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**Standing Committee on
Justice Policy**

More Homes, More Choice
Act, 2019

1st Session
42nd Parliament
Friday 31 May 2019

**Comité permanent
de la justice**

Loi de 2019 pour plus
de logements et plus de choix

1^{re} session
42^e législature
Vendredi 31 mai 2019

Chair: Parm Gill
Clerk: Jocelyn McCauley

Président : Parm Gill
Greffière : Jocelyn McCauley

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
JUSTICE POLICY**

**COMITÉ PERMANENT
DE LA JUSTICE**

Friday 31 May 2019

Vendredi 31 mai 2019

The committee met at 0900 in committee room 1.

**MORE HOMES, MORE CHOICE
ACT, 2019**

**LOI DE 2019 POUR PLUS DE LOGEMENTS
ET PLUS DE CHOIX**

Consideration of the following bill:

Bill 108, An Act to amend various statutes with respect to housing, other development and various other matters /
Projet de loi 108, Loi modifiant diverses lois en ce qui concerne le logement, les autres aménagements et d'autres questions.

The Chair (Mr. Parm Gill): Good morning, everyone. The Standing Committee on Justice Policy will now come to order. We're here for a public hearing on Bill 108, An Act to amend various statutes with respect to housing, other development and various other matters.

Please note that the written submissions received to date on this bill have been distributed to members of the committee. I hope everyone has received them.

MS. KRISTYN WONG-TAM

MR. GORD PERKS

The Chair (Mr. Parm Gill): We'll now start with our presenters. I will now call on two city councillors, Gord Perks and Kristyn Wong-Tam. Please move forward.

Thank you very much. Pursuant to an order of the House dated May 29, 2019, you will have up to six minutes for your presentation, followed by 14 minutes for questioning, with two minutes allotted to the independent Liberal member and 12 minutes divided equally among the recognized parties. Please state your name for Hansard, and you may begin your testimony.

Ms. Kristyn Wong-Tam: Thank you very much, Mr. Chair. My name is Kristyn Wong-Tam. With me is my colleague Gord Perks. We are Toronto city councillors and appear before you to request that the provincial government provide additional time to consider Bill 108.

On May 2, 2019, as you know, the government introduced Bill 108 to amend 13 statutes, with only 30 days permitted for the provincial commenting period. This is not only unheard of, but it is also anti-democratic and an abuse of legislative power. If Bill 108's true intention is to deliver more affordable housing, then it is essential to

thoroughly consult with residents and demonstrate the outcomes to communities, which, sadly, the government has not done to date.

Despite the absence of any implementation details, Toronto's professional city staff have already alerted city council that the proposed changes in Bill 108 signal that there will be significant impacts on Toronto's finances; the ability to secure parkland; the capacity to build community facilities; and the evaluation of development applications that would afford appropriate opportunities for public consultation and conservation of heritage and natural environmental resources, including endangered species.

Significantly shortening statutory review timelines, reducing opportunities for collaborative decision-making from the front end of the municipal review process, expanding the scope of reasons to appeal development applications to the local appeal tribunal, and introducing a completely new process for determining community benefit (facilities) contributions will result in increased appeals and an even greater proportion of the housing pipeline projects being held up as part of the OMB and LPAT processes, thus giving already very powerful developers even more power with the return of a more aggressive and destructive version of the OMB brought back to life through Bill 108.

Bill 108 will not positively impact housing affordability, as it does not provide for any mechanisms to ensure that reduced development costs are passed through to future buyers and renters. This is reinforced by Toronto's chief planner, and I quote: "Bill 108 contains limited evidence that its central objectives, making it easier to bring housing to market and accelerating local planning decisions, will be achieved."

In addition, Bill 108 undermines the city's ability to ensure that "growth pays for growth" through radical amendments to the Planning Act and the Development Charges Act. By diverting from the long-held conventional business approach of growth paying for growth, future developments will result in a negative financial impact on the city. We are concerned that Bill 108's net outcome will have existing residents and businesses, who will make up the city's tax base, partially subsidizing new development.

Alternatively, the current municipal service levels under Bill 108 could be adjusted—may be required to be adjusted—to reflect this new fiscal environment.

Further, as Bill 108 is enabling legislation for regulations that have yet to be released, municipalities, including

Toronto, are commenting blindfolded in regard to critical aspects of the act.

Thirty days is too short a timeline for Toronto and Ontario residents to properly assess and make meaningful contributions to legislation that proposes significant changes in how we plan and build complete, inclusive neighbourhoods. We therefore request that the province extend the comment period beyond June 1 and release draft regulations as soon as possible to provide real opportunity for meaningful consultation before charging ahead with Bill 108. Thank you.

Mr. Gord Perks: Mr. Chair, if I could add, the city of Toronto's population grows by about 35,000 people per year. That means every three years we build the equivalent of one of your ridings within the city of Toronto. I want you to imagine that you have to provide all the parkland, all the recreation space, all the libraries, all the subsidized housing, all the shelter space, all the paramedic services, all the development-related studies, child care spaces, health services and pedestrian infrastructure that exist in the riding that you currently represent. All of that now in the city of Toronto is at risk because of the new system being proposed for development charges and parkland dedication in section 37.

We simply will not be able to provide the services that people moving into Toronto need under the legislation, as proposed. We will, in fact, be putting at risk \$1 billion worth of money that we have already planned for in our recreation department, our ambulance department, our parks department, our child care department and other services besides.

Unless we have in front of us the regulations which clearly define how the cap system will work on the new community benefit system, we are unable, as a city, to plan for and provide the services that new residents to Toronto will need.

The Chair (Mr. Parm Gill): Thank you very much. We will now start with questioning. I just want to remind all members of the committee, if you have a question or a comment, please raise your hand and wait to be recognized. We'll try to avoid back-and-forth.

The first round will begin with the official opposition. We'll go to MPP Burch.

Mr. Jeff Burch: Thank you, councillors, for coming this morning and bringing your point of view. I have one question and then I'm going to turn things over to my friend from Toronto Centre.

You talked about the lack of democracy in this consultation process. We've had a few days to scramble to organize one day of hearings for a bill that is over 200 pages. It makes some extremely profound changes to the way that all municipalities will do business. Can you talk to us a little more about, maybe, what a proper consultation process would look like and the effects that this kind of undemocratic process is having?

Ms. Kristyn Wong-Tam: Thank you very much, MPP Burch, for the question.

When the previous Liberal government was undertaking and embarking on changes to the Planning Act, an

announcement was made by Minister Naqvi at that time, in 2016. Town halls were held across Ontario. Hundreds of residents came out to speak to the committee, and I know that they provided communications as well. The debate took place, of course, at Queen's Park and it did not pass until 2017, a full year later, when that bill received unanimous party support by all members of the House. The legislation was then enacted on April 3, 2018. That whole process was about two years long, and that was specifically on reforming the Ontario Municipal Board.

What is proposed before us today is unprecedented, affecting 13 statutes—ramifications that we just don't have the full details of—and our professional city staff are saying they need more information and more time.

Mr. Jeff Burch: Thank you.

The Chair (Mr. Parm Gill): Thank you. We'll go to MPP Morrison.

Ms. Suze Morrison: Thank you so much for your presentation.

I'm wondering if you could expand on how the changes to the LPAT will impact municipal decision-making.

Mr. Gord Perks: The previous question asked about the public process. Every single development application in the city of Toronto receives more public review than this bill does. I'm currently the chair of the Toronto and East York Community Council. One single ward within the Toronto and East York Community Council receives more development applications than any municipality on the continent, with the exception of New York. In order for the city of Toronto to give fair hearing to the communities that are impacted by these developments and to the applicants themselves, and to ensure that all regulations in the building code and other relevant statutes are met, it simply takes more time than what is proposed in this bill. It is not possible to achieve the timelines for even the most simple application. What that means is that developers will be in a position to further jam up the hearing process. I want to be very clear about that: Every single application will wind up in front of the tribunal if these timelines that are proposed here are imposed on the city of Toronto.

Ms. Suze Morrison: Thank you. The government says that this bill will increase affordable housing. Do you think that's true?

0910

Mr. Gord Perks: No. There are actually clear ways in which this bill will slow the implementation of our affordable housing programs. Just this week, at the planning and growth committee, we received a proposal from city staff on how to implement inclusionary zoning. Because this bill requires that we have plans for major transit station areas and any development permit area reviewed by the minister, the implementation of inclusionary zoning will be delayed by many months, perhaps a year. Further, many parts of the city will be unable to put inclusionary zoning in.

If the minister were actually interested in quickly providing affordable housing, the city of Toronto has a bylaw, that we are awaiting a hearing on, to reduce illegal

use of Airbnb. The minister could simply issue a ministerial order implementing the city of Toronto bylaw and, in one day, create 9,000 new affordable units.

Ms. Suze Morrison: Thank you. What do you think that the changes to the development charges will be? How will that impact the city?

Ms. Kristyn Wong-Tam: The report that was before city council—I provided recommendations at the committee here; the copy of those recommendations is before you. The development charges, as accumulated right now, the projection is close to a billion dollars over 10 years that will be affected. That means that the city of Toronto will have to make up for that shortfall of projected revenues. Either that, or we actually have to reduce service levels, which means cuts to paramedics, development-related studies, civic improvements that communities rely on, child care, health, pedestrian infrastructure, parks and recreation, libraries, subsidized housing and shelters. All of that is at risk by Bill 108 as it stands right now without any changes. That's a billion dollars over the next 10 years that the city is not prepared to address.

Ms. Suze Morrison: Thank you. What are you hearing from your constituents on Bill 108?

Ms. Kristyn Wong-Tam: We hosted a town hall just this past Monday, and 450 Torontonians came to city hall. Our colleagues in North York hosted their own town hall in very short order. You have to remember that, literally, we've had days to organize these events, because we wanted to make sure people knew what was happening.

In the North York community, over 250 people came out to the facilities—

The Chair (Mr. Parm Gill): Thank you very much. That concludes the time we had for the NDP.

We'll now move to MPP Des Rosiers. Please go ahead.

M^{me} Nathalie Des Rosiers: I would like to hear about the limit to using inclusionary zoning to major transit stations and development permit system areas, as opposed to allowing them throughout the city. I'd like to hear about the impact that this will have.

Mr. Gord Perks: First of all, it means that we have to redo all of the work we've done. The process required that we do a study of the affordability for developers in different parts of the city. We've just concluded that work. We now have to throw it out and start all over again.

Secondly, to do the pre-planning necessary for a development permit area, or for a major transit station area, will require six months to a year of planning for each and every one of those sites, which means that there will be a tremendous delay in our ability to deliver inclusionary zoning in those areas, plus the loss in the majority of the city of Toronto of our ability to do it at all.

M^{me} Nathalie Des Rosiers: Am I right to understand that this will restrict the way in which inclusionary zoning will be used as a tool to bring about affordable housing?

Mr. Gord Perks: Absolutely. Because we don't have details of the bill, it's impossible to estimate how much of an impact that will have. But at a high-level guess, this makes about 80% of the city ineligible.

The Chair (Mr. Parm Gill): Thank you, MPP Des Rosiers.

We now move to the PCs. We'll go to MPP Hogarth.

Ms. Christine Hogarth: Thank you, Councillor Perks, and thank you, Councillor Wong-Tam, for being here today and sharing your thoughts on Bill 108, the More Homes, More Choice Act. We certainly appreciate you being here today, representing the city of Toronto.

As a city of Toronto MPP, I know that, as you mentioned, 35,000 people are moving to this community every year. In the greater Toronto area, there are over 100,000 people moving here.

I moved to Toronto in 1995. I remember moving to this big city. I think I was couch-surfing for my first six months, trying to find a place to live, as we do, a place that was affordable to live, because you leave university and you don't have a whole lot of money and you have a student loan to pay off. It took me a while to find a place to live in the city, with a roommate. Not a lot has changed in that time. It's still hard to find places to live.

What we've heard throughout the election campaign and through all the municipal campaigns is that there is a housing crisis across this province, not just in Toronto. Toronto is unique because it is a little bit more expensive to live here. It's expensive to live in Toronto, generally, and all across this province.

But one thing is young families are also moving here. So you move here as a student to get a good job, but then families are moving here and they want to raise their children. As they grow, they want to be close to schools. They want to build a life. They want to be close to transit, because not everybody wants to own a car. When I first moved to Toronto, I didn't have a car; there was no need to have a car. You walked everywhere. You could take transit or you took a taxi. That was before Uber, because I'm far older than Uber.

We want to make sure that we're building the communities in the right location. When we were elected, the minister took on the task of consulting with the people about housing and housing supply. One of the things we did is we went across this province to hear from regular folks on what they think housing supply is, what their needs would be, and where they would like to see housing built at an affordable rate. There are a lot of themes right across the board that housing isn't built fast enough for people.

You talked about shortfalls in revenue, but when you have more homes built, you have a larger tax base to help cover some of those costs. Did you take part in any of those consultations that we had across the province? Were you able to take part?

Mr. Gord Perks: If I can answer the question that you've raised, the province of Ontario at no time approached Toronto city council to ask for our input on this.

As to your point about affordability, there is a myth—and I'm sorry to say whoever has briefed you hasn't done a good job. Toronto currently has 144,000 residential units approved awaiting construction. That's about 200,000 peoples' worth of beds. Right now, we have approved

enough development to house everybody who lives in your riding and the riding of the member next to you. It's approved; it's waiting to be built. There is absolutely no delay and no problem in Toronto providing enough supply. We are building more housing now than we have ever built in our history. We are building more housing per capita than any other jurisdiction in North America. It's simply a false premise, not based in evidence, that there is a supply problem in Toronto.

The problem is that there is too much land speculation and that's what is pushing up prices. By effectively putting the developer in the driver's seat, as your legislation does, you will instantly cause more land speculation, putting up the price of land and putting more people out of affordability.

If you were concerned about affordability, you wouldn't have limited inclusionary zoning to only certain parts of Toronto, and you could, as I mentioned earlier, ask the minister to impose tomorrow a ministerial order implementing our Airbnb regulations and create 8,000 rental units immediately.

Ms. Kristyn Wong-Tam: And if I may add further to that, we already have about 170,000 units that are in the development pipeline review on top of the 144,000 that have already been approved.

Inclusionary zoning, which has been before the House here almost 14 times, could have, at any particular time, been introduced, so there has been literally decades of missed opportunities, and people have of course suffered because of bad government decision-making.

Ms. Christine Hogarth: Just another question with regard to section 37, reserve funds: We've been told that the city of Toronto has over a quarter of a billion dollars in section 37 reserves. Is it true? And if so, why haven't you allocated those to vital community improvements?

Mr. Gord Perks: There's a misunderstanding about how section 37 of the Planning Act works. In the city of Toronto, as I said, because we have 105,000 people moving in every three years and we have to build facilities to accommodate them, what we generally do is we do an area-wide plan for a certain neighbourhood and we say, "Each development that comes into that area will contribute to building the necessary services." So they'll pay a portion of the cost of the community centre or a portion of the cost of an affordable housing program or a portion of the cost of a child care centre. It's only when all the applications have come in, been approved, and have been under construction that we have the money pooled to deliver that service. Every single section 37 agreement is on the public record, and you can review, if you're curious, rather than trying to score political points, how that money is allocated in order to deliver the services that people need.

0920

You mentioned in your first question how, when you moved here, you were looking for a place where services were available—

Ms. Christine Hogarth: I only have a couple of minutes left, but there is money in a pot for reserve funds.

Mr. Gord Perks: Yes, to build community centres, to build libraries—

The Chair (Mr. Parm Gill): Thank you very much. Thank you to our witnesses and the members. That's all the time we had allotted. I want to thank both of you for taking the time and appearing before the committee.

Mr. Gord Perks: Thank you for your consideration.

MUNICIPAL FINANCE OFFICERS' ASSOCIATION OF ONTARIO

The Chair (Mr. Parm Gill): We will now call on our next presenters, from the Municipal Finance Officers' Association of Ontario. We have three individuals: Donna Herridge, executive director; Nancy Taylor, commissioner of finance and treasurer at the regional municipality of Durham; and Daniel Cowin, consultant.

I just want to remind you guys that you have six minutes altogether for your presentation. After that, we will start questions and answers. Before you begin, please state your name for Hansard. You may start.

Ms. Nancy Taylor: Thank you for the opportunity to speak on this topic. As stated, I am Nancy Taylor, one of the past presidents of the Municipal Finance Officers' Association and the commissioner of finance in Durham region. With me I have Donna Herridge, the executive director of MFOA, and Dan Cowin, an external adviser to the association.

MFOA has a long history of advocating on development charges on behalf of the municipal sector. MFOA supports the spirit of Bill 108 to address the housing supply issue in Ontario. MFOA believes that to resolve the housing supply issue we must focus on principles that support:

- creating more affordable housing;

- building vibrant communities, which includes services that benefit people, such as roads, parks, water infrastructure and libraries; and,

- tools that ensure growth pays for growth.

Bill 108's changes to the Development Charges Act and Planning Act pose the question of, "Who bears the financial burden for growth-related capital costs?" If more municipal operating revenues are needed to cover the cost of growth, it will be at the expense of maintaining existing capital assets, services or property tax rates. The previous Development Charges Act was clear that growth should pay for growth. Development charges paid for approximately 80% of the cost of growth-related capital for a wide range of municipal services.

We are concerned that Bill 108 reduces the act's ability to recover growth-related costs for a number of services. If the proposed community benefits charge does not raise the same revenues for the now-excluded services, existing residents and businesses may have to pay the costs through higher taxes and user charges. MFOA believes Bill 108 introduces significant risk into the process from the municipal finance perspective, and we are grateful to be here to discuss these risks. I'm going to touch on a few of those.

The first risk we'd like to highlight is eligible versus ineligible services in the development charges. MFOA does not support restricting eligible services under the Development Charges Act. Historically, the act has only carried a short list of "ineligible" services, but Bill 108 proposes that this flips the other way, where you're prescribing a list of mostly eligible services and some emergency services, so fire and police, but not paramedics.

This excludes many growth-related costs from the calculation of development charges. All of the proposed eligible services are important and necessary for people to move into homes; however, it excludes a number of equally important services that people need, like paramedics and recreation facilities, that make a community vibrant.

Another risk they're concerned with is the community benefits charge itself. It will replace the authority to charge development charges for most soft services in the Development Charges Act, and replace the existing height and density bonusing provisions in the Planning Act. Amending these provisions means municipalities have fewer tools for recovering growth-related capital costs.

The province has yet to release the CBC regulation that will lay out the rules and restrictions of the community benefits charge. We are concerned that Bill 108 eliminates long-standing, trusted legislative tools for a completely new and untried regime that layers on administrative requirements.

For the community benefits charge to be effective for growth municipalities, it has to allow municipalities to be flexible in responding to local needs. If the regulation is not done properly, there are further negative impacts on housing supply.

Another risk is with uncertainty of recoveries for soft services. Traditionally, we recover these through development charges. Without details on how that community benefit charge works—such as what the cap would be, and how land value relates to that—municipalities are left uncertain about moving forward on infrastructure projects already in the pipeline for soft services, because there's a significant risk that there would be insufficient revenues to cover those costs.

For example, the cap based on land values is somewhat alarming to municipalities because it has no relation to providing the costs of these services that are necessary. We're not sure how the regulation would guarantee that the charge would cover all growth-related costs, and even how that would work in a two-tier system with the capping scenario.

Delay in municipal cash flows is a concern to the Municipal Finance Officers' Association. The proposed six-payment instalment plan for development charges for certain types of developments could be very problematic. The current DCA is flexible on timelines, so municipalities can recover those costs. Delaying that until occupancy will have us look at things like having to debt-finance way more than we typically do.

Freezing development charges is the last risk that we wanted to highlight. We're not supportive of freezing the

development charge early in the process, because currently, it reflects how needs and costs change as time goes by. There could be a significant number of years between when that cost is frozen and when the works are put into place, so then we would end up with shortfalls in financing required to service that growth.

In conclusion, the municipal sector needs, from a finance perspective, legislation that permits us to recover all growth-related costs. Whether that's through the Development Charges Act or through some combination of the Development Charges Act and the Planning Act doesn't particularly concern us. It's the ability to recover those costs that we have a concern with. Tools to recover those costs—we're concerned with making sure that all costs for all services are covered that are necessary to service that growth, and that there is a streamlined administrative process in order to get us through that process.

MFOA has prepared a written submission for the committee. We're happy to answer any questions, and we thank you for your consideration of our concerns today.

The Chair (Mr. Parm Gill): Thank you very much. We appreciate your presentation. In this round of questioning, we will begin with MPP Des Rosiers. Please go ahead. You have two minutes.

M^{me} Nathalie Des Rosiers: First of all, I want to thank you for being here, and thank you for the great written submissions that you prepared, with the detailed amendments. As you know and the committee knows, today is the deadline to submit amendments by 5 o'clock. To the extent that we are hearing testimony of people that have concerns, we have a deadline of 5 o'clock to submit our amendments, with clause-by-clause going on on Monday. So I appreciate very much what you've done today.

I want to hear you, just a little bit, about why it is that we had and need a growth-pays-for-growth philosophy, because this bill undercuts this. Indeed, it seems to go against the growth. Why is it such a good principle?

Ms. Nancy Taylor: If I may—Nancy Taylor—I'll start, and certainly if my colleagues have anything to add.

In high-growth municipalities, our concern around growth paying for growth relates to the existing residents that currently reside in our municipalities, many of whom are seniors who are trying to remain in their homes, and young families. The concept of growth paying for growth is quite literally that the existing residents aren't burdened with additional cost impacts as their municipality grows to accommodate the needs of new residents.

The existing Development Charges Act doesn't actually fully recover growth-related costs, but it's a structure that we've managed to work around and attempt to still achieve what's necessary.

M^{me} Nathalie Des Rosiers: Am I correct if I say that if you eliminate or kind of tinker with the principle of growth paying for growth, you could create higher costs for residents and undermine the affordability for people that actually are currently living—

Ms. Nancy Taylor: Certainly a concern of municipal finance officers, and a concern of the region of Durham, is

the affordability for people who live in their homes today. Affordability relates to, obviously, new homes being sold and people trying to get into new homes, but it also relates to the cost of staying in your home.

The Chair (Mr. Parm Gill): Thank you very much. That's about all the time you had.

We'll now move to the members of the government, and we will start with MPP McDonell.

Mr. Jim McDonell: Certainly, we agree that the bill is based on growth paying for growth. That's an important concept and something that we need to do, moving ahead.

Throughout the next number of months, we'll be producing regulations that will be a result of the consultations we've had with the many stakeholders, including yourselves. We thank you for the submission today.

Maybe mention just some of the key changes you see in this bill and something we should be cautious about avoiding, or some benefits you see in the bill.

Ms. Nancy Taylor: If I may—Nancy Taylor again—a couple of things that we see: the payment deferral issue, where a proponent doesn't have to pay until occupancy and it's spread five years into the future. We are quite supportive of deferral arrangements, for example, for social housing projects, for purpose-built rental, and many of us actually already have deferral programs to allow for that.

0930

With respect to deferrals for, for example, industrial and commercial, our challenge is that a lot of those services have to be put in place in advance of even occupancy occurring. So for some municipalities, we would end up having to incur debt in order to put those services in advance of perhaps a seven-to-10-year window before the funds would be recovered. For those municipalities that are approaching their debt capacity, that would affect the other services they are providing, because their debt capacity doesn't tie just to development-charges-related debt. That concern around incurring greater levels of debt that we wouldn't have otherwise have incurred may affect other kinds of services that we're trying to provide.

Other things, perhaps, from a lower-tier perspective: With respect to the community benefits charge, we're quite concerned over implications of things like existing debt, again. If a municipality has already borrowed funds for infrastructure and they're paying for that debt through development charges, it's not clear to us whether they are going to be able to recover those funds under the new community benefits regime, and if they are, if there's a cap under that new community benefits regime and that only covers the debt or a portion of the debt, then there are no funds available for the additional growth-related projects that are necessary.

So it's the uncertainty for us around what the rules will be in order to make sure that we are providing the services that the growth requires.

Mr. Jim McDonell: I think there's an opportunity there to hear this and look forward. What we are trying to do is encourage—we have a shortage of housing. A large number of units are tied up at the tribunal. I think about

100,000 units are now tied up there. We're looking for increasing supply, because if we're going to control cost, supply-and-demand is a major issue here. It has been identified throughout our consultations.

Ms. Christine Hogarth: With the community benefits charge, what we want to make sure is that—we want to work with municipalities to protect the viable revenue stream that we have. As we are consulting, what we wanted to get rid of is the “let's make a deal” type of scenario and have more of a set formula.

The minister has stated publicly that he is going to consult on this over the next few weeks, and we will certainly be looking for input to make sure that we find the best formula that works to solve our housing problem. There is no silver bullet, but right now our goal is to have more choice, more housing. As we mentioned to the deputants earlier, it's a crisis. Housing is a crisis across this province, and that is why we took the lead to make sure that we are solving this housing crisis and finding affordable housing where people want to live at the price they can afford to live at.

I want to thank you all for being here today and thank you for your time.

The Chair (Mr. Parm Gill): Further questions? Seeing none, we will move to the official opposition. We'll go to MPP Burch.

Mr. Jeff Burch: Thank you for coming this morning and sharing your opinion, and for the excellent written submission as well.

I would just like to ask, to start out: We have this bill of over 200 pages being rammed through the Legislature in a matter of a few weeks. We've scrambled to have one day of public hearings. In your opinion, is one day enough to properly vet a bill of this size?

Ms. Nancy Taylor: If I may, as I'm representing the municipal finance officers' association, not an individual municipality, I think for us it's more the concern over the amount of information we have in order to assess impacts. That sort of brings into the dialogue around the community benefits charge.

Certainly, our professional planners' associations and our regional planning commissioners are doing written submissions, because the length and time frame around the complexities on the planning side are quite challenging.

Mr. Jeff Burch: All right, thank you.

From your executive summary of your written submission, I just want to read one sentence that I found kind of sums things up: “Restricting cost recovery tools does not guarantee lower house prices,” which seems to be a bit of myth that I'm hearing. “Instead, if more municipal operating revenues are needed to cover the cost of growth, it will be at the expense of maintaining existing capital assets, levels of services, or current property tax rates.” That says to me that something's got to give, if we restrict cost recovery tools and we don't have the principle of “growth pays for growth.” Can you expand on that a little bit?

Ms. Nancy Taylor: If I may, I guess to reinforce that the current development charges regime is a cost recovery

methodology; it isn't a revenue stream for municipalities. We spend quite a bit of time making sure that we are very accurate in our calculations of what those cost recoveries are, and the existing development charge regime is very well known for that. There are long consultation processes and the like.

There's certainty around that, so then we have certainty around how we can proceed with the investments, both for growth-related and then to deal with the concerns of the broader community needs.

Where there's uncertainty on one side, it causes us a great deal of difficulty on the other side of that equation in dealing with things—for example, the upper tier deals with homelessness and the like. So, having certainty around what cost recovery we have enables us to make sure that we're providing the support services to vulnerable sectors of the society as well.

Mr. Jeff Burch: Okay. In your professional opinion, what do you think the impact of the changes to development charges that are in this bill will be?

Ms. Nancy Taylor: My thought process at this point is that it will certainly cause a slowing of our ability to finance necessary infrastructure to move growth forward. That could be an interim issue; it could be a longer-term issue. But off the cuff, our first concern is that it would slow our ability for the projects that we have under way, in order to make sure those are financed.

We've had dialogue, for example, with the local tier in Durham region, where some are putting off some infrastructure investments that were in the 2019 budget because now they're not quite sure what this means.

In the short run, it could be a slowing down of the services that need to be put into place to allow for growth to occur.

Mr. Jeff Burch: I hope you're going to tell the government that. I hear they're going to be consulting after the bill is already passed. I hope you'll tell them that when they finally do consult, after the bill is passed.

Interjections.

The Chair (Mr. Parm Gill): Thank you very much. We'll go to MPP Taylor.

Miss Monique Taylor: Thank you for your presentation. Thank you for your written submission. There's quite a bit of interest in this, and your amendments and recommendations—and appropriate, with amendments being at 5 p.m. today.

My question to you is, with the uncertainty and what we've seen happening to municipal finances as of late, these charges being incurred even further in the loss of development charges—what will that do to municipal budgets?

Ms. Nancy Taylor: If I may: Because, again, we're representing a significant number of municipalities, the exact calculations and implications for each municipal budget are very hard to determine. Growth rates vary across the province. Not all municipalities provide the same types and levels of service. At this point, it's almost impossible to calculate a specific dollar value.

Each municipality has made an attempt to try to determine what the implications would be. But specific to

the development charges piece, until we know what the community benefits piece is going to translate to—if the assumption is that it's going to be reduced charges in order to reduce the overall cost of a new home, then that would have a very direct bearing on our financial implications. If there was assurance that it would be revenue-neutral to us, then of course, from the development charge perspective, there would be fewer implications. It's the uncertainty that doesn't allow us to really do any calculations, line by line, for service levels.

Miss Monique Taylor: As a representation of a whole, the uncertainty of municipalities is quite clear. Is that true or false?

Ms. Nancy Taylor: Yes.

The Chair (Mr. Parm Gill): We've got 15 seconds. MPP Burch.

Miss Monique Taylor: That's it. That's fine. Thank you very much for your presentation.

Ms. Nancy Taylor: Thank you.

The Chair (Mr. Parm Gill): Thank you to our presenters.

REAL PROPERTY ASSOCIATION OF CANADA

The Chair (Mr. Parm Gill): We will now move to our next presenter, representing the Real Property Association of Canada. We've got Brooks Barnett, director of government relations and policy. Thank you very much. I just want to remind you that you have six minutes for your presentation. If you can please state your name for Hansard before you begin, you may begin your presentation now.

Mr. Brooks Barnett: Thank you, Mr. Speaker and members of the committee. My name is Brooks Barnett. I'm director of policy at the Real Property Association of Canada. REALPAC is Canada's national industry association, dedicated to advancing the long-term vitality of the real property sector in this country. Collectively, the almost 100 REALPAC member companies have cumulative real estate assets under management of between C\$600 billion and C\$1 trillion.

It's a pleasure to speak with you this morning on Bill 108 and to share the perspectives of REALPAC members, Ontario's city builders, the people dedicated to building the housing, offices, retail and neighbourhoods that we all rely on.

Bill 108 represents a dramatic and important course correction in Ontario's housing policy. For too long, Ontario's ministries and municipalities have subscribed to outdated theories around choice and outmoded processes in development, all while Ontarians slowly outgrew the very housing stock needed for a population on the rise. The result: In an increasingly globalized world, Ontario has been utterly outmanoeuvred and outmatched by many of its economic competitors.

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REALPAC's nearly 100 member companies are building real assets in a global environment of high

competition. They are making investment decisions based on complex variables. They need to understand and predict risks. They budget long-term, they crave certainty and they provide the tenant space for small and large businesses that in turn grow and provide jobs. Ours is a people business, and for it to work, people need to be able to find a place to live. Otherwise, tenants look at regions where this is possible, and we lose vital investment in our communities.

Bill 108 seeks to realign an unnecessarily complex and unworkable housing system so that it meets the needs of all Ontarians. It builds on our collective need to think and act logically and consequentially on housing, engage with private sector providers and build co-operation between levels of government, and one more thing—a willingness to name the problem itself: We are not building enough homes for Ontarians, and our failure to do so efficiently will prevent us from attracting investment, jobs and more people for this province.

REALPAC members believe that Bill 108 recognizes this fact as well as another: that the planning and development system in Ontario can and should be made more nimble, modern and effective. Bill 108 acts on the long-standing advice of scores of economists, home builders and investors who have all said that building a strong and steady housing supply is vital to attracting investment because housing is investment. A system that can effectively bring real estate online quicker will moderate prices and give everyone more access to housing, which should be the goal of all governments.

Bill 108 makes the planning and development system more effective by making it more predictable, understandable and efficient. It does so in a few key ways. It determines a more effective approach to inclusionary zoning by applying these rules to areas where they have been historically proven to be effective. It establishes a clear understanding of the developer's role in the community benefits process. By establishing a more formulaic approach, developers will be able to better predict contributions at the outset of a project, budget accordingly and likely even market that contribution to the community, establishing a measure of trust between developers and residents. It also effectively ends the process of cheque-book zoning, which jeopardizes development in its entirety.

Bill 108 streamlines planning decision timelines by requiring municipalities to provide guidance much faster on official plans, zoning bylaws and subdivisions. The application uncertainty that unfortunately is now a common feature of the development system is a considerable impediment to supply. Faster decisions will better complement the pace of business in Ontario today.

Progressive changes to the development charge regime will put construction of purpose-built rental projects on a competitive footing with other asset classes. For a sector that has slower growth and exceedingly high costs of business, some flexibility on development charge paybacks can and will be a game-changer.

Members of the committee, a thriving economy cannot be possible with a regulation-heavy and supply-

constrictive housing strategy. It cannot be done when it takes years to bring a mixed-use project to market in a major employment zone. It cannot be done if we allow uncertainty in our zoning and land value capture policies.

It can, however, be done if we think strategically about how a growing population will compete in a global economy and we build housing to bring that objective to life.

I will simply close by saying this: Ontario can be a viable home for capital, business and a vibrant economy, but that means first making it a viable home for talent and the people who will power that economy.

Thank you for your attention this morning. I welcome any questions that you may have.

The Chair (Mr. Parm Gill): Thank you for your presentation. This round, we will begin with members of the government. I just want to remind all members that if you do have a question or comment, please raise your hand and wait till you're recognized. We will start with MPP Romano.

Mr. Ross Romano: Thank you very much for being here today, sir. Given the comments you've just made in your introduction, it sounds like we've heard from you that you have members in all jurisdictions, both within the country and outside of it, and it sounds like you've got some concerns with the level of competitiveness of the Ontario housing market.

Mr. Brooks Barnett: Right.

Mr. Ross Romano: What's your sense with respect to this government bill? What is your sense with respect to being able to improve that competitiveness? How do you feel we're doing on this?

Mr. Brooks Barnett: Extremely strongly. We feel quite strongly that for our sector, our companies are making decisions based on, "Is it Toronto or Ottawa?", versus Brazil, Germany, cities in Japan. Our ability to provide the Amazons and the Googles of the world with a place where they can do business is directly related to our ability to house their employees. So we feel quite strongly that any strategy—any improvement to a strategy—that brings more houses online in a reliable fashion over time is going to make us more competitive. It's good for business, and business is good for all Ontarians.

