DATE

Minister of Municipal Affairs and Housing Paul Calandra

Ministry of Municipal Affairs and Housing Tel.: 416 585-7000

Via email: [minister.mah@ontario.ca](mailto:minister.mah@ontario.ca) and [housingsupply@ontario.ca](mailto:housingsupply@ontario.ca)

Subject: Responding to the Housing Affordability Task Force’s Recommendations

Minister of Municipal Affairs and Housing Paul Calandra:

Thank you for welcoming feedback on the Housing Affordability Task Force’s recommendations in your [letter of September 15, 2023](https://mariannemeedward.ca/wp-content/uploads/2023/09/MMAH-Letter-on-LFGM-TF-Recommendations-HOC-Letter_2023SEP15.pdf). I hope you will soon extend the invitation to comment to the broader community and, in particular, First Nations.

I appreciate your noting the high level of housing starts province-wide which I hope you can interpret as evidence of our understanding of the necessity of aligning the housing supply with the population[[1]](#endnote-1). Within the scope of ensuring adequate housing supply, I comment on the HATF recommendations in the accompanying table and flag the following three urgent needs:

1. protecting our existing housing from loss due to flooding, fire and other disasters[[2]](#endnote-2),
2. ensuring that municipalities are properly funded to provide the required infrastructure to support development[[3]](#endnote-3), and
3. permitting municipalities more flexibility in taxing under-developed lands[[4]](#endnote-4).

**As many experts inform us that focusing on supply without considering affordability will not fix our housing crisis[[5]](#endnote-5), I implore you to broaden your focus**:

1. Define key terms, and in particular “affordable housing” as a percentage of household income;
2. Set targets for the creation of affordable and supportive housing units;
3. Provide government funding for co-operative, social and supportive housing[[6]](#endnote-6);
4. Decouple the price of land from up-zoning to avoid “land-value uplift”[[7]](#endnote-7);
5. Protect the affordable tenure of tenancies by
   1. reinstating rent control on all properties,[[8]](#endnote-8) or at least permitting municipalities to do so;
   2. restricting the kinds of capital expenditures eligible for above-guideline rent increases[[9]](#endnote-9);
   3. permitting municipalities to enact rental replacement legislation that meets or exceeds any minimum provincial requirements[[10]](#endnote-10); and
   4. removing incentives for landlords to displace tenants by aligning the maximum rent increase guideline with the rate of inflation[[11]](#endnote-11) and
   5. providing prompt legal enforcement where necessary[[12]](#endnote-12).
6. Permit Inclusionary Zoning to be an effective tool[[13]](#endnote-13) by
   1. eliminating provincial limits on location, set aside rates and maximum tenure, and
   2. allowing municipalities to enact Inclusionary Zoning legislation that meets or exceeds any minimum provincial requirements; and
7. Respect lawful and democratic Regional Official Plan review processes and outcomes[[14]](#endnote-14).

Finally, please respect the roles identified by the Auditor General in her [August 2023 report](https://www.auditor.on.ca/en/content/specialreports/specialreports/Greenbelt_en.pdf):

*“In Ontario, normal land-use planning processes involve policy direction at the provincial level and co-ordination between multiple ministries and municipal decision-makers. …*

*This is a multi-step process that involves budgeting, demographic studies, … approval and adoption by town and regional councils as well as input from the locally affected public. The Ontario public is to be consulted via the Environmental Registry of Ontario before the Minister approves an Official Plan” (P. 23).*

Any process that permits *the implementation* of provincial policy or zoning by any body (Minister, Facilitator, or “Strong Mayor”) beyond the responsible regions and municipalities may be seen as unlawful or undermining democracy[[15]](#endnote-15). Such a process is, therefore, likely to be challenged, thus slowing, not hastening the change we need.

I can expand on my statements and recommendations upon request.

Thank you,

Hal Jaeger AND/Endorsed by ???

CC:

Kitchener City Council

Waterloo Region Council

Waterloo Region Members of Provincial Parliament

Premier Ford

Waterloo Region Members of Parliament

Directors of Waterloo Region Planning

Directors of Kitchener Planning (Long Range and Development Review)

1. An example from Kitchener (in Waterloo Region), prior to the introduction of Bill 23 in October 2022:

   Kitchener exempted development charges in its downtown for decades to spur development ([A multi-billion dollar development boom in Waterloo, Canada](https://www.waterlooedc.ca/blog/billion-dollar-development-boom-waterloo-canada), Waterloo EDC, updated March 1, 2023). In April 2021, Kitchener eliminated exclusionary zoning and permitted garden suites/laneway houses.

