

Recommendations from the Draft Report of the Ontario Housing Affordability Task Force (January 20, 2022)

1. Put Ontario's housing need front and centre

- a. Amend the Planning Act, Provincial Policy Statement, and Growth Plans to set "growth in the housing supply" and "intensification within existing built-up areas" of municipalities as the most important priorities in the mandate and purpose.

2. Fix zoning that is strangling supply and reinforcing exclusion

- a. Reduce exclusionary zoning in municipalities with populations over 100,000 through binding provincial action:
 - 1) allow conversion of underutilized or redundant commercial properties to residential or mixed residential and commercial use "as of right," which means without requiring municipal approval
 - 2) allow any type of residential housing up to four units and four storeys on a single residential lot, subject to the provincial urban design guidance proposed in recommendation [X]
 - 3) enact Building Code and other policy changes to ensure meaningful implementation (e.g., allow single-staircase construction for up to four storeys, allow single egress, etc.)
 - 4) permit secondary suites, garden suites, and laneway houses province-wide
 - 5) use provincial tools to increase size, height, and density of all land along major and minor arterials and transit corridors (including bus and streetcar)
 - 6) designate or rezone as mixed commercial and residential use all land along transit corridors and all RA (Residential Apartment) to mixed commercial and residential use in Toronto
 - 7) encourage and incentivize municipalities to increase density in areas with excess school capacity to benefit families with children
 - 8) Ensure municipalities use land for new communities efficiently and effectively as they expand urban boundaries.

3. Align investments in roads and transit with growth

- a. Pilot the use of the Community Planning and Permit System along the Ontario Line, Hamilton LRT, and Highway 413 and provide funding to the affected municipalities for internal and external resources, contingent on completion of the work within 12 months.

4. Give municipalities the right incentives

- a. Develop a (\$500 million/large) provincial housing accelerator fund to reward municipalities that meet timeline, growth, and density targets.

5. Start saying “yes in my backyard”

- a. Create a more permissive land use, planning, and approvals system and invalidate rules that seek to prevent growth or change, including to character, in neighbourhoods
 - exempt from site plan approval all projects of 10 units or less that conform to the Official Plan and zoning by-laws
 - establish province wide zoning standards for minimum lot sizes, maximum building setbacks, minimum heights, angular planes, lot sizes, shadow rules, front doors, building depth, landscaping and floor space index; restore pre-2006 site plan exclusions (colour, texture, and type of materials, window details, etc.) to the Planning Act, and in cities over 50,000 reduce or eliminate minimum parking requirements; and
- b. Disallow public consultation on projects up to 10 units that comply with the Official Plan and require only minor variances
- c. Require municipalities to adhere to the maximum number of consultations set out in legislation
- d. Require that all public consultations provide digital and accessible participation options to include more people
- e. Require mandatory delegation of site plan approvals and minor variances to staff or pre-approved qualified third-party technical consultants and eliminate Committees of Adjustment and local appeal bodies
- f. Prevent abuse of the heritage preservation and designation process by:
 - 1) Prohibiting bulk listing for potential future heritage designations
 - 2) Prohibiting reactive heritage designations after a development application has been filed
 - 3) Requiring municipalities to compensate property owners for the restrictions placed on their ability to develop or sell their land as a result of heritage designations, based on the principle of best economic use of land.
- g. Restore the right of developers to appeal Official Plans and Municipal Comprehensive Reviews.

6. Cut red tape and reduce costs

- a. Legislate timelines at each stage of the provincial and municipal review process, including site plan, minor variance, and provincial environmental review, and deem an application approved if the response time is exceeded.

To deal with the possibility a municipality might issue a refusal simply to avoid the timeline requirement, we recommend below that punitive sanctions for bad faith apply at the Ontario Land Tribunal.

- b. Require a pre-consultation with all relevant parties at which the municipality sets out a binding list that defines clearly what constitutes a complete application; confirms the number of consultations established in the previous recommendations; and clarifies that if a member of a regulated profession such as a professional engineer has stamped an application, the municipality has no liability and no additional stamp is needed
- c. Fund the creation of "approvals facilitators" with the authority to quickly resolve conflicts among municipal and/or provincial authorities and ensure timelines are met.
- d. Create a common, province-wide definition of plan of subdivision and standard set of conditions which clarify which may be included; require the use of standard province-wide legal agreements and, where feasible, plans of subdivision.
- e. Adopt the federal Building Code standard for wood frame construction up to 12 storeys.
- f. Require municipalities to provide the option of either pay on demand surety bonds or letters of credit.

