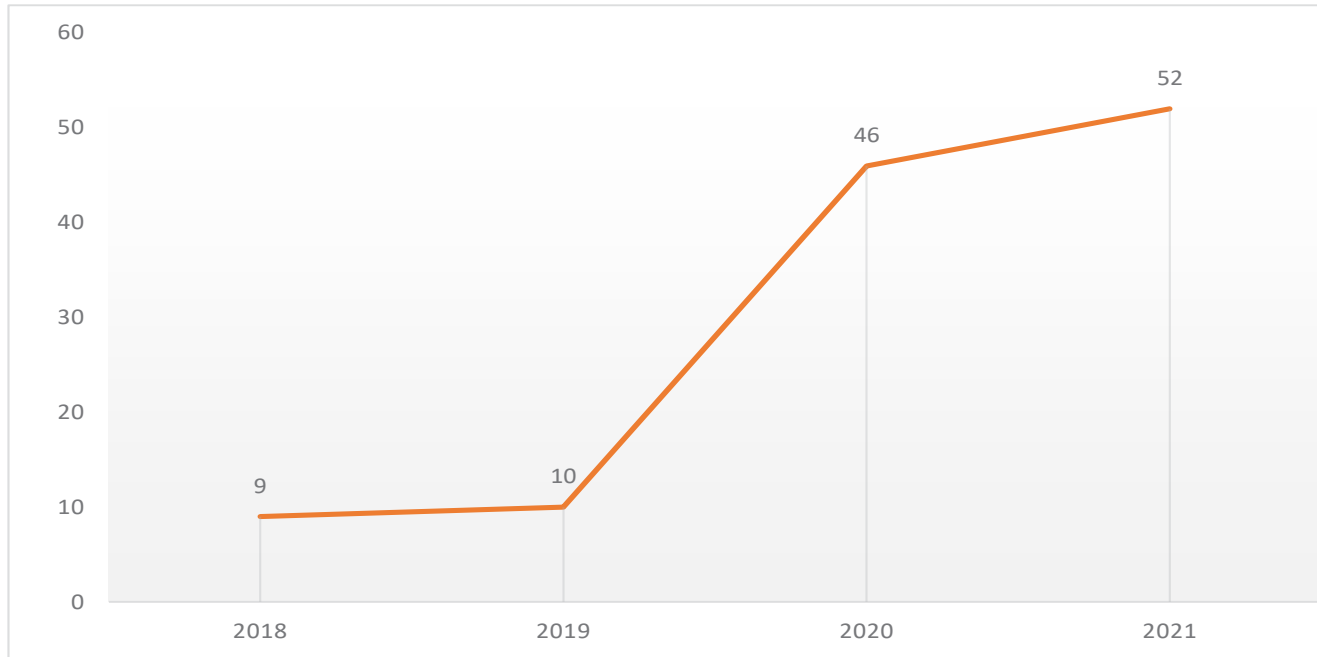
¹⁰² Key informants – front-line workers.

¹⁰³ City of Toronto, "[Deaths of People Experiencing Homelessness](#)," accessed October 7, 2021,.

¹⁰⁴ City of Toronto, "[Toronto Overdose Action Plan: Status Report 2021](#)," June 3, 2021.

There have been 91 fatal overdoses in the shelter system since 2018; these deadly occurrences are also on the rise.¹⁰⁵ Nonfatal overdoses have also steadily increased, averaging 102 per month in 2021¹⁰⁶ compared to 26 per month in 2018.¹⁰⁷ 2021 is projected to have 1,220 overdoses in the shelter system if further interventions are not made.

Rise in Fatal Overdoses in Toronto's Shelter System 2018-2021 (projected)¹⁰⁸



Increase in shelter deaths due to overdose from 2018-2021 (projected).

Physical distancing requirements in shelters and the expansion to shelter-hotels leave shelter residents socially isolated, away from community supports and local drug suppliers, and more likely to consume drugs alone.¹⁰⁹ The overdose crisis has been a humanitarian disaster, affecting people who use drugs, their families, friends, and peers, as well as the front-line workers who are experiencing trauma and burnout after years of caring and responding.¹¹⁰

In September 2020, a group of harm reduction workers created a task force, Toronto Shelter-Hotel Overdose Action Task Force (TSHOATF), to work with Shelter Operators and residents of shelters to assess gaps and needs. The group released a report in May 2021, Toronto Shelter-Hotel Overdose Preparedness Assessment Project, that included a series of recommendations. The City launched this report in June 2021 as part of a guide for shelter operators. The recommendations have not yet been implemented across the sector.¹¹¹

The City of Toronto has taken some steps to address the drug toxicity crisis in its shelter system. This includes issuing an updated harm reduction directive for the shelter system in June 2021.¹¹² However, there is a lack of consistency in services across the system.

¹⁰⁵ City of Toronto, "[Overdoses in Homelessness Services Settings](#)."

¹⁰⁶ Data available to June 2021. City of Toronto, "[Fatal and Non-Fatal Suspected Opioid Overdoses in the Shelter System](#)," City of Toronto Open Data Portal, accessed October 9, 2021.

¹⁰⁷ City of Toronto, "[Overdoses in Homelessness Services Settings](#)."

¹⁰⁸ Data available for first 2 quarters of 2021 used to extrapolate for July-December 2021. City of Toronto, "[Fatal and Non-Fatal Suspected Opioid Overdoses](#)."

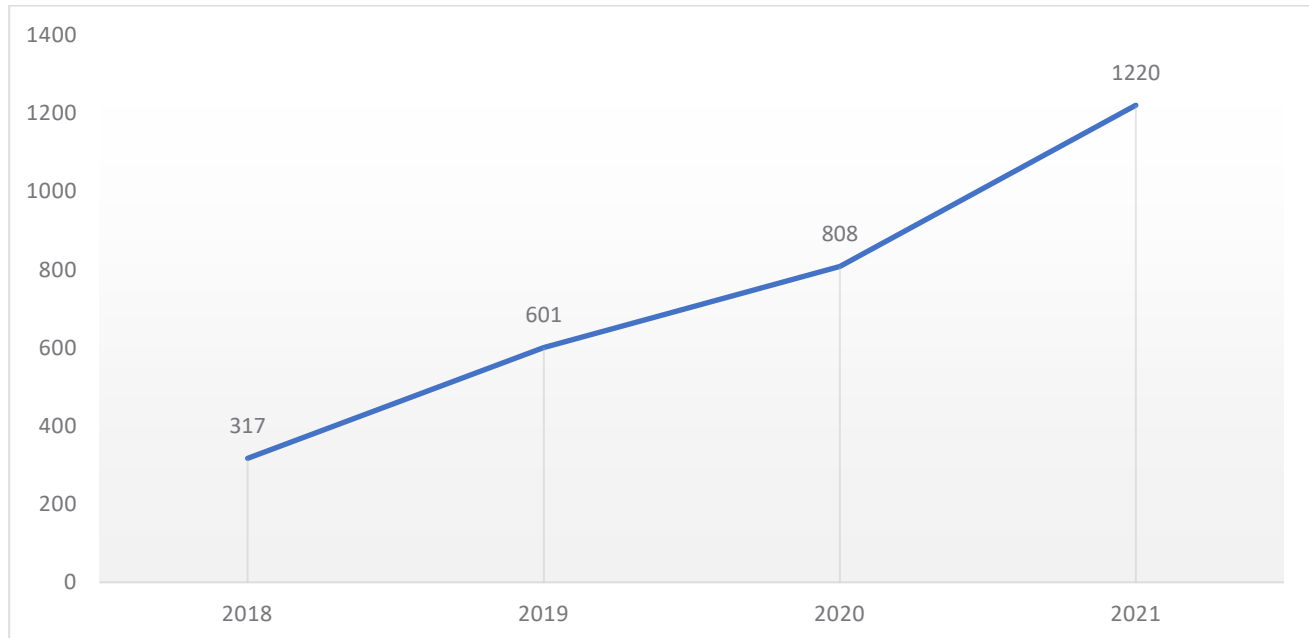
¹⁰⁹ Key informants – front-line workers.

¹¹⁰ Key informants – front-line workers.

¹¹¹ Toronto Shelter-Hotel Overdose Action Task Force, "[Toronto Shelter-Hotel Overdose Preparedness Assessment Project: Final Report and Recommendations](#)" (Toronto, 2021).

¹¹² City of Toronto and Shelter Support and Housing Administration, "[Directive 2021-01 to Toronto Shelter Standards and 24-Hour Respite Standards on Harm Reduction](#)," June 7, 2021.

Rise in Non-fatal Overdoses in Toronto's Shelter System 2018-2021 (projected)¹¹³



Increase in overdoses in shelters that did not result in death, from 2018-2021 (projected).

The Integrated Prevention and Harm Reduction Initiative (iPHARE) “is a multi-pronged effort by the City and community agencies to address opioid-related deaths in Toronto’s shelter system.”¹¹⁴ iPHARE, working with Toronto Public Health and Shelter, Support and Housing Administration has advanced the City’s Overdose Action Plan .¹¹⁵ Funds were directed to set up Urgent Public Health Needs Sites (UPHNS), spaces where shelter residents can safely consume drugs under trained supervision. UPHNS offer overdose prevention and supervised consumption services only to residents.

There are four UPHNS, also commonly known as overdose prevention sites, located in one of the City’s COVID Recovery and Isolation centres, as well as three shelter-hotels. Another initiative is the Shelter Hotel Overdose Prevention Project (SHOPP), initiated by TSHOATF and introduced in spring 2021. SHOPP is a low-barrier overdose prevention strategy that engages peer support workers trained to offer overdose prevention and response measures like administering naloxone, oxygen, CPR, and who can call emergency services if necessary. SHOPP is a pilot program embedded in a couple of shelter-hotels and is inadequately funded and resourced.

In June 2021, the Toronto Board of Health recognized that actions to date had not stemmed the tide of the crisis. It was recommended that the Medical Officer of Health, in consultation with the General Manager, SSHA, continue to work toward urgently expanding the overdose prevention response and other harm reduction measures in shelters.¹¹⁶

The opioid crisis has become increasingly lethal within the Toronto Shelter system. Harm reduction services and overdose preparedness are uneven in the shelter system and have been inadequate to stop the remarkable increases in fatal and non-fatal overdoses. While some measures the City of Toronto has taken have likely helped mitigate the harm caused by drug toxicity, other measures – such as isolation in remotely located shelter-hotels and have likely contributed to the increases in injury and death.

¹¹³ Data available for first 2 quarters of 2021 used to extrapolate for July-December 2021. City of Toronto, “[Fatal and Non-Fatal Suspected Opioid Overdoses.](#)”

¹¹⁴ City of Toronto, “[Integrated Prevention & Harm Reduction Initiative \(iPHARE\).](#)”

¹¹⁵ City of Toronto, “[Toronto Overdose Action Plan: Status](#)”; Board of Health, “[HL23.1 Response to COVID-19: Persevering Through Resurgence.](#)” November 16, 2020.

¹¹⁶ City of Toronto, “[Toronto Overdose Action Plan: Status.](#)”

6. Cisgenderism and transphobia in the shelter system

There is significant documentation about transphobia and cisgenderism in the Toronto shelter system.¹¹⁷ Trans women, trans men, non-binary and other people who fall under the trans umbrella often “feel unsafe in men’s shelters and unwelcome in women’s.”¹¹⁸ Trans women are also often questioned or undermined as “real” or “authentic” women in women’s shelters.¹¹⁹

The City of Toronto has taken the positive step of requiring shelter providers to “ask all clients for their gender identity rather than assume.”¹²⁰ However, SSHA cannot guarantee that Central Intake asks each person how they identify, rather than make cisgenderist assumptions.¹²¹

The City system classifies all beds as “male” or “female.”¹²² Consequently, non-binary people may believe their gender identities are being respected, but the administrative practice reassigns them a gender. The City claims that it is the beds that are gendered, rather than the people sleeping in the gendered beds.¹²³ This administrative maneuver remains a transphobic violence. The authors contend that, for example, a cis man cannot be put in a female bed; therefore, these beds are linked to gender assignment and the City is imposing binary gender identities onto non-binary clients.¹²⁴

The City of Toronto also continues to use exclusionary, binary language. For example, the City site for the Homes First operated shelter on Lake Shore Boulevard says, “[t]he new shelter serves single men, women and couples.”¹²⁵ Here the website says the shelter does not serve non-binary people unless they are coupled. Whether or not this is the case, there is a clear message to non-binary people trying to access shelter who see this site: the rigid binary gender system is enforced, and their needs are not considered.