Mr. Ross Romano: Is it fair to say, from your perspective, that you feel like this bill will create more homes and more choice for the people of Ontario?

Mr. Brooks Barnett: Yes.

Mr. Ross Romano: Thank you. We heard some information; I don't know if you were in the room. We were listening to some councillors here—I just want to make sure I've got their names—Toronto city councillor for ward 4, Gord Perks, and, for ward 13, Kristyn Wong-Tam. They seemed to have some suggestions, along with members of the opposition—they've got some concerns here. From your perspective, in order for the people of our province, and maybe even these particular councillors' wards, to have more supply and more affordability in housing—would you feel that this bill is going to create that for them?

Mr. Brooks Barnett: I certainly would. As I said in my comments, it's about predictability. Frequently we have

major developers that are willing to put up 500 units of purpose-built rental. Then they, for example, get to section 37 negotiations and, unfortunately, the wheels come off the bike and they figure out, eventually, that the cost of doing business in Toronto in that case, really makes it unattractive. They could take that money and put 700 units into another city. They'll make that choice sometimes, if the regulation is too heavy and the process is just unpredictable.

Mr. Ross Romano: Thank you. It sounds like, from what we heard from those councillors earlier today, that these section 37 funds are somewhere in the neighbourhood of a quarter of a billion dollars in reserves that just aren't being spent, yet, we have this major crisis where our supply continues to not be expanded upon. I think you're in agreement with that; you're nodding in the affirmative. I just want to confirm that; you're nodding in the affirmative.

So we have a lack of supply. We have an increase in demand. Of course, we all understand basic economics, or I hope we would all, in this role, understand basic economics. That's creating an increase in prices; correct?

Mr. Brooks Barnett: Right.

Mr. Ross Romano: So, with an increase in prices, obviously we have a lack of affordability for people to be able to purchase a home.

Mr. Brooks Barnett: Right.

Mr. Ross Romano: Certainly rental costs—even people who are looking at rentals as opposed to purchases are paying a lot more money for housing.

Mr. Brooks Barnett: When there's less product in the market, the cost of those products is high. It's simple economics.

Mr. Ross Romano: It's simple economics. Exactly; it's very basic. I guess, at the end of the day, then, what we're talking about here is increasing supply so that people have more homes, and they have more choice and, in fact, at a better price. Is that fair?

Mr. Brooks Barnett: That's fair. But it's also fair to add that it's not just about one type; it's everything. The housing supply chain is a variety of types for a variety of different Ontarians. Injecting any significant amount of any of that housing into the supply moderates prices and moderates rents everywhere.

Mr. Ross Romano: For members of the opposition here—and I know they will have some questions for you—and for councillors like Ms. Wong-Tam and Mr. Perks, what would you say are the types of things that we really need to communicate to those types of persons, to be able to communicate at large to the public, to help this message that we need more homes, we need more choice, we need to create more affordability in housing for the people of this province?

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Mr. Brooks Barnett: The message that I would say is that it's everybody's responsibility to bring housing onto the market. Clearly, I see this as provincial nerve, municipal muscle. Everybody needs to be working together to do this. Unfortunately, indicators that municipalities who are

lengthening the process unnecessarily—there's a cost to that. The cost is competitiveness, and the cost is going to be jobs. The cost is going to be the millennial who decides, "It's too hard for me to live in the greater Golden Horseshoe, so I'm going to go to Quebec because I can get work there and I can afford a place to live and I can raise my family." That's the human cost.

Mr. Ross Romano: You made a comment; you said—

The Chair (Mr. Parm Gill): Thank you, MPP Romano. Appreciate it. That's all the time we had.

We are now going to move to the official opposition. We'll go to MPP Burch.

Mr. Jeff Burch: Thank you for being with us this morning.

It's a huge bill. Do you think one day of hearings is enough for a bill of this size?

Mr. Brooks Barnett: I was certainly able to get through much of it. I think I would actually commend the government for making a significant move to get this done. We've been waiting in Ontario for a long time to get the process under way on housing.

Mr. Jeff Burch: Okay. You made a statement that we're not building enough homes, which seems to be in conflict with the councillors that my friend mentioned earlier, who said that there are 144,000 approved applications in Toronto, and that that's a myth and there's lots of housing coming down the pipe. Can you justify the statement that we're not building enough homes?

Mr. Brooks Barnett: I wasn't here during their presentation and I'm not familiar with that statistic. I would simply say that if you asked any Ontarian who has lined up to see an open house outside of the city if we're building enough homes, and lined up around the block, they may have something different to say to the councillor.

Mr. Jeff Burch: Okay. Do you think this bill will create affordable housing?

Mr. Brooks Barnett: I think if the government made a concerted effort to address something like development charges for affordable housing and amend policies there, that would be a good step in bringing a lot of affordable housing online.

My view personally is—as I mentioned, we've done some advocacy around inclusionary zoning—the market could bring a significant amount of multi-res units to the market through inclusionary zoning, and as part of inclusionary zoning, those units that would be affordable housing could be maintained as such long-term. I think that would, for a city like Toronto, be very advantageous.

On development charges and perhaps deferring them for a certain amount of years, if the government did that, that would be, I think, a very strong step on affordable housing across Ontario.

Mr. Jeff Burch: Sorry. Did you say that you're in favour of inclusionary zoning policies?

Mr. Brooks Barnett: I'm in favour of the way inclusionary zoning has been staged in this bill.

Mr. Jeff Burch: Okay. The association that you represent: Do you promote affordable housing as a strategy, or do you believe the market will take care of that? I'm trying

to get to what your beliefs are as to whether this bill will actually create any affordable housing, because it's being pitched as a bill that will do just that.

Mr. Brooks Barnett: I think the position of many of our members—and we represent a significant amount of developers on the multi-res side. I think a lot of them would tell you that if we had something such as inclusionary zoning that allowed for a certain reasonable threshold of units to be created in those buildings and maintained as affordable housing in certain places of high growth around transit where that policy makes sense, we can live with that. If inclusionary zoning applies everywhere at, frankly, an unrealistic threshold of units, that might be hard for us to develop and deliver units to the market, and that makes affordable housing hard. So there are some, I think, comfortable places where policy can go, and in so doing, the market and affordable housing can actually work towards the same purpose, which is to provide places for all Ontarians to live. I don't think anybody from our sector would disagree with that.

Mr. Jeff Burch: Do you and the people that you represent believe in the principle of growth pays for growth?

Mr. Brooks Barnett: I would say they do.

Mr. Jeff Burch: Do you feel that this bill accomplishes that, or meets that principle?

Mr. Brooks Barnett: Yes. I would say this as well, and it's an important message: We still pay development charges; we still pay community benefits; we still pay for growth. What this does is it allows us to predict what that will look like at the beginning of a pro forma process, so that I'm not at the end of my development timeline and all of a sudden having to figure out where's the money going to come from to pay some charge that I didn't budget for.

There are no cherries on the sundae. We still pay for the growth that we want to build, but we are able to measure that much earlier in the process and stick to that.

Mr. Jeff Burch: The Municipal Finance Officers' Association felt that the changes that are being made will actually leave municipalities shortchanged in terms of having to either increase property taxes or face a reduction of services. Something's got to give if—

Mr. Ross Romano: Point of order, Chair.

The Chair (Mr. Parm Gill): Yes, MPP Romano?

Mr. Ross Romano: I don't think that the member has even remotely captured the words of the last witnesses, so perhaps he can more accurately reflect those comments, if you're going to put words in other people's mouths.

The Chair (Mr. Parm Gill): That is not a—

Interjection.

The Chair (Mr. Parm Gill): MPP Taylor, as we reminded all the members earlier, if you have a question or comment, please raise your hand and wait to be recognized. MPP Romano, that was not a valid point of order. We will continue with MPP Burch.

Mr. Jeff Burch: Would you like me to repeat the question?

Mr. Brooks Barnett: If you could.

Mr. Jeff Burch: Okay. The Municipal Finance Officers' Association, in their written submission—which I'm not inventing—said that—

The Chair (Mr. Parm Gill): MPP Burch, sorry, my apologies. We are now out of time. We will—

Interjection.

The Chair (Mr. Parm Gill): We did not, actually. We stopped the clock when there was a point of order, so that did not eat into your time.

We will move to MPP Des Rosiers next. MPP Des Rosiers, you've got two minutes.

M^{me} Nathalie Des Rosiers: Merci beaucoup. Thank you very much for being here. I'm going to follow up a little bit about what the municipal financial officers did. They recommended that, for example, paramedic services be added on the list of eligible services. You have no problem with that?

Mr. Brooks Barnett: I haven't reviewed their proposal.

M^{me} Nathalie Des Rosiers: Okay. Well, my question is—I understand that your main point is that predictability is what's the most important to you. So the fact that the municipal financial officers would say the list of eligible services is incomplete because it has police but doesn't have paramedics—if there was an amendment to include paramedics, you wouldn't be against that?

Mr. Brooks Barnett: In theory, no. I'd have to review it a little bit more closely, but in theory I wouldn't see a difference.

M^{me} Nathalie Des Rosiers: The second aspect that they are suggesting in their proposal is an amendment, because they are worried that the deferral of payment of development charges works well in an agreement for community housing and so on, but for industrial, they are worried that this, indeed, does not reflect the way in which services have to be provided right away. So you wouldn't have any problem if we accepted their proposed amendment?

Mr. Brooks Barnett: Again, ma'am, I'd have to review it a little bit more closely and—

M^{me} Nathalie Des Rosiers: Do you think you could do that by 5 o'clock today?

Mr. Brooks Barnett: It would be—

M^{me} Nathalie Des Rosiers: It's on the table. That's part of the dilemma here, is that it would be helpful—I understand your point of view, and we all want—

Mr. Brooks Barnett: In the name of good policy, I would probably take a very strong look at that.

M^{me} Nathalie Des Rosiers: Can I just ask you to explain why inclusionary zoning—one of the proposals that comes from different people is that this is too narrowly defined here. It's only available in defined areas—

The Chair (Mr. Parm Gill): Thank you, MPP Des Rosiers. Unfortunately, that is all the time we had. I want to thank our presenter for taking the time and appearing before the committee.

ONTARIO HOME BUILDERS'
ASSOCIATION

The Chair (Mr. Parm Gill): We will now call upon our next presenters, from the Ontario Home Builders'

Association. I'd like to call up Joe Vaccaro, CEO, and Bob Schickedanz, first vice-president.

Thank you very much. Thank you for taking the time. I just want to let you know that you will have six minutes for your presentation combined. Please state your name for Hansard before you begin, and you may begin now.

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Mr. Joe Vaccaro: Thank you, Chair. Members of the committee, good afternoon. My name is Joe Vaccaro, and I serve as the CEO of the Ontario Home Builders' Association. Joining me today is OHBA's first vice-president, Bob Schickedanz, who is also one of the principals of FarSight Homes, a family business that builds thousands of homes across the GTA, Simcoe county and Durham region. OHBA director of policy Mike Collins-Williams is also on hand for potential planning-related questions.

OHBA is a non-partisan volunteer association representing 4,000 member companies organized into a network of 29 local associations across Ontario, from Windsor to Ottawa and from Thunder Bay to Niagara. We are the voice of the residential construction industry.

Our industry faces many challenges that affect our ability to build the necessary supply of new housing to meet growing demand for #homebelievers. Some 95% of Ontario's new housing supply is built by the private sector. New home prices reflect both market conditions and the legislative framework set by government policy through municipal approvals, provincial legislation and regulatory frameworks. Government sets the rules on where, what type and when housing supply comes to market, and the market prices homes accordingly.

OHBA believes all governments need to consider the impacts of their planning, financial and labour-policy decisions on housing supply and impacts on market prices. The provincial government has many levers that influence housing supply, and we believe that the proposed Bill 108 that is before this committee today is a good start to addressing the complex issues impacting the housing system and our members' ability to deliver new supply to #homebelievers. One area the provincial government has been very clear is they won't touch the greenbelt. The Premier has said it would be protected. OHBA has been on the record a number of times, but again I want to state it very clearly: The Ontario Home Builders' Association supports the long-term protection of the greenbelt. We can improve housing supply and choice for #homebelievers by focusing on the improvements outlined in the More Homes, More Choice Act.

I'd like to turn it over to Bob now, who is going to talk about the elephant in the room.

Mr. Bob Schickedanz: Thank you, Joe. As mentioned, I'm Bob Schickedanz. I'm first vice-president of the Ontario Home Builders' Association.

By the government's own projections, Ontario's population is forecast to grow by an astounding 2.6 million people over the next dozen years to 2031. That means, just to keep up with this growth, we are going to need one million new homes; yes, that's one million homes of all types—condos, singles and everything in between,

including rental—right across the province. Bill 108 is going to help facilitate the construction of more homes and offer more choice to #homebelievers. The Housing Supply Action Plan and the bill before us today represent transformative actions to speed up approvals, reduce costs, support new purpose-built rental construction and encourage a more diverse mix of housing types.

For example, secondary suites like basement apartments are an important rental option to support a healthy housing system. Simply put, they add new rental units in existing communities while providing extra income and improving affordability for homeowners. Although this seems like a simple, supportive way of adding housing supply and choice to our communities, creating new second units is difficult because of government requirements such as parking minimums, development charges and local zoning bylaws and restrictions. OHBA is supportive of the Housing Supply Action Plan's commitment and of Bill 108's amendments to the Development Charges Act to exempt secondary suites in new homes from development charges, which will make these homes more affordable and create more rental housing. OHBA is 100% supportive of this proposed amendment.

On the theme of development charges, Bill 108 makes a number of positive strides through amendments to the Development Charges Act, which will increase transparency and accountability in creating new housing. While OHBA is supportive of these proposed amendments, I'd like to highlight why it's so important that legislation and associated regulations are passed quickly along with transitional policies.

OHBA supports the principle of growth paying for growth. However, we believe a number of municipalities are moving far beyond reasonable cost recovery in an effort to suppress property tax increases and undervalue infrastructure benefits to existing residents in an effort to maximize development charge increases. Despite the fact that new legislation will impact the entire development charge regime in terms of the method and tools, there are a number of municipalities ignoring this proposed legislation and rapidly proceeding to adopt new development charge bylaws over the coming weeks.

One that I do business in, the city of Barrie, is proposing a 40% development charge increase, and is including elements in their background studies like airport expansion, which is a commercial enterprise that should not be funded by new homeowners.

We have a situation where current development charges are opaque. We have many municipalities across Ontario that have tripled and quadrupled DCs and other housing-related costs over the last decade—government-imposed costs that get added onto the cost of a new condominium or home, costs that simply make creating housing in Ontario difficult, limiting supply and choice and ultimately making housing less affordable.

OHBA welcomes the greater transparency and accountability that the More Homes, More Choice plan proposes, because government-imposed costs are ultimately paid by the new homeowner.

The Chair (Mr. Parm Gill): Thank you for your presentation. We will begin this round of questioning with the members of the NDP. We will go to MPP Morrison.

Ms. Suze Morrison: Thank you so much for coming today. Before I start, I want to say thank you for the canapés this week. They were delicious.

Looking at this bill, the government says that it will improve housing affordability and address the affordable housing crisis that we're in. Do you agree with that?

Mr. Joe Vaccaro: When we look at this bill, we look at it as a transformative approach to not just dealing with one-off issues but with the whole system. The struggle that our members talk about across Ontario is the inability to get from an approval standpoint to a financial standpoint to a construction standpoint. Every barrier along the way, and the recent change by the previous government, only serve to add more layers of administration and red tape to an outcome that we think we should all be focused on.

If we recognize the fact that the province is growing, if we recognize the fact that there are 2.6 million more people coming here, and we're going to plan for those people, then we need a system that's able to turn over approvals, that is financially sustainable and fair, and that ultimately builds more housing supply.

When we analyze this bill in its totality—and it's a huge bill, covering a number of parts—we look at a bill that moves us more towards a system that will actually produce the housing that we all recognize we need, because the province is growing.

The short answer is yes. We think this bill moves us towards a system that actually creates housing supply in the system, and actually enables private sector builders and developers—because, ultimately, they are building the housing supply. There's no government investing money to build thousands of units every single year. So, if we're not going to support a system that allows private developers to come in and build, and that restricts supply—ultimately, we fundamentally believe that more homes means better affordability across the board.

Ms. Suze Morrison: I appreciate that you probably weren't in the room at the time, but earlier this morning, we heard from two city of Toronto councillors, Councillor Kristyn Wong-Tam and Councillor Gord Perks. Councillor Perks commented that in the city of Toronto, they have 144,000 units approved and ready to go, and that the backlog isn't necessarily with the city's approval process in terms of getting shovels in the ground. Would you comment on those 144,000 units?

Mr. Joe Vaccaro: I'm going to comment in general, not just about Toronto. We hear this from many municipalities: "We have approvals. Get on with it."

But the second part of the conversation is, "Okay, but financially, given what you're asking for out of that development—the development charge you want up front, and the cost point that it creates in that community—those units are not affordable in that community." So how do we launch a project in this community if the price point will not be supported by the residents?

At the core of that is the costs that you have layered on top of this development now. It's great that you've given

us the approval—congratulations; you can build six storeys—but if the financial costs to now bring that to market are so expensive that the project doesn't work in that community, you really haven't helped the system.

What I find interesting is that when members re-engage those councillors around, "You gave me the approval, but did you know that that permit is going to cost me \$100 million?", the response from council sometimes is, "Well, that's your problem." If we want to bring housing supply to the community, isn't it a problem for all of us? Because ultimately, your planning has given me an approval, but your financial policies make it impossible for me to move it forward.

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I think there's more to this conversation than simply saying, "We'll give you approval; make it happen." You could give me approval, but if I can't make it happen financially, how do we make it happen together? If the answer simply is, "Figure it out," then that number means nothing to me. Give me all the approvals you want, but if I can't move it forward financially, it doesn't mean anything.

So I think it's important that we give this some context, understanding that whether it's a conversation I'm having with London or Ottawa, the approval is only stage one. Financially, does this work? If it doesn't work, the approval really doesn't do anything for the community, it really doesn't do anything for those #homebelievers, and it really doesn't do anything for what everyone says is a priority, which is bringing more housing to our communities.

Okay, then let's look at the entire system. Bill 108 looks at the entire system—not just the approval piece, but the financing, the predictability and the understanding that ultimately if the private sector can't bring those projects forward, it's not helping anyone.

The Chair (Mr. Parm Gill): MPP Burch.

Mr. Jeff Burch: You talked about believing in the "growth pays for growth" principle, and then you talked about reasonable tax recovery. It seems to me that those things shouldn't be contradictory, that reasonable tax recovery is "growth pays for growth."

The Municipal Finance Officers' Association of Ontario does not believe—they say so in their executive summary, as well as their presentation—that this bill actually promotes "growth pays for growth." They say, "Restricting cost recovery tools does not guarantee lower house prices," which seems to contradict what you are saying, and that it will result in the expense of maintaining capital assets, levels of service or property tax rates. Can you comment on that?

Mr. Joe Vaccaro: Let me say it this way: It's always great to have advice from people who have never actually gone through the process of building development. They propose and they suggest that, theoretically and conceptually speaking, A and B don't equal C.

Let me give you this approach—and this is a practical reality: Council proposes a development charge of \$100,000. Industry pushes back, goes through the docu-

ment and identifies areas where they don't think it's appropriate to be charging for an airport, for example, on the development charge. Through the course of a negotiation—here's the key piece—the development charge drops from \$100,000 to \$75,000. How is it possible that there's \$25,000 that the municipality will walk away from to resolve the issue?

The Chair (Mr. Parm Gill): We'll go to MPP Des Rosiers. You've got two minutes.

M^{me} Nathalie Des Rosiers: First of all, thank you very much for being here. I appreciate your written submissions. I see there that at least you were happy with the prompt-payment changes to the previous legislation.

I want to follow up a little bit—and because we have limited time to provide amendments today: How would you feel if we proposed an amendment to include paramedic services in the list of eligible services? There is policing and so on. I understand that, generally, you want predictability. Provided that you have predictability, if we included paramedic services, you would not object to that?

Mr. Joe Vaccaro: I think it's important for us to understand, if you're going to suggest that amendment, what the context of that amendment is. Are we talking about paramedic services for the entire community? Are we talking about paramedic services specific to an area of service? This is part of a conversation we have around all services. New fire stations are being built in new communities—

M^{me} Nathalie Des Rosiers: So you're saying that policing is fine, but paramedics are not. Is that it?

Mr. Joe Vaccaro: What I'm saying is that I need to understand that suggestion—

M^{me} Nathalie Des Rosiers: The context.

Mr. Joe Vaccaro: —in the context of, is this growth paying for growth, or is this another injection of funding to support the needs of the existing community that the municipality is unwilling to fund themselves?

This goes back to my earlier comment, that we play this mathematical game but we need to understand what we are saying when we say, "Growth pays for growth."

M^{me} Nathalie Des Rosiers: I heard you on that and thank you for that. We have the process of doing these amendments and it's a bit rushed, so I'm trying to see whether we can get some consensus on some of the minimum ones.

The second one is that there are some proposals to expand inclusionary zoning outside of just major transit areas. If it's fixed enough, would that work for you?

Mr. Joe Vaccaro: We've always believed that the approach around inclusionary zoning needs to be a partnership model. This bill brings us closer to that model. In that sense, the next question becomes, where is the right place—

The Chair (Mr. Parm Gill): Thank you very much. Unfortunately, that's all the time we have.

We'll now move to the members of government. We'll go to MPP Hogarth.

Ms. Christine Hogarth: Gentlemen, thank you very much for being here and for your deputation today. I know

that many of your members and yourselves participated in our consultations. We had two councillors here earlier today who chose not to participate in any of our consultations, which we started in 2018 and which went to 2019.

I just want to know, with your and your members' participation in our consultations on this bill, do you believe that municipalities and environmental groups had a strong voice at the table?

Mr. Joe Vaccaro: The housing discussion has been going on now for many, many years. Positions have been put forward for many, many years and well registered across the board. We were engaged in a number of early consultations that included municipal representation, AMO representation, environmental representation.

The one thing we heard back was that everyone had sort of doubled down on their existing positions about how things should work. In that environment, we were happy to discuss and debate in active rooms. That's the one thing the government did very, very well: They created active rooms for debate and discussion, and then they also provided all sorts of opportunities for one-on-one meetings. Our understanding was, everyone had the opportunity to engage. The ministry—the government—was very open in terms of one-on-one discussions. I liked the fact that there was an open channel, through the website consultation, for everyone to submit and provide their documents and evidence and information.

What's more important now is that we're moving towards the finality of a bill that moves us towards our end goal: more housing supply, more housing choice, predictability, getting homes into the marketplace, responding to the growth realities, getting to the fact that we need a million new homes. I think that's where we need to be.

From a consultative standpoint, there were lots of opportunities for everyone involved, whether you were on the home building side, the environmental side, the municipal side—lots of opportunities. We engaged in many of them. I know that our local association engaged in many of them as well.

Ms. Christine Hogarth: Great. Thank you for that answer, and thank you for your participation. Another question is—

The Chair (Mr. Parm Gill): Excuse me. We have a point of order. MPP Burch.

Mr. Jeff Burch: Thank you. I didn't want to interrupt our guest. Could I just clarify? Did the member say that they've been consulting since 2018 and that the two councillors who were here chose not to participate?

The Chair (Mr. Parm Gill): MPP Burch, a point of clarification is actually not a point of order, so we'll go back to MPP Hogarth.

Ms. Christine Hogarth: Thank you for repeating that, yes.

The councillors also mentioned that this bill, Bill 108—more choice and more housing—will actually delay the housing supply. What do you think of that comment?

Mr. Joe Vaccaro: I think that what's really important now is to watch the posturing—that's the word I'm going to use—that happens at councils now, all municipal councils. Our members are very concerned about that.

There's going to be a move to this new system. We need transitional rules that support approvals in place, or approvals that are making their way through the system. We have an overwhelming concern about councils looking to reset the clock, looking to delay decision-making now. We've had a number of councils now move forward and rush development charge bylaws, in an environment where the rules are changing, to get to the end point. We don't think that's appropriate. We have a number of councils that are openly talking in council sessions about holding provisions, about all sorts of policy options to delay approvals. This is a problem.

Our view of all this is that the system will change, and we all need to adjust and the focus needs to be on bringing supply to market. That doesn't just mean giving us an approval, but making sure that what is coming forward financially works, so you can bring those units to market. That should be our focus.

Ms. Christine Hogarth: Thank you.

The Chair (Mr. Parm Gill): Thank you very much. We'll go to MPP Babikian.

Mr. Aris Babikian: In your presentation, you raised some of the issues that your industry is facing. Are there any other concerns, are there any other issues, you would like to bring to our attention on what your industry is facing?

Mr. Joe Vaccaro: In the short term, we're concerned about transition from the old system to the new system. We're really concerned about that.

We're really concerned about this rush to approve development charges, to approve new policies which are, in our mind, inconsistent with the new system. We're really concerned about that, because that will create a delay that no one will benefit from. I think that's our biggest concern in the short term.

Long term, there are a number of other areas where we could see improvements in streamlining, actually through the provincial window itself—improvements in government in terms of the approvals process through the Ministry of the Environment, MNR and a number of other ministries.

The one thing the government has made very clear is that this is the work that we're doing today. The government is, as they term it, open for business. So as we find other examples of where housing supply is being delayed, where it's not being financially sustainable, we look forward to bringing it forth for all the MPPs to discuss.

That's the one thing I would leave here: OHBA is non-partisan. We want to work with all the MPPs. We will not always agree on the policies or the legislation, but we believe in having open dialogue with everyone. I think that's the best way we can serve our industry and the best way to inform all policy-makers in this House.

1020

The Chair (Mr. Parm Gill): Thank you very much. MPP Romano, you have about 50 seconds.

Mr. Ross Romano: Thank you. I just want to again emphasize that you're speaking for home builders. Right? And the home builders—you nodded in the affirmative

again. You're speaking for home builders, and there was some comment you made earlier that it's funny to hear people who don't actually do things like build homes try to tell everybody who does how they're going to do it better.

Mr. Joe Vaccaro: Yes.

Mr. Ross Romano: But what you're trying to suggest here is—and I'm just summarizing some of this—it's transformative. This covers everything or the entire piece of the puzzle here in terms of building more homes, therefore increasing supply, reducing price, making things more affordable for the people of this province.

Mr. Joe Vaccaro: Absolutely. Our perspective is from the homebuilding, development and renovator industry, and that perspective tells us that this bill, being transformative, looks at the whole system, doesn't look to piecemeal one-off policies but with a focus of bringing more supply and more choice—badly needed.

The Chair (Mr. Parm Gill): I just want to thank our presenters for appearing before the committee this morning. Thank you for your time. We appreciate it.

CITY OF TORONTO

The Chair (Mr. Parm Gill): We're going to call upon our next presenter. From the city of Toronto, we have Gregg Lintern, chief planner. Mr. Lintern, I just want to remind you that you'll have six minutes for your presentation, sir. If you can please state your name for Hansard before you begin, and you may begin your presentation now.

Mr. Gregg Lintern: Thank you. The name is Gregg Lintern. Good morning, everyone. I want to thank the committee, on behalf of the city of Toronto, for the opportunity to appear before you.

Housing affordability is one of the most pressing problems facing communities across the province. The city strongly supports the government's objective to provide more housing, a diversity of housing, and efforts to make housing more affordable. The housing challenges facing municipalities, like increasing the efficiency of housing production or lowering consumer costs, necessitate action. While the city shares in this objective, we see little evidence that the bill will achieve its intended purpose.

Toronto takes a leadership role in accommodating growth and housing production. Since 2002, we have built almost a quarter of a million housing units together with our industry and communities. We have an additional 300,000 housing units that are either under review or approved but not built, and the council regularly approves around 17,000 units a year.

We pride ourselves on approving new development while maintaining liveability. It's not just about housing; it's about the way that we all enjoy our urban and suburban environments.

We use tools like the growth plan, the Planning Act and the Development Charges Act to proactively plan for liveable, inclusive communities, and we try to mitigate the impact of development so that everybody's happy and that

it fits in. This is fiscally responsible and it represents good planning.

The existing tools are built on the principle of growth paying for growth, and they include community priorities for council, including such things as affordable housing. The bill's proposed changes appear to undermine this principle. I say "appear to" because much of the detail surrounding the proposed changes is contained in regulations that we have not yet seen. We estimate, however, that the bill's impacts could affect approximately \$1 billion in planned 10-year investments that are in our capital budget for growth-related services that depend on these tools.

We utilize the tools strategically, like sections 37 and 42, development charges, to achieve good planning that will balance the needs of current and future residents, and provide certainty for the infrastructure you need.

The toolbox has been 30 years in the making. It's quite a robust series of tools that are critical, and we expect revenues annually around \$700 million to support that balanced growth. It's a fast-growing city, the city of Toronto—and the region, for that matter. These tools should always be refined, but they should not be refined haphazardly and replaced without meaningful consultation with municipalities and taxpayers.

For example, the cap on the proposed community benefits charge—and requiring community infrastructure, including affordable housing, to be weighed against parkland needs within a single new mega-tool based on land values—could severely limit the city's ability to mitigate the impacts of growth. Values fluctuate with the real estate market, whereas the facilities costs that the community benefits charge is intended to fund do not. The proposed CBC becomes structurally de-linked from the infrastructure it's intended to pay for.

I've also commented in my submission about the cap being difficult when you deal with revenue neutrality and our objective of revenue neutrality. We want to avoid a suspension of development applications, certainly during the transition process. Without revenue neutrality, the bill may force municipalities to ask existing residents and businesses to choose between subsidizing the costs of development or accepting lower service standards. We don't think that's reasonable or in the public interest.

In our various submissions through the EBR, we've outlined the breadth of our concerns, including inclusionary zoning, the Ontario Heritage Act and employment. I'm going to quickly focus and finalize my comments on three areas.

As I noted, the community benefits charge combines DCs in section 37 and types of parkland contributions. That contribution would be set to a maximum percentage of a site's land value, to be prescribed through regulation.

We are deeply concerned that DCs will no longer fund the 12 soft infrastructure costs associated with new development, associated with the growth component, such as rec centres, libraries, paramedic services, child care and the creation of affordable purpose-built housing. These DC-funded investments are no less important than hard infrastructure in a big, complicated urban region.

The proposed changes to hard DC rules regarding timing of payment dismiss decades of incremental improvement to the system. They will increase the burden of revenue uncertainty and financing costs faced by municipalities and reduce our capacity to deliver growth-related infrastructure.

Likewise, going back in time and removing the ability to establish an alternative parkland rate that's calibrated for a local context may reduce the amount of parkland that we're able to achieve.

The way this is being designed may force choices to be made and impact good planning outcomes. All combined, the proposed changes will severely restrict our ability to deliver complete communities, and that is something that is in the growth plan and continues to be in the 2019 growth plan just approved.

Secondly, one of the primary purposes of the bill is to expedite municipal development approval timelines. I've been in this business for 35 years. I know a lot about this. In order to get housing to market faster—in our opinion, the shortened timelines may have the opposite effect.

If you look at the 90-day timeline proposed in the bill and you look at the five months that we have now to complete—it brings it down to three months. We process about 150 re-zonings a year. Within this three-month timeframe, we'll have to deem the application complete; circulate; work with the applicant; hold community meetings; inform the public; write reports to council; give legislated notice and forward it to council. That's 150 applications, each to be processed in collaboration with applicants and communities—

The Chair (Mr. Parm Gill): Thank you, Mr. Lintern. Unfortunately, that's all the time we have.

We will begin this round of questioning with MPP Des Rosiers.

M^{me} Nathalie Des Rosiers: First of all, I think we all agree about the objectives of having more housing. I want to ask you to complete what you meant to say to this committee, particularly on the heritage protection. If I could hear you on this, that would be helpful. We haven't heard much about the heritage changes.

Mr. Gregg Lintern: Yes, and I understand you'll be hearing later today on heritage matters. But I would isolate one concern that relates to the overall timelines of the process. The bill proposes a new 90 days or three months for the planning application. It talks about a prescribed event in association with the heritage approval. We have asked in our submissions that that be restored to a longer timeline and, commensurate with that, a longer timeline for consideration of heritage matters, so that if heritage resources are identified in a process, they can be aligned with the timelines that we've asked for in the planning approval process. That's an important principle of giving everybody fair and reasonable notice to work through these matters when they are determined.

M^{me} Nathalie Des Rosiers: I understand that the changes from the OMB to the LPAT were approved by all parties. What's the problem with going back to the OMB, from your perspective?

Mr. Gregg Lintern: From my experience, combined with the timelines, it puts all of the parties—and we do a lot of good work with communities and developers in Toronto; let me just say that—it puts all the parties into an adversarial mode. We believe that the changes that had been made recently in the legislation allow for time, in the overall timeline, to build capacity in communities for change, but also to work with applicants and resolve our differences outside of an adversarial process—

The Chair (Mr. Parm Gill): Thank you very much, Mr. Lintern. We will now move to the members of the government. We'll go to MPP McDonell.

1030

Mr. Jim McDonell: Thank you for coming in today. I think the previous group talked about the number of consultations—and we heard from over 2,000 deputants. The vast majority, I think 85% of them, were the public, not just developers and not just the municipal people who are involved in it.

I know that in my time in municipal government, we saw a large number of developments come through. But the delays sometimes, sitting as an independent or an impartial person at the table, really were frivolous—delays that this process, hopefully, will get rid of. Of course, the process did, but it ties it up a year sometimes, and more. It's sometimes a very expensive process for somebody who's trying to actually solve a problem we have here in Ontario, which is the large number of housing that needs to be built.

We heard before that we need a million homes built by 2030, and the majority of those are from this area, from Toronto. When I look at the history of where we've been approving the number of units, in your submission, we aren't going to make these targets under the current system. Can you comment on that?

Mr. Gregg Lintern: I would put it in the context of achieving the million homes across the urban regions and suburban regions of our province. It's not something that rests solely on Toronto. In fact, the infrastructure demands on a fast-growing city like Toronto put us in a precarious position where we're actually risking the livability of a city if we're growing and not bringing the infrastructure alongside it. That's an important equation. The reason why Toronto is on top-10 lists all over the world is because something is working, and we don't want to jeopardize that.

