



BOARD REPORT

REPORT No.: 2024-31

MEETING DATE: SEPTEMBER 19, 2024

SUBJECT: SENIORS' HOUSING DESIGNATION - MANION COURT AND ELIZABETH COURT

RECOMMENDATION

THAT with respect to Report No. 2024-31 (Integrated Social Services Division) we, The District of Thunder Bay Social Services Administration Board, approve changing the current age requirement for Manion Court and Elizabeth Court to 65 years and older from 60 years and older to accommodate housing needs and identifying these 2 locations as protected under The Ontario Human Rights Code.

REPORT SUMMARY

To provide The District of Thunder Bay Social Services Administration Board, (TBDSSAB or the Board), with information and rationale to support a change to the current minimum age limit of 60 years to 65 years at Manion Court and Elizabeth Court, to address housing application needs and to have these two locations protected under the Ontario Human Rights Code.

BACKGROUND

At the March 27, 2014 meeting, the Board received a report (Report No.: 2014-12) recommending the change of eligibility for access to the Jasper Place housing building from age 60 to age 65. This request was initiated due to the Ministry of Health and Long-Term Care defining those services provided under its authority to seniors having a minimum age of 65 years. As the City of Thunder Bay delivered health-funded support services to tenants at this building, it was determined prudent that the age for eligibility to this property align with the health requirements and was thus raised to 65 years. This change was approved and there have been no subsequent concerns raised regarding age of eligibility for this property.

Related to the age designation of properties, at the March 17, 2022 meeting the Board received a report on the 10-Year Housing and Homelessness Plan Housing Targets Update (Report No.: 2022-13). This report identifies the anticipated housing needs across the entire District for the next 10 years and breaks down this need for certain

demographics. Continued monitoring of the factors that influence the projections continues, with the next report to the Board planned in 2025.

COMMENTS

With regular review of the current community housing waitlist data, it was identified that through 2023, an average of 19% of applicants identified as aged 65+, and that this percentage was very consistent over the previous 5 years. It was also identified that only one property owned by TBDSSAB, Jasper Place, was currently designated as aged 65+ for tenancy. Having 100 units, Jasper Place accounted for approximately 4% of TBDSSAB's total housing units. TBDSSAB does have several properties with minimum age limits of 50+ years, however based on the number of applications from people aged 65+, there is a specific demand for seniors-only rent-geared-to-income housing.

To provide appropriate housing, and to better support the needs of a defined seniors' population, the opportunity to explore the designation of several seniors' properties was undertaken. In reviewing the current make-up of tenants in properties across the City of Thunder Bay, 2 properties were identified as having the highest number of current tenants aged 65 years and older – Manion Court and Elizabeth Court.

Proposing Manion Court, 130 W. Donald Street, Thunder Bay (102 units) and Elizabeth Court, 275 Madeline Street, Thunder Bay (121 units) as dedicated for ages 65+ would result in having a total of 323 housing units specifically designated for seniors. This equates to approximately 13% of TBDSSAB's total housing units, better addressing the need for dedicated seniors housing. These properties are both located adjacent to grocery stores and pharmacies and related community supports, making them most suitable to support senior living. Manion Court is located on the South side of Thunder Bay while Elizabeth Court is located on the North side.

Currently Manion Court has 84 tenants over the age of 65 and 8 under who would be grandfathered in, with the remaining 10 units as vacancies. Elizabeth Court has 103 tenants over the age of 65 currently and 12 under who would be grandfathered in, with the remaining 6 units as vacancies.

The current TBDSSAB rent geared to income waiting list for Manion Court has 56 applicants and of these 37 are 65 years or older. Elizabeth Court has 74 applicants and 51 are 65 years or older. Applicants that do not turn 65 by the end of the 2025 calendar year will be provided written notice of the age change and removed from these two properties with options for other properties provided.

A review of the Ontario Human Rights Code identified 2 sections which apply to the issue of age discrimination. Section 14 – Special Programs, outlines specific circumstances where rights are deemed to not be infringed to address certain hardships or disadvantages through creating priority groups or eligibilities. Section 14(1) states:

“A right under Part I is not infringed by the implementation of a special program designed to relieve hardship or economic disadvantage or to assist disadvantaged persons or groups to achieve or attempt to achieve equal opportunity or that is likely to contribute to the elimination of the infringement of rights under Part I. R.S.O. 1990, c. H.19, s. 14 (1)”.

