



Dear members of the Executive Committee,

RE: EX31.11 - City of Toronto Review of Provincial Housing Affordability Task Force Recommendations

About More Neighbours Toronto

[More Neighbours Toronto](#) is a volunteer-only organization of housing advocates that believe in building more multi-family homes of all kinds for those who dream of building their lives in Toronto. We advocate for reforms to increase our city's ability to build more homes in every neighbourhood. We are a big-tent organization with members across the political spectrum who are nevertheless committed to counterbalancing the anti-housing agenda that dominates Toronto's politics, created an affordability crisis, and has cost burdened a new generation of aspiring residents. We are firmly committed to the principle that housing is a human right and believe Toronto should be inclusive and welcoming to all.

Summary of position

More Neighbours Toronto ("MNTO") welcomes and is encouraged by the recommendations of the Ontario Housing Affordability Task Force ("HATF"). We believe the HATF recommendations are an important first step in making housing more affordable, accessible and inclusive to all Torontonians. While the HATF's mandate was limited to market supply of housing, non-profit affordable housing builders [have been clear](#) that the HATF recommendations are key to getting more affordable homes built.

The volunteers of More Neighbours Toronto appreciate the City of Toronto's (the "City") proposed response to the HATF, but believe it prematurely dismisses many of the most critical HATF recommendations. While the City's response broadly endorses the outcomes of the HATF report, it in effect opposes the mechanisms required to achieve those goals. The HATF report is clear that bold and drastic actions need to be taken to make housing more affordable and accessible for Torontonians, and we agree. MNTO strongly recommends the City amend its response to support the following critical recommendations:

- Legalizing fourplexes and four storeys across the province, as of right;
- Legalizing mid-rise development along key transit routes across the province, as of right;
- Setting provincial standards for setbacks, stepbacks, angular planes, FSI and other aesthetic design regulations that make housing construction unviable or "effectively illegal" by municipalities even if it is technically allowed; and
- Removing language that prioritizes preserving the physical character of neighbourhoods at the expense of providing housing for people to live in

Position

By failing to support many critical recommendations of the HATF, the City's proposed response implicitly maintains a planning system that [prices all but the very wealthiest families out of Toronto](#), one that routinely prioritizes aesthetics over housing, and one that fails to deliver on the City's goal of becoming "A City of Diversity and Opportunity" according to the [City's own research](#). Without implementing the most critical recommendations of the HATF, the City will not achieve the desired goal of ending its housing crisis. The City needs to transition to a new approach to planning, in line with the recommendations of the HATF, that better accounts for the needs of future and underhoused residents instead of doubling down on a generation of failing policies no longer suited to Toronto's housing challenges in 2022.

In its response, the City depends on local context arguments as a crutch to oppose real accountability. This is inappropriate as these processes and arguments have demonstrably failed to address the housing crisis in the past and are themselves a contributor to it. This includes policies such as mansion-only zoning in the Bridle Path, for example, effectively limiting large attractive geographic areas for the 0.1%.

Local context policies should not lead to outcomes like reserving 60% of residential land in the city for single-detached homes, especially now that they're only affordable to the top 3% of families. Local context policies should not prioritize limiting shadows over building 480 homes, including 26 affordable homes from a project at [200 Queen's Quay W](#). Local context policies "support" Inclusionary Zoning, while implementing zoning by-laws and design guidelines on the Danforth that ensure that [Inclusionary Zoning will not apply](#) to most developments near important public transit lines. Given the failure of municipalities across the GTHA to responsibly use local context policies, the province must act to implement bold but sensible regulations to reform land use and planning.

We are pleased by some aspects of the City's response to the HATF, including taking steps in the right direction with the legalization of garden suites, and the Expanding Housing Options in Neighbourhoods (EHON) multiplex study due to come to Council this year, as well as another potential try at legalizing multi-tenant housing city-wide. MNTO appreciates the City recognizes the need for change and supports many of the recommendations of the HATF in principle. We believe the endorsed changes, while steps in the right direction, are not enough. Given the scale of the housing crisis in Toronto, we are long past the point of incremental changes at the margin and therefore demand significant reforms. The failure to legalize multi-tenant housing city wide in 2021 reveals the City's lack of commitment to implementing the reforms necessary to make housing more affordable and accessible.

We believe it is important for the City to endorse the HATF recommendations, even if it is willing to implement reforms on its own. The housing crisis is a regional issue that requires regional solutions. Without embracing similar reforms in the municipalities surrounding Toronto, there will be an increased burden and cost to the City. It is important that Toronto support actions aimed at reducing economically and environmentally unsustainable sprawl in cities like [Mississauga](#) or

[Vaughan](#). The housing crisis requires every municipality in the region to take action, and history has demonstrated that many municipalities cannot be relied on to make the necessary choices. Toronto should welcome more provincial accountability to ensure that surrounding municipalities contribute fairly to ending the crisis.