On the point about timelines, I'm all for timelines. I always think that the idea of timelines is a great way to bring parties together. But let's be practical about the amount of time that's being given for the process. For the city, the median decision timeline in the last four years is 19 months for rezoning. When you're building like we're building in Toronto, with 17,000 approvals a year, that's really not too bad. We've got 50% of our residential projects that can seek a permit within two years of the initial approval. In the complicated mess that sometimes people think Toronto is and all of the work that we need to do, we're not doing too badly on our production of approvals and ultimately on permits. I do like it being

underpinned with timelines. I want those timelines to be practical.

Mr. Jim McDonell: Yes, and I think one thing that helps timelines is making the process simpler and a little more straightforward so that developers and home builders know that when they start a process, they have some certainty or predictability about what it's going to cost and how long it's going to take. We look at the need to build affordable housing. For the people I talk to, housing is getting out of reach, especially for young people coming up, professionals—they're looking forward to a life of rental units because the thought of owning a house or a condominium is just getting out of reach. Do you have any comments on that?

Mr. Gregg Lintern: My general comment would be that we take the view that we won't supply our way to affordability; we need specific program measures to achieve affordable housing across the full spectrum of need in the city of Toronto. The market won't do all of that; it will do some of it. Certainly supply helps, but it is not a panacea for the problem set that we've got.

Going back to process and its relationship to affordability, the city has undertaken an operating review of its development review process. We are very mindful and actually have been working with the industry on changing the way that we do development review. We're always into continuous improvement. This is not a simple problem to solve. We very much embrace the notion that we continually improve the process. But we have to, again, be realistic about what the market is going to be able to supply when it comes to affordable housing.

Mr. Jim McDonell: We look at inclusionary zoning as being a tool that we hoped—so far, we haven't seen results come out of it. I think that the concept is great, but we have to make it so that it actually works.

Mr. Gregg Lintern: The inclusionary tool was just included in the previous bill, Bill 139. Since the adoption of that bill and the regulation for inclusionary zoning, the city has now undertaken its needs assessment which was required by the bill, and we have tabled an inclusionary zoning approach at our committee, actually, this week. So we're fully prepared to advance with the industry and with the community on a robust inclusionary zoning practice. We're concerned that this bill restricts our use of inclusionary zoning to certain geographic areas, and we think it should be more broadly applied.

Mr. Jim McDonell: I know the concern we have is certainly around the large transit systems that we're looking at and making sure that—without the densities in these areas, these transit systems just can't pay for themselves, operationally. You have to have the densities. Of course, when we're planning routes and we're showing where they go, a big part of that is making sure that the housing is there at the same time, or even before, so that you're not burdening the city—

The Chair (Mr. Parm Gill): Thank you very much. I appreciate it, but we are out of time.

We will now move to the NDP. We'll go to MPP Burch.

Mr. Jeff Burch: Thank you for being here today.

We've had a bill rammed through the Legislature in a few weeks—very little consultation, time allocation used, scrambling for one day of public hearings. In your opinion, is that an adequate process to consider a bill of this size with the kind of ramifications that come along with this bill?

Mr. Gregg Lintern: In my opinion, it is not, and that's the submission that we've made through our council and fully debated at our council. The trouble we have is that the devil is in the details. We do not have the regulations. The bill is heavily back-ended on regulations, and without that knowledge—we've identified some pretty serious concerns around the themes of revenue neutrality, for example; that without an idea where we stand today with growth-related revenue, we'll be where we stand tomorrow with growth-related revenue.

I don't think the risk that the bill introduces and the level of uncertainty is healthy for the industry. I don't think it's healthy for the communities that we plan with. We've all got fiscal pressures—I get it—and the city is fully seized with that, but we don't want to complicate that with greater uncertainty when we have such scarce financial resources.

Mr. Jeff Burch: As the chief planner, I assume that you would be aware of any attempt to consult with the city of Toronto on planning issues. Would that be correct?

Mr. Gregg Lintern: Yes. We have and I have attended some of the consultation sessions. I think they were quite genuine. They were undertaken both in November and in January. They were, however, on broad themes. While we had various parties in the room on all sides of the picture, there were none of these specifics in those meetings. For example, was there a specific idea about combining DCs, parks levies in section 37 in those consultations? No, there wasn't. Was there any sense that we were going to be struggling with revenue neutrality? No, there wasn't.

So, yes, you can talk about speed and you can talk about certainty—and I fully subscribe to those themes; they're very important in transparency. But without those details, I would say that that consultation didn't go far enough and should be rejoined.

Mr. Jeff Burch: You made the point that we won't supply our way to affordability. Can you expand on that a little bit? There seems to be this belief that if we increase the supply, we're going to end up with affordable housing, and yet not any expert on affordable housing I've talked to would agree with that. Would you agree with that?

Mr. Gregg Lintern: Well, I'm not going to discount that supply is a factor. But imagine a wheel with housing in the middle, and supply factors and demand factors. It could be interest rates. It could be the price of drywall—and you've heard that from industry. It could be land availability. It could be need, looking at a particular need. We have a large number of people under \$20,000 income. They're not going to be able to afford market housing in the city of Toronto. So we need to look at the full spectrum of need. We look at shelters. We recently introduced—and it didn't get appealed—secondary suite zoning permission. So we try to look at the full spectrum of need, and

it's complicated. You cannot approach this problem in a simplistic way.

1040

Mr. Jeff Burch: Finally, the Municipal Finance Officers' Association made a statement in their summary: "Restricting cost recovery tools does not guarantee lower house prices. Instead, if more municipal operating revenues are needed to cover the cost of growth," that has certain results—higher taxes, or something has got to give. Can you comment on that?

Mr. Gregg Lintern: Our finance officials shared that view, and that was included in our council report. There is no line of sight in the bill. It translates these cost savings through to a cheaper housing unit. In fact, the bill does use the words "lowering ... municipal costs," in the preamble of the bill, which suggests less municipal revenue to me, which means, where is that gap going to be filled?

Mr. Jeff Burch: There was a comment made to the effect, and I apologize if I get it wrong, that inclusionary zoning hasn't worked in a practical sense. But I think you clarified that in Toronto, it hasn't been fully implemented.

Mr. Gregg Lintern: It was just introduced in the previous legislation, in the previous government. We acted immediately to undertake a housing needs assessment, which was a requirement of the regulation. That assessment has been undertaken, and we are in the process of engaging the industry and the community in exactly what those options look like. Our goal is to bring forward the final package in the fall.

Mr. Jeff Burch: So it's not possible to say it hasn't worked, because it hasn't been implemented.

Mr. Gregg Lintern: We just got permission to use it.

Mr. Jeff Burch: Okay. Thank you.

The Chair (Mr. Parm Gill): We'll go to MPP Morrison. You've got about 25 seconds.

Ms. Suze Morrison: Perfect. Oh, I just totally forgot my question when you told me I only had 25 seconds left. Sorry. Thank you so much.

The Chair (Mr. Parm Gill): Sorry about that. It's the unfortunate reality.

Ms. Suze Morrison: Too much pressure.

The Chair (Mr. Parm Gill): I want to thank our presenters for appearing before the committee this morning. Thank you for your time.

BUILDING INDUSTRY AND LAND DEVELOPMENT ASSOCIATION

The Chair (Mr. Parm Gill): We would now like to call up our next presenters, from the Building Industry and Land Development Association. We have two presenters: Dave Wilkes and David Bronskill.

Thank you for appearing before the committee. I just want to remind you that you will have six minutes, combined, to make your presentation. Please state your names for Hansard before you begin. You may begin your testimony now.

Mr. Dave Wilkes: Thank you very much, and good morning, Mr. Chair and members of the committee. My

name is Dave Wilkes, and I'm the president and CEO of the Building Industry and Land Development Association. I am joined this morning by my colleague David Bronskill, of Goodmans.

With more than 1,500 members, BILD is the voice of the land development, building industry and professional renovation industry in the GTA. We are very pleased to be here today to speak to Bill 108, the More Homes, More Choice Act, and the related Housing Supply Action Plan.

With an expected 40% population growth in Toronto by 2041, this provincial government has recognized that we need to start to act now, and has taken significant action to help boost supply and provide more housing choices for our residents. Overall, Bill 108 provides solutions that will collectively help us achieve this goal of more supply, more cost certainty and less red tape.

Let me highlight a few examples.

First, BILD and its members are very supportive of Bill 108's introduction of the new community benefits charge. To support our submission during the Housing Supply Action Plan consultations, BILD commissioned the Altus Group to assess the impact of all the fees that are paid by home builders and land developers as part of the development application process. The report highlighted that 24% of the price of a new condo, and 22% of the price of a new single, detached home, result from government taxes, fees and charges. We therefore welcome the level of cost certainty that Bill 108 brings with the proposed community benefits charge.

It also comes with the much-needed municipal transparency to address the confusion that our members face when trying to understand where their section 37 contributions are being allocated. As well, it removes the ability to use section 37 payments for negotiation and political gain, all of which erodes the planning process.

It is also a positive solution to address the flaws to the parkland policy regime. BILD's recent parkland report, also commissioned by Altus, showed that municipalities across the GTA have accumulated \$1.13 billion in unspent parkland reserve funds, and cash-in-lieu payments have increased by as much as 329% since 2006.

In addition, the proposed changes to the Development Charges Act to fix the charge paid at the time that a site plan or rezoning application is filed is also a progressive way to ensure cost certainty.

Another key aspect of Bill 108 relates to the Local Planning Appeals Tribunal. I'll turn it to Mr. Bronskill to address.

Mr. David Bronskill: Thank you, Dave.

In short, BILD and its members were very pleased to see that with Bill 108 the province is looking to reinstitute a functional and efficient appeals process for land use planning matters. The proposed changes will focus LPAT on the planning merits of an application assessed pursuant to provincial policy and municipal policies, and not simply the decisions of municipal councils, which was the outcome of Bill 139. This should be something that everybody is comfortable dealing with, because, as long as municipalities are updating their policy framework for

land use planning matters, they will be able to defend that policy framework at hearings.

The proposed changes to LPAT will also serve to speed decisions and approvals. This is part of the solution to increasing the much-needed housing supply.

The last time I was before this committee was in respect of Bill 139. I suggested that Bill 139's two-step hearing process would be inefficient and would require the involvement of more lawyers like myself in the planning process. I went back and looked at Hansard, and I indicated to the committee that any planning reform that makes lawyers more involved in the process can't be a good planning reform.

The hearing process under Bill 139 substantiated that concern. Appeals of land use planning matters under Bill 139 have nearly collapsed under the literal weight of paper appeal records and the figurative weight of procedural issues. Bill 108 would eliminate these procedural issues and, most importantly, the inefficient two-step hearing process and return appeals for adjudication at a single hearing.

This is the appropriate framework for land use planning matters, which typically involve multiple parties and a matrix of complex issues. Certain statutory tests remain applicable, including consistency with the PPS, conformity with the growth plan and conformity with a municipality's official plan. However, all aspects of a planning matter could now be considered at an appeal under Bill 108, which is appropriate given the complexity of land use planning matters.

Finally, Bill 108 restores direct examination and cross-examination at hearings. These are vital aspects of natural justice at a hearing, but Bill 108 also would allow the tribunal to limit such examination. In my view, this is a good reform that will lead to a more efficient hearing process, and represents a significant improvement over the appeal framework that existed even before Bill 139.

Dave?

Mr. Dave Wilkes: Thank you. In closing, it is important to recognize that with population increases making the GTA one of the fastest-growing regions in North America, we need to accommodate this growth with adequate supply and better affordability. In our opinion, Bill 108 is designed to achieve this goal.

We also look forward to being able to work with the province on the upcoming regulations. Our members are experts in execution and best equipped to make sure that we get it right on the ground.

Implementation of Bill 108 will be key. With some municipalities already looking at tools to possibly circumvent the process, such as holding provisions, limiting access to construction sites and accelerating the approval of certain policy pieces to avoid the new rules, we want to make sure that we collectively achieve the goals and intent of Bill 108.

We come to the table as your partner in good community building so that we can be part of creating good public policy based on good planning. Our members are excited to be part of the solutions that this bill proposes and we look forward to—

The Chair (Mr. Parm Gill): Thank you very much. Thank you for your presentation. This round, we will begin with members of the government. We will go to MPP Romano first.

Mr. Ross Romano: Thank you very much for your time here today. Do you think that section 37, density bonusing—I think sitting at, what we've heard today, about a quarter of a billion dollars in reserves—do you think as that currently operates it is an effective way to allow housing supply to be created?

Mr. Dave Wilkes: As I indicated in my remarks, there are some challenges around section 37 given the individual nature of those decisions. We believe that the approach outlined in the community benefits charges does provide more certainty for that and provides more understanding of what those charges and payments, that ultimately translate into the cost of housing, will be used for. So we do believe that the direction that the bill is proposing is an improvement.

David, I'm not sure if you had other comments.

1050

Mr. David Bronskill: I would just add, through you, Mr. Chair, just two technical additions to that answer. The first is, if you take a half-step back, remember that section 37, contrary to what sometimes gets suggested in the public forum and the press, does not turn a bad development into a good development. It comes at the end of the process, once height, density, build form and all of those aspects have been resolved. Then you enter into a section 37 discussion. That's at the end of the process, which means that there is very little predictability once you've gone through all of that.

The second thing is that it's also done typically between a landowner and a municipality. I think one good thing that's going to happen out of the CBC process is that there are going to be municipal-wide studies and strategies to figure out what types of community services and facilities people want to see in their city as development proceeds. That will take that discussion, not just between applicants and municipal councillors and staff, but broaden that discussion to include more residents. I think that's a good thing too.

Mr. Ross Romano: How do you feel about the current roles for heritage preservation? Do you think they're effective? Do you think there are ways we can improve those?

Mr. Dave Wilkes: I think that what Bill 108 is designed to do around cultural heritage is to ensure that the act is focused on its original mandate of protecting cultural heritage. We have seen some instances over the last several years where that act is being used, not as it was originally designed, but as a tool to be a barrier to development. Ultimately, that would lessen the amount of supply, to repeat the theme that I think you're going to hear us say. So, making sure that that act and the Conservation Review Board Act—that others are indeed achieving the goal that the Legislature of this province originally designed them to do, is the right thing, as opposed to having the mandate creep that we've seen in other areas.

David?

Mr. David Bronskill: With your indulgence, I would do three quick technical additions. One is, in the bill, there is going to be a sunset provision on when you can designate a property after an application has been filed. That's a good thing. We faced applications where you've been a year or a year and a half into a process, and a property then came forward for designation. That's just not simply reasonable or predictable.

The second thing is that there is very little specificity in terms of how you designate a property. The regulation today at the province is so short that it basically fits on one page. I don't think that's a good thing either.

The third thing is that the existing system, which would be cured by Bill 108, creates a really bizarre incentive, which is that demolitions can go to a mandatory and binding appeal. An alteration does not; it goes to a CRB hearing with a recommendation. The incentive then isn't to just do an alteration; the incentive is to do a demolition. That's a really bizarre incentive set up in the existing Ontario Heritage Act. Bill 108 would send both of those to a binding decision, which I hope will therefore be an impetus to look more at sensitive alterations with heritage buildings and take some of the emphasis off demolitions.

Mr. Ross Romano: Thank you, David. I've got a bit of a longer, convoluted question here because I want to make sure that I properly characterize the information we've heard from previous witnesses. We've heard from a number of people today. Our last witness, Mr. Gregg Lintern, made reference to the word "may" in all of the concerns he raised with respect to this bill: "This 'may' cause these types of issues." We heard you refer specifically to Bill 108 today, David, and you indicated that this bill "will" eliminate procedural issues with respect to land use planning, while, as indicated, Mr. Lintern—as a chief planner for the city of Toronto—referred to the word "may."

We also heard from Mr. Vaccaro earlier, who is with the Ontario Home Builders' Association. He used words that this bill is transformative and will cover all, or the entire, system of issues, and of course reduce red tape, and ensure that we can get more homes.

I also want to reference the words used by Brooks Barnett, who is the director of policy for REALPAC, who made this reference to—that this bill is about provincial nerve versus municipal muscle.

I know I've given you a lot of information. I know you appreciate the nature of what we've heard a lot of from Toronto city councillors, those who testified here today. From your perspective, in your professional opinion, will this bill create more choice, more homes, and therefore increase the supply of homes in the GTA and therefore increase the opportunity for the people of this province to get affordable housing?

Mr. Dave Wilkes: Let me answer with what we know. We know that we have a growing population. In the city of Toronto, we need 50,000 homes to accommodate the 115,000 people who are moving here every year, and we're building 38,000. We know that it takes eight to 12 years to get an application through the system and—

The Chair (Mr. Parm Gill): Thank you very much. Unfortunately, that is all the time we had.

We will now move to the official opposition, and we will go to MPP Burch.

Mr. Jeff Burch: Thank you for being with us today. In your opinion, do you think one day of hearings is enough for a bill of this size, and have you been consulted appropriately on these changes?

Mr. Dave Wilkes: To look at the consultations in the entirety with which they have been undertaken, this has been one of the most robust consultations that we've been part of as an organization. I brought our submission that we made to the Housing Supply Action Plan—it's over 70 pages—and which went through a number of areas that this committee and the Legislature have been reviewing. These conversations have also been going on—as Mr. Lintern, my colleague, had indicated—for some time in a variety of different forums. As I understand it, there were over 2,000 submissions made to the consultations that the ministry ran. As I recall the facts that the minister indicated during the announcement of this act, approximately 85% of those were from members of the public.

So I believe there has been a thorough and a robust discussion of how we need to address the challenges that this province and, from our perspective, the city face in the context of growing population.

This is a generational issue. There is no doubt. I think that we have an ability as individuals and members of organizations, such as legislators and groups such as ours, to debate ad nauseam. In our opinion, we need to get on with the discussion of how we fix what we really do believe is a market that is out of balance, and we believe that this bill provides that direction to achieve that by providing cost certainty, providing speeding approvals, by reducing backlogs at LPAT where there's 100,000 units. So yes, we do believe there has been ample consultation when you look at it in its entirety, and we are very hopeful about getting on with the job of providing homes for the people who are going to be calling this great province home.

Mr. Jeff Burch: We've heard from the Toronto chief planner and from others that there's lots of supply in Toronto—there's currently 144,000 approved applications—that supply is not the problem and that, really, affordability is the problem. We've also heard that we won't supply our way to affordability. Two very different approaches I think to affordable housing, one thinking that the private sector is just going to take care of things and another is that we need mechanisms to create affordable housing. Can you comment on where you fit in there?

Mr. Dave Wilkes: There are two questions in your comment, Mr. Burch, and I'll briefly comment on them both. We believe that you have to look at affordability over the entire spectrum. The number I mentioned earlier about being 12,000 homes short per year—in my opinion, whenever demand is outstripping supply, you're going to have challenges around market affordability. We agree there also needs to be a hard look at how we provide housing for those at the lower end of the spectrum. So it

can't be looked at in isolation. We will not solve this just through subsidized housing, to use the term. We need to solve it through the entire spectrum of how homes are provided, and we believe that part of that will be the market getting more in balance.

If you look at some of the recent numbers that we've seen in the GTA, there has been fluctuation of prices, and that's as a result, in some cases, of demand falling off and prices coming back to where people find them more affordable for purchasing. We've seen in the first few months of this year an uptick in purchases because prices have fluctuated. So I believe that when the market is provided with the tools that it can use, it will price at points that become affordable. With respect to the 144,000 units, I think there are important points of clarification on that, and David, perhaps I'll ask you to help me.

Mr. David Bronskill: I can speak to some of that. It's a complicated exercise to get to that number. You have to remember the numbers that are being used there are approvals for which we don't know the conditions that are on those approvals. We don't know the locations of those approvals. We don't know the market realities of those approvals.

I don't think Mr. Lintern was saying that just because a unit is approved, it's therefore going to be built. I don't think that was the substance of his submission to you, but that is a reality when it comes to a unit, that first of all, having the approval, there are other processes that are then engaged afterwards, including site plan and building permit, but there are also marketing issues. There are also land value issues. So a unit as approved doesn't necessarily translate into a unit as it is built.

1100

One of the things that we need to continually reassess when looking at supply is that the right units are being approved in the right places. I think a nuance to the supply debate that we need to continue to have is that, for example, with transit, we should be encouraging units around our infrastructure and around our transit, in terms of the growth plan and optimizing use of land. That means we should not just be looking at the total number that are being approved but where they are being approved so that we make sure that the right type of supply is also being encouraged and approved.

Unfortunately, it's a complex issue. In the short time I have to answer your question, I can't get into all the nuances. But I'm glad it's a conversation we're having.

Mr. Jeff Burch: With respect to changes to the LPAT and basically turning back the clock to the OMB, you've talked a lot about efficiency. That's a fair point, but what about the quality of the decisions? Can you comment on some of the power that's taken away from—

The Chair (Mr. Parm Gill): Thank you, MPP Burch. Unfortunately, that is all the time we have.

We're going to move on to MPP Des Rosiers next. You have two minutes.

M^{me} Nathalie Des Rosiers: Thank you very much for being here today. There has been some concern that the restrictions to inclusionary zoning in the bill are a little too

narrow and too restrictive and that they may cause delays in using inclusionary zoning as a tool to improve affordability. Would you be comfortable with an amendment that would remove the restrictions on inclusionary zoning?

Mr. Dave Wilkes: Inclusionary zoning is an important tool. I think that what we would be comfortable with is an inclusionary-zoning model which we've seen in other jurisdictions; that is, a true partnership. That is a partnership of all levels of government: the federal government, the provincial government and municipal governments.

Let me give you an example of that type of partnership from the municipal level. Toronto Housing Now: There are deferrals of development charges as part of the projects that they believe in. So those are where government has to come to the table, and I do believe—and there have been many, many instances where our industry also comes to the table in those provisions. The challenge we have is broader than the question that you're asking in this context. It needs to be that public-private partnership to provide it, because we believe it's not any one group's responsibility; it's everybody's responsibility.

M^{me} Nathalie Des Rosiers: Yes. The city of Toronto planner talked about the process that they've undertaken to develop inclusionary zoning. Were you satisfied with that process?

Mr. Dave Wilkes: We've been engaged in that process. We do believe that the current approach to inclusionary zoning that had been articulated under the previous bill did not strike the balance that I've just referred to. Those were some of the concerns that we have been articulating.

M^{me} Nathalie Des Rosiers: We have until 5 o'clock to submit amendments. I'd like to know—and there have been a lot of concerns that we did not give enough time for inclusionary zoning—

The Chair (Mr. Parm Gill): Thank you, MPP Des Rosiers. Thank you for—

M^{me} Nathalie Des Rosiers: I'll talk to you after.

The Chair (Mr. Parm Gill): I want to thank our presenters for appearing before the committee this morning. I appreciate your time.

ENVIRONMENTAL DEFENCE
CANADIAN ENVIRONMENTAL LAW
ASSOCIATION

The Chair (Mr. Parm Gill): We will move to the next presenters, from Environmental Defence. We have Keith Brooks, Joseph Castrilli and Jessica Karban.

Thank you for taking the time to appear before the committee. I just want to remind you that you will have six minutes to make your presentation, combined, at which time we will move to questions and answers from members of the committee. If you can please state your full name for Hansard, you may begin your presentation now.

Mr. Keith Brooks: I'm Keith Brooks with Environmental Defence. I'm joined here today by my colleagues from the Canadian Environmental Law Association.

Thank you for the opportunity to speak to you about Bill 108.

I'd like to begin by registering my profound concern with the way that this bill has been rushed through the Legislature. Thirty days is not sufficient time for us to understand the implications of this bill, for us to debate the bill and for the public to weigh in on the bill. Further, the time allocation motion, the single day of hearings, the rate at which this is being pushed through also leaves me to wonder how much time this committee will have to consider amendments that might be coming out of these conversations that we're having today, or any comments that were submitted through the public consultation. I understand that the government is abiding by the narrow letter of the law here in terms of meeting the requirements for public consultation and legislative debate, but this is being rushed through in a manner that makes it very difficult to believe that there is careful consideration being undertaken as to the wide-sweeping, profound and potentially long-lasting and irreparable damage that this bill will cause to the state of Ontario's environment.

That said, despite this truncated time period that Ontarians have had to react to the bill, there has been immense public outcry. Over 50,000 Ontarians have contacted their members of provincial Parliament by email, phone or otherwise to ask that schedule 5, the schedule that makes changes to the Endangered Species Act, be struck from the bill. In addition, 96 organizations have signed a letter asking for the same, that that provision be struck from the bill. Schedule 5 of Bill 108 threatens to further endanger some of the most vulnerable plants and animals here in Ontario. Also, 15 municipalities—at last count, probably more—have passed resolutions to ask that this bill be delayed and not passed right now.

We appreciate that there are some challenges around affordable housing. We would love to see some solutions to address that, but we don't see any evidence that this bill is going to have that effect. Rather than moving forward to make affordable growth here, many of these bills are aimed at increasing the supply of single detached homes—of urban sprawl that's going to take out farmland, that will endanger natural habitat, endanger species further.

We don't think this bill should pass in its current form. There's not sufficient time here for me to go through all of the amendments and the details of what we think is problematic here, and there's not time for this committee to actually consider them. We'd say the only responsible course of action right now is in fact to delay the passage of this bill so that it can go through some further consultation and debate.

With that, I'll pass it to my colleagues at the Canadian Environmental Law Association.

Ms. Jessica Karban: Thank you for the opportunity to speak today. I am joined by my colleague Joseph Castrilli. My name is Jessica Karban. Our written submissions include detailed briefs on schedules 2, 5, 6, 9 and 12. We've also attached a consolidated list of our recommendations and amendments to our speaking notes.

CELA's overall submission is that the bulk of the amendments in the reviewed schedules do not advance

sound land use planning, environmental protection or human health and safety. Accordingly, the reviewed schedules should not be proceeded with at this time in their current form.

My presentation today will focus on schedules 2 and 5.

It is CELA's view that the proposed amendments to the Conservation Authorities Act in schedule 2 could constrain the ability of conservation authorities to engage in proper watershed management by (1) limiting and narrowly defining core mandatory programs and services and (2) exempting low-risk developments from requirements to obtain a permit from conservation authorities. These amendments, coupled with the 50% reduction in natural hazard payment transfers from the province, will not make Ontario more resilient to climate change or less prone to flooding.

With respect to schedule 5, the proposed amendments to the Endangered Species Act, we believe they could lead to the delay of classification of species not currently listed on the Species at Risk in Ontario list and their automatic protections upon being listed. In addition, we believe the amendments would allow species at risk to remain unprotected in Ontario if there are more robust protections outside of Ontario. In addition, landscape agreements which would otherwise prohibit activities in a defined geographic area, in return for payment into a conservation fund, are unacceptable. Lastly, allowing the minister to enter into such agreements without first seeking expert scientific advice is not consistent with the purpose of the ESA.

Those are my submissions. Thank you very much.

The Chair (Mr. Parm Gill): Thank you very much. We will begin this round of questioning with the official opposition, so we will go to MPP Burch first.

Mr. Jeff Burch: Thank you very much for your submission and for being here today.

You talked already—and I obviously agree with you—about the length of time, that this bill is being rammed through the consultation process. Were you ever consulted at any time on Bill 108?

Mr. Keith Brooks: No, we weren't consulted explicitly. We could comment on certain papers that were put up on the Environmental Registry, but Bill 108 came forward before the consultation period on those postings even concluded. In our view, there has been very little consultation on this. I don't see how it's possible, either, that any opportunities that people had to make their opinions heard could ever have been incorporated into the actual bill that we're talking about today.

1110

Mr. Jeff Burch: Okay. You talked about something that we're extremely worried about: monies for flood management and disaster relief, and cuts to the conservation authorities. What kind of impact will this have on communities, with the increased incidence of flooding that we're seeing in Ontario?

Ms. Jessica Karban: We believe that there will be significant impacts on communities. The amendments are not consistent with integrated watershed management.

There already are significant cuts to funding, and there is no clear commitment to increase funding in this bill. Without that, we do not believe conservation authorities will be able to carry out their full mandate.

Mr. Joseph Castrilli: Perhaps I could add just one thing: The policy that most concerns me is the possibility of exempting low-risk developments from obtaining a permit from the conservation authority. The authority of conservation authorities to act is primarily driven by their ability to keep housing out of flood plains. There's the potential with this proposal to, in fact, allow housing to end up in flood plains.

Mr. Jeff Burch: Okay. One of the big environmental concerns in Ontario, of course, is preservation of our wetlands, which are incredibly important. What kind of impact could this bill have on wetlands across Ontario?

Mr. Joseph Castrilli: One of the proposals that has been released by the Ministry of Natural Resources, in conjunction with this bill, would actually permit the ministry to redefine the definition for a number of environmental features, such as wetlands, watercourses and pollution. We don't know what the particulars are, but there is obviously the potential to shrink the definition in order to better accommodate housing. Again, that runs risks of both environmental contamination and flooding as possibilities.

Mr. Jeff Burch: Okay. Can you comment on the approach in this bill to endangered species, and what you think of the approach that's taken, especially in terms of basically paying in order to be able to deal in a certain way with endangered species?

Mr. Keith Brooks: The changes to the Endangered Species Act are one of the most environmentally problematic aspects of this bill. Like I said, there has been massive public outcry about these changes to the Endangered Species Act; 50,000 Ontarians, in a very short period of time, have raised their voices and asked that these changes not go forward.

The pay-to-slay provisions are extremely problematic. Ministerial discretion, changing the composition of the board that determines which species are endangered—all of the changes that are contemplated to the Endangered Species Act are highly problematic. They will push more species to the brink of extinction, and this is at a time when we have a global biodiversity and extinction crisis.

Ms. Jessica Karban: I would just add that allowing proponents to pay into a conservation fund is something that CELA strongly objects to. It reduces accountability, and it facilitates harm to species at risk, with no guarantee that there would actually be tangible benefits to species. We see it as a get-out-of-jail-free card. So we are definitely opposed to it.

Mr. Jeff Burch: We've seen that developers seem to love this bill. Why do you think that is?

Mr. Keith Brooks: A lot of the elements of the bill seem to have come from submissions that members of the development industry, some of whom have appeared today, have asked for specifically, like getting rid of the LPAT process, and changes to the Endangered Species

Act, the Environmental Assessment Act, the Conservation Authorities Act.

I think this bill will open up Ontario to a particular kind of development. We don't think it's about affordable housing. We think it's about sprawl development that is going to damage farmland and take away endangered species' habitat, both of which are actually in quite short supply here in Ontario.

Mr. Jeff Burch: All right. The changes to the LPAT: There seems to be a big shift of power here from environmental groups, citizens and citizen groups toward developers. Can you comment on the kinds of effects that could have on the environment?

Mr. Keith Brooks: The most problematic aspect is that it limits public participation to written submissions if any of these development proposals are going up for review, so members of communities will have a very limited ability to comment on development proposals that will impact their communities for the long term.

Also, it takes away the ability of municipalities to make decisions about what's best for their community as well. These are elected officials who are representing the interests of their community, and their ability to make decisions and say yea or nay to good projects and bad projects is going to be further restricted as a result of the changes in this bill.

Mr. Jeff Burch: There are changes to development charges which go toward parkland dedication and important environmental aspects of—

The Chair (Mr. Parm Gill): Thank you very much, MPP Burch. We appreciate it. Unfortunately, we've run out of time. We will move on to MPP Des Rosiers next.

M^{me} Nathalie Des Rosiers: Am I correct that the deadline for submission under the Environmental Registry has not been passed yet, and that the changes to the Endangered Species Act, the comments from the public, are still coming in? Am I correct about that?

Mr. Joseph Castrilli: The deadline for comments on some of the statutes that are in the schedule has not yet expired.

M^{me} Nathalie Des Rosiers: So in the schedule 12, there's also a change to remove Endangered Species Act concerns from the Environmental Registry, to a website to be constructed by the Ontario government. What will be the impact of that?

Ms. Jessica Karban: Yes, we think this is definitely unacceptable. It diminishes the public's right to know. It diminishes accessibility, transparency and accountability of decision-makers. The EBR is a very well established portal for accessing documents and being involved in decision-making, so we don't see any justified reason for making the switch.

M^{me} Nathalie Des Rosiers: I am working on amendments to the bill. There is one concern—there are many concerns that I have on the Endangered Species Act, but one, and I'd like to hear from you, is the mandate that COSSARO would consider the lowest-risk assessment for a species in light of where they are outside of Ontario. I'd

like to hear a little bit more about what that means to protecting species.

Mr. Joseph Castrilli: Well, effectively, it says that if there is a species outside of Ontario that is still relatively robust, that will be a factor in determining in Ontario whether that species will be listed in Ontario.

M^{me} Nathalie Des Rosiers: What's the impact of that for—

The Chair (Mr. Parm Gill): Thank you very much, MPP Des Rosiers. That's all the time we had. We're going to move to the members of the government, and we will go to MPP McDonell.

Mr. Jim McDonell: Yes, thank you for coming out today. We've heard the consultations from many people here. The consultation process has been going on for months. We've had over 2,000 deputants that have come before us, and most of them from the public. There has been opportunity and we have listened, because this is an issue of housing. Building homes is a problem in Ontario. We have to balance it with the environment. There's no question for that.

But I think we need a system—me, an engineer by practice—that is based on science. Like I say, it always bothered me when I see some decisions being made where there's too much in the way of emotions, but the science is thrown out and we aren't getting results. We see it from many cases in the past, where we probably had a detrimental impact on the environment because we refused to look at the science.

These are just some of the instances: In southern Ontario, residents encountered the Butler's garter snake. For the Butler's garter snake, while listed as a species at risk, they did not have the ministry direction on how to mitigate the impacts of the findings. So due to the confusion, it took five years to monitor for snakes and another year of working with the ministry at the location before eventually giving permission to relocate it to another suitable location.

So with this act, the government and Ontarians would be given more time to consider the best strategy to protect species at risk. This would ensure that the ministry could clarify mitigation requirements for clients, providing them with greater project certainty. Would you agree that this situation could have been avoided had Ontario had more time to put proper protections in place?

Mr. Joseph Castrilli: I think the problem with your question, or at least the foundation of the question, is that while there is delay in making your decision about a species, the species continues to be at risk or harmed or destroyed. The example you gave seems to be, on its face, a situation where the ministry simply did not have enough resources to do the research sooner. So you need to throw more money at trying to protect species, number one, instead of trying to expand the timeline before which they might actually have a decision on it.

