

Housing Rights Advisory Committee

City Governance Overview
and
Housing Commissioner Review

March 18, 2024





Overview of City Governance

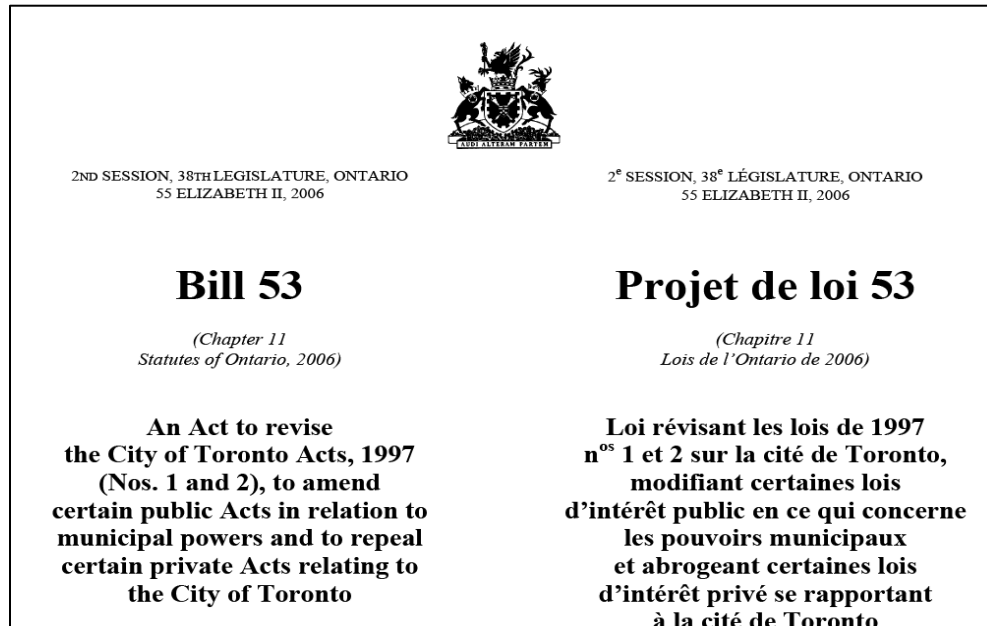
Cities and Canada's Constitutional Framework

- In Canada, our system of government operates with a federated governance model.
- Canada's constitution enshrines the federal and provincial governments with a division of powers and responsibilities.
- Municipalities do not have constitutional status. Toronto and other municipalities are created by their respective Provinces, and powers are devolved at the discretion of the Province.

