



## STAFF REPORT ACTION REQUIRED

### Amendment of Local Occupancy Standards for Rent-Geared-to-Income Housing

|                          |  |
|--------------------------|--|
| <b>Date:</b>             | May 10, 2010   |
| <b>To:</b>               | Community Development and Recreation Committee               |
| <b>From:</b>             | General Manager, Shelter, Support and Housing Administration |
| <b>Wards:</b>            | All  |
| <b>Reference Number:</b> |  |

#### SUMMARY

---

The purpose of this report is to recommend amendments to the City's Local Occupancy Standards under the *Social Housing Reform Act, 2000* in order to ensure compliance with the *Ontario Human Rights Code*. If adopted by City Council, the amendments will enable applicants for rent-geared-to-income housing to be eligible for accommodation in which a parent and their child of either gender share a room or in which a two-person family shares a bachelor unit, upon request by the applicants.

#### RECOMMENDATIONS

---

The General Manager, Shelter, Support and Housing Administration, recommends that:

1. City Council amend paragraphs 1(e) and (f) of the City's Local Occupancy Standards to read as follows:
  - “e) A single parent is eligible for a unit in which the parent shares a bedroom with a child, if the applicant requests it.
  - f) Bachelor units are normally given to single persons. However, a two person family is eligible for a bachelor unit, if the applicant requests it”;  
and
2. City Council authorize and direct the appropriate City officials to take the necessary action to give effect thereto.

## **Equity Impact Statement**

The proposed changes to the Local Occupancy Standards ensure the equitable treatment of single parents applying for rent-geared-to-income housing, by permitting them to apply for a wider range of unit sizes. Increasing the range of units that a household may apply for may reduce an applicant's waiting time for rent-geared-to-income accommodation.

## **Financial Impact**

There are no financial implications arising from this report.

## **DECISION HISTORY**

At its meeting on April 16-18, 2002, City Council adopted Local Occupancy Standards by the adoption, as amended, of Community Services Committee Report 3(10). These Occupancy Standards were revised by Council's adoption, as amended, of Community Services Committee Report 10(8) at its meeting on November 26-28, 2002.

<http://www.toronto.ca/legdocs/2002/agendas/council/cc020416/cms3rpt/cl009.pdf>

<http://www.toronto.ca/legdocs/2002/agendas/council/cc021126/cms10rpt/cl008.pdf>

On August 13, 2009, the City was added as a respondent in a complaint under the *Ontario Human Rights Code* regarding an application for subsidized housing, which had been processed in accordance with the applicable legislation and in accordance with the City's Local Occupancy Standards. The complaint concerned an applicant for rent-geared-to-income housing who alleged discrimination on the basis of family status. At its meeting on January 26-27, 2010, Council adopted the recommendations in the Confidential Attachment to Report No. CC45.1, which authorised the General Manager, Shelter, Support and Housing Administration, and the City Solicitor to enter into a settlement of this complaint.

## **ISSUE BACKGROUND**

Regulation 298 under the *Social Housing Reform Act, 2000*, permitted the City of Toronto to adopt Local Occupancy Standards for its rent-geared-to-income social housing portfolio. The Local Occupancy Standards are used to determine a household's initial (at application) and ongoing (once housed) eligibility for a unit size.

Paragraphs 1(e) and (f) of the Local Occupancy Standards that City Council adopted in 2002 read as follows:

- “e) A single parent may share a bedroom with a child of the same sex if the applicant desires.

- f) Bachelor units are normally given to single persons. However, a housing provider may, at its discretion, approve a policy allowing spouses or same sex partners of each other to reside in a bachelor unit provided that the applicants agree.”

The impact of the application of these standards is that a two-person family consisting of a single parent with a child of the opposite gender can not be housed in either a one bedroom unit or a bachelor unit. This could limit the choices of accommodation available to such an applicant for rent-geared-to-income housing and extend their period on the waiting list for accommodation.

## COMMENTS

It is recommended that City Council amend paragraphs 1(e) and (f) of the City's Local Occupancy Standards to read as follows:

- “e) A single parent is eligible for a unit in which the parent shares a bedroom with a child, if the applicant requests it.
- f) Bachelor units are normally given to single persons. However, a two person family is eligible for a bachelor unit, if the applicant requests it.”

The recommended changes to Local Occupancy Standards would permit a single parent to share a bedroom with a child regardless of the gender of the child and would permit a two-person family to share a bachelor unit regardless of whether they are spouses of each other. These households would continue to be eligible for a two bedroom unit.

The recommended changes would be consistent with the *Toronto Housing Charter – Opportunity for All* which is part of Council’s 10-year *Housing Opportunities Toronto: Affordable Housing Action Plan* (EX33.47, adopted by City Council August 5-6, 2009). The Charter includes the Policy Statement that “[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.”

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21572.pdf>

The changes would also be consistent with the City's Human Rights and Anti-Harassment Policy (EX21.18, adopted by City Council June 23-24, 2008), and the Ontario Human Rights Commission’s *Policy on Human Rights and Rental Housing*, approved in July 2009.

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13239.pdf>

<http://www.ohrc.on.ca/en/resources/Policies/housing/pdf>

This report has been prepared in consultation with the City Solicitor who concurs with the recommendations.

## **CONTACT**

Phillip Abrahams  
Director, Social Housing  
Tel: 416-392-0054  
E-mail: [pabraham@city.toronto.on.ca](mailto:pabraham@city.toronto.on.ca)

## **SIGNATURE**

---

Phil Brown  
General Manager  
Shelter, Support and Housing Administration