Sincerely,

Jacob Dawang, Daniel Frank, Eric Lombardi, and Bilal Akhtar
More Neighbours Toronto

Detailed response

Recommendation	Toronto City staff comments	More Neighbours Toronto response
<p>3) Limit exclusionary zoning in municipalities through binding provincial action:</p>	<p>Support in part.</p> <p>The proposal is an overreach of provincial responsibility. While the province has the authority to set housing targets to be achieved by local municipalities, local municipalities share a responsibility to achieve those provincial targets reflective of local contexts.</p> <p>While gentle intensification aligns with a number of municipal plans it is unclear there is a direct correlation between increasing as of right permissions and affordability.</p>	<p>We believe as-of-right permissions are a necessary ingredient for making housing more attainable, affordable, accessible to Torontonians. In the case of affordable housing developments, not-for-profit builders have said that as-of-right permission is a key step to helping them deliver more affordable homes, faster.</p> <p>By enabling more growth in residential neighbourhoods, the City will reduce development-driven displacement and rental competition seen for older multifamily housing. The additional housing supply created by as-of-right permissions may not always meet the definition of affordable, but these homes are nearly always more affordable than the existing single family housing options within the same neighbourhood. This is very important to increase the relative affordability of neighbourhoods across Toronto.</p> <p>In an intensification study, city staff determined that neighbourhoods with more permissive zoning rules (RM) had more diversity of housing options and incomes than in those with restrictive zoning rules. The city itself has already acknowledged this link, which makes its skeptical position on zoning permissiveness and affordability bizarre.</p>

		In the long term, broad rezoning that enables gentle density everywhere is beneficial to everyone in Toronto, irrespective of income level.
3a) Allow “as of right” residential housing up to four units and up to four storeys on a single residential lot.	<p>Do not support provisions that strip municipalities of the ability to address provincial targets in a manner which reflects local context.</p> <p>Support in principle amendments to the Planning Act which would enable municipalities to implement 'as of right' residential housing in a locally based, context-appropriate manner.</p> <p>Support in principle</p> <p>Support diversification of the housing stock based on municipal determination and municipal planning processes which would enable municipalities to establish performance standards.</p> <p>In the absence of zoning controls, municipalities would have limited tools to plan and service development, and as such, the opportunity to implement the concept should be reflected in the individual approach to be taken by municipalities.</p>	<p>Please see our response above for 3) for additional context on our position.</p> <p>Local context does not justify exclusionary zoning. According to the City's own research, this is one of the root causes of Toronto's housing crisis and leads to social inequality.</p> <p>Enabling as of right housing for up to four units and four storeys will lead to better land utilization, increase the supply of more affordable duplexes, triplexes and fourplexes and discourage the building of inefficient McMansions.</p> <p>We encourage the City to go beyond this recommendation by allowing up to eight units and five storeys when at least one unit is made affordable at 80% of Average Market Rate or lower. We would also suggest the city allow this intensity for corner lots that may also include small local retail.</p> <p>Like the federal carbon tax, this recommendation should be viewed as a provincial zoning backstop. In a housing crisis driven by a severe housing shortage, four units and four storeys is the bare minimum.</p>
4) Permit “as of right” conversion of underutilized or redundant commercial properties to residential or	Do not support , in the absence of additional information.	While we agree with the city that legislation from the province should bring greater clarity to the rules for repurposing redundant and underutilized commercial properties to allow for mixed uses, we

<p>mixed residential and commercial use.</p>	<p>The absence of details makes it difficult to understand the broad context of this recommendation. For example, where such lands exist within areas of employment, this would circumvent municipal Official Plan policies with respect to the conversion of lands within employment areas to non-employment uses circumventing the Municipal Comprehensive Reviews. Any such changes should occur through Municipal Comprehensive Reviews.</p> <p>As-of-right zoning should be supported where it adds to opportunity and vibrancy of communities and where it could be provided for through official plan policies that are supported by a municipality. Where conversions are permitted through municipal official plan policies, there should be restrictions on appeals that implement this municipal approach.</p> <p>Any such permission should be combined with necessary and concurrent revisions to the Building Code Act, 1992 and its regulations, and the Fire Protection and Prevention Act, 1997 and its regulations, to ensure continued public safety for all types of housing and building.</p>	<p>believe the city's unwillingness to support this principle is shortsighted.</p> <p>There are hundreds of underutilized commercial car-oriented plazas throughout the City. In general, changing the built form of these areas to include additional housing while making the areas friendlier to pedestrians is an important opportunity to bring back main street culture.</p> <p>The unwillingness of the City to pursue such policies on its own in a framework that frees space for growth in housing options reveals why the province is seeking to pursue basic minimums for these properties. This is especially true for commercial retail properties across the GTHA and province.</p> <p>We believe the primary constraint on the intensification of underutilized commercial properties should be infrastructural. However, all such properties should have some scale of housing legalized, and the province should work with the cities to set up guidelines and funds for the improvement of infrastructure in the long term to facilitate conversion of these property types to mixed uses that include housing.</p>
<p>7) Encourage and incentivize municipalities to increase density in areas with excess school capacity to benefit families with children.</p>	<p>Support in principle.</p> <p>Increasing density needs to be evaluated on the basis of a broad range of factors that</p>	<p>We are glad to see the City support increasing density in areas with excess school capacity. Unfortunately, the City's Official Plan and zoning concentrate most growth in areas with low school capacity. Neighbourhoods with excess school</p>