Division of Responsibilities

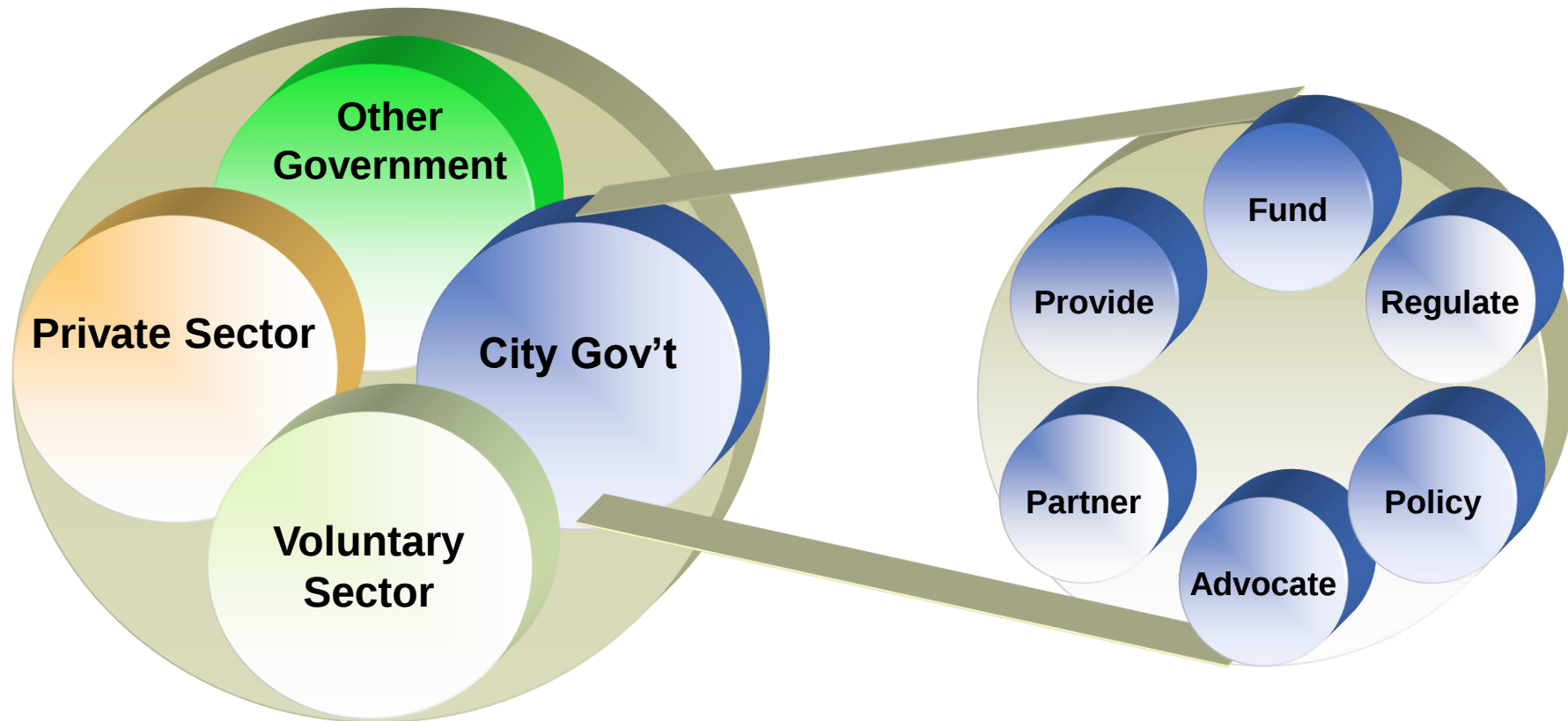
Government	FEDERAL Government of Canada	PROVINCIAL Government of Ontario	MUNICIPAL City of Toronto
Powers defined by	Constitution Act, 1867	Constitution Act, 1867	Provincial Statutes
Responsibility for:	▪ National Defence and Canadian Armed Forces ▪ Postal service ▪ Banking ▪ Employment ▪ Immigration and Citizenship ▪ Census ▪ Foreign affairs and international trade ▪ Agriculture and more...	▪ Health ▪ Education ▪ Driver and vehicle licensing ▪ Energy ▪ Human rights ▪ Natural resources ▪ Environment ▪ Social services and more...	▪ Water treatment and sewers ▪ Parks and recreation centres ▪ Libraries ▪ Garbage collection ▪ Public transit ▪ Land use planning ▪ Traffic and parking ▪ Emergency services ▪ Homeless shelters ▪ Childcare and more...

City of Toronto Act, 2006



- The [City of Toronto Act, 2006](#) (COTA) is a provincial statute that provides the City with powers, responsibilities and accountability it needs to govern and manage its affairs.
- COTA includes a requirement for a statutory review every 5 years. The last review concluded in 2018.
- All other municipalities in Ontario are created under the Municipal Act 2001, with many similar provisions between the two Acts.

