

Re. Ontario Bill 23,

Ms Sylwia Przewdziecki,
Toronto City Hall,
100 Queen St. West,
Toronto, ON M5H2N2

We, the undersigned, are co-chairs of the Mimico Lakeshore Community Network (MLCN), which includes concerned and involved individuals and groups.

Not surprisingly, the recently introduced Bill 23 has generated spirited debate within MLCN, given the intense development pressure in south Etobicoke, particularly Mimico, and as such, we wish to weigh in on the discussion of the bill. Several years ago, it was estimated that an additional 11,000 or so units would be added around the Mimico GO Station and that number is almost certainly low as it does not take into account more recent development applications. Moreover, that tally does not include the units planned for the major former Mr. Christie site.

And as a result, concerns about the infrastructure's ability to handle all that additional demand loom large.

We conducted a survey of our members. The results are summarized as follows.

First of all, not all our members agreed legislation was needed. Some felt the municipalities can handle the situation on their own. It is the developers' demands that are at fault in the delays getting shovels in the ground, they argued. And they strongly objected to the extension of provincial powers over what have been municipal responsibilities.

Others felt that more housing is required, especially affordable housing.

However when it came to the provision that gives the Minister the right to impose limits and conditions on a municipality's powers to regulate the conversion and demolition of rental properties containing six or more residential rental units, the result was a general thumbs down. Members worry that the Toronto provision forcing developers to replace all affordable rentals in new developments or compensate the tenants will disappear.

They also disagree with the definition of what constitutes affordable housing. The legislation says that rent no more than 80 per cent of market rent makes a unit unaffordable. It is generally agreed that it should be defined as no more than 30 per cent of pre-tax income.

Given the very short time frame to hold a meeting, design a survey, get responses and draft a letter, we neglected to ask about the proposed limitation on affordable housing to 5 per cent of a project. But some in our group have already weighed in on that elsewhere. It is felt that the figure is well below what is required.

Also, the legislation prescribes that the affordable units stay that way a maximum of 25 years, not the 99 years the city has established. The latter rule provides security for families into their senior years, preventing displacement and loss of critical affordable housing stock.

The issue of freezing and reducing government charges met with solid disapproval. However, the question of whether new affordable and non-profit housing should be exempt from the three main charges municipalities levy, as set out in the legislation, produced a mixed response.

The group also expressed unhappiness with the idea that higher density residential developments would see their parkland requirements cut in half also drew a solid thumbs down.

The push in the legislation to allow what has been called gentle density of up to three residential units per lot as of right generated a greater division of opinion. Some dislike it but others felt it is necessary.

For the record, it should be noted that gentle density rules are already slated to be applied in select areas including Mimico while the remaining 70 per cent of Toronto's land mass will remain untouched. The figures above show the pressure this area is under.

There was similar division of opinion on the issue of mandatory zoning updates. However, the majority were against the measures. Bill 23 proposes requirements that force municipalities to update their zoning bylaws within one year of official plan policies relating to protected major transit station areas to ensure they confirm with those policies.

Mimico is a PTSA area.

The restrictions on third Party appeals to the Ontario Land Tribunal are also troublesome for most of MLCN as well, although the view in some cases was more nuanced. MLCN has spent days and weeks attending the Ontario Municipal Board representing the area and negotiating to get a reasonable deal. For example, it was thanks to our efforts that a new class of noise definition was adopted for a townhouse development, which was proposed for not only very close to the rail tracks but also next to a major industrial building that operates 24/7.

The proposed rules regarding Conservation Authorities was soundly booed. Those on changes to the Ontario Heritage Act less so.

That brings us to an issue that MLCN, given its involvement in development issues, was aware of well before the bill was introduced and that is that some developers buy a property usually zoned as industrial, get the zoning changed to mixed use (read residential with a very small commercial component) and then flip the property to another firm which may or may not actually build.

That boosts the cost of land, which drives up the price of the housing built on those sites. That has happened numerous times in this immediate area. And then, there is the developer who goes through the entire approval process and then does nothing. A limitation on such flips or a special tax thereon might limit that activity. In addition, forcing a developer which has an approved plan in hand but lets the land sit to either go ahead or sell within a specified time frame might also help. We believe that the housing taskforce report issued earlier this year contained a similar recommendation.

Incorporation in the bill of either of those ideas might bolster housing supply.

Another suggestion is to include provisions promoting the formation of co-operatives. Co-operative housing is a form of non-profit accommodation where rents are usually lower than those in privately owned buildings or where rent is subsidized by government. Participants are members not tenants and take responsibility for managing the building.

Les Veszlenyi

Angela Barnes

Co-chairs of MLCN