	<p>comprise complete communities and infrastructure considerations.</p> <p>Secondary school positioning criteria needs to be enhanced to include mechanisms favouring sites with good transit access.</p> <p>The Ontario Government needs to fund existing schools in areas with low occupancy rates to ensure schools stay open as communities evolve and change over time, as the school may be required in the future particularly with increasing densities within neighbourhoods.</p>	<p>capacity are instead planned to have little-to-no growth and in some cases, actually shrink in population. We support a more even distribution of growth throughout the City, partially to ensure a more gentle impact on key City infrastructure.</p> <p>To make more efficient use of existing schools, the City will have to revisit its approach to growth through actions such as as-of-right zoning for multiplexes in Neighbourhoods.</p> <p>We encourage the City to go beyond the minimum by-right zoning proposed by the province for fourplexes in these neighbourhoods to allow for more density. This additional density could bring more families into neighbourhoods to leverage existing school capacity.</p>
<p>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.</p>	<p>Do not support.</p> <p>The concept of “unlimited” height and density across the board is problematic. Proposal would amount to unplanned growth, and would not address the qualitative and quantitative components of increasing density. Presupposes the adequacy of municipal infrastructure and community services to accommodate additional density making it challenging to undertake the necessary infrastructure planning to support the creation of new housing.</p> <p>The City is identifying MTSAs as part of its MCR. In the absence of a timely approval by</p>	<p>The purpose of this recommendation is to add an incentive and enforcement mechanism for municipalities to meet provincial density targets.</p> <p>This recommendation suggests that each city be given the opportunity to plan for growth the way it wants to. If Toronto is already meeting the provincial density targets with its way of planning for growth as it claims it is and is committed to doing the same going forward, this recommendation would not apply to Toronto.</p> <p>Otherwise, this backstop provides an incentive to plan and zone adequately for growth around transit, unlike what the City has done in the past. The City should be especially supportive of this recommendation considering that immediate</p>

	<p>the Province of MTSA's this would be an unrealistic timeline with respect to zoning. Lack of clarity as to what is meant by "insufficient" and who determines that?</p> <p>How / where would increase zoning be applied; i.e., in entirety of MTSA (500 – 800 m) or in 'immediate proximity' of station area only? MTSA's include low density uses (e.g. recreation destinations) and intervening land uses that could make achieving targets unachievable in certain areas.</p> <p>Recommendation fails to address other key objectives that must accompany growth. Planning for growth around the MTSA's are based on long-range planning as set out by the province. To determine success or failure in 2 years disregards provincial timelines that municipalities are currently working towards.</p>	<p>suburbs, particularly Mississauga, have been failing to meet provincial targets.</p>
<p>9) Allow "as of right" zoning of six to 11 storeys with no minimum parking requirements on any streets utilized by public transit (including streets on bus and streetcar routes).</p>	<p>Support in principle.</p> <p>Support is subject to municipalities being able to implement reflecting local municipal conditions (e.g. surface routes that go into neighbourhoods vs. along arterials) and varying levels of public transportation service.</p> <p>Removing all parking requirements may negatively impact people with disabilities who rely on paratransit and may make servicing buildings more difficult.</p>	<p>We are glad to see the City's support in principle for this recommendation.</p> <p>We note the City is arguing against its previous actions when it removed most parking minimums itself last year. We request the City clarify whether it is concerned with removing all parking requirements, or just with removing accessible parking requirements.</p> <p>We are concerned that the City calls for mandatory requirements for car share parking spots. The City itself did not require mandatory car-share parking</p>

	<p>Reduced parking should be accompanied with mandatory requirements for car share (e.g. Commuauto) parking spots and secure bicycle/e-bike parking.</p>	<p>spots when it removed most parking minimums last year.</p>
<p>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.</p>	<p>Do not support.</p> <p>Ongoing urban expansion into natural heritage or agricultural lands in the Greater Golden Horseshoe would be counter to the Growth Plan's goals and place a strain on the urban fringes and other goals related to building a more livable region. Implementing this recommendation would undermine long held Provincial policy goals and the orderly system of land use planning in Ontario.</p> <p>"Undeveloped land" should not include parkland.</p> <p>Additional infrastructure planning, legislative requirements and costs need to be addressed where supporting higher density housing and complete communities on undeveloped land, including outside existing municipal boundaries.</p> <p>Recommendation is unclear with regard to building of infrastructure – does this refer to both hard and soft infrastructure, linear and fixed, new and upgrades? There could be significant cost implications to this recommendation. If building infrastructure in advance of planned growth, how are costs to be recaptured? Is it expected that</p>	<p>We agree with the City response that ongoing urban expansion and sprawl is not sustainable or helpful. It is unhelpful for the City to both argue against sprawl, while also maintaining the policies that make sprawl attractive. Without reforms such as allowing four storey/fourplexes as of right, the City is enshrining incentives that lead to increased urban expansion and sprawl.</p> <p>We encourage the city to consider the second-order effect of its restrictive and heavy-handed approach to planning that makes it difficult to build housing sufficient for families in Toronto. Low-rise multi-family homes that would be created by ending exclusionary zoning, converting redundant commercial properties, and legalization of midrise along local transit routes are necessary to create housing options in the city for families.</p> <p>These housing forms can be built faster, allowing families to plan for new housing on shorter timelines than large condo projects with longer investment timelines and risk. Reforms that facilitate smaller multifamily housing options that can be built faster would reduce pressure to sprawl regionally.</p> <p>We encourage the city to reconsider its positions that are likely to increase the pressure to sprawl elsewhere. Please read our letter to the</p>