SSHA has made positive steps to improve the experiences of trans and non-binary people in the shelter system and to improve its administrative practices. Nevertheless, transphobia and cisgenderism are systemic in Toronto’s shelter system and endanger the health and safety of trans and non-binary people both inside the shelter system and outside – when shelter residents feel forced to sleep outside because the shelter system is intolerable.

7. Disability access in the shelter system

Nearly a quarter of all unhoused people (23 percent) in Toronto have a physical disability. People who sleep outside have the highest rates of physical disability (37 percent). One in five people sleeping in shelters are physically disabled (20 percent).¹²⁶

Yet, the shelter system gets a failing grade when it comes to disability accessibility. Toronto’s baseline accessibility measures of being able to enter, use and exit the facility were not met in all but 19 percent of sites (8 of 43). 28 percent of sites met zero of the eight baseline accessibility measures and 62 percent (27) met fewer than half of the eight accessibility measures.¹²⁷

¹¹⁷ Alex Abramovich, “[Understanding How Policy and Culture Create Oppressive Conditions for LGBTQ2S Youth in the Shelter System](#),” *Journal of Homosexuality* 64, no. 11 (September 19, 2017): 1484–1501; Spy Dénomé-Welch, Jake Pyne, and Kyle Scanlon, “[Invisible Men: FTMs and Homelessness in Toronto](#)” (Toronto, 2008); Jake Pyne, “[Unsuitable Bodies: Trans People and Cisnormativity in Shelter Services](#),” *Canadian Social Work Review* 28, no. 1 (July 11, 2011): 129–37; Toronto Shelter Network, “[Transforming the Emergency Homelessness System: Two Spirited, Trans, Nonbinary and Gender Diverse Safety in Shelters Project](#)” (Toronto, 2020).

¹¹⁸ Pyne, “[Unsuitable Bodies](#),” 133.

¹¹⁹ Pyne, “[Unsuitable Bodies](#),” Toronto Shelter Network, “[Transforming the Emergency Homelessness System](#).”

¹²⁰ Shelter Support and Housing Administration, “[Toronto Shelter Standards](#),” Version 4 (Toronto, 2018).

¹²¹ Telephone communication, author and Patricia Anderson, SSHA manager, 2017.

¹²² MFOIPPA request # 2020-01799 provided by Factcheck Toronto and the Environmental Justice and Sustainability Clinic at Osgoode Hall Law School.

¹²³ Personal conversation, author and SSHA staff.

¹²⁴ One of the authors, who has expertise in trans and non-binary issues, raised these concerns and offered to assist SSHA with trans and non-binary intake and information systems in 2017 and 2021. SSHA did not pursue this, but it did work with a trans scholar on the 2018 Street Needs Assessment. Therefore, it appears that SSHA has worked with an outside consultant to properly enumerate trans people for public facing documents but not for the systems that impact shelter residents’ daily lives.

¹²⁵ City of Toronto, “[545 Lake Shore Blvd. W.](#)”

¹²⁶ City of Toronto, “[Street Needs Assessment - 2018](#).”

¹²⁷ The full results of the 2016-2018 accessibility audit have never been publicly released. This data represents the available results, representing 68% of sites, City of Toronto, “[D119.4 Improving Accessibility in Shelters: Presentation to the Toronto Accessibility Advisory Committee](#),” April 19, 2019.

The City of Toronto's newly opened sites to accommodate people during the COVID-19 pandemic have widespread accessibility issues. An accessibility audit on these 24 sites found that less than a third (7 of 24) had "most accessibility features" and only needed "minimal additions."¹²⁸ More sites (9 of 24) had few or no accessibility features. The City of Toronto selected multiple new sites with significant accessibility issues.

Significant access issues have been experienced during the operation of the shelter-hotels. Even when shelter-hotel rooms have been available on the first and other lower floors, they have not been made available to residents with mobility disabilities.¹²⁹ This poses a significant fire risk for people.¹³⁰ Many residents of shelter-hotels are in shelter-hotels because the City of Toronto claims encampments are unsafe, especially with respect to fire,¹³¹ yet the safety of disabled shelter-hotel residents is jeopardized. Not all wheelchair users or others with mobility disability disabilities who need them have access to chair accessible bathrooms with grab-bars, roll-in showers, handheld shower heads, and/or shower chairs.¹³² The right to have personal support workers attend on-site to assist a disabled shelter-hotel resident was denied to that resident.¹³³ Disability accommodations have been denied to shelter-hotel residents.¹³⁴ There are also insufficient mental health supports at shelter-hotels.¹³⁵

The City of Toronto claims that "20 percent of the new spaces are being designed to be accessible."¹³⁶ This is likely insufficient to overcome the pre-existing gap in the need for accessible shelter space. While the pre-existing number of accessible spaces is unavailable, there was already insufficient accessible space¹³⁷ and people with physical disabilities are disproportionately represented in the unhoused population. Presently, 18 percent of shelter system residents identify a disability or health-related access issue as a main concern about staying in the Toronto shelter system.¹³⁸

The City of Toronto's shelter system gets a failing grade in accessibility audits, and it has failed unhoused disabled people.

8. Conclusion

Toronto's shelter system is in crisis and has been in crisis for years. This crisis is deepening, and, consequently, the shelters have become more violent and, even, deadlier. The health, safety, and human rights of drug users, trans and non-binary people, and disabled people are especially vulnerable in Toronto's shelter system because of individual and systemic discrimination and the disregard for the rights and dignity of these groups. While SSHA has taken some steps to reduce or mitigate these harms, they remain insufficient and deeply harmful. The safety and ability to meet the basic dignities of life of Toronto's shelter system for the entire shelter population are questionable.

D. Shelter-Hotels

Shelter-hotels have been operated by the City of Toronto for at least twenty years. Until recently, they have been used for families, largely refugee families¹³⁹ – except on rare occasions when couples have been admitted during the winter.¹⁴⁰

Shelter-hotels have been a major component of the City of Toronto's response to the COVID-19 global pandemic for unhoused people to address physical distancing needs and reduce viral transmission.¹⁴¹

¹²⁸ City of Toronto, "[RE:EC18.3 Supporting People with Disabilities in Toronto during and beyond COVID-19](#)," November 20, 2020, 18.

¹²⁹ Key informant – shelter-hotel resident.

¹³⁰ See: Mira Miller, "[Disabled Homeless Woman Says She Was Trapped on 15th Floor of Shelter Hotel during a Fire](#)," *BlogTO*, February 2021.

¹³¹ See Encampments section.

¹³² Key informant – shelter-hotel resident.

¹³³ Key informant – shelter-hotel resident.

¹³⁴ Key informant – shelter-hotel resident.

¹³⁵ Key informant – shelter-hotel resident, front-line worker.

¹³⁶ Toronto, "[RE:EC18.3 Supporting People](#)," 8.

¹³⁷ As reported by front-line workers who have substantial difficulty finding accessible shelter space. While finding any shelter space is difficult, finding accessible space can be much more so.

¹³⁸ This is the eighth highest ranked concern in the entire system. Disability or health related concern examples are listed as "far from essential supports, inaccessible facilities, lack of access to support worker and/or essential medical services, etc." Nerad et al., "[Meeting Crisis With Opportunity](#)," 71.

¹³⁹ City of Toronto, "[Managing Refugee Flows](#)," October 11, 2017.

¹⁴⁰ Key informants – front-line workers.

¹⁴¹ City of Toronto, "Deaths of Shelter Residents."

Shelter-hotels have private rooms and significantly improve privacy and the capacity for social distancing over respite sites and other shelters. Nevertheless, they remain congregate settings;¹⁴² they have a large number of institutional rules.¹⁴³ Shelter-hotels also subject all residents to supports that not everyone needs or wants.¹⁴⁴

Even though shelter-hotels were established as a COVID-19 prevention measures, they have been the site of frequent COVID-19 outbreaks. On April 29, 2021, there were 164 COVID-19 cases that had outbreaks in shelter-hotels and 331 in the entire system; people in shelter-hotels made up half of all COVID-19 cases.¹⁴⁵ In mid-May 2021, for example, there were eight outbreaks in the shelter system, and half of them were in shelter-hotels.¹⁴⁶

A significant factor contributing to the increased rates of shelter-hotel resident deaths has been the escalating opioid overdose crisis and lack of rapid response. Shelter-hotels are uniquely dangerous for people using opioids. In Ontario, between March 16, 2020, and December 31, 2020, one in seven opioid-related deaths of unhoused people occurred in shelter-hotels.¹⁴⁷ This is due to a combination of an increasingly toxic drug supply as well as encouraged physical isolation. In addition, shelter-hotels are frequently far from the downtown core, which removes residents from access to harm reduction services and friends to use drugs with, and force residents to use new suppliers for drugs.

While the City of Toronto has taken some measures to address drug toxicity in the shelter system (see “C.5: Drug toxicity and harm reduction” above), this response has been delayed.¹⁴⁸ Not all programs are available at all shelter-hotels; this significantly restricts access as residents are not given the choice of which location they attend and cannot relocate of their own accord.¹⁴⁹

The City of Toronto allows access to shelter-hotels to people entering the shelter system from encampments. However, not everyone residing in an encampment qualifies for a shelter-hotel bed. If someone has used the shelter system in the previous 30 days, they will not be admitted into a shelter-hotel. Some encampment residents may enter a shelter or respite on occasion for access to hygiene facilities, food, a bed for a night, and/or protection from the elements.¹⁵⁰ These individuals, for the reasons listed above or other reasons, will not move into respites or shelters but will move into shelter-hotels yet the City of Toronto is denying them access.¹⁵¹ This policy keeps some people in encampments who want to leave them. It also could endanger someone who needs to flee intimate partner or other violence or inclement weather but feels they cannot enter the shelter system, even for one night, and risk losing the possibility of space in a shelter-hotel.

Shelter-hotels are reserved for encampment residents. If someone is trying to access a room but sleeping on a grate, for example, that person can't get into a shelter-hotel.¹⁵² Although the City of Toronto was turning people away from the shelter system – regardless of weather or other circumstances, it was keeping beds open in the shelter-hotels to move encamped individuals into them.¹⁵³

The shelter-hotel system has been an improvement over the rest of the shelter system, in many ways for many people. However, lack of overdose and COVID-19 preparedness, problematic rules, and a focus on using these facilities to assist in clearing encampments has made these sites unsafe, impractical and/or unavailable for many unhoused people.

¹⁴² Email correspondence between from Mary Ann-Bedard to A.J. Withers, July 15, 2020.

¹⁴³ Chili, “Anti-Eviction Press Conference – Scadding Court,” *Encampment Support Network*, November 8, 2020; FactCheck Toronto, “[Claim: City Programs in Shelters...](#),” December 14, 2020; Lorraine Lam, “[Anti-Eviction Press Conference – Scadding Court](#),” *Encampment Support Network*, November 8, 2020; Alykhan Pabani and Daniel Rotsztein, *Dismantling Stubborn Structures*, 2020.

¹⁴⁴ FactCheck Toronto, “[Claim: City Programs in Shelters...](#)”

¹⁴⁵ @ShelterWatchTO, [Twitter](#), April 29, 2021.

¹⁴⁶ @ShelterWatchTO, [Twitter](#), May 18, 2021.

