



Advocacy Centre for Tenants Ontario
Centre ontarien de défense des droits des locataires

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April 2, 2013

Mayor and Council Members
City of Toronto
12th floor, West Tower, City Hall
100 Queen St. West
Toronto, Ontario M5H 2N2

CITY CLERK'S OFFICE
SECRETARIAT SECTION
2013 APR - 2 P 5:03

Dear Mayor Ford and members of City Council,

Re: Official Plan Review - Official Plan Amendment to Adopt New Section 37 Policies Related to Affordable Housing (Ward All - Statutory: Planning Act, RSO 1990) - Agenda Item PG22.1 for April 3 & 4, 2013 City Council meeting

I am writing on behalf of the Advocacy Centre for Tenants Ontario (ACTO) to share our concerns again regarding the above-mentioned proposed amendments which will undercut the rental housing protection policies the City has put in place.

ACTO's position remains that:

1. Council should not adopt the proposed amendment to explicitly include affordable ownership housing as a Section 37 community benefit, and
2. Council should not adopt the proposed new section 6(j) to explicitly authorize condo-registered affordable rental units as eligible section 37 community benefits.

However, should Council decide to proceed with adopting these policy changes, ACTO strongly urges the re-instatement of the 20-unit maximum for the number of affordable rental units per condominium building in the proposed new section 6(j) and the replacement of the requirement that condo-registered affordable rental units are retained as rental for at least 50 years so that it reads as follows:

"j. a maximum of 20 individual affordable rental housing units located in a registered condominium, deemed to be rental housing notwithstanding the definition of rental housing that would otherwise exclude condominium-registered units, provided the units are owned and operated as rental housing by a registered non-profit housing provider satisfactory to the City and meet established criteria, including securing through an agreement the maintenance of affordable rents for at least 25 years and rental tenure for at least 50 years, and are not replacing demolished rental housing under policies 3.2.1.6 or 3.2.1.7 of this Plan;"

ACTO's understanding is that the City wants to facilitate the voluntary provision of affordable rental housing units in market condominium developments as section 37 community benefits. However, in a typical condominium project, there will be a practical limit to how many units a developer will provide as a voluntary community benefit. In view of this reality, a 20-unit cap is reasonable and should be re-instated.

Section 37 will be used to secure affordable housing not just in voluntary agreements, but in future Toronto Community Housing revitalization projects, on the Waterfront lands, York University lands, and Downsview Park. If the original unit cap in this proposed new section is not replaced, ACTO's concern is that the City would be potentially – albeit unintentionally – facilitating the future construction of all new affordable rental/social housing as condo-registered rental units, rather than supporting an increased supply of permanent, purpose-built rental housing the provision of which remains a key priority for the City. In addition, social housing rental units which are condo-registered would be much easier to sell-off because the City's rental housing protection policy framework would not apply to condo-registered rental units.

With respect to the motion to remove of the requirement for rental tenure for at least 50 years that was adopted at the February 28th Planning and Growth Management Committee, ACTO supports keeping this protection explicitly in the Official Plan. We are not aware of any downsides to doing so.

ACTO continues to urge the City to make more effective use of Section 37 to increase the supply of affordable purpose-built rental housing and to support the introduction of provincial legislation for inclusionary housing.

Yours truly,

Per: **Advocacy Centre for Tenants Ontario**

A handwritten signature in cursive script, reading "Mary Todorow".

Mary Todorow
Research/Policy Analyst