

## Assignment Sheet

### Major Research Paper – Policy Case Study

For this assignment you are required to provide an assessment of a specific urban policy that is of interest or concern to you. In your report, be sure to provide a) an in-depth description of the policy b) the city or cities that have adopted that specific policy c) outcomes and/or impacts of that policy d) groups affected or impacted by the policy e) your proposed changes to the policy, if any. The essay must be at least 10 pages long, size 12 font and 1.5-spaced. Be sure to include the following main features in your essay:

- A title page including a title that reflects the argument or question being explored
- A table of contents
- An abstract not exceeding 150 words
- Introduction/Background (Page 1 starts here)
- A Review of the Literature (What informs the policy or what has been written about it)
- Discussion and Analysis (link back to lit review)
- Recommendations (if necessary)
- Summary/Conclusion
- A list of references or works cited, a minimum of 10 scholarly journals and/or books.

All assignments must be submitted electronically in the drop boxes in eClass. You are also required to be consistent in your citation and referencing style.

**THE CITY OF TORONTO'S  
*HOMELESSNESS AND PEOPLE LIVING IN POVERTY POLICY***

**Policy Case Study Analysis**

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## HOMELESSNESS AND PEOPLE LIVING IN POVERTY POLICY

### **Abstract**

The term ‘encampment’ refers to “any area where an individual or a group of people live in homelessness together, often in tents or other temporary structures (also referred to as homeless camps, tent cities, homeless settlements or informal settlements)” (Leilani & Schwan, 2020). In 2005, the Directors of Parks and Recreation in Toronto, Canada developed a policy addressing the ongoing issue of makeshift homes being erected in communal areas. The *Homelessness and People Living in Poverty* Policy is geared to upholding the accessibility and safety of Toronto’s parks and facilities while maintaining the inclusivity of public spaces (City of Toronto, 2005). While The Parks and Recreation Division recognizes that homeless persons face difficulties in accessing community services, respective staff are tasked with removing patrons from facilities who contravene policy guidelines with the help of law enforcement officers. These guidelines define the measures of enforcement to be exercised against homeless individuals engaging in unacceptable behaviour while occupying parks, public transit shelters and city streets. The policy additionally stipulates specific protocols on removing encampments from these public areas and assisting homeless persons with finding housing, which proves to not always be sustainable. This paper will provide an assessment of the mandates on encampment removal, identify their negative impact on the groups affected through a literature review and recommend how these policies can be changed to uphold the rights of those implicated.

## **Introduction**

Toronto's real estate market is "hot." Against the backdrop of this booming industry lies a crisis that plagues Toronto's most vulnerable citizens: the homeless. While luxury high-rise apartments and opulent mansions occupy Toronto's most coveted areas, our homeless persons are pushed further into precariousness as the ideal of "affordable housing" becomes less of a reality.

Within the context of the City of Toronto, the term homelessness defines "the situation of an individual, family or community without stable, safe, permanent, appropriate housing, or the immediate prospect, means and ability of acquiring it" (Fred Victor, 2020). A key contributor to homelessness in Toronto is its lack of affordable housing, which has yet to be remedied by any meaningful city action or form of effective urban policy (Liu & Hwang, 2021, p. 1). The City's first monumental entry-point into the issue of homelessness spawned in 2002 when Toronto Police forcibly evicted fifty homeless families from their makeshift encampments along Toronto's Waterfront, once referred to as "Tent City" (Gilbert & Phillips, 2003, p. 326). Thereafter, these persons were left to their own devices with little-to-no social support (Gilbert & Phillips, 2003, p. 326). Encampments persisted as an ongoing problem for the City's public and open spaces which forced removal could not adequately resolve. Long-term solutions to the ongoing issue of homelessness have yet to be put into concrete action – yet alone tabled.

This paper will provide an assessment of the City of Toronto's Homelessness and People Living in Poverty Policy (2005), specifically by exploring its mandates on encampment removal, identifying its adverse impact on affected groups (notably marginalized, and socioeconomically disadvantaged populations living in poverty and/or homelessness), and providing recommendations concerning how this policy can be changed to recognize, protect, and uphold the rights of those impacted in an equitable manner.

