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**Official Report
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(Hansard)**

HE-8

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des débats
(Hansard)**

HE-8

**Standing Committee
on Heritage, Infrastructure
and Cultural Policy**

More Homes Built Faster Act,
2022

1st Session
43rd Parliament

Wednesday 9 November 2022

**Comité permanent du
patrimoine, de l'infrastructure
et de la culture**

Loi de 2022 visant à accélérer
la construction de plus
de logements

1^{re} session
43^e législature

Mercredi 9 novembre 2022

Chair: Laurie Scott
Clerk: Isaiah Thorning

Présidente : Laurie Scott
Greffier : Isaiah Thorning

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON HERITAGE,
INFRASTRUCTURE
AND CULTURAL POLICY**

**COMITÉ PERMANENT DU PATRIMOINE,
DE L'INFRASTRUCTURE
ET DE LA CULTURE**

Wednesday 9 November 2022

Mercredi 9 novembre 2022

The committee met at 1001 in the Hilton Toronto/Markham Suites Conference Centre and Spa, Markham.

MORE HOMES BUILT FASTER ACT, 2022

**LOI DE 2022 VISANT
À ACCÉLÉRER LA CONSTRUCTION
DE PLUS DE LOGEMENTS**

Consideration of the following bill:

Bill 23, An Act to amend various statutes, to revoke various regulations and to enact the Supporting Growth and Housing in York and Durham Regions Act, 2022 / Projet de loi 23, Loi modifiant diverses lois, abrogeant divers règlements et édictant la Loi de 2022 visant à soutenir la croissance et la construction de logements dans les régions de York et de Durham.

The Chair (Ms. Laurie Scott): Good morning, everyone, and welcome to Markham, Ontario. The Standing Committee on Heritage, Infrastructure and Cultural Policy will now come to order. We are here to conduct public hearings on Bill 23, An Act to amend various statutes, to revoke various regulations and to enact the Supporting Growth and Housing in York and Durham Regions Act, 2022. We are joined by staff from legislative research, Hansard, and broadcast and recording.

Please wait until I recognize you before starting to speak. As always, all comments should go through the Chair. Are there any questions before we begin?

**STATEMENT BY THE MINISTER
AND RESPONSES**

The Chair (Ms. Laurie Scott): Our first presenter this morning is the Minister of Municipal Affairs and Housing, the Honourable Steve Clark. Welcome. He will have 20 minutes to make an opening statement, followed by 40 minutes for questions and answers, divided into two rounds of seven and a half minutes for the government members, two rounds of seven and a half minutes for the official opposition members, and two rounds of five minutes for the independent member. Are there any questions?

Seeing none, I will now call on the minister. You will have 20 minutes for your presentation. You may begin.

Hon. Steve Clark: Good morning, everyone. I'm very, very happy to provide the Standing Committee on Heritage,

Infrastructure and Cultural Policy with very important details about our government's proposals in the More Homes Built Faster Act.

I think we can all agree this morning, Chair and members, that Ontario has a housing supply crisis. There are far more hard-working Ontarians looking for homes than there are homes available. Our government, under the leadership of Premier Ford, is continuing to take action to address the housing supply crisis head-on.

The More Homes Built Faster Act is our latest step to support our goal of building 1.5 million homes over the next 10 years. We're taking bold action to meet this goal. Since the introduction, our government has received a mountain of support for this bill.

Justin Marchand, the CEO of Ontario Aboriginal Housing Services, said that our government is "taking a balanced approach to ensure the needs of existing residents are respected while also ensuring that there are new opportunities for new residents and a growing Ontario."

David Wilkes, the president and CEO of BILD, called our plan "the clear, powerful transformation we need to solve our housing supply and affordability crisis."

Bryan Keshen, the CEO for the special-needs organization Reena, said our plan will make it possible for millions of Ontarians in all regions and of all abilities to have a home.

Finally, Ducks Unlimited's Lynette Mader has said the plan helps to create an important opportunity to get people into much-needed homes and helps to reverse the decades-long trend of wetland loss in Ontario.

Members of the committee, in short, our plan has received support from people in organizations around the province, from conservation groups to Indigenous leaders to builders and non-profit housing operators.

Our newest housing supply action plan is supporting legislation that builds on the dozens of policies our government has introduced over the last four years. These policies are working well, but more needs to be done. Our province is expected to grow by more than two million people by 2031, and approximately 1.5 million of those new residents are expected to settle in the greater Golden Horseshoe.

Moreover, the federal government has recently announced a significant increase in the number of immigrants expected in Canada in the coming years—fully half a million each year—which will put more strain on our housing stock. We know that many of these newcomers will settle in

Ontario, and we welcome them in doing so. At the same time, we want to make sure that Ontario can meet the demand and provide enough attainable housing for everyone in need of a home—both newcomers to the province and existing residents in Ontario—and to do that, we need to dramatically ramp up the number of homes we build each year.

Just for a moment, members, I want to talk about some of the previous housing supply action plans, and then I'll get into the details of the bill we're discussing this morning.

We've made headway in boosting housing supply. In 2019, our first housing supply action plan, More Homes, More Choice, took some very important steps to speed up planning timelines. It made development costs more predictable and made it easier to build laneway homes and basement suites. It also harmonized provincial and national building codes. Those changes were very effective. As you've all heard me say, last year we had 100,000 housing starts in Ontario. It was the highest level since 1997 and well above the annual average of 67,500 starts over the last 30 years. But we knew we could do more, and we knew we had to do more.

That's why, earlier this year, we released our second housing supply action plan, More Homes for Everyone. With that plan, we went even further to speed up approvals and took steps to gradually refund fees if decisions weren't made within legislated time frames. And we created new tools like the Community Infrastructure and Housing Accelerator, a tool which is designed to give municipalities the opportunity to work in partnership with the province to unlock priority housing along with key community infrastructure. When we built our second plan, we focused on feedback from the public and stakeholders and consultations, as well as the work from the Housing Affordability Task Force. The task force was made up, as some of you remember, of industry leaders and experts. They recommended very impactful measures to increase housing supply and to address our crisis. The task force really complemented its report to government in February—but in the report, they recommended additional measures to increase the supply of market housing. They highlighted that the housing supply problem began years ago but that efforts to cool the housing market really provided only temporary relief to homebuyers. The task force felt that we must think long-term and that the time for action, ladies and gentlemen, is now. They highlighted development and zoning-approval delays as a bottleneck when it comes to getting shovels in the ground for construction. They also pointed out that approvals are often delayed or hindered because of opposition from some members of local councils.

That's why we introduced the strong-mayors legislation in August. The Strong Mayors, Building Homes Act, 2022, as all of you know, was passed on September 8. Upon proclamation, the act and proposed regulations would give the mayors of Toronto and Ottawa more authority to move forward on our shared provincial-municipal priorities.

I also want to tell you about the task force—its report is and it continues to be our long-term housing road map. It

helps us further define the work we need to do with our industry and our municipal partners, as well as the need for us to develop more policies and more tools to help build more multi-unit housing, more multi-generational housing and gentle density. So it is no surprise—because we kept telling Ontarians this is what we would do—that we would use this report to inform our More Homes Built Faster Act, which I'm so pleased is in this committee today.

One of the main objectives of the bill before you today is to create missing middle housing and ways for low-income Ontarians to enter the housing market. We believe, as a government, that one way to do this is by addressing the need for gentle density. So we've proposed changes to the Planning Act to build on existing provisions regarding additional residential units to ensure more of these units can be permitted as of right. We intend to create a province-wide standard to allow up to three residential units on most land zoned for one home in residential areas without the need of a municipal bylaw amendment. Depending on the property in question, these three units could all be within the existing residential structure. They could take the form of a main residence with an in-law or basement suite, plus a laneway home or a garden home.

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And I want to add to what I've just said that all of these new units would still have to be compliant with the building code and all of the other municipal bylaws that would apply. However, the difference is that these units would be exempt from development charges and parkland dedication fees.

In addition to gentle density, as a government we also want to make it easier for people to get where they're going, whether it's to work or back home to spend time with their loved ones. That's why we are taking action to ensure a complete, sustainable community is built near and centred around transit hubs. Our proposed changes in the bill under the Planning Act would help us meet planned minimum density targets near transit hubs and reduce approval timelines to get shovels in the ground faster. Once these key development policies are approved, municipalities would be required to update their zoning bylaws within one year to meet the minimum density targets.

We're also going to create the conditions to support building more affordable and more purpose-built rental housing across Ontario. We're proposing regulatory changes to give certainty to inclusionary zoning rules, with a maximum 25-year affordability period. We're proposing a 5% cap on the number of inclusionary units in a development and a standardized method to determine the price or rent of an affordable unit under an inclusionary zoning plan—very, very aggressive targets by the government.

I want to speak about something that I know committee members will discuss, and that's the fee aspect of our discussion of this bill. On average, 25% of the cost of a new home in the GTA is comprised of government fees, taxes and charges. Just think about that. This can add as much as \$250,000 to the cost of a typical single-family home, and municipal charges account for more than half of that. That's why, in this bill, we're proposing changes

to the Planning Act, the Development Charges Act and the Conservation Authorities Act to freeze, reduce and exempt fees, to encourage more home construction that will help address Ontario's housing supply crisis. This includes ensuring that affordable and inclusionary zoning units, select attainable units, non-profit housing developments are all exempt from municipal development charges, parkland dedication fees and community benefits charges. In addition, purpose-built rental construction would have reduced development charges, plus conservation authority fees for development permits will be temporarily frozen. We are also undertaking a review of all other fees that are levied by provincial ministries, boards, agencies and commissions to determine what impact they may have on the cost of housing, and exploring freezing development-related fees. These measures will lower the government charges that are inevitably passed on to both homebuyers and renters and will make it easier, cheaper and faster to build housing in Ontario. That's the goal.

To help shorten the approval times for new home construction, we've also proposed changes to the Planning Act that would remove site plan control requirements for most projects with fewer than 10 residential units. This would reduce the number of required approvals for small housing projects, while building permits and Ontario's robust building code and fire code requirements would continue to protect public safety.

We also propose to focus responsibility for land use policies and approvals in certain lower-tier municipalities and away from their respective upper-tier municipalities—something that we heard during the Housing Affordability Task Force report. This would give local communities more influence over decisions that impact them directly, would clarify responsibilities and, I contend, would improve the efficiency of government services in Ontario.

The Ontario Land Tribunal, something that I think is a topic in many council chambers across the province: Our legislative changes we've proposed will help speed up proceedings at the Ontario Land Tribunal. For example, our proposed changes to the Ontario Land Tribunal Act would allow for regulations that would prioritize cases that meet certain criteria; for example, cases that create the most housing. The proposed changes would also allow for regulations that set service standards, such as timelines to complete specific stages of a case.

We are also proposing clarifying the tribunal's powers to dismiss appeals due to an unreasonable party delay or the party's failure to comply with a tribunal order, as well as clarifying the tribunal's powers to order an unsuccessful party to pay the successful party's costs, which is, again, something that has been of debate for many years in the province.

Another change we've proposed is the creation of a program to support the dream of home ownership for all Ontarians. I've received a lot of questions about this from my colleagues and interested parties. The program would look at using surplus or underutilized provincial lands and would allow for innovative approaches and partnerships to build attainable housing in mixed-use communities. These

homes would help lower-income and middle-income families build up portable equity and buy a home that the market would not otherwise offer them—something that we're very excited about. I know the Premier is extremely excited about this program. And this bill really will kick off that conversation. As members know, I do a bit of travelling across the province, and almost every week I get a local mayor expressing an interest in a provincial property or, if I'm up north, some crown land that they feel is available for an attainable housing program.

We've also proposed some consumer protection measures, changes under the New Home Construction Licensing Act that would strengthen protections for buyers of new homes. This includes doubling the maximum fines for contraventions of the act, including for unethical builders and vendors of new homes who unfairly cancel projects or terminate purchase agreements. The maximum financial penalties would increase from \$25,000 to \$50,000 per infraction, with no limit to additional monetary penalties that could be imposed. If passed, we would make this section of the act retroactive to April 14, 2022. The proposed changes would also enable the new Home Construction Regulatory Authority to use the funds from these penalties and give the money right back to those affected consumers. This would make Ontario the first jurisdiction in Canada to provide such funds for consumers—very strong measures.

This past January, during the Ontario municipal housing summit, many mayors expressed concerns about lands in their communities that were sitting empty. Although they are planned for residential development, home builders are taking too long to complete their planning applications. We have listened, and we're going to investigate the concerns. We're going to consult with industry partners to determine if land speculation is being detrimental to our government's goal of building 1.5 million homes over the next 10 years. We will determine if regulatory changes under the New Home Construction Licensing Act are needed as well to address this issue.

In the bill, we're also proposing changes to the Ontario Heritage Act. We want to renew and update Ontario's heritage policies and strengthen the criteria for heritage designation, and update the guidelines. This would promote sustainable development that conserves and commemorates key places with heritage significance and would give municipalities the clarity and the flexibility that they need to move forward with priority projects including housing. So we'll be consulting on how to manage natural heritage, such as how to best improve the management of wetlands, while supporting sustainable growth and development.

We're also going to be seeking input on integrating A Place to Grow: Growth Plan for the Greater Golden Horseshoe and our provincial policy statement into a single province-wide planning policy document. The review will include a consultation on how to address the overlapping planning policies.

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We also want to create a new streamlined provincial-wide policy document that's easier to implement and that gives

municipalities more flexibility to essentially address their housing needs faster.

Members, the government is committed to exploring and using every tool that's available to us to address the housing supply crisis. That's why, as part of our newest housing supply action plan, we will explore and consult on some other financial elements that prioritize Ontario families and homebuyers.

Currently, property tax assessments for affordable rental housing are established using the same criteria as regular market rental properties. We will be exploring potential refinements to the current methodology to address affordable rental housing and to better reflect reduced rents.

Vacant homes: Minister Bethlenfalvy has addressed this in the House. We've decided to have the highest non-resident speculation tax in Ontario—a very important policy.

The Chair (Ms. Laurie Scott): Sixty seconds left.

Hon. Steve Clark: In conclusion, Chair—I appreciate the time check—I'm very proud of our government's proposed More Homes Built Faster Act. It supports our newest housing supply action plan. It's another critical step for us to tackle the housing crisis. We need to make a number of changes. We need bold, transformational changes if we're going to build that 1.5 million homes over the next decade. We made a promise to Ontarians this summer; we're now five months in. We've got to start implementing some of these changes. All of the things that we continue to implement will have one goal in mind. This bill is a housing supply bill—of all housing types, shapes, sizes, and price range for all communities.

The Chair (Ms. Laurie Scott): Thank you very much, Minister.

We will now move on to the questioning, for seven and a half minutes. The first round will go to MPP Bell, please.

Ms. Jessica Bell: Thank you to Minister Clark for being here today.

This bill is certainly a sweeping bill that affects the housing and building sector, renters, conservation authorities, development charges, municipal budgets, consumer protections and more.

Our party is very much in support of building 1.5 million homes to meet the needs of current and future Ontarians, but we also don't think it should come at the expense of the environment, affordability, municipal budgets and democracy.

When we are talking about building new home construction, we are looking at government playing a greater role in regulating the housing sector so that we build the kind of homes that Ontarians really need. That means having a public builder. It means using provincial public land to build affordable, non-market housing. It means investing in non-profit, deeply affordable and supportive housing. It also means clamping down on speculation, bringing in better rent controls for Ontarians' 1.4 million households, and really tackling our homelessness crisis. I see a lot about building new homes in this bill, but I do not see a lot about addressing affordability.

My first question is about the greenbelt. Late Friday afternoon, Minister Clark made an announcement that the government was opening up 7,400 acres of greenbelt. The greenbelt has been protected for over 50 years by various Premiers, from Bill Davis to Harris to McGuinty. Even this government made it very clear before the last election that they are not going to be touching the greenbelt.

Minister Clark, you yourself said that we will not in any way entertain any proposals that remove lands in the greenbelt. Premier Ford has said that we're not going to touch the greenbelt. Can you commit to stop developing on the greenbelt?

Hon. Steve Clark: Thanks for the question.

I just want to reiterate that the decision the government made on Friday is not part of this bill today.

Based on the severity of the problem, Chair, through you to Ms. Bell—what has changed is the severity. We have a situation where we had the highest amount of starts we've had in over 30 years—100,000 starts. Everybody can do the math: 100,000 over the next 10 years isn't going to get us to that million and a half, and it certainly isn't going to get us to a situation where we will be able to welcome a significant amount of new Canadians because of the immigration change that the federal government has made. So we have to do something drastic. The severity of the problem has changed.

The consultation piece that I published on Friday provides us with a minimum of 50,000 housing units but at the same time expands the greenbelt by over 2,000 acres. So—

Ms. Jessica Bell: Minister Clark, I'm going to have to interrupt you because I don't have a lot of time, and it seems pretty clear to me that you answered the question—which is that you are planning on opening up the greenbelt.

Hon. Steve Clark: No, Chair—

Ms. Jessica Bell: So I'm going to move to my second question—

Hon. Steve Clark: You can't do a drive-by, Ms. Bell, and mention something but not allow me to defend myself.

Interjections.

Ms. Jessica Bell: Minister, I'm going to ask my second question.

The Housing Affordability Task Force made it very clear that when it comes to addressing our housing supply crisis, "a shortage of land isn't the cause of the problem." This is from your government's own Housing Affordability Task Force. Land is not holding us back. "Land is available, both inside the existing built-up areas and on undeveloped land outside greenbelts." A bigger problem, the report said, is that Ontario hasn't used the land it has efficiently.

The reason I bring this up is that, very recently, Hamilton city council went through a long and extensive process to develop an official plan in order to increase density within their existing boundary to meet the population, job and growth targets that have been assigned to them. They came up with a plan to protect the environment, protect farmland, and also to provide the kind of homes that current and future Ontarians need.

Minister, this is my question: Why are you doubling down on suburban sprawl when there are building options that would allow us to meet our supply targets and our affordability targets while protecting farmland and the environment at the same time?

Hon. Steve Clark: I'm going to take the fact that the first two questions have nothing to do with the bill—that perhaps Ms. Bell will be supporting the bill because it does create housing supply.

The decisions that the government made around all of the official plans that we posted last week were with the same lands that we're dealing with in this bill today. It's about increasing the supply of housing. There were some municipalities—the municipality that Ms. Bell used was Hamilton, where their city council went against their own planners on intensification targets. You can't have it both ways; you can't say that you're not going to expand your urban boundary but you're not going to intensify within the urban core. My position in regard to the official plan was well-documented in that city. I wrote an op-ed to explain exactly how we were going to deal with the official plan. It should come to no one's surprise that our lands on those official plans were to create more housing opportunity.

We are in a housing supply crisis. We are not going to meet that target without some transformative changes to our municipal partners. We need everyone in Ontario at all three levels of government to do their part. This bill and those decisions that we made were all towards the government's goal of building more housing and getting shovels in the ground faster.

The Chair (Ms. Laurie Scott): Final 60 seconds, please.

Ms. Jessica Bell: The next series of questions I'm going to focus on are associated with housing and affordability. When we are talking about addressing the supply crisis, it is also important that we address the housing affordability crisis.

Why has this government made a decision to gut affordable housing measures that many municipalities are moving forward on, including inclusionary zoning?

Hon. Steve Clark: We're moving forward with a provincial standard regarding inclusionary zoning. One thing we've heard loud and clear is that municipalities want to do their part in that space. That's why we're also listening to municipalities and creating our own attainable housing program using government-owned land, because municipalities have told us that there are lands that the government has sitting idle that we could use for more affordable and attainable opportunities. So we'll continue to work with municipalities.

But I want to be very clear: Ensuring that those input costs for new homes are reduced—that's why the development charges are going to be dealt with for attainable housing, supportive housing and inclusionary housing.

The Chair (Ms. Laurie Scott): We'll move on to the next round of questioning and MPP McMahon. You have five minutes.

1030

Ms. Mary-Margaret McMahon: Thank you very much, Minister Clark, for your words.

We all are well aware that we're in a housing crisis. We all see that and hear that and know that in our communities, and we want to do something and want to do bold measures and build faster, build more and build smartly. So I think we're all in agreement on that. But again, it's not about whether we grow and build; it's about how we do it.

