

REPORT

Special Council

Meeting Date: October 12, 2023

FROM: Office of the Mayor

DATE: October 3, 2023

SUBJECT: Response to the Housing Affordability Task Force's
Recommendations

LOCATION: Town-wide

WARD: Town-wide

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RECOMMENDATION:

1. That the report from the Office of Mayor and Council dated October 12, 2023, entitled Response to the Housing Affordability Task Force's Recommendations, be received.
2. That a letter (Appendix B) accompanied with the Task Force Recommendations and Ranking Chart (Appendix C) be sent to the Minister of Municipal Affairs and Housing containing the Mayor's position on each recommendation with the Mayor's top five recommendations for the Minister of Municipal Affairs and Housing's consideration.

KEY FACTS:

The following are key points for consideration with respect to this report:

- On December 6, 2021 the Government of Ontario appointed nine members to a new Housing Affordability Task Force to provide the government with recommendations on additional measures to address market housing supply and affordability
- On February 8, 2022 Ontario published the report and recommendations from the Housing Affordability Task Force (Appendix D). The Task Force report sets the goal of adding 1.5 million homes over the next 10 years.
- On 30 March, 2022, the provincial government tabled new legislation entitled: "The More Homes for Everyone Act". This legislation built off the recommendations made by the Housing Affordability Task Force.

- Over the past few years, provincial initiatives such as the More Homes Built Faster: Ontario's Housing Supply Action Plan: 2022-2023, and resulting legislation (e.g. Bill 109, Bill 23, Bill 97) has been enacted with the intent to address Ontario's housing crisis by increasing housing supply and accelerating housing delivery.
- At the March 20, 2023 Special Council meeting, Town Council unanimously approved the Housing Pledge the Province assigned to Oakville in October 2022. The pledge outlines how Council can facilitate the approvals of 33,000 new housing units over the next decade. Oakville recognizes its role in approval of applications, not in building housing units. The pledge highlights 18 specific actions Oakville needs from the Province to support its pledge, including funding and delivering capital projects in and around Oakville. The Province's anticipated surge in population will also require a provincial commitment to build supporting institutions such as schools, hospitals, daycares, and long-term care facilities; in addition to continued investment and support for local and regional public transit.
- On, September 15, 2023 Municipal Affairs and Housing Minister Paul Calandra wrote a letter (Appendix A) to 50 Heads of Council requesting feedback on the 51 recommendations of the Housing Affordability Task Force that have not been implemented. The Minister requested Heads of Council prioritize their top five recommendations for consideration and complete a chart outlining support for each recommendation. The Minister also asked for advice on implementation. The Minister's deadline for feedback is October 16, 2023 and failing to return the chart completed in full by October 16, 2023 will disqualify a municipality from being eligible for the province's new \$1.2 billion Building Faster Fund that was announced at the Association of Municipalities of Ontario conference.
- Mayor Rob Burton requested input from Council, staff, residents and resident associations ahead of the October 12, 2023 Special Council meeting.

BACKGROUND:

The Housing Affordability Task Force provided 55 recommendations to help address housing supply and affordability issues in Ontario. The Task Force made additional recommendations (19) that were out of scope of the mandate in appendices. When all these actions are included, there are a total of 74 recommendations from the report, 23 recommendations are fully implemented (with or without amendments) and 51 recommendations are under review.

Recommendations from Staff

The recommendations have been grouped by Town Staff under the following categories and have the following number of recommendations under each:

Category	Total Recommendations
A. Town Supported Recommendations – Priority (Top 5)	5
B. Town Supported Recommendations	5
C. Town Qualified Support for Recommendation	13
D. Town Does Not Support	14
E. Town Has not Taken a Position	14
F. Implemented Recommendations from HATF as identified by the Province (“*”)	23
Total:	74

The recommendations are categorized based on what was previously expressed by the town in the April 4, 2022 staff report “Report of the Ontario Housing Affordability Task Force and Implications for Oakville”. (Appendix E)

Staff determined that some of the Task Force’s recommendations “will either have no direct relation to housing affordability and attainable housing, or will adversely affect the municipality.”

A) Town Supported Recommendations – Priority (Top 5)

Ministry #	HATF Recommendation from Task Force report
7.	6) Permit “as of right” multi-tenant housing (renting rooms within a dwelling) province-wide.
10.	9) Allow “as of right” zoning of six to 11 storeys with no minimum parking requirements on any streets that have direct access to public transit (including streets on bus and streetcar routes).
49.	41) Funding for pilot projects that create innovative pathways to homeownership, for Black, Indigenous, and marginalized people and first-generation homeowners.
50.	42) Provide provincial and federal loan guarantees for purpose-built rental, affordable rental and affordable ownership projects.
62.	54) Empower the Deputy Minister of Municipal Affairs and Housing to lead an all of government committee that meets weekly to ensure

	our remaining recommendations and any other productive ideas are implemented.
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B) Town Supported Recommendations

Ministry #	HATF Recommendation from Task Force report
8.	7) Encourage and incentivize municipalities to increase density in areas with excess school capacity to benefit families with children.
27.	22) Simplify planning legislation and policy documents.
32.	27) a) Prevent abuse of process: remove right of appeal for projects with at least 30% affordable housing in which units are guaranteed affordable for 40 years.
37.	30) Provide funding to increase staffing (adjudicators and case managers), provide market-competitive salaries, outsource more matters to mediators, and set shorter time targets.
42.	35 a) Regarding cash in lieu of parkland, s.37, Community Benefit Charges, and development charges: Provincial review of 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.