## **The City of Toronto's "Homelessness and People Living in Poverty" Policy**

In 2005, the City of Toronto developed a policy addressing the ongoing issue of provisional housing and encampments being erected in public spaces to shelter Toronto's most vulnerable populations (i.e., people who are homeless, at-risk of homelessness, and/or are living in poverty without access to adequate shelter and/or housing). The *Homelessness and People Living in Poverty Policy* was created to uphold the accessibility and safety of city parks and facilities while maintaining the inclusivity of public spaces (City of Toronto, 2005). While The Parks and Recreation Division also recognizes that people who are homeless or at risk of homelessness face difficulties in accessing community services, staff are tasked with removing patrons from park facilities who contravene policy guidelines. These guidelines define the measures of enforcement

to be exercised against homeless individuals engaging in what the City deems ‘unacceptable behaviour’ while occupying parks, public transit shelters, and city streets. The policy goes further to set out specific protocols on the removal of encampments from public areas (City-owned and controlled lands) and assisting homeless persons with finding permanent housing.

The *Homelessness and People Living in Poverty Policy* (“Policy”) outlines that the erection of structures (which the Policy refers to as “encampments”) is contrary to the intended use of public areas and is a contravention of the City of Toronto’s Municipal Code Section 743 “Streets & Sidewalks,” which prohibits “encroachments” (defined as “any device, equipment, object, structure or vegetation”) on streets or sidewalks and sets out processes for remedial action (City of Toronto, 2001b, Chapter 743). Sections 608-13 and 608-14, Article III explicitly state that no person shall place, install, attach, or erect a temporary or permanent tent, structure, or shelter at, in or to a park unless authorized by permit (City of Toronto, 2001a, Chapter 608). These By-Laws also inform the steps to be executed when addressing persons who have taken up residence in regulated zones. Parks, Forestry and Recreation staff must report any unlawful encampments to the Streets to Homes outreach-based unit, which is funded by the City of Toronto to assist persons in their transition from homelessness to living in permanent housing (The Housing Help Centre, 2021). Streets to Homes agents offer to arrange alternative housing for homeless candidates residing on city property. What is offered entails a holistic process that involves the collaboration of several agencies to assist the homeless with finding housing and provide participants with the sufficient life-skills to stay housed (The Housing Help Centre, 2021). Streets to Homes heavily focuses as well on counselling and follow-up support for subjects that agree to undertake transitional measures and seek shelter. When a homeless individual accepts such an offer, Streets to Homes staff inform Parks, Forestry and Recreation officers who expediently dismantle the individual’s respective encampment. For homeless persons who do not accept housing offers, Streets to Homes exhausts all efforts before Parks, Recreation and Forestry issue a seventy-two-hour Notice of Advice, demanding that any occupied areas be vacated. On the date of enforcement, Toronto Police compel the individual to leave the site under the *Trespass to Property Act* (Province of Ontario, 1990). Furthermore, any personal belongings are bailed for thirty days with nearest community centre before being disposed of.

## **Literature Review**

A key goal of this paper is to identify the deeper implications behind the enforcement of The *Homelessness and People Living in Poverty Policy* developed in 2005. In doing so, it is crucial to consider and review literature on topics related to issues of poverty and homelessness in urban

areas. Upon a review of the literature, the following **themes** were identified: the *criminalization of poverty*, the *gentrification of poor persons*, and *legacy of neoliberalism on housing*. Exploring these themes and how they apply in a local context will support our discussions concerning (a) what informs the policy, (b) how the policy is applied by the City, and (c) how it is experienced by affected groups. Toronto has both a homelessness *and* housing problem, and the brute measures taken against its homeless encampments (e.g., forced removal) are congruent to these issues. We will look at previous research conducted over the past twenty years to uncover the relationship between the abovementioned themes and the City of Toronto's response to destitute populations taking up residence in its public parks and open spaces. Ultimately, the literature explored will serve to contextualize how homeless populations are inadvertently and explicitly marginalized.

