

Housing Rights Advisory Committee

Draft 2024-2026 Framework for Priority Setting

Meeting 2 – May 13, 2024

Background

Canada is signatory to the International Covenant on Economic, Social and Cultural Rights, which establishes the right to adequate housing as a fundamental human right.

In 2019, Toronto City Council adopted the Toronto Housing Charter – Opportunity for All, which states that the City of Toronto recognizes that housing is essential to the inherent dignity and well-being of the person and to building sustainable and inclusive communities. The Toronto Housing Charter commits the City of Toronto to supporting improved housing outcomes for its residents and to moving deliberately to further the progressive realization of the right to adequate housing recognized in international law and in the National Housing Strategy Act (2019).

The right to adequate housing means that all individuals, without discrimination, have the right to housing that is affordable, accessible, secure and safe, and the progressive realization of this right means taking actions and steps, within the resources and capacity available to achieve this, while prioritizing those whose housing rights are most impacted and who are made most vulnerable by the housing crisis.

Housing Rights Advisory Committee Mandate

The Housing Rights Advisory Committee (HRAC) was established with a mandate to provide advice to Toronto 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.

Purpose of the HRAC framework for priority setting

- A framework that helps to identify and provide a rationale for HRAC priorities, intended outcomes, foundational approaches, and opportunities to impact city programs and strategies
- A guide for planning HRAC meeting agendas, to identify where action is being taken and where more is needed
- Public commitment regarding the HRAC priority areas for action
- Demonstration to Council of how the HRAC will meet its mandate

Applying a human rights-based approach

A human rights-based approach is about taking human rights laws and principles and turning them into effective policies, practices and outcomes. It seeks to empower rights-holders (individuals and communities) in decisions that directly impact them and strengthen the capacity of duty-bearers (public institutions) to fulfill their human rights obligations. There are five essential principles underpinning a rights-based approach:

1. **Participation:** Rights holders are engaged in the decisions that will address their needs and affect the realization of their rights.
2. **Accountability:** Monitoring progress towards realization of human rights, including targets and transparent data and measurement.
3. **Non-discrimination and equality:** Examining how policies impact different groups, eliminating all forms of discrimination and prioritizing those who face greater barriers in the realization of their rights.
4. **Empowerment:** Ensuring people understand their rights and are supported to take part in decisions that impact their lives.
5. **Legality:** Grounding policies, practices and procedures in international and domestic human rights laws and standards.

There are also seven elements prescribed in international law, which must be met for housing to be considered adequate:

1. **Security of tenure:** Housing is not adequate if its occupants do not have a degree of tenure security which guarantees legal protection against forced evictions, harassment and other threats.
2. **Availability of services, materials, facilities and infrastructure:** Housing is not adequate if its occupants do not have safe drinking water, adequate sanitation, energy for cooking, heating, lighting, food storage or refuse disposal.
3. **Affordability:** Housing is not adequate if its cost threatens or compromises the occupants' enjoyment of other human rights.
4. **Habitability:** Housing is not adequate if it does not guarantee physical safety or provide adequate space, as well as protection against the cold, damp, heat, rain, wind, other threats to health and structural hazards.
5. **Accessibility:** Housing is inadequate if the needs of disadvantaged and marginalized groups are not considered.
6. **Location:** Housing is not adequate if it is cut off from employment opportunities, health-care services, schools, childcare centres and other social facilities, or if located in polluted or dangerous areas.

7. **Cultural adequacy:** Housing is not adequate if it does not respect and take into account the expression of cultural identity.

The human rights guiding principles in this framework consider both the five key components of a rights-based approach, as well as the seven elements of the right to adequate housing.

The HRAC Framework for Priority Setting

The framework categorizes the HRAC's priorities into four components, representing challenges faced by people in greatest need across Toronto's housing continuum in the realization of the right to adequate housing. These components may overlap, and work in one area may support work in another.

It begins by identifying challenges faced by people who are unhoused, then considers those related to accessing and maintaining adequate housing. The final component addresses increasing and protecting the supply of rental housing that would be adequate to support people in greatest need. This continuum aligns with the City's HousingTO 2020-2030 Action Plan, which aims to take action across the full housing spectrum.