Mr. Keith Brooks: If I could add to that as well: Our advocacy is founded in science. We pay very close attention to science. I understand that the scientists are actually quite upset about the changes proposed to the

Endangered Species Act in particular. I just came from a press conference earlier where a professor of biology from Queen's University, in fact, explicitly said that these changes will threaten species and that schedule 5 should not go forward. It's my understanding that there is a letter that has been signed by upwards of 80 scientists who are saying the same thing. If you'd like to listen to scientists, I would urge you to read their letter and heed their warning.

Mr. Joseph Castrilli: The other problem with your question is that—and I accept and agree with you that one needs to apply the best science available, but that's why one of the provisions proposed is pretty inexplicable, in the sense that it would allow the minister to enter into a landscape agreement without first seeking scientific advice. That's a problem.

Mr. Jim McDonell: I know that previously we had a report from the Environmental Commissioner—it was of great interest—where he was looking at the protection of the bobolink, as an example, and the work that we were doing in the province. His comment was that we were protecting a species that didn't belong here. It was outside of its region. It got on the endangered species list. He said that the biggest problem we had with the bobolink was the household cat, because it can't thrive here because it's too cold. It highlighted how the time and the effort put into something that really—when you get to the edges of these areas, there are lesser numbers, but that's just to do with the nature of the species and the climate and the conditions. We want to make sure that we aren't chasing something that really is counterproductive, because you can't force a species to live in an area that it's not made to live in or that it can't adapt to.

I think we've seen that. So again, there was a case that the Environmental Commissioner was identifying as one where the government was chasing something that it shouldn't be doing. Do you have any comment on those types of things? We want to make sure that when we're doing something, we're doing it so that we can actually have an impact on something that's positive for the environment, not something that, as you say, we can throw a lot more money at. But in the end, you can't force something to live in an area that it's not able to live in because of the conditions from before man ever came here.

Mr. Keith Brooks: We don't want to force animals to live here that shouldn't be here either, but the edge-of-range piece is an important piece. It matters how healthy species are here in Ontario. If we're at the northern edge of the range because of, say, the Carolinian forest, a particular ecosystem, that is more relevant now than ever because of climate change. You were talking about species being habituated to a particular climate. Our climate is changing. It's getting warmer and warmer, and species that are in more southern latitudes need to be able to migrate north as the climate changes. So if species are at the northern limit of their range, they need to be protected here and their habitat needs to be protected here. This is what—

The Chair (Mr. Parm Gill): Thank you. Unfortunately, that is all the time we have. I want to thank our witnesses for appearing before the committee this morning. I think that the morning part has been very productive.

The committee will now go into recess until 1 p.m. We will start at 1 p.m. sharp.

The committee recessed from 1124 to 1300.

ASSOCIATION OF MUNICIPALITIES OF ONTARIO

The Chair (Mr. Parm Gill): Good afternoon, everyone. The Standing Committee on Justice Policy will now come to order. We will now resume public hearings on Bill 108, An Act to amend various statutes with respect to housing, other development and various other matters. I understand we're now going to have a presentation via teleconference.

From the Association of Municipalities of Ontario: Jamie McGarvey, president. Are you ready to start your presentation?

Mr. Jamie McGarvey: Yes, I'm ready.

The Chair (Mr. Parm Gill): Please state your first and last name for Hansard. You will have six minutes to make your presentation. You may begin now.

Mr. Jamie McGarvey: My name is Jamie McGarvey. I'm the president of the Association of Municipalities of Ontario. I'm also the mayor of the town of Parry Sound. I'm phoning in from the Federation of Canadian Municipalities conference, which is being held in Quebec City.

I'd like to offer a few brief comments. You have my written submission, I hope, which provides a lot more details. I also understand that we might have a couple of staff members in the audience, as well.

Bill 108 is a broad piece of legislation with important objectives—objectives that are worthy. Its aim is to increase the mix of housing types and the speed of housing development. It also is to provide a framework where growth will pay for growth. AMO supports these principled objectives. But, to be direct, the legislation contains both good and some flawed ideas. I will share several examples of both.

Schedule 9, Local Planning Appeal Tribunal: The most regrettable change is the return to de novo hearings. Our members across the province see this as a step backward. Experience has shown that a de novo process that will involve a whole new hearing, new evidence and witness examination does not produce speedy decisions; in fact, experience says the opposite. Decisions are not fast-moving. Frankly, the de novo approach is incongruent with the objective of faster decisions. Let me be equally frank. Local councils take their democratic responsibilities seriously. They undertake consultations with citizens and make decisions that fall within the principles of good planning and their planning policies. Councils are elected to do this work. AMO cannot support a process that takes the planning decisions from the local government. LPAT was never given a fair chance to demonstrate it could speed up valid appeals. Our advice is, give LPAT a chance. Do not reintroduce de novo hearings.

Development Charges Act, Schedule 3, and community benefit charge, Schedule 12: Currently, development

charges only cover about 80% of the costs of growth-related capital. That means property taxes are currently subsidizing the cost of growth. It means we are falling short of achieving the principle of “growth should pay for growth.” There should be no restrictions on eligible services. Shortchanging the public services that the people of Ontario depend on is no way to build the communities people want to live in. On the new proposed payment schedule for development charges, delaying payments until occupancy is problematic. This change represents a financing burden and a collection risk for municipalities, and can expose current property taxpayers to picking up the tab.

The proposed new community benefit charge may be a reasonable approach, although a new process. The key question is, will the regulation adequately finance facilities that make neighbourhoods livable; for example, libraries and recreation facilities? This will be our key objective as we input to the regulation’s drafting.

Schedule 12, Planning Act: There are some good items proposed, such as greater latitude for creating second units, more use of inclusionary zoning, and the use of a community planning permit system. The shortened timelines may create difficulties for very complex applications. We will need to make sure that complete applications are in place prior to receiving them to ensure the clock doesn’t start. The onus is on applicants to do this if the process is to succeed.

We also recommend that the bill clarify that accepting actual land as part of the community benefits charge or under the current parkland dedication regime is permissible. The confusion around this aspect is creating great municipal anxiety.

Schedule 2, Conservation Authorities Act: A memo-of-understanding regime between authorities and municipal governments makes sense. At the same time, we’re concerned that some authorities may not be able to provide even core services due to financial constraints. Municipal governments will unlikely be able to pick up these additional costs. While the framework is helpful, it will also need provincial supports, such as up-to-date mapping. The flooding of the last few years demands this.

To conclude my remarks, I hope that you make the time to review all of the comments in our written submission as you proceed with your deliberations, as they are much more complex. Thank you.

The Chair (Mr. Parm Gill): Thank you, Mr. McGarvey. We appreciate it.

We will now start with questions. We’re going to go to the Liberal member first. Madame Des Rosiers, you have two minutes.

M^{me} Nathalie Des Rosiers: Merci beaucoup for your interventions. As you know, we only have until 5 o’clock today to propose amendments to the bill, so I was going to ask you whether you are comfortable with amendments going forward. For example, I take it from your remarks that schedule 9, which is the Local Planning Appeal Tribunal changes, should be completely removed from the legislation. Is that what you’re suggesting?

Mr. Jamie McGarvey: Yes. Let’s give LPAT a chance to actually see what it can do instead of going backwards.

M^{me} Nathalie Des Rosiers: You said you liked inclusionary zoning. There are provisions in this bill to limit inclusionary zoning to certain major transit places, as opposed to allowing municipalities to do it wherever they want. Would you be comfortable with an amendment that suggested that inclusionary zoning should not be restricted to major transit only—it should certainly go there, but it should not be restricted to that—and allow the municipality to decide to have it where it would work best for it?

Mr. Jamie McGarvey: I think inclusionary zoning could be used, certainly, on a broader basis where affordable housing is desirable. If there are not major transit areas in most small urban and rural areas, then certainly the inclusionary zoning in this would be less applicable in these areas. Municipalities that haven’t put this into place yet, that—

M^{me} Nathalie Des Rosiers: I take it that you’re in favour of inclusionary zoning, generally, and it’s just a question of ensuring that it works for all municipalities, not only for the ones that have major transit areas.

Mr. Jamie McGarvey: Right.

M^{me} Nathalie Des Rosiers: On the conservation authorities, are there specific amendments that you would like to see—

The Chair (Mr. Parm Gill): Thank you, Madame Des Rosiers. Sorry. Unfortunately, we are out of time.

We’re going to move to the government members next. We will start with MPP Hogarth.

Ms. Christine Hogarth: Thank you, Your Worship, for taking the time to join us on conference today. I know you have a busy schedule, especially at FCM this weekend, and I will wish you a good conference.

Mr. Jamie McGarvey: Thank you.

Ms. Christine Hogarth: I will take the time to read the package you presented. Thank you for that. It gives us more to look at this evening.

Just before our break, we had some people in talking about schedule 5, which is the Endangered Species Act. I just wanted to ask your opinion on the endangered species section, which is schedule 5, and your thoughts on the changes. Do you believe it will reduce any burden and increase certainty for housing developments?

Mr. Jamie McGarvey: I’ll give you this: If there is provincial leadership to work with municipal governments to proactively protect habitat through landscape agreement, the provisions could help. Certainly, an inventory of existing habitat for endangered species would be a great place to start. It would be fantastic to have that inventory. We have some species listed in Ontario that are certainly in abundance in nearby jurisdictions. We could look to the scientists to help understand how endangered species is really based on evidence, and there may be some changes.

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On whether it would help, there are ways in which we can work together to make this better so that we can protect endangered species but also move development forward. I think that would be our desired result.

Ms. Christine Hogarth: I think that's really why we're here today. It's about increasing our housing supply in the right places, at the right price and in the right mix. What fits for Toronto doesn't necessarily fit in the community of Parry Sound. As we all know, it's a different ball there. In our consultations across this province, this is what we heard: "Please don't have a one-size-fits-all solution," because what works for one place doesn't work for another. We do want to continue to work with you as a partner, to ensure that we are building the right types of houses.

More on the Endangered Species Act, because it was something that was brought forward just before lunch: What do you think about exempting low-risk municipal activities from the Environmental Assessment Act? Is it a proposed benefit? How will it benefit municipalities in delivering infrastructure more quickly and more efficiently?

Mr. Jamie McGarvey: Could I have Monika answer that question, if she is there?

The Chair (Mr. Parm Gill): Monika, can you come up?

Ms. Cathie Brown: I'm not Monika. My name is Cathie Brown.

Ms. Christine Hogarth: How about Cathie?

Mr. Jamie McGarvey: That's fine. If Cathie is there, that's good, too.

Ms. Cathie Brown: I believe your question was about environmental assessment.

Ms. Christine Hogarth: Yes, that's right.

Ms. Cathie Brown: With respect to low-risk class environmental assessment activities, there is obviously a need to speed certain things up. The proposed changes can improve the process, where there are no risks or low risks to the environment.

We do wonder about the self-assessment and reporting aspects of the regime, and would look for more details on how this might be operationalized.

The Chair (Mr. Parm Gill): Thank you.

Ms. Christine Hogarth: Sorry about that. I missed my words. I just want to correct my record. It was the Environmental Assessment Act, versus the Endangered Species Act. Sorry.

Thank you, Cathie, for that.

One more question: How do you think the changes to the Endangered Species Act will support municipalities and their planning for approvals and development?

Mr. Jamie McGarvey: As long as there's consultation and they're working with the municipalities with regard to our planning process and our OP, I think it can help.

As I mentioned, if there can be a mapping or a detailing of the endangered species within a municipality, so that we know where it is, that's going to take, I believe, some provincial support to be able to do that. I think that working together, we can do this moving forward.

If Cathie wants to make any additional comments to that, I think that would be fine.

Ms. Christine Hogarth: She's shaking her head.

Mr. Jamie McGarvey: She's shaking her head? No? Okay.

Ms. Christine Hogarth: Thank you, Your Worship. You do have a partner in us, absolutely.

Mr. Jamie McGarvey: Thank you.

The Chair (Mr. Parm Gill): Anybody else on the government side? We have one minute left. Seeing none, we'll move to the NDP, and we'll go to MPP Burch.

Mr. Jeff Burch: Thank you for joining us, Mayor McGarvey. I understand that you're busy at a conference. We appreciate that, and your written submission as well.

Mr. Jamie McGarvey: Thank you.

Mr. Jeff Burch: I just want to go back to the issue of the de novo hearings. You did address the issue of the speed of the process. We've had presenters today suggesting that going back to the old process will speed things up, and you're suggesting that it's actually the opposite, that it could slow down the process. Could you expand on that a little bit for us?

Mr. Jamie McGarvey: Certainly, past experience is showing that while proposals at the OMB were certainly not reflective of some of the local or even provincial planning matters, the lengthy hearings at the OMB resulted in about 100,000 units being backlogged in the pipeline. So if we have that past history, and we take a look at how it did slow the process down—we had one particular case in our own community where it was months before we actually were able to get to an OMB hearing. It puts developments on hold, and then you have to wait for the outcome. It's time-consuming.

If we can go to an LPAT process and stay with that, I think then it's a decision within the council and the municipality with moving that forward. We seem to feel that it speeds the process up.

I'm not sure, because I haven't been part of the hearings—he is saying that they think that the OMB process was great, but all I heard before were complaints, and that was complaints from both sides. We were certainly hoping that perhaps that process, if it could be shown that it could speed the process up—and I think that's what we're after. We're trying to move development and housing and affordable housing forward for people in the province. Cutting it off short, I don't think is going to prove anything.

Mr. Jeff Burch: Okay. And the issue of partnership was just raised—a substantial piece of legislation that's being rammed through the Legislature in three weeks with one day of hearings. You have till 5 o'clock today to submit written submissions. Is this the kind of consultation process that your members expect from the provincial government?

Mr. Jamie McGarvey: That's a very political question. I think our membership is certainly expecting consultation. We're expecting to be able to be heard. We're expecting to have a discussion around it, and if our advice is taken—we're here to certainly represent the municipalities and how municipalities can work more effectively for the people of Ontario. We need to have good, solid discussions around that so that we can move the province forward for the people of Ontario. We want to be open for business. We want to make sure that growth

pays for growth and we want to make sure that there is housing, there is development for the people of Ontario—and opportunity.

Consultation needs to evolve around that and make sure that every side is heard so that we are doing the best for the people of Ontario.

Mr. Jeff Burch: On that note, in your submission you say that property taxes are already currently subsidizing the cost of growth and that shortchanging the public services that the people of Ontario depend on is no way to build the communities that people want to live in. Could you talk about how limiting cost recovery affects the budgets of municipalities?

Mr. Jamie McGarvey: Certainly if we can take a look at the development charge process and the community benefit charge, we're not sure how the total community benefit charge is going to work. I've already heard from a number of people with regard to how this could certainly limit the amount of money coming from development charges to help growth pay for growth. I think that seriously needs to be looked at. We need better understanding of how this community benefit charge is going to work, and there needs to be more clarification and understanding around that.

The conversation needs to be had. We need a better understanding because there is anxiety out there amongst the municipalities that have development charges and that are very concerned about this. What it means is that it falls back onto the current taxpayers to all of a sudden have to pay for growth. Right now, they are already strapped. Every municipality is grappling with—they've had assessment appeals and that sort of thing. If you take the actual amount that a municipality has control over in their operational funds, their discretionary funds, it's not as broad as what some people think. So to all of a sudden throw development back onto the property taxpayer—

The Chair (Mr. Parm Gill): Thank you, Mr. McGarvey. I appreciate it. Unfortunately—

Mr. Jamie McGarvey: My time is up?

The Chair (Mr. Parm Gill):—we're done with time. Yes, time is up, and I want to thank you for your presentation. On behalf of all of the committee members here, thank you for taking the time to appear.

Mr. Jamie McGarvey: Thank you for the opportunity.

Ms. Christine Hogarth: Point of order, Chair: I just want to say, is the deadline for filing amendments 6 p.m.?

The Chair (Mr. Parm Gill): I am going to clarify that in just a minute.

Our next witness is also appearing via teleconference, so we're going to allow maybe our technical team a moment to get them up and running.

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In the meantime, I wanted to take this opportunity—and thank you, MPP Hogarth, for bringing this up. Just for the benefit of all of the committee members, the deadline for filing a written submission is 5 p.m. today, and the deadline for filing amendments to the bill with the Clerk of the Committee is 6 p.m. today.

Interjections.

The Chair (Mr. Parm Gill): It will probably be another 30 seconds or a minute, so if anybody wants to help themselves to a coffee or a glass of water, please do that.

MR. JEFF LEIPER

MR. RAWLSON KING

The Chair (Mr. Parm Gill): Okay, everyone, I think we have our next presenter on the line. Just to confirm, we have Jeff Leiper on the teleconference?

Mr. Jeff Leiper: Good afternoon. Are we good to go?

The Chair (Mr. Parm Gill): Okay, perfect. We have Jeff Leiper, as I mentioned, from the city of Ottawa, city councillor of ward 15. I also understand he may have a couple of other colleagues with him. I just ask anyone who's speaking to please state your name for Hansard before you start your presentation. You will have six minutes to make your presentation, at which point in time we will move to questions and answers. Jeff, you may start now.

Mr. Jeff Leiper: Thank you very much. Good afternoon, members of the standing committee. My name is Jeff Leiper, and I'm the councillor for Kitchissippi ward in Ottawa. I'm representing today Ottawa's downtown councillors: Mathieu Fleury, Rideau-Vanier; Rawlson King, Rideau-Rockcliffe; Catherine McKenney, Somerset; and Shawn Menard, Capital. This afternoon I'm joined on the line by my colleague Councillor King.

I would first like to thank members for the opportunity to address the standing committee with respect to our concerns with Bill 108, the More Homes, More Choice Act. Our wards comprise the downtown core and near-downtown neighbourhoods that are the most rapidly intensifying in the city. We are each faced with the challenge of building inclusive, safe, prosperous, sustainable communities as Ottawa grows.

We are also the wards that have the greatest dichotomy between the well-off and the most vulnerable. Housing affordability is a critical issue in our wards given rapidly escalating land values. We share the government's concern for housing affordability, as thousands of people wait for subsidized housing and 29% of those in rental housing are in core housing need.

Bill 108, however, pits housing affordability against ensuring that our communities are livable. Further, it restricts cities from using new inclusionary zoning tools as broadly as possible to ensure affordability across our jurisdictions.

The minister would have received the city of Ottawa's comments on Bill 108, and we'd like to confirm first that we support the positions taken by the city. Our key concern for downtown wards that requires revisiting is the elimination of cash in lieu of parkland, the section 37 benefits, and the collection through development charges of fees for soft infrastructure.

Ottawa's official plan policies supporting intensification as a growth strategy, in keeping with the provincial policy statement, have resulted in rapid growth in the core

and near-downtown neighbourhoods. Our mature neighbourhoods are undergoing profound transformation. The demolition of detached homes, with semi-detached or denser replacements, is changing our community, and the skyline is dotted with cranes as high-rises continue to be built.

Population density in the core neighbourhoods is rising, and residents are feeling the pinch. Our streets are more congested, our pools are full, and field houses and recreational infrastructure are at capacity.

We need to enhance and grow green space.

As property values rise with gentrification, we are concerned about the displacement of vulnerable populations.

We rely on revenue sources, including development charges, and especially cash in lieu of parkland in section 37, to accomplish small and sometimes large interventions that improve the quality of life in intensifying neighbourhoods. For example, associated with a 24-storey tower being built in my ward, I was able to use section 37 benefits to bring water infrastructure into a nearby park, so that the local rec associations can flood a puddle rink for residents.

Section 37 and the cash in lieu of parkland mechanisms provide local councillors, who know their communities best, with a nimble and transparent way to work with city staff, residents and developers to make quality-of-life improvements. Some of the projects that we can accomplish with parkland funds in section 37 require that we save up from several developments and wait for the necessary cash to accrue. If our understanding is that 60% of the funding of the new community benefits charge must be spent within one year of its being collected, this will virtually eliminate the possibility of some of the most-needed projects.

We urge the government to reconsider. We strongly urge the government to consult further on changes to cash in lieu, development charges and section 37 benefits, to understand where improvements might be made while preserving the public interest benefits those achieve.

I'll turn it over to Councillor King.

Mr. Rawlson King: Of critical interest to our caucus is the potential restriction on inclusionary zoning to limit it to only areas designated as major transit station areas or to development permit areas.

We recognize that affordable housing in wards such as ours is desperately needed, especially by our most vulnerable residents. Housing near transit and amenities should not be a luxury enjoyed only by the most privileged. However, the scale of housing needs for our most vulnerable will go beyond what can be accommodated in the core.

Diverse neighbourhoods are healthy neighbourhoods, and our whole city should be comprised of healthy neighbourhoods.

Even within Ottawa's core communities, there's a very strong need for affordable housing that falls outside of half-kilometre circles on the map. We recognize that development near transit stations will be tall and dense, but intensification is also taking the form of mid-rises and low-rise housing in established neighbourhoods. Not

every high-rise is being built in a major transit area. Not every core ward has a major transit station.

Ottawa needs the flexibility to improve a local approach sensitive to our context. We strongly urge the government to reconsider this provision.

Bill 108 is also not good proposed legislation, as it removes the right of local communities to have a final say on local heritage issues. I represent a ward in Ottawa with two heritage conservation districts that arguably have one of the largest concentrations of built heritage in this province. Our residents believe that heritage conservation is primarily a local matter that reflects local history, community values and cultural benefits that are best managed by municipal councils, who best understand community priorities. Bill 108 removes heritage protections and allows new developments to avoid the requirements of heritage impact assessments and other measures designed to ensure that heritage is reflected in planning decisions.

As a consequence, I recommend, on behalf of my residents, that the bill expand inclusionary zoning beyond transit-oriented developments and that heritage protections—

The Chair (Mr. Parm Gill): Thank you, Mr. King. We appreciate it. Unfortunately, we're out of time. We've hit six minutes.

We're going to now start questions and answers. We will go to the members of the government, and we'll start with MPP McDonell.

Mr. Jim McDonell: Thank you for appearing here and joining us this afternoon. The nation's capital is an important part of our region, the province of Ontario. We're looking forward to passing legislation that will actually enable some of our highest-growth areas.

A large concern is about inclusionary zoning. The whole role of allowing affordable housing around transit systems is all based around the fact that they likely will be limited as far as the ownership of a car or vehicles or the cost of getting places by taxi. You're suggesting we step back from—the province and the federal government put a lot of money in transit, with the idea of having it going through dense areas so it actually has the greatest chance of paying for itself and it creates opportunity for more people to use it. Do you have some comment on that?

Mr. Rawlson King: I primarily think that a bill called the More Homes, More Choice Act should actually entail more homes and more choices. If that's the case, the municipality needs the maximum number of tools to ensure that we can provide the most choice. We don't disagree that transit-oriented development is absolutely essential. That's what our city is really focused on, especially with the development of the new LRT project. What we're saying here is, why not maximize that tool to go beyond our transit-oriented development?

Mr. Jim McDonell: The whole theory behind it is to build your transit where the people are. If you deviate from that, then you're taking away the opportunity for the transit to actually succeed. If you don't need the transit, you don't need to build it.

You're looking at doing some planning—and I thought Ottawa was ahead of its time, really. If I look at the east end, out into Orléans, they've already mapped out their transit areas, and that's where they've zoned the highest densities, well before the first streets went in.

Mr. Rawlson King: Absolutely. But I think that we have some limitation in terms of where transit goes, especially new transit infrastructure. So it makes sense in the existing core to also have access where there are tremendous numbers of people who require affordable housing, as well. Other areas outside of the core, on the fringe of the core, that might not have direct access to light rapid transit—we should be able to have the tools, as well, in those areas of our jurisdiction to have inclusionary zoning. We definitely heard it at the doors. We hear from our constituents all the time that they want their municipal politicians to have the tools to be able to create more choices for the residents. So the expansion of the tool is important to us.

Mr. Jeff Leiper: If the concern being expressed, respectfully, is that we need to have population density near transit, whether we need the inclusionary zoning tool to try to achieve that or not is somewhat irrelevant.

I'm in the fortunate position of having five LRT stations coming through my ward, and those are pushing intensification in a really strong way. There is no danger that the population density will be sufficient to maintain light rail. There is more demand for affordable housing than can be accommodated in the immediate vicinity of transit stations, as well. My ward is mostly not in a transit-demand area. There are significant arterial roads that have great bus service on them, great amenities. Those would be very attractive neighbourhoods for those who need alternative transportation as well as amenities—the ability to walk to shopping. They won't be captured if we keep the inclusionary zoning tool to just the areas in close proximity to transit stations. There is lots of demand for affordable housing. There is lots of demand for housing near LRT stations. We can accomplish both goals, but we need to have the flexibility to expand inclusionary zoning beyond the immediate vicinity of just transit stations.

Mr. Jim McDonell: This whole bill is based around more housing, more choice. The inclusionary zoning is just something that goes along with that, trying to build up the importance of transit. Where we do invest in transit, we want to make sure that we have the greatest opportunity of the greatest use because, too many times with transit, the lack of use drives up costs so, of course, that drives down usage.

We're hoping to learn from our lessons—looking at how we can achieve those lower costs. If you look around at some of the bottlenecks around the city of Toronto, with a lack of transit in some of the greatest densities, it's really causing a lot of trouble here. I know that trying to get around through Ottawa at times, it's getting tougher and tougher because of the traffic and the load on the streets.

Mr. Rawlson King: Yes, and—

The Chair (Mr. Parm Gill): Thank you very much. Unfortunately, we've hit the six-minute mark, so we'll

have to move on to the members of the NDP. We're going to go to MPP Morrison.

Ms. Suze Morrison: It's great to have you folks on the line. For context, I also represent a downtown riding, so a lot of what you've said has really resonated with me.

I'd like to ask you about the proposed changes to the LPAT. I know that Ottawa specifically was supportive of the changes previously from the OMB to the LPAT model. I'm wondering if you could comment on how you feel about the changes to the LPAT as they're proposed in Bill 108.

Mr. Jeff Leiper: Thank you for the question. We didn't have time to get into it in our presentation, but the reversion back to a developer-friendly OMB, with its de novo hearings that add complexity to the hearings, and particularly the removal of deference to local councils, strikes us as a step backwards in terms of cities' ability to plan with certainty the kinds of sustainable communities they want to create to put the parameters around development in the community that are necessary in order to look at community-building at a 10,000-foot more holistic level.

We cheered, as urban councillors, the reforms that were made to the Ontario Municipal Board, and we definitely urge the government to reconsider going back to a system that takes certainty out of the planning process and that took deference to local councils that know their communities best and who are elected to make these planning decisions—taking that deference away.

Mr. Rawlson King: It's Rawlson King here. Just briefly, although the current government has said that the bill in question is a way to increase the housing supply by getting rid of a backlog of cases, in reality what we believe this bill really does is make the process more developer-friendly by expediting the process: making it easier for developers to bypass zoning bylaws and the various concerns raised by residents.

The Chair (Mr. Parm Gill): Can I make a request to our presenters? Can you please state your name before you speak? We're on a teleconference and there's no way of us knowing who's actually speaking. So, please, just moving forward, before you start speaking, if you can just state your name for the record, that would be very helpful.

Please carry on, MPP Morrison.

Ms. Suze Morrison: Unfortunately you weren't in the room, but just prior to your phone call we were able to hear from folks from the Association of Municipalities of Ontario. In their written submission, they talk about how the LPAT was really never given a fair chance to demonstrate that it could speed up valid approvals. One of the things that I don't think has surfaced during the hearings today that I know is something that has happened in Toronto and I'd be curious to get your feedback from Ottawa, is that when the changes from the old OMB to the LPAT were made, what we saw was an influx of developers who submitted appeals to the old OMB before the switchover to the LPAT happened, and flooded that system knowing that the OMB process was more friendly to them and wanting to get their appeals in on the old system. Has it been your experience that the old OMB was

flooded with appeals that you're still dealing with the backlog of in Ottawa, as has been the case in Toronto?

Mr. Jeff Leiper: We don't see as many of the appeals in the system right now. I think this city council has worked hard to come to a bit of a consensus anyway to win around controversial developments. So we haven't seen the appeals to them. This city council has been very developer-friendly over the past eight years, so as a result we don't see developers appealing those decisions. The community, under the old rules under the OMB with the de novo hearings—they have stopped appealing as many things, knowing that the OMB route is not likely to bring them the satisfaction. So I don't think our experience is the same as some of the jurisdictions from which you may have heard.

This is Councillor Leiper; my apologies.

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Ms. Suze Morrison: Thank you. Looking at Bill 108 from the perspective of truly affordable housing, is it the opinion of yourself and your fellow colleagues in Ottawa that Bill 108 will actually achieve its goal of delivering on more affordable housing for municipalities in Ontario?

Mr. Jeff Leiper: This is Councillor Leiper. I think you will hear a little bit later today from our chief planner and from planning chair Harder about the need for some sensitivity with respect to the kind of affordability crisis that may be in different jurisdictions across the province.

The average home value in Ottawa is, I believe, just under half of what the average home value is in Toronto. The government may wish to address a middle-class affordable housing crisis in Toronto that Ottawa is not actually experiencing to anywhere near the same degree.

Our concern, especially as urban councillors in Ottawa, is for affordable housing for our most vulnerable populations. Bill 108 does very little to increase choice for them.

Ms. Suze Morrison: Perfect. Thank you so much.

If you were to prioritize what initiatives you think this government should be looking at to address affordable housing, again, for those most vulnerable populations, what things would be at the top of your list that you wish you could see included in Bill 108?

Mr. Rawlson King: This is Rawlson King. I don't know about talking to specifics, but I do know that we need investment. I do sit on the board of the Ottawa Community Housing Corp. here in the city. I was just recently appointed with my successful by-election. What I do see is that there is underinvestment from senior levels of government in those resources that directly benefit vulnerable populations, and we have huge waiting lists that need to also be addressed.

The Chair (Mr. Parm Gill): Thank you, Councillor King. We appreciate it. We're going to now move on to the Liberal MPP. Madame Des Rosiers, you have two minutes.

M^{me} Nathalie Des Rosiers: Merci beaucoup. Thank you. Alors, happy to see you in Ottawa; my best wishes. It's Nathalie from Ottawa–Vanier. You should know that we have until 6 o'clock to file our amendments, and we need to pass them through the legislative counsel.

I heard you on inclusionary zoning, the expansion and removing the restrictions that you are asking for. On heritage, I did not quite get exactly what amendment you thought should be considered by this committee. I'd like to hear about it, and if possible, if you could send me by text as soon as possible so I can get legislative counsel to look at them, so I can file them in the appropriate format by 6 o'clock, that would be great.

What was the concern on heritage?

Mr. Rawlson King: Our concern, number one, is ensuring that—there's already sensitivity by residents about the process around heritage, especially heritage conservation districts. We'd love you to consider adopting a policy of appointing LPAT members with specific expertise in heritage matters—I think that's important—and ensuring that we also have the protection of specific tools that were in place, because that's one of the fears from our residents, that some of the tools that were put in place before, including heritage impact assessment and other measures that were designed to ensure that heritage is reflected in planning decisions, may be erased by the bill.

M^{me} Nathalie Des Rosiers: Again, I think if there are specific—if you have the time to just look at specifically the changes that would be required, that would be most helpful.

Finally, I think there were some concerns by—

The Chair (Mr. Parm Gill): MPP Des Rosiers, thank you. Sorry. Unfortunately, we've hit the two-minute mark.

I want to thank our presenters. Thank you for taking the time and presenting to our committee. It's really, really appreciated. Thank you for your time.

FEDERATION OF RENTAL-HOUSING PROVIDERS OF ONTARIO

The Chair (Mr. Parm Gill): We will now move on to the next organization, which is the Federation of Rental-housing Providers of Ontario. We have Asquith Allen, director, policy and regulatory affairs.

Thank you for coming, sir. I just want to remind you that you have six minutes for your presentation, at which time we will let the members ask some questions. You may begin now. Before you begin, please state your name for Hansard.

Mr. Asquith Allen: Thank you, Chair. Good afternoon, members of the Standing Committee on Justice Policy. My name is Asquith Allen. I'm the director of policy and regulatory affairs at the Federation of Rental-housing Providers of Ontario.

I would much prefer to speak to you about the 32 points that Pascal Siakam landed last night, but I'd like to begin by thanking the committee for the opportunity to appear today and to share our industry's perspective on Bill 108, More Homes, More Choice Act, 2019.

Our association commends the Ford government for taking strong action to address one of the core issues in our province, the housing supply crisis.

We can all agree that housing supply has not kept up with increasing demand for housing in Ontario, and the

rental side of the market is no different. Demand on rental has been driven by strong job growth, more people moving to Ontario, and the increased costs of home ownership.

In fact, a recent report by Urbanation concluded that Ontario's rental housing demand is now at a 45-year high. However, supply has not kept pace. Vacancy rates, a key indicator of the health of the rental housing market, have been trending down for the past few years in Ontario. The 2018 figures by the Canada Mortgage and Housing Corp. showed a vacancy rate of about 1.8% in the province, which is near a 16-year low. The situation in the city of Toronto is even worse, with a 1.1% or thereabouts vacancy rate.

The Urbanation report also looked at how many additional rental units were needed to balance the market in Ontario, and 90,000 to 100,000 over the next decade is what they have concluded. That's a massive number, but it's what is required to address housing affordability in the province.

It's within this context that the rental housing industry supports the government's measures to make it easier for developments such as purpose-built rental to proceed.

There are many proposed changes to development approvals in Bill 108 that would result in more rental housing being built across the province. For example, changes to the Local Planning Appeal Tribunal that allow the body to review an application considering what is the best planning outcome will help more rental units enter the market. The promotion of the use of development permit systems in specified areas, such as major transit station areas and provincially significant employment zones, will also make it easier to build more housing, including rental units.

Moving toward a community benefits charge will add more predictability on cost and move away from the influence of politics, which delay projects on the ground. Changes to development charges, such as deferring payment until buildings are ready for occupancy and paying them in six instalments, will improve cash flow, provide more certainty on costs and potentially reduce development costs, making more rental housing projects viable.

These are all good measures. They will result, we believe, in more rental housing being built in the province of Ontario.

FRPO, the Federation of Rental-housing Providers of Ontario, supports the government as it moves forward on implementing the proposed changes in Bill 108.

I thank you for your time, and I am happy to take your questions.

The Chair (Mr. Parm Gill): Thank you for your presentation.

We will begin this round with the NDP. We will start with MPP Morrison.

Ms. Suze Morrison: Thank you for coming in today, and thanks for sharing the Raptors love.