### **Theme I: The Criminalization of Poverty, Expulsion and Aesthetics**

As we analyze the effect that the *Homelessness and People Living in Poverty Policy* (2005) has on Toronto's displaced persons, we must also contemplate how this policy is heavily founded on state retribution and enforcement. The policy's enabling by-law, Chapter 608-14, stipulates inevitable and forcible removal of encampments in public areas. This regulation has dire impacts on Toronto's homeless persons and their livelihoods. From this, it is important to understand how such brute force against these populations by city officers pushes them further into our City's margins both physically and socially. These negative side-effects are attributed to what many bodies of literature identify as the criminalization of poverty, which is heavily influenced by short-sighted policy (Kouyoumdjian et al., 2019, p. 2). The literature on this topic asserts that police intervention in homelessness equates to the "...enforcement of laws that restrict activities that are common to homeless people in public places...such as sleeping, eating, sitting, or panhandling in public spaces..." (p. 719). The activities referred to here are what Kouyoumdjian et al. (2019) define as "acts of living", which are unavoidable everyday transactions that leave homeless persons open to being unnecessarily victimized by law enforcement (p. 723). Enforcement in many cases equates to these persons being physically assaulted and subjected to other abuses of police power (Zakrison, 2004, p. 5). Further, it has been found that instances of homeless individuals being targeted by police are reduced during periods when they are temporarily housed (Zakrison, 2004, p. 724). Other academics have expounded on this trend, deeming that legal expulsion of the homeless from public areas is part of a broken windows policing strategy – a heavy handed approach to visible public disorder (Kaufman, 2020, p. 9). Kaufman states that these practices fulfill neoliberal objectives to banish "undesirable" people from urban areas as they are seen to intrude on public urban life (p. 9). His work also illustrates how these objectives are

historically entrenched in Canadian policies, citing the Vagrancy Act (1869), which “policed and punished transient bodies” and *Canada’s Safe Streets Act* (1999), a set of neo-vagrancy laws which undertook similar motives to keep Ontario streets “clean” (p. 9). Countless studies show that even in the present day, people who are homeless are “structurally vulnerable to over-policing” (Greer et al., 2021, p. 5). Scholars explain that these occurrences pertain to “aesthetic governance”, which characterises homelessness as a disruption of the visual order of urban landscapes (Speer, 2019, p. 581) As a result, anti-homelessness laws represent an urban model where consumer desire for attractive neighbourhoods trumps the right for homeless people to exist (p. 581). As we consider the rationale behind the *Homelessness and People Living in Poverty* Policy, we must also consider how its implementation is congruent to the criminalization of poverty and the academic works that bring this issue to light.

## **Theme II: Gentrification of Poor Persons, Revanchism and Urban Restructuring**

The realm of literature on gentrification and socio-spatial inequities in urban restructuring exemplifies how capitalist driven goals to redevelop city neighbourhoods are intrinsically tied to the ongoing issue of homelessness. Work pertaining to this theme highlights that gentrification is often undertaken under the guise of “neighbourhood revitalization”, but inherently results in the social exclusion and displacement of poor persons (Walks & Maaranen, 2008, p. 293). Espoused by Walks et al., cities vie with one another to attract capital and affluent populations in the name of “improving” poor neighbourhoods. In the process, a form of neighbourhood “cleansing” takes place where low-income residents are outbid, and therefore excluded, by higher income earners for living space (p. 293). The literature speaks further on this process, which is commonly known to scholars of urban strategy; private corporations collude with cities to ensure the development of a “trendy” and “safe” neighbourhood, pulling middle and upper-class cohorts to these areas (p. 293). Within these descriptions are references to the concept of “urban revanchism” or the “revanchist city” first coined by Neil Smith (Smith, 1996). Revanchism denotes a “revenge campaign” against the traditionally socially underprivileged and the policies that support them, onset by a ‘threatened’ upper-class looking to reclaim social control by exclusion and militarization of urban space (Kipfer & Keil, 2002). Literature ties this movement to Toronto where revanchism is fostered by zero-tolerance policing of street people and gentrification of the socially disadvantaged, which has led to the destruction of poor spaces (Lindsay, 2011). Other works spotlight how urban restructuring in previous decades has exacerbated Toronto’s homelessness problem. Homeless persons were historically scapegoated for their individual circumstances; their delinquent characteristics, and not the lack of housing, was deemed to be the