	<p>municipalities would front-end finance the cost of infrastructure?</p>	<p>Infrastructure and Environment committee on item IE26.16 for more details on why we believe Toronto's restrictive planning is a plan to pave over the Greenbelt.</p> <p>We believe that any new greenfield growth in the GTHA should be transit oriented, walkable, and contain sufficient density to ensure it is tax sustainable in the long term, unlike many existing low-rise neighbourhoods in the GTHA.</p>
<p>12a) Create a more permissive land use, planning, and approvals system: Repeal or override municipal policies, zoning, or plans that prioritize the preservation of physical character of neighbourhood</p>	<p>a) Do not support</p> <p>Over-stepping of municipal decision-making which takes into account local planned context.</p> <p>The province has the authority to set housing targets to be achieved by local municipalities. Municipalities should have the responsibility of achieving those provincial targets in a manner that is appropriate to unique local contexts.</p>	<p>The City's choice to prioritize the physical aesthetic of neighbourhoods over building additional housing for future residents is an exclusionary choice which makes housing less affordable and accessible.</p> <p>Neighbourhoods need to be constantly evolving. When they become overly protected, they fail to be dynamic and either become overly expensive or poorly optimized for its local community.</p> <p>Unique local context and historic preservation regulations lead to significant class and racial discrimination in planning. This position is incompatible with current housing needs and is deeply unethical.</p> <p>The application of this principle once meant to ensure the maintenance of affordable diverse communities but is now being used to systematically exclude non-wealthy residents from communities. Given how much this principle has been misused and exploited, we must take note of this and prioritize our future greater than a fictional narrative of the past.</p>

		Toronto's OPA 320 that mandates that new development must match the "prevailing form" of the neighbourhood must be one of the first rules on the chopping block.
12b) Exempt from site plan approval and public consultation all projects of 10 units or less that conform to the Official Plan and require only minor variances	b) Do not support. Eliminates municipalities' ability to review a number of important matters such as grading, environment and design.	<p>Historically this was not done, and organic development managed to produce a number of highly desirable places such as the Annex which are characterized by a mix of types of housing typologies and styles.</p> <p>There should be no community consultations for projects of this scale, requiring only professional review for safety, infrastructural, and environmental concerns. Similar to how neighbourhoods are not consulted on the design of single-family McMansions, they do not need to be consulted on the design of small scale multifamily housing options.</p> <p>City planning has a record of demanding architectural changes and adherence to arbitrary rules (like angular planes) that result in bad design and limited architectural risk taking. This makes housing less affordable and less desirable. The future demands openness to flexibility.</p>
12c) Establish province-wide 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	c) Do not support. Inconsistent with the concept of local planning. Does not take into consideration context, and as a result, would be a challenge to create.	Municipal boundaries are often artificial lines on a map. The local context and character on one side of Steeles or Etobicoke Creek is nearly identical to the other, while housing is just as unaffordable on either bank of Steeles or the creek. There is no need for all zoning and built form restrictions to differ across small geographic areas with similar properties

<p>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</p>		<p>Toronto uses urban design guidelines like angular plane and FSI requirements to reduce the actual amount of housing built, even when it's technically allowed. For example, an owner is allowed to build a fourplex on R-zoned land, but a lot of such plots require a max FSI of 0.6 (ie. total floor area must be less than 60% of lot area) and an angular plane to the street or backyard. This makes it effectively infeasible for them to actually intensify and add gentle density.</p> <p>This recommendation takes a swing at cases where fourplexes, midrises, and other missing-middle housing are notionally "allowed" on paper, when in effect, it prohibits them via arbitrary rules with little accountability.</p> <p>The housing affordability crisis has grown to engulf not just the entire GTA but much of the province of Ontario: action on the provincial level reflects this reality. We need more provincial zoning and built form standards to ensure all municipalities are treated fairly under a transparent set of rules.</p> <p>We have reached a point of unaffordability that spans both the City and the province that such arbitrary design considerations should not be the primary focus for housing; it must be affordability.</p>
<p>12d) Remove any floorplate restrictions to allow larger, more efficient high-density towers.</p>	<p>d) Do not support.</p> <p>This would impact tower separation and sunlight to the public realm. No evidence that larger floorplates will ensure affordability.</p>	<p>Larger floorplates for mid-rise and high-rise developments not only enable more homes to be built at a lower building height and cost, they also allow for more functional unit layouts and more family-friendly layouts. Such rules prioritize those who look at buildings over people who live in them. A building isn't just for "looking at", it is also for</p>