¹⁴⁷ T. Gomes et al., “[Changing Circumstances Surrounding Opioid-Related Deaths in Ontario during the COVID-19 Pandemic](#),” 2021.

¹⁴⁸ Significant response only began recently while drug toxicity deaths have been increasing for several years.

¹⁴⁹ Key informants – front-line workers.

¹⁵⁰ Encampment Support Network, “[Trying to Get Someone into a Shelter Hotel](#),” Soundcloud, March 20, 2021.

¹⁵¹ Key informants, front-line workers.

¹⁵² Unlike other beds in the shelter system, which are coordinated by Central Intake, shelter-hotel beds are coordinated by Streets to Homes. Some workers have, on very rare occasion, gotten someone sleeping outside but not in an encampment in through connections – but this is not how the system is supposed to work. Key informants, front-line workers; Factcheck Toronto, “[Claim: The City of Toronto Continually](#)”; Factcheck Toronto, “[Claim: Pathway Inside Is Designed to Provide Comfortable Spaces...](#),” April 16, 2021; Encampment Support Network, “[Trying to Get Someone into a Shelter Hotel](#).”

¹⁵³ See: Factcheck Toronto, “[Claim: The City of Toronto Continually](#).”

E. Respite and 24-hour Drop-ins

The City of Toronto defines a respite site as one “that prioritizes ease of access.”¹⁵⁴ These sites “are designed to engage and provide service to people with more complex needs who may otherwise not access traditional shelter beds.”¹⁵⁵ The City also has two permanent low-barrier 24-hour drop-ins for women, trans, and non-binary people that are open year-round.

These sites, however, have become *de facto* shelters and are often the only spaces available for people seeking shelter.¹⁵⁶ At the same time, even these sites deny people because they do not have capacity.

Concerns raised by community members about institutionalizing respites and 24-hour drop-ins as part of the shelter system include:

- Permits the City to operate spaces that did not have beds;
- Respite sites have concerning conditions, they are loud, in large congregate rooms, have the lights on 24 hours a day;
- Rather than create low-barrier shelter beds, respites created a two-tier shelter population - those who needed low-barrier space and those who could work within stringent shelter rules.¹⁵⁷

Respite sites have few mandatory requirements regarding space, aside from a single wheelchair accessible and gender-neutral washroom and shower, a toilet for every 15-30 people, a shower for every 20 people, sinks, soap, etc. Rather, SSHA instructs providers to “consider” implementing certain standards, or to do/provide things “as much as possible.”¹⁵⁸

The City’s continued reliance on respite sites means it is difficult for many residents to get sufficient sleep. A survey of Toronto’s respite site users found only 14 percent slept seven to eight hours a night; the rest of the population was relatively evenly split between three or fewer hours and four to six hours a night (42 percent and 44 percent, respectively).¹⁵⁹ People staying at respite sites have swelling in their legs caused by sleeping in chairs at night.¹⁶⁰ Insufficient sleep is linked to negative health consequences; so, too is exposure to light at night – even if dimmed.¹⁶¹

The respite site standard does not meet the standard of UN emergency refugee camps.¹⁶² Respite sites are only required to meet the SSHA minimum standard if directly instructed.¹⁶³ Even when respites are required by SSHA to meet the minimum space requirements, the Respite Standards have a provision for “alternative forms of compliance” for providers who cannot comply with the requirement.¹⁶⁴

In January 2020, 14 percent of all adult shelter spaces (724) were respite, drop-in, or Out of the Cold spaces.¹⁶⁵ During COVID-19, respite site populations were eventually reduced to allow for social distancing. There is no indication that the respite site population will not return to previous levels once the pandemic is over.

Increased reliance on respite sites has led to extremely poor conditions in a large proportion of the Toronto shelter system.

¹⁵⁴ The City of Toronto elected to rename warming centers respite sites in 2017. They would be kept open for the cold months while warming centres would be open for emergency cold alerts. Now, many respites are kept open year-round. Shelter Support and Housing Administration, “[24-Hr Respite Site Standards](#)” (Toronto, 2018), i.

¹⁵⁵ City of Toronto, “[CD26.5 Update on Shelter Services](#)” (February 20, 2018), 10.

¹⁵⁶ Key informants – front-line workers.

¹⁵⁷ Respite sites were originally called warming centres. Then, the City created warming centres as a separate, emergency service class. After considerable community pressure, SSHA issued interim respite standards in April 2018 and permanent standards in November 2018. See community member deputations in Toronto City Council, “[CD21.6 Review](#)”; Ontario Coalition Against Poverty, [No Respite](#) (2018); SSHA, “[24-Hr Respite Site Standards](#).”

¹⁵⁸ City of Toronto, “[24 Hr Respite Site Standards](#),” 42-43.

¹⁵⁹ Health Providers Against Poverty, “[An Evaluation of Toronto’s Warming Centres and Winter Response to Homelessness](#)” (Toronto, 2018).

¹⁶⁰ Health Providers Against Poverty, “[An Evaluation of Toronto’s Warming Centres](#).”

¹⁶¹ YongMin Cho et al., “Effects of Artificial Light at Night on Human Health: A Literature Review of Observational and Experimental Studies Applied to Exposure Assessment,” *Chronobiology International* 32, no. 9 (October 21, 2015): 1294–1310, <https://doi.org/10.3109/07420528.2015.1073158>; Ivan Cundrie Jr., Andrew D. Calvin, and Virend K. Somers, “Sleep Deprivation and the Cardiovascular System,” in *Sleep Deprivation and Disease: Effects on the Body, Brain and Behavior*, ed. Matt T. Bianchi (New York: Springer, 2014), 131–48; Akiko Okifuji and Bradford D. Hare, “Sleep Deprivation and Pain,” in *Sleep Deprivation and Disease: Effects on the Body, Brain and Behavior*, ed. Matt T. Bianchi (New York: Springer, 2014), 171–229.

¹⁶² SSHA requires minimum of 3.5m²; UN requires minimum of 3.5m² but says 4.5m² – 5.5m² is “more appropriate” for “cold climates and urban areas.” UNHCR, “[Camp Planning Standards \(Planned Settlements\)](#),” in *Emergency Handbook*.

¹⁶³ Shelter Support and Housing Administration, “[24-Hr Respite Site Standards](#).”

¹⁶⁴ City of Toronto, “[24-Hour Respite Site Standards](#),” 44.

¹⁶⁵ St. Felix respite (winter program): 50, 24-hr respites:464, 24-hr Drop-ins: 120, Out of the Colds: 90 = 724. Total capacity: winter programs: 533, adult shelter sector (excluding youth and families as adults without children cannot access these sites and children and youth cannot access adult sites): 3750, respites, drop-ins, Out of the Colds: 724 = 5007 total adult capacity. City of Toronto, “[Daily Shelter & Overnight Service Usage](#),” January 14, 2020.

F. Warming Centres and Inclement Weather

The City of Toronto opens warming centres when there an Extreme Cold Weather Alert. This policy endangers human life. The City of Toronto's Extreme Cold Weather program was not found to be effective in reducing cold-related deaths and complications over a 10-year period.¹⁶⁶ An Extreme Cold Weather Alert is called at -15°C or a windchill of -20°C.¹⁶⁷ The City of Toronto chose -15°C as the temperature threshold after a review of the weather conditions during which three unhoused people died in 1995, average minimum winter temperatures in Toronto, and severe winter weather conditions between 1992 and 1996.¹⁶⁸ A sample size of three is far too low to make a scientifically grounded decision. This threshold was reviewed in 2014, but the threshold stayed the same except for adding the consideration for windchill, which remains in effect.¹⁶⁹

There is a substantial risk of frostbite and hypothermia at temperatures less than -10°C. Risk of complications such as nerve damage, infection, and amputations from the cold can occur at warmer temperatures depending on factors including exposure time, wet clothing, and age. There is also the cumulative risk of poor outcomes when sleeping rough for consecutive days.¹⁷⁰

Unhoused people are at high risk for exposure-related injury and death: 25 percent of all hypothermic injuries and 20 percent of hypothermic deaths in Toronto are attributable to unhoused people.¹⁷¹ Chen et al. found that “[e]xposure to ambient cold and hot temperatures significantly elevated the risk of death in Ontario, with increases in daily mortality varying from 1.8 percent to 3.0 percent with a 5°C decrease of cold and from 1.6 percent to 2.5 percent with a 5°C increase of heat, depending on temperature measures.”¹⁷²

Last winter, there were four warming centre sites. This number fluctuates; there was one site open in 2019/20, two in 2018/19 and three in 2016/17.¹⁷³ There were substantial capacity concerns about the warming centres over the 2020/21 winter. On January 31, 2021, for example, there were only three warming centre spots available in the entire city.¹⁷⁴ This was also in the context of considerable numbers of unhoused people being turned away daily when they sought shelter. On January 31, 2021, even with the warming centres open, 33 people were denied shelter at their time of call because there was nothing appropriate for them available.¹⁷⁵

The current temperatures that warming centres are opened at are not scientifically justifiable and put unhoused people at risk of injury and death. Additional factors beyond temperature and windchill must also be factored into emergency inclement weather-related responses.

G. Encampments

Encampments provided shelter for unhoused people in Toronto long before the pandemic. It is the policy of the City of Toronto to dismantle all encampments either with or without the consent of its resident(s).¹⁷⁶ Encampment demolitions have increased dramatically over the last several years, with about 319 encampments leveled in 2017 – up to 725 in 2019.¹⁷⁷ Prior to the pandemic, encampments were typically found under bridges or hidden deep in ravines or woods of parks.

¹⁶⁶ Tarik Benmarhnia et al., [“Evaluating the Potential Public Health Impacts of the Toronto Cold Weather Program,”](#) *Environment International* 127 (June 1, 2019): 381–86.

¹⁶⁷ City of Toronto, [“Homeless Help: Warming Centres.”](#)

¹⁶⁸ City of Toronto, [“Review of Extreme Cold Alert Temperature Threshold,”](#) January 7, 2014.

¹⁶⁹ [City of Toronto, “Comprehensive Review of Cold Weather Protocols and Cold Weather Health Impacts in Toronto,”](#) June , 10, 2014.

¹⁷⁰ P. Zhang et al., [“Cold Weather Conditions and Risk of Hypothermia Among People Experiencing Homelessness: Implications for Prevention Strategies,”](#) *International Journal of Environmental Research and Public Health* 16, no. 18 (September 2, 2019).

¹⁷¹ Zhang et al., [“Cold Weather Conditions and Risk of Hypothermia”](#)

¹⁷² Hong Chen et al., [“Assessment of the Effect of Cold and Hot Temperatures on Mortality in Ontario, Canada: A Population-Based Study,”](#) *CMAJ Open* 4, no. 1 (February 3, 2016): E48.

¹⁷³ FactCheck Toronto, [“Claim: This Is the First Year That the City Has Offered More than One Warming Centre...”](#) December 23, 2020; MAP Centre for Urban Health Solutions, [“Respite and Warming Centres”](#) (Toronto, 2021).

¹⁷⁴ Key informants – front-line workers. MAP Centre for Urban Health Solutions, [“Respite and Warming Centres.”](#)

¹⁷⁵ MFOIPPA request # 2021-01799 provided by FactCheck Toronto. Also see section C.2 Capacity of the shelter system.

¹⁷⁶ City of Toronto, [“Homelessness and People Living in Poverty Policy,”](#) 2005; also see: Julia Mastroianni, [“Toronto Mobilizes Parks Ambassadors to Clear Encampments,”](#) *NOW Magazine*, April 22, 2021; FactCheck Toronto, [“Claim: Parks Ambassadors Work to Ensure the City’s Parks Are Accessible, Equitable and Safe Places for All,”](#) April 22, 2020.