Do you think that there has been appropriate consultation in terms of not only the development of this bill, but in terms of how quickly this has moved through the legislative process? Appreciating the volume of

stakeholders involved in such a large bill, do you think one day of committee hearings is good enough?

Mr. Asquith Allen: My understanding is that there was a consultation that was put out for the Housing Supply Action Plan, where folks from across the province were able to meet in different locations and provide input on what they think should be included in what legislative or regulatory changes would come from the government. My recollection is that the bill was tabled on May 2. Today being May 31, the information has been made available to the public for almost a month, so there has been at least some opportunity to be able to read some of its contents and come to a conclusion on whether someone supports or doesn't support the proposed changes.

1350

Ms. Suze Morrison: Back in the fall, when we were looking at the impact of vacancy rates in rental housing and the increased demand for rental housing, this came up in the context of the government's fall economic statement, when they cut rent control. We had a number of folks come in and give presentations, and there was some very clear data that was presented here from the CMHC that showed a direct correlation between the ending of rent control in the province of Ontario and the flatlining of purpose-built rental housing.

I know that we probably don't agree on the answer to that, but would you agree with that data that, at the same time that rent control was cut in this province, the development of purpose-built rental housing did indeed flatline in Ontario?

Mr. Asquith Allen: What I will say is that the collection of rent is pretty much one of the few revenue streams that a property owner or a landlord has in terms of making their business and their investment viable. Making sure that projects can be viable in terms of the actual construction and building of a building before folks take occupancy is key. After making that investment, being able, at some point in the future—not necessarily right away—to catch up to the investment that you made, we think, is crucial. So we do support the government's efforts that came to pass, I believe, in November of last year.

Ms. Suze Morrison: As rental housing providers, you guys are in a bit of an interesting situation when it comes to this, because what we've heard from the municipalities overwhelmingly throughout this process is that the changes to the development charges process, as proposed in Bill 108, would leave municipalities in a position of having to compensate for the cost of development through the tax base.

What's interesting in terms of representing rental housing providers is that it's your landlords who are going to have to compensate for that tax base as the sole property owner in these situations.

Do you think that, in terms of the members that you represent—yes, you're getting a hand up—or a handout, if you will—in terms of the development charges as proposed in Bill 108, but down the line, when municipalities have to increase the tax revenue to compensate for that lost

revenue in the process, do you think that that's not going to hurt your members as rental housing providers?

Mr. Asquith Allen: I would agree with the first term that you used, the Freudian slip in a hand up instead of a handout. What FRPO does support is the clarity that that schedule provides in terms of splitting out the development charges into—colloquially, people say the “hard DCs,” in terms of waste water and all that stuff that is needed to make sure that the city infrastructure is keeping up with development. Colloquially, people say, “Growth pays for growth.” But also, it's providing clarity on some of what folks refer to as the “soft DCs”: making sure that organizations can have clarity and know what it is they're going to be paying up front, and then they can actually make different business decisions that will then make more projects, we believe, viable and, in the end, get more purpose-built rental online in the province.

Ms. Suze Morrison: Again, from my perspective, I think you're in a unique position. The developers that are building housing that they are then turning around and selling—when the municipalities have to turn around and raise the tax base, it's not the developers that are going to have to pay for the cost of that growth. They're going to be able to pass that cost on to the property owners through increased taxes. But it's going to be your members who bear the burden of this cut on the tax-base side in a way that the development industry doesn't have to. Are you not at all concerned about the potential risk to increased taxes for your rental property providers?

Mr. Asquith Allen: FRPO would definitely side on not as lowest as possible but lower municipal taxes that would be passed on to other folks in the industry. But getting back to the point that I raised earlier, the clarity that's provided in the schedule with respect to development charges is welcomed by FRPO in terms of the splitting out of hard and soft DCs, and the clarity that's provided there.

The Chair (Mr. Parm Gill): Thank you very much. I appreciate that. We're going to move to MPP Des Rosiers.

M^{me} Nathalie Des Rosiers: Thank you very much for being here. I agree with you that there are many good things in Bill 108 in terms of support for secondary units and so on.

There are two concerns that I have, among others, that may be relevant to your association. Would you be comfortable with an amendment that would expand a little bit the ability to use inclusionary zoning in other places rather than only around transit areas?

Mr. Asquith Allen: I mean, I'm the director of policy and regulatory affairs; I'm not the president and CEO. So I'd definitely have to take that back. But with respect to inclusionary zoning, FRPO isn't necessarily opposed to inclusionary zoning. Practically speaking, it's not going anywhere. I think what we would definitely be considering supporting is municipalities approving the density that's required to make projects viable, and potentially adding inclusionary units above that, in the specific context of purpose-built.

M^{me} Nathalie Des Rosiers: The city of Toronto has had a process to come up with inclusionary zoning. Were

you happy with that process? If we were, for example, to make sure that all the work that has been done is not lost, would that be satisfactory to you?

Mr. Asquith Allen: I'd have to double back and take a look at that proposal again; I can't necessarily commit to it right now. But we can definitely be in touch after the hearing.

M^{me} Nathalie Des Rosiers: I have just this, because I have little time: The other thing that has been suggested is that the list of eligible services be expanded to include paramedics. It has policing and firemen. You would not be opposed to that, would you?

Mr. Asquith Allen: Not at the first outset, as you mention it. We'd obviously want to see the language of an amendment before we commit fully to it.

The Chair (Mr. Parm Gill): Thank you very much. I appreciate it. We're going to move to the government members now. We're going to go to MPP McDonell.

Mr. Jim McDonell: There was a lot of talk over the day about the lack of consultation, but I think you referenced that there has been consultation now since early last fall. Have you or your group had the chance to participate over that six months—or, I guess, eight or nine months?

Mr. Asquith Allen: I started at the organization at the end of April, but I do know that FRPO representatives have been in various in-person consultation sessions across the province, wherever they've been held, and I believe a couple of teleconferences that may have happened on behalf of the ministry. So in short, yes, there was, I think, a good amount of consultation on the legislation. With the beauty of the Internet, as soon as a bill is posted, individuals can download a PDF and get cracking. For most people, they're not necessarily going to read a 90-page bill, but a five-page explanatory note is much better.

Mr. Jim McDonell: I am surprised with the talk about the rush for amendments. Yes, the amendment deadline is today, but we've had a month to look through this bill and stakeholders have been meeting us all month, so we've had, really, a month to put amendments or propose amendments for this bill.

Also, the inclusionary zoning is another issue. We're looking at ways of—the bill looks at concentrating densities around transit. I guess the municipalities—you've got to question why they would be wanting to add density around other areas that are above what the market would want to provide. I'm sure that in most cases, developers or home builders are looking at trying to build something that they can actually sell.

There is the idea, around transit, that the three levels of government put a lot of money into making sure that proper transit is built and is actually used. That's the logic for having the inclusionary zoning in that area, to make sure that there's more affordable housing there than there would normally be anywhere else. But when you get away from transit where generally people who need affordable housing have more trouble to get to, there's less of a need. Any comment on that, on forcing affordable housing in

areas where, really, it's maybe going to be a problem down the road, because now you have to build transit to these new locations?

Mr. Asquith Allen: No, FRPO definitely sees the logic behind those provisions in the bill. If folks are having a hard time paying for the housing that they do need, at least allowing them to get to and from work, play or wherever it is they need to be would be ideal, and it would make sense to have inclusionary zoning in major transit station areas.

1400

The Chair (Mr. Parm Gill): MPP Babikian.

Mr. Aris Babikian: Thank you very much for coming and sharing your ideas and suggestions with us. My question is related to building more affordable housing. Are you confident that the changes to the Development Charges Act for the purpose of building more rental housing will increase investment and space, and result in rental availability?

Mr. Asquith Allen: Yes. In general, the bill, we believe, would definitely allow for more purpose-built housing to come online, specifically because there is more certainty for the folks who are in the business of building to actually make projects viable, to calculate what their costs are and make business decisions accordingly. Again, the biggest piece that we appreciate is the cost certainty that's provided with the legislation—or increased cost certainty.

Mr. Aris Babikian: Thank you.

The Chair (Mr. Parm Gill): MPP Hogarth.

Ms. Christine Hogarth: Thank you so much for being here and for your presentation. We certainly appreciate it. We appreciate you also taking time to get involved in the consultations. It was because of the consultations that we were able to put such a solid bill together and bring it forward today.

You talked about strong job growth, which brings people to Toronto, and we hope to say that's because Ontario is now finally open for business. We want to make sure that people do move here, and they do need places to live once they do come and create jobs and we have a better housing market.

One thing, when we are building more homes of all types—we want to make sure we build the right types, in the right locations. One of the key parts is building purpose-built rentals, because people want to rent, so we need more of that. Can you talk a little bit about how Bill 108 will help to increase the building supply, the supply of rental-purpose housing?

Mr. Asquith Allen: The first thing, going back to my comments with MPP Morrison, the splitting out of the development charges for hard and soft costs will definitely allow businesses to make those predictions in terms of what their costs are for projects and allow them to build.

In general, I would say the provisions in the bill do allow for greater certainty as to what the general costs of building are, and it does take aim at reducing some of the government fees and charges that, from our estimation, are about 18% of what it costs generally to build a building in

the province, based on some of the pro forma analysis that we've sought out. So reducing that as much as possible to make it more viable to build is definitely something that we're in support of. Any time that you're talking about building housing in general—

The Chair (Mr. Parm Gill): Thank you very much. We appreciate it. Unfortunately, we're out of time. Thank you for appearing before the committee. We appreciate your time.

GREATER TORONTO APARTMENT ASSOCIATION

The Chair (Mr. Parm Gill): We will now move on to the next presenter. From the Greater Toronto Apartment Association, we have Daryl Chong. I'll remind you that you have six minutes to make your presentation, at which point we'll move to questions and answers. Before you begin, if you can please state your name for Hansard, and you may begin your presentation now.

Mr. Daryl Chong: Good afternoon. Thank you for having me. I'm Daryl Chong. I'm the president of the Greater Toronto Apartment Association. I've provided a short summary of what I'm going to say, as well.

The Greater Toronto Apartment Association represents the owners and managers of private sector, purpose-built rental in the greater Toronto area. My members own and manage about 150,000 units of purpose-built rental housing. These are apartment buildings. Just for context, they're not basements; they're not fourplexes or duplexes or individual condos. These are apartment buildings, professionally owned and managed. Accordingly, my comments will pertain to apartment buildings largely in the GTA, but most of the comments would be similar in any large city in Ontario.

The lack of purpose-built rental in Toronto and the surrounding area, and most municipalities in Ontario, is well documented—lots of talk, very little action. The development and delivery of new supply hasn't kept up with demand, as Asquith just mentioned. The dramatic increase in the cost of home ownership throughout the GTA, coupled with more stringent mortgage rules, courtesy of the federal government, has resulted in a growing desire for rental housing at all price points.

Rental happens in many forms, but the primary purpose-built rental market is important because it provides security of tenure in long-term rental housing. It is also usually professionally managed and usually comes in larger numbers than one-off units.

It's important to look at the numbers. In the handout that I provided, there's a chart that I refer to. These are real numbers, courtesy of the city of Toronto's planning department. What you'll see is two columns; on the left side—and they're by year—from 1965 to 1974, in that 10-year span, that decade, we opened 140,000 units of purpose-built rental in Toronto. You've got to remember, at that time, the population of Toronto was less than two million people.

On the right hand side is the most recent data of the last 10-year period; that's 2008 to 2017. We've only opened 11,000 units in the most recent 10-year period, and our population is now 50% more than it was from the first chart. So we're approaching three million as a population in Toronto versus two million back in the 1960s. We are only opening about 1,000 or 1,100 units a year, which is less than a month's production back in the 1960s and 1970s. That's how far behind we are at the present moment.

You also know that demand is great; you probably hear it every day. So if the demand is that great, why is the supply so small? That just points to—the numbers don't work. There are just too many hurdles in the way. If we could make the numbers work, we would. We know the market demand is there. Everyone knows the market demand is there, and we're still not doing it.

You might read in the papers once a while—like, maybe in 2018 we'll have a few more, and 2019 seems to be a bumper year. That's good. Part of that has to do with the removal of rent control—thank you very much—a few months ago. But we need significant, ongoing intensification, construction of medium- and large-sized buildings and complexes that house hundreds and thousands of units and families from now, moving forward, just to catch up with the shortage over the last decade. If you were to take this chart further back, the numbers are even smaller. The last 10 years has been the best last 10 years in the last 30.

The status quo will generate the status quo. If you do nothing, then we'll keep getting about what we've been getting. The numbers don't lie. If it had been more feasible, we would have been doing it all along, and we would be doing more now.

The reductions in development-related costs, cost certainty, speed and zoning permission are the key factors that are impacted by Bill 108 that will increase housing development of purpose-built rental housing. The proposed development charge deferral, the rate lock-in, a transparent and predictable formula-based community benefits charge, reduced timelines for approvals, simplified and streamlined adjudication and other things will create new purpose-built rental housing.

In November 2018, the exemption of rent control on new developments was a clear sign of support for new rental supply. This announcement was well received and brought projects that were shelved a couple of years ago back to the table. It also stopped some projects that were mid-flight from being sold off as individual condo units to be completed and opened as rental apartment buildings. The growing pipeline is evidence of growing support for the way things are going.

But you have to also look at the societal cost of doing nothing, which is maintaining the status quo. What's the cost of building and maintaining all these roads and transit systems just to bring people in from far away to where they work? What are the costs linked to those long daily commutes on physical and mental health, on family life? How much does gridlock negatively impact the environment? The cost of inaction is immeasurably high.

Again, the status quo will result in the status quo, which is rather insignificant growth of new rental stock. Bill 108 encourages new supply of purpose-built rental housing, and with the co-operation of local municipalities and their ability to, additionally, remove their hurdles, we'll be able to return to the boom years, hopefully.

The Chair (Mr. Parm Gill): Thank you, Mr. Chong. I appreciate your presentation.

We'll now start with questions and answers. We're going to go to the Liberal MPP. Madame Des Rosiers, you're up first.

M^{me} Nathalie Des Rosiers: Thank you very much for coming. I appreciate very much your intervention. I think we had occasion to hear you before in this committee.

You will agree that there were lots of condos built over the last 10 years, and that was part of the issue, that people were choosing to build condos as opposed to rental units.

1410

Mr. Daryl Chong: Yes. The number of condo openings in the city of Toronto is probably 12 to 1. There are probably about 15,000 condo units or 12,000 to maybe 1,000 or 1,100 apartments.

M^{me} Nathalie Des Rosiers: All parties supported Bill 139, which was the bill that changed the OMB to the LPAT—the Conservatives, the NDP and the Liberals—because it reflected some discomfort that people had with the old OMB process. At that time, we thought that indeed validating municipal decision-making was a good thing because it would force all parties to reflect and respect the planning decisions made by municipalities. Is that a concern of yours, to see this presumption of validity of municipal planning decisions reversed now? Or are you happy with the changes?

Mr. Daryl Chong: Yes, very happy with the change—with the proposed change in Bill 108.

M^{me} Nathalie Des Rosiers: Can you explain to me why?

Mr. Daryl Chong: Yes. You say that it was better in the hands of local decision-makers, when, in fact, that's part of the problem, inasmuch as—and I don't want to slight politicians; I know I'm surrounded by them. Part of the process is keeping the current residents happy. The current residents are typically happy when there's no intensification, there are no new people in the neighbourhood, there's no—

The Chair (Mr. Parm Gill): Mr. Chong, sorry, we are unfortunately up with our time. We have to move on to the government members. We're going to go to MPP Hogarth first.

Ms. Christine Hogarth: Thank you very much for being here. Would you like to finish your thought?

Mr. Daryl Chong: Yes. Part of that is, unfortunately, local councillors often lead the NIMBY parade, and they frustrate applications on rentals. So as much as we hear that everyone is in support of purpose-built rental, we experience frustration every day when applications come forward. Removing or changing from LPAT back to the other way, where it's third-party-adjudicated instead of being in the hands of more local decision-making, we think is a good thing.

Ms. Christine Hogarth: Great. Thank you very much for that, and thank you for participating in our consultations. I know that you put in a submission. I know also that there were over 2,000 people who did participate to make sure that we have a solid bill coming forward, so I thank you for your participation and your membership's.

Just a question with regard to your members: I would just like to hear your members' experiences and what it's like dealing with the planning approvals within the GTA.

Mr. Daryl Chong: It is difficult, at best. It's a lengthy process. Seven to nine years is not uncommon now, but there are things that additionally frustrate applications for purpose-built rental—zoning restrictions that have been recently installed, especially in the city of Toronto, where they've made it more difficult to infill on existing apartment sites. We had one ruling recently where it said, "Sorry to have held you up for two years at the tribunal, but, yes, you can take down nine trees to build 200 townhouses that are rental." We get that every day.

For most of the members, seeing that frustration—they actually just close the book on it. It's hard enough to pencil and make a project green instead of red, that with these additional frustrations, you just don't bother.

Ms. Christine Hogarth: Great. Thank you for sharing.

The Chair (Mr. Parm Gill): Thank you very much. We're going to go to MPP Romano next.

Mr. Ross Romano: Thank you, Mr. Chong. You've been kind of already said this but I'm going to just ask a really simple, blunt question. Is this bill going to create more homes?

Mr. Daryl Chong: Yes.

Mr. Ross Romano: Is this bill going to improve and create more choice?

Mr. Daryl Chong: Yes.

Mr. Ross Romano: And obviously you're in support of this bill.

Mr. Daryl Chong: Yes.

Mr. Ross Romano: Thank you. Earlier today, Mr. Brooks Barnett was here, and he used a line that really struck me. He said that this is the difference between provincial nerve and municipal muscle. Obviously, you can hear the nature of the concerns that I'm sure you're aware that the opposition members have been raising, and certainly we heard from two city councillors this morning, Ms. Wong-Tam and Mr. Perks. There was a lot of, I would say, aggressive language, and I don't want to repeat it all. Can you appreciate where their concerns are, or are they just playing politics? What's this all about?

Mr. Daryl Chong: Well, their views of the world are probably a little different than mine. But having dealt with city hall—and that's what I do mostly, as the local chapter for the housing industry or the apartment industry—there's a tendency down at city hall that all decisions should rest with the local councillor. So when this act removes some of that newly found power, they don't like it.

Mr. Ross Romano: Okay. So they don't like—and I don't want to be putting words in your mouth. When you say that they don't like—

Mr. Daryl Chong: I don't think they like it.

Mr. Ross Romano: It doesn't sound like they're happy with us actually trying to get something done to improve the housing market—because it's taking away their control over it?

Mr. Daryl Chong: I believe so.

Mr. Ross Romano: Okay, so let's talk about their control over it. Have they been successful while they've been in control over it?

Mr. Daryl Chong: The numbers don't lie. That's city-wide—

Mr. Ross Romano: So is it fair to say that they've failed?

Mr. Daryl Chong: It's not working. Whatever they're doing is not working.

Mr. Ross Romano: Okay. We talk about more homes, more choice. Again, it's relatively obvious, but let's be really, really basic and spell it out. By creating more homes and more choice, are we going to create more affordable housing for people in this province and especially in this area?

Mr. Daryl Chong: Yes, absolutely.

Mr. Ross Romano: Aris, I think you have something?

The Chair (Mr. Parm Gill): MPP Babikian.

Mr. Aris Babikian: Thank you for coming and making your ideas clear to us. Do municipalities encourage and incent rental development?

Mr. Daryl Chong: On paper; not as much as they could in reality. If you really want it, show it, but the numbers show you that they don't really want it as much as they say, because if they did, they'd roll up their sleeves and offer the financial incentives and non-financial incentives that we need. This bill addresses some of that, with the DC deferral.

You will hear municipal representatives saying that that's a really bad idea. I outlined the cost of inactivity. If you don't do anything, there are all these other societal costs that no one ever tallies up on a spreadsheet to say, "Look at all the money we're spending on pollution, building roads, mental health and so on," versus if we were to funnel some of that money into creating housing that's available where people want to live, that would probably be dollars better spent.

Mr. Aris Babikian: Do you see opportunity within existing buildings to repurpose underused amenity spaces into new, badly needed rental units?

Mr. Daryl Chong: Yes, I think that's low-hanging fruit. In a lot of these older buildings, 200-unit buildings that were built in the 1960s, there could have been a leasing office or some amenity space that has been mothballed since then. Right now, most of the municipalities in this area levy a development charge if you're going to convert that space into a residential space. In Toronto, it's about \$45,000 for a two-bedroom. In Mississauga and Peel, it's closer to \$70,000. So when you're—

The Chair (Mr. Parm Gill): Thank you, Mr. Chong. We're going to move to the NDP. We'll go to MPP Morrison.

Ms. Suze Morrison: Thank you so much for coming in today. In follow-up to the comments made by my colleague across the way—MPP Romano—I think the one question he didn't ask when he talked about, "Let's make more housing," was: Do you think this will make more deeply affordable housing?

Mr. Daryl Chong: Well, "deeply affordable" is defined in different ways; 80% of AMR is what I usually hear. Some people go down to 40% of average market rent, which they can't do unless it's deeply subsidized.

When you do create new rental, if you look at the existing rental in place right now and you look at the rents that are in the marketplace—CMHC's reported numbers of the average market rent, which you're probably familiar with, is the private sector. That's exclusively private sector purpose-built rental stock. They derive that number from my members' buildings. So we provide most of the affordable units in the city of Toronto, in the GTA and across the province already. Those rents are—

Ms. Suze Morrison: Sorry to interrupt. I don't think you're going to get to the question. It was a really simple yes or no: Do you think Bill 108, the way that it's structured, will lead to the development of more deeply affordable purpose-built rental housing? Yes or no?

Mr. Daryl Chong: Yes, it will create more affordable rental housing, inasmuch as when you build new housing, the people who are stuck can move, and when they vacate their old units, they become available.

Ms. Suze Morrison: So you're relying on a trickle-down effect, but it will not directly lead to the development of purpose-built rental housing as a result of Bill 108.

Mr. Daryl Chong: It will result in additional—

Ms. Suze Morrison: As a trickle-down effect.

Mr. Daryl Chong: No, no. It will result in a new supply of purpose-built rental housing. You're talking about deeply affordable, which is even lower than what TCH charges. That's something that only happens with a government subsidy. You can't charge \$300 a month. But it will result in new rental housing for sure.

Ms. Suze Morrison: Okay, that's fine. Let's move on, then.

Looking at your data, when you're looking at the volume of supply that has been developed for purpose-built rental housing—I see this from a few groups, where folks like to make a correlation between the implementation of rent control and the development of purpose-built rental housing. Every piece of data that we have, including data from the CMHC, shows that when you cut rent control, historically, when rent control has been eliminated or reduced, that is when we see the flatlining of the development of purpose-built rental housing.

1420

So, when you say in your written submission that eliminating rent control will solve the supply problem, what data do you have that demonstrates that, when every piece of data we have shows that when you eliminate rent control, the development of purpose-built rental housing flatlines completely?

Mr. Daryl Chong: I haven't seen the data that you have. I just know that every economist in the world thinks rent control is a bad idea. These include most Nobel laureates and so on—

Interjections.

Ms. Suze Morrison: Every economist—wow. I wonder what the poverty activists would say about that.

Mr. Daryl Chong: Rent control is a funny thing. It's a social program that is provided exclusively by the private sector. It's kind of income redistribution. But there is nothing to change the fact that a lot of the people living in these subsidized units for 10, 20 years have rising incomes. They're in the 80th and 70th percentile of income, and they're still living in subsidized units. In a healthier housing system, people move out as they move up in their careers and they change their family structure. People are stuck right now. Some of them got a really good deal—

Ms. Suze Morrison: Okay. Thank you. Sorry—

Mr. Ross Romano: Point of order.

The Chair (Mr. Parm Gill): Point of order, MPP Romano.

Mr. Ross Romano: Just because the member, Ms. Morrison, does not like the answers that the person is providing isn't—

Ms. Suze Morrison: No, it's my time. I have a right to move on.

Mr. Ross Romano: I'm on a point of order, Mr. Chair.

The Chair (Mr. Parm Gill): Go ahead.

Mr. Ross Romano: Thank you. Just because the member, Ms. Morrison, does not appreciate the answers that Mr. Chong is providing—he is entitled to answer the question, and I think he ought to be shown some respect to be able to answer without interruption consistently from the member.

The Chair (Mr. Parm Gill): Thank you, MPP Romano. Absolutely, we do have to respect the presenter. At the same time, MPP Morrison does have a discretion in terms of how she wants to phrase her questions.

Please go ahead, MPP Morrison.

Ms. Suze Morrison: Excellent. I'd like to move on to another question. It was one that I asked of the folks who were here from the Federation of Rental-housing Providers of Ontario.

What we have heard overwhelmingly from municipalities today and through consultation is that the reduction in the development charges will leave the municipalities with a shortfall that will have to be funded through the tax base. As rental providers, this puts you in a really unique position. As I understand the consequences of Bill 108, the developers can then sell off their units, and the burden of the increased tax will then move on to the homeowners after the developers. So it's a really great deal for the developers, in terms of the reductions in the development charges. But for purpose-built rental housing providers, you're going to save on the development charges, but your members, as the sole property owners, are going to pay that difference directly when the municipalities inevitably have to increase the tax base to compensate for the loss of revenue from the cuts in the development charges, which

some municipalities, like Toronto, have estimated at a billion dollars.

Do you think that it's in the best interests of the membership that you represent? Do you think they're going to regret supporting this bill when, down the line, they see their property taxes skyrocket as a way to pay for development?

Mr. Daryl Chong: No. I think you would build that into the pro forma. But more than that, currently in the city of Toronto, apartment buildings are taxed at over two times more than condos and homes. Embedded in the rent is probably a surcharge of \$80 a month per tenant, because of the disparity.

So, we're used to paying. It used to be four times higher. But we don't mind. The way the financing of a rental project is, you've got to self-finance at least a third of it on your own. There are no presales. There's no bank loan. You have to do—

The Chair (Mr. Parm Gill): Thank you very much, Mr. Chong.

Mr. Daryl Chong: Thank you.

The Chair (Mr. Parm Gill): Our time is unfortunately up. I want to thank you for taking the time and appearing before the committee. We really appreciate it.

CITY OF OTTAWA

The Chair (Mr. Parm Gill): We are now going to move to our next witness, who, I believe, is appearing through teleconference. I understand we're ready to go.

Our next presenter is Jan Harder, chair of the planning committee, and Ottawa city councillor, ward 3.

We also have Stephen Willis, general manager, planning, infrastructure and economic development.

I just want to confirm: Are both the presenters able to hear us?

Ms. Jan Harder: Yes, we are.

The Chair (Mr. Parm Gill): Thank you very much. If I may ask you to, please, state your name for Hansard before you start your presentation, and you may begin now.

Ms. Jan Harder: Thank you very much, Chair Gill. My name is Jan Harder. I'm here with Stephen Willis. I'm the chair of Ottawa's planning committee, and I represent Barrhaven, a suburban community of 90,000 people in the south end of the city of Ottawa.

Mr. Steve Willis is Ottawa's general manager of planning, infrastructure and economic development. As I said, he is here with me today.

I'm here to speak to the city of Ottawa's comments on Bill 108, the More Homes, More Choice Act. The city of Ottawa supports the intent of Bill 108. This government is right: People want their cities and the province to work together to resolve the housing crisis. By working together, we can find ways to make sure Ontarians have access to housing that meets both their needs and their budgets.

Bill 108 sets the stage for this important partnership between Ontario and its municipalities, but we believe

some work is still needed to streamline how the legislation will be implemented and reduce red tape. The objective of affordability is important. We can only achieve it by being efficient and cost-effective.

Ottawa city staff have worked closely with elected officials to study the bill, and I'll go over our main concerns, starting with development charges.

In Ottawa, development charges only represent 5% to 7% of the cost of a new home. Following the principle of growth paying for growth, such a charge is not only reasonable, but it's critical to our ability to recover costs tied to new development. If measures are put in place to lower development charges, we would lose that stable funding source and, therefore, we would need to increase property taxes to recover costs. Ultimately, that would make housing less affordable.

The community benefits charge process being proposed for the Planning Act is also a concern. The new process duplicates an existing one within the Development Charges Act. Rather than create a second process, which is inefficient, why not just amend the existing development charges process?

Additionally, we have concerns about attaching soft service charges to a percentage of property value. Firstly, arguing over property values will take a large amount of administrative resources. Secondly, this would have a significant impact on cities and towns outside of the greater Toronto area. Our property values are much lower than in the GTA, but our costs are not because it costs the same to build a recreation centre in Ottawa as it does in Toronto. It makes no sense to tie soft service charges to property values. Service costs are not related to property value. It's better to modify the Development Charges Act to establish benchmarks for soft services and manage affordability that way.

The city of Ottawa is also opposed to the proposed timeline requiring us to spend or allocate 60% of the community benefit charges within one year. This could have very practical ramifications. Would we be prevented from saving to buy urban land for a park, for instance? This requirement could result in superfluous spending as we try to meet an arbitrary target which promotes fiscal waste.

For these reasons, we urge the province to remove the changes to the development charge process from Bill 108 and consult with municipalities further. We feel this will help prevent unwanted negative impacts, particularly on the many small and medium-sized municipalities outside the GTA.

Ottawa also objects to changes around parkland dedication and cash in lieu of parkland. The current system has worked very well for us. That's important because residents see new parks and field houses as essential to quality of life; also, the development industry recognizes that parks increase the value of their developments. We urge you to withdraw the portions of the bill that change the regulations around parkland.

Section 37 benefits also work well as they exist. Fast-growing areas need a community benefits charge, and

section 37 has been an important tool in negotiating that benefit for residents. We would rather section 37 be left intact, even if it would only apply when official plan amendments are sought to add density. Should section 37 be removed, we do ask that the community benefit charges be higher for official plan amendments seeking increased density.

Finally, I would like to say that Ottawa supports the plan to encourage inclusionary zoning near transit. We hope to retain some discretion over the applications of inclusionary zoning, or perhaps see a process whereby we apply to the ministry for approval of an inclusionary zoning area, which is more efficient than the current development permit process.

1430

I appreciate being invited to speak to you today. Thank you. Mr. Willis and I are happy to take any questions, and I encourage you to review our full set of comments.

The Chair (Mr. Parm Gill): Thank you for your presentation.

We will start the first round with the members of the government. Who is going to ask questions?

Ms. Christine Hogarth: Oh, I'll ask one.

The Chair (Mr. Parm Gill): MPP Hogarth.

Ms. Christine Hogarth: Thank you very much for taking the time to join us today via teleconference. We appreciate it.

You talked a little bit about the community benefits charge, and I actually wanted to have a comment for you on that: that we are consulting on the best way to replace the current system, because it is more of a let's-make-a-deal planning system. So we certainly want you to continue to share that information with the ministry, on your thoughts on the community benefit charge.

Ms. Jan Harder: That's great. Thank you for that information.

Ms. Christine Hogarth: Thanks.

Mr. Jim McDonell: You talked about some of the control over the development charges; maybe just expand on that a little bit?

Ms. Jan Harder: I'm going to go to Mr. Willis to speak to that further.

Mr. Stephen Willis: It's Stephen Willis speaking. Right now, the Development Charges Act does allow us to charge for both hard and soft services. For the soft services, there already are statutory deductions we're required to take. It's one process to administer, it's one process that our council adopts, and only one time we're exposed to appeal. If we have to go to a parallel process called a community benefits charge, we end up duplicating that entire process, and that would represent less revenue for us.

We think the government could achieve its objectives by modifying the statutory limits under the existing legislation without going down the road of the community benefits charge. Or, if you wish to make changes to the community benefits charge, that could be a modification to how the current section 37 works while leaving the other elements intact.

Mr. Jim McDonell: You also had some comments around the Endangered Species Act; maybe expand those as well, or some of your concerns. We've heard a lot of issues where this was delaying projects unnecessarily, with a review back after the project was done. There was very little value added.

Ms. Jan Harder: Thank you for that question. We think that this will place greater pressure on our planners to ensure that species at risk were appropriately considered, and thereby potentially increase the administrative cost and processing time of such applications. I didn't speak in my notes directly to this topic. If you have any specific question, I'm happy to respond.

Mr. Jim McDonell: I guess our idea would really be about identifying these locations up front. It's all about adding predictability to a project. Right now, as we heard before from previous speakers, our current system is not working. We're not getting the units we need in the case of rental housing, but in the case of all housing, we're falling behind and house prices are going up because of the lack of supply. If we're not going to add some predictability to it, the system is going to fail.

Mr. Stephen Willis: It's Stephen Willis speaking. We share your objectives of adding predictability to the process and have no problem with the idea of adding it up front. One of the things we flagged is that the bill doesn't have a lot of information in it and that we really do need to see the regulations and understand how this plays out. We didn't—we may, perhaps—see it with the same eyes as those who framed it, but I think we saw it as potentially a significant transfer of responsibilities from provincial ministries to city staff.

Mr. Jim McDonell: Again, that early identification—as I say, we've seen places where we're bringing us back—some of these decisions will be made more in Ontario than just relying on advice from outside of the province. We think that those decisions should be evaluated by a very qualified board as to what species we can have some impact on, plus what the best way of actually having an impact is, other than sometimes cordoning off property around a diseased tree. Maybe that's not the right answer. Maybe the answer is taking some money and looking at research to actually fix the problem.

Mr. Stephen Willis: I don't think we have any further comments because we're not disputing what you're saying. We're just saying that we don't have enough information to understand how this is going to administratively work.

Mr. Jim McDonell: Of course, the regs will be coming out as typical after the bill, and we'll be working with you on those regulations, for sure.

Ms. Jan Harder: We look forward to that. Thank you.

The Chair (Mr. Parm Gill): You've got 20 seconds. Anybody else?

Mr. Ross Romano: No, that's fine.

The Chair (Mr. Parm Gill): Thank you very much. We're going to move to the members of the NDP. We'll go to MPP Burch.

Mr. Jeff Burch: Thank you for joining us today. I'd just like to ask: The government has made a statement to the effect that they don't see the big deal with expecting amendments by 6 p.m. today. We've had a little over three weeks, seeing this bill rammed through the Legislature. LUMCO, of which you're a member, has expressed serious concerns. I know you're not politicians—

Ms. Jan Harder: I am.

Interjections.

Mr. Jeff Burch: Well, that's wonderful, then. You can give both an unelected and elected opinion on this.