   In August 2022, [Waterloo Region adopted Official Plan Amendment 6](https://www.engagewr.ca/regional-official-plan), which aims at providing more housing than targeted in Bill 23. The [Waterloo Region Official Plan (ROP)](https://www.engagewr.ca/regional-official-plan) aims at accommodating an additional 323,000 people (Chapter 1, Page 1). Bill 23 directs Cambridge, Kitchener and Waterloo to aim at building [70,000 new housing units](https://ero.ontario.ca/notice/019-6171), which, at the Ontario average of [2.58 people per household](https://www150.statcan.gc.ca/n1/pub/62f0026m/2017002/app-ann-g-eng.htm), could theoretically accommodate 180,600 people. As today’s new units include a greater proportion of smaller apartments than the existing housing stock, the Bill 23 targets actually accommodate fewer people. The ROP also provides for significant opportunity for multiple-unit housing throughout the Region and particularly along transit routes (Section 3.A Housing, particularly pages 1-3). [↑](#endnote-ref-1)
2. Conservation Authorities, which had managed this work previously, had their jurisdiction, finances and permission to share guidance on responsible development to municipalities stripped or curtailed under Bill 23. [↑](#endnote-ref-2)
3. Municipalities’ revenue from Development Charges and Parkland Dedication Fees was reduced under Bill 23. [↑](#endnote-ref-3)
4. The MPAC assessment system incentivizes holding properties in less developed states, whereas taxes based on permitted Floor Space Ratios encourage early development ([Property Taxes and the Timing of Urban Land Development](https://www.sciencedirect.com/science/article/abs/pii/0166046286900190), John Anderson, November 1986). [↑](#endnote-ref-4)
5. The experts include [Martine August](https://renovictionsto.com/reports/RenovictionsTO-AGIReport-Final.pdf), [Patrick Condon](https://apsc.ubc.ca/news/2022/how-controlling-land-prices-could-help-solve-housing-crisis), [Brian Doucet](https://theconversation.com/ontarios-affordable-housing-task-force-report-does-not-address-the-real-problems-176869), [Leilani Farha](https://digitallibrary.un.org/record/861179/files/A_HRC_34_51-EN.pdf?ln=en), [Federal Housing Advocate Marie-Josée Houle](https://www.housingchrc.ca/en/node/74), [Dawn Cassandra Parker](https://oldeberlintown.ca/wp-content/uploads/2022/11/Bill23_StandingCommittee-DCParker-UW-10Nov2022-forPosting.pdf), [Stephen Pomeroy](https://ottawacitizen.com/news/local-news/talking-point-the-eroding-affordable-housing-stock-is-a-national-issue), [Ricardo Tranjan](https://thewalrus.ca/there-is-no-housing-crisis/), [Philip Zigman](https://renovictionsto.com/reports/RenovictionsTO-AGIReport-Final.pdf), [Advocacy Centre for Tenants Ontario](https://www.acto.ca/bill-23-more-homes-built-faster-act-is-bad-for-renters/), [ACORN (Association of Community Organizations for Reform Now)](https://acorncanada.org/news/doug-fords-more-homes-built-faster-bill-23-destroys-cities-powers-to-build-protect-real-affordable-housing/), [Canada Mortgage and Housing Corporation](https://www.cmhc-schl.gc.ca/blog/2022/governments-alone-cannot-fix-canadas-housing-affordability-challenges), [Canadian Centre for Housing Rights](https://housingrightscanada.com/what-you-need-to-know-about-ontarios-new-housing-policy-bill-23/), [Co-operative Housing Federation of Canada](https://chfcanada.coop/bill-23-more-homes-built-faster-act-opportunities-and-concerns-for-affordable-housing-in-ontario/), [Ontario Human Rights Commission](https://www.ohrc.on.ca/en/more-homes-built-faster-act-%E2%80%93-ohrc-submissions) and [Social Development Centre Waterloo Region](https://www.waterlooregion.org/sites/default/files/MappingDisplacementKitchener-WaterlooSDCUWREPORT052021.pdf). [↑](#endnote-ref-5)
6. # [Prioritizing people over profit is the way forward on the housing crisis](https://www.housingchrc.ca/en/node/74), [Federal Housing Advocate Marie-Josée Houle](https://www.housingchrc.ca/en/node/74), September 7, 2023.