My first question to you: What do you think of the Toronto Green Standard?

Hon. Steve Clark: I believe that we have some of the most recognized building code measures and municipal initiatives. We want to continue to work with partners, whether it be on initiatives to make sure that communities are complete, that we have opportunities for all Ontarians—we've placed policies through this bill that will allow municipalities flexibility. That has been the goal with some of our decisions in the More Homes Built Faster Act.

Ms. Mary-Margaret McMahon: In your opinion, should something like the Toronto Green Standard be replicated across all municipalities in Ontario?

Hon. Steve Clark: If you listen to municipalities, like I do, they basically have indicated that there shouldn't be a one-size-fits-all approach. So I would defer to groups like AMO, ROMA, the northern municipalities—NOMA and FONOM—for what standard they feel is workable. We feel that the discussions we've had with them on development charges, on the speed of approvals—and I think they understand that there are some inconsistencies out there, so we'll continue to consult them.

As I said in my address, MPP McMahon, there is a lot of consultation that is going to be started because of this bill. We look forward to engaging AMO, ROMA, the big city mayors. We've got a lot of northern communities that really want to help us with the housing supply action plan as well.

So if I was putting on my former mayor hat and former CAO hat, you would basically be told that one size shouldn't fit all.

Ms. Mary-Margaret McMahon: So you're supportive of municipalities' net-zero goals—

Hon. Steve Clark: I've toured a number of net-zero communities—one in my own riding, in a very small community called Westport. Certainly, those homes aren't on the affordable side, given some of their net-zero components. I was just in Oxford county with MPP Hardeman and toured some really innovative net-zero builds there as well. So there is innovation out there, both in urban Ontario and in rural Ontario. The two examples I gave you are pretty rural—in Embro and Westport. That innovation is taking place right now.

Ms. Mary-Margaret McMahon: You mentioned that you consulted with and have the support of conservation groups and Indigenous leaders. I'm just wondering if you can cite some examples for me.

Hon. Steve Clark: Well, I quoted two people—

Ms. Mary-Margaret McMahon: Right. But did you have more than that?

Hon. Steve Clark: I can give more to the Chair, if you like, but Ducks Unlimited is a leading conservation group, and Ontario Aboriginal Housing Services, OAHS, is the largest off-reserve housing provider for Indigenous communities. So I think those are some pretty good stakeholders to talk about.

The Chair (Ms. Laurie Scott): Final minute.

Ms. Mary-Margaret McMahon: Lastly, you mentioned building housing for new immigrants, especially, and I'm just wondering if you feel that they would settle in urban areas versus rural.

Hon. Steve Clark: Again, we're creating a housing supply plan. The Premier said yesterday at a press conference—and I tend to agree: regardless of our population, we can expect 60% of those newcomers being welcomed in Ontario. I believe there will be a significant portion who will want to reside in the GTHA, but certainly I know there are other communities, including communities within my own riding, that will welcome new Canadians. We just need to make sure we put a plan in place to build. They need houses. We already have a housing supply problem, so we've got to get some more housing built.

The Chair (Ms. Laurie Scott): We'll move on to the next round, with seven and a half minutes for the government side. We'll start with MPP Pang

Mr. Billy Pang: Minister, welcome to my riding of Markham–Unionville again. It's a great morning to have this meeting.

As Ontarians face rising costs of living and a shortage of homes, our government has a strong mandate to help more Ontarians find a home that meets their needs and budget.

One of the biggest challenges to overcome when trying to get more housing built is the “not in my backyard”—we can often see these policies at the local level. The Premier has talked about this many times, and there's a consensus that we need to get more housing built; however, the attitude often is that people don't want it in their backyards.

How would the More Homes Built Faster Act reduce this type of “not in my backyard” attitude and the tendency for local councillors to block or downscale new housing developments?

Hon. Steve Clark: It's great to be back in your riding, visiting.

In my opening remarks, I talked about the Ontario Land Tribunal and how, too many times, we're finding this “not in my backyard,” or NIMBY, syndrome. And at the press conference when I tabled this bill, I said that I think we're past that; I think we're now at BANANA, “build absolutely nothing anywhere near anyone.” Some of the changes that we're reflecting in the OLT deal with that situation.

I've had a number of municipal colleagues come up to me and express concern that it takes too long to get a hearing, that it takes too long to get through the process, so we've got to put a plan in place, but we also have to be open about the conversation—that there are far too many delays, either by a council or by another group. And we've

got to make sure that the OLT has the ability—that if it does get there, there's an opportunity to be able to accelerate it based on the opportunity for housing starts. It's a concept that has been talked about for literally decades. I've had the conversation many, many times over the last several decades, and now it's a conversation we want to open up during this bill. I think we have to get past this “build absolutely nothing anywhere near anyone” mentality and move forward. We need housing.

The questions from MPP McMahon about new Canadians—we want to welcome more new Canadians to our province, but we're already in the middle of a housing supply crisis, and we can't let this “not in my backyard” syndrome continue. We need to act, and many of the sections I outlined in my opening address will go a long way to fix that.

That was a very good question.

The Chair (Ms. Laurie Scott): MPP Smith.

Ms. Laura Smith: Thank you, Minister Clark, for your submissions.

Not too far away from our current location is Thornhill, so I'm always mindful of that, and all of my neighbours.

Minister Clark, in the past election, we made solid commitments to Ontarians that we would introduce a housing supply action plan, and you outlined some of these initiatives, talking about red tape and building 1.5 million homes over the course of the next 10 years, which are very important for newcomers. You outlined half a million newcomers per year, which is something that we always have to be mindful of.

Given the proximity of Thornhill to our current location—because I'm always mindful of my own neighbourhood, and these bold changes are in order. We're going to be beside a transit-oriented community, as well, hopefully, in the coming years. I count on it, as a mother who doesn't want their children living in their basement.

Can the minister please outline how this plan aligns with the commitments we made to the people of Ontario?

Hon. Steve Clark: That's a very good question.

Obviously, the people in Thornhill feel the same way that our government does: that if we are going to make a major investment in transit, which we have done and will continue to do, we have to leverage that investment. And every consultation that we've done in the last term has really pointed out that people who live in areas like Thornhill want to live near transit; they want to make sure that there is an opportunity for them to use the transit investments that our government has made, and to be able to get a home that meets their needs and their budget.

1040

Intensification around transit has been a conversation—a transit-oriented community has been something that the government has really embraced, both in the city of Toronto and here in York region. I think that the most important thing we can do is to provide a balance—gentle intensification opportunities, to be able to provide a transit-oriented community for people, but at the same time to have a variety.

One of the decisions that the government made just before you were elected in June was, we looked at a parcel of land in your riding and we sat down with then-Mayor Bevilacqua and talked about the opportunity to have a not-for-profit—create a community around transit, close to shops, close to schools, which is exactly what we want to try to create. This bill provides that flexibility that municipalities are asking for. It also looks at properties that the government owns—like the one we have in your riding that has been sitting there for a long time—and tries to repurpose them so that they meet the community's needs, so that your constituents have a place they can call home that's affordable, that's transit-friendly and that has all the amenities around it.

Part of the bill is to recognize that some of those changes need to be made as a government, so we need to make sure that it's tailored so that they can be facilitated with our municipal partners.

The Chair (Ms. Laurie Scott): Sixty-five seconds left.

Ms. Laura Smith: Thank you very much for the information that you just provided. That's good information to have.

You talked about the different government bodies that have a significant impact on housing costs and the 25% that's imposed and levied on different areas of our province. Can you extend a little more information about that and how that kind of stops a builder from doing their job?

Hon. Steve Clark: There's lots of data out there, obviously, and I quoted some in my opening comments.

The Ontario Association of Architects has a study that shows the amount of money that can be added to a purpose-built rental or condo development in Toronto; BILD, the Building Industry and Land Development Association, has done one as well to show the amount of costs that could be added to the end-user.

We need to provide certainty. We want to incent family-size, purpose-built rental, so we built into the bill the chance to make those units exempt from development charges. We've done the same thing to affordable housing, attainable housing—

The Chair (Ms. Laurie Scott): Thank you very much, Minister.

We'll now go to the next round, with MPP Bell for seven and a half minutes.

Ms. Jessica Bell: I want to go back to the issue of affordability. Ontario has a housing supply crisis, and we also have an affordable housing crisis. They are related, but they are not the same thing.

This government has now been in power for four years, and during that time, this government's record on making housing more affordable is abysmal.

A new RBC report came out saying that this is the worst point in Canada's history for affordability when it comes to buying a new home. It takes approximately 83% of an average household's income to afford a home in Toronto, and not only that, but rental prices are at record levels—certainly, recovering from the pandemic. Now you need to earn about \$108,000 a year to rent a non-rent-controlled

apartment in Toronto that is a two-bedroom. That is astronomically unaffordable for the vast majority of Ontarians.

When I look at Bill 23 to see what affordability measures are in there, all I see are measures that will make it worse.

I see this government's plan to cut Toronto and Mississauga's rental replacement bylaw, which will make it easier for developers to buy up purpose-built rentals, demolish them, turn them into bigger condos and permanently evict tenants, instead of allowing them to return to their original rent-controlled apartment—which is currently what exists today. This is the key thing that keeps private-market rentals affordable in cities. We did a press conference on this, and we had an expert calculate how many affordable private-market rentals have been preserved; it has been about 900 in the last year alone, and it would cost the city \$78.6 million to build those replacement apartments.

Then I see that this government is looking at cutting \$100 million from housing programs that go to municipalities.

This government is looking at banning municipalities from charging developers to help contribute to affordable housing—it's about \$1,000 a unit.

This government is gutting the definition of “affordability.” When we're looking at inclusionary zoning, the definition has changed to where a developer only has to build 5% of the units as affordable, as opposed to 10%; it only has to be affordable for 25 years instead of permanently—which is what it was. And the definition of “affordability” is now tied to market rates instead of income.

We had a look at how much an affordable unit would cost in an inclusionary zoned building, and it has gone up from \$190,000, which is what it was originally, to \$430,000. That's the definition of “affordability” that this government is now using for its inclusionary zoning program. That is not affordable.

Can your government commit to taking out schedule 1 and schedule 4 so renters in purpose-built, private-market rentals can continue to live in their homes and be protected from eviction?

Hon. Steve Clark: Currently, the Municipal Act and the City of Toronto Act enable municipalities to enact bylaws to prohibit and regulate both the demolition and the conversion of multi-unit residential rental properties of six units or more. That's the policy that Ms. Bell is talking about. The bylaws do vary between municipalities. They can include requirements that would potentially present barriers to creating more housing supply.

As part of this bill, we've indicated that we would like to consult on potential regulations to really enable a greater standardization of these bylaws across the province. At the same time, we want to ensure that there are renter protections and landlord accountabilities that remain in place—

Ms. Jessica Bell: Minister, I'm going to summarize to you—

Hon. Steve Clark: That's the goal of the consultation.

Ms. Jessica Bell: Minister, you're going to be changing rent-controlled, purpose-built rentals, many of them affordable—these schedules will then make it easier for developers to convert these buildings into luxury condos

that are exempt from rent control. How does that make anything affordable for an average Ontarian?

Hon. Steve Clark: What we're proposing is a consultation, so I think the member—

Ms. Jessica Bell: Minister, you've just gutted Ottawa's official plan and banned them from having a rental-replacement law. When this government is talking about consultation, during this consultation process you've already shown your hand by gutting Ottawa's rental-replacement law.

This is my question to you: Given all these changes to Bill 23, which will make housing more unaffordable in Ontario, what actually is your plan to make housing affordable for lower-income and middle-income Ontarians?

Hon. Steve Clark: Outside of this bill, obviously we're continuing to negotiate with the federal government for additional dollars—

Ms. Jessica Bell: What is the provincial government's plan? I'm not interested in you passing the buck.

Hon. Steve Clark: I'm not passing the buck.

The provincial government's plan: We've made a commitment to municipalities over the last two years that we were going to continue to provide them dollars. The \$1.2 billion under the social services relief fund has built a significant amount of affordable housing in Ontario.

Ms. Jessica Bell: Minister, I just spoke to the city of Toronto, and they said that fund is ending at the same time as Toronto has a homelessness crisis. That fund is scheduled to end on April 30, 2023. That is not an example of this government making housing more affordable for people in need.

The Chair (Ms. Laurie Scott): In the final minute, let the minister answer the questions, please.

Hon. Steve Clark: Our government has made a commitment to Ontarians. We've created our Homelessness Prevention Program. We've added additional dollars, as a provincial government—we've addressed significant dollars through all of our homelessness programs. We now spend almost half a billion dollars a year. We're going to continue to work with partners—

Ms. Jessica Bell: Minister, the estimates show that you cut \$100 million from municipal housing programs that address homelessness.

1050

Hon. Steve Clark: Ms. Bell, there are cost-share programs with the federal government that have ended. The federal government has started new programs that the government has signed on to, and we are awaiting details. We will continue to work with the federal government. I know you didn't want to hear my answer about the federal government, but there are programs that are cost-shared by both levels of government that are beginning, just like there are projects that the federal government has decided to stop that require a cost-sharing by the province.

The Chair (Ms. Laurie Scott): Next, five minutes to the independent member: MPP McMahon.

Ms. Mary-Margaret McMahon: Minister, 1.5 million homes in the next 10 years is a lofty goal, and it's admirable, if we can achieve it. But we want to get it right the

first time. We want to be building affordably, sustainably and safely, and we want to be building a variety of different homes—as you say, different tools in the tool box—for different types of families. We want to get it right. So why do you think we should be building sustainably?

Hon. Steve Clark: MPP McMahon, I think we acknowledge that our housing supply action plan covers all types of housing. We need more single detached homes, we need more semi-detached, we need more triplexes, fourplexes, family-sized condos and purpose-built rentals. I think we need every size, every shape, every price range. So we need to, in this bill, concentrate on housing supply. There are some other members around this table who want to talk about other issues that aren't included in this bill, but this bill is a housing supply bill.

We committed to Ontarians and I committed in front of this committee the last time I was here that we were going to put a plan in place to build more missing middle housing. I think we acknowledge that this plan will do just that. As well, we committed that in every year of our government we will have a new housing supply action plan. So there will be other policies to build upon these policies, if they're passed, and to build upon the policies we've already put forward.

You are absolutely right; building 1.5 million homes over the next 10 years is a very, very lofty goal. And considering that our best year ever was last year, with only 100,000 starts, we need to do more. We need to ensure that that young family who can't realize home ownership yet, or that new Canadian who will be moving here in the next several years, or that senior who wants to downsize but has nothing in their home community that is available to them—we need to put a plan in place to build these types of homes, and that's exactly what we've done.

In addition, we want to make some of our land available for a new attainable housing program that I think is very exciting. We've received a lot of support from our municipal partners and from a number of non-profit partners who might be part of this plan moving forward.

There are also some additional municipalities, like the one you represent, that have a very aggressive housing target. We want to work with them. That is why we've created this housing target for all of our big cities.

Ms. Mary-Margaret McMahon: I'm talking about "sustainably" environmentally. I think we all understand the need to build resilient infrastructure. We've heard the warning calls from the Insurance Bureau of Canada. We know that the Intact Centre on Climate Adaptation at the University of Waterloo has told us that for every dollar invested in climate adaptation, it's a \$3-to-\$8 return on cost avoidance for flooding, disasters, whatnot. We don't want to be building on flood plains. We know the cost for all of our residents for a flooded basement is anywhere from \$40,000 to \$50,000. No one wants to get hit by that. So we want to be building sustainably, smartly and preventively.

My question to you is, do you believe we are in a climate emergency?

Hon. Steve Clark: I think your question to Minister Piccini last week in the House—I think he answered that very, very well.

The Chair (Ms. Laurie Scott): Final minute.

Hon. Steve Clark: Ontario does have a plan. We do believe that conservation authorities—and I know Angela Coleman will be up next. I have a lot of respect for Angela. She was at the South Nation Conservation Authority, which covers part of my riding. I know that there are some great conservation authorities that, when given the priority of going back to dealing with natural hazards and flood mitigation and flood protection, they will provide exactly the outcomes that you'd like, MPP McMahon. So I look forward to continuing to work with them.

And I believe that Minister Piccini has really done great things as our environment minister.

Ms. Mary-Margaret McMahon: So is that a yes or a no for believing we're in a climate emergency?

Hon. Steve Clark: Well, I think we—

Ms. Mary-Margaret McMahon: You, personally.

Hon. Steve Clark: I have a disaster recovery program. I've stood up and created a Build Back Better plan, realizing that in a challenging environment with climate change, we have to put a policy in place to build back better, to have more resilient communities. I've been on the record. I've put my money where my mouth was in terms of helping municipalities.

The Chair (Ms. Laurie Scott): The final round goes to the government side. We'll start with MPP Holland, please.

Mr. Kevin Holland: Thank you, Minister, for being here today as we discuss this important piece of legislation.

I'm glad to see there's consensus around the table that we are in a housing crisis—that's a good first step—recognizing that this housing crisis is decades in the making. It's a result of insufficient planning, and that's why we're facing what we're facing today.

This bill will help address the most immediate housing needs, as well as planning for our future, and that is responsible. I'm encouraged by your comments of engaging organizations such as AMO, ROMA, NOMA and FONOM in the discussions. I think the vastness of our province and the uniqueness of situations in different regions across the province require us to recognize that one size doesn't fit all. So I'm very thankful for your acknowledgement in your opening comments that that is, in fact, the case.

While we acknowledge that the full impact of this crisis is more acutely felt in bigger cities in the province, there are communities outside those large urban centres that are going to see housing needs explode based on industry development in different regions of the province, particularly in northern and rural communities.

Can the minister please speak to how this bill addresses the housing crisis across rural and northern Ontario and how it will help address some of those needs as we move forward with industry development?

Hon. Steve Clark: Thanks for the question.

As my parliamentary assistant—we've had some great conversations about this. I was glad to be able to visit

Thunder Bay and to see some of your housing partners in the riding.

I recognize, as I said with a previous question, that one size doesn't fit all. We really need to make sure that our plan deals with northern Ontario as well. Obviously, when you create, for example, the attainable housing program, you want to make sure you realize that we have some increased challenges when it comes to the north. We need to be receptive to the fact that there needs to be a realization that what might work in southern Ontario might not work up north. I appreciate the lens that you bring to the table.

When I was in Thunder Bay, I heard from people about the amount of crown land that the province owns. Whether the attainable housing program will be included with that—and I look forward to having you work with NOMA and FONOM and some of our other stakeholders in the north to further develop that. I think that any program that we roll out on attainable housing needs to have a northern component to it. I think that's really important and a really good signal to municipalities that we recognize that the housing crisis and the demand for housing is in every corner of the province. It's not just a southern Ontario problem. It's not just a big city problem. We're experiencing challenges in rural Ontario. We're experiencing challenges in northern Ontario. We need to make sure that our policies reflect that.

The consultation piece that I spoke about, with the Planning Act, is very important for northern communities. I really want to hear from them. Even though part of the plan is to look at perhaps moving the Growth Plan for the Greater Golden Horseshoe and the Planning Act together, I still think that there's a huge opportunity for northern communities to have their say and to give us input on a variety of programs, including the new attainable housing program that we're going to roll out as a government.

More consultation is needed, but definitely, the views that we've tabled in this bill will go a long way. The development charge and parkland dedication discounts will mean just as much in northern Ontario as they will in the south. So it's a lot of good policies.

1100

Mr. Kevin Holland: I appreciate that comment and the recognition of the government, based on my 31 years as mayor of my small, rural community in northern Ontario.

I've had many conversations with different governments over the years with regard to the role that rural Ontario can play to help us meet the needs of Ontario in general when it comes to transitional supportive housing, senior housing. I'm encouraged by the bill's recognition and the government's recognition that there is that role to play. So I see that this bill will help Ontario develop in a way that it needs to be developed.

Hon. Steve Clark: I agree with you. I think there is a great opportunity to use the policies that we put in place—and even earlier this year, with More Homes for Everyone. The fact that it does take too long, no matter where you are in Ontario—we've had some really good success stories in

northern Ontario with some of the programs that I've implemented, with things like the municipal modernization program, where municipalities have really looked at, "How can we streamline our building and planning department to get shovels in the ground?" But you need those policies in place to be able to back that up as well.