		<p>living in, and large floorplates make a building better to live in.</p> <p>At public consultations, we hear repeatedly that many people want more family-friendly units, which can be achieved by removing the 750 m² floorplate restriction. Most of Toronto’s family-sized units and affordable rental stock is in large, old “slab-style” apartment towers that would be illegal to build today with their larger floor plates.</p> <p>This arbitrary restriction results in architectural conformity in new high rises, whereas variety in architectural styles and shapes contribute to a beautiful urban fabric. This limit is simply too low and reduces architectural flexibility to produce beautiful buildings that have space and affordable options for families. The city has failed to demonstrate that this rule creates a better city in practice.</p> <p>Given the rigorous public processes for high-rise buildings, it is entirely possible to rule on these on a case-by-case basis. It is important to note that buildings with larger floor plates do not need to be built as tall to offer the same amount of space, while being more thermally and energy efficient.</p> <p>In a province-wide housing affordability crisis, people being housed is far more important than a marginal improvement in shadows on the public realm. There’s also no evidence that this rule leads to better architecture or public spaces.</p>
13) Limit municipalities from requesting or hosting	Do not support.	Our organization, More Neighbours Toronto, would not exist if not for the inadequacy of these

<p>additional public meetings beyond those that are required under the Planning Act.</p>	<p>Public information and engagement meetings are a best practice to ensure accurate information is shared with local communities and provide an opportunity for residents to ask questions and share comments. Public information and engagement meetings help to inform and educate the community at large on new approaches and changes.</p> <p>A cornerstone of good planning is providing an opportunity for a variety of voices to be heard. Consultation also provides a rich resource for understanding changing community needs. Limiting consultation would limit the capacity for change.</p>	<p>processes in general. We must work to find new ways of considering current and future residents. That means we need rules to encourage positive sum behaviour from all stakeholders.</p> <p>“Public involvement” is rarely distributed equally? The existing format of public consultation elevates the voices of those comfortably housed in a neighbourhood and those with free time on weekday evenings, while excluding those already excluded from that neighbourhood.</p> <p>Future residents or people who want to live in that neighbourhood are not consulted. The City has failed to ensure these consultations are demographically representative of the city at large. Genuine concerns can be conveyed to staff without the need for extra public meetings for every project.</p> <p>We have seen Councillors arrange exclusive meetings with local ratepayers associations about new developments that are outside of the public process, sometimes even before a submission is filed or after a decision has been made. These should be public and transparent. While this is not an example of financial corruption, it is a corruption of interests, and a form of regulatory capture that benefits those with the time and money to participate heavily in the process.</p> <p>We disagree that additional community consultation leads to “better development”; our members are very familiar with meetings where other callers celebrate reductions in housing units and oppose affordable housing. We have</p>
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		<p>experienced outright racism and classism towards new residents, especially when affordable units are proposed.</p> <p>Often consultations are singularly focused on reducing density instead of considerations for public realm or community amenities these processes were created to focus on. Most residents do not bring up specific issues with the project that staff had not considered yet; instead they parrot anti-development, exclusionary talking points. Rarely is the need to address the housing shortage recognized at these meetings.</p>
<p>14) Require that public consultations provide digital participation options.</p>	<p>Support.</p> <p>Since the beginning of the COVID-19 pandemic, the City has been using digital platforms to engage with residents and will continue to improve its engagement processes to remove barriers to participation for those with limited access to Internet and digital devices.</p> <p>There is an opportunity for the Ontario Government to invest in standardized technology, training and other supports to implement virtual meetings and hybrid options post-pandemic, so that the public and applicants receive a consistent experience across the province.</p>	<p>We are happy to hear that the City supports continuing forward with virtual and hybrid options for all public consultations. Digital options have often been the only way for MNTD volunteers to attend public consultations.</p> <p>Virtual meetings bring new and diverse voices to the table that were previously unheard.</p>
<p>16a) Prevent abuse of the heritage preservation and designation process by:</p>	<p>Do not support.</p> <p>Implementation of this recommendation would undermine the intent and purpose of</p>	<p>This recommendation is made necessary due to how heritage processes have been abused in the past. Bulk listing heritage properties is a commonly</p>

<p>a) Prohibiting the use of bulk listing on municipal heritage registers</p> <p>b) Prohibiting reactive heritage designations after a Planning Act development application has been filed</p>	<p>the Ontario Heritage Act. Heritage evaluations are rigorous, completed by staff or consultants who are professionals, and involve careful research and analysis.</p> <p>Unless a municipality has previously evaluated all properties to identify which properties have heritage value, developments can occur on sites that require a heritage evaluation, the results of which may recommend designation and conservation.</p> <p>The Ontario Heritage Act (as recently revised through Bill 108) includes statutory timeline limitations on when municipalities can designate a property following the submission of certain applications under the Planning Act. The Act also allows municipalities and owners to mutually extend timelines.</p> <p>The current legislation, which provides a mechanism for mutually agreed extensions allows for community consultation, rigorous research and evaluation, and for a collaborative approach to the conservation of heritage properties.</p>	<p>used tactic by wealthy neighbourhoods to act in harmful and exclusionary ways.</p> <p>Examples of these tactics include Toronto bulk-listing College St , and/or the use of Heritage Conservation Districts (HCDs) to keep development out of specific high-income neighbourhoods like Cabbagetown in Toronto.</p> <p>As a result of these types of actions, the province is right to demand accountability to ensure heritage designations are truly valid for each property.</p>
<p>17) Requiring municipalities to compensate property owners for loss of property value as a result of heritage</p>	<p>Do not support.</p> <p>Unclear how this would work in practice. Implementation of this recommendation would not support the application of the Ontario Heritage Act. It also would likely</p>	<p>If a property has enough societal significance to receive a heritage designation, then it should be a responsibility of society to contribute to maintaining that part of our history.</p>