   [↑](#endnote-ref-6)
7. [How controlling land prices could help solve the housing crisis](https://apsc.ubc.ca/news/2022/how-controlling-land-prices-could-help-solve-housing-crisis), Patrick Condon, January 17, 2022 and [Letter to the Standing Committee for Bill 23](https://oldeberlintown.ca/wp-content/uploads/2022/11/Bill23_StandingCommittee-DCParker-UW-10Nov2022-forPosting.pdf), Dawn Cassandra Parker, November 10, 2022. [↑](#endnote-ref-7)
8. # The Province exempted units created after November 15, 2018 from compliance with the Rent Increase Guideline. See also [Ontario’s ‘affordable housing’ task force report does not address the real problems](https://theconversation.com/ontarios-affordable-housing-task-force-report-does-not-address-the-real-problems-176869), Brian Doucet, February 10, 2022.

   [↑](#endnote-ref-8)
9. [Above Guideline Rent Increases in the Age of Financialization](https://renovictionsto.com/reports/RenovictionsTO-AGIReport-Final.pdf), Philip Zigman & Martine August, February 2021. [↑](#endnote-ref-9)
10. See recommendations from ACORN in [submission of May 19, 2023](https://acorncanada.org/wp-content/uploads/2023/05/Ontario-rental-replacement-bylaws-submission_May-19-2023-.pdf). [↑](#endnote-ref-10)
11. Landlords following the Rent Increase Guideline experienced a [6% loss of revenue relative to inflation](https://www.ontario.ca/page/residential-rent-increases) on units with a sitting tenant during 2018-2023. A [petition](https://www.change.org/p/establish-real-rent-control-for-all-buildings-in-ontario) started by Yumna and Khadeja Farooq, which includes a call for tying the Rent Increase Guideline to inflation has gathered 24,727 signatures as of October 7, 2023. [↑](#endnote-ref-11)
12. [Administrative Justice Delayed, Fairness Denied](https://www.ombudsman.on.ca/Media/ombudsman/ombudsman/resources/Reports-on-Investigations/Ombudsman-Ontario-Administrative-Justice-Delayed-May-2023-report-accessible.pdf), Ombudsman of Ontario Paul Dubé, May 2023. [↑](#endnote-ref-12)
13. See recommendations in [Inclusionary Zoning: Best Practice](https://acorncanada.org/wp-content/uploads/2019/05/ACORN-IZ-Best-Practice-Report_0.pdf), Sean Meagher, 2019. [↑](#endnote-ref-13)
14. The Regions of Halton, Hamilton, Ottawa and Waterloo followed provincial legislation and policy, engaged their communities, and heeded expert advice about the [publicly-borne and environmental costs](https://institute.smartprosperity.ca/sites/default/files/sp_suburbansprawl_oct2013_opt.pdf) and [unaffordability](https://theconversation.com/doug-ford-reverses-greenbelt-plans-construction-would-never-have-provided-affordable-housing-214138) of low-density greenfield development before establishing their 2022 ROP amendments. The Ministry of Municipal Affairs and Housing [threatened](https://www.thespec.com/news/council/i-don-t-care-what-the-minister-says-mayor-responds-to-provincial-official-s-take/article_443fb180-c3af-5368-84d5-5b00e6dd9028.html) and ultimately overrode the ROP decisions, ordering (further) urban boundary expansions. The Ministry’s decision in Hamilton is being challenged via the courts. [↑](#endnote-ref-14)
15. Note the response to the Province’s Greenbelt land removals and municipal boundary expansions decisions of 2022 ([Greenbelt updates: RCMP launches investigation, Ford reverses changes](https://thenarwhal.ca/ontario-greenbelt-report-reaction/), The Narwhal, updated October 10, 2023 and [NDP asks Ontario auditor to probe urban land expansions in wake of Greenbelt report](https://www.cbc.ca/news/canada/toronto/ont-urban-boundaries-1.6983541), The Canadian Press, updated September 29, 2023). [↑](#endnote-ref-15)