Do you think that we've had enough consultation and enough time to consider a bill of this size in the time that's been provided?

Ms. Jan Harder: Well, I've been elected for almost 22 years here in Ottawa, and I would say that, although this seems like a short time, in the last Legislature, under a different government, we certainly started down a path of understanding more—moving from the OMB to the LPAT, for example. We did a lot of work on communicating Ottawa's position, our concerns and our positive approach to that as well.

I think that in Ottawa, because we are Ontario's second-largest city but we are very different than the GTA, for sure—we don't have some of those pressures that they have there—we have been moving in a path that is aligned quite a bit with what has been proposed here. That's why, up front, I was able to say that we agree with the government and the direction that you're going, but we also are very clear in saying that we need to have more detail, and we look forward to that collaborative approach to define the outcomes.

Mr. Jeff Burch: Earlier today, AMO—since you brought up the OMB changes—suggested that going back to the old method, the old OMB procedure, could actually slow down the process, that the LPAT hasn't been given a fair chance to demonstrate that it could speed things up, and also concerns that you shouldn't support a process that takes planning decisions away from local governments. Can you comment on that?

Mr. Stephen Willis: I'll tell you, from a staff perspective at the city of Ottawa—because our council did not have a consensus on this position—we have not seen the benefits of LPAT yet because it wasn't around long enough. If the government is effectively turning the clock back to the old system, for us it's just continuing business as usual. From an issue of impacts, we can't comment on impacts because we're still effectively hearing cases under the old system.

When it comes to the issue of municipal council strength, I think our council has a reasonably good track record at convincing the tribunal, in its new form, that our planning decisions are based on sound planning principles, and we have virtually no cases that are just being heard for failure to make a decision.

Ms. Jan Harder: We also had, prior to LPAT going into place, reduced the number of OMB appeals by 70% in the last term of council. That was purely through a different approach to getting it done—more collaboration,

not just, of course, with the developers, but first and foremost with our federation of community associations here in Ottawa. It really has turned us in a different way.

Mr. Jeff Burch: I wanted to give you an opportunity to comment on the changes to the conservation authorities, their purview and the way that they're funded. There have been cuts to the disaster relief in terms of flooding. It's an issue that I think is very important in Ottawa. What do you think of the changes that are in this bill with respect to flooding?

1440

Mr. Stephen Willis: You're asking two different questions, if I'm reading the situation correctly. One is the changes in the legislation related to clarifying the mandate and narrowing the scope of what they comment on, and there's a separate issue of the funding of conservation authorities that really isn't in this bill. It's separate from this bill, related to funding for flood prevention programs. If I'm wrong, I'm happy to be told otherwise.

When it comes to the funding issue, we're very sensitive to this issue right now—

The Chair (Mr. Parm Gill): Jeff and Mr. Willis, unfortunately, we've run out of time. We're going to move to the Liberal MPP, MPP Des Rosiers, next. You've got two minutes.

M^{me} Nathalie Des Rosiers: I was really happy to hear from people from Ottawa. The Municipal Finance Officers' Association was here earlier today, and they suggested to expand the list of eligible services by adding paramedics to it. I'd like to have your opinion on this.

Secondly, there was another suggestion that came up, that inclusionary zoning be allowed in a broader fashion, not just restricted to transit areas. I'd like to have your views on it as well.

There is a deadline of 6 p.m. tonight for amendments, so if there are any ones that you want to see, particularly on the development charges, feel free to send to me as soon as you can.

Ms. Jan Harder: Madame Des Rosiers, I want to say that in our letter that we sent, we have been very clear that the full package that I asked that you look at—if you don't have that, I'd be happy to forward it directly to you. On inclusionary zoning, we agree with—certainly, here in Ottawa, with our rapid transit corridors and our transit area development, inclusionary zoning is a natural fit there. We just want to make sure, though, that if we have an opportunity in another area that we can define and there's an opportunity to present it through the government, the government could have a look at it and have a process that allows for that as well. But we are in line with the thought of inclusionary zoning along the transit corridor.

And your other question was?

M^{me} Nathalie Des Rosiers: Expanding eligible services to include paramedics.

Mr. Stephen Willis: We certainly would, if the government intends for the city to maintain paramedic services with all the other changes going on; yes, we would like that added to the bill.

The Chair (Mr. Parm Gill): Thank you very much. Thank you to our presenters. We appreciate your time for appearing before the committee.

Ms. Jan Harder: Thank you. Merci beaucoup.

CONSERVATION ONTARIO

The Chair (Mr. Parm Gill): We will now move to our next presenters, from Conservation Ontario. We have Kim Gavine, general manager, and Bonnie Fox, manager of policy and planning.

Thank you, and welcome. I just want to remind you that you have six minutes for your presentation, at which point in time we'll move to questions and answers. Please state your names for Hansard before you begin, and you may begin now.

Ms. Kim Gavine: Kim Gavine.

Ms. Bonnie Fox: Bonnie Fox.

Ms. Kim Gavine: Thank you very much, Mr. Chair and members of the committee. My name is Kim Gavine. I'm general manager with Conservation Ontario. With me today is Bonnie Fox, manager of policy and planning. We represent 36 conservation authorities, and we are here today to provide comments and to suggest an amendment to schedule 2 of Bill 108, which pertains to the Conservation Authorities Act.

Conservation Ontario recognizes the immense challenges facing Ontario with regard to the need to balance the budget and to increase housing. Conservation authorities are committed to finding ways to help achieve these priorities. However, Ontario is also facing a battle against climate change, which is causing real impacts to local communities. We need only look at the recent flooding to visualize just how significant these impacts are.

Our predecessors recognized the importance of good water and watershed management when they established the Conservation Authorities Act in 1946 to mitigate the impacts of deforestation and cropland soil erosion that were destroying the health of our lakes, rivers and streams. When Hurricane Hazel struck in 1954, the mandate to control water to mitigate floods was added to the Conservation Authorities Act because managing this issue needed to be at the watershed scale.

In the late 1990s, Justice O'Connor also recognized the importance of watersheds as the right scale to protect sources of drinking water, and the conservation authorities were chosen as a significant partner of choice for the source protection plans under the Clean Water Act. The watershed scale, in both cases, recognizes that what happens upstream can have impacts downstream. Even more recently, the Made-in-Ontario Environment Plan states that, "Effective watershed management is important to the people in our communities, especially at times when watersheds are facing stresses such as increased development and flooding caused by severe weather events."

This watershed management approach being delivered by conservation authorities is an approach that has been

around for more than 70 years and is envied by many other provinces in Canada. It simply works.

Overall, we are pleased and support that schedule 2 of Bill 108 includes natural hazards and source water protection in the list of mandatory programs and services, as well as conservation-authority-owned lands and Lake Simcoe. Notwithstanding the short time frame in which conservation authorities have had to consult with their boards and member municipalities, we have identified a fundamental gap in this list of mandatory programs and services. Our comments today focus on the need to fill this gap by adding an additional mandatory program and service in section 21.1 called "conserving natural resources," aka watershed management.

Including "conserving natural resources" as a mandatory program would recognize the important role that conservation authorities play in protecting the function and resilience of natural resources at the watershed level. They provide a range of conservation programs and services tailored to meet the needs of their unique watersheds and communities, and work to understand the present and evolving conditions of natural resources on a watershed basis.

This foundational knowledge supports successful outcomes for each of the other proposed mandatory programs. This knowledge also enables them to work to improve watershed conditions through stewardship initiatives and deliver education programs to empower people to be stewards of the watershed.

It is essential that conservation authorities continue to be enabled to deliver programs in support of conserving natural resources on a watershed-wide basis. Conservation authorities identify and address common issues and concerns shared across municipal jurisdictions at the watershed scale, which is most cost-efficient. Rather than each municipality addressing issues individually, conservation authorities facilitate the use of shared watershed knowledge rather than recreating data through separate studies. They provide technical expertise, coordinate implementation, and help to leverage resources. They undertake monitoring and modelling on a watershed basis to test various scenarios across political boundaries and offer solutions that would not be evident to an individual municipality. For example, planting at the headwaters of Duffins Creek is more efficient and less costly than flood remediation in Ajax. As well, implementing rural water quality programs which reduce or prevent phosphorus from polluting waterways in an upstream municipality has proven to be less costly than adding tertiary sewage treatment in a downstream municipality. These solutions are possible through partnering with the conservation authorities and their watershed management approach to conserving natural resources.

We do recognize that there's always room for improvement in what we do, and our client service and streamlining initiative demonstrates our commitment to improving our delivery of plan review and permitting services. With an overarching emphasis on protecting public health and safety and the environment, all 36

conservation authorities have committed to taking steps locally and collaboratively with Conservation Ontario to improve client service and accountability, increase speed of approvals, and reduce red tape and regulatory burden. We are working in collaboration with the development and construction community and municipalities and believe that our actions will have direct benefit to the province's objective of increasing housing supply.

I wish to thank the standing committee for the opportunity to speak with you, and I greatly appreciate your consideration of our suggested amendment to include "conserving natural resources" as a mandatory program and service in section 21.1.

The Chair (Mr. Parm Gill): Thank you for your presentation. We will begin the first round with the NDP. We'll go to MPP Burch.

Mr. Jeff Burch: Thank you for your presentation this afternoon. You said that there has been increased pressure due to development on the environment and on the watershed. Can you expand a bit on that? We've heard a lot today about how there needs to be more development, and this is clearly a bill to encourage development. What are some of the stressors on the environment and on our watersheds across Ontario? How do you see this bill impacting that?

Ms. Kim Gavine: It's a combination of socio-economic infrastructure. Infrastructure, as I said, irrelevant of what it is, will have an impact; what happens upstream will have an impact downstream. This is why we're encouraging the watershed scale basis: because if you start to see development in one area, you can start to analyze what that impact will be.

The other really important thing is that we're starting to see more extreme weather events more often. Even as the events were happening in the Ottawa area, we were seeing rising levels in both Lake Erie and Lake Ontario, and they were also on flood warning.

We have a number of stressors, whether it's climate change or development. Looking at things holistically is really what we're trying to push.

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Mr. Jeff Burch: Do you feel that there has been an appropriate level of consultation with respect to this bill in terms of the issues that you were just talking about?

Ms. Kim Gavine: I'd be remiss to say—it would have been appreciated to have had more time, but I think we've done a good job in working with our 36 conservation authorities to share what we have today. Yes, further consultation would be appreciated, but we've done our best to review this.

Mr. Jeff Burch: I appreciate that. With respect to development charges—I'm not sure if you've had a good chance to look at this part of the bill—there's a change to the way that municipalities are able to use development charges. In our opinion, it encourages urban sprawl because it doesn't take density into account. Have you looked at that? Urban sprawl is obviously an issue that conservation authorities are concerned about, especially

with respect to wetlands and other things. The development charges in Bill 108 don't take into account the density; they take into account the land.

Ms. Kim Gavine: MPP Burch, I have not come in today prepared to speak to that, but I'm sure that some of our conservation authorities have looked at that.

Mr. Jeff Burch: Okay. Thank you very much.

Ms. Kim Gavine: Thank you.

The Chair (Mr. Parm Gill): Any more questions? We have time, so we're going to move to MPP Des Rosiers.

M^{me} Nathalie Des Rosiers: Thank you very much. It's nice to see you here.

I will move an amendment to section 4 to add: "(1.1) Programs and services related to the conservation of natural resources." I just want to make sure that this is the wording that you would like.

In a way, I will have to convince my colleagues that this is a good amendment. If it's not there, what would be the impact of not having the conservation of natural resources in the list of mandatory programs and services? What will be the impact of this?

Ms. Kim Gavine: Thank you for the question. One of our concerns is that there's a number of activities that the conservation authorities do which may or may not be directly contributing to source water protection and natural hazards. For instance, we look at our water quality and quantity monitoring. It could be that that work is being done to look at phosphorus levels leading into Lake Erie. We're not convinced that that will necessarily fall into those other mandatory buckets.

The other concern we have is that there is a reference to conservation authority lands, which we appreciate. But there's a number of activities which the conservation authorities do with private landowners across the province which are also helping to reduce environmental impacts, whether or not it's reducing phosphorus or helping to alleviate the flooding concerns. That could be anything from tree planting to stream rehabilitation to wetland creation. It's actually working with the people of Ontario.

M^{me} Nathalie Des Rosiers: The public education was my other concern, as I think you do great public education programs, and I was worried that it was not captured by the list of programming defined here. Is that also a concern of yours?

Ms. Kim Gavine: That is, absolutely. I just forgot to mention that. Yes, it is.

M^{me} Nathalie Des Rosiers: Do you believe that if we included conservation of natural resources, it would be programs and services, and that would support, as well, your ability to continue—

The Chair (Mr. Parm Gill): Thank you, MPP Des Rosiers. We're going to move to the government members. We'll go to MPP Hogarth.

Ms. Christine Hogarth: Thank you both very much for your deputation and for sharing your paper. We'll certainly take a read of that this afternoon.

Ms. Kim Gavine: Thank you.

Ms. Christine Hogarth: One of the things our government believes in is that everyone deserves a place to call

home. In this act, we believe it's a responsible and sustainable plan that will reduce red tape, to increase the housing supply. We've heard comments throughout the day that people do believe that this act is a good place to start, to create more housing in the right locations at the right price.

I just want to read a little bit about what the Auditor General talked about. The Auditor General completed a review of the Niagara Peninsula Conservation Authority in September 2018. She notes in her report: "During our audit, we found significant operational issues specific to the NPCA. Many of these issues stem from a broader governance issue relevant to all conservation authorities that will need clarification and guidance from the province to overcome."

The report goes on to state: "Conservation authorities need more direction from the province to clarify priorities and ensure consistency in programs and services across the province. Our survey found that there are variations in how conservation authorities across the province interpret their mandate and their policies to meet that mandate."

Would you agree that there have been inconsistencies amongst conservation authorities in the province?

Ms. Kim Gavine: I would say, in some instances, yes. It might be that there are more guidelines that are required. It might be that there is more training required. That's why, at the end of my presentation, I wanted to identify the client service and streamlining initiative that we're working with the 36 conservation authorities on, because we have heard those concerns in the past, and I think that it's important that we address those.

Ms. Bonnie Fox: As well, I think it's important that the provincial guidelines for the natural hazards program, for how we regulate wetlands, for example—we have no guidelines for that regulatory authority. I think it's an important tool to ensure consistency is there. I believe the Auditor General's report spoke to that as well. We fully support that having guidance, and that there is consistency, is critical.

Ms. Christine Hogarth: That was really my next question: Do you think it's fair to say that there is a need, especially based on what the Auditor General has noted in her report—that better direction and clarity is needed across conservation authorities?

Ms. Kim Gavine: Yes.

Ms. Christine Hogarth: Thank you.

The Chair (Mr. Parm Gill): MPP McDonell?

Mr. Jim McDonell: Thanks for coming out. I had the benefit in my previous life of being involved with two conservation authorities, Raisin and South Nation. They were quite differing in structure over the years.

I think the issue of the flooding recently has highlighted some of the role of the conservation authority, and what we're trying to do is, of course, add predictability. Having the ability for developers or the people building homes, which is more what I saw, knowing what areas are available for homebuilding and which ones shouldn't be—can you see a role in that and where you would come in? Because really, you're the group that's more involved with flood-plain mapping.

Ms. Kim Gavine: Absolutely. One of the roles that conservation authorities play is to look at what potential hazards there are. In speaking with the development community, they've said to us, "We don't want to build in hazards either." So I think that's an absolute critical role that the conservation authorities play.

Bonnie, do you want to add anything to that?

Ms. Bonnie Fox: Yes, just that we have identified that the flood-plain mapping needs to be updated. It's a really important tool both for the development community and for the conservation authorities to effectively regulate as well. So I would agree with what you're saying.

Mr. Jim McDonell: So in some areas, that would take setting an elevation for housing or eliminating it completely. Every area is a little bit different.

Ms. Kim Gavine: Absolutely. This is always something that's a bit challenging for us to explain to people. It's not one-size-fits-all. Not every watershed is the same. The type of challenges that Raisin and South Nation would be dealing with are completely different than what Grey Sauble or Lakehead might be dealing with.

Mr. Jim McDonell: I know that funding is an issue, but also, I guess my message back: Some areas are having more problems than others. As far as the best use of capital, it's best to move that to areas that are having recurring problems with flooding.

The Chair (Mr. Parm Gill): Thank you very much. I appreciate it. Unfortunately, that's all the time we have. I want to thank both of you for appearing before the committee and for your time.

TORONTO REGION BOARD OF TRADE

The Chair (Mr. Parm Gill): We will now move on to the next presenter, which is the Toronto Region Board of Trade. We have Brian Kelcey. Thank you very much. I just wanted to remind you that you have six minutes to make your presentation, and if you can please state your name for the record before you begin. You may begin your presentation at any time.

Mr. Brian Kelcey: Thank you very much, Mr. Chairperson. My apologies to members of the committee for my very annoying cough at this point.

My name is Brian Kelcey. I'm vice-president of public affairs with the Toronto Region Board of Trade, which is a chamber of commerce representing Toronto and Toronto region businesses, with 13,000 members scattered across the region.

When I was still a consultant to the board in mid-2016, the board of trade did not have a housing policy worthy of note; we do now. The world has changed for our business members. It started with foreign firms and foreign companies raising the red flag to our president and CEO, Jan De Silva, that housing was at the top of their concerns in terms of either bringing in new recruits for jobs into our city or selling the city as a destination for investments within their own companies.

1500

As you'll see from research that we're hoping to see released in the next couple of weeks, we're not only now

growing concerned about the impact of the housing crisis on our economy for people who might be coming here, but we're also starting to track data that suggests that entire categories of employee could be displaced from the central city and transit-served areas of our city region if we don't have drastic action soon to make sure we have a sufficient supply of housing for people of all incomes.

We've adopted a mantra—it's important to me because I helped to write it—that we believe that there's an attainable housing crisis in terms of the lack of homes for young families, for young professionals and for workers. We believe there is an affordable housing crisis, that we desperately need more market rental, and we're going to support any steps taken to make more room for that housing in our city. And we believe there's a social housing crisis: We need more public housing, bluntly, and we need to repair the social housing we have.

We believe that a failure to confront any one of these individual crises is simply going to create spillover effects on the others, and we hope all parties and all members can join us in speaking to the urgent need to deal with all three. From that lens, we're looking at this bill, which has quite a few features to it. I want to speak specifically to the fact that the board is happy to see a concerted attack on a particular part of the supply challenge.

From our members, from our housing researchers, from our allies in both the social and for-profit sides of this battle, even if it's a non-profit housing provider, even if it's Habitat for Humanity, even if it's a social housing project that the city is trying to place, the biggest risk that's stopping us from getting more housing for the people who need it is regulatory friction, political friction and the costs associated with those individual pieces. It applies to everything. You can try and put market-rate condos over a rapid transit station; you're going to get the same resistance if you try to put social housing on that site, and vice versa. Whatever else you want to do with the housing problem, we need to attack this first, which is why—as always, with reservations on different pieces—we're supporting the government's direction in this bill.

I want to speak to a few particular features that have caught our attention. The first is, of course, the backlog with LPAT and OMB hearings. We called on the government, through the media and through a few letters, to devote resources to attack this. There are tens of thousands of potential homes—and we acknowledge their potential—trapped in that backlog for the city of Toronto alone right now. We're grateful the government has taken some action; whether it clears the backlog or not will remain to be seen, but this is a good starting point and should help to get more development into the pipeline.

Secondly, we're grateful for the boost to missing-middle housing with the high-level change to what is a single-family residential unit under provincial planning law. We were an advocate for standardizing section 37 fees in the city of Toronto through provincial legislation. For those like me who follow city planning law and city service configurations around the continent and around the world, the way Toronto was doing it was very unusual. It

created a lot of long-term legal friction and uncertainty. We know that they didn't have to do it that way because they codified standardized fees based on value right into the North York secondary plan, so this idea that Toronto doesn't even understand that it can be done through a standardized model doesn't stand our test for scrutiny.

I hope, through the Chair, that Mr. Burch follows up with his question that he asked me earlier, because we believe there's room for even more creativity than the government is showing in its bill on development charges. I want to relay to you that the simplest way to summarize our attitude on this piece with the controversy over development charges that I can is to relay the story of what I saw in one of the many consultations this government held with stakeholders from both sides, in particular a development fee consultation where the meeting concluded with a city official whom I know well sticking up his hand and saying he wanted it noted for the record that everybody at his table agreed that no matter how complicated the formula we work with is now, it usually—almost always, he said—ends up with a series of development charges and fees at between 5% and 7% of the development's value. That, to him, was proof that the system was working.

A number of hands went up, my own included, after that, and people said, “If that's the case, doesn't it prove that it should also be easy to standardize a much simpler fee range that helps us to get to the same dollar value or close to it, but without all the friction, the calculation, the bickering over census projections and everything else?” The room erupted, of course, but there was general agreement that the system could be simpler.

There's a lot of anxiety from municipalities now. As an ex-mayor's budget adviser from Winnipeg, I understand that anxiety that the government won't come down with regulations to set those value levels at a level that allows for proper repayment of infrastructure costs. I don't believe that development charges are the only way for growth to pay for growth, but if that's the mechanism we're using, we'll wait till the government comes in with those numbers before criticizing them.

I'll work everything else into my response to questions.

The Chair (Mr. Parm Gill): Awesome. Appreciate it.

We're going to start this round of questioning with MPP Des Rosiers.

M^{me} Nathalie Des Rosiers: Thank you very much for being here, and thank you for your presentation. It's very enlightening.

Earlier, we heard from the city of Ottawa, and they suggested that they were a bit uncomfortable with the development charge to be linked to a percentage of the land value, because their view was that the land value in Toronto is different than in Ottawa, and they were a bit concerned. But sometimes building a facility is not necessarily that much cheaper in Ottawa than elsewhere, and I would say the same for northern Ontario.

Mr. Brian Kelcey: Absolutely.

M^{me} Nathalie Des Rosiers: Is there some language that we could find here to respond to their concern, as well as supporting your point of view?

Mr. Brian Kelcey: I'll answer that in a couple of ways and probably opportunistically, and that is, first, what we told the government in consultations was that what was important to us was that municipalities have a formula, that it be predictable. There are several different models used around the continent and around the world to get to that predictability.

If the government said that we're going to, through regulation, allow for municipalities to choose from a menu of models, we think that achieves the same result. Frankly, we wouldn't have any problem if it was a set fee as well, because I think part of the reason for using a percentage ad valorem approach is that it's going to be flexible to local circumstances. I grant you, through the Chair, that that doesn't account for construction cost issues, for example, but it at least sets a formula that's going to rise or fall depending on local conditions.

M^{me} Nathalie Des Rosiers: Sorry; I don't have much time. Because I'm an independent member, I only have two minutes. Would you be comfortable—and you can speak to other people—with some changes on the definition of where inclusionary zoning is? In the bill it is only around transit hubs, and there has been some pressure to say that maybe that's too restrictive and we could expand it a bit.

The Chair (Mr. Parm Gill): Thank you, MPP Des Rosiers. Unfortunately, that's all the time we had.

We're going to move to the government members. MPP Hogarth.

Ms. Christine Hogarth: Thank you very much for being here today and all your advocacy work for the city of Toronto and the greater GTA.

We talked about all types of housing, and I know that a member opposite talked earlier about investing and improving community housing. I just want to get on the record that a couple of weeks before we released this bill, Minister Clark did make a statement. He did announce that we are going to be investing \$1 billion to help sustain and repair and grow community housing to help out the homeless and the most vulnerable. I just want to make sure that that is noted.

Today we're talking about Bill 108 and, as you mentioned, attainable housing and affordable housing, but you also talked about the backlog at LPAT. Would you be surprised—you said tens of thousands—that the number is up at, potentially, 100,000 units?

Mr. Brian Kelcey: We heard the minister use that figure during his announcement, and we've been trying to back-engineer that. Certainly the numbers we have for Peel region are at about 15,000, and the last number we had from February in Toronto was 28,000. I don't care, candidly, if it's 100,000, 12,000 or 15,000. People who are appealing deserve a fair hearing. We were very careful in our own request on this to make it clear that we didn't assume that every house was going to make it through that system, but we certainly wanted to reframe the discussion of the backlog—look at the outcome of what this is doing in terms of homes that could be built as opposed to merely thinking of it as a process backlog. As I said, the

government has taken action, and let's watch and see if it works.

Ms. Christine Hogarth: Well, I appreciate you saying that, and that is why we are actually adding additional resources. Would you like to expand on what a difference that will make if we get rid of this backlog?

Mr. Brian Kelcey: Well, LPAT and OMB appeals: I'm sure you've had a lot of conversation already today about how important those appeals are to Ontario's system of regulating homes, but it is also the back end of the housing supply pipeline. The very short version, to the member, of what I've said in 100 conversations on this is, if we don't clear that backlog, city governments can do 100 things to be adding supply, and pretty much everything in our system can be appealed so all of it could be hung up at the back end regardless of all the other measures you're taking if we don't actually have a smooth and working appeal process at the back end to limit the speed of those appeals as well.

1510

Ms. Christine Hogarth: Okay. How do you think Bill 108 will help increase the supply of housing?

Mr. Brian Kelcey: I'm going to speak to one example that was in my notes that I didn't get to very specifically, and it's actually the area of the bill we're most pleased to see. The board is extremely frustrated, after years of advocacy—and we know we are far from alone on this issue—at just how few developments of housing of every kind and shape—how few job developments we're seeing over our rapid transit stations.

If you're looking for evidence that this can crack open supply in just one area—NIMBYism is a powerful force in this city; it's a powerful force in other cities. It has knocked down or shaved down proposal after proposal after proposal of developing over rapid transit stations, which is standard in other major cities, to the point that I've personally spoken to developers who have pension funds backing them specifically to invest over rapid transit stations and who won't bother to do so in the Toronto market, because they consider it a waste of their time and energy.

This bill contains provisions to add more teeth. The way I'd want to phrase it is, now the minister can require—rather than expect, as under the previous regime—that cities plan for and allow for this kind of development.

There is a proposal right now on the Danforth for a modest, just-over-midrise new housing proposal that's going to take between four and five years, if everything goes according to plan, to clear through the regulatory approvals just to get the housing in beside one of the Danforth's rapid transit stations. Again, that assumes that they actually clear, and that councillors don't find a way to say no and residents don't say no.

We're spending billions on these rapid transit lines precisely to move more people, because, frankly, the core of downtown and the job concentration we've got there can't handle it anymore if it's just cars bringing people in. We need those homes, and we need them on transit lines, for lower-income workers so that they don't have to be

driving a car through two hours of traffic every day to get to those jobs that are downtown, or north of the city, if they want to be taking that rapid transit in another direction. This bill creates a regulatory regime that adds teeth to make sure that those density targets will actually be hit.

The previous government put many of those targets in place. These targets are slightly softened, with the new growth plan. But what's important to us is that we actually get the housing built over those stations, and that is far more likely, with the terms of this legislation, than before.

Ms. Christine Hogarth: Now you talk about—

The Chair (Mr. Parm Gill): Thank you very much, MPP Hogarth.

Ms. Christine Hogarth: Oh, is that it?

The Chair (Mr. Parm Gill): Yes, that's it. We're going to move to the NDP, and we'll go to MPP Burch.

Mr. Jeff Burch: Thank you, Mr. Kelcey, for being here. You started out and you said something that I really thought was quite astute. You divided the housing issue into three categories: You talked about supply, and then you talked about affordable housing, and you talked about social housing.

Mr. Brian Kelcey: Yes.

Mr. Jeff Burch: You said there needed to be an investment in all three.

Mr. Brian Kelcey: Correct.

Mr. Jeff Burch: This bill, I would suggest to you—and you can disagree with me if you'd like—seems to suggest that by increasing the supply, we're going to end up with affordable housing, which I believe is a stretch. I don't see how you could say that this bill will increase the supply of social housing at all. How does this bill address the issue of affordability in any sense?

Mr. Brian Kelcey: There are two things to reply to. First, on the issue of overall supply, we're not alone in this. There are jurisdictions across the continent, and in Europe and Asia as well, in different degrees, that are facing very similar challenges. I could point to a long list. I'll just point to Seattle for now. It hasn't been perfect, but the jurisdiction that's facing a similar housing crunch to ours, that's doing best at containing prices and containing rents—they haven't plummeted, but they've dropped a few points here and dropped a few points there at different points—is Seattle. The one thing that Seattle is doing differently from us is, they're building like crazy and, partly because of different American market conditions with the popularity of purpose-built rental versus condo financing, they're predominantly building purpose-built rental near transit—and it's working. It's containing the kind of catastrophe we've seen in housing markets in the bay and whatnot.

Absolutely, to your question, legislation does not typically build social housing; appropriations do. But I will stand by my inference earlier—we're happy to see social housing. But as we've been tracking zoning decisions across the city and beyond, for the last few years, and in other jurisdictions as well, the brutal reality is that getting social housing built—we could drop \$10 billion on it tomorrow, and you'd still have a street fight, block by

block, transit station by transit station, as residents resisted the very idea that they need a rental home within miles of their own home. That's the brutal truth.

We believe that this bill, especially through the transit station zoning changes and the community permitting system and everything else, creates a more likely scenario where you're actually going to get regulatory approval to build that social housing. That doesn't mean that there doesn't need to be actual follow-up to make that happen.

Mr. Jeff Burch: I realize we're in Toronto and transit is important here, but it's a big province.

Mr. Brian Kelcey: Indeed.

Mr. Jeff Burch: How does this bill create affordable housing?

Mr. Brian Kelcey: Well, I'm here representing the Toronto Region Board of Trade. I will not pretend, as some in my job have made the mistake of doing, to represent people beyond the region. The region is the fastest-growing part of Ontario's economy. We would like that growth to be everywhere, but we have a critical challenge here in the city and the city region to deal with. From that standpoint, this is effective.

The Chair (Mr. Parm Gill): Thank you very much. MPP Morrison, you've got about a minute and a half.

Ms. Suze Morrison: I've got a few questions I want to squeeze in. I'll try to do this quick.

Mr. Brian Kelcey: Please.

Ms. Suze Morrison: We've heard from municipalities today that the way Bill 108 structures the development charges is that it will leave the municipalities having to pick up a gap in revenue that Bill 108 will leave them with, that they will likely either have to cut services or turn to an increase in the tax base to accommodate. Do you think it's in the best interest of your members in the business community to be paying for development through increased taxes on their businesses?

Mr. Brian Kelcey: I think it can be fair. I want to be clear, to answer the question that I hoped Mr. Burch would have time to ask, and that is that I think the one thing we'd want to see the government go beyond where it is with respect to the development charge regime is that the city of Toronto, for example, does have provision that it doesn't use to reduce development charges in areas where infrastructure is underutilized, which is only logical. That would create incentives to help developers spread their development out more throughout the city and get better use of the rapid transit, the parks, the social infrastructure we already have, since a majority of Toronto's neighbourhoods are experiencing stagnant or declining population right now, thanks to their success in keeping out new population and new development.

From that standpoint, first, yes, more flexibility should be allowed. Secondly, development charges don't recover 100% of costs now. Third, the board has never taken a position on this before, but I personally believe that growth should pay for growth, but the big cost of infrastructure, really, as somebody who has helped to finance it in the mayor's office before, is maintenance. I have no problem paying through my future property taxes to help for growth and infrastructure.

I believe—I'm going to squeeze this out—that it's unfair to newcomers to put all of the cost on them when we're going to be using that infrastructure as well in the neighbourhood.

The Chair (Mr. Parm Gill): Thank you, Mr. Kelcey. We appreciate it. Thank you for appearing before the committee. We appreciate your time.

HARBORD VILLAGE
RESIDENTS' ASSOCIATION

ANNEX RESIDENTS' ASSOCIATION

The Chair (Mr. Parm Gill): We will now move to our next organization, the Harbord Village Residents' Association. We have Sue Dexter and also Henry Wiercinski. Thank you very much. If I may, I just want to remind you that you have six minutes for your presentation. After that, we will begin questions and answers from members. Please state your name for the record, and you may begin now.

Ms. Sue Dexter: Good afternoon. My name is Sue Dexter. I'm with the Harbord Village Residents' Association. My colleague, Henry Wiercinski, is with the Annex Residents' Association. My remarks highlight the points made in our submission by eight sister residents' organizations in downtown Toronto, the epicentre of provincial development.

Bill 108 amends 13 statutes. It has been developed in haste, without transparency or meaningful consultation with municipalities and the residents who will be affected by it. We urge the province to hit the pause button on the progress of the bill, publish the regulations and engage municipalities and residents in a real consultation—starting today; this is a very good start, I think.

We are no strangers to development. Growth is not our enemy, but it must be managed. Through processes developed over the years, we have worked successfully with developers and the city to deliver efficiently large, complicated projects that meet both developer and community needs. A recent example is Honest Ed's at Bloor and Bathurst—I'm pleased to speak about that afterwards—Bloor Street United Church at Bloor and Madison, and community housing at 250 Davenport.

Our approach to growth is informed by three principles.

First, growth must be accompanied by liveability. We aim to balance the interest of landholders to build with the interest and responsibility of cities and residents to define what is appropriate, including measures to ensure that growth pays for growth and that the community has adequate services and public facilities going forward.

Second, given our experiences as to the benefits of robust stakeholder engagement, we do not support initiatives directed to unreasonably curtailing the ability of municipalities or residents to participate in the shaping of their cities and neighbourhoods.

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Third, we value transparency.

The magic of Toronto is that despite unprecedented development pressures, city staff, councillors and

residents have worked with developers to create one of the top livable cities in the world. We've created housing and public facilities under the principle that new development bears the costs of the demands it puts on both hard services, such as sewers and water, as well as public facilities like community centres and daycares. That has changed.

In one bucket, community facilities and parkland secured under sections 37, 42 and 51 for each development are to be consolidated and charged at a rate yet to be determined by the minister. This leaves the city's ability to build new parks and secure community facilities at the whim of whoever happens to be the minister at the time.

In another bucket, development charges would be computed using a method to be determined. When a cabinet decision replaces a system of five-year revisions of development charges integrated into city growth plans following external review, predictability is sacrificed.

Together, these changes have the potential to undermine the capital growth plans developed by cities and download the cost of growth from developers onto the property tax base. Additionally, cities will pay up front for infrastructure such as power, sewers and water, recovering costs from developers of certain projects over five years. Cities thus become involuntary lenders to developments. This is not sound fiscal management. Without knowing the regulations, it is not possible to verify whether the effect of change is revenue-neutral.