C) Town Qualified Support for Recommendation

Ministry #	HATF Recommendation # from Task Force report
2.	2) Amending the Planning Act, Provincial Policy Statement, and Growth Plans to set "growth in the full spectrum of housing supply" and "intensification within existing built-up areas" of municipalities as the most important residential housing priorities in the mandate and purpose.
4.	3 b) Modernize the Building Code and other policies to remove any barriers to affordable construction and to ensure meaningful implementation (e.g., allow single-staircase construction for up to four storeys, allow single egress, etc.)
18.	14) Require that public consultations provide digital participation options.

26.	21) Require a pre-consultation with all relevant parties at which the municipality sets out a binding list that defines 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.
30.	25) Require municipalities to provide the option of pay on demand surety bonds and letters of credit.
31.	26) Require appellants to promptly seek permission ("leave to appeal") of the OLT and demonstrate that an appeal has merit, relying on evidence and expert reports, before it is accepted.
38.	31) In clearing the existing backlog, encourage the Tribunal to prioritize projects close to the finish line that will support housing growth and intensification, as well as regional water or utility infrastructure decisions that will unlock significant housing capacity.
40.	33) Waive development charges on all forms of affordable housing guaranteed to be affordable for 40 years.
51.	43) Enable municipalities, subject to adverse external economic events, to withdraw infrastructure allocations from any permitted projects where construction has not been initiated within three years of build permits being issued.
56.	48) The Ontario government should establish a large "Ontario Housing Delivery Fund" and encourage the federal government to match funding. This fund should reward: a) Annual housing growth that meets or exceeds provincial targets b) Reductions in total approval times for new housing c) The speedy removal of exclusionary zoning practices
58.	50) Fund the adoption of consistent municipal e-permitting systems and encourage the federal government to match funding. Fund the development of a common data architecture standard, supported by an external expert committee, across municipalities and provincial agencies/ministries and require municipalities to provide their zoning bylaws with open data standards. Set an implementation goal of 2025 and make funding conditional on established targets.

59.	51) Require municipalities and the provincial government to use the Ministry of Finance population projections as the basis for housing need analysis and related land use requirements.
61.	53) Report each year at the municipal and provincial level on any gap between demand and supply by housing type and location, and make underlying data freely available to the public.

D) Town Does Not Support

Ministry #	HATF Recommendation from Task Force report
5.	4) Permit "as of right" conversion of underutilized or redundant commercial properties to residential or mixed residential and commercial use.
9.	8) Allow "as of right" zoning up to unlimited height and unlimited density in the immediate proximity of individual major transit stations within two years if municipal zoning remains insufficient to meet provincial density targets.
11.	10) Designate or rezone as mixed commercial and residential use all land along transit corridors and re-designate all Residential Apartment to mixed commercial and residential zoning in Toronto.
12.	11) Support responsible housing growth on undeveloped land, including outside existing municipal boundaries, by building necessary infrastructure to support higher density housing and complete communities and applying the recommendations of this report to all undeveloped land.
15.	12 c) Establish provincewide zoning standards, or prohibitions, for minimum lot sizes, maximum building setbacks, minimum heights, angular planes, shadow rules, front doors, building depth, landscaping, floor space index, and heritage view cones, and planes; restore pre-2006 site plan exclusions (colour, texture, and type of materials, window details, etc.) to the Planning Act and reduce or eliminate minimum parking requirements.
16.	12 d) Remove any floorplate (sic) restrictions to allow larger, more efficient high-density towers.
17.	13) Limit municipalities from requesting or hosting additional public meetings beyond those that are required under the Planning Act.

22.	17) Requiring municipalities to compensate property owners for loss of property value as a result of heritage designations, based on the principle of best economic use of land.
28.	23) 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.
34.	27 c) 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 a recommended staff approval.
36.	29) Where it is found that a municipality has refused an application simply to avoid a deemed approval for lack of decision, allow the Tribunal to award punitive damages.
39.	32) Waive development charges and parkland cash-in-lieu and charge only modest connection fees for all infill residential projects up to 10 units or for any development where no new material infrastructure will be required.
43.	35 b) Except where allocated towards municipality-wide infrastructure projects, require municipalities to spend funds in the neighbourhoods where they were collected. However, where there's a significant community need in a priority area of the City, allow for specific ward to ward allocation of unspent and unallocated reserves.
57.	49) Reductions in funding to municipalities that fail to meet provincial housing growth and approval timeline targets.