I really see a willingness—not just on my visit with you to your riding and to Thunder Bay, but right across the province—for municipalities to realize that we're all in it together and they need to do their part. The communities in the north that I've met with are very, very willing to take a look at their own internal policies, but we also have to be receptive to hearing from them.

I think that's the lens, with your 31 years of experience, that you bring to our government caucus. And I think my colleagues and I agree we're going to be leaning on you for your expertise when we start rolling out some of these programs so that we don't have problems in the north. It's very important that this set of initiatives that are in this bill works everywhere in the province, and I think we've hit the right situation right now.

The Chair (Ms. Laurie Scott): MPP Thanigasalam.

Mr. Vijay Thanigasalam: Thank you, Minister, for your presentation.

We are fully aware that it's a 40-year milestone for you, since you were first elected as the mayor of Brockville at the age of 22—so you are bringing that experience as a mayor, as an administrator, and now as an MPP and minister.

One of the common things that I've been hearing from constituents is that their children won't be able to afford a house on their own. As a millennial myself, I've heard from my friends about the hardship of owning their own house. We know that adding more supply is key to bringing the costs down. I know this will definitely help first-time buyers. For example, for millennials or new Canadians who are ready to buy their first home, this will definitely help—as well as seniors. It will help to reduce—

The Chair (Ms. Laurie Scott): I'm sorry, but we're out of time.

Hon. Steve Clark: That was great. I agree with him 100%. We've got to do something.

The Chair (Ms. Laurie Scott): Thank you very much, Minister Clark, for your time this morning.

CONSERVATION ONTARIO
MR. VARUN SRISKANDA
FORESTS ONTARIO

The Chair (Ms. Laurie Scott): The remainder of today's presenters have been scheduled in groups of three for each one-hour time slot, with each presenter allotted seven minutes for an opening statement, followed by 39 minutes of questions for all three witnesses, divided into two rounds of seven and a half minutes for the government members, two rounds of seven and a half minutes for the official opposition, and two rounds of four and a half minutes for the independent member of the committee.

Are there any questions? Okay.

I will now call on Conservation Ontario to begin their presentation. Please state your name.

Ms. Angela Coleman: I'm Angela Coleman, with Conservation Ontario.

Good morning, Chair Scott and honourable members of the standing committee. Thank you for the opportunity to provide comments on Bill 23. Specifically, I will be discussing schedule 2, the Conservation Authorities Act. We request your thoughtful consideration of the proposed changes in this submission to identify solutions that will increase Ontario's housing supply without jeopardizing public safety. The following builds on the success of previous amendments to the Conservation Authorities Act and ensures safe development in our partnering municipalities.

We are committed to do our part to increase the supply of housing in Ontario. We are, however, concerned by some changes proposed in Bill 23: placing new responsibilities on municipalities for natural hazards and natural resources that may lead to inefficiencies, uncertainties and delays in the development review process; weakening the ability of conservation authorities to protect people and property from natural hazards; and reducing critical natural infrastructure like wetlands and green spaces that reduce flooding and protect waters in our lakes and rivers.

My submission this morning to you includes (1) key recommendations, (2) my verbal presentation and (3) suggested legislative amendments. Today we request these legislative amendments and continued dialogue to ensure, together, that we can meet our shared objectives in a timely, cost-effective and efficient manner. I will be pleased to answer your questions following this presentation.

Key recommendation number 1: Municipalities should retain the ability to enter into agreements with conservation authorities for review and comment on development applications such as natural heritage and water resource reviews. Previous legislative amendments by your government require agreements prior to conservation authorities undertaking this work. Recent regulations define requirements to be included in these voluntary agreements. Conservation authorities provide comments to municipalities in a cost-effective and timely manner. In 2020, through amendments to the Conservation Authorities Act, conservation authorities are already prevented from commenting beyond mandatory programs and services, such as natural heritage, without a municipal agreement.

Recommendation 2: Developments subject to Planning Act authorizations should not be exempt from requiring conservation authority permits, and conservation authority regulation should not be delegated to municipalities. The planning process is insufficient to ensure natural hazard concerns are addressed through design and construction alone. This places additional pressure, responsibility and liability on municipalities that could result, for example, in building permits being issued in error. Working beyond political boundaries is essential in the permitting role to consider impacts on upstream and downstream communities. Natural hazards must be at both site-specific and watershed levels to deliver on public safety.

1110

I am the general manager of Conservation Ontario. I have the challenging task of taking work that is technical, complex and not always appreciated and making it easy to understand and meaningful to you as decision-makers. I am a lawyer and have worked hand in hand with communities and municipalities for over 20 years. I am a practical person who took this job only two months ago, knowing sound advice and a reasoned approach is necessary to speed development approvals without undue costs, delays or harm to the natural environment and public safety. I've worked with communities on their worst days: the days infrastructure fails; the days the flood hits; the days there is a loss of property or, worse, life. I've worked with people facing environmental emergencies: drinking water contamination; floods, with people displaced from their homes; landslides where infrastructure slides away; and legacy development that floods, shifts and sinks.

In my experience, decision-makers do not intend to put people and property at risk. Further, most people do not expect nor believe the worst can happen; it can and it does. It is most often an ordinary day when we're making these decisions—what would be safe, what is a hazard, and what would we need to do to ensure a successful development proposal—but it's not the average day that conservation authorities are preparing for. We are preparing for the 1-to-100-year flood, or greater. We're preparing for the days when the waters rise, when roads are under water and emergency vehicles must rescue people from their homes—it is, for example, consecutive days of heavy rain just after the snow melts and rivers and streams are already full of water.

Conservation authorities were created in response to the deaths of 81 Ontarians caused by flooding and infrastructure developed in hazard areas; that is, Hurricane Hazel. That was a startling wake-up call to what can happen if we fail to plan, or plan to fail.

Bill 23 separates the protection of wetlands and other green features from natural-hazard planning. These are the features that slow the flood waters and the flows that we are trying to protect people and property from. These features are connected. This is particularly concerning for many municipalities that may not have the expertise to independently consider these matters when reviewing planning applications, which could elevate municipal liability and risk.

In the past, the province spent significant effort and money to move people and communities from their homes, to protect them from natural hazards. You will hear from the insurance industry that Ontario is a leader in flood loss avoidance because of the work of conservation authorities in partnership with the province and municipalities. This is something we cannot, especially now, afford to lose.

Across the province, municipalities rely on conservation authorities' expertise to inform environmental assessments and provide important input on official plans, studies and development applications. This process is a watershed approach—

The Chair (Ms. Laurie Scott): Fifty seconds.

Ms. Angela Coleman: —and enables connections to be made between flood control, wetlands and other green infrastructure, ensuring safe development.

Simply, I request that the unintended consequences of limiting conservation authority involvement be thoroughly and carefully considered by this group.

A list of suggested amendments, briefly: schedule 2 of Bill 23, subsections 2 and 3 and associated amendments—these materials are included in your package for your review—and schedule 2 of Bill 23, subsection 7(2) and associated amendments. Simply put, we request that 7(2) be removed in its entirety from the schedule. Complementary amendments to remove sections 13(2) and 14(1) are also required.

With that, I will conclude my submissions today, Madam Chair.

The Chair (Ms. Laurie Scott): Thank you very much for your presentation.

I will now call on Varun Sriskanda. You have seven minutes for your presentation.

Mr. Varun Sriskanda: Good morning, Madam Chair and members of the standing committee. My name is Varun Sriskanda. I'm a landlord in Markham, a real estate agent in Markham, a member of the board of directors of the Small Ownership Landlords of Ontario, a property manager in Ontario, and an advocate for Ontario's rental housing sector.

We are in a housing crisis in Ontario. That means it's no longer something to be mindful of—that time has passed; the time is now for real action. In the news, we see stories of university students living in homeless shelters because they can't afford the rent on a one-bedroom apartment close to campus, hard-working families who need to choose between making rent on time or paying their other bills, homeowners who are struggling to choose between mortgage payments and their water bills. We even have hotels that have been converted to makeshift homeless shelters.

We need more of everything in this province. We need more long-term supportive housing options so that the Delta hotel in Scarborough doesn't have to be a shelter. We need more purpose-built rentals that are designated rent-gated-to-income. We need to combine that with the need for countless more affordable housing units, where the rent will not be more than 70% to 80% of market rent.

One of the most under-represented sectors of housing in Ontario are people like me: small landlords. Small landlords provide a significant amount of safe, clean, legal and affordable rental units to hard-working families. Landlords like myself are happy to keep buying properties across the province and leasing them out. By doing so, we increase Ontario's rental housing stock and reduce the overall cost of leasing a similar unit in that area. Ontario, for the most part, has depended on small landlords to contribute to increasing this province's rental stock. Most of the purpose-built rentals in this province were built before the 1980s.

Many small landlords are also small developers. They own properties that are currently zoned single-family homes.

We need to speed up the legalization and conversion of these properties to duplexes, triplexes and legal rooming houses. A single-family home in Scarborough can cost close to \$2,500 to \$3,000 a month to lease. That is not affordable. But if we divided that into two or three units, we could make one house more affordable and more accessible to more families.

Small landlords currently provide a significant amount of Ontario's rental housing stock. A little over 40% of the rental units are owned and operated by a mom-and-pop housing provider. Small developers like me don't have the resources to quickly see a project from planning to handing keys to the tenant. That process typically takes five to seven years and involves a number of legal hurdles, pricey development fees, and the risk of being shot down at council for minor reasons which can easily be overcome—minor issues like fencelines, trees and the location of a driveway or a patio. I believe Bill 23 is going to eliminate some of these hurdles, expedite the construction of purpose-built rentals and incentivize people like me to help build that missing middle housing in Ontario.

While Bill 23 does a lot to tackle many of the problems that are preventing us from meeting our housing goals, it falls short of addressing the challenges of being a landlord in Ontario. If passed, this bill is certain to increase the number of small landlords. We are not in a situation where the current Landlord and Tenant Board can handle more volume. We should be cautious about increasing Ontario's rental housing stock if we have no solid plan in place for eliminating the backlog entirely. Currently, housing providers in Ontario are waiting 10 to 12 months to evict a defaulting tenant; we need to bring that number down to 30 days—failing which, we're only going to contribute to the backlog and make things worse.

In principle, I support Bill 23. I support creating housing options for the hard-working families who keep this province moving. This bill needs to do more to protect the current small mom-and-pop housing providers while encouraging new ones. There's currently little to no incentive for someone to keep their home and offer it up as a rental property versus listing it for sale with your realtor and cashing out. Every day, we are seeing Ontario landlords leave this province for Alberta and the US. Let's keep building homes for Ontario families while encouraging investors to remain in the province.

Madam Chair, those are my submissions. I thank the standing committee for this opportunity, and I'm open to questions.

The Chair (Ms. Laurie Scott): Thank you very much for your presentation.

We'll now move to Forests Ontario. Mr. Keen, please begin your seven minutes.

Mr. Rob Keen: Thank you very much, Chair Scott. It's a pleasure to be here.

Just a few points of reflection on some of the things that have come out in recent days—certainly, we saw a report from the federal government—

The Chair (Ms. Laurie Scott): I'm sorry; please state your name for the Hansard record.

Mr. Rob Keen: Oh, I'm sorry. I'm Rob Keen, CEO of Forests Ontario.

Just recently, we saw the Parliamentary Budget Officer post a report about climate change and its impacts on GDP in Canada; in fact, it took a hit of \$20 billion as a direct result of climate change.

Right now, we see in Egypt that there's going to be COP27 starting up. It's a climate change conference. Of course, their focus is going to be climate change, and they certainly recognize the importance of natural infrastructure and the importance of nature-based solutions.

1120

My presence here today is to provide some information on what I feel are going to be some of the impacts that Bill 23 has on our ability to actually maintain and enhance our natural infrastructure here in Ontario.

Forests Ontario is our province's leading charity dedicated to the creation, preservation and maintenance of forests and grasslands—and with our partners, we have planted probably about 80% of your ridings. Through our comprehensive network of partners and programs, we have planted more than 41 million trees, and we plan to plant another three million in the coming planting season.

Just a point on how appropriate it is to be following Angela: Conservation authorities plant about 50% of all of trees that we have planted to date.

We are living in the midst of a global climate and biodiversity crisis, the result of cumulative unsustainable decisions and actions. According to the UN's State of the Global Climate, the past eight years have been the hottest on record. Regardless of the exact cause of the climate crisis and biodiversity loss in Ontario, we cannot roll back environmental protections of our critical natural environments. The cost of rolling back these protections will be catastrophically high to our communities, our economy and our environment. We need to protect the natural infrastructure we have, and it is imperative that we expand our forests, wetlands and grasslands through afforestation and restoration to continue to build our climate change resiliency.

The province of Ontario supported tree-planting on privately owned lands for well over 75 years. Unfortunately, in 2019 the provincial government cancelled the funding to Forests Ontario's 50 Million Tree program, the province's leading program dedicated to the creation, preservation and maintenance of forests. Despite these challenges, Forests Ontario and its partners have been planting an average of over 2.5 million native tree seedlings across the province every year since 2019, bringing the program total now to 36.7 million trees. We work with more than 100 nurseries, professional planting partners, seed collectors, forestry consultants, First Nations, local community groups and conservation authorities. We actually do more than just plant trees; we grow forests.

Our natural infrastructure has a powerful ability to address climate change. Trees absorb carbon dioxide—the main driver of climate change—from the atmosphere and use the carbon to build their trunks, branches and roots, releasing oxygen as a by-product. Trees also store carbon

in the form of wood products which can lock up and sequester carbon well beyond the natural lifespan of the tree, further supporting the economy through our very highly recognized and sustainable forestry activities here in Ontario.

In addition to playing a proactive role in addressing climate change via carbon sequestration, forests also mitigate the associated impacts of climate change, such as extreme weather. Precipitation events have already begun to increase in frequency and magnitude in Canada, having direct impacts on the likelihood, frequency, intensity and scale of flooding.

Conservation authorities are currently the first line of defence in preventing and reducing the impacts of flooding, which is the leading cause of public emergency in Ontario. According to the Toronto and Region Conservation Authority, the most practical approach to avoiding the impacts of flooding is prevention, including informed land use and infrastructure planning that recognizes the interrelationship between natural hazards and broader environmental issues. Conserving natural resources and features is intrinsically linked to managing flood and erosion.

In recent years, both Alberta and BC have suffered catastrophic losses associated with flooding—costs which are only expected to continue to rise in the future as climate change events become more prominent. Fortunately, Ontario's collective restoration efforts since the early 1900s are a fundamental reason why we have not seen impacts to this extent.

With that, I'd like to make a few comments and suggestions on how we could consider moving forward with what we're doing here in Ontario.

We need to ensure that we embrace nature-based solutions to combat climate change, improve biodiversity and benefit the people of Ontario.

The province of Ontario, formerly a leader in such action, needs to embrace nature-based solutions and put significant effort into forest, grassland and wetland protection and restoration. We should not roll back 70 years of successful watershed management at a time when we need this work more than ever in order to address the growing impacts of climate change.

The Chair (Ms. Laurie Scott): Final minute.

Mr. Rob Keen: We also need to support private-land tree-planting through our 50 Million Trees program to help create and protect jobs, enhance our environment and protect our future.

Finally, we need a long-term vision of how we're going to look at and sustain our natural environment; we can no longer look at four-year windows as periods of whether these aspects are going to be supported or not. We need that vision. We need the support. The infrastructure is there. It has been supported and growing for many years, but it needs that long-term, sustainable support to ensure that we see that investment in our partners' infrastructure, like conservation authorities, so that we can ensure we have that capacity to address nature-based solutions and to address, ourselves, climate change.

Climate change is not the work of a few; it has to be the efforts of many. Thank you.

The Chair (Ms. Laurie Scott): Thank you very much for your presentation.

We'll now move to the question-and-answer period. We're going to start with the official opposition for their first seven and a half minutes. MPP Bell.

Ms. Jessica Bell: Thank you to Angela Coleman, Varun Sriskanda and Rob Keen for your presentations.

I am going to direct the majority of my questions to Angela because of the conservation piece.

The first question I have is very much concerning the impact of Bill 23 on conservation authorities. Given the climate crisis that we have, as Rob also mentioned, it seems that we should be doing everything we can to protect our natural environment so we're not building on flood plains. My reading of the bill is that Bill 23 will limit conservation authorities' ability to give advice and sometimes even approve measures that are affected by pollution, land conservation and natural hazards. Can you just paint a picture—what will this actually mean for people who are looking at buying in an area that's zoned for development, where maybe a conservation authority has said, "Maybe not", or maybe looking at siting a warehouse or some kind of development? What could that actually mean for people?

Ms. Angela Coleman: Through you, Madam Chair: I think that's a good question.

In substance, this bill contains a lot of things directed to conservation authorities, so—trying to be specific in my response to you—I think what it means is that we're taking work that long ago was recognized to be more successfully moved up to 36 agencies, compared to having 444 municipalities. That doesn't mean there aren't good municipalities with a lot of capacity out there. I think what's really important is making sure that we keep conservation authorities in the planning review process, because what's in Bill 23 will affect us immediately and it will affect capacity on that piece immediately. That's going to be very difficult for us—to be able to help municipalities shoulder those responsibilities.

What it means is that planning approvals that normally would have considered different aspects or features—all those things may not have been considered at the initial phase, and that's what's concerning to us. Simply put, these things are connected, and Bill 23 takes them and fragments them. This is of concern in our role of flood protection.

Ms. Jessica Bell: I want to get back to that issue. How I read it is that many of the authorities and responsibilities that conservation authorities have are now going to be downloaded to municipalities.

Are municipalities equipped to do the work that you're currently doing? What do you think is going to fall through the cracks, if anything?

Ms. Angela Coleman: Through you, Madam Chair: Through our submission, we think specifically having this work happen at a time when we have new municipal councils, staff challenges at municipal and other levels—

this timing may mean that there will be confusion with respect to how applications are circulated, the timing, and who is providing comments on the applications. What happens when that happens? We can't treat municipalities or conservation authorities as one person. They're complex bureaucracies. Whenever something happens that has everybody in the bureaucracy asking questions, the types of things we can expect to happen are things like building permits being issued in error and other items that are, at the local level, costly and difficult to resolve. Frankly, what they do is also become political issues at the local council table, which currently they are not.

1130

Ms. Jessica Bell: Thank you for raising that issue of, potentially, building permits being more political in nature, when sometimes it's best to have an impartial body making these assessments.

I noticed that Minister Graydon Smith made some comments in the media asking conservation authorities to do an assessment to see what land could be put up for sale. Could you clarify that? Have they communicated with you about that? What could that mean? How much land could potentially be sold off?

Ms. Angela Coleman: There are a few things there. Number one, through the last round of amendments, conservation authorities were required to prepare land inventories, identifying lands that have been purchased. I suppose, with respect to all of the issues in the bill, we hope that will be used in an appropriate way and with adequate consultation. However, to date, we haven't had the types of discussions that we hope to have in the future.

Ms. Jessica Bell: Thank you for clarifying that.

Do you have an assessment of how much land has been inventoried, in terms of acres?

Ms. Angela Coleman: Well, we are the second-largest landholder in the province, so there are a lot of acres of land. Again, as a lawyer, I think some of those lands have been donated. There are conservation easements. They have a number of purposes and a number of ways that they have been acquired, and there are a number of reasons why we hold those lands. So I think careful consideration will be required, both at the conservation authorities' end and the provincial level, to make sure that these things are appropriately protected in any considerations that move forward.

Ms. Jessica Bell: My next question is, were you consulted on the proposed changes to Bill 23 before it was introduced—either you or the 36 or 35 other conservation authorities?

Ms. Angela Coleman: In terms of a consultation? No, we've not been consulted and we've not had the discussions we've hoped to have.

Ms. Jessica Bell: I noticed that Conservation Ontario has submitted proposed amendment changes. Do you believe that would be a preferable way to proceed—or to just oppose the schedule outright?

Ms. Angela Coleman: Through you, Madam Chair: We've tried to address what we think are the most pressing issues. There are, as I mentioned, a number of changes in

the bill. What we do think is most pressing is making sure that municipalities can still enter into agreements for the reviews of important natural features. We've been working to clarify those objectives, as well.

The Chair (Ms. Laurie Scott): Final 50 seconds.

Ms. Jessica Bell: Thank you so much for your time. That's all the questions that I have.