The Role(s) of Municipal Government

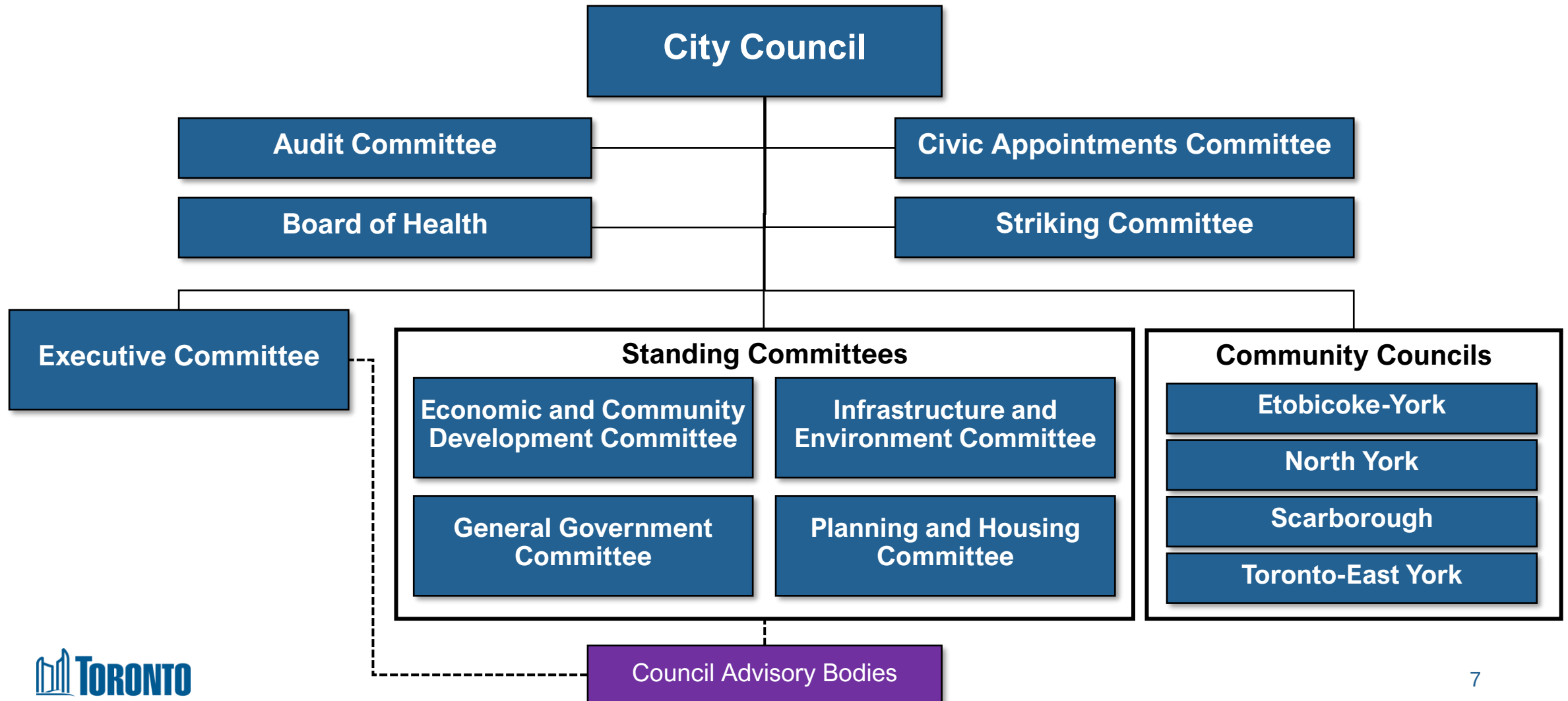


Toronto's Government

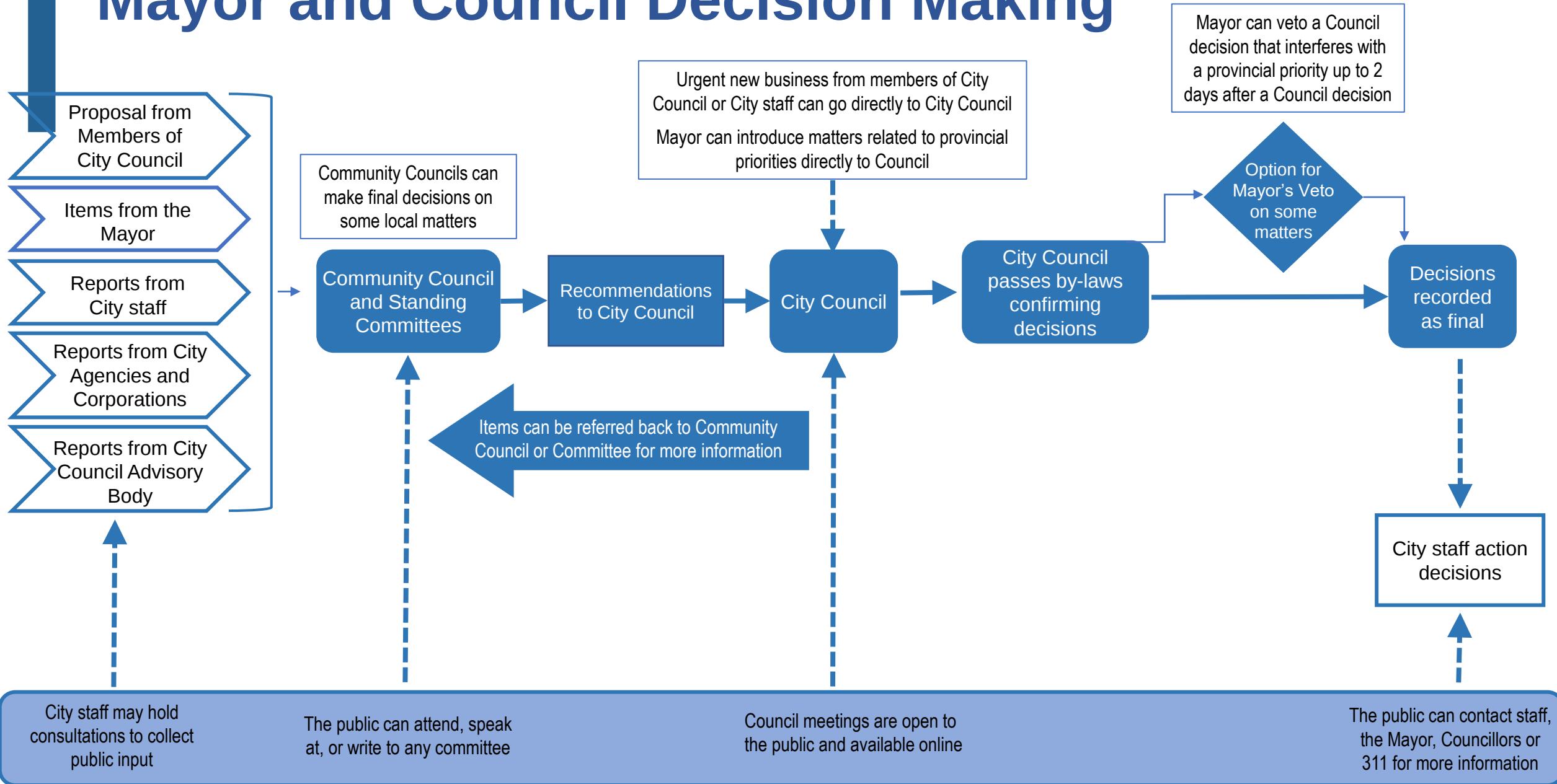
City of Toronto Act, 2006



City Council Committee Structure



Mayor and Council Decision Making



Role and Values of the Toronto Public Service

- The main role of the public service is to provide **objective, professional advice** to support Council (or Agency) decision making, implement decisions and deliver effective public services to Torontonians.
- All members are guided by the [Toronto Public Service By-law](#).

All members of the public service will:

- Serve the public well
- Serve Council and/or Agency Board well
- Act with integrity
- Maintain political neutrality
- Uphold Toronto's motto – Diversity Our Strength
- Use City property, services and resources responsibly
- Apply judgement and discretion

Agencies and Corporations

- City Council has chosen to deliver services and perform certain activities through agencies and corporations in order to:
 - Meet legal requirements;
 - Operate in a commercial environment;
 - Focus on delivering a specific policy objective or service;
 - Enable independent decision making; and
 - Engage citizens in board decision-making, bring expertise, involve funders or fundraisers and use volunteer capacity.
- City Council delegates varying levels of authority to agencies and corporations to deliver services on its behalf. Each agency and corporation has a different mandate and responsibility.
- More at www.toronto.ca/agencies-corporations

Accountability Officers

Auditor General

- Assists City Council in holding itself and its administration **accountable for public funds and for value for money** in City operations. Also manages the City's Fraud and Waste Hotline.

Integrity Commissioner

- Provides **advice, complaint resolution and education about the Codes of Conduct**; and investigates complaints to determine whether or not there has been a violation of the Code.

Lobbyist Registrar

- Promotes transparency and integrity through **public disclosure of lobbying and regulation of lobbyists' conduct**. Provides advice and conducts inquiries and investigations to enforce compliance with lobbying requirements.

Ombudsman

- Works to ensure that the **City treats the public fairly, and that services are provided in a fair and equitable manner**. Investigates complaints about administrative unfairness related to City divisions, most City agencies and City Corporations.



