

## **Terms of Reference for the Housing Rights Advisory Committee for 2022-2026 City Council Term**

Date: March 22, 2023

To: City Council

From: City Manager

Wards: All

### **SUMMARY**

---

This report recommends the adoption of the Terms of Reference, including mandate and membership, for a new Council Advisory Body (CAB) to advise Council on the City's progressive realization of the right to adequate housing, for the 2022-2026 term of Council.

#### *Background*

On December 17, 2019, Toronto City Council [considered PH11.5](#) and adopted a revised [Housing Charter](#) and the [HousingTO 2020-2030 Action Plan](#) ("HousingTO Plan"), in which it committed to the progressive realization of the right to adequate housing. At that time, City Council directed the City Manager to report back on a Housing Commissioner role/function, and that report in July 2022, Item [EX34.7](#), included the findings from 3rd party experts Crean and Maytree, who were engaged by the City Manager.

On July 19, 2022, when considering Item [EX34.7](#), City Council directed the City Manager, in consultation with the Deputy City Manager, Community and Social Services and the Executive Director, Housing Secretariat to report to City Council by the end of the first quarter of 2023, with a proposed Terms of Reference for a new Council Advisory Body, to support the City's goals set out in the Toronto Housing Charter and HousingTO Plan for the progressive realization of the right to adequate housing, within its jurisdiction. At that time, City Council also requested Toronto's Ombudsman to consider both the Crean and Maytree and City Manager's reports that were transmitted to Council as part of [EX34.7](#) and report back with considerations for a dedicated Deputy Ombudsman, Housing.

#### *Role of the Toronto Ombudsman*

On February 7, 2023, the Ombudsman reported to City Council ([CC3.1](#)) on his consideration of resources and structures for a dedicated Deputy Ombudsman, Housing as requested by Council. City Council deferred consideration of this item and requested

the Toronto Ombudsman bring a report to the March 2023 Council meeting with additional information including the relationship of the Ombudsman's Office to the other actions that were directed by City Council when it considered [EX34.7](#). It is anticipated the Ombudsman's report will be before Council at the same meeting when this report is considered.

### *Terms of Reference for the Housing Rights Advisory Committee*

Proposed Terms of Reference for the Housing Rights Advisory Committee (HRAC) is provided as Attachment 1 to this report. The HRAC is intended to be a dedicated mechanism to represent the views of those with living/lived experience of housing precarity and homelessness, housing advocates, academics and service providers, as well as to inform policies, programs and decision-making of City Council as it pertains to furthering the progressive realization of the right to adequate housing. The proposed mandate and membership are outlined in Attachment 1 as well as on pages 6 and 7 of this report.

In developing the Terms of Reference for the Housing Rights Advisory Committee (HRAC), staff consulted with the Toronto Ombudsman.

### *Implementation of Directions from EX34.7*

In addition to this report and the anticipated report from the Ombudsman, information on the implementation of the suite of actions directed by Council in [EX34.7](#) are provided in Attachment 2 to this report. The City Manager and Ombudsman are engaged in discussions to coordinate the implementation of a number of these actions.

## **RECOMMENDATIONS**

---

The City Manager recommends that:

1. City Council adopt the Terms of Reference for the Housing Rights Advisory Committee in Attachment 1 of this report and direct that all meetings of this body be held in accordance with the Simplified Rules of Procedure for Advisory Bodies adopted by City Council at its meeting on February 7 and 8, 2023.

## **FINANCIAL IMPACT**

---

On February 7, 2023, City Council re-established 6 Council Advisory Bodies (CABs) that had operated the previous Council term, for the 2022-2026 Council term. In doing so, City Council also adopted the Terms of Reference for each of these CABs, which included the provision of honoraria to public members of CABs based on their participation in meetings. The Terms of Reference for the Housing Rights Advisory Committee (HRAC) provide for the same honoraria which is set at \$125.00 per public member per meeting attended.

Based on the anticipated frequency of meetings and the number of public members, the financial impact to the City to provide honoraria for the public members of HRAC for the 2022-2026 term is estimated to be \$5,500 per year. These costs are included in Non-Program Expenditure Budget in the City's Approved 2023 Operating Budget and will be included in Non-Program Expenditure Budget in the City's annual Operating Budget Submissions for the years 2024 through 2026.

Council Advisory bodies are provided various support through existing resources in the City Clerk's Office and other City Programs. Additional resources in these Programs, if required, will be reported to Council for consideration as part of their 2024 and future budget processes.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact statement.

## **EQUITY IMPACT**

---

The establishment of the Housing Rights Advisory Committee (HRAC) will serve an important advisory function to City Council to achieve progress on a key priority in the HousingTO Plan which is to address systemic discrimination and barriers in the housing system in Toronto.