The Chair (Ms. Laurie Scott): We'll now move to four and a half minutes for MPP McMahon.

Ms. Mary-Margaret McMahon: I just have four and a half minutes because I'm an independent—and that includes your answers, so we all need to be succinct.

Thank you to all the presenters for coming in and presenting today.

My first question is to Rob Keen from Forests Ontario—I'm getting Angela off the hot seat now. You mentioned something that I have not been aware of, and I'm wondering how many Ontarians are aware of this, and that is, with your amazing tree-planting goals, the conservation authority plants around 50%. Can you elaborate a bit on that? I don't think the average Joe knows that.

Mr. Rob Keen: We certainly deal with a number of planting partners across Ontario. They include forestry consultants, municipalities, First Nations and, certainly, conservation authorities. These are the folks we'll call boots on the ground. They have the expertise to go out and assess sites and ensure that the proper trees are planted on those sites, and to work with landowners to ensure that they also meet landowner objects. The CAs have been a long-standing partner of Forests Ontario and, as I said, plant about 50% of all of our trees that we plant each year.

Ms. Mary-Margaret McMahon: You mentioned building resilient infrastructure and using nature-based solutions. Most of us should understand that especially in a climate emergency, we want to work preventively, proactively, safely, sustainably.

Can you elaborate on enhancing the natural infrastructure to protect us in the future?

Mr. Rob Keen: Thanks for the question.

It really is a point of, as I said in my closing comments, that long-term, sustainable support. It is through that kind of support that the various components required for successful tree-planting will invest in their own infrastructure. I'm thinking specifically of things like seed collection—where is the seed going to come from that's going to grow the seedlings, to then go out and do the outplanting on landowners' properties? Working with nurseries—if they're to increase their capacity to sustain those increased levels, they are going to need to see the business plan to know how much they should invest in their own infrastructure, in their greenhouses and their fields and their staff.

Certainly, with our planting partners, and similarly with conservation authorities, if they see that long-term funding available and support available, then they too will ensure they have the staff and equipment and the outreach efforts to be in place to continue to do the great work that has been done. It can't be a flash in the pan; it can't be a one- or two-year commitment. All of these organizations need to see that long-term, sustainable funding in order to invest

in their own infrastructures. That's the only way we're really going to see any kind of significant growth within our programs.

Ms. Mary-Margaret McMahon: Do you feel that the conservation authorities have done a good job protecting Ontarians and being great stewards of our lands over the years?

Mr. Rob Keen: Absolutely. These are, again, the front-line workers right now. They can assess the sites. They know where the flood plains are, where there are other high-value natural features on the landscape. Certainly, in the process of assessing whether a building site is appropriate or not, those kinds of factors can be brought in, and again, look towards ensuring that all those natural features are protected when necessary.

We all know that we need to grow, but we just need to grow smart. I think if we can look more at where things are going to happen, minimize the impacts to that natural infrastructure, and also have the resources available to build and enhance where we can do that as well, we might be able to address climate change.

The Chair (Ms. Laurie Scott): Final minute.

Ms. Mary-Margaret McMahon: How do you feel, overall, about Bill 23?

Mr. Rob Keen: In my opinion, taking away the abilities for the CAs to look at and assess sites to be potentially built on is going to be detrimental to our natural heritage system. Reducing the capacity of CAs will potentially reduce our overall capacity to plant trees. As I said, as we see more and more impediments to CAs being on the landscape, there are going to be downsides, pure and simple. And we depend on those CAs, like I said, to plant 50% of our trees.

The Chair (Ms. Laurie Scott): We'll move on now to the government side for seven and a half minutes. MPP Coe.

Mr. Lorne Coe: Chair, through you to Conservation Ontario's Angela Coleman: I am the MPP for Whitby, so you can place me in the region of Durham, to begin. Prior to being elected the MPP for Whitby in 2016, I served on the Durham regional council for a period of time—13 years, seven of those on the CLOCA board, the conservation board, just so you have some context to the question I'm about to ask.

Constituency offices like mine and others throughout the province receive letters from home builders and residents noting delays in receiving conservation authority approvals. What do you think is causing those delays, and why are people so frustrated with the conservation authority permitting process?

Ms. Angela Coleman: I think it's a great question. I tried to hit on it, I think, in part of my presentation.

Whenever you're doing development approvals, there are a variety of sites, and sometimes we get into very challenging sites. First of all, just to say, we're not involved on all development approvals—number one is to identify that as a huge impediment; I haven't heard that specifically. I've heard a number of different factors that lead to development delays.

I do think we have to remember that we made conservation authorities way back when to deal with challenging issues. I think maybe it was so long ago and the work was so complicated that people forgot why we did it. It is important work, and it is work that, in my view, contributes directly to Ontario being a safer place, and it contributes directly to knowing that the home you buy has gone through checks and balances to make sure that appropriate measures have been looked at on the site.

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The main concern with this, I think, is, we've been working to speed the development reviews along. We do have key performance indicators and other things to show the speeding in the process of these things. I think, like any organization, one size doesn't fit all. We heard that today from Minister Clark. So to generalize across 36—there are a variety of capacities etc., just like there would be across 444 municipalities. This bill proposes to take something that's with 36, put it to 444, and claims it will be faster, better and cheaper. I don't think that those things are substantiated at this time. That is my opinion.

The Chair (Ms. Laurie Scott): MPP Smith.

Ms. Laura Smith: Thank you for all the submissions.

I want to address my question to Mr. Sriskanda. You talked about being a small landlord, which is so key in providing housing right now. You talked about, actually, the cost or the lease fees for an individual: \$2,000 to \$3,000 for single home. Bill 23 would allow up to three units per lot as of right across Ontario, and this would be beneficial for smaller landlords like you who are looking to be able to have additional units on their property. Can you talk a bit about these changes and what kind of impact that will provide for small landlords such as yourself?

Mr. Varun Sriskanda: If I'm going to be allowed, as a small landlord, to build more units on my single-family-home-zoned lot, I'm automatically increasing my revenue. If I'm making more money as a small landlord, you have now incentivized me to go out and buy more properties. By doing so, I'm increasing Ontario's rental housing stock.

So this is going to make it a lot easier to create more missing middle housing. More duplexes—I can convert my single-family home to two or three units. Automatically, it creates more opportunities and more options for families in the neighbourhood, and it gives me an opportunity to protect my future, protect my own family and prepare for my own retirement by buying more rental properties and helping to contribute towards rental stock.

I hope that answers your question.

Ms. Laura Smith: Thank you. I appreciate that.

In your view, what changes would Bill 23 have in creating the most significant impact in the housing market and making it more attainable?

Mr. Varun Sriskanda: It's going to increase missing middle housing, and that is the most important part. I am personally not in the position to afford a single-family home right now. A single-family home in the GTA is upwards of a million dollars, and that is just out of reach for me. Even a two-bedroom condo in the neighbourhood of Scarborough, where I live, is too expensive. I need to

look at things like leasing a unit in a duplex or renting a unit in a triplex, or carriage homes or laneway homes, which are a lot more affordable than condo apartments.

The Chair (Ms. Laurie Scott): Any further questions? *Interjection.*

The Chair (Ms. Laurie Scott): Yes, we have two minutes left.

MPP Thanigasalam.

Mr. Vijay Thanigasalam: First of all, thank you to all the presenters for your presentations today.

My question is to Ms. Coleman.

We heard from industry partners and we heard from, as MPP Coe mentioned, constituents as well. So when it comes to the industry—like tree-planting; the industry plants about 65 million trees every year.

Conservation authorities need to really have a focus on the core mandate of protecting people and property from flood risk—to make sure that these properties have been protected is one of the core mandates. Our government will continue to support that core mandate of conservation authorities.

What additional action could conservation authorities take to streamline and speed up the approval process?

The Chair (Ms. Laurie Scott): Final minute.

Ms. Angela Coleman: First of all, when we say we're committed to protecting people and property from natural hazards, we have to recognize that Bill 23 takes the protection of natural hazards and fragments it. So, number one, I do think that is a concern.

The second thing to speed up development approvals—I just want to highlight one thing that came with the last government amendments, and I think this is the challenge with unintended consequences: Not everything that was already amended has all come into effect. Where a municipality feels they can do the work cheaper, faster and better, there is that ability. The municipalities may make that choice to help them meet the requirements of their municipality for housing.

All I'm asking today is, where the municipalities, by their own assessment, decide that conservation authorities are a viable, cheap and effective option for them to deliver development reviews and approvals in a sustainable way—that we do that.

The Chair (Ms. Laurie Scott): We'll now move over—but you'll have another opportunity—to the second round for the official opposition. MPP Bell, you have seven and a half minutes.

Ms. Jessica Bell: This is to Angela Coleman: I'm pleased that you wrote your submission, because it does very clearly say that conservation authorities are no longer allowed to set up agreements with municipalities to do some of this work; correct me if I'm wrong. That does seem pretty concerning.

I have a question about a different section of Bill 23. It's the section that affects upper- and lower-tier municipalities. I'll just summarize it: Bill 23 eliminates land use planning responsibilities from upper-tier municipalities—we're talking about Simcoe, Durham, Halton, Niagara, Peel, Waterloo and York—and downloads that planning

responsibility to municipalities. At the same time, it's still requiring these upper-tier municipalities to provide the services, to pay for the infrastructure services that are necessary for the development that's going to be built. So if you need to build new sewage pipes, it will be the upper-tier municipalities that pay for it, even though they've got no control over where the development is now going to happen.

What do you think the consequences of this change are? Have you looked into that?

Ms. Angela Coleman: I wouldn't want to speak on behalf of municipalities and counties—or upper-tiers, in this case. I'm sure AMO will do that. I think overall, though, the common theme is this: When we make sweeping changes like this without really understanding concretely how they will impact the approval process itself, it could easily lead to uncertainties, inefficiencies and delays in the development review process. You can link that right back to what I said. We are not talking about one decision-maker; we're talking about bureaucracies that don't always move as fast as we would like in terms of responding to the legislation.

When these bills come out in cities and towns and municipalities, we know what it does to the staff; anybody who has worked at the local level knows what it does to the staff.

I think it's important that we understand and we look carefully at these things and we be open to saying where these things are not working or where they've had unintended consequences, whether that was because of haste or decision-making happening in a way that maybe could be reconsidered once the implications are understood. I think it's important that we do that and we keep an open mind, because a lot of people have the same objectives here. We're just making sure we meet the housing affordability targets.

Ms. Jessica Bell: My next two questions are to Mr. Sriskanda.

The first question I have is around Bill 23's changes to zoning. What it essentially says is that any single-family home in any municipality can be turned into a duplex or a triplex but the square footage of the property as well as the height of the property is still subject to municipal approval. In my view, this is a move that is good, but it could also be improved upon; it could, in my view, go further.

Do you have recommendations to the Ontario government on how we could go further to build these missing middle homes—these townhomes, duplexes and triplexes in existing neighbourhoods—or do you feel pretty good about what's in Bill 23?

Mr. Varun Sriskanda: One of the major things I commented on was that Bill 23 excludes any actions or any steps to help solve the Landlord and Tenant Board backlog and the crisis there.

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One of the great steps to increasing missing middle housing, incentivizing landlords and fixing this problem is simply fixing the backlog. By removing the backlog,

you're going to incentivize me to be a landlord, you're going to remove defaulting tenants from properties that are being held up, and you're going to create a system where landlords can deal with problems quickly and expeditiously.

If you have a backlog of eight to 10 months at the Landlord and Tenant Board, it does not matter how many rental units we build; who's going to want to own them, who's going to want to manage them, and who's going to want to be a landlord? Currently, with the backlog, it makes it very difficult.

I think the best option for increasing that Ontario rental housing stock and really making Bill 23 beneficial for landlords, tenants and everyone in Ontario is to find a solution within the bill to help address small landlords in Ontario and help remove the backlog at the board.

Ms. Jessica Bell: That's all the questions I have for now. Thank you so much for your time.

The Chair (Ms. Laurie Scott): MPP McMahon, you have four and a half minutes.

Ms. Mary-Margaret McMahon: These next few questions are for Angela Coleman. Thank you very much for your presentation—very thorough, succinct, organized, factual.

First of all, congratulations on taking this role—I'm sure you're rethinking that—two months ago.

You've worked with communities on their worst days, you say. When the flood hits, there's loss of property, infrastructure fails, people are facing environmental emergencies—drinking water contamination, floods, displaced from their home, landslides etc.—and sometimes loss of life. You've seen a lot, and you're more knowledgeable on this—keeping Ontarians safe—than any of us here, so we really value your opinion. I like how you mentioned failing to plan, or planning to fail—I think that's a warning bell for us.

So my question to you is, what are some of the financial repercussions that could come as a result of removing conservation of lands and pollution as considerations in conservation authorities' permit decisions?

Ms. Angela Coleman: As we look at the permitting decisions, it's important that we keep in mind that those permits, as they're issued, and the way that those restrictions are on them right now and the changes to that—again, this is technical; it's not going to be for everyone at the table. But I think, specifically, these are the types of decisions that assess what we call “cumulative impacts,” or what happens—it's not a permit-by-permit basis; it's when you consider what happens when you issue 200 of the same kind of permits, and how that has a global impact on a municipality, on a water supply, and how that eventually affects the targets on everything from the Great Lakes and so forth, and how that interacts with federal obligations or provincial commitments. So these things are all tied together.

Ms. Mary-Margaret McMahon: Going to the complete opposite of that—because that is into the weeds and detailed, as you mentioned, but very valuable for us to learn from you: Some Ontarians maybe haven't even heard of conservation authorities; they haven't had that

exposure or experience. Could you explain the value of conservation authorities to the average Ontarian?

Ms. Angela Coleman: Conservation authorities were created to make sure that the protection of people and property happens on a meaningful scale. For all of the work that we do, whether it's tree-planting with our partners or doing development permits and approvals, the goal and objective is to provide safe watersheds for Ontarians to live in. That means checks and balances have happened, and we try to avoid the mistakes that we've made in the past through appropriate checks and balances.

Ms. Mary-Margaret McMahon: This is actually for everyone; let's just do a rapid-fire round. We'll start with Rob.

Do you have one piece of advice for us as we consider Bill 23?

Mr. Rob Keen: I really think it's a thorough analysis of all the impacts moving forward. Certainly, as has been said, blanket actions will have negative consequences—so I think thorough consultation and understanding of all of the consequences of any act are important to properly assess.

Ms. Angela Coleman: I would say, be flexible, be open-minded and ask yourself: Is this honest, is this necessary, and is this true?

Mr. Varun Sriskanda: Let's increase Ontario's rental housing stock, but please bear in mind that small landlords in Ontario don't have the resources to navigate the laws the way that large corporate and institutional landlords do.

The Chair (Ms. Laurie Scott): We'll now go to the final round of questioning for the government. MPP Sabawy.

Mr. Sheref Sabawy: My question is for Mr. Sriskanda.

I really would like to thank you very much for your informative submission and talking about small landlords.

We understand that big developers have the deep pockets, the time, the resources, the legal—and every other aspect which can help them to navigate through the permits, the zoning and all kinds of needed steps to start building. Small landlords don't have those resources. They don't have the time. Even the cycle—the regular developers admitted through another hearing before, which I attended, that the cycle takes up to 11 years. So if I'm a landlord, do you think that I could go through that cycle of 11 years—I can afford it, and I can afford the legal and the technical needs to get that permit with the municipalities? That's the first part of the question.

You asked about acceleration of the landlord tribunal, and I want to take the opportunity to assure you that that's actually in the cooking already—because we receive those emails from constituents all the time. I was talking to the Attorney General, and they are appointing more members to the tribunal to accelerate that—especially that this is just temporary, because of stopping the evictions during COVID. There is a backlog, but that will be cleared. So this is just for your info: That's being taken care of; it doesn't need to be addressed in that bill.

In your opinion, how will this bill impact the small landlords who can't add units—and how fast that would be.

Mr. Varun Sriskanda: You mentioned 11 years, and you asked a question—can you start that process, and can

you go 11 years? Absolutely, but what's going to happen is that once you start, you're going to give up; you are not going to wait the 11 years to build this project. Halfway through, you're going to end up calling your realtor and listing it for sale, and that development is going to get scrapped and turned into condos.

What you need is a simplified process. You need to make it easier for me, a small landlord, to go to my municipality, to go to the committee of adjustment, to go to the city and make an application to rezone, to make an application to turn my single-family home into a duplex. If I can reduce 11 years—and that's 11 years for the large corporate landlords; you've got to add five years if I'm going to do it, so it's going to be 15 years if I attempt it. If we could get that number down to five years or get it down to four years—just get it down to a number that's reasonable, that's going to let me think, “Yes, why not? Let me start this project, and four years from now, I can have two or three more rental units on my property.” We need to bring that number down.

The Chair (Ms. Laurie Scott): MPP Holland.

Mr. Kevin Holland: My question is for Angela, and it's maybe kind of into your neck of the woods, as well, because I see your comments today are really just in support of what the conservation authority told us.

I go back to your comment that municipalities have a choice as to whether they belong to conservation authorities. That's not true. We are legislated that we have to belong to the conservation authority if it is established in our region. So municipalities do not have a choice if there is an established conservation authority in their part of the province.

Many municipalities in my part of the province are questioning the role of conservation authorities and how their actions are impacting and hindering development. Conservation authorities' role was established as flood monitoring, watershed management, flood plain mapping and erosion controls. These are all tools that municipalities use in the development of their official plan when determining where development is going to take place in their communities.

The conservation authority role, in my opinion, has changed, based on my experience as the mayor of my community for 31 years. It has changed from advising municipalities on hazard lands while the official plans are being developed. They are really taking decision-making away from councils at the time when development proposals are being moved forward. That concerns me, because it takes away from the responsibility of elected officials, who are the ones to be making those decisions because they've been elected by their constituents to make those decisions based on their official plan that has the input from the conservation authorities as per their established roles.

To your point, where you made comment with regard to forestry's role in preserving and enhancing the conservation authorities, I question where a lot of that information is coming from—if it's province-wide, if it's regional or specific. You talk about the role of forestry in reducing carbon. Northern Ontario takes more carbon out of the air than it makes. Forestry industries in northern Ontario are

key to replanting and reforestation. They plant more trees than conservation authorities do, and that's their role. They're realizing the benefit from that industry and they have a vested interest to ensure that their industry continues to thrive. In northwestern Ontario, forest industries are now harvesting timber where they reforested previously.

So I'm just concerned that some of the comments are meant to support a specific position that, in my opinion, really doesn't hold merit.

Could you please comment with regard to how conservation authorities can get back to advising municipalities during official plan development—

The Chair (Ms. Laurie Scott): Final minute.

Mr. Kevin Holland:—rather than preventing development from taking place, and leaving that decision to elected officials based on the information they've received while developing those official plans?

Ms. Angela Coleman: I can start on the conservation authority part, and Rob can take over for the forestry part.

The message we did hear this morning is that one size does not fit all. In terms of commenting, well, with respect to a number of the features there is a choice. When municipalities do not want conservation authorities involved in commenting on, for example, wetlands or other green infrastructure, the municipalities can opt out of that. We're just about to go into where municipalities can opt out for a number of things.

I think what's important to remember—

The Chair (Ms. Laurie Scott): I hate to tell you, but we've run out of time.

Ms. Mary-Margaret McMahon: That's not fair.

The Chair (Ms. Laurie Scott): Well, there's a time limit. We will now recess until 1 p.m.—

Mr. Rob Keen: Is it possible to respond to the fact that—

The Chair (Ms. Laurie Scott): You can talk afterwards if you like, but not on the record. We have set times. Thank you very much.

The committee recessed from 1204 to 1302.

The Chair (Ms. Laurie Scott): I'd like to call the afternoon session of Bill 23 hearings to order and thank everybody for coming.

In this round, we'll have three presenters. Each presenter is allotted seven minutes for an opening statement, and then the routine question and answer—do I need to go through it again?

Interjection.

The Chair (Ms. Laurie Scott): No? Okay.

SMALL OWNERSHIP LANDLORDS
OF ONTARIO
CANADIAN ENVIRONMENTAL LAW
ASSOCIATION

THE SCHAD FOUNDATION

The Chair (Ms. Laurie Scott): Our three presenters today are Small Ownership Landlords of Ontario, the Canadian Environmental Law Association, and the Schad

Foundation. I'll just ask that at the beginning of each of your presentations you state your name for the record.