primary factor behind their precarity (Greene, 2014, p. 2). Though, the “homeless-making” or “human-made” processes in the form of urban restructuring came to light in the 1980s as a catalyst to homelessness when a growing number of individuals began losing their homes (p. 2). These were the economic, political, and spatial urban transformations in Toronto at the time that were the direct result of punitive actions taken against the homeless, gentrification and the demolishing of affordable housing units in the tens of thousands (p. 2). Even amid these processes, there was little collective responsibility or accountability for homelessness assumed by the City’s policymakers (Walks & Maaranen, 2008, p. 89). The academic insights on the abovementioned socio-spatial forces exerted on Toronto’s poor inform the rationale behind the city’s encampment policies being upheld in the present day. These studies illuminate how poverty crises have been addressed by physical removal and relocation of the poor under “move it elsewhere” mandates.

### **Theme III: Affordable Housing**

In assessing policies that attempt to alleviate the current state of homelessness in Toronto, it is necessary to gain a purview of the literature on the regulation of housing in the city as well. Affordable-housing policy, the privatization of housing development and neo-liberal regimes are all themes that are comingled with the discourse on homelessness. As such, an accurate temperature check on homelessness in Toronto is contingent on an understanding of these domains and how they have affected our homeless persons over time. Unaffordability is a key driver of homelessness. It not only keeps Toronto’s homeless populations from achieving upward social mobility, but it also continues to circumvent access to safe, stable and inexpensive housing for many Torontonians earning low-to-moderate incomes (City of Toronto, 2018). A Toronto housing market analysis published in 2019 shows that “Low-income renters are stuck in unaffordable units...87-percent of households in the private rental market...spend more than 30-percent of their incomes on shelter” (Canadian Centre for Economic Analysis & Canadian Urban Institute, 2019, p. 2). Renters have little to no ability to traverse the housing market as many are waiting to accumulate enough wealth for a down payment to own a home (p. 2). There is an immense shortage of new purpose-built rental housing, and individuals who aren’t eligible to rent but are in need of social housing have been placed on incredibly long wait lists (p. 2). Worsening the problem is the austerity in government funding endured by municipalities as stated, “Toronto provides 90-percent of the public housing in the Greater Toronto Area and 37 percent of the total social housing in Ontario, well beyond its share of population or its share of the tax base...reductions in federal and provincial government transfers that began in 2007 and continue annually until 2032 are placing significant pressure on the City’s budget...” (City of Toronto,

2018). The same briefing cites the City's increased dependence on its partnership with the private sector to supplement Toronto's housing needs (City of Toronto, 2018). Related studies demonstrate how the private-sector's "financialization" of rental housing has worsened the affordable housing crisis. Deregulation, welfare state retrenchment and a downloading of responsibility for social housing from the provincial government to financially strained municipalities create the perfect conditions for private investors to stronghold the market (August & Walks, 2018, p. 126). At the whim of investors, financialized landlords treat rental properties as financial assets by lowering maintenance costs and maximizing profits with increased rents (August & Walks, 2018, p. 128). These practices have been enabled by the 1997 *Tenant Protection Act* which relaxes rent control and gives landlords the power to "raise rents on vacant units by any amount" (p. 126). August et al. (2018) expound on the unscrupulous strategy of "squeezing" which is implemented by landlords in multi-family rental buildings and is a clear symptom of the *Tenant Protection Act*. Squeezing entails making improvements to rental units, which increases costs that inevitably fall on tenants who can no longer afford them (p. 131). Faced with immense financial strain, these residents are forced to relocate, and as such, displacement is built into this business model by financialized landlords who seek to "replace lower-rent paying residents" and "pursue vacancies to achieve large rent increases upon turnover" (p. 133). Alternative research conducted by August covers how agencies undertake public housing restructuring in Toronto through the promotion of "social mix" (Walks & Maaranen, 2008, p. 133). In theory, social mix policies intend to increase socio-economic diversity in urban areas to correct the under-representation of certain groups; though, there is "little evidence suggesting that it is merited by socially beneficial outcomes" (p. 83). In reality, social mix exhibits neo-liberal underpinnings and is justified by condescending goals, "Behavioural patterns of lower-income tenants will be altered by interaction with higher income neighbours. For example, social norms about workforce participation will be passed on to lower income residents" (p. 94). August's study deems that the social mix paradigm often equates to increasing property values that result in gentrification and goes further to explain that social mix is characterized by a superficial commitment to equality-oriented objectives, "...the *image* of diversity is all that is really sought" (p. 91). By August, "...social mix, then, may be motivated by an *economic* imperative...to...perversely promote social *exclusion*, by necessitating the removal of 'undesirables' in order to achieve a desired social composition" (p. 91). Similar literature alludes to social housing programs acting as a vehicle for "controlling the poor", where "Tenant eligibility criteria, eviction policies, management styles, and tenant-management relationships can all be perceived or experienced as forms of social control" (Prince, 1995). Prince

