

Bylaw blames the poor, hearing told

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Associating the decline of a neighbourhood with an overconcentration of low-income people can lead to the scapegoating of poor people, a human rights expert told a provincial tribunal yesterday.

"We have to be very careful we are not buying into the negative stereotypes of the group," Bruce Porter, an expert in human rights, poverty and housing, said at a hearing of the Ontario Municipal Board.

Porter was called as a witness by the Advocacy Centre for Tenants Ontario, a Toronto-based legal clinic specializing in human rights, housing and law reform. Tenants Ontario wants the municipal board to strike down Kitchener bylaws that ban more social housing from the central neighbourhood called Cedar Hill.

The group says the bylaws discriminate against the poor, elderly and disabled.

The measures were adopted in 2005 following a study that concluded the 10-block area had more social housing, more low-income people, more units owned by absentee landlords, lower property values and a negative social environment that included drug dealing and street prostitution when compared to other downtown neighbourhoods.

A report by city staff, citing that study, said there was an overconcentration of low-income singles and social housing on Cedar Hill that needed to be dispersed. So city councillors passed the bylaws that restricts new housing to single-detached homes.

Duplexes and triplexes are OK only if the landlord lives on site.

But excluding groups of people is never a good idea from a human rights perspective, Porter said. "It's not how you deal with issues of segregation and over concentration -- never, never."

Daphne Williamson, a lawyer for Tenants Ontario, noted the city's evidence is that decentralization of social housing and low income people is good for the whole neighbourhood.

"In the human rights world you try to achieve that without excluding a group," Porter said.

Porter has studied the effects of public policy on disadvantaged groups.

He focuses on policy or patterns of thinking that perpetuate stereotypes, scapegoating and prejudices.

"If the neighbourhood has a lot of low-income people, do something about low incomes," said Porter, who added excluding poor people does not solve poverty.

In preparation for his testimony at City Hall yesterday, Porter reviewed by the study of Cedar Hill that was done by independent urban planners for the City of Kitchener.

"It's very difficult to look at the perceived problems without falling into the problem of scapegoating," Porter said.

Too often, disadvantaged groups are associated with widespread problems, he said.

"It is blaming the problem on the people rather than solving the problem," Porter said.

Education programs are better than policies that exclude groups.

"That's my experience with discriminatory attitudes -- they disappear once you get to know the people," Porter said.

When interpreting the significance of property values, Porter urged caution.

High property values may indicate discrimination against racialized groups, low incomes and disabled people.

One exclusion leads to another and society should not be organized around caps on housing types and quotas in neighbourhood for certain groups of people.

"Even the question is not legitimate from the standpoint of recognizing the equality and dignity of the group," Porter said.

The hearing continues today.

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