Please begin, Rose Marie, Small Ownership Landlords of Ontario.

Ms. Rose Marie: Good afternoon, Madam Chair and legislative committee members. My name is Rose Marie, and I am the vice-chair for SOLO, Small Ownership Landlords of Ontario.

A wise man built his house on the rock. A foolish man built his house on sand.

We, small property investors, align with what the government needs. We provide 49% of the rental housing stock in Ontario. We are the bedrock of rental housing, but we have received no support or protection. How will the province build homes for the current population and incoming immigration forecasts and support the international student population while ignoring their current bedrock of rental housing providers? The foundation is crumbling, and SOLO, Small Ownership Landlords of Ontario, has suggestions on how to fix it.

The first step is legislation reform—particularly section 59 of the Residential Tenancies Act, regarding non-payment of rent and the policies surrounding timelines, minor errors and appeals to resolve an issue. There is no reason that a property owner should wait eight to 16 months without rental payments. This is the number one critical fail of the system.

Secondly, not being able to make minor changes such as including the words “basement” or “lower level” on an N4 form, or if you have transposed a number that said “341” when it should say “314”—these changes can be made in Superior Court but cannot be made for a tribunal process.

To give you an idea of the losses incurred by property owners over the past three fiscal years, here are some stats that were tabulated based on stats from Tribunals Ontario's annual reports: In the fiscal year 2020-21, the rental arrears were \$856 million. This number was during the COVID shutdown. In the years 2019-20, the rental arrears were \$1.4 billion, and in the years 2018-19, the losses were \$1.6 billion. This was before COVID.

We did a quick poll yesterday called, “How many doors have you closed?” Eighty-five landlords from various cities across Ontario responded that they have closed 182 doors as a direct result of no support or protection from the current Residential Tenancies Act legislation and policies that exacerbate the delays for access to timely justice. These are properties where families or individuals could be residing but currently remain empty. Why are they empty? Because we have been ignored, civilly defrauded in the tens of thousands of dollars per owner, and the delays to resolve our issues are currently an eight-month wait.

However, the non-payer has the right to appeal any decisions, which can take non-payment or criminal issues to 16 months or more. The system has allowed some property owners to live in garages and lose their properties and mental health, in addition to being defrauded of tens of thousands of dollars, while the Department of Justice

has \$2.3 billion in unspent funds. Some of these funds could have been used to compensate property owners for their losses or to hire more staff. However, the most cost-effective solution is legislative reform.

I have a quote from a Kingston landlord: “The atmosphere in Ontario is very anti-landlord. I quit.” Please, committee members, do not take this quote lightly. Thousands have decided not to continue in the rental housing industry. They're saying, “#ImOut.”

When considering legislation for Bill 23, please remember to include protection for your current stakeholders—the small landlord, who is the bedrock of rental housing in Ontario. Please also consider the constituents of each municipality. There is fear that removal of the red tape and current approval processes will cause the municipal taxpayers higher taxes. If you can guarantee that the current tax base will not be financially impacted, yes, a plan to create more housing is a great idea.

There is also a concern that developers will not be able to produce housing that is affordable. You can legislate protections, or homes will sell at market rate and will be unaffordable. When you can convince the decision-makers—Ministers Steve Clark, Doug Downey, Merrilee Fullerton and Peter Bethlenfalvy—to implement legislation reform to the RTA, then you will have a foundation to build on. They and their policy advisers are the ones who can initiate the needed reform.

Thank you for your time.

The Chair (Ms. Laurie Scott): Thank you very much for your presentation.

We'll now move to the Canadian Environmental Law Association. Please state your name before you begin.

Ms. Theresa McClenaghan: My name is Theresa McClenaghan. I'm executive director of the Canadian Environmental Law Association. Thank you to the committee for inviting us to appear here today.

“CELA” is how I will refer to our organization. It's an Ontario specialty legal aid clinic. For over 50 years, we've been providing environmental and legal services to low-income and vulnerable communities in many or all of your ridings. On behalf of our clients, we're frequently involved in land use planning appeals, and we've been extensively involved in Ontario's land use planning reforms over the past five decades.

The communities we represent, the public and the government have many shared goals. At this point in history, with climate change already upon us, it's critical to get things right in the areas of land use and community-building.

I will address four areas of concern in Bill 23: first, the need for climate-safe communities; secondly, the need to preserve the essential role of conservation authorities and upper-tier municipalities in good planning and environmental protection; thirdly, the need for robust citizen engagement; and, fourthly, the need for an affordable, equitable, quality housing supply.

In terms of climate-safe communities, climate change impacts low-income and vulnerable communities in many ways. We've been hearing about deaths from heat in terms of towers and other heat islands where there are inadequate

green spaces and too much hard surfacing. And in neighbourhoods prone to flood risks, occupants may be denied insurance coverage and fall prey to dangerous mould in their housing.

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We saw in the pandemic how essential it is to have green space but how many neighbourhoods had far too little access. Many also lack safe, walkable, transit-friendly options for transportation. This can be avoided with well-designed increased density and mixed zoning, including inclusive zoning.

Sprawl makes climate change worse as a result of increased emissions from buildings and transport, while taking valuable land out of production for farmland, and eating into our remaining critical, irreplaceable natural spaces. Sprawl-type development is also far more expensive than building up density in existing urban communities.

CELA is very concerned about the proposed removal of a municipality's authority to set green development standards for new development. The responsibility is critical for an effective response to climate change. So we recommend amending sections of schedule 9 so that the city of Toronto and municipalities can retain their authority to require green development and performance standards via site plan control, and also respond to moderating climate impacts and requiring bird-friendly design. We also recommend ensuring adequate parkland provisions in areas with lower-income housing.

Secondly, in terms of the role of conservation authorities and upper-tier municipalities, which affect schedules 2, 7 and 9 in the bill, we would say that Ontario's highly expert conservation authorities work on a watershed basis across municipal boundaries. Similarly, upper-tier municipalities like Waterloo region also work across multiple lower-tier municipal boundaries. They avoid costly mistakes and help municipalities protect quality of life and ecosystems in their areas. For example, the Grand River CA—where I live—has worked to protect ground and surface water, allowing increased populations, and has brought back a world-renowned brown trout cold-water fishery. The CA role is key to these successes. The municipalities have also led the way with exceptional oversight over the region's growth, by leading the way with innovative and effective approaches to transit, transportation, water protection and waste management.

We will, in our written submissions, be providing detail to amend schedule 2 to address those sections that would restrict conservation authority comment on development and planning, as well as delegate to municipalities the natural hazard review—and also delete the sections that remove upper-tier municipal planning responsibilities.

Thirdly, in terms of citizen engagement, the Planning Act and the legislation that goes with it help protect critical resources and values like agricultural land and water resources. The core role of municipalities in developing official plans and zoning bylaws with public input means these decisions are responsive to local circumstances. Without healthy citizen engagement and input in a well-

understood, trusted and accountable land use planning system, conflicts are not easily resolved.

Given the proposal, which we do not believe is justifiable, to remove third-party appeal rights, residents who are concerned about a zoning change that would affect their local water or air quality will be left without an opportunity for a reasoned review in the face of a municipal decision that could negatively affect the quality of their local environment. Without this long-standing safety valve mechanism for poor planning decisions made at municipal levels, which does happen from time to time, public consultation rights under the Planning Act in the first place will be hollow.

CELA also submits that the proposed changes to the costs regime will discourage citizens who presently take on the responsibility of local environmental protection with no profit motive. And we would point out that the land use tribunal does not decide winners and losers like a court; rather, it's looking at what is a good public interest result for the community, and citizens should not be deterred by potential adverse cost awards.

The Chair (Ms. Laurie Scott): Final minute.

Ms. Theresa McClenaghan: Thank you.

The fourth item is affordable, equitable quality supply, which affects schedules 4 and 9. CELA supports increasing density in existing urban areas, particularly around transit and in order to take advantage of existing built environment and services such as drinking water. We also support retention of inclusionary zoning. However, we note that the housing task force concluded that there's a large existing supply of land. So we urge the government to ensure, based on Ontario's circumstances, that we're not using inflated housing-need numbers, and to avoid sacrificing remaining agricultural lands and natural heritage.

Subject to the committee's questions, these are some of our key concerns. We will be filing a more detailed written submission shortly.

The Chair (Ms. Laurie Scott): Thank you very much for your presentation.

We'll now move to the questioning—

Interjection.

The Chair (Ms. Laurie Scott): Oh, I'm sorry. There's one presenter left. I moved too fast.

Go ahead, Peter.

Mr. Peter Kendall: My name is Peter Kendall, and I'm the executive director of the Schad Foundation and the founder of Earth Rangers. I chaired the Ontario Protected Areas Working Group for Minister Yurek, and I sit on the boards of a number of conservation groups, including the Nature Conservancy of Canada and Wildlife Conservation Society. Thank you for inviting me to appear before you today to speak on this important bill.

I'd like to start by congratulating you for your commitment to tackle the housing crisis. Real movement on this file is long overdue. However, it's not enough to simply build houses; we need to build communities, and this means addressing transportation, schools, recreation and, of course—the area that I'm here to speak to you about today—access to parks and green spaces.

Spending time in nature has proven physical, psychological and societal benefits. There's a robust body of research linking nature exposure to improved physical and mental health. Studies have also shown that greater exposure to nature results in better community cohesion and substantially lower crime rates.

On a personal note, in my hometown of Belfountain, the demand is so high now that you have to make a reservation to visit our local park, and you can only stay for three hours, which is really quite depressing in a province with such great natural resources as Ontario.

I applaud the government for tackling wetland loss in this bill, but the changes to the parkland rates, the potential sale of conservation lands and the proposed greenbelt swaps have the potential to further limit community access to green space. I'm not suggesting that these provisions be changed, but we don't have to settle for fewer parks. We can have more homes and more parks, but not if we keep doing things in the same way we have.

I have one suggestion for you to consider today: In the same way that you're setting up a working group to look at innovative ways to deliver schools in high-density urban areas, I would suggest that you set up a similar group to address how we can accelerate the development of new parks and green spaces through public-private partnerships. I know from my work on the Protected Areas Working Group that there are many innovative projects ready to go in urban centres across the province. And in many cases, money is not the main barrier to getting these projects done, but rather political will. If there's interest, I'd be pleased to work with the Protected Areas Working Group members to flesh out this idea further and develop terms of reference for that group.

Thank you for having me and giving me some time today.

The Chair (Ms. Laurie Scott): Thank you.

Now we'll go to questions. MPP Bell.

Ms. Jessica Bell: Thank you to the speakers for coming in and speaking today.

The first section of my questions will be focused on Theresa McClenaghan from CELA.

I share your many concerns about the impact of Bill 23 on the environment. It's quite shocking how many ways this bill doubles down on suburban sprawl and also limits the ability of conservation authorities and upper-tier municipalities to make sure we build right and in a sustainable fashion.

When we're looking at lands tribunal reform, you've mentioned two things here: There are limits to third-party appeal, and also that costs need to be paid or potentially will be paid—the losing party has to pay costs. What impact do you think that will have on the natural environment and some of the concerns you're seeing at CELA?

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Ms. Theresa McClenaghan: The kinds of groups and communities we represent can range from a single individual to a group, but they come to us not because they're worried about their property values; they're worried about the quality of life, the environment they live in—things like the parks in the area, the valued heritage, as well as air

and drinking water. If they have to worry about the potential that if they participate in good faith in a process and then are required, through a change to the tribunal's cost rules, to pay for the other side's lawyer and experts—for many, that will be absolutely prohibitive. We're a legal aid clinic, so we only represent groups who can't afford to hire private lawyers in the first place. It's a very different dynamic from other contexts that are really about a contest of property values. These are communities who really want to protect the natural heritage in their community, and they just won't be able to do that.

Secondly, in terms of the consultation upfront in the planning process—and I heard MPP Holland talking about being in municipal government—it makes for much better decision-making for decision-makers to hear what the concerns of the community are. One of the things that I think makes that a robust process is the understanding that if there happens to be a poor decision, there is an objective review available.

Ms. Jessica Bell: If you were looking at making recommendations to reform the lands tribunal, what recommendations would you make?

Ms. Theresa McClenaghan: Every time we've been at this committee or your peer committees over the years around the predecessor, OMB, and some of their processes, we've got a list of reforms, because it doesn't serve our client groups well, either, to have processes that are lengthy and expensive. We already talked about affordability issues. So there are good processes available, and those have been explored over the years.

For example, it sounds counterintuitive, but making intervenor funding available to the citizens' groups was something that was tried in the 1980s and early 1990s, and that led to early resolution of the worst of the problems. They would get funding for a hydrogeologist. They would help sort out what the risk was to the local drinking water well. That issue would be taken off the table, and just the remaining one or two issues would actually go to adjudication. Hearings were then much shorter and more reasonable.

Ms. Jessica Bell: Sometimes there's this idea that people go to the lands tribunal because they don't want the single-family home next to them converted into a duplex—just one example. But I also know that other people go to the lands tribunal for more complicated, more concerning reasons.

Just so we can get a better picture, what are some examples of cases that CELA represents, when you're going to the lands tribunal, that really affect the natural environment or people's drinking water and things like that?

Ms. Theresa McClenaghan: The cases we take are typically those that do affect air quality or drinking water quality, for example. It could be a proposal for a new industrial use, like an asphalt plant next to a residential area or another industrial activity that would be too close. Oftentimes, there is a resolution of the underlying issues. Some of my team of lawyers actually represented a community in the town I live in—I kind of left it to them—and they worked out a whole lot of protections in terms of the

concerns around drinking water safety that, frankly, in that case, the town also shared. So those are some of the things that can happen and the kinds of concerns that are tabled.

Ms. Jessica Bell: My next question is to Peter Kendall from the Schad Foundation.

You talked about the need for and the value of park space. I wholeheartedly agree. I live downtown. We have very limited park space available to us, and 80% of our riding lives in buildings that are five storeys or higher. Most people live in apartments, so that park space is very much key.

You mentioned that there were some additional ideas or proposals you had to expand access to park space. Would you like to elaborate on that?

Mr. Peter Kendall: Well, I really do think we should get a group together to study this. But if you're asking what I would do right now, the best idea I've thought of on this so far is a large southern Ontario conservation fund. We need to be able to bring municipalities, local landowners, communities, the province and the federal government together on this if we're going to make major gains. To me, nothing does that better than a large funding program. Again, it isn't necessarily about the money so much as about bringing attention to the issue and providing an incentive for all those groups to work together and produce results.

Ms. Jessica Bell: How much time do I have left?

The Chair (Ms. Laurie Scott): You have 50 seconds.

Ms. Jessica Bell: Okay.

Thank you so much for coming in and speaking to us today.

The Chair (Ms. Laurie Scott): MPP McMahon.

Ms. Mary-Margaret McMahon: I will echo that. Thanks for taking the time out of your busy days to come to Markham to speak on this important item. I appreciate it.

Primarily, my questions initially will be for Peter and Theresa. Sorry, Rose, but there will be a second round. I only have four and a half minutes, which includes your answers, so we all need to be succinct.

Theresa, what do you think of the Toronto Green Standard?

Ms. Theresa McClenaghan: The Toronto Green Standard provides a lot of opportunity for the city to be able to address climate change in innovative ways. For example, I mentioned that we are looking at vulnerable communities. That's one way that we can start to address heat islands, through green roofs, for example, as well as other mechanisms that—if you were dreaming big, you could talk about such a standard starting to ask developers to consider grey water reuse in new developments, or other innovative approaches. Typically, when done well, they're done in consultation with the builders.

Ms. Mary-Margaret McMahon: Do you feel that the Toronto Green Standard should be replicated across all municipalities across Ontario?

Ms. Theresa McClenaghan: Yes, we do think so. Unfortunately, in the bill right now, the proposals that would affect the city of Toronto and the rest of the municipalities—it appears that that tool would quite potentially be removed from them. Of course, this week Canada and the

rest of the world is at the conference of the parties on climate change. We're hearing urging from the conference about the absolute emergency we're in. So much action is needed at the municipal level, so let's not cut off those innovative tools for municipalities that they have right here and now.

Ms. Mary-Margaret McMahon: You mentioned bird-friendly design when constructing homes and buildings. It's very important. I don't think people realize how many millions of birds die regularly by flying into buildings. I know that FLAP, Fatal Light Awareness Program, has written us a submission, and I'm going to read that. If you could elaborate on that—I think it's an unknown fact for people.

Ms. Theresa McClenaghan: The Toronto Green Building Standard tool is one way to work with building owners and new construction to make sure, now that we're aware of this risk—which we used to not be aware of—that buildings are designed in a way to avoid such a calamitous number of bird strikes and loss, and also to avoid them in the first place when building these buildings. It deals with all kinds of practical things that can be done to reduce that loss.

Ms. Mary-Margaret McMahon: Every presenter today has been supportive of building housing, because we're in this colossal housing crisis, so that's really an amazing fact and position, I believe—but building it right from the start, and properly, sustainably, affordably and equitably.

Peter, you mentioned not just building homes, but building communities. I think that's a very important fact as well. And how is that important in achieving our net-zero goals in this climate emergency?

The Chair (Ms. Laurie Scott): Final minute.

Mr. Peter Kendall: I'm not sure what the question is.

Ms. Mary-Margaret McMahon: You emphasized building communities. Could you elaborate on what you consider a community and why that is important versus just slapping up homes and creating sprawl—sprawl versus sustainable walking communities.

Mr. Peter Kendall: A community, of course, includes transportation, housing and schools, and other infrastructure. As I was pointing out, the area I have expertise in is parks and green spaces, and they form a critical part of a community. I also think they're incredibly important for the province if we're going to attract the best employees from around the world to come and live and play here in Ontario, especially as we move towards becoming the electric car capital of the world as well. Our brand also needs to reflect that as well, and—

The Chair (Ms. Laurie Scott): Sorry; time is up for your comments. You can maybe expand at another time.

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Right now, we're going to move to the seven and a half minutes by the government. MPP Grewal.

Mr. Hardeep Singh Grewal: I'd like to thank all three of you for being here today and taking the time out of your busy schedules to talk about the important issue at hand.

My question is for SOLO vice-chair Rose. You talked a lot about the LTB issues that your members have been having, and we talked about progression in that sense.

Our government has been committed to making sure that things are getting resolved in a timely manner—whether it was our first housing supply plan, where we changed things to moving from the Small Claims Court over to the LTB, or whether it's our second plan, where we are adding an additional \$19 million in support to fast-track and to make sure the backlog is decreasing and landlords are getting better access to LTB facilities.

My main question is going to go back to the bill at hand: Do you anticipate that your members will benefit from the proposed amendments made under Bill 23, particularly streamlining the approval process for homeowners to build additional rental units on their residential lots for the purpose of additional rent income or to extend over to their extended families? I'd like the answer to be focused on the question just asked.

Ms. Rose Marie: I have a two-part answer. If somebody wants to expand their rental portfolio or be able to provide more rental housing, then yes, that would be a benefit to the members. But the members aren't able to have issues addressed in a timely fashion, on time, to make it worthwhile. They're losing tens of thousands of dollars.

You made two comments, that there has been progress in moving some of the issues from Small Claims Court to the LTB—those issues still aren't being addressed or being heard at the LTB. And the \$19 million to the LTB? That is inaccurate. The \$19 million was given to two different tribunals over a period of three years. For example, the LTB will receive \$3.66 million per year for three years.

The wait time to process applications at the LTB is a minimum of eight months, to get a hearing. People are losing tens of thousands of dollars; they're losing trust in the system. There will be landlords who aren't going to be interested in expanding into this new opportunity with Bill 23 because if they have any problems, they can't get through the system. They're losing too much money. So you're going to pay to create a property, and then, if you have an issue, you can't get it resolved. We need to resolve the issues.

Mr. Hardeep Singh Grewal: I understand money has been allocated to the LTB and other boards to, again, address concerns by your members and reduce those backlogs, reduce those wait times and make it easier for landlords. Our government is committing funding for that.

Back to the question: Don't you think that it will benefit your members, at the end of the day, to be able to add additional rental properties or in-law suites to then help their family members to obtain affordable residences or create an increase in housing supply in the region?