speaks further on this, "...social control deals with a focus on property management rules and a concern with problem tenants...the "hard to house" may be disintegrated from social housing...housing programs can be regarded as regulatory or even coercive, raising profound issues of the dignity of the applicant...exploitation...violations of human rights" (p. 21). The recurring theme in the abovementioned research conveys that efforts to achieve affordable housing have been dominated by neo-liberal schemes to infringe on the poor in the name of capital gain.

## **Discussion**

When analyzing studies pertaining to homelessness, it must be noted that the condition of homelessness itself cannot be defined as static. Homelessness rather, encompasses a range of circumstances which transient persons navigate in their efforts to secure adequate housing. At any given time, Toronto's unhoused move from public spaces to emergency shelters to temporary accommodations. Homeless persons also include individuals and families who are "at risk of homelessness", meaning that their current housing situations are "dangerously lacking security or stability" (Canadian Observatory on Homelessness, 2012). Being that homelessness embodies a constant state of change, it reflects a "nomadic identity in continual flux...being constructed and reconstructed over time and place" (Zufferey & Kerr, 2004, p. 346). As such, this is an important consideration when scrutinizing gaps in the respective literature. Many scholarly articles are tasked with reconciling the phenomena of "Hidden Homelessness" when gathering data on the homeless. The hidden homeless are also known as "couch surfers"; those who "stay with relatives, friends, neighbours or strangers" and "do not access homeless supports and services even though they are improperly or inadequately housed" (Homeless Hub, 2004). These subjects fail to be recorded in standard homelessness statistics because they remain undetected and refrain from accessing public services (Homeless Hub, 2004). According to Statistics Canada, "The current "gold standard" enumeration method are Point-in-Time (PiT) Counts, which identify the number of people experiencing homelessness on a single night once every two years" (Statistics Canada, 2021). Though, Point-in-Time Counts are geographically limited and overlook individuals who migrate between seasons and communities (Statistics Canada, 2021) Furthermore, PiT Counts are notably flawed as they rely on "volunteers to observe people on the street and administer surveys," which leads to the "targeting" of convenient subpopulations living in shelters and community organizations for the gathering of data (Statistics Canada, 2021). Therefore, obtaining a census of individuals undergoing homelessness poses various challenges and this casts potential doubt on the validity of information in this field, but also may affect the viability of any city-wide solutions that are dependent on statistics.

Quantifying occurrences of homelessness is a problematic and recurring undertone across many of the works reviewed. This is especially apparent in literature written on the criminalization of homeless persons by law enforcement. Although it is evident that punitive actions have been taken against Toronto's homeless populations both historically and in the present day by police, there are difficulties in identifying the frequency and gravity of these instances. For example, valid data collection on assaults of homeless persons by police is dependant on the "accuracy of homeless people's self-reports" and the lack of bias present in responses (Zakrisson, 2004, p. 8). There exists potential for accounts being fabricated or exaggerated even when officers used justified and proportionate levels of force, and this may be attributed to respondents' generally negative attitudes towards the police (p. 8). Other studies clearly outline that they "did not include efforts to objectively confirm subject's reports of assaults or...formally assess subjects' substance use or mental health" (p. 8). Because context is intrinsic to fully understanding the circumstances behind individual accounts, the dearth of qualitative information here leaves a void in the research; numerical data provides a tally of reported encounters between the homeless and the police, but qualitative analysis will allow researchers to objectively distinguish accounts by homeless persons that are justifiably reported from those that are based solely on hostility. Similar gaps can be found where information on the criminalization of the poor is grounded on police records. Lack of police transparency, as well as bureaucratic gate-keepers, may hinder researchers from obtaining robust data from police officials regarding encounters with homeless persons where unnecessary force and criminalization transpired.