¹⁷⁷ FactCheck Toronto, [“Claim: Parks Ambassadors.”](#) One City report says there were 313 encampments leveled in 2017, Parks Forestry and Recreation, [“Parks Ambassador Service Level.”](#)

Encampments have become increasingly visible since the pandemic began as many people sought refuge from both the housing crisis and the global pandemic in tents in public parks. However, this increased visibility started in late 2019, prior to the pandemic, when several tents were erected outside Sanctuary and the neighbouring George Hislop Park by unhoused people who relied on Sanctuary for support and resources.

The City of Toronto has moved over 1,600 people out of encampments;¹⁷⁸ many of these people have gone into shelter-hotels. Some people are eager to move into the shelter system, while others want to stay where they are. Many people have been evicted violently and/or had their property destroyed.¹⁷⁹ Over 50 people have been charged with criminal or provincial offences for defending encampment residents from eviction.¹⁸⁰ The City of Toronto has justified the dismantlement, and sometimes violent eviction, of encampments on three grounds: a) park accessibility b) legality c) safety.¹⁸¹ Community members, however, have argued that the motivation behind encampment evictions is to make unhoused people less visible, a violation of international human rights and Indigenous peoples' sovereign rights.¹⁸²

1. Park Accessibility

The City has claimed that encampments have impeded the recreational use of the park for Toronto's residents.¹⁸³ Parks with encampments have had recreational activities take place throughout the pandemic.

George Hislop Park, Lamport Stadium Park, Alexandra Park, Trinity Bellwoods Park and Barbra Hall Park have been fenced off in part or entirely after encampments were evicted. George Hislop Park has been fully closed since July 2020. The City also claims that the Moss Park encampment impeded access to the park yet has kept a large portion of the south end of the park fenced off for over a year. Fencing for Lamport Stadium Park, Trinity Bellwoods Park and Alexandra Park has cost \$357,000 thus far – this does not include the cost of the other parks. The City of Toronto claims that all these sites are undergoing “remediation.”¹⁸⁴

2. Legality

The City of Toronto argues that encampments must be removed because they are against the law.¹⁸⁵ It is a violation of the *Municipal Code* to camp in a park. Because this is a City bylaw, this argument is tantamount to the City saying: ‘encampments must be removed because I said so.’

The City has broken its own laws evicting encampment residents on more than one occasion.¹⁸⁶

Further, the enforcement of bylaws does justify or legitimize the violation of human rights (see below).

The argument that encampments must be removed because they are illegal is, therefore, a spurious one.

¹⁷⁸ Samantha Beattie, [“Only 8% of Encampment Residents Have Made It into Permanent Housing since April 2020, Toronto Data Shows.”](#) *CBC News*, September 12, 2021.

¹⁷⁹ On property destruction see: Derrick Black, [“A Year of Resistance in the Moss Park Encampment.”](#) *The Local*, no. 9 (2021); Mary King, [“Public Parks Are Public Land.”](#) *Canadian Dimension*, July 26, 2021; on police violence see: Liam Casey, [“Clearing of Homeless Encampment Halted after Standoff with Community.”](#) *Globe and Mail*, May 20, 2021; Joe Hermer, [“Homeless Encampment Violence in Toronto Betrays Any Real Hope for Police Reform.”](#) *The Conversation*, July 27, 2021; Allysha Howse, [“Hordes Of Police Show Up To Trinity Bellwoods For Homeless Encampment Protest.”](#) *Narcity*, June 22, 2021.

¹⁸⁰ Alex Arsenych, [“Toronto’s Homeless Community & Encampment Supporters Protest Charges Laid By TPS.”](#) *Narcity*, September 16, 2021.

¹⁸¹ City of Toronto, [“City of Toronto Continues to Take Extraordinary Steps to Help and Protect People Experiencing Homelessness during COVID-19.”](#) December 3, 2020; [“COVID-19 Response Update: Protecting People Experiencing Homelessness and Ensuring the Safety of the Shelter System”](#) (Toronto, 2021).

¹⁸² Health Providers Against Poverty, [“Stop Encampment Evictions.”](#) April 7, 2021; Krishna Saravanamuttu, [“Toronto Needs Housing Not Lawsuits.”](#) *Spring Magazine*, March 1, 2021.

¹⁸³ E.g.: City of Toronto, [“City of Toronto Continues to Protect and Assist People Experiencing Homelessness during the Ongoing COVID-19 Pandemic.”](#) May 28, 2021;

City of Toronto, [“City of Toronto Final Costs of Enforcement of Trespass Notices in City Parks.”](#) September 17, 2021.

¹⁸⁴ City of Toronto, [“City of Toronto Final Costs.”](#)

¹⁸⁵ E.g.: City of Toronto, [“City of Toronto Continues to Protect and Assist.”](#) City of Toronto, [“City of Toronto Final Costs of Enforcement of Trespass Notices in City Parks.”](#) September 17, 2021.

¹⁸⁶ For example, the City gave insufficient notice for the Moss Park and Power Street evictions – making those evictions unlawful, Applicant’s Motion Record, *Black et al. v. Toronto*.

3. Safety

i) Health and Wellbeing

a) COVID-19

The risk of COVID-19 transmission is orders of magnitude higher indoors than outdoors.¹⁸⁷ Nevertheless, the City of Toronto claims that the shelter system is safer, making vague assertions that “Individuals living in encampments are also at risk of contracting COVID-19.”¹⁸⁸ Everyone is at risk of contracting COVID-19. However, to the authors’ knowledge, there has not been a significant COVID outbreak in an encampment.

Many people in encampments report that they feel safer, with respect to COVID-19, in encampments than the shelter system.¹⁸⁹ Scientific studies in Toronto and Atlanta have found that people staying in shelters are significantly more likely to contract COVID-19 than those sleeping outside. People staying in shelters are four times more likely to contract COVID-19 than those staying outside.¹⁹⁰

It was only after the third wave, but before the Delta variant had surged, that there was any recognition that those who went into encampments “were understandably afraid to come inside.”¹⁹¹ With the rise of the fourth wave and considerably higher risk in shelters given the low uptake of vaccination, any recognition of the reasonableness of this concern has vanished from City discourse.

Clearing of encampments runs contrary to scientific evidence and medical advice concerning COVID-19. The CDC recommends that encampments not be cleared:

If individual housing options are not available, allow people living unsheltered or in encampments to remain where they are.

- Clearing encampments can cause people to disperse throughout the community and break connections with service providers. This increases the potential for infectious disease spread.¹⁹²

If there is any COVID present in one encampment, it will be dispersed through the community if an encampment is evicted.

After the City forcibly evicted multiple encampments, it is evident that many encampment residents move to other outdoor locations. Outreach workers report that encampment residents are dispersed to various locations. Consequently, if COVID-19 is present, it can be transmitted to multiple locations.

The City of Toronto makes shelter-hotel rooms available for many encampment residents, but not all encampment residents qualify for these spaces. Some encampment residents are required to go into congregate settings as they are not given access to shelter-hotels. Shelter-hotels, while they have private rooms, are congregate settings.¹⁹³ Shelter-hotels are not “individual housing options” and do not meet the standard set out by the Centre for Disease Control (CDC). Many encamped individuals would accept an individual housing option but will not enter a shelter-hotel.

There is no evidence that forced decampment by the City of Toronto will help protect encampment residents from COVID-19. There is evidence that forced decampment can spread COVID-19. The City of Toronto’s position with respect to health and

¹⁸⁷ B. R. Rowe et al., “[Simple Quantitative Assessment of the Outdoor versus Indoor Airborne Transmission of Viruses and COVID-19](#),” *Environmental Research* 198 (July 1, 2021); also see: Chris Baraniuk, “[Covid-19: What Do We Know about Airborne Transmission of SARS-CoV-2?](#),” *BMJ* 373 (April 22, 2021).

¹⁸⁸ City of Toronto, “[City of Toronto Restoring Trinity Bellwoods Park While Continuing to Help People Experiencing Homelessness](#),” June 22, 2021.

¹⁸⁹ *Black et al. v. City of Toronto*, 2020 ONSC 6398; City of Toronto, “[COVID-19 Response Update](#).”

¹⁹⁰ Significant difference found in the Atlanta study, where sheltered and unsheltered sample groups were both sizable. The encampment sample was small in the Toronto study, making strong conclusions difficult. Linh Luong et al., “[Prevalence of SARS-CoV-2 Infection among People Experiencing Homelessness in Toronto during the First Wave of the COVID-19 Pandemic](#),” *MedRxiv*, September 26, 2021; Jane C Yoon et al., “[Coronavirus Disease 2019 \(COVID-19\) Prevalences Among People Experiencing Homelessness and Homelessness Service Staff During Early Community Transmission in Atlanta, Georgia, April–May 2020](#),” *Clinical Infectious Diseases*, September 8, 2020.

¹⁹¹ City of Toronto General Manager Chris Murray in Chris Murray, Doug Johnson Hatlem, and Cleary Brian Given, “[The Saturday Debate: Should Toronto Clear Encampments?](#)” *Toronto Star*, July 3, 2021.

¹⁹² Centres for Disease Control and Prevention, “[Interim Guidance on People Experiencing Unsheltered Homelessness](#),” 2011.; also see Thomas Roederer et al., “[Seroprevalence and Risk Factors of Exposure to COVID-19 in Homeless People in Paris, France: A Cross-Sectional Study](#),” *The Lancet Public Health* 6, no. 4 (April 1, 2021): e202–9.

¹⁹³ Email correspondence between from Mary Ann-Bedard to A.J. Withers, July 15, 2020.

safety of encampment residents is not only unfounded in relation to the global COVID-19 pandemic, but it also demonstrates a disregard for the health and wellbeing of encamped individuals.

b) Survival Supplies and Hygiene Infrastructure

Many people in encampments lack basic survival supplies and infrastructure, including water, washrooms, and appropriate sleeping gear.

In 2018, a coroner's inquest into the death of Grant Faulkner, an unhoused man who died from an encampment fire in 2015, was held. The inquest jury recommended the City of Toronto make numerous changes. Recommendation 21 is:

Revise its existing policies to allow the provision of "survival" equipment and/or supplies (e.g. sleeping bags, fire retardant blankets, safe heat sources) and/or safety information to individuals who stay outside rather than accessing shelter/low-barrier overnight services. While finding appropriate housing is always a high priority, there must be enough flexibility to respond to individual needs and circumstances.¹⁹⁴

It was not until October 2020 that Toronto City Council passed a motion to review its policies on survival supplies so it could begin to comply with this recommendation.¹⁹⁵

This includes its prohibition on all city-funded agencies distributing survival supplies.¹⁹⁶ In June 2021, Toronto City Council passed a motion directing SSHA, in consultation with PFR, "to distribute, whenever possible, water to encampment residents and rotate the HTO To Go water trailers to various parks."¹⁹⁷ No HTO To Go water trailer has ever attended a park with an encampment.¹⁹⁸ Further, the City of Toronto has publicized that it distributes survival supplies and water;¹⁹⁹ the actuality of this is that it distributes very little, and only on extreme weather days.²⁰⁰ The City of Toronto distributes an average of 100 sleeping bags a month – but only over the winter months.²⁰¹ One volunteer community group, the Encampment Support Network, distributed an average of 50 sleeping bags a month every month.²⁰² Most of the water needs of encampment residents are met by the community; over 100,000 bottles of water have been distributed to encampments.²⁰³

While Shelter, Support and Housing Administration has over a \$1 billion budget,²⁰⁴ it is community organizations that provide many of the necessities of life for people in encampments.

The City of Toronto has intentionally withheld services that it could have provided because providing the necessities of life, according to Scott McKean, Manager of Community Safety and Wellbeing, "risk[ed] encouraging larger encampments."²⁰⁵ This runs contrary to the Faulkner recommendations. While Toronto City Council has passed two motions that could bring the City into alignment with Recommendation 21 of the Faulkner Inquest, only complying with the recommendation on extreme weather days surmounts to in compliance with Recommendation 21 most of the days of the year.