<p>designations, based on the principle of best economic use of land.</p>	<p>lead to increased costs and complexity that would arise from disputes with regard to property value/appraisals/economic impact that would ultimately significantly increase the cost of heritage protection overall.</p> <p>Sets a potentially bad precedent. Planning and other decisions taken by all levels of government routinely impact property values. It is not the responsibility of municipalities to preserve property values, but to provide for planned communities to the benefit of all citizens.</p> <p>Highest and best use is not solely based on economics. Would potentially create a financial barrier to protecting heritage, introducing mandatory financial compensation requirements could have unintended negative consequences such as weakening governments' ability to protect farmland by requiring landowners to be compensated using the same rationale.</p> <p>From a practical perspective, asserting any potential change in the value of a property because of a possible heritage designation would be speculative at best.</p>	<p>Toronto's heritage goes beyond the physical appearance of buildings. Toronto's heritage is as a diverse city that welcomes people and opportunity. This recommendation ensures that the City has to balance the societal value of preserving the physical appearance of buildings against the societal value of building housing for people to live in.</p> <p>The city is not limited to direct financial compensation, but can deliver compensation in-kind, such as allowing bonus density to fund preservation of heritage properties under consideration for development, or transferring equivalent city-owned property as an exchange.</p> <p>The point is simple: historic preservation is often abused in order to prevent housing options, and therefore more accountability and transparency into city heritage planning is required throughout the province.</p>
<p>19) Legislate timelines at each stage of the provincial and municipal review process, including site plan, minor variance, and provincial reviews, and deem an application approved if the</p>	<p>Do not support.</p> <p>Recommendation does not account for the delays in approvals created by applicants' delays in providing complete information or poor submissions or delays in responding to municipal requirements.</p>	<p>This recommendation should be interpreted in concert with recommendation 21, that requires a pre-consultation with all relevant parties where the municipality sets out what constitutes a complete application.</p>

<p>legislated response time is exceeded.</p>	<p>Unclear how this would work in practice.</p> <p>The concept of "automatic approval" is concerning; a delay should not warrant site-plan approval.</p> <p>The City's Concept 2 Keys Program is already working on various process, technology, performance and governance initiatives that would seek to improve review timelines.</p> <p>System assessments and implementation of solutions (e.g. for water infrastructure) can require timelines that may not meet a legislated response time. It is appropriate for applicants to share responsibility to have a complete and acceptable submission. Support legislative timelines for provincial review process. Difficult for municipalities to advance implementing Secondary Plans or zoning by-laws if the province has not approved the Official Plan.</p>	<p>This recommendation is targeted at municipalities that regularly fail to arrive at a decision within reasonable timeframes, and increase costs for both the provincial taxpayer and the developer by letting applications fall through to the OLT.</p> <p>This is an important guardrail to ensure the City meets an appropriate target for its applications.</p>
<p>27b) Require a \$10,000 filing fee for third- party appeals. 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.</p>	<p>Do not support b).</p> <p>It is unclear how this recommendation would work concurrently with recommendation 26, especially if expensive reports and a hefty filing fee are required.</p> <p>Do not support c).</p>	<p>The current \$400 filing fee is an inadequate remedy to offset the social cost of slowing down housing delivery, which is the effect third-party appeals have. For example, the recent third-party appeal of garden suites to the OLT is likely to prevent its implementation for a year or two. One person paying \$400 should not be able to delay housing for hundreds to thousands of people. A higher fee is necessary to better reflect the social impact of a third-party appeal to costs and project</p>

	<p>This would amount, to a significant extent, to further discouraging third parties from participating in a process that currently significantly impacts the public's ability to engage in the development of their community.</p> <p>The implementation of recommendations (b) and (c) are likely to have a chilling effect on public participation in the planning process – such a level of filing fee will dissuade or preclude those without means, who may have valid appeal ground, from participating and would have a significant effect on access to justice. In addition, council and its democratically elected councillors will feel increasingly bound to follow staff recommendations, even when they do not believe it is the best course of action for their constituents, in order to possibly avoid the risk of having to pay legal costs should they lose in a legal challenge.</p>	<p>timelines.</p> <p>The goal is to reduce the number of frivolous and vexatious appeals that can be submitted to the OLT at little or no cost or risk to the people filing the appeal.</p> <p>For projects the city objects to based on equity grounds, the city should fund the appeal directly. We would also encourage the city to work directly with the province to find solutions to cases where equity is an issue.</p> <p>It is inappropriate the city chooses to use the language of justice to defend a system that routinely leads to such unjust outcomes.</p> <p>The vast majority of third party appeals are not equity or access based at the current \$400 fee; this is why lower income neighbourhoods in general see fewer of these appeals and have shouldered more growth in recent decades. The bottleneck to their participation is not fee related.</p> <p>This is why there is consensus amongst affordable housing activists: all of them from HousingNowTO to Habitat For Humanity support this reform.</p>
<p>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.</p>	<p>Do not support.</p> <p>Unclear of intent of recommendation. Require additional information to assess this proposal.</p> <p>Applications consistently contain incorrect, missing or inconsistent technical information</p>	<p>As with recommendation 19, this should be interpreted in concert with recommendation 21, that requires a pre-consultation with all relevant parties where the municipality sets out what constitutes a complete application.</p> <p>If City staff and politicians are unable to process complete applications in a timely manner, it points</p>

