



## **Housing Justice Dialogue #3** ***Reimagining the City: What It Is and Could Be***

**Tuesday, May 13, 2014**  
**8:30 a.m. – 10:00 a.m.**  
**Boardroom, SFU Woodward**

The Housing Justice Project is a three-year university/community research and action plan funded by the [Peter Wall Solutions Initiative](#) and based at the University of British Columbia. More information about the Housing Justice Project can be found at [www.housingjustice.ca](http://www.housingjustice.ca).

On May 13, 2014, a roundtable discussion was hosted by the Housing Justice Project about legal capacities of municipalities to provide affordable housing, and how to situate this capacity within a larger political frame of the “right to the city.” Participants were from a variety of backgrounds, including municipal government, legal advocacy organizations, the private sector, and community-based organizations. The broad topic of discussion was about reimagining citizen involvement and empowerment in the context of progressive social and environmental reform. Furthermore, when discussions of densification, diversity, and access provoke community resistance, how do we navigate conflicting claims to urban space?

The roundtable began with a discussion about the concept of the “right to the city.” The concept has current currency in light of growing social inequality in so many of the world’s cities.<sup>1</sup> The idea of the right to the city can be understood as a demand for transformed and renewed access to urban life, and prompts discussion about how to navigate disparate claims to urban spaces. Grounding this idea of transformative change in political reality requires an understanding of the constitutional foundation of Canadian municipalities, and the legal powers of municipalities as defined by the provinces. This background provided a segue into discussion about what kind of issues are most important to transformative discourse in Vancouver, what barriers exist, and what is most exciting about the renewed focus on cities across the world.

The discussion was facilitated under the following themes:

1. *“Right to the City”;*
2. *Legal capacities of municipalities with respect to provision of adequate housing;*
3. *The Way Forward: Strategies for Social Change in the Context of Contested Urban Space and Resource Distribution.*

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<sup>1</sup> Johal, Am. (2010, July 23). Fighting for the right to the city in Vancouver. *Georgia Straight*. Available from: <http://www.straight.com/news/am-johal-fighting-right-city-vancouver>.

## **Summary of Key Themes and Issues**

*Transformative change in response to the housing crisis requires an active role for senior levels of government.*

The roundtable began with a discussion about the implication of Canada's division of powers for leadership in the housing crisis. With jurisdiction for social services, housing, health care, and education lodged at the provincial level and resources at the federal level, the ability to engage in more complex provision and management of housing rests with senior governments. For example, the ability to enact rent control legislation or invest in job creation programs that raise household income rests with the provincial and federal governments. Participants discussed the need to direct lobbying efforts toward the provincial government to take a more active approach to housing provision.

The federal government has spending power over matters (e.g. health care, social assistance, and higher education) that may not necessarily lie in its substantive law-making jurisdiction, and this is a mechanism that could be leveraged to address the housing crisis. The federal government also has authority under the peace, order, and good government power to pass legislation and make institutions in response to a national concern or emergency. Federalism is a constantly evolving arrangement, and at one time the federal government was more active on housing policy. Building a national consensus on government intervention in the housing crisis requires support across the provinces. Provincial governments, and federal political parties, differ in their attitudes towards federal government intervention, which could make a national housing policy controversial and difficult to achieve.

*Should the provinces devolve more authority to address housing policy to cities?*

Participants discussed whether cities should push for legislative reform to assign more power to cities by the provinces. As responsibility for housing and social services are continually downloaded onto cities, mayors of major cities are calling for greater transfer of resources and/or authority to municipalities. Some participants suggested that if cities have more responsibility for providing services then they should also have a greater suite of implementation tools available to them, including broader taxation powers. Tools like a speculators' tax on owners flipping houses could help contain rises in property values. Or, at least, fund social housing.

Other participants felt that the city already has considerable jurisdiction. The issue is that cities are not making full use of their existing powers. Existing bylaws give the City considerable regulatory power over suites, and the standards of maintenance bylaw gives the City the power to go into a building and do work at the expense of the owner. The City of Vancouver also has lower property taxes in place relative to other large Canadian

municipalities, although some participants pointed out that the high cost of housing here leaves less flexibility for homeowners and landlords to pay higher taxes. This point bears further discussion and exploration.

Generally the discussion was divided between those who thought that cities should have additional powers given to them through provincial enabling statutes to better cope with downloading of responsibility for social and housing policy, and those who felt that cities already had significant legal capacity, but that political will to utilize this capacity to the fullest extent is absent. For this latter group, then, political will was the key sticking point. Some participants observed that as Vancouver seeks to be a more global city, it is foregoing opportunities to lessen the influence of international markets on the housing sector.

*There are large gaps in housing data that we need to support decision-making and political action.*

Participants discussed key gaps in data on renters and homeowners that would support better decision-making at all levels of government. Several data gaps were identified: the split between professional landlords and “Mom and Pop” landlords, condition of basement suites, levels of foreign ownership, and numbers of empty units across the City.

Understanding how large a share Mom and Pop landlords occupy of the City’s rental market is important because concerns were voiced that many of these landlords tend not to be members of landlord associations and are not sufficiently educated on residential tenancy laws. This has the potential to open tenants up to abuses of power in the landlord-tenant relationship. Furthermore, understanding the dynamics of property values in the City would be aided by more transparent data on foreign investment in real estate, and how many units are unoccupied across the city.