Ms. Rose Marie: Yes.

Mr. Hardeep Singh Grewal: I'd like to pass it over, Chair, through you, to Sheref.

The Chair (Ms. Laurie Scott): MPP Sabawy.

Mr. Sheref Sabawy: My question is for Rose Marie from SOLO.

Talking about the issue at hand in regard to rental unit availability and the affordability of those rentals—because, as we know, the less units available, the higher the prices go, because there's a high demand to be in specific zones like Toronto or Mississauga or big cities.

How do you see the changes proposed in this bill impacting or helping to solve those issues of making more rental units available—not even through full development of rental buildings versus distributed rental units available in different areas of the cities by small landlords?

Ms. Rose Marie: I think I understand your question; I'm not 100% sure.

We represent landlords from across Ontario, so I have a lot of knowledge of what's happening in different cities—Sarnia, Thunder Bay, Sault Ste. Marie. If you're speaking more of the GTA—yes, for example, in the GTA, if more housing was being made available, then it would benefit the population as a whole, because you know that we have a large number of immigrants who will be coming in. We have the international student population coming in. So, yes, there would be a benefit to increasing more houses or more properties for people to be living in. There's no issue with that. But I'm letting everyone know that there's a problem behind that. The foundation to build on top of that is weak. There is no trust in Ontario anymore that they will be taken care of if there's an issue. There is constant word coming from the ministry, saying that we are improving the LTB, but it's not being improved. There are some serious issues, and we need legislation reform so that we can build a strong foundation, on top of what the government wants to do.

Mr. Sheref Sabawy: I understand your ask. I think there are a lot of factors in the tribunal piece because of COVID and the backlog which built up during that time because we stopped evictions. There was a lot of, let's say, bad tenant-landlord relations, which kind of were on hold for a year, a year and a half, before it even got to that point of getting to the tribunal.

My understanding is, there will be improvement in the coming days. I'm just trying to imply that the backlog at the tribunal is not really something related to that bill.

I understand that losing trust in the system could cause small landlords to be hesitant to enter the market. But the impact of the bill is not part of it—the landlord tribunal.

The Chair (Ms. Laurie Scott): You have 35 seconds to answer, if you wish.

Ms. Rose Marie: Yes, I understand that, but I'm letting everyone know that there is a problem with the foundation, and if you want to build on top of the foundation, we have a big problem. Word is on the street. We have lots of people saying—I have emails I could read to you. This came in this morning: "I will never invest in Ontario again. I've gone to Ohio." There's constantly information coming through to us like that.

The Chair (Ms. Laurie Scott): We'll now move over to MPP Bell for seven and a half minutes of questions.

Ms. Jessica Bell: My questions are going to be focused on Theresa McClenaghan from CELA, just because a lot of Bill 23 has a significant impact on the environment.

I noticed that there are very significant changes to development charges in this bill. There will be exemptions for non-profit homes, co-ops, missing middle homes—so that second and third unit—as well as changes to community benefits charges and parkland charges. What I also noticed is that there's no interest in or communication about how municipalities are going to make up that financial hole they're going to be facing.

If you reduce development charges as planned in this bill, John Tory is already saying that the city of Toronto now has a \$200-million hole they need to make up.

Does CELA have a position on the changes to development charges in Bill 23?

Ms. Theresa McClenaghan: We've only analyzed the development charges piece to a small extent so far, and we will be taking a better look before we provide our written comments. But we have often looked at development charges over the years and have generally advocated charging enough to deal with the increased burden on municipalities from the new housing so that it's not borne by the existing ratepayer; otherwise, you have the existing ratepayer subsidizing, essentially, sprawl. I did allude to the parkland piece, and we are concerned to retain a good amount of parkland in low-income housing areas.

In terms of the missing middle, absolutely, we are very supportive of increasing density in all kinds of ways in the existing urban envelope, where you've already spent your money to develop the sewer system, to develop the transit system and so on. That's a good way to lessen the burden on development charges.

Ms. Jessica Bell: I'll look forward to seeing CELA's more specific comments on the development charges piece there. It's something that we're looking at very closely, because we see some pros and then some pretty significant cons.

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The other piece I was wanting your feedback on is schedule 10. We haven't had a lot of comments about schedule 10. Schedule 10 actually looks at York and Durham regions' sewage system and proposes a new model—beginning to plan and develop a new model for how sewage is dealt with in those two regions. We've heard some concerns from municipalities, but overall, we've heard that it's a better plan than the current situation is.

Has CELA looked at schedule 10 at all? Do you have positions on it?

Ms. Theresa McClenaghan: No, we haven't analyzed schedule 10.

The only comment I would make is that in addition to looking at the impacts on Lake Ontario and on Lake Simcoe, we also need to look at the question of diverting water from one watershed to another. Ontario is party to a multi-jurisdictional agreement to make sure we don't do that unless there's no good alternative.

Ms. Jessica Bell: The other thing that I noticed in this bill, and something that came up from a city of Toronto report, is that the province is going to be giving itself the authority to override official plans, and we've already seen them begin to do this.

Minister Clark announced he was going to be changing Hamilton city council's official plan, against the wishes of Hamilton residents and city council. Hamilton developed an official plan where they could meet current population, job and growth needs within their existing boundary without expanding their boundary and allowing suburban development, subdivisions on nearby farmland and green space, and the minister chose to make some significant changes to that plan.

Now we see in Bill 23 that they are looking at giving themselves additional authority to change official plans as they see fit. Do you have any concerns or comments or questions about this change that you think we should know about?

Ms. Theresa McClenaghan: Yes. One of the things that's really important—I talked about public input. Trust in the system is very important. Transparency in the decision-making and what's impacted is very important. And predictability for everyone is very important—municipalities as well as the development community.

When a city determines that it can set limits to the growth of its overall urban development envelope because it has enough land, that's a significant decision that's taking advantage of the existing land within that city, and it's protecting farmland and natural heritage.

So I have very significant concerns about that, because I don't know what is behind the minister's decision, given that I know there was a huge amount of input into the decision made by the city in the first place and a lot of evidence that they weighed.

Ms. Jessica Bell: I am also curious.

The final question I have alludes to some of the comments you made about the cost of servicing new development. Typically, development charges cover a portion of the capital costs of any new development, then the municipality covers another portion of the costs, and then, overall, the municipality provides the operating costs as well. We know this. I've heard comments—and you mentioned this too—that servicing a new development, suburban sprawl, typically costs municipalities a lot more than servicing development that's already taking place on land that's zoned for development. Is that something that you have expertise on or any comments on that you'd like to share with the committee?

Ms. Theresa McClenaghan: I would never say that I'm an expert on development charges, because it's very complex and you're fitting a lot of puzzle pieces together. But as I said, when we have looked at the analysis in the past, it has turned out to be true that the development charge from sprawl is higher than planned development and restrained urban envelope boundaries.

Ms. Jessica Bell: Thank you for your comments.

And thank you to all of you for coming today and speaking at committee. I really appreciate it. I also appreciate speaking to you at lunch.

The Chair (Ms. Laurie Scott): We'll now go to MPP McMahon for four and a half minutes.

Ms. Mary-Margaret McMahon: I'll start with more questions for Theresa, who seems to be on the hot seat today.

What are some of the financial repercussions that could come as a result of removing conservation of lands and pollution as considerations in the conservation authorities' permit decisions?

Ms. Theresa McClenaghan: What we've learned over the years is that it's extremely important to think on a watershed basis and, as Ms. Coleman mentioned before the break, to think about cumulative impacts. So without the ability to look at things like what is contributing non-point source pollution to a watershed, then the downstream municipalities have to pay more for treating their drinking water, for example, or it may be that the kind of treatment they have isn't able to handle that extra load. That is an example that conservation authorities do weigh when they're looking at, for example, the ability of wetlands and forests to retain flows on the landscape and not have them flush quickly into the river and suddenly overwhelm the treatment plant downstream.

Then, in terms of conservation of land, there are many, many values that lands protect, and it's a very holistic system we have to look at. Wetlands may be helping to prevent flooding downstream, for example. It's not just the cliff that's about to fall into the river that we have to worry about; we should be worrying about the whole upland and the amount of forest on that upland that's retaining water and preventing erosion and that later collapse that could occur.

Ms. Mary-Margaret McMahon: You mentioned wetlands, and this morning the minister mentioned multiple times that this bill would help to protect and manage wetland loss. Could you please explain the impact this bill would have on wetland protections in Ontario?

Ms. Theresa McClenaghan: I haven't yet seen anything in the bill that makes me think it would add to wetland protection. Of course, our team is looking at this bill in conjunction with all of the policy proposals that were posted at the same time. So it's not in front of this committee, and we'll be commenting in due course, but, for example, proposals to the Ontario wetland evaluation system are of huge concern and, we think, will radically undermine the protection of wetlands in Ontario.

Ms. Mary-Margaret McMahon: Now, for our final minute and a half, a rapid-fire round—one piece of advice for us as we consider Bill 23. We're going to start with Rose—beautiful yellow blazer, by the way.

Ms. Rose Marie: I would just like some support, please, for legislation changes to section 59 of the RTA. That would definitely help to impact security of rental housing stock in Ontario.

Ms. Mary-Margaret McMahon: Peter, do you have one piece of advice for us as we consider Bill 23?

Mr. Peter Kendall: For me, it's certainly the idea that more houses does not mean less parks—more houses can come side by side with more parks, and we need to put a major focus on finding innovative ways to create new parks.

The Chair (Ms. Laurie Scott): We're approaching our final minute.

Ms. Theresa McClenaghan: My advice, because it's such a complex bill, is, take time to get it right; take time to consult and consider the amendments that should be proposed by this committee in reporting back to the Legislature.

The Chair (Ms. Laurie Scott): We'll now go to the final round, with the government side for seven and a half minutes. MPP Holland.

Mr. Kevin Holland: I just feel it necessary to again address some of the comments that I have heard here in this round of questioning, from Theresa in particular, and the questions that have been asked with regard to the conservation authorities.

We seem to be going down this line of questioning that the bill is going to take away the ability of conservation authorities to continue to fulfill their mandate, when in fact what the bill is going to do is to focus what the mandate of conservation authorities is—and I'll repeat it: flood monitoring and watershed management, flood plain mapping, erosion controls.

We've heard talk here with regard to how failure of conservation authorities to be involved in the approvals process of developments is going to impact on—the latest one was with regard to communities downstream and that it's going to impact their water treatment situation. In fact, if conservation authorities are truly doing their job as they should be doing and are mandated to do, all of that is addressed during the commenting period during official plan developments of a community. That is the opportunity for conservation authorities to provide the municipalities the information they need to make sound planning developments for their community—not to prevent the development of that community when it is following their official plan, which has had input from the conservation authority on the issues we are hearing about today.

1350

That is the biggest thing we have been hearing from municipalities—that they're providing input during the development of official plans, which is taken into consideration and incorporated into their official plans, but when it comes time for approval of specific development projects, there are new measures imposed upon that. I question when they are doing their job—during the official plan review, or are they doing it when specific developments take place?

With that in mind, what other actions can the conservation authority take to streamline the process of development in a community that is in line with the official plan that the conservation authorities have had a part in developing?

Ms. Theresa McClenaghan: Conservation authorities have been taking steps to streamline processes, and they participated in a provincial advisory committee to that effect recently.

Nothing about CELA's position should be interpreted as hoping to hold up or delay the development of needed new housing—

Mr. Kevin Holland: But that has impacted what is happening.

Ms. Theresa McClenaghan: The MNRF technical briefing for the policy proposals that accompany this bill listed several statutes that the conservation authorities are contemplated to be prohibited from commenting on—that includes the Aggregate Resources Act, the Condominium Act, the Drainage Act, the Endangered Species Act, the Environmental Assessment Act, the Niagara Escarpment act, the water resources act, the Planning Act, the heritage act and so on. That's a huge constraint on their ability to let municipal planners know about their concern in their watershed. And then there's an explicit provision in this bill to remove their ability to consider pollution and conservation of land in their permit responsibilities.

Mr. Kevin Holland: But they still have the ability to provide those comments during any official plan review. The bill speaks specifically with regard to the development stage, not at the official plan review, and any organization can provide a written submission or submission to the municipal council at the time of the official plan development.

I go back to my comment of earlier today; my concern is that it has taken the ability away from elected officials to make the decisions in their communities.

Ms. Theresa McClenaghan: Conservation authorities have expertise to offer in all of these other areas of planning and development in their community. Official plan review is one piece of the puzzle, and then we have zoning. We have zoning amendments that get requested. This is often when we're brought to the table.

Mr. Kevin Holland: That is all part of the official plan process, though; so are zoning amendments and the zoning plan. The official plan is established, and then it goes to zoning and zoning amendments as needed. Again, they do have the ability to comment on areas that they are in charge of in that process.

I'm just wondering why we are seeing the delays and how we can restrict those delays at the development stage, after the comments have been made.

Ms. Theresa McClenaghan: As I said, we're not advocating taking more time for decision-making. We agree with the radical need for good communities with safe housing. But telling conservation authorities in these areas—where decisions are being made that affect the watershed they've been stewarding, and where they have the expertise—that they cannot make comment is counterproductive and can lead to short-sighted decision-making. And it's not just the official plan review—you have amendments being requested in zoning on a piecemeal basis thereafter for the next five years, until the next official plan is done.

Many of these kinds of decision-making points that I just recited are situations where they're going to change something that's affecting the previously approved formal official plan review. Conservation authorities should be able to provide comment from where they sit on how they know that will affect the watershed and the stewardship of the waters they're trying to protect, and the natural heritage that they have expertise in.

The Chair (Ms. Laurie Scott): MPP Thanigasalam.

Mr. Vijay Thanigasalam: Thank you to all the presenters. I really appreciate your time.

My question is for Ms. McClenaghan.

Our government will be establishing the framework, through consultation and formal discussion, to create an Ontario-wide ecological offsetting strategy for the province. We know wetlands serve an important role in flood mitigation, in carbon sequestration, which is why our government is leading and creating a strategy to allow for the creation and expansion of wetlands, in addition to allowing science-based ecological flexibility for building housing for Ontarians.

The Chair (Ms. Laurie Scott): Final minute.

Mr. Vijay Thanigasalam: Currently, what we are facing is a supply crisis. That's the problem that we are facing, and it has been going on for decades, and now we need to make long-term and short-term strategies at all levels of government.

How can the government make housing more attainable in Ontario?

Ms. Theresa McClenaghan: Almost all municipalities in Ontario have a lot of opportunity for infill, which we've been discussing, and taking advantage of the existing services. So doing things like increasing—which the bill starts to do, some modest, baby steps, I would say, about increasing density in the built envelope. It's one important place to focus. And I think especially looking at the high-value infrastructure like transit and water services is where to focus.

The Chair (Ms. Laurie Scott): That's the end of the session. Thank you to the presenters.

We'll now take a minute and get the next group of presenters ready to come forward.

MR. PETER MIASEK

CENTRE FOR URBAN RESEARCH AND
LAND DEVELOPMENT

MS. IRENE FORD

The Chair (Ms. Laurie Scott): We welcome our next round of three presenters. You will be allotted seven minutes for your opening statement, and I'll ask, at the beginning of each of your statements, that you state your name for the Hansard.

1400

We're going to start off with Peter Miasek.

Mr. Peter Miasek: I'm Peter Miasek. I am a resident of Markham; in fact, I live about five minutes away. I'm active in urban matters and with my local resident association, but I'm speaking today as an individual. I have submitted my presentation to the online Web form.

There's a lot that's good in this bill, but it also does have some bad points. It will clearly have major implications for municipalities, and they will obviously be commenting. The bill is complex and hard to go through. Fortunately, there are a number of legal and expert analyses of the bill that I've drawn upon. I want to touch upon four areas that are causing concern with ordinary citizens like me: con-

ervation authorities—and I know you've heard something about that—wetland protection, regional planning, and citizens' right to appeal.

The government seems to have a hate-on for conservation authorities. Of the 55 recommendations of the Housing Affordability Task Force released last spring, not one mentioned CAs. Yet, now, in Bill 23, a major schedule deals with CAs.

In 2020, the government removed the ability of CAs to weigh in on development applications; instead, a municipality would have to contract with a CA to acquire environmental expertise. Of course, they all did that because many developments do have environmental aspects.

Based on our experience in Markham, we residents have greatly valued the environmental comments of the CAs, and we've ended up with better projects—I'm talking specifically, for the Thornhill rep, about the York Downs proposal. The TRCA was really helpful there.

Between 2020 and 2022, the province formed a working group with CAs, municipalities and other stakeholders to streamline the process and address the so-called mandate creep. New regulations were introduced this March that were supported by all parties involved.

Now the government seems to have forgotten these regulations and stripped away more powers. First, they're not permitted to comment on matters beyond natural hazard concerns. Municipalities will have to find their own expertise in areas like natural heritage and watershed planning. Some commentators have called this the “gag order.” Now each municipality will develop its own view on watersheds. Why is the province deliberately blindfolding municipalities? Second, CAs are not able to deny development permissions if the government uses a MZO. As we know, the government has issued dozens of these in the past few years, and they are not appealable. A sober second look with an environmental lens is necessary.

So please restore the CA functions in development planning that they can so expertly deliver.

The second topic I want to cover is wetland protection. This bill would remove the power of CAs to regulate developers from destroying wetlands and river or stream valleys if the project has received land planning approval under the Planning Act. It also removes the power of CAs to protect the ecological function and the long-term stability of wetlands by removing the power to regulate and refuse permits based on pollution or the conservation of land.

As you've probably heard already, there are also new rules on how to evaluate wetlands. Evaluation can no longer factor in how species at risk use the habitat. Also, smaller swamps and bogs must be considered in isolation, not as part of larger complexes, which will likely remove them from protection as provincially significant. As we all know, this would be foolhardy, as wetlands need to be protected. They provide flood protection, contaminant removal and habitat.

The province is talking about offsets with replacement wetlands, but 30 years of experience across North America shows that these are seldom successful. There are problems

with poor design, careless implementation, lack of performance standards and a low level of monitoring.

So please go back and rethink the wetland provisions of the bill.

My third concern area is the regional planning, because the region has been removed from planning. This is going to lead, I think, to higher taxes for residents. The region has the important role of allocating growth where it's most efficient. For example, in York region, staff determined that the cost of new infrastructure was lower in Markham than in other parts of the region, so more growth was directed to Markham—great. This saves resources, saves money. If this function is gone, we will be facing a race to the bottom, where villages and smaller municipalities that lack experienced staff will approve developments in isolation, leading to patchwork sprawl. So please keep the regions involved in planning.

And the last one, citizens' right to appeal: There are proposed changes in the Planning Act that would “limit third-party appeals for all planning matters”—official plans, OPAs, zoning bylaws, ZBAs, minor variances.

“Appeal rights would be maintained for key participants”—applicants, the province, provincial bodies, utility providers. What's missing here in this list of examples are resident associations. Will RAs be allowed to appeal? I don't know.

My local RA has been involved in about 10 appeals over the past decade. We've always behaved respectfully. We've never missed deadlines. We've never delayed proceedings. Almost all of the appeals have been settled to the satisfaction of all parties.

The Chair (Ms. Laurie Scott): Final minute.

Mr. Peter Miasek: We have added value by ensuring citizen buy-in to these settlements.

So please ensure that RAs can continue to appeal planning matters.

Those are my four asks. Thank you very much.

The Chair (Ms. Laurie Scott): We'll now move to the Centre for Urban Research and Land Development. Please state your name before you begin.

Mr. David Amborski: Thank you very much. It's a pleasure to be here today and to address this committee. I'm going to deal with some more high-level issues that I think are important to address. Our centre has looked at supply issues—

The Chair (Ms. Laurie Scott): State your name, please.

Mr. David Amborski: Oh, sorry. I'm David Amborski, director of the Centre for Urban Research and Land Development.

I'm here today to support the bill and the need for increasing the supply of housing, which has been a very important movement across the province. Supply has been an issue for some period of time—supply of land as a primary input into housing, and the supply of housing, of course, that follows from that.

Our centre has been involved in this debate since 2017, when a new growth plan came out. We argued that, in fact, it was the supply constraints on land, because of over-regulation, that added to the increased prices that are going

on. There needs to be increased supply of land to help increase supply of housing.

