

Ontario Human Rights Commission says 'fears' over transitional shelter is no basis to turn project down

The Ontario Human Rights Commission has weighed in on the Region of York's proposal to build a men's transitional shelter in Aurora's south end.

In a letter sent to the Town of Aurora and Mayor Tom Mrakas, the Commission cited concerns shared by community members at Council this past winter, but said these 'fears' are no legal basis to turn the project down.

'Media reports have included comments from the January 24 meeting, where community members shared their fears that this project may result in increased crime, lowered property values, and a possible threat to child safety,' said the Commission in its letter. 'These comments represent discriminatory attitudes towards their neighbours and fellow community members experiencing homelessness and mental health and addiction disabilities. These fears are not a legal basis upon which the Town can make zoning or planning decisions.'

'The OHRC is concerned that delaying or denying approval of this project may create barriers to establishing desperately needed emergency and transitional housing and may also be discriminatory under the Ontario Human Rights Code. The Town's legal obligations under the Code are further supported by Provincial planning law, as well as Federal and international law. Based on the Human Rights Obligations [noted in the letter] the OHRC calls on Council to allow the emergency and transitional housing project to proceed as soon as possible.'

Among the points made by the Commission in the letter is the Code prohibiting 'actions that discriminate based on certain grounds in providing housing and services'; that 'people zoning' or the attempt to regulate based on who will live in the housing' can be a 'violation of people's rights to be free from discrimination in housing' which means it can be against the law'; and that 'people do not have the right to choose their neighbours.'

'The Town of Aurora has a legal obligation to make sure it does not impose unnecessary restrictions on emergency and transitional housing that could have a discriminatory impact on Code-protected groups,' they wrote. 'Certain groups protected under the Code are more likely to require emergency and transitional housing. This is particularly true for people who receive public assistance, people living with disabilities, including mental health, addictions and complex trauma, and racialized people. Vulnerable groups are often adversely affected when emergency and transitional housing is restricted.'

'This is the law' but it also makes good sense. People who need emergency and transitional housing face many barriers, both individual and institutional, that prevent them from taking part fully in society. COVID-19 and the skyrocketing cost of things like housing and food has further exacerbated these challenges and has had a disproportionate impact on vulnerable groups, including people who need emergency and transitional housing. Discrimination compounds the daily challenges vulnerable groups face and is a further affront to their dignity.'

Mayor Tom Mrakas responded to the letter at the end of last month. In his letter, the Mayor said the Town of Aurora and Council 'are fully committed to working with our partners to provide emergency and transitional housing to members of our community who need it.'

'It is important to us that community members' particularly those from marginalized or racialized groups 'have barrier-free access to housing and social services,' he continued. 'As you reference in your letter, the proposed project will be discussed again at another Public Planning meeting sometime in 2023. As you can appreciate, providing residents with an opportunity to express their opinions in an open public forum is a key pillar of our local democracy. This does not necessarily mean, however, that all the perspectives expressed by residents factor into the decisions made by Council.'

'I would also like to remind the Ontario Human Rights Commission that representatives from its organization are always welcome

to take part in future Public Planning meetings as well as delegate at General Committee meetings.?

The Town declined to comment beyond the Mayor's letter.

By Brock WeirEditorLocal Journalism Initiative Reporter