



## HEALTHY COMMUNITIES • SUSTAINABLE COMMUNITIES

August 8, 2016

Honourable Chris Ballard  
Minister  
Ministry of Housing  
College Park  
17<sup>th</sup> Floor, 777 Bay Street  
Toronto, ON M5G 2E5

### **Re: Bill 204, Promoting Affordable Housing Act 2016**

Dear Minister,

On behalf of the Ontario Professional Planners Institute (OPPI), I want to thank you for the opportunity to comment on Bill 204, the Promoting Affordable Housing Act, 2016. We commend the Province of Ontario in its commitment to rethinking our housing challenge by exploring new ideas and seeking creative solutions.

OPPI is the recognized voice of the Province's planning profession. Our almost 4,500 members work in government, private practice, universities, and not-for-profit agencies in the fields of urban and rural development, community design, environmental planning, transportation, health, social services, heritage conservation, housing, and economic development. Members meet quality practice requirements and are accountable to OPPI and the public to practice ethically and to abide by a Professional Code of Practice. Only Full Members are authorized by the Ontario Professional Planners Institute Act, 1994, to use the title "Registered Professional Planner" (or "RPP").

Building complete, healthy, and safe communities where we can live, work, shop, and play begins with housing options that meet the needs of all residents. The demand for more private and non-profit affordable housing options, as well as social and economic supports, continues to grow. In many communities across Ontario, low and moderate-income residents, as well as new Canadians, are facing increasing home ownership costs with very few social housing or private market rental housing alternatives being made available. More and more Ontarians are placing themselves in financially vulnerable situations that threaten their overall economic well-being due to increasing housing costs.

Creating housing options for everyone would:

- Support our economy by attracting young talent and retaining employees.
- Support quality of life measures by offering more options for seniors, recent graduates, new Canadians or recently retired colleagues the choice of where to live.

- Support first-time homebuyers, particularly citizens entering the workforce or starting a family.
- Allow new Canadians and young adults the flexibility to find housing close to work.
- Reduce commute times, traffic, congestion and automobile emissions.

As our comments illustrate, these consultations can result in innovative changes that lead to healthier, stronger, and more resilient communities.

#### PROGRAM TARGETS

**1. Should there be provincial direction to further specify the target groups for inclusionary zoning, or should this be left to each municipality to determine? If you think direction is needed, who should be addressed based on the PPS definition of “affordable”?**

Clear provincial direction is needed with the flexibility to accommodate local municipal circumstances. Guidelines, education and training will be needed at the local level.

The definition of “affordable” should be taken from the PPS, 2014.

#### PRICE AND RENT

**2. Should there be provincial direction on how price and rent would be determined in an inclusionary zoning by-law when inclusionary zoning units are sold or leased? If so, what approach would you recommend?**

Clear provincial direction is needed with the flexibility to accommodate local municipal circumstances. Guidelines, education and training will be needed at the local level.

Rental and homebuyer markets need to be analyzed separately.

It is important to monitor units to ensure that these remain affordable over time and so that municipalities can monitor trends in housing as changes occur.

#### UNIT SET ASIDES

**3. Should minimum and/or maximum unit set asides be specified Province-wide or should this be left to each municipality to determine? If you think that a specified number or percentage of units should be applied Province-wide, what would you recommend?**

The Province should specify a minimum and NOT a maximum unit set asides.

The minimum should be implemented Province wide, however, the minimum unit set asides should recognize the variation that exists across municipalities in being able to meet such targets.

We support a percentage of units being set aside based on the building size or gross floor area.

#### AFFORDABILITY PERIODS

**4. Should there be provincial direction for a minimum or maximum affordability period that would apply to inclusionary zoning programs Province-wide, or should this be left to each municipality to determine? If you think a Province-wide affordability period should be specified, what would you recommend (e.g., 20 years, 30 years, no time limitation)?**

A 20-year affordability period is recommended Province-wide. This would ensure that the units remain affordable over the long-term.

#### THRESHOLD SIZE

**5. Should there be provincial direction for a minimum and/or maximum threshold size that would apply to inclusionary zoning programs Province-wide, or should this be left to each municipality to determine? If you think the threshold size should be specified Province-wide, what would you recommend?**

Clear direction on threshold size is needed from the Province, however, some degree of flexibility is required to take into account local variations across municipalities.