The HousingTO Plan seeks to address the housing needs of over 340,000 low-and moderate-income households by 2030, including Indigenous Peoples, Black and other racialized residents, seniors, women, youth, and members of the 2SLGBTQ+ community.

The HRAC will contribute to the City's capacity to apply a human rights lens to the City's housing policies and programs with an anticipated positive equity impact on persons who face discrimination in the housing system. The mandate of HRAC includes taking an intersectional equity approach and the proposed HRAC membership reflects diverse representation as outlined in the membership composition (see page 6 of this report). City divisions who will support recruitment and provide policy support to the HRAC will consider and implement approaches that ensure members with living/lived experience of housing precarity, discrimination, social or supportive housing and/or homelessness are supported to participate, such as with training and onboarding among other supports.

## **DECISION HISTORY**

---

At its February 7 and 8, 2023 meeting, City Council re-established six Council Advisory Bodies for the 2022-2026 Council term and adopted Terms of Reference for each, which included the provision of honoraria for publicly appointed members. City Council also adopted amended Simplified Rules of Procedures for Advisory Bodies and directed that all meetings of Council Advisory Bodies be held in accordance with these rules. <https://secure.toronto.ca/council/agenda-item.do?item=2023.EX2.1>

At its July 19, 20, 21 and 22, 2022 meeting, City Council directed the City Manager, in consultation with the Deputy City Manager, Community and Social Services and the Executive Director, Housing Secretariat to report to City Council by the end of the first quarter of 2023 with a proposed Terms of Reference for a new Council Advisory Committee to support the City's goals set out in the Toronto Housing Charter and HousingTO Plan for the progressive realization of the right to adequate housing, within its jurisdiction.

<https://secure.toronto.ca/council/agenda-item.do?item=2022.EX34.7>

At its December 16, 17 and 18, 2019 meeting, City Council adopted a renewed Housing Charter and the HousingTO 2020 – 2030 Action Plan and requested the City Manager report back with options for the role or function of a Housing Commissioner to: a) independently assess implementation of the revised Toronto Housing Charter and the HousingTO 2020 – 2030 Action Plan; and b) ensure that the City, within its legislative authorities, and through implementation of various programs and policies, is taking concrete actions to combat systematic housing discrimination and address systemic hurdles in the housing system.

<https://secure.toronto.ca/council/agenda-item.do?item=2019.PH11.5>

## COMMENTS

---

### Consideration of a Housing Commissioner role and function

In response to City Council's direction to report back with consideration for a Housing Commissioner role or function, the City Manager engaged external expert consultants, Fiona Crean, the City's former Ombudsman, and Maytree Foundation, to consider the national and international human rights context of the progressive realization of the right to adequate housing, review governance models with consideration of Toronto's governance and intergovernmental context and consult persons with lived experience on homelessness and housing instability, legal and human rights experts, elected officials, public servants, academics, and housing service providers. Crean and Maytree conducted an extensive review which included community and expert engagement and held interviews with individual Members of Council to gather their views as well. Their findings were provided to City Council, attached to the City Manager's report as part of [Item EX34.7](#) in July 2022.

Crean and Maytree noted that a single action, individual or office, such as a Housing Commissioner, may not be an effective way to advance Toronto's objectives outlined in the Housing Charter, given the [complexity of the housing system](#)<sup>1</sup> and the intergovernmental collaboration that is often required to address systemic barriers. They also noted that Toronto is unique among Ontario municipalities to have a dedicated Ombudsman, required under law, with a mandate to protect the public from unfairness. Based on [Crean & Maytree's report](#), the City Manager recommended a suite of actions to City Council in [EX34.7](#) that would have an impact across the City's governance system, including by City Council, City divisions, City Agencies and

---

1 [Item EX34.7](#), Attachment 2 - Snapshot of a Housing System - A Toronto Perspective

Corporations, and Accountability Officers, and would ensure a robust approach is taken to integrate a human rights-based approach to housing for the City.

City Council adopted the following actions to support the City's goals towards the progressive realization of a right to adequate housing:

- Council establish a new Council advisory committee to provide advice from those with lived experience of housing instability and those with expertise in a human rights-based approach to housing.
- Toronto Ombudsman consider the findings of both Crean & Maytree's report and the City Manager's report and identify resources or structure required for their Office, including a potential role of Deputy Ombudsman, Housing, to focus specifically on housing by leveraging the role of the Office to undertake systemic reviews, investigations and provide independent advice to City Council.
- City Manager, with the Ombudsman, determine an approach to an independent assessment of the City's progress towards the Toronto Housing Charter goals and progressive realization of the right to adequate housing.
- Housing Secretariat convene enhanced training for staff involved in housing policy development in relevant City divisions, agencies and corporations on a human rights-based approach to housing, applying a human rights lens to housing policy development and developing a greater understanding of the progressive realization of the right to adequate housing.
- Mayor request to the Federal Housing Advocate to focus on systemic housing issues in Toronto.