Applying a critical lens to the literature on gentrification, urban restructuring and the production of homelessness refers the reader back to some of the data gaps discussed above. Because the occurrence of hidden homelessness renders some homeless persons invisible, there are immense challenges in tabulating and accounting for persons who have been displaced due to gentrification once they enter the ever-changing state of being unhoused. Scholars of urban restructuring deem that "human-made" processes cause individuals to lose their housing, though much of their work does not expound on what becomes of these individuals after they are priced out of the housing market. While thorough research has been conducted in Canada and elsewhere that documents the causes of homelessness, less is known about the pathways taken by populations with no address. This is because tracking the homeless is costly and logistically difficult. From these deficiencies arise other blind spots in the culmination of data, specifically regarding the demographics and personal histories of unhoused persons. By the literature, processes of gentrification are a catalyst to Toronto's homelessness crisis, though many academics fail to

highlight how individual circumstances may play a factor in becoming and remaining homeless. Confounding variables that may make some individuals more susceptible to becoming de-housed are rarely considered and this results in the misnaming of the actual problem and potential solutions. What is left in the margins are considerations of how intersections of race, class and gender amongst homeless individuals perpetuate their dire situations. Greene states specifically that, "...mental illness, substance addiction, spousal abuse, and familial breakdown... these individual factors...were not responsible for homelessness, even if they did make some individuals more vulnerable than others..." (Greene, 2014, p. 21). One can argue that this assertion is highly misinformed, on the basis that the above-noted conditions can provide contextual background on what may in fact cause and perpetuate homelessness. Emphasizing these factors, and others relating to intersectionality, is pinnacle to better understanding the experiences of, for example, single-indigenous mothers who face multiple layers of discrimination and disadvantage when navigating gentrification and displacement. Unfortunately, there is a noticeable void of information pertaining to intersections of race, sex, class, and personal histories within the literature reviewed. Bringing these data to the forefront will allow for equity-driven solutions that are founded on unique circumstances and diverse positionalities.

Commentary on poverty, affordable housing and homelessness often assumes an emotional and politically charged stance. Most of the literature reviewed on these subjects exudes ideological biases, and this is not uncommon as no body of work is completely objective or void of opinion, especially when it speaks to issues of social justice. The authors mentioned in this piece uniformly scrutinize institutions of power and the exploitation of the poor. Their work conveys broader agendas to deconstruct and villainize the long arm of neo-liberalism and its crucial role in Toronto's homelessness crisis. Though, gaps in these works are seen when they stop short at providing further research on practicable resolutions. It is appreciated, of course, that homelessness is a multi-faceted problem; however, many scholars have obscured any possible solutions by relentlessly focusing on culpability and uncovering the neo-liberal forces at play. "...homelessness will continue as long as its root causes are not addressed--as long as the uneven dynamics of urban restructuring continue to shape the landscape of urban poverty in Toronto," on the contrary, the root causes *have* been addressed, what needs to be spotlighted now are action-plans for rectification (Greene, 2014).

### **Analysis & Recommendations**

To revisit, Toronto's real estate market is "hot" – more accurately, it is out of control. In the writer's view, no government policy has effectively remedied the lack of affordability that