There are insufficient washroom and hygiene facilities at most encampments. This presents a general health and safety risk – one that is significantly increased in the context of the COVID-19 pandemic. The City has taken measures to improve access to park washrooms, and this is commendable. However, where they are available, park washrooms are closed at night, and port-a-potties can be so soiled they are unusable.²⁰⁶

¹⁹⁴ Office of the Chief Coroner, "[OCC Inquest Faulkner 2018: Verdict of Coroner's Jury](#)" (Toronto, 2018), emphasis added.

¹⁹⁵ SSHA began distributing a small number of sleeping bags and blankets, in violation of City policy in 2019. It did not distribute safe heat sources or fire retardant blankets, Toronto City Council, "EC16.1 [Interim Shelter Recovery and Infrastructure Implementation Plan](#)," October 27, 2020; MFOIPPA request # 2020-00368.

¹⁹⁶ Toronto City Council, "[Minutes of the Council of the City of Toronto February 1, 2 and 3, 2005](#)" (Toronto, 2005).

¹⁹⁷ Toronto City Council, "[CC34.1 COVID-19 Response Update: Protecting People Experiencing Homelessness and Ensuring the Safety of the Shelter System](#)" (Toronto, June 8, 2021).

¹⁹⁸ Key informants, front-line workers.

¹⁹⁹ E.g. City of Toronto, "[Encampment Outreach & Response](#)."

²⁰⁰ MFOIPPA request # 2020-00368.

²⁰¹ MFOIPPA request # 2020-00368.

²⁰² People require sleeping bags year round, not just in the winter months. Other organizations also distribute sleeping bags with no funds from the City. Calculation based on available data, Encampment Support Network, [Donor Newsletter](#), various editions, 2020-2021.

²⁰³ Rafi Aaron [[@Rafilinterfaith](#)], [Twitter post](#), August 17, 2021.

²⁰⁴ City of Toronto, "[2021 Budget Notes Shelter, Support and Housing Administration](#)" (2021).

²⁰⁵ Affidavit of Scott McKean, "Motion Record of the Respondent City of Toronto." *Black et al. v. Toronto*, para 18.

²⁰⁶ Key informants – front-line workers; author observations.

ii) Dispersal

There are significant health and safety costs to forced encampment eviction. Forced decampment pushes people away from communities and safety networks they are part of – including neighbours and front-line workers. The City of Toronto was aware of the dangers of dispersing people to unknown locations where they may lose connections with necessary social and healthcare ties (in addition to the risk of spreading COVID). Advocates warned that this would occur; it occurred after forced evictions, yet the City continued to forcibly evict people.²⁰⁷ This risk was also recognized by the British Columbia Superior Court in 2015 in *Abbotsford (City) v. Shantz*:

[T]he result of repeated displacement often leads to the migration of homeless individuals towards more remote, isolated locations as a means to avoid detection. This not only makes supporting people more challenging, but also results in adverse health and safety risks.²⁰⁸

There are significant and known safety harms to forcible eviction, yet the City of Toronto has elected to take these safety risks and engage in forced eviction on multiple occasions.

iii) Fire Safety

The City of Toronto has repeatedly emphasized the risk of fire in encampments. There have been nine encampment deaths due to fire since 2010.²⁰⁹ For context, 140 unhoused people died in Toronto in 2020.²¹⁰ There have been two fire-related deaths in encampments since the beginning of the pandemic – the same number as in Toronto's shelter-hotels system.²¹¹

The 2018 Faulkner Inquest made a recommendation to the Toronto Fire Marshal:

In consultation with community service providers, municipalities, and people with lived experience of homelessness, develop fire safety tips targeted toward homeless people that identify risks and best safety practices, and share such tips on a regular basis with community service providers across the Greater Toronto Area, including Scarborough.

The City of Toronto has begun distributing a small number of survival supplies. Of the items expressly listed by the Faulkner recommendations, only sleeping bags are distributed. Shelter, Support and Housing Administration staff do not distribute safe heat sources, fire extinguishers and fire retardant blankets as the coroner's inquest has recommended in order to help reduce the risk of loss of encampment residents' lives to fire because **the Toronto Fire Service is opposed to it.**²¹²

The Toronto Fire Marshall has refused to consult with community service providers about a harm reduction approach to fire safety in encampments and encampment residents and **rebuked offers from the community** to do so.²¹³ The Toronto Fire Marshal has refused to develop any reasonable fire safety tips for encampment residents. Rather than adopt a harm reduction approach to encampment fires, Toronto Fire Services has adopted a zero-tolerance approach – failing to work with the community to give people potentially life-saving information. Likewise, Toronto Fire Services has refused to work with community members to improve fire safety for small wooden structures that greatly improved health and safety – especially during the winter. Acting Toronto Fire Chief Jim Jessop said it was not his job to improve the safety of these structures because they were too small to be considered buildings under the building code.²¹⁴

²⁰⁷ Key informants – front-line workers.

²⁰⁸ *Abbotsford (City) v. Shantz*, 2015 BCSC 1909, para. 213; also see *Black et al. v. City of Toronto*.

²⁰⁹ As recently as August 28, 2021, the City of Toronto City of Toronto, has made the claim that there have been seven deaths from encampment fires since 2010 even though it issued news releases related to the two additional deaths. See: City of Toronto, "City of Toronto Continues"; City of Toronto, "[City of Toronto Serves Notice on Illegal Structures in Parks](#)," February 19, 2020; City of Toronto, "[City of Toronto Reaches Settlement on Tiny Shelters](#)," August 28, 2021.

²¹⁰ Toronto Public Health, "[Deaths of People Experiencing Homelessness: January 1, 2017 to December 31, 2020](#)."

²¹¹ Rodger Burnside, "[One Found Dead after Homeless Encampment Fire in Rosedale](#)," *Streeter*, May 2, 2020; Domenico, "[Press Conference at Alexandra Park](#)," *Encampment Support Network*, March 21, 2021; Victoria Gibson, "[Sasha Gray Saw a Toronto Hotel Shelter as the Path to Better Things Ahead. On New Year's Day, She Died after a Fire at the Hotel](#)," *Toronto Star*, January 5, 2021; Gabby Rodrigues, "[Man Dead after Encampment Fire in Toronto](#)," *Global News*, February 17, 2021.

²¹² Key informants, front-line workers; Francine Kopun, "Encampments Are Unsafe, Toronto Fire Chief Warns after Resident Injured," *Toronto Star*, December 9, 2020. <https://www.thestar.com/news/gta/2020/12/09/encampments-are-unsafe-toronto-fire-chief-warns-after-resident-injured.html>; also see MFOIPPA request #2001-00368.

²¹³ Key informants.

²¹⁴ Victoria Gibson, "[This Kind of Living Arrangement Outside Is Not Safe,' Acting Fire Chief Says, as Toronto Records First Encampment Fire Fatality of the Winter after Early Morning Corktown Blaze](#)," *Toronto Star*, February 17, 2021.

Important Notice from Toronto Fire Services

Whatever you do....

Stay safe from fire!

Toronto Fire Services wants you to know that there have been **hundreds of encampment fires in Toronto**. Belongings have been destroyed and people have suffered injuries and lost their lives.

This is what you can do to ensure you are not seriously injured or killed by fire.

- Absolutely **no open fires of any kind** (not for any reason...inside or outside your tent)
- **No fuel** such as propane, butane, or gasoline is permitted in parks
- **Never smoke in your tent or sleeping bag**...go outside
- Don't carelessly flick or throw cigarette butts and matches away
- Remember that tents and sleeping bags are combustible...they can easily catch fire and burn
- Tiny houses and green pods are **extremely** combustible and very dangerous to sleep in
- Connect with a Streets-To-Homes rep and get to a safe shelter

A message from Toronto Fire Services ...because we care about your safety and well-being!



The City of Toronto, including spokespeople for the Toronto Fire Services and Strategic Communications, including Brad Ross, have knowingly and repeatedly lied to the media and the public on numerous occasions about the number of fires in encampments in 2020 and 2021. The City of Toronto includes false alarms and pre-fire conditions when it reports the number of fires in encampments for these years, artificially inflating the number of fires. By definition, false alarms and pre-fire conditions (lightning, pot on the stove, fireworks) are not fires. The inclusion of false alarms in the number of fires is especially problematic because anyone who does not like encampment residents can make a false report – prompting a visit from Toronto Fire Services which can be experienced by encampment residents as harassment. This act of mischief would then also be counted as an “encampment fire,” making encampments appear less safe. The City of Toronto did not include these categories of fires in its tally of encampment fires in its Motion Record in the *Black et al. v. Toronto* case.²¹⁵ It is a criminal offence to submit false sworn testimony in a document to the court.²¹⁶ The City of Toronto or its spokespeople have stated that there were 253 fires in 2020 on multiple occasions;²¹⁷ according to documents acquired through a freedom of information request, this inflates the number of encampment fires by nearly double. There were 132 explosions, fires and “no-loss outdoor fires” (fires that involve no damage) in encampments in 2020.²¹⁸ The City of Toronto has continued this misleading practice with 2021 fire data, although it has acknowledged that, as of September 16, 2021, “there have been 150 fire responses of which 90 were uncontrolled fires.”²¹⁹ **Actual fires were inflated by 92 percent in 2020 and 67 percent in 2021 from what the City has claimed on multiple occasions.**

Rather than attempt to reduce fires and harm from fires by working with encampment residents, the City of Toronto has repeatedly used fires to justify the reduction of encampments.

4. In/visibility

The City of Toronto was aware that the majority of residents were dispersed by the violent eviction at Trinity Bellwoods Park – rather than move into the shelter system.²²⁰ Nevertheless, the City undertook two additional militarized police operations a month later.²²¹ These evictions, therefore, were done with disregard for encampment resident safety.

Forced decampment has occurred in Lamport Stadium Park, George Hislop Park, Barbara Hall Park, University Avenue boulevard, Harbour Square Park, Fleet Street, Alexandra Park, and Trinity Bellwoods Park. All these locations are in/near neighbourhoods with high-income populations.

The City of Toronto reduces available shelter beds each spring with the warmer weather because it anticipates people will move outdoors. Because the occupancy rates are already so high, the operation of the city shelter system relies on people camping – especially in the summer months. Given that the City of Toronto relies on people camping for the shelter system to function, the City of Toronto’s claims that unhoused people cannot camp are disingenuous.

Further, SSHA turned away people sleeping outside (TTC, stairwells etc.) but not those in encampments. These sleeping situations are often equivalent to encampments with respect to health and safety – or perhaps more precarious because they do not have shelter from the elements or the community encampments offer. However, they do not have the visibility of an encampment structure. There is no reason for the City of Toronto to keep shelter-hotel rooms reserved for people who are encamped when there are people sleeping outside who are not encamped who desperately want to get inside. The only

²¹⁵ Affidavit of Troy Ford, City of Toronto Motion Record, *Black et al. v. City of Toronto*.

²¹⁶ *Criminal Code*. R.S.C. 1985 c. C-46, s. 138.

²¹⁷ City of Toronto, “[City of Toronto Final Costs of Enforcement of Trespass Notices in City Parks](#),” September 17, 2021; City of Toronto, “[City of Toronto Serves Notice on Illegal Structures in Parks](#),” February 19, 2020; City of Toronto, “[City Manager’s Report Outlines City of Toronto’s Ongoing Efforts to Protect People Experiencing Homelessness and Ensure the Safety of the City’s Shelter System](#),” June 3, 2021.

²¹⁸ Freedom of information data provided by FactCheck Toronto, MFOIPPA request # 2021-00427 Factcheck Toronto, “[Claim: To Date This Year, Toronto Fire Services Has Responded to 216 Fires in Encampments. That Is a 218% Increase over the Same Period in 2019. Sadly, One Person Has Died as a Result of an Encampment Fire This Year. Seven People Have Lost Their Lives As](#),” *Factcheck Toronto*, December 22, 2016.