Section 15 – Age 65 or over, offers specific clarification that addressing the needs of those in this age classification (65+) is not deemed to infringe on the Code. It states:

“A right under Part I to non-discrimination because of age is not infringed where an age of sixty-five years or over is a requirement, qualification, or consideration for preferential treatment. R.S.O. 1990, c. H.19, s. 15”.

Thus, any specific action taken to prioritize or otherwise address the needs of those age 65 or over would be permitted under the Code.

The Supervisor, Research and Social Policy undertook a search regarding challenges related to establishing age-specific properties for seniors and was unable to find any cases related to housing providers that did not follow the Code related to age designations.

With the proposed change in age designations, Administration will track unit offers and vacancies, tenant complaints, maintenance calls, and tenant supports to determine if the change has any unintended negative implications, and then make necessary adjustments as required.

TBDSSAB also has 700 units in properties with age eligibility requirements that fall outside of 65+ seniors. Current categories include 50+ and 60+, defined to meet the needs of those specific demographics and to promote a tenant community. Properties include:

Properties	#	50+	60+
	of Units		
Assef Court	78	✓	
Badanai Court	30	✓	
Clark Tower	114		✓
Collingwood Court	23	✓	
Fisher Court, Geraldton	20	✓	
Matthews Court	101	✓	
Mclvor Court	101	✓	
Neill Court, Geraldton	21	✓	
Paterson Court	111		✓
Seppala Court	22	✓	
Sjolander Court, Nipigon	20	✓	
Wardrope Court	60	✓	

Currently TBDSSAB has 568 units located in multi-residential buildings that have an all-ages designation (16+). Properties include:

Properties	#	16+
	of Units	
8 Plex – Donald St.	8	✓
8 Plex – Pearl St.	8	✓
Andras Court	221	✓
Cumberland Court	20	✓
Glenwood Court	40	✓
Habitat	34	✓
Lendrum Court	24	✓
McLaughlin Court	12	✓
Ross Court	26	✓
Spence Court	163	✓
Vickers	12	✓

TBDSSAB, as the provincially designated community housing Service Manager, provides funding to 21 non-profit housing providers who offer rent-geared to income housing throughout the District of Thunder Bay. There are a total of 950 units under agreement with these providers. These properties offer a mix of all ages and seniors' eligibility, aligned to meet the needs of the community. As independent non-profit corporations, each would have established their own mission statement and defined policies for the provision of housing, established in their articles of incorporation. TBDSSAB would not be in a position to direct these providers to alter their mission, however, would work with each to best align overall housing needs and provision of units.

Further review of the current age designations for TBDSSAB's multi-unit properties is ongoing to identify options to best align the demand for housing with the available supply. A survey of northern Service Managers across the province was undertaken to identify practices employed in age designation of housing and findings ranged from all age's buildings, 50+, 60+ and 65+ housing being offered.

In surveying eight comparator community housing Service Managers across Northern Ontario, all stated that they have designated housing properties addressing the needs of various age designations, with the majority focusing on those age 60 and over. None of the Service Managers have received formal complaints or challenges based on these designations. This supports the findings through the legal review that no cases could be found regarding age complaints brought forward based on the discrimination under the Code. Most also have properties identified with varied age eligibility requirements, tailoring the needs of the community and supports, to defined age group populations.

The following chart outlines the results of this survey:

Organization	16+	16+	50+	55+	60+	65+
	Single	Family	Senior			
Cochrane District	✓	✓			✓	
District of Nipissing	✓	✓			✓	✓
District of Rainy River	✓	✓	✓		✓	✓
District of Timiskaming	✓	✓		✓	✓	✓
Greater Sudbury	✓	✓			✓	✓
Kenora District	✓	✓		✓	✓	
Manitoulin Sudbury	✓	✓				✓
TBDSSAB	✓	✓	✓		✓	✓

With the planned review and update of the 10-Year Housing and Homelessness Plan Housing Targets in 2025, Administration will provide updated information on the current and future needs of community housing in the District of Thunder Bay and provide further information and recommendations on the age mix of housing properties as appropriate.

STRATEGIC PLAN IMPACT

This report supports the strategic plan vision to provide safe, affordable, agency-supported housing that everyone deserves.

FINANCIAL IMPLICATIONS



Changing the current age limits would result in limited financial impact, to be determined with annual rent-geared-to-income calculations with individual tenants.

CONCLUSION

It is concluded that the current age limit for Manion Court and Elizabeth Court be changed to 65+ to address housing application needs and to identify these two locations as protected under The Ontario Human Rights Code based on age. All other TBDSSAB-owned properties will remain with current age eligibility rules and will continue to be monitored to identify potential changes in the future.

REFERENCE MATERIALS

None.

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