afflicts Toronto's housing industry, which continues to cause collateral damage to our most vulnerable persons. As housing prices continue to soar, the City's homelessness problem worsens. These issues are a symptom of the federal government relinquishing itself from any responsibility over social policy, specifically housing. Furthermore, the subsequent downloading of social welfare functions from provincial governments onto municipalities in times of immense austerity have left cities like Toronto with no option but to rely heavily on non-profit organizations and the private-sector for solutions. Actors at the local level have been burdened with the obligation to ensure social protections but have not been supported with the adequate resources to do so. Federalism and the separation of powers in this instance has effectively allowed both Federal and Provincial agencies to discharge all culpability. Local governments are nothing but "creatures of the province" with no constitutional status and barely any legal or financial power to rebuke mandates from above. The non-profit sector operates on scarce funding and assets and is unable to provide the City with the answers it so desperately needs. These circumstances provide the private sector an opportunity to dominate and implement capital-based strategies to "solve" the dilemmas of housing and homelessness. However, private actors have done nothing but influence policies that are focused on masking the effects of unaffordable housing and homelessness; the private-sector has no vested interest in tackling the root of the problem. What has germinated from this is the *Homelessness and People Living in Poverty Policy* (2005), which is founded on preserving the aesthetic of our parks and streets, criminalizing the poor and upholding economic gain.

As of April 6, 2021, under the authority of The *Homelessness and People Living in Poverty Policy* (2005) and Ontario's *Trespass to Property Act*, City officials have ordered residents of Toronto encampments to remove their temporary homes from city spaces (Draaisma, 2021). Given the pretense of the global pandemic, this enforcement measure is an egregious move, notably because the majority of Toronto's homeless shelters are now weathering Covid-19 outbreaks and overcrowding, leaving our unhoused with virtually no other place to go (Robart, 2020, pp. 10–11). On October 15, 2020, the Ontario Superior Court ruled that the City failed to uphold physical distancing regulations within its homeless shelters, though it refused to suspend Toronto by-laws prohibiting encampments in public zones. In navigating the social and legal implications surrounding encampments, Toronto has few options and has subsequently resorted to sheer policing and entrepreneurialism. Ideally, the city could appropriately recognize that anti-encampment bylaws violate Section 7 of the Charter of Rights and Freedoms, which guarantees life, liberty, and security of the person, and move to prohibit forced evictions of encampments,

increase subsidized housing, and bolster supportive services for homeless people. In actuality, implementing these recommendations is contingent on funding. For the City, homelessness is less of a social problem than it is a money problem. In light of this, the writer suggests that funding be reallocated away from law enforcement operations and into outreach measures. This is being tabled in consideration of the fact that “the expense of law enforcement interacting with the homeless in Toronto costs taxpayers one-hundred million dollars per year” as stated by Kapri Rabin, executive director of Street Health, an organization dedicated to serving the homeless (Herhalt, 2021). Toronto’s lack of support from all other levels of government shows that it has no other choice but to use the scarce resources it has at its disposal to remedy homelessness. More money equates to more options. It is proposed then that syphoning funds from the police to social services will help to circumvent the abrasive actions taken against the unhoused and simultaneously provide displaced persons with access to independent advocates and adequate shelter. Police officers currently have ultimate carriage of the footwork involved in dealing with encampment residents who refuse to relocate, and this has greatly jeopardized any meaningful engagement or participation between City officials and these vulnerable persons.

## **Conclusion**

The *Homelessness and People Living in Poverty Policy* (2005) clearly perpetuates and is fuelled by neo-liberalist paradigms. Toronto’s most precarious populations have been left on the backburner in favour of private sector regimes to cleanse city streets and of “undesirables” and exploit the housing market. Municipalities have failed to mitigate homelessness and are pressured by their Provincial superiors to preserve reputation and optics by cloaking its obviously dire symptoms. Non-profit organizations have mobilized but can only do so much with donations and community support, and it is evident that regardless of their efforts, encampment residents still have little recourse. Short-term strategies tabled by our City officials only serve to save-face and maintain faith in the electorate. The only leverage encampment residents currently wield is the traction gained from media exposure and their outright refusal to be strong-armed by enforcement. As long as encampments remain, they will serve as reminder to all Torontonians that we have failed and continue to fail the housing crisis. Encampments are here to stay, and perhaps, through their own sense of agency, encampment residents will potentially one day be integrated into our neighbourhoods and communities. Until then, multi-level governmental collaboration, participation of all stakeholders and systems of accountability need to be facilitated if Toronto hopes to ever solve its homelessness crisis.

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