²¹⁹ City of Toronto, “City of Toronto Final Costs”; For examples of the City calling “fire events” “fires,” see: “[City of Toronto Continues to Help and Support People Experiencing Homelessness](#),” 2021; City of Toronto, “[City of Toronto Serves Notice](#).”

²²⁰ Of the 30 people living in Trinity Bellwoods Park, 12 went into the system the day of the eviction and two went in the next day, Victoria Gibson and Jennifer Pagliaro, “[Roughly Two Dozen Evicted from Trinity Bellwoods Encampments after Tense Standoff with Toronto Police, Private Security](#),” *Toronto Star*, June 22, 2021; City of Toronto, “[At Least 14 People from Trinity Bellwoods Park Accept Safe, Inside Space](#),” June 23, 2021.

²²¹ Hermer, “[Homeless Encampment Violence in Toronto Betrays Any Real Hope for Police Reform](#)”; Donovan Vincent, “[Toronto Spent Nearly \\$2 Million Clearing Homeless Encampments in Trinity Bellwoods, Alexandra Park and Lamport Stadium](#),” *Toronto Star*, September 17, 2021.

reason the authors can discern for this policy is that encamped residents have visible structures while other people sleeping outside do not.

The City of Toronto filed suit against Khaleel Seivwright, who built multiple Tiny Shelters and donated them to encampment residents to live in. The City of Toronto was suing Seivwright to force him, through an injunction, not to place or move any Tiny Shelters.²²² These shelters are more protective against the elements than the other available shelters to park encampment residents (primarily tents, also tarps and ‘foam domes’). Tiny Shelters have a door that can be locked to provide security to person and property.²²³ The City of Toronto claimed it had “have serious safety concerns with these structures; however, the City provided no evidence that Tiny Shelters were any higher risk than tents.²²⁴ Given the lack of evidence of risk and the evidence of increased safety, the visibility and fixedness of the Tiny Shelters may have been, at least in part, the motivation for the City’s suit against Khaleel Seivwright.

There is overwhelming evidence that the City of Toronto enacts homelessness policy to target encampments because it wants to clear visible structures from particular areas – because it is trying to render unhoused people less visible.

5. Human Rights Law and the City of Toronto’s Obligations

Encampment residents are rights holders.

The City of Toronto has committed to taking a human rights approach to homelessness. It reaffirmed this approach on June 8, 2021²²⁵ – just two weeks before the eviction of Trinity Bellwoods.

The City of Toronto has violated its own human rights policies in its approach to encampments and the eviction of encampment residents. *Toronto’s Housing Charter* states:

All residents have the right to equal treatment in housing without discrimination as provided by the Ontario Human Rights Code, and to be protected from discriminatory practices which limit their housing opportunities. ²²⁶

The *Housing Charter* requires the City of Toronto to “consult and work with the Ontario Human Rights Commission to support the housing rights of residents.”²²⁷

The *Ontario Human Rights Code* protects human rights on multiple grounds. City of Toronto data demonstrates that several protected groups under the *Code* are disproportionately homeless. The forcible decampment of encampment residents, therefore, disproportionately impacts groups that are protected under the *Code*. People have a right “to equal treatment with respect to services, goods and facilities” and “to equal treatment with respect to the occupancy of accommodation” without discrimination. Groups overrepresented in Toronto’s unhoused population and protected under the *Human Rights Code* include Indigenous people, Black people and people of colour, migrants, trans and non-binary people, and disabled people. With respect to accommodation, people on social assistance are also a protected group – which likely includes the majority of encampment residents.²²⁸ Therefore, the City’s treatment of encampment residents may raise a number of issues pursuant to the *Human Rights Code*. In some cases, the City may be in violation of the *Code* and be vulnerable to legal action.

Despite the clear human rights implications of the City’s actions concerning encampments the City has not worked with the Human Rights Commission to ensure it is in compliance with the *Code*. **The City of Toronto is in direct violation of its own commitments in the Housing Charter, and it has failed to recognize encampment residents as rights holders.**²²⁹

²²² The authors use “suing” here with intention as the City of Toronto claimed “No, the City of Toronto is not suing Mr. Khaleel Seivwright.” providing a misleading public statement about the definition of a lawsuit. City of Toronto, “[Frequently Asked Questions - Wooden Structures in Encampments](#),” February 25, 2021.

²²³ Muriel Draaisma, “[Hundreds of People Protest City Decision to File Application against Toronto Carpenter](#),” *CBC News*, February 28, 2021.

²²⁴ City of Toronto, “City of Toronto Serves Notice.”

²²⁵ Toronto City Council, “[CC34.1 COVID-19 Response Update](#).”

²²⁶ City of Toronto, “[Toronto Housing Charter: Opportunity for All](#)” 1.

²²⁷ City of Toronto, “[Toronto Housing Charter](#),” 1.

²²⁸ Ontario, *Human Rights Code*, R.S.O. 1990, c. H.19, s. 1 & 2.

²²⁹ See Deputy City Manager Tracey Cook in Toronto City Council, “[Toronto City Council Meeting](#),” June 8, 2021.

In particular, the City of Toronto elected not to consult or work with the Ontario Human Rights Commission in planning the Pathway Inside program. Pathway Inside is the program designed to evict or justify evicting four specific parks: Moss Park, Alexandra Park, Trinity Bellwoods and Lamport Stadium, which involved the serving of *Trespass to Property Act* notices to residents in these parks. Since the initiation of Pathway Inside, three of these four parks have been fully cleared.²³⁰

Encampment residents also have constitutionally protected human rights under the *Canadian Charter of Rights and Freedoms*, and evictions can violate those rights. British Columbia's Court of Appeal and Superior Courts have recognized that forced eviction of encampments violates Section 7 rights to "life, liberty and security of the person" under the *Canadian Charter of Rights and Freedoms*.²³¹ Encampment residents launched a Charter challenge to the enforcement of City by-laws against encampments in 2020. As part of that case, they filed for a temporary injunction to stop the City of Toronto from evicting people from parks while the case was being heard. While the injunction application was unsuccessful, the full case is still before the courts. The court did not decide on the constitutionality of the City's actions.²³²

The federal government has also recognized the right to housing in the *National Housing Strategy Act*.²³³

In addition to its domestic human rights obligations, the City is also bound by international law. Encampment evictions are a violation of international human rights law. Canada is a signatory to the *International Covenant on Economic, Social and Cultural Rights*; this binds the City of Toronto to the *Covenant*. Article 11.1 of the *Covenant* states that signatories "recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing."²³⁴ Dispossessing people of their informal settlements violates these rights. Article 17 of the *International Covenant on Civil and Political Rights* expressly prohibits forced evictions. It declares that "no one shall be subjected to arbitrary or unlawful interference with his privacy, family, [or] home."²³⁵

The UN Special Rapporteur on the Right to Adequate Housing, Leilani Farha, has outlined "A National Protocol for Homeless Encampments in Canada"²³⁶ to ensure Canadian governments meet their human rights and international law obligations. The "National Protocol" calls on governments to do the following, based on national and international law:

Principle 1: Recognize residents of homeless encampments as rights holders

Principle 2: Meaningful engagement and effective participation of homeless encampment residents

Principle 3: Prohibit forced evictions of homeless encampments

Principle 4: Explore all viable alternatives to eviction

Principle 5: Ensure that relocation is human rights compliant

Principle 6: Ensure encampments meet basic needs of residents consistent with human rights

Principle 7: Ensure human rights-based goals and outcomes, and the preservation of dignity for homeless encampment residents

Principle 8: Respect, protect, and fulfill the distinct rights of Indigenous Peoples in all engagements with homeless encampments.²³⁷

The evidence available to the authors indicates the City has failed to fully enact any of the principles in this Protocol.

At several encampment evictions, police refused encampment residents access to outreach workers who were on-site and whom they had longstanding relationships with.²³⁸ In addition to the above violations, these police actions may also have

²³⁰ City of Toronto, "[City of Toronto Supporting People Living in Encampments with Safe, Supportive Indoor Space](#)," March 16, 2021; also see: FactCheck Toronto, "[Claim: Pathway Inside, a New City Program...](#)" FactCheck Toronto, March 21, 2021.

²³¹ *Abbotsford (City) v. Shantz; Victoria (City) v. Adams*, 2009 BCCA 563.

²³² *Black et al. v. City of Toronto*, 2020 ONSC 6398.

²³³ *National Housing Strategy Act* (S.C. 2019, c. 29, s. 313).

²³⁴ Office of the High Commissioner for Human Rights, "[International Covenant on Economic, Social and Cultural Rights](#)."

²³⁵ Office of the High Commissioner for Human Rights, "[International Covenant on Civil and Political Rights](#)."

²³⁶ Farha and Schwan, "[A National Protocol](#)."

²³⁷ Farha and Schwan, "[A National Protocol](#)," 2–4.

²³⁸ Key informant, front-line worker.

been a violation of the Ontario *Human Rights Code* for failure to reasonably accommodate any individuals present who had disabilities.

On multiple occasions, the Toronto Police Service entered encampments with the intention to evict residents. At the evictions at Lamport Stadium Park, May 19, 2021; Trinity Bellwoods, June 23, 2021; Alexandra Park, July 20, 2021, and; Lamport Stadium Park, July 21, 2021, police were brutally violent with supporters of encampment residents and some encampment residents themselves, causing significant injuries in some instances.²³⁹ Over 50 people have been arrested in encampment evictions.²⁴⁰ Toronto Police attempted to impose unlawful conditions of release on people arrested in relation to encampment evictions.²⁴¹

The City of Toronto has violated its own human rights policies and domestic and international law in its handling of encampments and encampment residents. The City of Toronto has likely violated provincial human rights law and section 7 of the *Charter of Rights and Freedoms*.

6. Indigenous Rights and Colonialism

Indigenous people have a sovereign and fundamental right to stay on and care for the lands they have been the caretakers of for millennia.

The City of Toronto has bound itself to the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP). The City of Toronto independently adopted the UNDRIP in 2015, prior to the federal government's passage of the *United Nations Declaration on the Rights of Indigenous Peoples Act*.²⁴²

Article 10 of the UNDRIP states:

Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.²⁴³

The forcible eviction of encampment residents has involved the forcible removal of some Indigenous people from their own lands;²⁴⁴ therefore, the City of Toronto is in violation of Article 10 of the UNDRIP.

The authors find that forcible encampment evictions are in violation of Article 3 of the UNDRIP: "Indigenous peoples have the right to self-determination."²⁴⁵ Evictions, and the threat thereof, are also in violation of Article 21 of the UNDRIP, which recognizes the right of Indigenous peoples to "sanitation, health and social security."²⁴⁶ The deprivation of hygiene infrastructure and survival supplies from Indigenous encampment residents, discussed above, is a violation of Article 21. Under the UNDRIP, Indigenous people have "the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them."²⁴⁷ This right has largely been denied to Indigenous encampment residents.

²³⁹ Gibson and Pagliaro, "[Roughly Two Dozen Evicted from Trinity Bellwoods Encampments after Tense Standoff with Toronto Police, Private Security](#)"; Kevin Ritchie, "[Human Rights Lawyer Condemns Toronto over Lamport Encampment Clearing](#)," *NOW Magazine*, May 19, 2021; Phil Tsekouras, "[Encampment Residents, Advocates Call for Mayor's Resignation Following 'brutal' Clearing of Toronto Parks](#)," *CTV News*, July 25, 2021. Parkdale Encampment Support Network, "[Joint Statement On The Lamport Stadium Encampment Clearing](#)," 2021.

²⁴⁰ CBC News, "[3 Arrested after Protesting Encampment Clearing Charges Outside Mayor Tory's Condo](#)," *CBC News*, September 16, 2021.

²⁴¹ Alyshah Hasham, "[They Were Charged over a Toronto Homeless Clearance. They Say Police Asked Them to Sign Away Their Right to Protest](#)," *Toronto Star*, September 30, 2021.