	<p>that could lead to significant consequences if not addressed. In the absence of resolution of such matters a municipality may refuse the application in order to comply with legislated timelines. In these instances an approval recommendation may have been possible, but the legislated timeline does not allow for an iterative process to solve these issues.</p> <p>The Tribunal should not be permitted to award punitive damages. There may be many reasons why a municipality has not made a decision with a specified timeframe. A hearing at the Tribunal should be not used to punish municipal councils.</p>	<p>to either a lack of resources or overbearing rules and bureaucracy. This recommendation would help both concerns to be addressed, and we would support increased funding to municipalities (whether from the province or the Feds) to hire planning staff - as long as structural process improvements are also made.</p> <p>Delays in building housing have a cost borne by society - in the form of lower economic growth, higher housing costs, longer commutes, and other inequities. Punitive damages would be an important mechanism to pass that cost down to the party slowing down housing supply instead of baking it into higher housing prices of fewer available housing units.</p>
<p>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.</p>	<p>Do not support.</p> <p>Proposal requires further analysis and individual municipal approaches. Municipalities may elect to exempt or defer DC for certain initiatives. In general, Development Charges facilitate construction of growth related infrastructure. Waiving them would put the burden on another funding mechanism (i.e. result in a revenue shortfall and shift growth costs onto existing homeowners).</p> <p>Full cost user pricing to include new infrastructure for growth in lieu of development charges translates into municipalities providing all of the upfront financing and carrying the costs of the new infrastructure. By extension, this means</p>	<p>This recommendation is for when additional infrastructure is not necessary for that project to complete.</p> <p>Additional infrastructure beyond that point that benefits everyone in the neighbourhood would be better off being paid via property taxes; that way the cost is shared by the entire neighbourhood and not by its most recent newcomers.</p> <p>In principle, small multifamily properties should be subject to the same set of rules and fees as an infill single family home is, and the city should be lowering the barriers to this housing option where possible. Once again, this rule only applies when new infrastructure is not required for a new small development, incentivizing growth where the cost to cities is the lowest.</p>

	<p>ratepayers assume all of the risk of growth for little or no benefit. Need clarification on the definition of "no new material infrastructure". Difficult to interpret and could result in appeals and delays.</p> <p>What is a "modest" connection fee – municipalities are required to establish fees and charges through the Municipal Act, 2001 and case law has clearly provided that there must be a rational connection between the cost of providing the service/item and the charge – if the "modest" charge is lower than the actual cost of providing the service/item where will the money to make up the difference come from for municipalities?</p>	<p>Growth is supposed to pay for growth; growth should not be used as a direct subsidy for everyone else (especially when the current set of landowners are disproportionately the wealthiest Torontonians).</p>
<p>33) Waive development charges on all forms of affordable housing guaranteed to be affordable for 40 years.</p>	<p>Support in principle, at municipal discretion.</p> <p>Municipalities should retain the ability to waive development charges, building permit fees, planning application fees, park-land dedication fees and municipal taxes for affordable and supportive housing projects.</p> <p>Require more information on the definition of affordable (e.g. is it the PPS definition of affordable housing, which defines affordable as the lower of an income based measure and average rent or sale prices -- depending on tenure)?</p> <p>Inclusionary Zoning units should not be given exemptions.</p>	<p>Costs do need to be recovered from somewhere. Today's reality is that many of the costs of serving existing residents are also downloaded to new residents in the form of development charges.</p> <p>That inequity is especially egregious when the new development is mostly high-density affordable housing, where people have to spend years in waitlists for a scarce number of spots. We support development charges on market-rate development, but not on guaranteed affordable housing.</p> <p>Furthermore, research demonstrates that nearly all dense multifamily housing developments pay net positive taxes for the infrastructure they require over the long term, and that those in multifamily housing, including rental, subsidize wealthier</p>

