

Ontario Human Rights Commission weighs in on emergency housing issue

Ahead of a Special Council meeting set for Tuesday, March 18, which will see four Council members in favour of a men's transition and emergency housing build in Aurora's south end attempt to reverse Mayor Tom Mrakas' veto against it, Ontario's Human Rights Commission has weighed in.

The March 14 letter is the second time the Office of the Chief Commissioner has stated the case that "delaying or denying approval of this project may create barriers to establishing desperately-needed emergency and transitional housing and may be discriminatory under the Ontario Human Rights Code."

In the most recent letter, which was sent to the Town of Aurora and copied to York Regional Chair Eric Jolliffe, the Regional CEO, and the Region's housing division, Housing York, Chief Commissioner Patricia DeGuire "urged the Town to consider all viable options."

"Certain groups protected under the Code are disproportionately represented in the unhoused population," she said. "They are also more likely to require emergency and transactional housing and experience disproportionate harm when they do not have access to low-barrier, accessible housing options," she said. "This is particularly true for people receiving public assistance, Indigenous people, racialized people, and people living with disabilities, including mental health disabilities, addictions and complex trauma.

"A four-year delay in finding a suitable location while excluding viable options may result in a failure to meet the needs of vulnerable individuals protected under the Code and may be discriminatory. Under the Canadian Charter of Rights and Freedoms, a municipality's lack of sufficient low-barrier and accessible housing options for people experiencing homelessness can also limit its ability to prevent unhoused persons from sheltering in encampments on municipal property. This can be deemed as an administrative convenience which violates the Charter that cannot be justified under it.

"The Commission urges the Town of Aurora to consider all viable options, including the original proposed site at 14452 Yonge Street, and to expeditiously fulfil its obligation to provide transitional housing to meet the known needs of people experiencing homelessness in Aurora?"

The Commission goes on to "encourage" the Town to look at the matter through a human rights-based lens to "take advantage of funding available from the Provincial and Federal governments and find a solution to meet the emergency and transitional housing needs as soon as possible."

The Yonge Street property will be thrust back into the spotlight this week through a Special Council meeting called by Ward 1 Councillor Ron Weese, Ward 2 Councillor Rachel Gilliland, Ward 3 Councillor Wendy Gaertner, and Ward 5 Councillor John Gallo.

It has been called by the four Council members to overturn a veto issued by Mayor Mrakas, using his Strong Mayor powers, on a motion from Councillor Gallo inviting the Region to re-apply for zoning bylaw amendments to allow Council to reconsider the matter and, in the view of Councillor Gallo, allowing the Region to include the Aurora site as it looks for alternative sites across York's nine municipalities.

"After consideration, as head of Council I have vetoed the motion passed at Aurora Town Council on Tuesday, February 25, 2025, that requests the Regional Municipality of York to resubmit the Zoning by-law Amendment application for a Men's Emergency and Transitional Facility located at 14452 Yonge Street," said Mayor Mrakas in a social media post on March 5.

"As Head of Council, it is my opinion that any alternative use of the property at 14452 Yonge Street, beyond what was identified in the York Region June 13, 2019 report, could compromise its strategic purpose and may interfere with the delivery of infrastructure to support housing," said the Mayor in the veto motion itself. "This site is critical for current and future infrastructure needs,

including essential municipal services that may be expanded to support housing growth and that may be necessary for future development in southwest Aurora and the Yonge Street corridor, both key growth areas in the Town's updated Official Plan and both which would assist the Town in meeting its provincial housing targets.?

The meeting was due to get underway at press time this week.

Overturning the Mayor's Veto will require a 2/3 majority of the entire Council, which, unless a lawmaker changes their mind from the previous meeting, is unlikely.

By Brock Weir