Information on the timelines to implement this suite of actions is provided in Attachment 2 to this report. The City Manager and Ombudsman are engaging in ongoing discussions to coordinate the implementation of actions, as appropriate.

### **Council Advisory Bodies**

CABs provide advice to Council and complement the many other ways the City engages residents, stakeholders and subject matter experts on City and Council priorities. Council may establish CABs at any point in a Council term and these bodies last until their mandates are complete or at the conclusion of the Council term, whichever is sooner. CABs include one or more Members of Council and may include public members.

At its February 7, 2023 meeting, City Council re-established six CABs for the 2022-2026 Council term that had operated during the previous Council term and adopted the associated Terms of Reference. Council also adopted amended Simplified Rules of Procedures for Advisory Bodies and directed that all CABs operate in accordance with these. The Simplified Rules adopted by Council are available at <https://www.toronto.ca/legdocs/mmis/2023/ex/bgrd/backgroundfile-233880.pdf>

It is recommended that the HRAC operate according to the Simplified Rules. The Terms of Reference provided in Attachment 1 reflect this recommendation.

## **Housing Rights Advisory Committee**

Attachment 1 to this report includes a proposed Terms of Reference for the HRAC. The HRAC is intended to be a dedicated mechanism to represent the views of those with living/lived experience of housing precarity and homelessness, housing advocates, academics and service providers, as well as to inform policies, programs and decision-making of City Council as it pertains to furthering the progressive realization of the right to adequate housing.

As proposed in Attachment 1, the HRAC will provide advice to City Council:

- On policies, programs and actions that the City can implement to advance its commitment to furthering the progressive realization of the right to adequate housing in Toronto based on housing and human rights expertise, lived experiences of housing precarity, discrimination and homelessness, and academic research and learnings from other jurisdictions;
- To ensure that the interests and needs of those with living/lived experiences of housing precarity, discrimination and homelessness are reflected in City programs and service delivery;
- To support the City's engagement with equity-deserving communities (including community-based strategies, and where possible, led by Committee members with living/lived experiences) in order to help identify systemic barriers that prevent them from accessing and maintaining adequate housing, and to recommend actions to remove such barriers; and
- On advocacy and communications with other orders of government to recommend actions that they can take to address systemic barriers to adequate housing which lie outside of municipal jurisdiction.

The HRAC will be comprised of 12 members, including 11 members of the public and 1 Member of City Council. Public members will include the following:

- 4 members with a diversity of living/lived experience of housing precarity, discrimination, social or supportive housing and/or homelessness.
- 7 representatives of organizations working in such fields (but not limited to) as housing services, health (including mental health) services, substance abuse services, legal services, community services (including newcomer services) or organizations focused on research related to poverty reduction, housing and/or human rights.
- At least two of the public members will be between the ages of 18 and 33.
- At least two of the public members will have lived/living experience and/or expertise in social barriers impacting Black communities and reflect the diversity of Black communities.
- At least two of the public members will identify as First Nations, Inuit or Metis.
- At least four of the public members will self-identify as women.
- At least two of the public members will self-identify as being from the 2SLGBTQ+ communities.

The Housing Secretariat Division, in collaboration with Shelter, Support & Housing Administration, Confronting Anti-Black Racism unit, Indigenous Affairs Office and Equity

& Human Rights unit will recruit public members in accordance with the Public Appointments Policy, and the Civic Appointments Committee will recommend members to City Council for appointment.

## CONTACT

---

Sonali Chakraborti, Project Director, Corporate Initiatives, City Manager's Office  
[sonali.chakraborti@toronto.ca](mailto:sonali.chakraborti@toronto.ca); 416-392-3834

Meg Shields, Director, Governance and Corporate Strategy, City Manager's Office  
[Meg.Shields@toronto.ca](mailto:Meg.Shields@toronto.ca), 416-392-0523

Valesa Faria, Director, Housing Policy & Strategy, Housing Secretariat  
[valesa.faria@toronto.ca](mailto:valesa.faria@toronto.ca); 416-392-0602

## SIGNATURE

---

Paul Johnson  
City Manager

## ATTACHMENTS

---

Attachment 1 - Housing Rights Advisory Committee Terms of Reference

Attachment 2 - Timeline of Actions Directed by City Council in [EX34.7](#) to Support the Progressive Realization of the Right to Adequate Housing