7. Fix the Ontario Land Tribunal

- a. Allow project proponents defending an approved project to revise their proposal and increase density, height, or size, up to the most permissive level permitted by province or municipality before an appeal is heard at the Tribunal, with the approval of the revised proposal becoming an option available to adjudicators.
- b. Where it is found that a municipality has refused an application simply to avoid a deemed approval deadline, allow the Tribunal to award punitive damages.
- c. Provide funding to increase staffing (adjudicators and case managers) by 50%, provide market-competitive salaries and outsource more matters to mediators where appropriate, and encourage the tribunal to set shorter time targets.
- d. In clearing the existing backlog, require the Tribunal to prioritize projects,

especially those close to the finish line, that will support growth in the housing supply and intensification within existing built-up areas, as well as regional water or utility infrastructure decisions that will unlock significant housing capacity.

- e. Prevent the abuse of process by third parties and municipalities:
 - 1) Remove the right to appeal applications that conform to the Official Plan and zoning.
 - 2) Require a \$10,000 filing fee for third party appeals.
 - 3) Provide discretion to adjudicators to award full costs to the successful party in any appeal brought by a third party or by a municipality where its council has overridden staff approval.
 - 4) Encourage greater use of bench decisions, with written reasons to follow if necessary, to resolve matters that seek to frustrate permitted development and/or involve a straightforward matter.

8. Reduce fees, levies and charges to encourage more supply

- a. Regarding cash in lieu of parkland, s.37, Community Benefit Charges, and development charges:
 - 1) Review reserve levels, collections and drawdowns annually to ensure funds are being used in a timely fashion and for the intended purpose, and, where review points to a significant concern, do not allow further collection until the situation has been corrected
 - 2) Except where allocated towards municipality-wide infrastructure projects, require municipalities to spend funds in the neighbourhoods where they were collected
- b. Waive development charges and parkland cash-in-lieu and charge only modest connection fees for all infill residential projects up to (10 units).
- c. Waive development charges on all forms of affordable housing guaranteed to be affordable for [50] years.
- d. Prohibit interest on development charges beyond a municipality's borrowing rate.
- e. Introduce a tax on developers for land where lots are fully serviced, building permits that would add net new housing have been approved, and labour and materials are available to undertake building, and construction has not commenced within one year of these conditions being met.

- f. Work with municipalities to develop and implement a municipal services corporation utility model for water and wastewater under which the municipal corporation would borrow and amortize costs among customers instead of using development charges.
- g. Recommend that the federal government index the HST rebate on purpose-built rental properties to present values and going forward.
- h. Recommend that the federal government match the provincial rebate on new home construction.
- i. Rebate MPAC market rate property tax assessment on below-market affordable homes.
- j. Recommend that the federal government index the HST rebate on purpose-built rental properties to present values and going forward.

9. Create the Labour Force to meet the housing supply need

- a. Advocate that the federal government adjust the immigration points system to strongly favour needed trades and expedite immigration status for these workers.
- b. Increase from 9,000 to 20,000 the number of immigrants admitted under the Ontario Immigrant Nominee Program, with the vast majority of those permitted under foreign work and in-demand skills categories, and remove barriers to recruitment within the Ontario Immigration Nominee Program.
- c. Improve funding for colleges, trade schools, and apprenticeships, encourage unions and employers to provide more on-the-job training, and provide incentives for municipalities to enhance apprentice opportunities on their projects, with a focus on such traditionally underrepresented groups as women and Indigenous people.
- d. Undertake multi-stakeholder education program to promote skilled trades.

10. Allow new paths to ownership

- a. Amend the Planning Act and Perpetuities Act to extend the maximum period for land leases
- b. Permit multi-tenant housing (renting rooms within a dwelling) province-wide

11. Other (Data / Monitoring)

- a. Resume reporting on housing data and use municipal reports required by the Provincial Policy Statement, enforcing compliance through eligibility for provincial funding.

- b. Report each year at the municipal and provincial level on any gap between demand and supply and make underlying data freely available to the public
- c. Require municipalities to use the Ministry of Finance population projections as the basis for planning
- d. Fund the development of a common data architecture standard, supported by an external PropTech committee, across municipalities and provincial agencies/ministries.
- e. Require municipalities to provide their zoning laws with open data using GIS standards.
- f. Provide (\$X million) (matched with Federal Accelerator) to municipalities to adopt a proven off-the-shelf e-permitting system, and make provincial funding for infrastructure contingent on adoption no later than 2026.