²⁴² City of Toronto, [2018 Indigenous Peoples](#), 2018; [United Nations Declaration on the Rights of Indigenous Peoples Act](#) (S.C. 2021 c. 14).

²⁴³ [United Nations Declaration on the Rights of Indigenous Peoples](#) (61/295) 2007, Article 10.

²⁴⁴ Key informants – front-line workers.

²⁴⁵ [United Nations Declaration on the Rights of Indigenous Peoples](#), Article 3.

²⁴⁶ [United Nations Declaration on the Rights of Indigenous Peoples](#), Article 21.

²⁴⁷ [United Nations Declaration on the Rights of Indigenous Peoples](#), Article 23.

The City of Toronto has endorsed all of the Calls to Action of the recommendations of the Truth and Reconciliation Commission of Canada.²⁴⁸ These Calls to Action include: “Repudiate concepts used to justify European sovereignty over Indigenous peoples and lands.”²⁴⁹

The City of Toronto’s stated commitments to Indigenous peoples are contradicted by its actions towards encampments, including its multiple violations of national and international human rights.²⁵⁰

7. Conclusion

The City of Toronto has justified its actions claiming that encampments are illegal. This claim is a circular one as the City of Toronto is justifying rights violations with an unjust law and, therefore, the authors find this claim holds no weight. Further, no legislation can be upheld if it grossly and unreasonably violates human rights and sovereign Indigenous rights, as the authors find the City of Toronto’s bylaw does.

The City of Toronto claims concern for the health and well-being of encampment residents. Nevertheless, it has ignored scientific evidence and medical advice about encampment evictions, met encampment residents with violence, and withheld the necessities of life and life-saving fire-protection equipment from encampment residents, contrary to the recommendations of a coroner’s inquest.

There is irrefutable evidence that the City of Toronto has little regard for the human rights, safety, health and well-being of encamped individuals despite its discourse to the contrary.

H. Streets to Homes and Housing First

Streets to Homes (S2H) was founded in 2005 to house people sleeping outside. According to the City, between 2005 and January 2008, S2H “helped more than 1,500 unhoused people find housing directly from the streets, parks and ravines in the city.”²⁵¹ When Streets to Homes was focusing on the street homeless population, the City said it was “one of the world’s finest examples of housing projects that deliver practical and innovative ways to house people.”²⁵² In mid-2008, the “enhanced” S2H program was established which extended services to “people who stay in shelters at night but spend large amounts of their day on the street” and “people who are housed and panhandling legally,” with the goal of reducing panhandling.²⁵³ In 2016, the City of Toronto implemented the Hostels to Homes program specifically to house long-term shelter users.²⁵⁴

Recently, and in spite of 15 years of award-winning expertise delivering housing services to people residing largely or exclusively on the streets,²⁵⁵ the City has begun implying it is unable to provide proper services to people sleeping in encampments. Moving into the shelter system includes “supports including meals, laundry, harm reduction services and development of a housing plan.”²⁵⁶ A trajectory is established for people to “successfully transition from shelters with

²⁴⁸ City of Toronto, “[EX10.16 Truth and Reconciliation Commission of Canada Recommendations](#),” December 9, 2015.

²⁴⁹ Truth and Reconciliation Commission of Canada, “[Truth and Reconciliation Commission of Canada: Calls to Action](#)” (2015), sec. 47.

²⁵⁰ Also see: City of Toronto, “[Commitments to Indigenous Peoples](#).”

²⁵¹ City of Toronto, “[Toronto’s Streets to Homes among the World’s Best Housing Programs](#),” 2008.

²⁵² City of Toronto, “[Toronto’s Streets to Homes](#).”

²⁵³ There was a 2007 pilot study that extended this criteria to a small number of unhoused people prior to this period. City of Toronto City of Toronto, “[Cost Savings Analysis of the Enhanced Streets to Homes Program](#)” (January 19, 2009), 2.

²⁵⁴ This was following a 2015 pilot study City of Toronto, General Manager and Housing Administration, “[Infrastructure and Service Improvement Plan for the Emergency Shelter System Community Development and Recreation Committee](#),” 2015; City of Toronto, “[CD11.7 Update on Shelter System and Hostels to Homes Pilot](#),” May 3, 2016.

²⁵⁵ There are, however, significant criticisms of Toronto’s S2H program. See, for example: Beric German, “[Toronto Adopts Bush Homeless Czar’s Plan: Another View of ‘Streets to Homes’ Programs](#),” *Cathy Crowe’s Newsletter*, no. Summer (2008); Bryan D. Palmer and Gaétan Héroux, *Toronto’s Poor: A Rebellious History* (Toronto: Between The Lines, 2016); Withers, “[Mapping Ruling Relations](#).”

²⁵⁶ City of Toronto, “[COVID-19 Response Update](#),” 1.

appropriate supports” rather than be housed from encampments.²⁵⁷ Yet the City has failed to house nearly all encampment residents once they move into the shelter system.²⁵⁸

The City’s claims that encampment residents need to move inside to get housing supports, therefore, fail on three grounds: the City has the well-established skills to work with people sleeping outside, and once in the shelter system, there is a 92 percent chance the resident will remain there.²⁵⁹

Streets to Homes was established to implement a Housing First policy. Housing First was made national policy by President George Bush in the United States and by Prime Minister Stephen Harper in Canada.²⁶⁰

Importantly, Housing First shifted housing policy away from typically requiring that one undergo drug or mental health treatment, any other programs or demonstrate ‘housing readiness’ in order to access housing. It also shifted policy away from homelessness to “chronic homelessness” – focusing on those who have been homeless for 6 months or longer (or those who are episodically homeless over a long period). The “chronically homeless” population is, theoretically, a smaller portion of the unhoused population and is thought especially burdensome on the social safety net. Housing this group, therefore, saves funds – which can be cut from homeless services budgets, according to Housing First proponents.²⁶¹

The City’s implication that encampment residents cannot access housing without first entering the shelter system is a violation of the foundational principle of Housing First.

Unlike original estimates that put “chronic homelessness” at 20 percent of the US population of unhoused people,²⁶² nearly half of Toronto’s unhoused population is “chronically homeless.”²⁶³

There is substantial evidence that the high rate of “chronic homelessness” in Toronto is a consequence of the housing crisis.²⁶⁴ With housing prices so high and incomes, especially social assistance, so low, many people cannot find housing. Housing First policy means that many people have to be homeless for 6 months²⁶⁵ – and experience the likely violence and trauma associated with this – before they qualify for additional assistance.

Housing First is, therefore, a failed policy in Toronto.

The Toronto Alliance to End Homelessness (TAEH) is an organization that works closely with Shelter, Support and Housing Administration. Despite its name, TAEH is “driven by a collective mission to end chronic homelessness” and focuses all of its efforts at this population. TAEH has worked to undermine efforts to build new shelter beds during an acute crisis.

The TAEH’s close ties and ideological agreement with SSHA mean that this organization has received funds from SSHA and is consulted as an expert, while unhoused people and critics of the City are largely excluded from the conversation.

I. Refugees

While refugee claimants and precarious migrants have always maintained access to Toronto’s emergency shelter system, over the years, the population has regularly been pointed to as a direct cause of Toronto’s shelter crisis. Notably, this scapegoating of refugees and migrants was placed front-and-center during the City of Toronto’s 2018 Street Needs Assessment (SNA), wherein the City listed it as its top highlight/takeaway from the report: “the number of people homeless in

²⁵⁷ Shelter Support and Housing Administration, “[Update on COVID-19 Response for Homelessness Services](#)” (Toronto, December 7, 2020), 19; To the authors’ knowledge as researchers, advocates and front-line workers, only 1 person has been housed directly from an encampment - Derrick Black who sued the City Black, “[A Year of Resistance](#).”

²⁵⁸ Beattie, “[Only 8% of Encampment Residents](#).”

²⁵⁹ Beattie, “[Only 8% of Encampment Residents](#).”

²⁶⁰ A. J. Withers, *Fight to Win*; Withers, “[Mapping Ruling Relations](#).”

²⁶¹ Sam Tsemberis and Ben Henwood, “[Pathways’ Housing First: A Consumer-Driven Approach to Ending Homelessness and Promoting Recovery](#),” in *Service Delivery for Vulnerable Populations* (2011), 183–203; Withers, *Fight to Win*; Withers, “[Mapping Ruling Relations](#).” For the national definition of chronic homelessness, see: Government of Canada, “[Reaching Home: Canada’s Homelessness Strategy Directives](#),” 2019.

²⁶² Randall Kuhn and Dennis P. Culhane, “[Applying Cluster Analysis to Test a Typology of Homelessness by Pattern of Shelter Utilization: Results from the Analysis of Administrative Data](#),” *American Journal of Community Psychology* 26, no. 2 (1998): 207–32.

²⁶³ Most recent Shelter System Data flow says 46% of the shelter population is “chronically homeless”; 2018 Street Needs Assessment says 48% is City of Toronto, “[Shelter System Flow Data](#),” City of Toronto, “[Street Needs Assessment - 2018](#).”

²⁶⁴ Withers, *Fight to Win*; Withers, “[Mapping Ruling Relations](#).”

²⁶⁵ This must be ‘absolute homelessness’ – it does not count ‘hidden homelessness’ which may include doubling up, squatting or being otherwise precariously or dangerously housed.

Toronto is due, in large part, to a significant increase in refugee/asylum claimants.²⁶⁶ It is disturbing that the City would single out a specific group of individuals and families – especially based on their immigration status. It is equally disappointing and concerning that the presence of refugees and migrants in the City’s shelter system was listed ahead of a lack of safe and affordable housing.

The data gathering tool used in the SNA was designed in such a way that it artificially inflated the number of refugees who are homeless. By simply asking how someone “c[a]me to Canada,”²⁶⁷ the SNA almost certainly captured and counted permanent residents and Canadian citizens in this group. It appears that the intended effect of this was to label refugees and migrants as the cause of increased homelessness in Toronto, rather than victims of the housing crisis who are forced to reconcile inadequate income rates with an unaffordable housing market.

While the City has focused on enumerating this group by immigration status, it ignores that approximately 50 percent of them are children and, therefore, only accessing beds in the family sector.²⁶⁸ A large portion of the other refugees will, therefore, be their parents and accompanying them in the family sector. Nevertheless, the City of Toronto has scapegoated refugees for overcrowding of the entire shelter system – even though the majority of refugees will only ever access one sector.

While the COVID-19 pandemic has exposed many risks and inadequacies of the City of Toronto’s response to homelessness, it likewise illustrated that the City’s narrative of refugees and migrants being responsible for the ongoing pressure on the shelter system was misleading. With border closures and travel restrictions having rendered almost all refugees and migrants in need of Canada’s protection unable to enter the country since March 2020, Toronto’s shelter system has nonetheless remained overwhelmed.²⁶⁹

J. Conclusion

This report demonstrates that, while COVID-19 has exacerbated the crisis, the issues with Toronto’s housing and shelter policy are longstanding and profound. It is only with widespread overhaul, and substantial investment that the comprehensive change this report demonstrates is needed can occur.

²⁶⁶ City of Toronto, “[Street Needs Assessment - 2018](#).”

²⁶⁷ City of Toronto, “[Street Needs Assessment - 2018](#).” 54, Q. 10.

²⁶⁸ Jennifer Pagliaro, “[More than Half of Refugee Claimants in Toronto’s Temporary Shelters Are Children, New Figures Show](#),” *Toronto Star*, 2018.