Housing Rights Advisory Committee

Overview

Council Advisory Bodies

Current Council Advisory Bodies:

- Aboriginal Affairs Advisory Committee (AAAC)
- City-School Boards Committee
- Confronting Anti-Black Racism Advisory Committee (CABRAC)
- Film, Television and Digital Media Board
- **Housing Rights Advisory Committee (HRAC)**
- Lesbian, Gay, Bisexual, Transgender, Queer & Two-Spirit (LGBTQ2S+)
- Toronto Accessibility Advisory Committee (TAAC) - *established under the Accessibility for Ontarians with Disabilities Act, 2005*
- Toronto Francophone Affairs Advisory Committee
- Toronto Music Advisory Committee (TMAC)

HRAC - Mandate

Reference: [HRAC Terms of Reference](#)

Advise 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 Indigenous, Black and other equity-deserving communities, including those with living/lived experiences and using an intersectional equity approach, in order to help identify systemic barriers that prevent them from accessing and maintaining adequate housing, and to recommend actions to remove such barriers;
- 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;
- and by independently monitoring progress of the HousingTO 2020-2030 Action Plan's implementation through publicly available data, within the Advisory Committee's capacity to do so.

HRAC - Membership

The members of HRAC includes one Member of Council and 11 public members appointed by City Council. Public members include:

- 4 members with a diversity of lived/living 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, people with disabilities, youth and senior services) or 3 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 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. vi. 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
- At least two of the public members will self-identify as a person with a disability.

HRAC – Governance

- HRAC provides **advice to City Council** through the Executive Committee or other appropriate Council Committee.
- Operates in accordance with Council's Simplified **Procedures for Advisory Bodies**.
- All **meetings will be open to the public** and comply with the Open Meeting Requirements of the *City of Toronto Act, 2006*.
- Holds at least **four meetings per year** at the call of the Chair or Co-Chairs.
- **Housing Secretariat** staff provides policy-related **support and strategic advice** to the Committee.
- The **City Clerk's Office** provides **meeting management support** to the Committee.

Resources for HRAC members

Committee Membership, Terms of Reference and Procedures:

- <https://secure.toronto.ca/council/#/committees/2750/25197>

Information for Public Appointees:

- <https://www.toronto.ca/community-people/get-involved/public-appointments/resources-for-public-appointees/>

Introduction to Toronto's Government:

- <https://www.toronto.ca/city-government/accountability-operations-customer-service/get-involved-how-government-works/>



Housing Commissioner Review

Overview

Housing Commissioner Review - Background

- In December 2019, City Council adopted a renewed Housing Charter and the HousingTO 2020 – 2030 Action Plan.
- At that time, City Council requested the City Manager report back with options for the role or function of a Housing Commissioner to:
 - Independently assess implementation of the revised Toronto Housing Charter and the HousingTO 2020 – 2030 Action Plan; and
 - 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.
- In response, the City Manager engaged external expert consultants to inform this report's options and considerations. Fiona Crean, the City's former Ombudsman, and Maytree Foundation

Housing Commissioner Review Recommendations

- Create a locus of accountability to advance the progressive realization of housing as a basic human right;
- Focus housing policy development and delivery of services through a human rights lens;
- Ensure evidence-based monitoring, using data that are disaggregated by race, gender, age, income, and other variables to determine the impacts of policies and programs on the rights of residents with lived experience of housing precarity and homelessness;
- Provide advice to Council from experts and community members with lived experience and expertise in a human rights-based approach to housing;
- Enable an “all of government” approach with expertise in a human rights-based approach to housing;
- Create opportunities for intergovernmental dialogue on a human rights-based approach to housing that benefit from expert input;
- Develop systems competencies and performance metrics on the human rights-based approach to housing for the public service; and
- Deliver a robust human rights learning and development program to equip public servants dealing with housing.

Council Decisions based on the Review

- Creation of a Council Advisory Committee ([HRAC](#)) 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.
- Creation of a [Deputy Ombudsman, Housing](#) and new housing unit within the office of the Toronto Ombudsman.
- Consider procurement of external expertise, to provide City Council with [independent assessments of the City's progressive realization of the right to adequate housing](#) outlined in the HousingTO 2020 – 2030 Action Plan at the halfway and end points of the 10-year Action Plan.
- Procure and implement a program of [human rights training on housing](#) for senior leaders and policy staff in housing-related City divisions, agencies and corporations to enhance the City's capacity to apply a human rights lens to housing policy development and service delivery and support the City's Toronto Housing Charter objectives.
- Send a letter to the [Federal Housing Advocate](#) requesting that the impact of federal policies and programs and a review of systemic housing hurdles experienced by Torontonians be a priority focus for that Office.