For each component, housing rights considerations, examples of City policies, programs, strategies and activities that can affect the right to housing, and examples of high level housing rights outcomes that the HRAC could support are identified. The framework also includes foundational questions and considerations that HRAC can apply in each area, in alignment with its mandate and with a rights-based approach to housing. Finally, the framework commits to monitoring progress towards the progressive realization of the human right to adequate housing for each component, and overall with respect to the Housing TO 2020-30 Action Plan.

	Supporting people who are unhoused	Access to housing	Maintaining housing	Increasing the right supply
Housing rights considerations	People who are unhoused face particular challenges meeting their basic needs. Supports for people who are unhoused may include access to shelter, clean water, sanitation, food, heating and cooling, accessibility supports, healthcare, and harm reduction.	People can face barriers accessing housing that is affordable, safe, and helps to meet their other needs.	People who are housed can experience various challenges maintaining that housing and keeping it adequate (i.e., risks to both maintaining the adequacy of their housing and to their ability to remain in their homes). These risks can vary depending on their specific housing situation.	The development and protection of rental housing that is adequate to people in greatest need is required to make progress in each component of this framework, and also to further progressive realization of the right to adequate housing.

	Supporting people who are unhoused	Access to housing	Maintaining housing	Increasing the right supply
Examples of City policies, programs, strategies and activities that can affect the right to housing	• Encampment response • Central intake/access point system • Shelter system and services—access and adequacy, Toronto Shelter and 24-hr Respite Standards • City-funded drop-in services • Warming and cooling centres • Street Outreach • Harm reduction policies (e.g., safe supply)	• Housing access systems • Supportive housing programs and services (including on-site and follow-up supports) • Community-based services, supports and resources for residents • Access to RGI housing/support • Income supports and housing benefits (e.g. Canada-Ontario Housing Benefit, social assistance) • Rent Bank	• Eviction prevention and tenant support programs (including legal supports, rent bank) • RentSafeTO • Multi-tenant homes framework (addressing potential displacement and also keeping the supply of deeply affordable rental housing) • Renovictions and demovictions policies (including rental replacement bylaw) • Housing At Risk Table (HART)	• Short-term rentals by-law • Multi-Unit Residential Acquisition program (MURA) • Affordable housing supply programs (Open Door, Housing Now, Modular/Rapid Housing) • TCHC Revitalizations • Planning policies and by-laws (Official Plan, Zoning-bylaw, etc.)
Examples of high-level housing rights outcomes	• Reduced numbers of people who are unhoused • Human rights informed encampment response • Established targets and timelines for providing basic necessities to and finding housing solutions for people who are unhoused • Improved shelter access and safety: development,	• Increased and equitable access to affordable and supportive housing, prioritizing those in greatest need • Community infrastructure and services are available and sufficient to support people where they live	• Tenants have access to emergency resources to prevent eviction and support relocation, if necessary • Tenants are protected from eviction by programs and services that are responsive, enforced, and effective in stabilizing homes for renters	• Rental housing preservation programs protect and improve the supply of affordable and deeply affordable units • Supply of supportive, affordable and rent-gear-to-income housing is increasing to address demand

	Supporting people who are unhoused	Access to housing	Maintaining housing	Increasing the right supply
	implementation and monitoring of human rights informed shelter standards, including accessibility and safety considerations - Improved drop-in access and safety: development, implementation and monitoring of human rights informed protocols for drop-in centres, including accessibility and safety considerations - Engagement of people with living and lived experience in the development of processes and protocols of services and systems they are using	- People have easier access to supportive housing programs with clear definitions and goals, and culturally responsive programming - Improved health and well-being of people living in supportive housing programs - Service users, those most impacted and most vulnerable, inform program design and processes to access housing with supports	- Tenants have access to remedies for housing conditions that are inhabitable - Appropriate data is gathered to inform policies and programs, and targets and metrics are established as needed - Tenants experiencing housing precarity are engaged in the design, development, implementation and monitoring of programs and processes - Tenant voices inform advocacy to other governments to strengthen tenant protections	Appropriate data is gathered to inform policies and programs that mitigate the negative effects of the financialization of housing on tenants; targets and metrics are established and monitored, and data is collected and made publicly available
Housing Rights Questions and Considerations	- Whose housing challenges are being represented, and not represented, in this framework? - Which communities are most impacted? - How does systemic discrimination impact individuals and communities? - How can we (the Committee) connect with the communities most impacted? How can/should the City do so? - How do we ensure people with lived experience are prioritized, while applying an intersectional lens? - What are the interjurisdictional issues and challenges, that impact progress towards realizing the right to housing? - How do we know that the City is progressively realizing the right to housing in this area? What is being measured, monitored and reported transparently?			