²⁶⁹ UNHCR Canada, “[Seeking Asylum in during the COVID-19 Pandemic](#)”

LIST OF ACRONYMS USED

2SLGBTQ: Two-Spirit, lesbian, gay, bisexual, trans, queer

BIPOC: Black, Indigenous and people of colour

CDC: Centre for Disease Control

HSF: Housing Stabilization Fund

iPHARE: Integrated Prevention and Harm Reduction Initiative

IZ: inclusionary zoning

MFOIPPA: *Municipal Freedom of Information and Protection of Privacy Act*

ODSP: Ontario Disability Support Program

OW: Ontario Works

RGI: rent geared to income

S2H: Streets To Homes

SHOPP: Shelter Hotel Overdose Prevention Project

SNA: Streets Needs Assessment

SSHA: Shelter, Support and Housing Administration

TAEH: Toronto Alliance to End Homelessness

TESS: Toronto Employment and Social Services

TSHOATF: Toronto Shelter-Hotel Overdose Action Task Force

UPHNS: urgent public health needs sites

GLOSSARY

24-hour drop-in: A site that is open 24-hours and similar to a respite site. In Toronto, these sites, of which there are two, are only accessible to women, trans and non-binary people.

accessible: A space or facility is usable with disability taken into account. This includes, but is not limited to, the physical space and built environment. The City of Toronto has Accessibility Design Guidelines that may be referred to for the minimum standards for the built environment that establish the criteria for what it says is a “‘barrier free’ community.”²⁷⁰ Accessibility also includes but is not limited to:

- physically accessible spaces that drug users can use drugs safely
- physically accessible spaces that people who do not use drugs will know are free of drugs
- physically accessible quiet spaces for people who are neurodiverse and/or in mental health distress
- ASL interpreters available if needed
- wheelchair accessible washrooms, including grab bars, for people with mobility disabilities
- wheelchair accessible showers, including handheld showerheads, shower-chairs and wheel-in showers, for people with mobility disabilities
- unencumbered ramp access to buildings
- equal and barrier-free access for disabled residents to smoking areas and seating, without risk to curfew or other penalties
- elevators are kept in good working order and prompt elevator repair if needed
- rooms/beds on first floor (and lower floors as needed) are made available for people with mobility disabilities
- respect for and observance of people’s individual disability accommodations (including dietary needs)
- access to seating in indoor and outdoor common areas

affordable housing: The City of Toronto defines affordable housing as at or below average market rent for unit type, including utilities (excluding parking, internet and cable).

cisgenderism: The discrimination that trans people face. It is derived from the term cisgender, meaning non-trans.

chronic homelessness: The definition used by the City of Toronto is: “the person has recorded a minimum of 180 overnight stays in the past year (365 days); or the person has recorded overnight stays over the past three years with a cumulative duration of at least 546 nights.”²⁷¹

congregate setting: A space where a number of people stay in close proximity. Different congregate settings have different levels of risk. Respite sites in which everyone is in one or two large rooms carry the largest risk for disease transmission, followed by shelters. Shelter-hotels are congregate settings with private rooms.

encampment: One or more tents or other shelters that one or more individuals reside in temporarily or ongoingly.

harm reduction: Refers to policies, programs and practices that aim to minimize negative health, social and legal impacts associated with drug use, drug policies and drug laws. Harm reduction is grounded in social justice and human rights, focusing on positive change and working with people without judgement, coercion, discrimination, or requiring that they stop or reduce using drugs as a precondition of support. Examples include drug consumption rooms, needle and syringe programs, non-abstinence-based housing and employment initiatives, drug checking, overdose prevention, psychosocial support, and the provision of information on safer drug use.

inclusionary zoning: A land-use planning tool which permits municipalities to require new development or redevelopment to dedicate or maintain a portion of new residential units as affordable housing.

non-binary: An umbrella term for gender identities that are not male or female. The term non-binary is used because members of this group do fit within in the gender binary.

²⁷⁰ The Accessibility Design Guidelines are currently under review; the new draft guidelines may be implemented soon. City of Toronto, “[City of Toronto Accessibility Guidelines](#)” (Toronto, 2014).

²⁷¹ Toronto’s definition is from the federal government’s Housing First policy definition, City of Toronto, “[Shelter System Flow Data](#).” Government of Canada, “[Reaching Home: Canada’s Homelessness Strategy Directives](#).”

rent geared to income (RGI): A housing type where rent is based directly on the household income. Renters pay no more than 30 percent of their gross (before-tax) monthly household income towards rent.

respite site: A 'low-barrier' site, often with mats on the floor or low cots rather than beds, that has lower standards than a shelter. These sites typically have large rooms in which people sleep in a congregate area, people come-and go at all hours and the lights are kept on 24 hours a day. When someone is seeking a shelter bed, space in a respite site is often the only space available.

shelter: Temporary residence for unhoused individuals and families. Shelter sites have beds and are required to uphold the City of Toronto Shelter Standards.²⁷² Many shelters require people to leave in the morning and they are not able to return until the evening.

shelter-hotel: City of Toronto funded organizations operate shelter-hotels on floors of hotels or in entire hotels. Residents are subject to the rules of the shelter-hotel, including limits on how much stuff they can bring in with them. Residents are provided food at the shelter-hotel. These facilities have operated for years for, primarily refugee, families but opened for single adults as a COVID-19 response to allow for physical distancing in the shelter system.

shelter system: Refers to the system in its entirety, comprised up of permanent and temporary sites, respites, shelters, shelter-hotels and warming centres. There are different sectors within the shelter system: family, youth, adult men, adult women and adult mixed. Some sites allow pets while the majority do not. Some sites are City operated while others are operated by agencies and funded by the City.

Shelter, Support and Housing Administration (SSHA): The City division responsible for administering the shelter system, housing, and homelessness services.

warming centre: Provides immediate, indoor space for people during extreme cold weather alerts. Each year, there are typically 1-4 sites across the city. They are opened when there is an extreme cold weather alert or, rarely, at the discretion of SSHA.

²⁷² Shelter Support and Housing Administration, [Toronto Shelter Standards](#).

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APPENDIX A: SHELTER COVID-19 CASES METHODOLOGY

The City of Toronto posts [Active COVID-19 Outbreaks in Toronto Shelters](#) Monday-Friday which is written over the following day. Copies of these posts were provided to community researchers by Toronto Public Health (TPH) for the months of December-March. Two individuals, who have also contributed to this report, have taken screenshots of this daily information and posted it on Twitter, Doug Johnson Hatlem ([@djohnso](#)) and A.J. Withers ([@theajwithers](#)). A third, anonymous Twitter account ([@ShelterWatchTO](#)) - which has been verified by some of the authors of this report, has also taken screen shots of the City of Toronto Active COVID-19 Outbreaks in Toronto Shelters page. These three accounts were used to create a visual representation of cases in the shelter system over time since the data became available. Data was not available from March-November 2020.

Monthly dates were selected as close to the 15th of each month as possible. All months, except July 2021, provide data within 3 days of the 15th of the month. The exact dates that were used for each month are provided in the table below. July's COVID-19 shelter case count may be more skewed than the other months because the data used for this month is from July 7th - 8 days prior to the 15th of the month.

Dates and source for case numbers provided for each month:

Date	Source
December 15, 2021	Toronto Public Health
January 14 2021	Toronto Public Health
February 15, 2021	Toronto Public Health
March 15, 2021	Toronto Public Health
April 12, 2021	Doug Johnson Hatlem, found here .
May 14, 2021	ShelterWatchTO, found here .
June 18, 2021	A.J. Withers, found here .
July 7, 2021	ShelterWatchTO, found here .
August 14, 2021	ShelterWatchTO, found here .
September 16, 2021	ShelterWatchTO, found here .

APPENDIX B: DAILY SHELTER & OVERNIGHT SERVICE USAGE, SEPTEMBER 17, 2021

Daily Occupancy & Capacity for September 17					
September 17, 2021					
Occupancy Summary	Individuals				
All Programs, Total	6,593				
Shelter Programs, Family Sector, Total	1,305				
Singles Sector Programs, Total	5,266				
Shelter Programs, Singles, Total	2,195				
Allied Services, Total	270				
COVID-19 Programs, Total	2,801				
COVID-19 Isolation/Recovery Programs	22				
Shelter Programs, Families	Individuals	Occupied Rooms	Unoccupied Rooms	Actual Room Capacity	Occupancy Rate
Family Sector, Total	1,305	484	23	507	95.5%
Families, Emergency Shelter Programs	709	228	9	237	96.2%
Families, Transitional Shelter Programs	57	19	8	27	70.4%
Families, Motel/Hotel Programs	539	183	5	188	97.3%
Shelter Programs, Singles	Individuals	Occupied Beds	Unoccupied Beds	Actual Bed Capacity	Occupancy Rate
Singles Sectors, Total	2,195	2,195	98	2,293	95.7%
Emergency Shelter Programs, Total	1,620	1,620	36	1,656	97.8%
Mixed Adult, Emergency	288	288	5	293	98.3%
Men, Emergency	782	782	14	796	98.2%
Women, Emergency	343	343	3	346	99.1%
Youth, Emergency	207	207	14	221	93.7%
Transitional Shelter Programs, Total	575	575	62	637	90.3%
Mixed Adult, Transitional	173	173	22	195	88.7%
Men, Transitional	164	164	4	168	97.6%
Women, Transitional	90	90	12	102	88.2%
Youth, Transitional	148	148	24	172	86.0%
Allied Services	Individuals	Occupied Beds/Spaces	Unoccupied Beds/Spaces	Actual Bed/Space Capacity	Occupancy Rate
Allied Services, Total	270	270	5	275	98.2%
24-Hour Respite	212	212	0	212	100.0%
24-Hour Women's Drop-ins	58	58	5	63	92.1%
COVID-19 Programs, Bed/space-based	Individuals	Occupied Beds/Spaces	Unoccupied Beds/Spaces	Actual Bed/Space Capacity	Occupancy Rate
24-Hour Temporary Response Sites	219	219	1	220	99.5%
COVID-19 Programs, Room/unit based	Individuals	Occupied Rooms	Unoccupied Rooms	Actual Room Capacity	Occupancy Rate
Hotels	2,582	2,361	48	2,409	98.0%
COVID-19 Isolation/Recovery Programs	Individuals	Occupied Rooms	Unoccupied Rooms	Actual Room Capacity	Occupancy Rate
COVID-19 Isolation/Recovery Programs Combined Total	22	20	43	63	31.7%

APPENDIX C: RATIONALE FOR SHELTER BED DEMAND

Shelter System Capacity	
people in system	6,593
available beds	222
system capacity	6,815
Number of People Needing Shelter	
Actively Homeless People	8,479
Estimated number of people sleeping outside*	250-300
Shelter Flow Need Nov. - March = 57 (Winter Avg.) x 5	285
Lower estimate people needing shelter	9,014
Upper estimate people needing shelter	9,064
Lower Estimate Shelter Bed Deficit	2,199
Upper Estimate Shelter Bed Deficit	2,249

* Based on the 2018 SNA and estimates of outreach workers. Attempted to account for individuals who would have stayed in the shelter system in the past 3 months.

Winter Shelter Flow Data								
Date	Returned from Housing	Returned to Shelter	Newly Homeless	Inflow	Moved to Housing	No Recent Shelter Use	Outflow	Change
20-Nov	53	486	598	1,137	405	606	1,011	-126
20-Dec	91	484	621	1,196	375	606	981	-215
20-Jan	64	487	901	1,452	567	845	1,412	-40
20-Feb	76	512	959	1,547	601	968	1,569	22
20-Mar	89	479	900	1,468	660	891	1,551	83
21-Jan	84	425	647	1,156	346	660	1,006	-150
21-Feb	88	389	590	1,067	297	670	967	-100
21-Mar	71	389	539	999	341	725	1,066	67
Average	79	447	756	1,282	469	793	1,262	-57

AUTHORS

K. About the authors

The authors of this report are a group of researchers, front-line workers, people with lived experience, and community advocates; many of whom have been involved with the Toronto unhoused community for decades.

L. List of authors

A.J. Withers, PhD

Sheila Lacroix, MLS

Sarah Rehou, MS

Roxy Danielson, RN

Zoe Dodd, MES

claude whitman, PhD

Jennifer Jewell, shelter-hotel resident

Cathy Crowe, RN

Tommy Taylor

Maggie Hulbert, MD

Nicholas Camargo, MA

Greg Cook, BA

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