Bill 108 also reverses the reforms that created the LPAT following extensive consultations and returns us to the OMB state. Residents will no longer be entitled to speak at appeal hearings affecting their interests. Appeals to city planning rules and heritage often shaped through years of public consultation will now be determined by LPAT and not returned to council for decision. Unrealistic timelines for handling applications sacrifice the possibility of consultation and good planning and set the stage for quick jumps to the LPAT by developers. This will create more, not fewer, cases going to the LPAT. A modest number of temporary appointments may deal with backlogs but will likely result in inconsistent decision-making.

The stated intent of Bill 108 is to cut red tape, speed development and create affordable housing. With no metrics provided, the province has offered us no proof it will do anything other than serve the interests of developers. In the context of carefully crafted municipal capital plans which support growth and liveability, such change in haste without full transparency as to consequences is reckless.

As a government that listens, we urge you to work with our city and with residents through our neighbourhood association and hit the pause button. We should not chance getting this wrong. Together, we can create vital and livable communities. Let's talk. That's my pitch to you. It would be a shame if we didn't. Have I got a minute? A little bit?

The Chair (Mr. Parm Gill): Actually, we just ran out of time. Thank you for your presentation. We'll now begin

questions and answers. We're going to move to the government members first. We'll go to MPP McDonell.

Mr. Jim McDonell: Thanks for your presentation. I think that we started consultations on this bill early last fall.

Ms. Sue Dexter: We never heard a word of it.

Mr. Jim McDonell: Well, we've advertised and we've had a lot of large—

Ms. Sue Dexter: We never saw the results of your consultations.

Mr. Jim McDonell: The results are this bill.

We've been trying to move ahead. We've heard from people that drastic action was needed to fix the housing problem we have in Toronto. We need some predictability. We don't have enough rental purpose-built housing. We don't have enough social housing. That's what this is trying to do.

I've heard of the need to develop our concentrations around our transit system and our future transit. We need to do a better job letting our developers know where we're going to built transit, and that's where the population should be—

Ms. Sue Dexter: We're doing it. We're doing it, though. Honest Ed's: affordable housing, 10% of the site. It took three years only: 800 units, 10% affordable, a park of 1,200 square metres, daycare, a student centre bookstore, rental, pop-up business, retail, heritage in 27 properties.

We have a system. We've got a very good system in place. The reason there's virtual unanimity, without fiddling the books between our city planner, the councillors and ourselves, is that we have a very good system. What we're trying to do is to say that if you're going to change the system, let's work together to change it so we don't wreck it, because it is working.

Henry can talk about—

Mr. Jim McDonell: There will be consultation as we put the regulations in place. The consultation never ends.

We heard a group, just a couple before you, talking about the results of our purpose-built rental: We aren't getting the rental units the city requires. They were talking 1,100 a year, which is a tenth of what they were getting 30 years ago.

Growth in this province is much higher now than it was 30 years ago. I can just tell you that in my time here, what was available when we first got here—many of those buildings are gone. They've been converted to condos or torn down.

Ms. Sue Dexter: But that's the problem. If you have the market driving, if the developer is saying, "I can put up"—and we deal with them all the time, weekly, weekly, weekly. I have them almost one a block. I know on Spadina, coming down, it was affordable rental. There's low-cost rent-to-buy, there's affordable, and then there's rental.

The transition is happening, I think. But preferentially, the people coming into the market couldn't afford houses. The builders were there, and they thought, "Put up

condos," and with a condo, you sell it, you finance it off the top and then you're gone.

When Honest Ed's, in dealing with Westbank—and if you talk to Westbank about us, we are the best of pals. They're not suffering from the system that we already have, which ensures that that development basically takes care of itself on its own site. And the community benefits.

That's the other thing that's missing a little bit from the ideas that you've presented to us, that we'd like to work with you on: If we work together, we have a common acceptance of the result. If you declare, "This shall be," you're going to get people who say, "No, no, no. Resist, resist. It's terrible, it's terrible," and you get ill feeling. This way, you get buy-in, if you're working through working groups with developers—and we do it all the time. That's the downtown recipe.

Mr. Jim McDonell: We're looking at growth approaching 100,000 people every couple of years, and we're not developing the housing for it. I think the city overall wants it, but nobody wants it in their neighbourhood, and that's a problem. You can't always—

Ms. Sue Dexter: That's not true.

Mr. Henry Wiercinski: That's just plain not true. That is an incorrect statement. Where I live, I've got a 26-storey building at Avenue Road and Davenport. I've got an 11-storey building in my backyard. Those are not affordable; they're not attainable. Those are all condominiums that are expensive.

When you look at Toronto, and you're talking about \$75 million an acre for downtown development land—go figure. If you do your development charges on the basis of land value, you get \$75 million an acre in Toronto.

The Chair (Mr. Parm Gill): Thank you very much. That is, unfortunately, the time that we had for the government members.

We're going to move to the NDP, and we'll start with MPP Burch.

Mr. Jeff Burch: Thank you very much for your presentation. I assume that you're a neighbourhood group that has been around for quite some time.

Mr. Henry Wiercinski: The Annex Residents' Association is the longest-standing residents' association in Canada.

Mr. Jeff Burch: That's very impressive.

Ms. Sue Dexter: And we're not it. We're their neighbour—

Mr. Henry Wiercinski: They're our cousins on the other side of Bloor.

Mr. Jeff Burch: Do you have big offices and staff and—

Ms. Sue Dexter: Are you joking?

Mr. Henry Wiercinski: You're looking at them.

Mr. Jeff Burch: So when the government says that they've given lots of time for consultation on a bill that they're ramming through in three weeks, and we've had one day of hearings—

Ms. Sue Dexter: Okay—

Mr. Jeff Burch: I'll let you.

Ms. Sue Dexter: Well, it's a disaster. I've never been in a position where I've had to represent all of the little people in the whole of the province of Ontario. It's appalling.

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We know everything about each other as a result of this bill, and we've done nothing but—and our loved ones are saying, “Why are you talking about development charges? We're sick of it.” It has taken us literally two solid weeks to figure it out, because it's complicated, it's drafted, it's technical. It's not all evil, for sure, but it needs our blessing and fix. We want to help fix it.

Mr. Jeff Burch: One of the things you said really struck a chord with me, as a former two-term councillor in Niagara. I had a good relationship with developers, and I had a community much like what you described, where you had neighbourhood groups, councillors and developers, and the best developments we had were when everyone worked together and councillors could run interference for the developer and explain it ahead of time so that the residents' groups didn't get up in arms, because then they properly understood what the development would be. It sounds like you have that kind of relationship now.

Mr. Henry Wiercinski: Sue spoke about the Westbank development at Honest Ed's.

The Toronto Community Housing development at 250 Davenport: You have a 23-storey Toronto Community Housing building that's dilapidated. They had a large green space. The deal was that TCHC would sell the green space to a developer and the developer would develop the land as a condominium and use the proceeds to rehabilitate that building and to rehabilitate other TCHC buildings in Toronto. We worked with the developer. That thing didn't go to the OMB.

The previous deputant talked about the backlog. The backlog is a function of the fact that the LPAT was under-resourced by the government—to create a backlog. The place where development gets done is at the front end with consultation; it doesn't get done at LPAT. All of the good developments that we've had never went to LPAT. If you talk to the developers we've dealt with, most of them will say, “We've never been to LPAT. We've never been to the OMB.” That's not the place to be. The people who show up there are people who are trying to do something that is inappropriate.

And 210 Bloor Street, a building that is sandwiched into a footprint that's not much bigger than this—23 storeys, 42 units. Who do you think is going to live in the 42 units, with 82 car parks? This isn't affordable housing. This is just, “What can I squeeze out of it?” And what did they do? They talked to us once and then filed their application with LPAT. It was just like, “Thanks very much for the consultation. We'll get on with it, and we'll roll the dice at LPAT and see. Maybe we'll be able to trick somebody.”

Ms. Sue Dexter: We're fighting to get affordable—our section 37 monies have gone to Scadding, have gone to the hydro. The most recent section 37 that we had from a development in the community went to the native centre for an expansion of its affordable program.

I hate to be Trumpian about this, but there's a whole lot of fake news out there. We're trying our best. Where the logjam is, from my experience—and certainly on the Westbank project, we couldn't find the finance. They agreed to allocate the units, but we couldn't find enough finance for it. If the government—

The Chair (Mr. Parm Gill): Thank you, Ms. Dexter. We appreciate it. We have to move on.

We will now move to MPP Des Rosiers for two minutes.

M^{me} Nathalie Des Rosiers: I want you to finish your thoughts. It's very important that we hear from you, so I'm going to let you do this, and if you can speak—

Ms. Sue Dexter: Paramedics; I'll give you paramedics.

M^{me} Nathalie Des Rosiers: Yes, that's good. I want inclusionary zoning, as well.

Ms. Sue Dexter: Inclusionary zoning—you can benefit even more if you loosen it up. If you confine it to transit hubs, you're removing some of the option of a city to say, “This is a fit, this is a fit, this is a fit.” Our opposition will say, “Well, now you're opening the door to NIMBY.” No, you're not; not at all. The councillors put you guys—this is rich country over here, and they actually got a women's shelter, I think, and they're expanding.

The common conversation downtown is, “Have you heard anything about 245 or 69 or 743”—we do all numbers because they're all developments all the time.

What we're trying to do is to say we've got a good town. It works. It has problems. We need to fix the problems. We need to create affordable—if you want to make affordable housing, why are the savings that are created in the bill not destined for creating affordable housing? If you get the development charge thing sorted and the developer gets a bit of relief on that, take that money and slog it into affordable housing. Don't give them the option; otherwise, you're not going to get it. We tried for it, and it's a big problem, but I think it's the government—

The Chair (Mr. Parm Gill): Thank you, Ms. Dexter. We appreciate your testimony. Unfortunately, that's all the time we have. Thank you for coming in.

Ms. Sue Dexter: Thank you very much. This has been a really interesting day. Call us up. We want to work with you.

The Chair (Mr. Parm Gill): Thank you.

ONTARIO STONE, SAND AND GRAVEL ASSOCIATION

The Chair (Mr. Parm Gill): We will now move to the next organization: Ontario Stone, Sand and Gravel Association. We have Norman Cheesman, Sharon Armstrong and Ashlee Zelek.

Thank you for appearing before the committee. I just want to remind you guys that you have six minutes to make your presentation, and after that we will move to questions and answers. Before any one of you starts speaking, please state your name for the record. You may start any time.

Mr. Norm Cheesman: Thank you, Mr. Chairman. Good afternoon, ladies and gentlemen. My name is Norm Cheesman. I'm the executive director of the Ontario Stone, Sand and Gravel Association, OSSGA. With me today is Sharon Armstrong, our VP of communications, and Ashlee Zelek, our director of education and environment.

We appreciate the opportunity to be here to speak to you about this bill. This legislation strives to create more homes and more choices. OSSGA shares this open-for-business vision of Ontario and reminds the committee that the foundation of every new home, condominium, bridge or road is aggregate; that is, stone, sand and gravel. The industry therefore thanks the government for putting forward this important legislation.

Our population is going to increase by almost four million people by 2041, and we're going to need an estimated four billion tonnes of aggregate to support that growth. To ensure the adequate supply of aggregate, it's important that the province maintain a strong leadership role with respect to the regulation of this resource from the time of initial licence application to when the licence itself is surrendered.

Today, there are too many overlapping policies and inconsistent approaches within provincial plans, regional and local official plans and conservation authorities. This bill addresses some of those concerns.

With respect to proposed changes to the Conservation Authorities Act, OSSGA supports the government's effort to clearly define the core mandatory programs and services provided by conservation authorities. In recent years, many conservation authorities have gone beyond their mandate by requesting studies in areas which are already managed by MNRF or MECP, such as species at risk, significant wildlife habitat and well water issues. This overlap has resulted in duplication of reports and studies, which has significantly added to the length of time and cost required to approve applications without necessarily giving us additional benefit.

With respect to the Planning Act, Bill 108 introduces changes to the Local Planning Appeal Tribunal, LPAT, which was referred to earlier, which we also support. The procedures introduced a couple of years ago were, in our opinion, cumbersome—and that was viewed by a number of other parties beyond ourselves.

Referring LPAT's decision back to council for a new decision simply adds uncertainty, cost and delays to the development approval process. We support the repeal of the two-step appeal for both official plan amendments and zoning.

Bill 108 amendments will restore LPAT's ability to consider information and material in addition to what was before council before it made its decision. This, in combination with the restored ability of a party to call and examine witnesses, will help ensure that matters are given proper consideration.

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We would like to have seen a repeal of the two-year moratorium on applications to amend operational plans and zoning amendments. The reason is that pits and

quarries require OP or zoning amendments to be established before a licence can be granted. Almost no municipality—or very few—pre-zones land for use of this kind, and many require OP amendments as well. So placing a moratorium on applications to permit pits and quarries to proceed adds delay and cost and is an impediment to investment here in Ontario. Repealing this section is our preferred solution, or, alternatively, providing an exception clause. We're hoping that at some point in the future, the government addresses these issues.

With respect to the recommended changes in the Endangered Species Act in Bill 108, we support the government's commitment to modernizing and improving the ESA. We should point out that as significant landholders, aggregate producers play a critical role in the protection of species at risk. Once the resource is extracted, surrendered aggregate sites are often rehabilitated to agriculture, naturalized areas or diverse wetlands that help support rare and at-risk species and preserve Ontario's biodiversity.

OSSGA is pleased to see the increased predictability and certainty associated with the proposed changes to COSSARO's earlier public notice and reporting timelines as well as COSSARO's requirement to consider a species' condition around a broader geographic range. We support permitting options that would ensure the best outcome for a particular species' protection and recovery. We believe that a payment in lieu, as one of several authorization tools, has the potential to help proponents achieve overall benefit for species at risk, particularly for species for which their threat is not necessarily a loss of habitat.

We would have liked, however, to have seen some further improvements in the permitting process, such as guaranteed service windows—there are some other areas we might address, as well, in the Q&A—but these would have increased predictability and reduced cost.

In conclusion, the aggregate industry is governed by more than 25 pieces of legislation and literally hundreds of regulations, as well as a number of municipal bylaws and OPs across the province. Bill 108, as the committee will appreciate, has not addressed all of our issues, but we are very pleased, generally, with the direction of this bill. We're happy to be here to speak to it today, and we'll do our very best to answer your questions.

The Chair (Mr. Parm Gill): Thank you very much. We appreciate your presentation. We will start the first round of questioning with the NDP. MPP Burch.

Mr. Jeff Burch: Thank you for your presentation today.

I noticed in your written presentation that there's a paragraph where you talk about your members being significant landholders and that they play a critical role in the protection of species at risk by using the surrendered aggregate sites once the material has been extracted. I'm wondering what the incentive is—because right now, my understanding is that there's an awful lot of fill around the province, and that's one of the things that the industry is dealing with. So if I have a pit that has been used, is it not far more expensive to make that, for example, a lake or farmland as opposed to making money by bringing in fill

from another area and filling it up? What's the incentive for you to actually do what you're describing in this presentation?

Mr. Norm Cheesman: Rehabilitation is an important part of the whole application process. I'm not really the best person to talk to about fill policies; I know we have some issues there. It's in producers' interest, if they want to do business in the communities, to rehabilitate their licences and their lands when they're finished. In fact, they do it progressively as they continue to go.

Ms. Sharon Armstrong: Before the first spoonful of resource can come out of the ground, there has to be an approved rehabilitation plan. So rehabilitation is not something that's thought of at the end of the process—"After we've done all of this, how are we going to rehabilitate?" It's actually right on the site plan, and it's thought of right from the very beginning.

In terms of some of the soil issues, mostly the producers would like to have increased access to soil because they need that to do great rehabilitation with proper sloping and making recreational areas that the public can enjoy.

Mr. Jeff Burch: When I'm talking about the incentive to use these finished sites—I'll give you an example: There's a pit in Port Colborne right now where they did exactly what you are suggesting. They had an agreement to make it a passive lake afterward, but they saw that there was an opportunity to make money, so now they're trying to change that to bring in fill, and the neighbours are all up in arms.

So I'm wondering, what is the incentive, when there's a profit incentive to use it for one thing and you're suggesting they're used for something else?

Mr. Norm Cheesman: Whatever incentive there is, any change to a licence has to go through an amendment process, so it's going to get rigorously analyzed in terms of being compliant with ecological and other requirements. Is that fair?

Ms. Ashlee Zelek: Yes.

Ms. Sharon Armstrong: And MNRF won't surrender the licence until the requirements of the rehabilitation plan are met.

Mr. Jeff Burch: You used the word "modernizing" when you talked about the changes to the Endangered Species Act. If we're modernizing it and we're in an era when species are more and more endangered, I assume that you're suggesting that this bill actually helps protect endangered species. So how do you see that Bill 108 is actually modernizing or bringing greater protection to endangered species?

Ms. Ashlee Zelek: We see it as striking a balance that provides positive outcomes for species at risk while not creating barriers, which we had talked about. As mentioned, we see the conservation fund as one of several authorization tools for potentially creating greater species outcomes through research and through various—just to give you an example, a species like butternut, for example, could be used to address the issue of butternut canker through research. Or bats that suffer from white-nose syndrome: Whereas their decline may not be due to habitat

loss, for example, but it's due to white-nose syndrome, we see potential there for further research into actually identifying the real issue for the species decline.

Mr. Jeff Burch: Finally, you talked about what you called "payments in lieu," and people who are against that call it "pay to slay." How does that help to protect endangered species in Ontario?

Mr. Norm Cheesman: I'll take a crack at that. Whatever the outcome of the process, the proponent has to go through a very rigorous analytical process to demonstrate they have done the protection. So it's really a matter of options at the end of the chain.

Ms. Ashlee Zelek: Yes. I'll just add that it's our understanding that the proponent would still be required to do impact monitoring, consideration of alternatives and take all reasonable steps to minimize adverse effects.

The Chair (Mr. Parm Gill): We're going to move to Madame Des Rosiers for two minutes.

M^{me} Nathalie Des Rosiers: It's a real pleasure to get to see you again.

The purpose of this committee is also to look at how to improve the legislation. We've heard from people who had concerns; not everybody is supporting all of the pieces of the legislation. I'm going to put to you a couple of amendments that came from listening to other groups, and I just want to see whether you would feel comfortable with these amendments going forward.

The conservation authorities suggested that we add to the list of mandatory programs—simply, programs and services relating to the conservation of natural resources. I'm going to ask you whether you would be comfortable with that.

The second one is some of the concern about taking into account, under the Endangered Species Act, the conditions of species across the border, outside. That's not bad in itself, but if, across the border, because of climate change, changes occur—and we don't have any control over what's happening across the border—there could be additional consideration of climate change in this. Would you be comfortable, in COSSARO, once it's taking into account what's happening outside of the border of Ontario, to look at the impact of climate change on endangered species over there?

Mr. Norm Cheesman: Madam, I must respectfully decline to take a position on that only because, as an association, we consult a number of members. We literally found out about this presentation four days ago—

M^{me} Nathalie Des Rosiers: That's part of the problem.
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Mr. Norm Cheesman: Yes. Those sound like worthwhile things to consider, but I'm going to deflect that to another time. We can certainly consider it, but—

M^{me} Nathalie Des Rosiers: What would it take, as a process—how much time would it take, for example, to have the opinion of your—

The Chair (Mr. Parm Gill): Thank you, Madame Des Rosiers.

Mr. Norm Cheesman: I'll get back to you on that.

The Chair (Mr. Parm Gill): Thank you. Unfortunately, we are done with time. We're going to move to the government members. We're going to go to MPP Park.

Ms. Lindsey Park: I'm parliamentary assistant to the Attorney General, so the LPAT changes—I thought I would talk about them a little bit with you. Just in your opening, I don't think you had a chance to talk about it too much. From your perspective, will the changes to the LPAT process make it more efficient, better for your members? I just wanted to get your thoughts on it.

Mr. Norm Cheesman: Absolutely. Listen, as soon as this legislation was out two years ago, we sat down and I think we developed a four-page letter to the then deputy minister of the ministry to say, "Listen, we've identified a number of problem with this." Interestingly enough, as we got talking to municipalities and other groups, we weren't the only ones who had the same issues.

So we've identified some of these. They've largely been fixed, as far as we can see, in this legislation. It does sound like a reversion to the old system, but it did have the advantages, for instance, of cross-examination and an appeal process. Where some other information comes to light, it's important that that be taken into consideration.

It's also going to speed up the process. It's not going to slow it down as much as the revised LPAT would have.

Ms. Lindsey Park: You seem to know the process well. What are some of those changes—if you can remember back; I know it's two years ago—that you wanted to see, that you would have expressed two years ago?

Mr. Norm Cheesman: Well, we've identified two of them in our brief. The information that I have from the people who have reviewed this is that this is essentially back to where we were, which is good because where we were going was going to slow things down for ever and ever and we weren't going to be making decisions, and that's not open for business.

I'm not going to get any more specific than that, because I can't recall it right now. Unless one of my colleagues can, I will have to decline.

Ms. Sharon Armstrong: I think we've talked about them, but going back to the de novo hearings and being able to make sure—in aggregate situations, it's often very complex. Certainly, there was a feeling that making sure that new information, for example, could come to light; that the hearings wouldn't be just paper-based, so that people who didn't have good grounding in these issues didn't have to just rely on paper trails.

Referring it back to the council, for a lot of our members, was just more time that was needed in a process that already takes—you have to understand that, even in the development world, the process to license an aggregate pit or quarry can often take 10 to 12 years. This is a very extensive process, so having a system where, "Oh, now we have to go back to council" just adds another year to a system that is already incredibly burdened in terms of time.

Ms. Lindsey Park: I think some people would be surprised to know that the aggregate industry would be interacting with this LPAT process as much as maybe you

are. What role does this sort of process play, or how does it connect to your industry? Maybe you can describe that.

Ms. Sharon Armstrong: In terms of a new application, for example, there are two things that happen with a new application: It has to get a licence from the Aggregate Resources Act, so there's a whole process that goes through on the ARA side; then, at the same time, usually working in parallel to that, usually there's an OP amendment or a zoning amendment that has to go. All three of those instances are appealable under LPAT.

One of the other changes that has been made that's very helpful: Under the system that was announced a couple of years ago, you couldn't combine those hearings. So they were going to be held one after the other, which again increases time. Now, we've reverted back to being able to run those hearings in parallel, because they are essentially dealing with exactly the same issues. This is a great example of efficiency that's brought in, putting those combined hearings back together.

That's just one example in a new application. In major amendments, there are other instances where the LPAT procedures are available to people as an appeal system.

Ms. Lindsey Park: Thank you. You explained that really well.

We don't have much time left, but maybe I'll just jump to how you feel the changes to the Aggregate Resources Act will result in a more efficient process.

Mr. Norm Cheesman: Well, we'll be commencing discussions. In fact, we're going to be meeting with Minister Yakabuski next week and his officials later in the week. There are a number of changes that we're looking to do in the ARA. Offhand, I can't think of them right now. That's MNRF; that's really their domain, if you will. And we're looking forward to those discussions.

Ms. Lindsey Park: Okay.

The Chair (Mr. Parm Gill): Thank you very much; we appreciate it. I want to thank our witnesses for appearing before the committee and for your time.

Mr. Norm Cheesman: Thank you.

RESIDENTIAL CONSTRUCTION COUNCIL OF ONTARIO

The Chair (Mr. Parm Gill): We will call on the next organization, which is the Residential Construction Council of Ontario. We have Richard Lyall and Michael de Lint, director, building regulatory reform and technical standards. Thank you very much. I just want to remind both of you that you will have six minutes to make your presentation together. After that, we will move to questions and answers. Before you begin, if you can please state your name for the record. You may begin.

Mr. Richard Lyall: Richard Lyall.

Mr. Michael de Lint: Michael de Lint.

Mr. Richard Lyall: Thank you for allowing us to attend this afternoon. We appreciate it. ResCon has a long-standing interest in building innovation as well as streamlining the building regulatory system to remove unnecessary impediments to more affordable housing.

We've commissioned many reports over the years on this topic.

In July of last year, we released a report called *Streamlining the Development and Building Approvals Process in Ontario*. We are pleased to see that recommendations from that report and from recent submissions to the province on housing supply, the growth plan and the Planning Act were reflected in Bill 108.

As you know, we have a housing crisis. We're probably in the range of producing 15,000 to 20,000 fewer units a year than our demographics would suggest we need. We know that our waiting lists for affordable housing, and basically any kind of housing, are getting longer as well. Slow planning approvals not only delay the supply, but actually reduce supply over time, as builders tend to avoid projects that are compliant with all the rules but are slightly more complex.

According to the World Bank's *Doing Business* metrics, Toronto, representing Canada, ranks 63rd globally in terms of the efficiency of the building and development permit approvals process. That's actually gotten worse, by the way. The metric is based on a relatively benign building project of a warehouse in an area zoned for warehouses. One of the main reasons for the delay was the very slow planning approvals process, specifically site planning control. Residential projects typically face much bigger delays, even for routine planning approvals. So we are very pleased that the bill will speed up the planning and development approvals process.

We are here to comment mainly, though, on schedule 12, which amends the Planning Act. Firstly, we want to commend the government for taking a very big and very bold step in the right direction. The changes in Bill 108 will contribute substantially to streamlining the planning process, which will contribute to more housing supply and more choice. Bill 108 introduces several important changes. We will comment on a few that we think are especially important.

Reduction in decision timelines: We strongly support the substantial reduction in planning approval timelines in Bill 108 for official plans, zoning bylaws and plans of subdivision. One of ResCon's main recommendations to the government was to speed up the very slow timelines that increase uncertainty and risk for the development and building industry, leading to reduced supply and investment.

We are also very pleased that Bill 108 provides for expanded use of community planning permits, also known as development permits, which combine zoning and site plan control into one package. Bill 108 would allow the minister to require CPPS in major transit station areas, or MTSAs. This is something that ResCon had specifically recommended to speed up approvals near transit stations. This is key to increasing supply, because many areas adjacent to subway stations and GO stations are very underdeveloped.

By some estimates, MTSAs and adjacent arterial roads could accommodate over a hundred thousand additional units of housing in addition to office and commercial

development. I remind you that Paul Bedford did a very good study on this when he was at the city of Toronto, and that 100,000 units would account for about 10% of that land. So there's a lot of room to do things and a lot of room for improvement.

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Bill 108 is a very important first step for making efficient use of our transit system, but for a CPPS to be implemented municipalities also need to update their official plans. Currently municipalities are given too much time to do this—eight years. Updates to official and secondary plans need to happen much faster. The province also needs to be prepared to up-zone a CPPS if that does not happen. Several US states are already taking such an approach to increase housing supply and capitalize on valuable transit infrastructure.

The bill makes a very important change that will result in more certainty and predictability regarding development-related charges. Section 37 of the Planning Act allows the municipality to charge a developer for services and facilities in exchange for an increase in building height or density. These section 37 fees are in addition to those growth-related costs covered by development charges parkland dedication fees. Section 37 therefore had the perverse effect of encouraging municipalities to under-zone land relative to the provincial growth plan. ResCon and other associations had strongly recommended eliminating section 37, but changes to section 37 in Bill 108 should eliminate that incentive and encourage more up-to-date zoning relative to CPPS and MTSAs.

Our comments have focused on section 12, which amends the Planning Act. We think the changes to the Planning Act and the planning regime in Ontario resulting from Bill 108 are a very important first step. We look forward to providing input on the regulations as they evolve, and that's to come. Thank you.

The Chair (Mr. Parm Gill): Thank you very much. We will now move to questions and answers. The first one is going to be MPP Des Rosiers.

M^{me} Nathalie Des Rosiers: Welcome. It's nice to hear from you. Are there any additional amendments that you would like to put forth on the bill? Do you have any concerns or things you think could be improved?

Mr. Richard Lyall: We have a few finer points. I think the biggest concern we have is, are we moving fast enough and are we moving far enough? Because every year, with that loss of 15,000 to 20,000 units, the situation is just getting worse. We need the supply. We need housing for people who can't afford housing at all, but we need housing for the bulk—the rich can take care of themselves, but for the vast majority of people and new homebuyers coming up in Ontario, we're not producing enough.

M^{me} Nathalie Des Rosiers: There's been some talk about the restriction to inclusionary zoning being only around transit as opposed to being maybe at other places, particularly for other municipalities where there is not major transit. Would that be an amendment that you would support?

Mr. Richard Lyall: I think the inclusionary zoning should be along the main streets and avenues, not

necessarily right around the major transit stations because that land is going to be very valuable, so it's going to be very, very expensive for affordable housing. But there are enormous opportunities on main streets and avenues—if something like that is going to happen. I'm not a fan of inclusionary zoning because I think it gets tied up in red tape and it penalizes other buyers.

Mr. Michael de Lint: Just to add to that point, you could conceivably produce perhaps 10 times as much affordable housing away from high-density transit areas, along bus routes, places with good access but not such valuable land. So there's an advantage to opening that up to some other areas as well.

M^{me} Nathalie Des Rosiers: So that it would be less restrictive in case a municipality wants to use it as a tool.

Mr. Michael de Lint: Right. Having said that, we're not huge fans of that mechanism, but it could be used elsewhere.

The Chair (Mr. Parm Gill): Thank you. I appreciate it. We're going to move to the government members. We're going to go to MPP Romano.

Mr. Ross Romano: Thank you, Mr. Lyall and Mr. de Lint, for being here today. I appreciate—and forgive me; after 4 o'clock on Friday, it has nothing to do with the evidence that you have provided to us, so it's been absolutely exhilarating to hear. I actually do mean that; I'm not trying to be facetious right now.

We've heard evidence throughout the day, and more and more and more you're saying the same thing. We've got a big problem with our housing situation. Looking at the GTA specifically, I think you said 63rd is where they ranked some time ago and now it's actually much worse. So that's just to put it into perspective. Some people might say 63 could be good, depending on how big the number is out of. So is 63 a good number or a bad number?

Mr. Richard Lyall: It's out of 188 countries. We were 54th. We've actually gotten worse in the last year, because they update it every year.

Mr. Ross Romano: Okay. We certainly would hope to be more a developing-friendly kind of place, I would think.

Mr. Richard Lyall: Yes.

Mr. Ross Romano: And certainly if we are interested in making sure that people have more homes, more choice, I think it's fair to say that, from your perspective, this bill will accomplish those goals.

Mr. Richard Lyall: This bill is massive in scale, as it needs to be, because the issue and the problem is complex, and it has been unaddressed for almost a generation, in reality, in real terms. We've let it get worse and worse. The main problem has been referred to as “the blob.” When you think of 45 different government agencies that all have their fingers in the approvals pie, there's no overriding entity that's looking at how that housing supply chain process is actually functioning and where the problems are.

For example, we have elements in our housing supply chain where there really is no accountability or much transparency in the process: “You're going to get your

permit when we feel like giving you the permit,” and, “Oh, by the way, we lost your drawings, and you need to do this first before we can act over here.” Things have just gotten really gummed up, and we're building half the infrastructure that we should be building.

Toronto is reaching the point—it reminds me of the TTC when we used to say we had the Red Rocket and it was the best transit system in North America. Well, that story was over about 10 years before people stopped talking about having the best transit system in North America. We don't. Our system is terrible, and that situation kind of matches housing, because we're not doing either well.

Now, hopefully, we're going to start fixing it.

Mr. Ross Romano: It sounds like you are feeling that there's been way too much overregulation and red tape—

Mr. Richard Lyall: I don't want to say it's overregulation. We're not talking about cutting regulations or safety or anything else like that. It's how we do things. We have to do things better. We have to be more efficient in how we manage the process, and we need to streamline that process because things get jammed up. When the Planning Act says site plan approval should take a month and on average we're looking at 18 months to two years, something has gone terribly wrong.

Mr. Ross Romano: So you feel this bill will address that?

Mr. Richard Lyall: I think this has the potential to kick-start fundamental changes that are absolutely necessary, especially if we're going to deal with the housing affordability situation.

Mr. Ross Romano: You've mentioned that a few times. So you really feel that not only is this going to create more homes and more choice, but it's actually going to do a lot to increase affordability of homes?

Mr. Richard Lyall: Well, it's demand and supply. If we've got a supply problem and we're not producing enough, then if we increase supply, that will have a positive effect.

Mr. Ross Romano: What would you say to those Toronto city councillors and members of the opposition who continually seem to have a problem with creating a better process and having a better system out there so that we can have more homes, more choice and more affordable homes?

Mr. Richard Lyall: I'd say we've got a study that was done by U of T that shows what the problem is in the city of Toronto. It's taking longer and longer to get things done. Toronto city council is pretty dysfunctional. It's probably the least-well-managed city of major cities in the world in terms of its governance structure. It does not work well.

The fact is we've had a generation of failed housing policies. The facts speak for themselves. The affordable housing lists are getting longer and longer and longer. We're producing less housing than our immigration and demographic requirements dictate. Where's that going? It's not going anywhere good, so we've got to try something new.

One of the things that we've been advocating is our housing supply chain. If you think of it in terms of supply chain management, it's dysfunctional. We need to fix that. Many of the big parts of the problem in there—they're not from the industry side, because when we finally get to actually build a building, we get it done very efficiently and quickly. But it's getting to that point where we can actually put a shovel in the ground that's insane, currently. When we're looking at 10 to 20 years from concept to occupancy on major—

The Chair (Mr. Parm Gill): Thank you very much. We appreciate it. We're out of time.

We're going to move to the NDP and we'll go to MPP Burch.

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Mr. Jeff Burch: Thank you for being here today. I have a few questions. First of all, you were mentioning that we were 50th or 60th on a list of—

Mr. Richard Lyall: We're 63rd.

Mr. Jeff Burch: We're 63rd, okay. That doesn't exactly jive with what we heard this morning, which was that there are actually 144,000 approved applications in the city of Toronto. Can you maybe explain the discrepancy there?

Mr. Richard Lyall: So 144 approved applications—

Mr. Jeff Burch: Approved—144,000 approved applications.

Mr. Richard Lyall: Yes.

Mr. Jeff Burch: You were suggesting that this red tape—things have got caught up in the process and it's somehow delayed the approval of applications, but we heard from city councillors that there are 144,000 already approved.