Most areas across North America, such as Portland, where they do have growth plan controls, do monitor land-housing supply. So the point is that you do open up regulations, but you do monitor land-housing supply to make sure you can adjust so that you don't negatively affect prices by having them increase dramatically. This has now become mainstream. People have recognized this; the Liberal provincial government did in their policies, the CMHC, through the housing supply action plan—they're all moving forward in this area. I'm here to support this, as part of the affordable housing task force. We're quite happy to see that many of the recommendations of that task force have been built into the previous bill and also this bill. That has been an important component, I think, of moving forward.

I'm going to talk briefly about three components: (1) the targets, (2) exclusionary zoning and as-of-right, (3) inclusionary zoning. These are all important components to adding to supply.

The targets are something that's very important to have. There were targets for land supply in the provincial policy statement. Section 1.4.1 specifies that municipalities are to keep a three-year short-term supply of land available—short-term land, meaning it's serviced and approved—and report that to the province each year. We did a study at the centre several years ago, and only two municipalities in the GTA did this. If this was enforced, you would have supply coming forward. That's important because greenfield land takes seven or eight years before you build anything, so there's a long delay. You need that land ready to come forward. These targets coming forward are an important component. But in the targets that are put forward, the fine-tuning could be that, when you have the targets and the pledge, you want to look at housing type. Housing type is important, because you want to provide a broad range of housing. You want to provide some ground-associated units, you want to provide high-rise, and you want to provide the missing middle.

The minister, when he spoke the day this was released, did say publicly that he wants all kinds of housing in all locations, but it's not clearly reflected in here, and it needs to be reflected in the pledges going forward to meet those needs across the board. That's something that is very important that needs to be addressed.

Section 1.4.1 isn't specifically mentioned, but that could be brought in. We know that the provincial policy statement is going to be baked into the growth plan, so it's important to think about the land supply as the primary input into housing and how you incorporate those two things together. I'm saying these things because there's still wiggle room in regulations in how this goes forward, and I'm trying to make this a point of being something that I think is important to look at.

1410

The second aspect is the exclusionary zoning. We recommended this in our task force—that they permit

more development, more density in the yellowbelt, for example. The proposals are to have it only in the housing units in the current built form, up to three units in a particular house—three inside, or two inside and one garden unit.

We are proposing that you actually allow higher-density development and more built form, as is applied in many jurisdictions across North America—Seattle, Portland, Minneapolis. The state of California looked at this, and Connecticut. You need to provide a broader range of opportunity. The city has recognized this. They have a program expanding housing options in neighbourhoods. They're looking at this. They've got a two-year pilot project, but a two-year pilot project in one ward will mean two years of pilot project, a year of study, changing zoning—you're not going to see anything for three or four years or longer. You need to move more quickly on that missing middle than that. The upper level of government can do it, because I think the city might welcome it; it gets them off the hook for changing their zoning in these areas. So moving forward in that area is something that has to be looked at as well—as-of-right as a way it goes. Again, the as-of-right provisions, I think, are useful; also in the TOC, the transit-oriented areas. I think that's important component, as well, that needs to be addressed. Having higher density in transit areas is important.

Along with that, you can look at the need for inclusionary zoning and having inclusionary zoning built into those areas. Inclusionary zoning can be accomplished by the province, and it's something that might make sense when you increase the density. Part of the rationale is, the impact of inclusionary zoning, the way the city has gone about it, is that acts as another exaction. They haven't had any trade-offs or any other offsets to help cushion the blow. They often cite, "Oh, this is a mandatory program, like New York City." Well, New York City just put inclusionary zoning on 42 city blocks in Manhattan, but they increased the density in those 42 blocks. So the value of the land goes up. The value is split between the owner of the land, and part of it is used to provide the inclusionary zoning units. That's the way it has been most effective across North America in the 800-some jurisdictions where it has been applied. So that needs to be looked at.

The Chair (Ms. Laurie Scott): Final 60 seconds.

Mr. David Amborski: Thank you.

That needs to be looked at and addressed as an opportunity. When they increase the density, if they put the inclusionary zoning in place, that means when developers buy the land, they'll build that contribution into the cost they pay for land, so there's not going to be a rebellion against it. You can get more inclusionary zoning more quickly. Developers aren't going to shy away from the kind of inclusionary zoning in the city of Toronto. It's a fairly complex issue. I did a quick presentation at the Ontario Professional Planners Institute, and many municipalities across the province are wrestling with this. So this needs to be looked at and clarified in a little more detail—how it's going to be applied. I welcome that opportunity to speak to them about that in more detail at one of the other consultations. Thank you.

The Chair (Ms. Laurie Scott): Thank you so much.

I will now ask our third presenter for a seven-minute introduction. State your name before you start, please.

Ms. Irene Ford: I'm Irene Ford. Good afternoon. Thank you for allowing me to speak today. I am before you as a concerned citizen, a resident of York region, in the city of Vaughan. I am a community member of Stop Sprawl York Region and Stop the 413. My concerns have grown so much that I have agreed to, and have been nominated to become a board member of STORM, Save the Oak Ridges Moraine.

The magnitude of changes proposed under Bill 23 is impossible to understand or speak to in the time allotted. The day after the municipal elections, Minister Clark presented Bill 23 in the Legislature. It includes fundamental legislative changes to areas of municipal jurisdiction and conservation authorities, including a reduction of regional governance planning responsibilities in the absence of public consultation.

Why did you let Vaughan increase our regional representation and elect another regional councillor residents didn't want or need nor were consulted about? I would like to know if the 2019 regional governance review contained recommendations consistent with the proposed changes. Unfortunately, the public will never know because the recommendations remain confidential advice to cabinet.

Now it would appear that regional official plans might be thrown in the garbage. The province allocated the largest share of growth to York region, delayed making a decision on the Upper York sewage system—\$100 million spent on an EA that has awaited approval for six years, thrown in the garbage. An expert panel hastily reviewed the EA, made recommendations to start over and develop a solution to deliver a third expansion of the Durham Duffins Creek treatment plant and pump water from Lake Ontario 60 kilometres north against elevations of 100 metres, twice the height of Niagara Falls. It's preposterous, and we are no further ahead to achieving growth in upper York region. Greenfield sprawl continues to be prioritized instead of growth in existing communities where servicing exists.

Upper York region is a case study in what not to do in infrastructure planning. Stranded assets and unrealized growth are creating burdens on capital budgets because development fees can't be collected. It is setting municipalities up to fail and shifting the blame for provincial inaction onto a lower level of government. It is unfair. It is impossible that Newmarket will be able to meet the targets that the minister has put out for 2031, because they will not have the servicing. It is unrealistic.

How can Minister Clark reasonably think it's feasible for housing to be serviced and built in the near term in the northern part of King township and thereby suitable for greenbelt removal and redesignation of the Oak Ridges moraine? It can't be serviced. On November 7, it appears King township passed a motion supporting these lands to be dedicated for a new Southlake regional hospital site. Clearly, there are other plans in the works and backroom conversations going on.

It's implausible to me that the Ministry of Municipal Affairs and Housing has, or will have, the capacity, staff

and administrative processes in place to be the approval authority for lower-tier official plans and amendments. The ministry hasn't provided basic data on if the growth plan is effective or ineffective, if municipalities are meeting greenfield density targets or have adequate housing supply approved in the pipeline. The Ontario government has failed to provide reasonable evidence supported by data, facts or figures province-wide to justify such broad, sweeping legislative changes.

I have yet to understand what the red tape is and why it is necessary to give such extensive and unlimited powers to a sole publicly elected individual, the Minister of Municipal Affairs and Housing, nor why MPPs continue to vote to give him more power. The approvals given by the minister in York region's recently approved, unappealable official plan, approved MZOs and proposed greenbelt removals, as well as the changes to the proposed Highway 413 route preserving developable land at the expense of the Humber River and Nashville Conservation Reserve, suggest landowners have an unsettling level of access to multiple ministers' offices. Minister Clark has proceeded to give approvals that are not consistent with the greenbelt plan by allowing settlement areas to expand into the natural heritage system of the greenbelt, and has undermined previous decisions of the tribunal that did not permit development in these areas.

The barriers to housing starts are not solely land and approvals. Bill 23 fails to provide provincial support and resources to overcome infrastructure barriers. Reducing development fees and regulatory oversight will shift the financial burden of growth-related infrastructure onto existing taxpayers and not bring complete, livable, walkable communities or affordable housing. It's not clear to me that we even understand the barriers to ensure the correct incentives are in place to build more homes, not just approve more homes. A developer may sit on the approval and wait for building permits if they believe the project is not financially viable. I fail to see how this has been addressed, and I believe it is critically important to building the missing middle. I am tired of trying to understand why a development is proceeding in an area I believe protected, that has stayed alive because of 20-year-old approvals. I predict this will be one of many legacies from Bill 23.

I fail to understand what this government means when they say they want conservation authorities to focus on their core mandate. To direct conservation authorities to put a list of land together suitable for development is nonsensical. Land comes into their ownership because it has been donated with an expectation of being conserved in perpetuity, or because the lands contain environmentally significant features and natural hazards. I trust conservation authorities. I do not trust my municipality because I know that they don't have the staff, expertise or resources to comment on complex planning applications with environmental natural hazard risks. Based on some of my experiences in Vaughan, to allow this type of work to be managed by landowners' contracted staff is diabolical. And the official plan does not set out all the requirements for conservation authorities. The natural barriers are set at the time when the developer

is ready to start getting the approvals to proceed. It is a much finer level of detail that cannot be handled in the official plan.

The Ministries of the Environment and Natural Resources remain critically underfunded. The province has failed, for as long as I have been following environmental issues—

The Chair (Ms. Laurie Scott): The last 60 seconds.

Ms. Irene Ford: —to address recommendations and shortcomings brought forward. You need to clean your own house up first before you attack conservation authorities.

I came today not because I expected you to listen to me and not because I thought my comments would make a difference; I came to have it on the record that any minister or MPP who blindly supports Bill 23 does not deserve the protection of indemnification for their decision. You've failed to listen to professionals and subject matter experts. You've ignored science, established best practices and decisions that protect the greenbelt and the Oak Ridges moraine, as well as conservation-regulated land.

1420

The Walkerton tragedy is a legacy of the former PC government's Common Sense Revolution. The causes were multi-faceted; one was the impacts of MOE budget cuts. The problem was not privatization of drinking water testing; it was the implementation of the decision in a manner that failed to address the associated risks to public health—

The Chair (Ms. Laurie Scott): I'm sorry; your time is up at the committee.

Thank you very much for the presentations.

We'll now do the rotation, if it's okay with MPP Bell to start for seven and a half minutes, for questions and answers.

Ms. Jessica Bell: Thank you to all of you for coming and speaking today. I have questions for all of you.

My first question is to Peter Miasek. Thank you for coming. I did not know that you were a Markham resident; it seems like I see you all the time downtown or online, so that's good to hear.

My question to you is, what specific amendments would you like to see in Bill 23?

Mr. Peter Miasek: Again, I haven't studied the whole bill. It has so many facets. I'm going to let the municipalities comment on their aspects, which are many, many—parkland, finances etc. The areas that I worry about are the conservation authorities, the weakening of their authorities. So I'd like to see that studied. I think the bill goes too far in removing wetland protection. I'm a huge lover of wetlands. I do think that the role of the regions in planning needs to be restored, because my read of it—I'm not an expert, but I'm relying on other experts—is that there's not going to be any upper body that's going to allocate growth. Then, fourthly, maybe it's just clarity, but I do think some sort of an approach where reputable ratepayer groups—and that would have to be defined, maybe—are allowed to appeal is needed. We add a lot of value by getting citizen buy-in to settlements.

Basically, the four that I mentioned in my talk are the only ones I've studied in detail.

Ms. Jessica Bell: My next question is to David Amborski, and it's about—I have a few; I'm just going to ask two. One is around the inclusionary zoning piece. I've been following the implementation of inclusionary zoning in the city of Toronto. I've been looking forward to it being implemented. I want to know if you could clarify a little bit more around what your proposal would be around inclusionary zoning. Would you imagine that it would be province-wide? Do you have ideas on density? Do you have ideas on what the affordability target would be? I know that has really been in flux.

Mr. David Amborski: Well, I'm not going to speak to the affordability targets, but to the process. I was actually on the working group for the city of Toronto, but unfortunately we never met during COVID—also, at the end we were given what the policies were, so I didn't have the opportunity to have any input.

Most jurisdictions have some kind of offsets or some kind of contributions. It's based on land-value capture—you increase the land value; you share that value increase, partly for affordable housing and partly with the developer. That's the norm, basically, across North America in the application.

In fact, the city of Toronto did have an inclusionary zoning policy in place prior to this. In the waterfront area of the city of Toronto, the secondary plan requirement there required all the section 37 density bonus to go to affordable housing. When that was in place, Tridel built in-kind ownership units. Another developer provided rental units. Another developer provided cash. That's the way inclusionary zoning works in many jurisdictions. It flew out there quickly. They got rental units. Under the city's current policy, rental is exempt; you're not going to get any rental units. So there's a much better design that could be in place.

As I said, I spoke at the Ontario professional planners' conference. Right now, Toronto and Mississauga do have policies in place, but 12 other municipalities are wrestling with how to do this, and they're looking at offsets and density bonuses. So I think they need some direction from the province. They're having problems with regulations. I've suggested that they meet and go to the province with the regulations they need, because it probably won't cost the province anything to do; it's just that the implementation wasn't clear, because people didn't understand it.

I think there's a great opportunity here to have a very positive inclusionary zoning program across the province that many cities can engage in, if it's studied very carefully. Once again, the province has this opportunity to do that in the TOC areas. If they do it before the land is purchased, a developer would buy the land with the higher density reflecting that price, discounting the fact they've got to pay for it and the contribution they have to make for affordable housing.

The province has already done that kind of thing. The Liberal government released two parcels of land to be developed in Toronto—one was Grosvenor and Grenville;

they gave it to a developer on a sale basis, and the sale price reflected that they required so many affordable units. Then they did the same thing with Dream Corp. and the land lease in West Don Lands. Again, the lease reflected the affordable housing put in there. So they got the housing going very quickly.

The city of Toronto, with the policy they have in place right now—developers own two parcels, one inside and one outside the MTSAs. They're going to go to the one that's outside; they're not going to build in a transit-oriented area because the returns can be later—in fact, there may be no positive return. Furthermore, to get those affordable housing units in place, they require rezoning. That may take two years. They're really large projects; they're going to take two years to build. So any of those units won't be available for at least four or five years.

Again, if you want to get it quickly, set up the policy correctly, build the incentives in, and get it moving.

Ms. Jessica Bell: We'll probably follow up just to get some more specifics.

The second thing is around the as-of-right recommendations. Bill 23 goes a step forward in making it easier to build missing middle homes, as you outlined in your presentation. Are there additional changes that you're proposing to accelerate the construction of missing middle?

Mr. David Amborski: Well, speaking of the development process and application process—the other aspects in there are important to that, as well. There are great opportunities. I don't want to be overly Toronto-centred, because we're in York region, but building along the avenues—I have a foot in each camp: I live here, but I work downtown. So I look at that, and building along the avenues; higher density; using new built form—there are some great examples of using frame construction—changing the building code to permit that. There's a great example of a six-storey building on Queen, near Coxwell, that went up very quickly—flexible, affordable; it can be built more cost-effectively. So those things can come into play, and looking at existing avenues or major arterials in other 905 areas and in your downtown areas and seeing what you can do to accelerate all kinds of affordable housing, particularly where there's transit available.

The Chair (Ms. Laurie Scott): Final 60 seconds.

Ms. Jessica Bell: Thank you very much.

Irene, thank you for coming in today and expressing your concerns.

Are there specific changes that you would like to see in Bill 23, aside from us voting against it, which I'm suggesting is what you would prefer?

Ms. Irene Ford: I'm really concerned about the waste water direction, or lack thereof, in York-Durham. I don't actually have an answer; it's a really complicated and, I think, a wicked problem. But I think there needs to be a re-evaluation of what is actually realistic and possible—and it's not. The targets that they've put out and the infrastructure and the planning—it's like a whole new EA. Even if they reduce the environmental assessment, I'm also very concerned about—I haven't had time to fully look, but

some of what they're going to pull back in the environmental assessment—I think we need to really think about what's acceptable for the discharge from—

The Chair (Ms. Laurie Scott): Thank you very much. I'm sorry, but you've run out of time.

MPP McMahon.

Ms. Mary-Margaret McMahon: Thank you for your presentations. They were scintillating, very interesting.

Let's start with a question for all three of you. I only have four and a half minutes—lucky me, as the lone independent—and that includes your answers, so your answers are going to be super succinct. What do you think of the Toronto Green Standard? We'll start with Irene and go—

Mr. David Amborski: I'm sorry; the Toronto what?

Ms. Mary-Margaret McMahon: The Toronto Green Standard.

Ms. Irene Ford: I'm trying to recall what I read about it. I think I do like it. I also think I've heard that developers find there are obstacles in it. I do think it's a model that would be good to consider or adopt—or maybe having minimum standards across the province to help achieve some of the environmental policy goals and objectives.

Ms. Mary-Margaret McMahon: Peter?

Mr. Peter Miasek: I know nothing about the Toronto Green Standard. I know Markham has similar things—I'm trying to recall; there's the gold, silver, bronze categorization, and their requirements for all tower construction. So I'm supportive of those.

Mr. David Amborski: I haven't worked with it, so I don't know it intimately, but I do support having a green standard to support the climate change issue. We need to have them. The degree that you have them and how they're structured—I can't speak to that as much. It's not my area of expertise.

1430

Ms. Mary-Margaret McMahon: Just to let you know, this bill would put those in jeopardy.

Next, we'll do another rapid-fire round, since you're all very talented and knowledgeable. Do you feel that conservation authorities have done a good job of protecting Ontarians and that they have been great stewards of Ontario lands?

Ms. Irene Ford: It's one of the things that made me such a vocal advocate. I had never been to a protest, never spoken at a council meeting, and it was the attack on the conservation authorities that brought me out. And, yes, I'm livid. Clearly, I'm livid, and the province needs to—if you're going to reduce the responsibility of the conservation authorities, you need to increase the accountability in your own organizations and you need to increase protections within the MOE and the MNR, because they are failing miserably.

Mr. David Amborski: I think they have played an important role, but they have a real reputation for being a huge delay in the approvals process. I've heard this not only from private developers but also from non-profit developers. So if they're going to maintain their policies

in certain areas, they have to find a way to expedite, as the city of Toronto is trying to do now with their process.

Ms. Mary-Margaret McMahon: I'd love to get the facts and stats on that, too. So maybe we'll talk together.

Mr. Peter Miasek: I'm a huge fan. I've seen their good work with the redevelopment of a golf course in this area, York Downs, a massive development. They did a wonderful job there protecting woodlands and making sure flood plains were protected.

I do want to point out that people talk about delays, but again, the Housing Affordability Task Force did not mention conservation authorities at all—in 55 recommendations, zero mention of conservation authorities. So I don't know how much they're responsible for delays. Certainly, that task force didn't mention it.

Mr. David Amborski: We discussed it.

Mr. Peter Miasek: It's not in the final recommendations.

Mr. David Amborski: We mentioned it. We talked about the process across the board.

The Chair (Ms. Laurie Scott): Final 60 seconds.

Ms. Mary-Margaret McMahon: For the final 60 seconds: targets. That's what David was talking about—that what is measured gets done. So can you elaborate on the targets for building the 1.5 million homes?

Mr. David Amborski: Well, I think you have to have targets and goals; without that, you don't know what you're moving towards. We put 1.5 million out there as a bit of a stretch goal when we first started out, but then it seemed like other researchers came up with similar targets, and CMHC came out with a higher target.

There has been a deficit for a number of years in supply coming on board—so it's not only looking for the demand and needs next year and the year after, but it's making up that deficit from the past.

Ms. Mary-Margaret McMahon: So you have faith that they'll be measured and transparent and open and reported back on?

Mr. David Amborski: Well, the understanding and the pledge is that there's going to be some—I was doing a session with the ministry, and there are going to be targets, and there's going to be some accountability brought in to make sure that, moving forward, there will be incentives in place.

The Chair (Ms. Laurie Scott): We'll now move to the government side for seven and a half minutes. MPP McGregor, please.