E) Town Has not Taken a Position (More information is required for support)

Ministry #	HATF Recommendation from Task Force report
44.	36) Recommend that the federal government and provincial governments update HST rebate to reflect current home prices and begin indexing, and that the federal government match the provincial 75% rebate and remove any clawback.
45.	37) Align property taxes for purpose-built rental with those of condos and low-rise homes.

47.	39) Eliminate or reduce tax disincentives to housing growth.
52.	44) 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.
65.	B-2) Develop and legislate a clear, province-wide definition of "affordable housing" to create certainty and predictability.
66.	B-3) Create an Affordable Housing Trust from a portion of Land Transfer Tax Revenue (i.e., the windfall resulting from property price appreciation) to be used in partnership with developers, non-profits, and municipalities in the creation of more affordable housing units. This Trust should create incentives for projects serving and brought forward by Black- and Indigenous-led developers and marginalized groups.
67.	B-4) Amend legislation to: <ul style="list-style-type: none"> • Allow cash-in-lieu payments for Inclusionary Zoning units at the discretion of the municipality. • Require that municipalities utilize density bonusing or other incentives in all Inclusionary Zoning and Affordable Housing policies that apply to market housing. • Permit municipalities that have not passed Inclusionary Zoning policies to offer incentives and bonuses for affordable housing units.
68.	B-5) Encourage government to closely monitor the effectiveness of Inclusionary Zoning policy in creating new affordable housing and to explore alternative funding methods that are predictable, consistent and transparent as a more viable alternative option to Inclusionary Zoning policies in the provision of affordable housing.
69.	B-6) Rebate MPAC market rate property tax assessment on below-market affordable homes.
70.	C-1) Review surplus lands and accelerate the sale and development through RFP of surplus government land and surrounding land by provincially pre-zoning for density, affordable housing, and mixed or residential use.

71.	C-2) All future government land sales, whether commercial or residential, should have an affordable housing component of at least 20%.
72.	C-3) Purposefully upzone underdeveloped or underutilized Crown property (e.g., LCBO).
73.	C-4) Sell Crown land and reoccupy as a tenant in a higher density building or relocate services outside of major population centres where land is considerably less expensive.
74.	C-5) The policy priority of adding to the housing supply, including affordable units, should be reflected in the way surplus land is offered for sale, allowing bidders to structure their proposals accordingly.

COMMENT/OPTIONS:

Mayor Burton's draft recommendations to the Minister of Municipal Affairs and Housing include the following recommendations as the priority recommendations:

#7 (6) Permit "as of right" multi-tenant housing (renting rooms within a dwelling) province-wide.

#49 (41) Funding for pilot projects that create innovative pathways to homeownership, for Black, Indigenous, and marginalized people and first-generation homeowners.

#50 (42) Provide provincial and federal loan guarantees for purpose-built rental, affordable rental and affordable ownership projects.

#58 (50) Fund the adoption of consistent municipal e-permitting systems and encourage the federal government to match funding. Fund the development of a common data architecture standard, supported by an external expert committee, across municipalities and provincial agencies/ministries and require municipalities to provide their zoning bylaws with open data standards. Set an implementation goal of 2025 and make funding conditional on established targets.

#70 (C-1) Review surplus lands and accelerate the sale and development through RFP of surplus government land and surrounding land by provincially pre-zoning for density, affordable housing, and mixed or residential use.

In addition to the five priority recommendations, there are 6 additional recommendations that Mayor Burton has indicated support in the Task Force Recommendations and Ranking Chart (Appendix C) and 13 that have qualified support. Further information is required for support for 13 recommendations and 14 that are not supported.

Feedback and recommendations from Town Staff, the Oakville Chamber of Commerce, We Love Oakville, the Trafalgar Chartwell Residents' Association and Oakville Town Councillors were incorporated into Mayor Burton's recommendations to the Minister. The recommendations from Colin Best, President of the Association of Municipalities Of Ontario were reviewed. (Appendix F). There was consensus on support for a number of recommendations.

CONSIDERATIONS:

(A) PUBLIC

Engagement and input from the Public on the Housing Affordability Task Force recommendations was requested in the Mayor and Council's Weekly Newsletter.

A request for feedback on the recommendations was sent to members of the Mayor's Community Leaders Roundtable and Members of Council.

(B) FINANCIAL

N/A

(C) IMPACT ON OTHER DEPARTMENTS & USERS

None.

(D) CORPORATE STRATEGIC GOALS

This report addresses the corporate strategic goal to be the most livable and vibrant town in Canada.

(E) CLIMATE CHANGE/ACTION

N/A

APPENDICES:

- Appendix A: Letter from Minister Calandra
- Appendix B: Draft Letter to Minister Calandra
- Appendix C: Draft Task Force Recommendations and Ranking Chart
- Appendix D: Housing Affordability Task Force Report – February 2022
- Appendix E: Report of the Ontario Housing Affordability Task Force and Implications for Oakville – April 4, 2022
- Appendix F: AMO Letter to Minister Calandra – October 3, 2023

Submitted by:

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Prepared by:

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