Mr. Richard Lyall: That's true. There's a lot of product in the pipeline. Some things that have been approved aren't necessarily under construction, so there's something to keep in mind there. Just because something got approved doesn't mean it's getting built.

Another problem is that our market is quite dysfunctional. We're doing a pretty good job of building high-rise product, which is great. But where we have a massive hole is in what's been called the "missing middle." For example, if you think of going to a city like Copenhagen or Stockholm and you walk around and see how beautiful they are—and they're absolutely beautiful cities—it's all six-to-eight-storey product in the core, right? We're not redeveloping enough. Our yellowbelt is almost a restricted zone.

Then on the low-rise side, our low-rise market, many people don't realize sales dropped precipitously—80%—in 2018. We don't have enough low-rise product coming on the market. So in terms of having a balanced supply of appropriate types of housing, we're failing.

Mr. Jeff Burch: Okay. I've heard both sides of the argument with respect to affordable housing today and I still haven't heard a really good explanation as to how this bill is going to create even one affordable housing unit. You talked earlier about inclusionary zoning and that you're not really in favour of it, and it gets tied up in red

tape. Yet we heard earlier today that it actually hasn't been implemented in Toronto yet. So I'm not sure how you can come to that conclusion, unless you're talking about other jurisdictions—

Mr. Richard Lyall: Well, I've looked at the experience in other jurisdictions on inclusionary zoning and it's—

Mr. Jeff Burch: In Canada or—

Mr. Richard Lyall: North America-wide.

Mr. Jeff Burch: North America.

Mr. Richard Lyall: But coming back to affordability, affordability is a relative concept. Yes, we've got basically three parts to a housing market. You've got the people you don't have to worry about, because they've got lots of money and buying a house is not necessarily a big deal. Then we have people in our communities who, through no fault of their own, can't afford the housing that's available. Then you've got the main bulk of society, where affordability is an issue. I've always looked at affordability as something different.

But the fact remains—it's economic; this is in stone—that if you increase the supply of a product in a market, it will affect pricing. What we've been doing is not supplying enough product for a number of years. There are other issues too, but the main part of it is a lack of supply, and the biggest problem there is how we manage the process of getting building approved.

Mr. Michael de Lint: Could I just add one example to your situation? An example of the supply problem: You have a growth plan that calls for density around subway stations. You have some subway stations with single-family homes. You've got a growth plan that calls for intensification and municipal official plans that need to be updated, but municipalities have eight years to update their official plan and zoning, so there we have a problem.

We have a huge potential to add to supply in a very big way, but we don't have the mechanism in place to make it happen. The growth plan calls for this development, yet municipal zoning and official plans are very slow in aligning to the growth plan.

Ms. Suze Morrison: Sorry to interrupt. We've only got two minutes left and I want to fit in a question.

We've received a lot of written submissions as well from a lot of stakeholders, and I really, really strongly encourage the members on the government side to really read through this.

When we look at the city of Mississauga—who we haven't been able to hear an oral presentation from today; again, because we've only had one day of committee hearings on this—they say, "Housing supply in general is not a major issue in Mississauga as the city has over 20,000 zoned residential units awaiting development. However, the city does have a significant affordable housing supply problem. Bill 108 aims to address housing affordability by reducing planning approvals timelines and various development-related fees for infrastructure. However, there is nothing in the legislation that requires developers to pass along these savings to new homebuyers or tenants."

There are many, many stakeholders in these piles who say, “We don’t have a supply problem; we have an affordability problem.” I’d really like your comment on that.

Mr. Richard Lyall: Well, that’s speaking to Mississauga, and, remember, Mississauga is part of the central Ontario/greater Toronto area so it can’t be looked at in isolation.

Ms. Suze Morrison: It’s one of the fastest-growing municipalities in the province.

Mr. Richard Lyall: Well, if you look at our demographic projections, we’ve got a lot more people coming too, and we’re not building enough housing for them. Can we make it easier to produce housing? Yes. There’s a lot we can do. Do we need to do that? Absolutely, because we’ve got serious problems.

The time it takes to get things through that process—again, to look at one particular part of it in isolation doesn’t tell the whole story. It’s a complex situation, but the fact is: Should we make it easier? Yes.

The Chair (Mr. Parm Gill): Thank you very much.

Mr. Richard Lyall: One thing: Will the savings get passed on? This is a market economy: demand and supply. If you increase supply of something, prices will be adjusted.

The Chair (Mr. Parm Gill): Appreciate it. Thank you for appearing before the committee and thank you for your presentation.

ARCHITECTURAL CONSERVANCY ONTARIO

The Chair (Mr. Parm Gill): We will move to the next organization. We have the Architectural Conservancy Ontario. We have Devorah Miller, development manager.

I just want to remind you that you have up to six minutes for presentation. After that, we will start questions and answers. Please state your full name for the record. You may begin your presentation.

Ms. Devorah Miller: My name is Devorah Miller. Chair Gill and members of the Standing Committee on Justice Policy, the Architectural Conservancy Ontario is grateful for this opportunity to present to the committee the concerns of our members and 20 branches throughout Ontario about the proposed Bill 108.

Since 1933, we have been working to preserve and enhance the economic and social value of heritage in communities and municipalities all over Ontario. We are here in response to the changes to the Heritage Act proposed by Bill 108, schedule 11.

Given our track record for preserving Ontario’s heritage, we were disappointed that the proposed changes were developed with virtually no input from municipalities and the heritage sector, including Architectural Conservancy Ontario. Similarly, we were surprised that the review of the Heritage Act provided no empirical evidence that the current act was not functioning properly.

During Heritage Week in February, Minister Tibollo graciously met with several of our members. Our understanding at that time was that the government appreciated the economic value of heritage in Ontario communities.

First and foremost, we believe the proposed amendments will not create a balanced partnership between municipalities and the province. Rather, they will take decision-making powers away from municipal councils and create more red tape.

Giving final say to a provincial tribunal represents a fundamental change to Ontario’s long-standing heritage protection regime. It runs contrary to the principles that local communities are closest to their history and are best able to make decisions on what is of value. Numerous communities in Ontario have relied on their heritage value to create economic value. For example, would there be tourist traffic in Port Hope or Cobourg without the preserved 19th-century architecture on their main streets?

Close to the Chair’s riding is Halton Hills, a community that realizes economic benefit from its L.M. Montgomery museum. In Hamilton, would there have been a downtown revival if the historic Lister Block had not been preserved? ACO has examples in almost all Ontario communities of the benefits of heritage preservation. No one ever regrets saving a building or a landscape with heritage value.

Second, the Local Planning Appeal Tribunal, as proposed, does not have heritage expertise. This characteristic will likely affect its ability to make informed decisions. For 44 years, the Conservation Review Board has provided this expertise and has adjudicated on heritage matters through a quicker and less expensive process. If the proposed bill is enacted, the regulations will need to ensure that heritage expertise contributes to LPAT decisions for those decisions to be credible.

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Third, we are concerned that the proposed amendments will work against the very goal of protecting heritage and eliminating red tape. Requiring municipalities to consider “principles” in the designation decision-making process will consume additional municipal time and resources with no clear benefits, which may inhibit designation.

Municipal councils will be less likely to designate in the face of owner opposition because of the formality, expense, delay and uncertainty of the proposed LPAT appeals process compared to that under the current Conservation Review Board. New provisions for demolition and/or removal of heritage attributes are confusing and may be onerous to implement in heritage conservation districts.

As per the Ontario Heritage Act and the Ontario Heritage Tool Kit, property owners should be given advance notice of heritage listing. Most Ontario municipalities already follow this best practice. However, the proposed amendments in schedule 11 will allow for open-ended objections to listing at any time by current and future owners, imposing an undue administrative burden on municipalities and potentially impeding listing initiatives.

Here are our five recommendations:

(1) Allow municipalities to maintain control over their economic destinies and realize the economic and civic value of heritage preservation. Do not give LPAT, as proposed, the final decision.

(2) Ensure that the LPAT tribunal includes credible heritage expertise.

(3) Remove the requirement for municipal councils to consider “principles” in the designation process. The place for the province to efficiently and effectively guide heritage conservation is in provincial guidance material and updating the Ontario Heritage Tool Kit.

(4) Ensure that property owners continue to be notified in advance of the municipal heritage listing, but amend the proposed legislation to provide time limits on objections to listing.

(5) Remove schedule 11 from Bill 108. If retained, an extension to the timeline for comments should be given to allow for more thorough consultation with key stakeholders. We request that the heritage sector have a seat at the table to help with regulations pursuant to the proposed amendments to the Heritage Act.

To conclude, Architectural Conservancy Ontario would like to reiterate its disappointment at the lack of consultation with the heritage sector regarding changes to the Ontario Heritage Act. Moreover, the lack of regulations and policies within Bill 108 make it very difficult to comment fully or understand the full implications of the proposed changes. As a whole, the proposals will dampen efforts to identify and protect significant cultural heritage property in Ontario, contrary to the purpose of the Ontario Heritage Act to further “the conservation, protection and preservation of the heritage of Ontario.” Thank you.

The Chair (Mr. Parm Gill): Thank you very much. We’re going to now start with questioning, and we’re going to start with the government members. We will go to MPP Babikian.

Mr. Aris Babikian: Thank you very much for spending your Friday afternoon with us and sharing your ideas with the standing committee. We would agree that heritage is a vital part of all diverse communities across Ontario. Would you agree that some independence is required to validate and protect what matters most?

Ms. Devorah Miller: I don’t understand the question.

Mr. Aris Babikian: We understand that heritage is important for all of us and all of us are concerned about it.

Ms. Devorah Miller: Okay.

Mr. Aris Babikian: But having an independent body deciding what is important and what is not and taking the process from the two sides that are struggling with the issue of designation—

Ms. Devorah Miller: Yes, I understand. I’m sorry. Yes, of course I agree, but the question is, will there be heritage expertise at that stage of the process? Will decisions be binding without municipal councils having the greater decision-making power over what happens in their own communities and will there be heritage expertise at that final stage?

Mr. Aris Babikian: I think there will be heritage expertise because you need the input of expertise to make

a final decision. There will be an opportunity down the road for consultation, discussion and evaluation.

Ms. Devorah Miller: Okay. I’m not sure what the question is.

The Chair (Mr. Parm Gill): We’ll go to MPP Romano.

Mr. Ross Romano: Perhaps just, I guess—really I think the question speaks exactly to your second recommendation. The recommendations you suggested: 1 and 2 were somewhat contradictory, or to the extent of, at least—I guess what you’re saying is, “If not 1, then 2.”

But with respect to your second recommendation and MPP Babikian’s question, if we can suggest that there is going to be an independent body with that expertise, you would certainly be satisfied. I would suggest to you, and my question is, with a level of expertise on an independent panel, would that not be a lot better than a number of councillors who lack the expertise?

Ms. Devorah Miller: Are you suggesting that councillors at the municipal level currently don’t have the expertise to make those decisions within their communities?

Mr. Ross Romano: I am asking you the question: Do you think that an independent body, with the expertise, as you’re asking for in your recommendation number 2—don’t you think that level of expertise would be more beneficial on an independent body than on a municipal council?

Let me give you an example. I was a municipal councillor. I was a criminal law lawyer. I didn’t have expertise in that particular matter. Now, certainly it was my duty to represent my community as a city councillor, but my expertise wasn’t in heritage. I would have to defer to the expertise of those individuals. Wouldn’t that be better on an independent body or specifically experts in that field?

Ms. Devorah Miller: It’s definitely preferential that people within that independent body have heritage expertise. I don’t believe that it’s the case currently that there is sufficient heritage expertise within LPAT.

Mr. Ross Romano: But you don’t actually know that. You’re not actually—that’s an opinion.

Ms. Devorah Miller: That is the opinion of the organization that I work for.

Mr. Ross Romano: And I can appreciate—

Mr. Jeff Burch: Point of order, Chair.

The Chair (Mr. Parm Gill): Point of order.

Mr. Jeff Burch: I think our job is to ask questions, not to berate our guests.

The Chair (Mr. Parm Gill): MPP Romano, please continue.

Mr. Ross Romano: Thank you, Mr. Chair. I’m not—my question to you I think you’ve already answered. Clearly you want people who have that knowledge base to be able to answer those questions.

I think you would also have to agree that if we can assume that that level of expertise is going to be present—I’m just asking you to assume that for a moment—you would also, I’m sure, agree that you would like to see people have more homes, more choice and more affordable homes. Is that not a fair point?

Ms. Devorah Miller: The Architectural Conservancy of Ontario is not opposed to development. It is not opposed to housing. Of course it's very important that we have more housing in our communities. That's not what I'm objecting to in this deposition.

Mr. Ross Romano: Thank you very much. I appreciate your honesty, and I appreciate your advocacy on behalf of the Architectural Conservancy. I think you've indicated that and I think you've advocated appropriately. I think those concerns are things that we certainly recognize, that there is a need for a body that is going to appreciate those types of concerns. Certainly, at the same rate, we want to ensure that we all have more choice for more affordable homes. It sounds like you would agree with that statement.

Ms. Devorah Miller: I do agree with that statement.

Mr. Ross Romano: Thank you.

The Chair (Mr. Parm Gill): Thank you very much. We will move to the NDP, and we'll go to MPP Burch.

Mr. Jeff Burch: Thank you, Ms. Miller, for your presentation. You talked about no consultation, no evidence and no expertise, so welcome to our world. It's a typical day around here.

We'll start with no consultation. Are you meaning to tell us that this government passed a bill that is going to profoundly impact heritage preservation and they did no consultation with the Architectural Conservancy of Ontario?

Ms. Devorah Miller: That is true, to my understanding.

Mr. Jeff Burch: Absolutely no consultation whatsoever.

Ms. Devorah Miller: I am not aware of any consultation that has taken place.

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Mr. Jeff Burch: That's incredible.

You talked about local communities taking ownership of their heritage. When you look at the changes that are being made, back to the former OMB regime, what does that tell you when a local community comes up against a developer on an issue of preserving heritage—what are your concerns on what's going to happen?

Ms. Devorah Miller: The concerns with the proposed changes are that the two-stage process at LPAT will be simplified to a one-stage process, with a binding decision by LPAT that will reduce the ability of a community to preserve its heritage; that there will not necessarily be people making decisions about the demolition of buildings with cultural heritage value who will not have any vested interest in preserving it and they will not have an understanding of its importance to the community. Those decisions will be made more quickly and more decisively by people outside of that community.

Mr. Jeff Burch: Yes, and I appreciate the way that you tied in heritage preservation with good business, because this government likes to talk about how they're good for business, yet heritage is one of the great attractions to many communities in Ontario in terms of tourism and business. Can you talk about the importance of heritage when it comes to tourism?

Ms. Devorah Miller: Heritage is an enormous driver of tourism. Heritage is an important part of our film industry in many communities around Ontario. One of the things that make many small communities across Ontario attractive to visitors is their preservation of their history and their presentation of their history.

Right now, as we speak, Community Heritage Ontario is hosting its Ontario Heritage Conference in Goderich, which is an example of a community that has benefited very significantly from its preservation of heritage. This very morning—where hundreds of citizens are gathered at that conference—they unanimously approved a resolution together for me to pass on to you that they would like schedule 11 to be withdrawn from Bill 108 and a targeted consultation process involving key stakeholders be undertaken to address improvements to the Ontario Heritage Act approval process. This is important to a lot of people across Ontario. The cultural value of heritage and the economic value of heritage are very significant, practically across the province.

Mr. Jeff Burch: So this will have a negative effect on municipalities' ability to attract tourists to their areas and for small businesses.

Ms. Devorah Miller: Absolutely. Once heritage properties are demolished, they're gone forever. This is something that needs to be considered from a long-range view. These properties—many of which are undergoing demolition by neglect because there isn't enough care put into ensuring that they are maintained. The demolition of properties is very permanent, and it has a very negative effect on communities across Ontario.

Mr. Jeff Burch: I don't know how much time I have left, but you mentioned that it's more expensive for municipalities to protect heritage now. It's going to cost them more money. If they and their citizens decide they want to protect a piece of their history in their community, it actually costs more taxpayers' dollars for them to do that now.

Ms. Devorah Miller: That's true, and especially in the case, for example, of allowing open-ended objections to listing at any time in the future. This could take up an enormous amount of local councils' time and energy. It could be just a very expensive and wasteful process.

Mr. Jeff Burch: Thank you for all the work you do, and I'll apologize on behalf of the Assembly of Ontario for not having been consulted at all on this bill. It's really troubling.

Ms. Devorah Miller: We would like to be there at the next stage of the process.

The Chair (Mr. Parm Gill): Thank you very much. We'll continue on. Madame Des Rosiers.

M^{me} Nathalie Des Rosiers: I want to say how much I appreciate your being here today. I will echo the comments that I know Architectural Conservancy Ontario has a lot of expertise. You were here in February. We talked to you, and I understand perfectly how you would be appalled by the fact that if you were here in February and this is coming up, you would not be included in the process. I think it's unfortunate. It would be a good policy to

table schedule 11 just so that we would have heritage expertise as well as development expertise to evaluate the full impact.

In Ottawa and in the riding that I represent, heritage is a very big issue. It's Rockcliffe—the old cities and so on. They express similar concerns as you did. How are you organized, in terms of your organization? Do you have a proposal for heritage development in terms of new ideas for the Ontario Heritage Act?

Ms. Devorah Miller: We have a very active policy committee that would be very happy to meet with you and that contains a great deal of heritage expertise. That would be our leadership focused on policy specifically, and it includes members from different parts of the province. We have 20 branches across the province, so we have a wide range of people with varying expertise who would be happy to—

M^{me} Nathalie Des Rosiers: I know I've relied on you before on some issues in Ottawa-Vanier, but also on protection of religious patrimonies and so on. You've been very useful, so I want to say I know that you have expertise, very relevant expertise, to contribute to Ontario. I hope that we can continue this conversation in a way that would be productive.

The Chair (Mr. Parm Gill): Thank you, Madame Des Rosiers. Unfortunately, we are out of time. Thank you very much, Devorah Miller, for appearing before the committee. Thank you for your time and your presentation.

HABITAT FOR HUMANITY GREATER TORONTO AREA

The Chair (Mr. Parm Gill): We are now moving on to our next presenter, which is going to be Habitat for Humanity Greater Toronto Area. If I pronounce this correctly, it's Ene Underwood, chief executive officer. You will have six minutes, or up to six minutes to make your presentation. Before you begin, if you can please state your full name for the record. You may begin.

Ms. Ene Underwood: Great. Thank you, Mr. Chair. Ene Underwood, CEO of Habitat for Humanity Greater Toronto Area. I'm here representing the 26 Habitat for Humanity affiliates across the province. Our model, as you likely know, focuses primarily on home ownership, enabling working, lower-income families to divert what they would otherwise pay for rent and instead have the stability and the pride of their own home, while building equity.

Now, at Habitat for Humanity, we share the view that we do have a very serious challenge in housing supply and choice in this province. Renters can't find affordable rental units, owners can't find affordable options and increasing numbers of people are homeless or unable to move past the shelter system. As much as we at Habitat for Humanity are ready, willing and able to contribute more to housing supply, we face considerable barriers in doing so. Hence, we have been very interested in the attention placed by this government on housing supply. Our perspectives on Bill 108 are shaped by four guiding principles that we see as

important in enabling providers like Habitat to deliver more affordable housing in this province.

The first principle is: reduce time to approval and increase predictability. Time is money, not just for private-sector developers, but also for non-profits like Habitat for Humanity. Ten years ago, we could buy a piece of land and in 12 to 18 months, we could be building on it. Now, it's four to six years, best-case scenario. As a non-profit, these timelines cost us money and they result in us helping fewer families, and the families we do help have to wait longer.

Similarly, the unpredictability of fees translates into lost opportunities for families. As an example, in Toronto, we have a partnership with another developer through which we had anticipated building 50 Habitat homes as part of a 400-unit development. Increases in development charges after we secured the land necessitated a reduction in the number of Habitat homes to 26 in order to keep the entire project viable. Changes that can streamline time to approval and changes that increase that predictability can reduce costs and enable us to help more families.

Now, the second principle is: push the boundaries around zoning and density. Children who are six years old today should not be deprived of housing when they are raising their children in the future because people like me who are 56 want to keep our neighbourhoods exactly as they are. In my time with Habitat for Humanity, pretty much every project we have delivered resulted in fewer homes than we had planned when we first acquired the land. In one Ontario community, we have a project that was originally envisioned as nine units, that is now under way for six units with 18 parking spaces—all to be compliant with current zoning regulations. So, there are three families and 10 children we can't help because we were unsuccessful in pushing the boundaries around the current requirements.

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If we're serious about the supply of affordable housing, we have to be okay with pushing boundaries around zoning, density and build form, even when it causes people to lose unobstructed views and the neighbourhood sameness that they have enjoyed for decades. We need to be okay with triplexes and even mid-rises in communities that have only ever had detached or semi-detached homes. And when it comes to our transit corridors, we need to embrace densification, and we need to make sure that a good chunk of that is and remains affordable in the long term.

Principle 3: Affordable housing is a community benefit. I'm sure we can all agree that affordable housing providers are delivering a critical social good. For Habitat, every time we build a home, we free up a rental unit, we avoid future taxpayer-funded capital maintenance and we create a new stream of property taxes, all while transforming the life of the family who moved into the home.

When non-profits like Habitat are subject to the same suite of fees as developers of market housing, our capacity to deliver this vital community infrastructure is decreased.

So, should municipalities choose to apply the new community benefits charge to affordable homes that we build, it will create a corresponding decrease in the number of units we build. Therefore, we urge the government to modify Bill 108 so that providers of non-profit affordable housing are exempt from a community benefits charge.

Finally, principle 4: think long term. The one thing we are not building is more land. When it's gone, it's gone. So when we create opportunities to build affordable housing units today, we need to pay attention to if we are making them affordable in the long run. At Habitat GTA, where I am, we're critically examining how to make sure every time a Habitat homeowner moves on, we can buy it back to make it affordable for the next homeowner.

In support of this, we urge the government to modify the language relating to development charges so that DCs on affordable homes built by charities like us are deferred for at least 20 years, or until such time as the home is sold in the open market. When or if the home is allowed to be sold in the open market, then it is entirely appropriate that a DC is to be repaid to the municipality, with interest. Deferral of DCs upfront reduces our costs, enabling us to build more today, and it challenges us to innovate and ensure that the homes remain affordable from one family to another in the future, without being sold in the open market and lost forever as affordable units.

Thank you so much for your time and attention. You must be exhausted. I am available if you have the energy for any questions.

The Chair (Mr. Parm Gill): Thank you very much. Thank you for your presentation. We will now start with questions and answers. We'll move to the NDP first, and we're going to go to MPP Morrison.

Ms. Suze Morrison: Thank you so much for your presentation. I think you bring a really important perspective that we haven't had a chance to talk about today, and that's the difference between not-for-profit housing providers and developers, the unique situation that you're in. I think that particularly your comments around basically being treated as a private-market developer when you're not one are some that I really hope the government members are noting as we go into amendments in this legislation.

Perhaps you could expand on other areas, maybe in or outside of Bill 108, where your treatment as a for-profit private developer by public policy or regulations continues to hamper you, outside of the points you've already listed.

Ms. Ene Underwood: Thank you. I think I'll also start with your comment about when we're treated the same. You're absolutely right. You got the point. What I want to acknowledge, though, is that we do have great relationships with the municipalities in which we build. As you would expect, we work hard to convince them to exempt us or do deferrals or give us a bit of relief. In fairness to municipalities, we do get a lot of that.

The challenge, however, is that we have 440 municipalities across this province. We go to bat every time for these things, so we burn through political capital in some of the things that could be made more possible through provincial legislation. I think you can appreciate that because we

have such great relationships with municipalities, we're also sensitive to the fact that many municipalities are not crazy about this bill; certainly the ones I work in are not, about aspects of the bill. So we're respectful of that, while also signalling that there's an opportunity here for a legislative adjustment that frees up municipalities to be able to do things that make it easier for us.

You brought a question about, are there other things beyond this? I want to stay fairly focused on these so we don't lose the plot. What I will say, though, is that we're encouraged when we hear the Minister of Municipal Affairs and Housing talk about land. Our encouragement is—in the last 15 years, we could only find two instances where provincial land has been made available for Habitat builds. We would really encourage that as a priority, and that thoughtfulness around the long term. If it's given to us for free but there's a vendor takeback and it has to be paid for in 20 years, we can create an affordable opportunity today—it's gone in 2039—so some real creativity around land and how we think about it for the long term.

Ms. Suze Morrison: As a not-for-profit developer, do you have the capacity to be doing higher, denser builds? I think I know the vision of Habitat is that the community builds, where you've got average lay people out with their hammers and their tools building a single detached home. I think the perception of how you can subsidize development is through that volunteer labour and appreciating that a higher build is a higher-skilled labour that may not be appropriate for volunteers. As an organization, do you have the capacity to build up and densely?

Ms. Ene Underwood: The answer is, it depends on the Habitat affiliate. In our case, because we're in the GTA, we have increasingly been diversifying how and what we build. From a volunteer perspective, we have a 50-unit build under way right now that's stacked back-to-back townhouses, so that's a denser build form. That's a volunteer build. We have a number of relationships with developers and the municipality that are enabling us to be involved in even denser build forms. We have units that we have negotiated that we'll be part of, in high-rise and mid-rise developments, some of which are going to be occupied later this year.

Again, some of the things we're talking about—if the development charges for the units that we're going to deliver, whether we build them or we're doing it in partnership with a developer—if those DCs for those units are deferred, we can get more done while leveraging some of the capacity of developers.

I think if you talk to most Habitat affiliates in urban centres, they would say, "We're always going to volunteer in swinging hammers and building homes." But we are also getting increasingly creative about how we can leverage some of the other capacity that is in our communities.

Ms. Suze Morrison: Have Habitat developments been appealed to the old OMB or the LPAT? Does that happen often for you?

Ms. Ene Underwood: My familiarity, of course, is with the areas I serve, which are Toronto, Brampton, Caledon and York region. In our history, there are about

60 families who would not have had an opportunity for a Habitat home were it not for appeals to the OMB.

There was a project before I joined where there were concerns about deer or coyotes. Ultimately, that needed to go to the OMB. A 55-unit project was built.

In my time, there was a project on surplus city of Toronto land. There were a couple of homeowners who were quite concerned about losing the grass on the other side of the fence. Had that not gone to the OMB—thankfully, with a volunteer lawyer, who helped us out on it—there are nine families that wouldn't have had that opportunity.

Ms. Suze Morrison: Have you had any experiences in the new LPAT model?

Ms. Ene Underwood: We have not had any experiences with the new LPAT model. I will tell you that we're concerned by the numbers, by the backlog of where we're at now. Based on our experience, having some arm's length from decisions, it's back to: We have to be comfortable with pushing boundaries.

The Chair (Mr. Parm Gill): Thank you very much. Unfortunately, we are out of time. We're going to move to Madame Des Rosiers.

M^{me} Nathalie Des Rosiers: First of all, thank you very much. It's always a pleasure. I know that in Ottawa we have a very strong—

Ms. Ene Underwood: You have great things going on in Ottawa.

M^{me} Nathalie Des Rosiers: Great things going on, and lots of building going on in Ottawa with Habitat for Humanity.

I was quite intrigued by your two amendment proposals here. If I understood them well, you were asking for a deferred DC for a period of time for non-profit, and also an exemption for non-profits of the community benefit charges.

Were you consulted prior to today? It's a bit late; it's 5 o'clock, and at 6 o'clock we're supposed to table our amendments. It's difficult to manage that. Were you able to send these possible amendments to the government earlier in the process?

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Ms. Ene Underwood: You may or not know that the announcement of Bill 108 was made on a Habitat build site.

M^{me} Nathalie Des Rosiers: Yes, I knew that.

Ms. Ene Underwood: I requested, as part of that, that we would have an opportunity, after we saw what just got announced, to be able to have a conversation with ministry staff about it. So we have done that.

M^{me} Nathalie Des Rosiers: Okay. Have you received confirmation that the amendments that you're proposing are going to be part of the government passage—

Ms. Ene Underwood: We don't know.

M^{me} Nathalie Des Rosiers: You don't know?

Ms. Ene Underwood: We don't know, which is why you're hearing about them again today.

M^{me} Nathalie Des Rosiers: Okay. Good.

The Chair (Mr. Parm Gill): Thank you very much. Now we'll move to the government members. We'll start with MPP Hogarth.

Ms. Christine Hogarth: Thank you very much for being here; I appreciate it. Just a question: Were you involved in our consultations at all?

Ms. Ene Underwood: We were, yes. We were invited to—there are so many consultations, so I can't count how many provincial ones I've been in. I was in one within the last eight weeks.

Ms. Christine Hogarth: Wonderful. Thank you very much for that.

The private sector and home builders: Today we've talked about red tape, we've talked about delays and we've talked about barriers to getting supply to the market. Have you, as a non-profit, had the same type of experience getting homes to the market?

Ms. Ene Underwood: Yes, and that's what you heard me describe under that first principle. The reality is, it's four to six years for us, from the time we acquire land, to be able to start with those volunteers building it. If we've acquired the land, we're paying property tax on that land while we're working our way through the approvals process etc. I'm not sure if we've had a project—I think we've had one where we've been able to track against what we had originally projected for our timelines.

Ms. Christine Hogarth: Thank you. We had some city councillors here today and they felt that this bill will delay increasing supply of housing, which we so desperately need. Do you agree with that?

Ms. Ene Underwood: I can only speak to this from my side of the experience, right? We have witnessed the timelines I've talked about and the considerable delays that happen as a result. I think, in many respects, there are a lot of people that would say it can't get a lot worse.

For me, I think it goes back to this: The delays cost us, and, as a provider of affordable housing, it feels like everything is ahead of us in terms of importance. The engineers, the heritage, the parks, the libraries: Everything ends up, to some extent, trumping or at least slowing down and challenging the process. Don't get me wrong; I'm not underestimating the importance of any of those things. But the experience and the number of hoops that we jump through—you probably heard about them all day long from developers. I'm just saying we do them too; we do them too with less resources to jump through them.

Ms. Christine Hogarth: Before I pass it off to my colleague, I just want to thank you for all the work you do and thank you for your input into this bill. We hope to get more homes built in the right locations—and affordable.

Ms. Ene Underwood: Thank you very much.

The Chair (Mr. Parm Gill): Thank you. We'll go to MPP McDonell.

Mr. Jim McDonell: Just one thing: In my former role as mayor—the SG Habitat for Humanity is quite active. I was at the latest one, and they just opened up their 14th or 15th home in the last seven or eight years. I know, as mayor of South Glengarry, we donated a site to them, or

the municipality did, and of course it was built about five years ago. So, great work.

I'll turn it over because I know my colleague—

Ms. Ene Underwood: Yes, and what you've described, that's the Habitat model at work. It says, how can we draw out community resources to build a public good? So the opportunity you have here is to say, how can we further free up the capacity and velocity of those community resources?

The Chair (Mr. Parm Gill): Thank you. MPP Romano, you have two and a half minutes.

Mr. Ross Romano: Thank you very much for the work you do and for being here today. We do really appreciate the work you're doing on behalf of Habitat for Humanity. I'm going to give a shout-out to my chapter in Sault Ste. Marie. I have a blast working with them.

From what I've heard from you so far today, it sounds like you are supportive of the bill that we're putting forward. It sounds like you also would like to see a 20-year deferral. So I will say, as a question, if we can pull off that type of an amendment, are you going to be exceptionally supportive of this bill?

Ms. Ene Underwood: Let me say two things. When you say, "Are we supportive of this bill?", we are supportive of any changes that do the four things that I've described, and I think we are appreciative of the attention and the velocity and that we need to move in an action-oriented way that we see in the bill.

I am not intimately familiar with every part of the bill. We have no doubt that there are parts of the bill to change, which is why you're getting lots of great input on it. In general, I think you've heard a statement: supply matters. There are things in this bill that we're really, really encouraged to see.

Your second part of the bill about DCs: to be clear, at least a 20-year deferral. We'd encourage you to think about a 50-year deferral, because the more you challenge us to keep those homes affordable, the more we can help you and all of Ontario.

Mr. Ross Romano: As my last question, I'm going to ask you if you have any final thoughts. Obviously, you've heard some opposition. We know there's been opposition from the official opposition. What we've heard here today, over the course of this day of speaking, is that we need more supply. It's going to give us more affordable homes. So we want more choice; we want more homes. Perhaps it's just something that I would ask you to advocate on all of our behalves here, to really encourage the opposition to

support having more homes, more choice and ensuring that we have more affordable homes for people because, clearly, that's something that we are lacking in. That's what you're saying, that's what we're hearing and that's why we're doing what we're doing.

Ms. Ene Underwood: I think what I'd say is we all need to respect the fact that we won't get this right. Whatever goes through, there are going to be imperfections; there are going to be unintended consequences. But I think we have to be informed by the fact that—and we haven't had it right for a long time, so boldness in action is something we are encouraging.

The Chair (Mr. Parm Gill): Thank you very much. We appreciate your presentation.

Ms. Suze Morrison: Point of order, Chair.

The Chair (Mr. Parm Gill): Point of order, MPP Morrison.

Ms. Suze Morrison: Thank you, Chair. I just wanted to recognize for the committee that this is the first time that we've received this submission. We would have been open to putting an amendment on the table, but the time is now 5 o'clock. It's physically not possible for us to get an amendment through legislative counsel. I would kindly ask the government to consider making an amendment to their own legislation that is inclusive of not-for-profit housing.

The Chair (Mr. Parm Gill): MPP Morrison, that's actually not a point of order, but thank you for raising it.

Colleagues, that concludes our business for today. I want to thank each and every one of you for your cooperation. A reminder to committee members that, pursuant to order of the House dated May 29, 2019, the deadline for written submissions is now, 5 p.m., and the deadline for filing amendments to the bill with the Clerk of the Committee is 6 p.m. today. Please note that amendments must be filed in hard copy in room number 1405, Whitney Block.

The committee is now adjourned until 9 a.m., Monday, June 3, when we will meet for clause-by-clause consideration of Bill 108 in committee room number 151. And I just want to remind everybody that we are scheduled to meet from 9 a.m. until 10:15, and then from 2 p.m., I believe—or is it 1 p.m.?

Interjection.

The Chair (Mr. Parm Gill): From 1 p.m. until 11 p.m., so please come prepared. I know today seemed like a long day; Monday might be a little longer. Thank you.

The committee adjourned at 1658.

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