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Monitoring outcomes	• Data sources: City Housing dashboard; Housing data book; HousingTO reporting; Shelter system data; administrative data • Opportunities: Ongoing as human rights outcomes are identified and considered, and specifically to provide input and recommendations on the 2025 mid-point review of HousingTO • Ensure City staff understand and apply a housing rights lens to housing work • Engage people with living and lived experiences of housing precarity in the design, design, development, implementation and monitoring of housing and homelessness action plan			

HRAC Agenda Setting Using the Framework

As stated, one of the main purposes of the Framework is to act as a guide for planning HRAC meeting agendas, to identify where action is being taken and where more is needed. With this in mind, items for the agenda may be identified and prioritized for the following reasons:

- Relevance of the item in terms of its impact on rights holders and those in greatest need and/or those most vulnerable.
- An item has been referred through City Council for consideration by the Committee with a specified timeframe.
- Timeliness with respect to upcoming reports to Council and initiatives and actions underway at the City.

Regular HRAC meeting process will include identification and discussion of items that may be of priority for the next scheduled meeting, provided in an update from program staff. Where critical items or emerging issues require timely response, as per the HRAC Terms of Reference, an additional meeting may be scheduled at the call of the Chair and the Executive Director, Housing Secretariat.

Related City of Toronto Advisory Bodies

The following are the Council standing committees involved in housing-related policies, programs and strategies, through which HRAC may receive referred items and through which HRAC can direct its advice to Toronto City Council:

- Executive Committee
- Planning and Housing Committee
- Economic and Community Development Committee
- Toronto Board of Health

The following table outlines other Council Boards and Committees that have intersecting interests with the City's housing policies, programs and strategies. The table also includes some of program level housing-related tables convened by staff, and some externally convened tables that

regularly provide advice to City staff on housing policies, programs and strategies. The list may not be exhaustive and may be expanded as HRAC proceeds with its mandate over the course of its term.

It is important to be aware of and add to the advisory bodies and tables listed (if and as others may be identified), as they represent existing fora and pathways for engagement, as well as opportunities for HRAC to echo and amplify critical voices and messages through a housing and human rights lens.

Council, program and external housing related to advisory bodies and tables	
Council Boards and Committees	Aboriginal Affairs Committee* (currently under review) Confronting Anti-Black Racism Advisory Committee 2SLGBTQ+ Advisory Committee Toronto Accessibility Advisory Committee Francophone Affairs Advisory Committee
Staff/Internally convened housing-related advisory committees	Tenant Advisory Committee (Housing Secretariat); TCHC & TSHC Tenant Advisory Committees Shelter and Housing Advisory Committee Pathways to Housing for Women and Gender Diverse Working Group Housing Now Accessibility Working Group Indigenous Housing Providers Table
Other externally convened advisory bodies	Toronto Alliance to End Homelessness Steering Committee (and various Working Groups) Toronto Indigenous Community Advisory Board Toronto Mental Health and Addictions Supportive Housing Network

HRAC Framework for Priority Setting: Background

Supporting people who are unhoused

- A rights-based approach to housing must prioritize those in greatest need through meaningful engagement with residents – that is, the rights holders – about barriers to adequate housing.ⁱ
- More than half of Toronto's homeless population is experiencing chronic homelessness.ⁱⁱ
- The Toronto Street Needs Assessment has consistently shown that Indigenous and Black communities are disproportionately impacted by homelessness, as well as people who identify as 2SLGBTQ+ and particularly 2SLGBTQ+ youth.ⁱⁱⁱ

- Toronto's shelter system is consistently operating at or beyond capacity and is required to turn-away callers who are seeking shelter on a daily basis.^{iv} Since 2023, the Central Intake line for shelter services has consistently had to turn away more than 200 callers a day due to lack of capacity.^{iv}
- Since 2023 there has consistently been more than 10,000 people experiencing active homelessness, based on shelter system flow data.ⁱⁱ
- 28% of those experiencing homelessness in Toronto reported 3 or more health issues, including chronic health conditions, mental health issues and substance use.ⁱⁱⁱ

Access to housing

- Demand for affordable and/or subsidized housing far outweighs current supply, resulting in the need for managed systems that support fair and equitable access.
- The average wait time for rent-geared-to-income (RGI) housing in Toronto is between 8-15 years, with over 85,000 people on the waitlist at the end of 2023.^v
- The City's housing access systems are choice-based and operate on a first-come first-served basis, however key communities receive prioritized access to RGI housing and affordable housing with supports.
- Providing permanent affordable housing with supports is critical to ending chronic homelessness and ensuring homelessness is rare, brief and non-recurring.
- Housing First is an evidence-based and rights-based approach rooted in the philosophy that all people deserve housing. People are supported to secure permanent housing that is not contingent upon readiness, or on 'compliance'.

