

# West Don Lands Committee

March 27, 2013

Citizens for the Old Town /  
Architectural Conservancy of Ontario

Corktown Residents & Business  
Association

Distillery Historic District

Dixon Hall

Enoch Turner Schoolhouse

Goederham & Worts Neighbourhood  
Association

Queen East Business Association  
QUEBA

Little Trinity Anglican Church

St. Lawrence Market Neighbourhood BIA

St. Lawrence Neighbourhood  
Association

Task Force to Bring Back the Don

Mayor and Members of Toronto City Council  
City of Toronto  
100 Queen Street West,  
Toronto ON M5H 2N2

Dear Mayor Ford and members of Council:

**Re: Official Plan Amendment to Adopt New Section 37 Policies Related to  
Affordable Housing – City Council April 8, 2013 – Agenda Item PG 22.1**

CITY CLERK'S OFFICE  
 SECRETARIAT SECTION  
 2013 MAR 28 P 3:54

I am writing on behalf of the West Don Lands Committee to express concern about two amendments that have been made at committee to the Staff Recommendations with respect to the s.37 policies relating to affordable rental housing. The amendments that concern us

- a) removed a recommended cap of 20 on the number of condominium-registered affordable rental units that can be a permitted as a benefit under s.37, and
- b) removed the requirement that condominium-registered affordable housing units secured under s. 37 remain in rental tenure for at least 50 years.

We are concerned that the removal of these two conditions will significantly undermine the City's ability to protect rental housing in the long run. We urge Council to either restore the conditions as recommended by planning staff or, refer the affordable rental housing related provisions back to staff for a further report on the implications of the changes.

Affordable rental housing is a precious, but diminishing asset in the downtown core. In the face of limited funding for affordable housing, it is laudable that the City is looking for creative opportunities, including the use of s.37, to secure new affordable housing units. This is particularly attractive during a period of intensive development activity in the downtown core.

It is crucial, however, that the City look not just to what can be secured today, but also concern itself with ensuring that s.37 affordable rental housing negotiated today, can be secured as a public benefit into the future. Council should be very wary of taking steps that have short term gain, but undermine the longer term protection of rental housing. These two changes to the staff recommendations impair future protection in two obvious ways. A proper study of the implication of the changes might well reveal others.

First, "condominium-registered" rental housing cannot be protected under the City's rental housing

replacement bylaws. To the extent that the City allows s.37 benefits for affordable rental housing to be “condominium-registered”, it is placing that housing beyond the reach of the by-laws it has enacted to protect the future supply of rental housing.

The staff recommendations that s.37 “condominium-registered” affordable rental housing remain rental for at least 50 years, is a critical condition intended to address the risk to the City that flows from permitting condominium-registered units as a s.37 benefit.

Second, the 20 unit cap (removed at committee from an initial version of the staff report in October 2012) is also a crucial check on the future risk inherent in allowing “condominium-registered” affordable rental housing to be a s.37 benefit. While the experience to date might suggest a small uptake of the opportunity to use condominium registration as an alternative to purpose built or conventional rental housing, Council needs to be mindful that the affordable rental housing in the designated waterfront areas is being secured as a s.37 benefit – the consequence being that all of that housing, which is being secured as a public benefit could have a shelf life of only 25 years with no recourse if operators chose to convert or sell it.

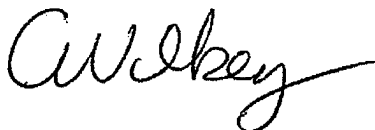
Twenty-five years might seem like a very long time, but in reality it is a blink in the life of a city. If the affordable and rental housing in the vibrant St. Lawrence Neighbourhood had been developed on a 25 year time horizon, it would already be disappearing from the fabric of the city.

Development pressure in the downtown core will only intensify the downward pressure on rental housing supply, including affordable rental housing in coming decades. The City that takes inclusion and social equity seriously cannot afford to lose the capacity to house families, essential workers and vulnerable populations in its future.

The West Don Lands Committee is a coalition of resident, business, environment, heritage and service organizations that have been working together for the past 12 years to promote positive redevelopment of the West Don Lands. We have been a strong proponent of affordable housing and the need to ensure the health and diversity of our developing neighbourhoods by ensuring access to affordable rental housing.

We strongly urge Council to restore the 20 unit cap and the 50 year protection of rental tenure to the proposed s.37 changes. Alternatively, we ask that Council send the affordable rental housing portion of the proposed bylaw back to staff for a comprehensive report on the implications of the changes and for further consultation with community stakeholders.

Yours truly,



Cynthia Wilkey  
Chair, West Don Lands Committee

cc. Members of Toronto City Council

John Livey, Deputy City Manager  
Jennifer Keesmaat, Chief Planner  
John Campbell, CEO Waterfront Toronto  
Glen Murray, MPP, Toronto Centre  
Meg Davis, VP Waterfront Toronto