Mr. Graham McGregor: Thank you to the witnesses. I really appreciate your taking the time to come discuss important legislation with us.

My questions are for Ms. Ford.

Is this the first bill that you've testified at a Queen's Park committee regarding?

Ms. Irene Ford: No. I spoke on Bill 109, and you guys actually violated the Environmental Bill of Rights when you approved it, because you did so before the consultation period was closed.

Mr. Graham McGregor: Have you taken part in other public consultations locally? You mentioned some activism

locally with the municipality. Can you describe a few of the other meetings that you would have spoken about?

Ms. Irene Ford: I was a very strong advocate at York region's official planning; I was frequently there for deputations for my own council. I am quite sure that every regional council member would know who I am, as well as others in other regions. I spoke very strongly, actually, about regional governance; I spoke to Peel council about it.

Mr. Graham McGregor: One of the key pillars of our bill here is we want to establish and make it easier to establish high-density development around transit areas. So we want to remove some of the restrictions and actually implore municipalities to implement a new zoning bylaw within a year, from the minister's direction, to increase density around transit-oriented communities.

When speaking about this in general and about the York official plan—obviously, there are a lot of high-density ideas for development around transit in York region. Are you in favour of those, or are you opposed?

Ms. Irene Ford: I'm not opposed. I live by the VMC, which is getting an incredible amount of density. I'm not objecting to that, but what I'm experiencing is that people are coming into my community from there to use the parks and facilities in my community, which is fine—I have no issue with that—but it is a symptom of them being under-serviced and not having adequate servicing for the amount of density that is being proposed.

The other issue I have is that there is not adequate transit from the subway station there, so you actually haven't properly addressed car dependence, and the area surrounding there is actually more clogged. It's called a pedestrian-friendly community, and they haven't even put a sidewalk on the east side of Jane Street. They painted the lines on the road, but they didn't put a sidewalk in.

Mr. Graham McGregor: Of course, one of the other issues that our government is tackling, particularly around the greater Golden Horseshoe, is around expanding the urban settlement boundary. We want to create more developable land. We want more places to put shovels in the ground for houses across the regions and York. Are you supportive of that idea?

Ms. Irene Ford: I agree there's a housing shortage. Approvals do not translate—

Mr. Graham McGregor: Sorry; do you approve of us growing settlement boundaries, or do you want them to stay the way that they are?

Ms. Irene Ford: I think that it's probably necessary. I think that the settlement boundaries that have been approved by the minister are beyond what is necessary at this point in time. It's going to result in not just sprawl; it's going to result in an inadequate use of very scarce infrastructure dollars.

Mr. Graham McGregor: I think we're hitting the nail on the head a bit here. In the Ontario government, we know that we need about 1.5 million homes over the next 10 years. In 2021, we hit just over 100,000 housing starts—the simple math of 1.5 million over 10 years is, we need to get to about 150,000 housing starts.

If we can't build up near transit and if we can't build out by expanding the urban settlement boundary, how do you propose the government would solve that problem?

Ms. Irene Ford: I never said that you couldn't do either of those things. The issue for why I'm here is because you want to grow on the greenbelt, you want to grow on environmentally sensitive areas, you want to destroy wetlands, and you want to decrease our stormwater protection in the middle of a climate emergency. The derecho proved the strength, the speed, the uncertainty of the storms that are coming. Climate change is here. It's not a "what if" anymore, and you're acting and planning as if it doesn't exist. So I don't feel like you're actually understanding the realities or planning within the realities or the confines of the world that we're currently living in.

Mr. Graham McGregor: We know we have a housing supply crisis. Millennials, new Canadians and seniors need places to live. We want to build all types of housing, because the dream of home ownership is outside the scope for too many residents.

I'll turn the rest of my time to Mr. Coe from Whitby.

The Chair (Ms. Laurie Scott): MPP Coe.

Mr. Lorne Coe: My question is for Professor Amborski. Professor, you authored a post with your colleague Frank Clayton in July. You posed a question in that post: "Is All Greenfield Development in the Greater Toronto and Hamilton Area Sprawl?" Could you please summarize the findings of what you concluded—appreciating that it's not only us, but that we have people listening in and watching?

Mr. David Amborski: That was in response to the fact that often in the media, when people are interviewed, they call any greenfield development "sprawl." Sprawl has particular measures to it. All greenfield development is not sprawl. It's built at densities that are required by the growth plan. It's not all single-family detached units; there's all kinds of built form in there. There are 50 persons per hectare being built into play. So we're trying to dispel that myth that any urban expansion is sprawl.

We have seen that millennials were moving out looking at ground-associated units—that's single-family detached housing—even before the pandemic hit. Millennials are behaving like the boomers; they want ground-associated units when they start to get married—but they're getting married later. Even a townhouse with a little backyard for the family and a dog is something they're looking for, and that has been proven by some of the research that has been done in surveys of this group by a number of organizations.

We said that you can have greenfield development that's not sprawl—

The Chair (Ms. Laurie Scott): Almost 60 seconds.

Mr. David Amborski: —because it's at the proper densities and around transit stations, for example. So we were trying to dispel that particular myth that seems to be in the media.

Mr. Lorne Coe: Thank you for your answer.

Finally, Chair, through you: Professor, how do you think Bill 23 will address housing affordability, particularly housing and rental costs?

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Mr. David Amborski: It's interesting in that there are two sides to this affordability issue: one is market housing, and then there's the non-market housing—on the market housing, it's more and more patient you have to be. The idea is, in the market housing, you're not going to get an immediate response of prices dropping. That happens because of other cyclical factors and so on. The idea is to increase supply in future years. The supply curve shifts out more when demand increases, when you have the 500,000 immigrants coming. And when demand shifts up, the prices will increase as much. So you try to mitigate price increases on the market housing. Developers are always going to price—

The Chair (Ms. Laurie Scott): I'm afraid that you're out of time. Sorry.

We'll now move to the next round of questions with MPP Bell for seven and a half minutes.

Ms. Jessica Bell: My first two questions are to Professor Amborski, and then I also have a question for Peter Miasek.

You mentioned in your presentation about how we need to have targets for building new homes, but we also need to make sure we're building the right type of homes. Could you clarify what type of homes Ontario needs right now?

Mr. David Amborski: We need to have a range of choice. Right now, we've been building mostly high-density condos and some ground-associated units in the outer areas. We've put more constraints on lower-density housing, and those prices have gone up more quickly. People who can't afford that shift back and they start buying the condos or renting the condos; most prices go up. You need to have the missing middle. You need to have mid-rise development. You need to have missing middle around transit stations. You need to have ground-associated stacked townhouses, four-storey apartments. And that's what you need to have addressed in a variety of places. We came out with a report today that showed how little that has been built—these are CMHC data today. We need to find ways to ramp that up through zoning and through encouragement.

Again, the yellowbelt in Toronto has a particular problem and that goes back to when the first city of Toronto official plan came into play. When that came into play, in order to get it approved, they had to agree to all the councillors that it kept the single-family neighbourhoods. That's a legacy of that first official plan, for getting political approval of that plan. If they had then allowed more range of choice and density in those neighbourhoods with zoning, we wouldn't be in the same situation we are today—so the zoning is a key to have acceptable for a broader range of densities.

Ms. Jessica Bell: I was very interested in a recent planning tool that came out called the HART tool. It was developed by a CMHC researcher, and it allowed a municipality to do an assessment of what was needed—what were seniors' needs, what were students' needs, and what are affordability definitions? I see real value in having the province or the CMHC or some agency really do that deep

dive so we can have that gentle hand—because we have a Conservative government—of government making sure that we’re building the right type of homes.

Do you have an opinion on what should be done on the considerable amount of provincially owned land that we have access to? How can that meet our affordability and our housing shortage targets?

Mr. David Amborski: I gave you the examples of what the Liberal government did with those two parcels. We’ve advocated for a long period of time that government-owned land is a key.

In 2013, we did a GIS map of all government-owned land in the GTA and Hamilton—provincial, federal, local—so governments could swap land and identify what they have, because many governments didn’t know the land they had. The city of Toronto is one—they still don’t really understand what they have. We still left them with that. And they’re beginning to use this. The Housing Now program is using government land on a land-lease program. So these create great opportunities across the board. The federal government is starting to look at that through the CMHC. It’s coming more and more to the forefront.

And once you own that land, I would advocate using land leasing, because if you land-lease, you control it—you can control the built form, you can control who can go into it. It’s a useful tool to try to make sure you can provide a range of affordable housing on that land.

Ms. Jessica Bell: Thank you for raising that. I’m a big fan of land leases as well. And I’m following the Housing Now project very closely and seeing how they’re using a mix of market housing and affordable housing to increase density near transit stations and ensuring that the land under it is still owned by the city of Toronto. It’s a really innovative model that is supported by people of all different ideologies and political stripes.

My final question is to Peter Miasek.

You mentioned how Bill 23 could impact municipalities, and I agree; there are many things in here, when I read it, that made me very concerned about how municipalities will be impacted. One piece I see is how there’s going to be a reduction in development charges, with no clear plan or even a prior consultation on how municipalities could or would make up that money. In the case of the city of Toronto, it’s a \$200-million shortfall.

Also, the Minister of Municipal Affairs and Housing is obtaining an unprecedented amount of authority to change official plans and dictate how planning happens in a municipality. That is pretty concerning.

Are there things in Bill 23 you’ve identified that could affect municipalities?

Mr. Peter Miasek: Well, Markham put out a preliminary staff report on November 1—I’m looking at it right here—with at least a dozen items. You’ve covered most of the money side. There are community benefit charges, development charges and other fees, all of which are going to be reduced in some circumstances. So how is that money going to be made up?

The one that no one has talked about—I didn’t have time, and I’m relying on the cities to do it—is the parkland. Those standards have been reduced—rather than one hectare for 300 units, the plan is one hectare for 600 units. Markham has just done a parks survey and has concluded that we’re right at the one per 300, and it’s a nice fit, so I would hate to see that go down by a factor of two. That one hasn’t come up much, but I’m assuming the municipalities will pick that up, because everybody around this table wants complete communities—which is recreation and amenities as well as homes.

Ms. Jessica Bell: I agree. We need to certainly build more homes, but we need to make sure we’re building those services as well—not just the sewage and the electricity, but also the transit, the daycare, the parks, the libraries—

Mr. Peter Miasek: Schools.

Ms. Jessica Bell: —the schools, and all the measures and services that make a community great.

Thank you so much for your time, all three of you. I appreciate you sharing your expertise and your concerns.

The Chair (Ms. Laurie Scott): MPP McMahon, for four and a half minutes, please.

Ms. Mary-Margaret McMahon: I wish I had four hours instead of four minutes, but we’ll be quick.

Just following up on my colleague’s questions for David, for housing: I’m with you on the yellowbelt and changes to that. I was a Toronto city councillor, and I spearheaded a laneway suites program, which we actually did in a couple of years—probably the most speedy planning policy in the city. And that housing example you gave, at Queen and Coxwell, is in my area, with that panelized mass timber. We need changes to the building code to allow for more wood exposure.

Examples of different types of housing that have been successful in other municipalities—my worry is that this bill and all the housing bills are possibly focused on single-family detached homes being the answer, which we know is not the answer to the housing crisis.

Mr. David Amborski: No, I don’t think it’s the answer. You can’t build those under the current growth plan. You can’t build that density.

When the growth plan first came in in 2006, it was a smart growth plan, an anti-sprawl plan. I found a report recently from 2009 that showed how the density had increased in the greenfields because of that. It won the Burnham award at the American Planning Association conference because it was an anti-sprawl plan. So it really has changed the densities, although it may not have been tracked to any great degree.

If you look at the requirements of what the densities have to be, I don’t think you’re going to look at single-family detached. I also think it would be too expensive. So you have to build a built form that’s more cost-efficient, and that’s what the demand is going to be from these people who want a ground-associated unit. A 50-foot lot is no longer in the game, because of the cost.

Ms. Mary-Margaret McMahon: Right, so quadplexes, triplexes—you name it—in urban settings and elsewhere.

Mr. David Amborski: Yes, and secondary suites. Brampton is full of secondary suites, for example.

Ms. Mary-Margaret McMahon: Okay, now we're going to Peter and Irene, for wetlands.

We want to build resilient infrastructure. We've heard from the Insurance Bureau of Canada alarming information. The Intact Centre on Climate Adaptation at the University of Waterloo was telling us about the return on investment for investing in climate adaptation and the risk of flooded basements for our residents, to the tune of \$40,000 or \$50,000.

The minister mentioned multiple times this morning that this bill would help protect and manage wetland loss.

Could you explain the impact this bill would actually have on wetland protections in Ontario, in your opinion?

1450

Mr. Peter Miasek: I'm looking at Conservation Halton's commentary, which I'll quote in a minute. The analysis I've read suggests a fair number of wetlands—if they're small ones, not connected—will lose their status of “provincially significant,” which means they're open for redevelopment.

The other thing I want to talk about is wetland offsetting. That seems to be part of the government's strategy, but to quote Conservation Halton, who know a lot more about it than I do, “the government must be prudent when considering changes like offsetting, which could negatively affect the ability of wetlands to reduce flooding.”

Everything I've read—and I do have a fair amount of knowledge in hydrogeology—is that very few offset wetlands—

The Chair (Ms. Laurie Scott): Final 60 seconds.

Mr. Peter Miasek:—successful.

Ms. Mary-Margaret McMahon: Irene?

Ms. Irene Ford: I can actually tell you more about what I'm observing now and how I'm concerned that it's going to make it even worse.

Block 34, where the Walmart warehouse was built—there were three small provincially significant wetlands removed, and they argued that it was because of the highway, that they were already degraded, that they were this or that. But this is actually headwaters that are for Purpleville Creek—they then go across the 400 and even in block 41, where you've issued another MZO and are fighting the natural heritage features and the wetlands. I think 20% of the base flow that goes into the Humber River comes from Purpleville Creek.

My concern is actually not only with the destruction of wetlands but with what is happening with the water underneath the ground, and I don't feel like we have a good understanding. It's partially why I became interested in becoming a board member on STORM—because it's not just the wetlands; it's actually what you are doing to the water.

The Chair (Ms. Laurie Scott): We'll now go over to the government side for the final seven and a half minutes of their questions and answers. MPP Grewal.

Mr. Hardeep Singh Grewal: My question is for Peter.

I think we all agree that everybody in Ontario should be able to find a home which is right for them, but too many people are struggling with the rising costs of living and finding housing that meets their family's needs. As we continue to build a plan that builds more homes near transit and allows people to build more secondary suites and garden suites, I'd like to ask you—while addressing the housing crisis requires us to all collaborate with all levels of government, I want to know what your views are on this issue and how we can achieve this.

Mr. Peter Miasek: I am 100% pro secondary suites. Unfortunately, believe it or not, they're not as-of-right in Markham yet, but they are in many parts of greater Toronto.

I am 100% pro higher density on centres, corridors, MTSAs. Again, it has to be done right. The two transit-oriented communities at Langstaff—Bridge Station and High Tech—are too much, because it's not a complete community.

I 100% know we have to go denser and we have to go up. I am not opposed to some expansion of the urban boundary, because we do have to accommodate millions of new people. I'm supportive of the motives of what the government is trying to do with this bill, and I'm supportive of a number of the pieces of it, like the inclusionary zoning piece—it's just some of the other areas that I think need to be tempered.

Mr. Hardeep Singh Grewal: But overall, do you think that our Bill 23 will adequately address the housing affordability crisis? And do you think this will help build more homes and create more rental affordability in the market and create more rental properties?

Mr. Peter Miasek: I think it will on the intensification side, for sure. I don't know whether some of the homes in the greenfield areas—what the cost of infrastructure is out there. I'm a little more worried about that. But things like as-of-right triplexes, or whatever you want to call it, is a very good move and will reduce costs.

Mr. Hardeep Singh Grewal: Chair, through you: I'll split the rest of the time with MPP Laura Smith.

The Chair (Ms. Laurie Scott): MPP Smith.

Ms. Laura Smith: Through you, Chair: Peter, I'd actually like to continue that conversation.

Bill 23 will allow three as-of-right units across Ontario. This could be beneficial for smaller landlords who are looking to help build additional units—a nanny suite, a basement, an area to that extent. Given the levies are presently—we heard from an individual earlier who talked about how there's a 25% levy on new building, which is problematic. This, combined with the lag time in municipalities, is stopping these developments from happening.

Do you have any comment with respect to any of what I've just talked about, including the fact that this new as-of-right will allow these smaller landlords and these other types of housing to exist, even in our own backyard?

Mr. Peter Miasek: Yes, I am very pro as-of-right. I'm only a citizen; I haven't studied the financial side. I didn't realize there may be issues with levies. I'm hoping the

municipalities will comment on that. But I want to see as-of-right.

I've heard there are five million empty bedrooms in greater Toronto; I have two in my own house. There's an opportunity there that we're not taking.

Ms. Laura Smith: So you would agree that changes with respect to empty houses are an issue as well. Correct?

Mr. Peter Miasek: Empty or partially empty. I had three kids. At one point, my house had five people in it; now it's two. There's an opportunity there to put in another dwelling unit. The infrastructure, the sewers and stuff, are being underutilized at this point, because most of my neighbours are in the same boat as me. So there's quite an opportunity to do intensification that way.

Ms. Laura Smith: I agree with you, yes.

Mr. Peter Miasek: I don't know if all residents are quite as liberal as me on this point, because a lot of them worry—a lot of them are NIMBYs on this kind of stuff. But I think, in this area, it's the right thing to do.

Ms. Laura Smith: In your view, what changes would have the greatest impact to increase housing supply?

Mr. Peter Miasek: I think it's that one—I think it's the gentle intensification, because it's cost-effective. Five million empty bedrooms—maybe that's one million dwelling units; I don't know. I think you could do a lot with that.

Ms. Laura Smith: I appreciate your comments.

The Chair (Ms. Laurie Scott): MPP Holland.

Mr. Kevin Holland: I appreciate you all taking the time out to meet with us today.

I'm interested in some of the comments that have been made, the least of which is in regard to the lack of consultation with municipalities that was expressed by MPP Bell; I have to take exception. Again, drawing on my municipal experience, I've had ample opportunity to consult with the government on many aspects of things that are affecting our municipalities, the least of which is this topic itself. That's the purpose of AMO and ROMA. That is our time when we sit down with the municipalities and we hear what they have to say about the challenges that they're experiencing and how some rules and the process are impacting their ability to develop. That really does spur the government—or it should spur the government; it

hadn't for 15 years—to take action to address some of the setbacks or the restrictions that municipalities are facing.

To the question of the panel—would you agree that conferences like ROMA and AMO are a good opportunity for our government to confer with our partner municipalities on these types of issues, to allow us to develop a plan that's going to help them to succeed as a municipality? And the other thing—

The Chair (Ms. Laurie Scott): You only have 55 seconds left.

Mr. Kevin Holland: The other question is—I guess it goes back to your opening remarks. You made a pretty strong statement with regard to the government's position toward conservation authorities, which I don't believe is fair. I just wanted to get that on the record.

Mr. Peter Miasek: Yes, I hear you. I saw you shrug or grimace when I said that. That is my perception.

Mr. Kevin Holland: I'm drawing on my other experience, and I don't think it was a fair comment.

Ms. Mary-Margaret McMahon: He's entitled to—

Mr. Kevin Holland: I know he is, and I'm entitled to—

Mr. Peter Miasek: That's right. I'm not hurt.

Ms. Mary-Margaret McMahon: You gave him no time to answer.

Mr. Kevin Holland: Well, you interrupted me.

The Chair (Ms. Laurie Scott): Fourteen seconds.

Mr. Peter Miasek: I think your question was, "Does AMO play a role?" Of course, I'm not a municipal employee, but I think it does. I know they're planning to comment on this bill. I went on their website, and they were listing some of the issues. I do sense that—

The Chair (Ms. Laurie Scott): I'm afraid we're out of time. Sorry.

I'll thank the final group of presenters for coming today. We appreciate your input and the questions and answers.

I am just going to give a reminder that the deadline for filing written submissions to Bill 23 is 7 p.m. on November 17, 2022.

That concludes the business for today. The committee is now adjourned until 10 a.m. on Thursday, November 10, 2022. Thanks, everyone.

The committee adjourned at 1500.

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