Maintaining housing

- A tight rental market with an aging stock of purpose-built rentals, a decline in new purpose built rentals in the 80s and 90s, with condos becoming the primary source of new rentals and an increasing trend toward short-term rentals in the private rental market, puts Toronto renters at risk of losing affordable rental housing and not finding adequate affordable alternatives.
- The vacancy rate in Toronto is 1.4%, well below what is considered a healthy vacancy rate of 3%.
- Nearly half (48%) of Toronto households are renters. 40% of renter households spend 30% or more of their income on rent, while the number of households with rental arrears have been steadily increasing.^{vi}
- Provincial rent control policy creates incentives for landlords to evict tenants and raise rents, while safeguards against illegitimate evictions is limited.
- Between 2021 and 2022 there was a 49% per cent increase in eviction applications filed in Toronto (n=15,000), although this is still below pre-pandemic levels.
- Indigenous, Black and 2SLGBTQ+ people are also more likely to experience eviction and discrimination in accessing and maintaining housing.

Increasing the right supply

- Financialization is recognized as a key driver of Canada’s housing affordability crisis. It is transforming the primary function of housing from a place to live into a financial asset and tool for investor profits, and is undermining the realization of the right to adequate housing.^{vii}
- More housing stock is owned by investment and trading companies such as real estate investment trusts (REITs), private equity funds, asset management companies, and pension funds. Canada’s largest financial firms alone now own 20% to 30% of Canada’s purpose-built rental housing stock.^{viii}
- Estimates indicate that for every 1 new affordably purpose built rental, 15 existing private affordable rentals are lost.
- In Toronto, those facing the highest levels of housing affordability issues include single mothers, refugees and Black-led households – all of whom are most likely to be in ‘core housing need,’ at a rate around 50% higher than the city as a whole, which is already experiencing twice the core housing need level than the average across Canada.^{ix}
- A 2022 Woman Abuse Council of Toronto (WomanACT) survey estimated that 77% of survivors of intimate partner violence were living in unaffordable housing.^x
- There are both structural supply shortages and demand side factors that contribute significantly to the cost of housing. Increases in average rents and housing prices outpace average household income growth, resulting in a critical need for affordable and supportive housing.
- Between 2016 and 2021, Toronto lost over 55,000 rental units that were charging less than \$1,000 a month, while 2020 household income data indicates that the city needs an additional 127,000 units renting for less than \$1,000.^{xi}
- In Toronto, 19% of households are in core housing need; among renters, the figure rises to 33%. Rates of Core Housing Need are even higher among racialized groups.^{xii}

ⁱ Crean Consulting & Maytree Report - [City of Toronto Housing Commissioner](#)

ⁱⁱ [Shelter System Flow Data – City of Toronto](#)

ⁱⁱⁱ City of Toronto, Street needs assessments - [Housing & Homelessness Research & Reports – City of Toronto](#)

^{iv} [Shelter System Requests for Referrals – City of Toronto](#)

^v [Social Housing Waiting List Reports – City of Toronto](#)

^{vi} [Updated-Analysis-on-Housing-Erosion-from-2021-Census-Steve-Pomeroy.pdf \(chec-ccrl.ca\)](#)

^{vii} The Financialization of Housing in Canada [HR34-7-2022-eng.pdf \(publications.gc.ca\)](#)

^{viii} [A Primer on Financialization of Housing in Canada - Canadian Centre for Housing Rights \(housingrightscanada.com\)](#)

^{ix} [Core housing need of private household \(statcan.gc.ca\)](#)

^x [WomanACT-Survivors-in-Torontos-Rental-Market.pdf](#)

^{xi} [City of Toronto - 2021, Ontario Housing Needs Assessment Data | Housing Assessment Resource Tools \(HART\) \(ubc.ca\)](#)

^{xii} [Housing Secretariat Data Book - March 2023 \(toronto.ca\)](#)