	<p>It is not clear how municipalities could guarantee affordability for 40 years. What are the tools and mechanisms to evaluate affordability and ensure that units remain affordable for the 40 year time frame?</p>	<p>residents who have more space. This is a fundamental inequity in current policy and this suggestion is an important step to fix it.</p> <p>When it comes to Inclusionary Zoning (IZ), if the City is to be successful in making housing more affordable, it needs to support it through direct mechanisms, not just indirect mechanisms that raise the costs of building housing (and discourage it). Everyone should be responsible for and contribute to the building of affordable housing. Exempting these units from development charges reduces the cost of building them, ensuring more projects where IZ applies are economically viable. This policy will help increase the housing supply.</p> <p>We also note that all development proposals that include affordable housing units already specify the length of time those units will be rented affordably (25 years, 40 years, 99 years etc). This information already exists and the City does not need to reinvent the wheel.</p>
<p>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</p>	<p>Do not support.</p> <p>Unclear how this could support growth related projects versus DCs, and what the planning and administrative implications would be.</p> <p>There are many variables that drive municipal water servicing costs up or down such as raw water quality, distance of supply to the consumer, number of connections to a system etc.</p>	<p>Many low-rise suburbs in Toronto are effectively a “growth Ponzi scheme”, where growth is subsidizing existing residents who pay less in property taxes than it costs for the city to maintain their services.</p> <p>This phenomenon has been highlighted as particularly problematic in nearby Mississauga, which has run out of greenfield land to continue this Ponzi scheme, and now new infill condo residents (who are a lot less wealthy than most detached homeowners) are footing the bill to make</p>

	<p>Municipal development charges models are effectively able to ensure that growth pays for growth. Using a utility model for water and wastewater could place billions of dollars of infrastructure costs on the property tax and utility ratepayers, which may create new affordability challenges for residents and businesses.</p> <p>No aspect of this recommendation, if implemented, should be mandatory for any particular municipality. Full cost user pricing to include new infrastructure for growth in lieu of development charges translates into municipalities providing all of the upfront financing and carrying the costs of the new infrastructure. By extension, this means ratepayers assume all of the risk of growth for little or no benefit.</p> <p>DCs are used to help ensure that capital costs for providing services related to new growth are paid by those that benefit from the infrastructure. The absence of or reduction to development charges DCs will not have a measurable impact on housing prices, while resulting in higher property taxes. Higher property taxes in turn would affect housing and business affordability which would be counter to the goal of more affordable housing options.</p>	<p>the scheme run longer. This same principle applies to Toronto.</p> <p>https://www.theglobeandmail.com/canada/article-mississauga-a-cautionary-tale-as-cities-sprawl-out-a-cross-southern/</p> <p>This reform will create a more fair system as property owners will pay for the real costs of servicing their properties. It also adds an incentive for every resident of a city to want to lower its per-capita utility maintenance costs, instead of building a two-tier society where today's intensive growth subsidizes past sprawl.</p>
<p>49) Reductions in funding to municipalities that fail to meet provincial housing growth and approval timeline targets.</p>	<p>Do not support.</p>	<p>People cannot live inside of an approval. When it comes to building more housing, the only outcome that matters is housing completions. There is a</p>

	<p>Municipalities do not control whether housing units are built. This is evidenced by the number of approved but unbuilt units within the City that have yet to be activated by the applicant. Any performance metrics should be based on approvals, not units built. Consideration must also be given to the greater complexities inherent to applications in large, mature urban areas such as Toronto.</p> <p>It is not clear what funding would be reduced. Reduction in funding to municipalities that fail to meet provincial housing growth and approval targets should not be implemented if the municipalities have reasonable explanations as to why such delays exist. There are many variables that can contribute to delay in meeting such targets including planning, environmental, political, administrative and emergency reasons.</p>	<p>direct causal effect of municipal planning on housing completions.</p> <p>We believe the city should be given tools by the province to discourage land hoarding by charging fees on properties that have not been activated (ie, where construction is not started) more than a year after approvals are given. Projects with approved phasing plans would also be exempted.</p> <p>Municipalities that fail to build adequate housing benefit from having constraints that deter that behavior.</p>
<p>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.</p>	<p>Do not Support.</p> <p>Contrary to the Growth Plan. The Ministry of Finance population projections are revised more frequently than the Growth Plan which may pose challenges for municipalities in frequently changing targets. As an alternative, municipalities could be required to plan for the high estimates associated with the Growth Plan.</p> <p>If projections are unsound then infrastructure cannot be appropriately</p>	<p>Planning to accommodate a specific number of people and jobs in the next 30 years is inappropriate. Due to uncertainty in immigration rates and economic growth, population projections are made with wide error ranges and are not to be relied on for this purpose. We need a dynamic planning system that is flexible, can accommodate unpredicted growth, and does not rely heavily on unreliable population projections.</p> <p>The City of Toronto grew at ~50k people a year in the years immediately preceding the pandemic. The province's Growth Plan 2020 - the current</p>

	<p>planned. How would the ministry project 'unlimited' density?</p> <p>How would this work for Masterplans and Development Charges that rely on Official Plan projections? This would make planning for growth difficult.</p> <p>Changing this at this moment when municipalities have already seen substantial changes impacting municipal comprehensive reviews would be inappropriate. See Auditor's report from late 2021.</p>	<p>basis of all growth plans in the city - requires the city to plan for a population of 3.6m by 2051, or a growth of 35,000 people a year until then. The city is already growing much faster than the growth plan projected for, and yet there's no updated population projection that the city is required to use in light of this development.</p>
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