#### MEASURES AND INCENTIVES

**6. Should measures and incentives be required on a Province-wide basis through regulation, or should this be left up to municipalities? If you think the Province should provide direction, what would you recommend?**

Measures and incentives should be left to municipalities through Official Plan policies and Zoning by-law regulation with respect to on site measures requiring affordable housing.

We do not generally support cash-in lieu in place of affordable housing units. Where it is not appropriate or feasible to provide on-site affordable housing, the Province should allow for municipalities, through their Official Plan, to require off-site housing or housing in a nearby location.

Only when a development is small and realistically precludes the inclusion of affordable housing units (e.g. Less than 10 units) should cash-in-lieu be an option.

We support Province-wide direction on this matter, however, site specific details such as access, proximity and location of housing is a matter best suited for municipalities.

The Province should review best practices on this matter and offer guidelines to municipalities to support implementation.

## REQUIREMENTS AND STANDARDS

**7. Should there be provincial direction to specify minimum requirements and standards for inclusionary zoning units or should these be left up to each municipality to determine? If you think requirements or standards should be specified Province-wide, what would you recommend?**

Clear provincial direction is needed with considerable flexibility offered to municipalities through their Official Plan policies. Municipalities must be able to take into account local circumstances.

Allowing municipalities to specify standards in their Official Plans (i.e. specific number of units, access to units and number of bedrooms) requires strong evidence and guidelines from the Province.

## AGREEMENTS

**8. Should there be provincial direction on inclusionary zoning agreements? If so, what would you recommend?**

Agreements should be registered against the land and can be used against subsequent owners to ensure long-term affordability of the housing stock. Rent increases must conform to Ontario Rent increase guidelines.

It is recommended that the Province supply municipalities with sample agreements and specify the different nature of such agreements (i.e. rental unit agreements versus a purchase agreement).

## ADMINISTRATION MONITORING AND REPORTING

**9. Should there be provincial direction on requirements for ongoing administration of units and ensuring affordability over the control period? If so, what types of requirements would you recommend?**

**10. Should there be provincial direction on mandatory requirements for municipal monitoring procedures? If so, what mandatory requirements would you recommend?**

**11. Should there be provincial direction on municipal reporting of inclusionary zoning units (e.g., reports must be publicly available; reports must be provided annually to municipal council)? If so, what would you recommend?**

Provincial direction is required with clear direction for each of the questions outlined above. OPPI has no further comments at this time.

USE WITH SECTION 37 (HEIGHT AND DENSITY BONUSING)

**12. In what circumstances would it be appropriate to require inclusionary zoning units as well as community benefits in exchange for additional height and density?**

**13. Should condition or restrictions apply to these circumstances, and if so, what would you recommend?**

12. OPPI would like to express that Section 37 is very important for community benefits and should not be overlooked as a planning process. Inclusionary Zoning units should be additional to community benefits extracted through Section 37.

13. Conditions may be appropriate. Consultations with municipalities are recommended on this issue.

TRANSITIONAL MATTERS

**14. Do you think that planning applications commenced prior to enactment of the proposed legislation process should be grandfathered?**

**15. Do you think that planning applications commenced prior to municipal adoption of inclusionary zoning official plan policies and/or zoning by-laws should be exempted?**

Applications commenced prior to the enactment of this proposed legislation should be grandfathered. Applications that come in after enactment should not be exempted.

ADDITIONAL COMMENTS

In addition to clear guidelines, a toolbox and educational training should be offered by the Province to support municipal policy development and implementation.

Given the number of families waiting for affordable housing units, attention should be paid to the number of units required. There is a proportionally greater need for 3+ bedroom-housing units for example.

In addition to taking into account variances between municipalities, scale, geography and variation across municipalities should also be taken into account.

General guidelines and educational opportunities should be provided to municipalities and professionals in this field.

We welcome the opportunity to meet to further discuss our submission. To schedule a meeting or for further information, please contact me at 416-668-8469 or by email at: [l.ryan@ontarioplanners.ca](mailto:l.ryan@ontarioplanners.ca)

Sincerely,



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