Some participants also discussed the need to better understand links between discretionary approaches to inclusionary zoning and property values. Vancouver’s approach to securing community amenities (including social housing) has been criticized for driving up property values in the process of maximizing value from land in development negotiations. Some participants suggested that better research is needed to understand whether discretionary zoning encourages speculation, land price increases, and gentrification.

There was also a suggestion that links between quality of housing and costs to the health care system and social services should be more visible in political discourse.

*The concept of the right to the city has the potential to focus political discourse on social justice in urban spaces.*

Discussion centered around the value of the right to the city concept to social justice initiatives in Vancouver. Some participants felt that the idea may be a way of holding the city and province accountable to the needs of the most vulnerable in our communities. The idea of the right to the city gives a greater voice to people who are most in need of housing, and encourages a full spectrum of housing choices to meet different needs and support diverse lifestyles. Some suggested that this be linked to a “housing first” approach to providing social services, since stable housing is often a foundation for accessing services.

One participant pointed out that the right to the city is essentially an idea about building the just city, and goes against the current global city discourse that supports market-based mechanisms for meeting housing needs. This brings back the issue of contested claims in the city, and the difficulty of identifying *who* has a right to the city. Some participants expressed concern that the right to the city idea can be co-opted by those who control the narrative, and not controlled by those most affected by gaps in the housing system.

*A holistic approach to the housing crisis is needed to leverage resources across all levels of government.*

To engage in a more holistic approach to the housing crisis, participants generally agreed that collaboration is needed across all levels of government. One participant noted that the current crisis in homelessness is largely the result of the halt to government construction of social housing, the lowering of welfare rights, and policies making it progressively more difficult to get on welfare. Relying on the private sector to solve a problem that government was central in creating is consequently inappropriate. Some participants called for a systemic look at how social policies intersect and work against one another, and a renewed focus on redistribution of wealth in Canada. With inequality persistently growing across the country, what is needed is a focus on the big picture of the direction Canadian society is going.

*Vancouver can look to other cities for ideas about how to leverage existing powers to improve quality and availability of affordable housing.*

Participants discussed policies from other cities and provinces that could be models for British Columbia.

- In Quebec, rent control is enforced by the provincial government by pegging rent increases to the unit and not the tenant, with guidelines on rent increases provided by the Régie du logement.

- In Toronto, the rooming housing bylaw was amended in 1975 to require licensing for landlords. This gives the city a stronger point of entry for addressing tenant abuses.
- Cities like San Francisco are moving willing tenants from support affordable housing to independent affordable housing to create more availability in supportive housing units.
- New York City recently announced a \$41 billion housing plan to build or preserve 200,000 affordable housing units in the next 10 years.<sup>2</sup>

*There are inherent tensions in the idea of the right to the city that underlie a series of political choices.*

The roundtable concluded with a discussion about who is winning and who is losing in the city. Many people in Vancouver, including renters, would like to see property prices decline but there are a substantial number of homeowners who purchased homes at high prices and cannot afford any decrease in property values. Some participants warned against the de-politicizing effect of the right to the city idea, and talked about how we need to recognize that we will be faced with a series of political choices about how we use resources and who we use them for. Vancouver has embraced rising property values and privileged homeownership over other types of tenure, and this has come at the expense of affordability. In a city with this kind of market-based housing system, however, rising property values are central to the definition of successful planning. The introduction of the right to the city challenges this paradigm, and will inevitably lead to controversial conversations.

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<sup>2</sup> Navarro, Mireya & Grynnaum, Michael M. (2014, May 5). De Blasio Sets a 10-Year Plan for Housing, Putting the Focus on Affordability. *The New York Times*. Available from: <http://www.nytimes.com/2014/05/06/nyregion/de-blasio-affordable-housing-plan.html?hp>.

## **Participants**

Jack Brondwin

Ana Maria Bustamante – Gordon Neighbourhood House

Valerie Durant – City of Vancouver

Lisa Freeman – Simon Fraser University

Tamara Herman – Carnegie Community Action Project

Matt Hern – Groundswell

Blair Hewitt – DTES United

Alicia Medina Laddaga – Laboratory of Housing Alternatives

DJ Larkin – Pivot Legal Society

Jaraad Marani – School of Community and Regional Planning, UBC

Eileen Muller Myrdahl – Faculty of Law, UBC

Tiffany Muller Myrdahl – Simon Fraser University

Brian O’Dwyer - ConnectCohousingCommunity

Bob Ransford – Counterpoint Consultants

May So – Henriquez Partners Architects

Leslie Stern – BC Women’s Housing Coalition

Jean Swanson – Carnegie Community Action Project

Rob Turnbull – StreetToHome

Tino Varelas – Metro Vancouver Alliance

Eva Wadolna – Seniors Advisory Committee

### *Facilitators:*

Penny Gurstein – School of Community and Regional Planning, UBC/Housing Justice Project

Margot Young – Faculty of Law, UBC/Housing Justice Project

### *Notetakers:*

Tannis Baradziej – Faculty of Law, UBC

Sophie Bender Johnston – Faculty of Law, UBC

Alexandra Lesnikowski – School of Community and Regional Planning, UBC

Maureen Mendoza – School of Community and Regional Planning, UBC