



Centre for Equality Rights in Accommodation
Centre pour les droits à l'égalité au logement

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Re: Bill 108 – More Homes, More Choice Act

About CERA

The Centre for Equality Rights in Accommodation (“CERA”) is a not-for-profit charitable organization dedicated to preventing evictions, ending housing discrimination and addressing human rights violations in housing across Ontario. For sixteen years, CERA has served 1500 clients annually who are facing eviction and human rights violations in their housing, such as the need for accommodation for disability. We also work with tenants, landlords, post-secondary institutions, community partners and the public to deliver public education to communities and vulnerable individuals to build the capacity of Ontarians to understand their housing rights. CERA’s high volume of clients gives us unique and current insight into the issues faced by renters across the GTHA, particularly vulnerable renters, including seniors, newcomers to Canada, racialized individuals, persons with disabilities, and families.

Ontario’s Housing Crisis

Throughout the province of Ontario, the housing crisis continues to manifest. CERA regularly hears about this through our clients and in our discussions with our partners in the sector. We know that increasing housing prices throughout the province are squeezing families like never before. We know that some of the province’s most vulnerable people, including seniors and persons with disabilities, are being evicted into homelessness in order to make room for developments that working people – even quite affluent working people – cannot afford. We know that it is becoming increasingly impossible for people to live in the communities they grew up in or work in. CERA commends the provincial government for its interest in and commitment to addressing these important issues.

However, Bill 108 as proposed will not help the people who need help the most and it will also have negative consequences on local governments who are on the front lines of addressing this crisis. Bill 108 is wide-ranging but CERA’s submission will focus on three areas: changes to development and section 37 charges, inclusionary zoning and changes to the planning process.

1. Proposed changes to development and section 37 charges

CERA is concerned with the proposed changes to the *Development Charges Act, 1997* and section 37 of the *Planning Act*. Funds from development charges and Section 37 contribute to the creation of child care spaces, parkland, vital services and infrastructure. These funds are crucial to support development.

CERA welcomes attempts to reduce process-related barriers that may be making it difficult for new housing supply to be created and, in particular, to create the predictability that will be of assistance for non-profit developers. However, we remain concerned that the implementation of these changes may result in a reduction in funds to local communities for the necessary infrastructure and services required to support development. Whatever changes that are made to harmonize and simplify the process for developers should not result in fewer resources for local communities to support the development that the people of Ontario need, and build the communities that the people of Ontario deserve.

CERA recommends that, rather than amalgamating the funds and either intentionally or unintentionally decreasing funding generated by development charges and section 37 approvals, that such funding be maintained and even expanded to invest in communities where development occurs.

2. Inclusionary Zoning Restrictions

Inclusionary Zoning is an important land-use planning tool that, when used correctly, can result in the creation of necessary affordable housing. At present, municipalities have the flexibility to determine where inclusionary zoning can be required; however, amendments proposed to Bill 108 would limit inclusionary zoning significantly by allowing it only along major transit corridors or other locations designated by the Minister. Limiting the use of inclusionary zoning is a missed opportunity to ensure desperately needed construction of housing units across the province.

CERA recommends that the government not limit inclusionary zoning but rather ensure that it is available for all types of development and redevelopment. Cities should be permitted to maximize the creation of affordable housing through inclusionary zoning policies by having the autonomy to decide the specifics of such policies as they apply to their own communities including, for example, details such as the length of the affordability period and metrics related to set asides.

3. Planning process and participation

Finally, CERA is concerned with proposed changes to the municipal planning process, including the reduction in timelines for municipalities to assess development proposals, and changes to the process for making final appellate decisions on planning matters.

CERA recognizes that removing unnecessary red tape can help to facilitate the development of much needed housing stock. However, municipal consideration of development projects is not unnecessary red tape but rather a crucial step in the approval process. Reducing the time available to municipalities to assess a development proposal will undermine the ability of a municipality to determine whether a development, as proposed, is appropriate for the local community.

Transferring discretion from municipal councils to the Local Planning and Appeal Tribunal would allow developers to disregard input and guidance from municipal councils when structuring development projects. As a result, Bill 108 threatens to decrease the accountability of developers and return the tribunal to a form similar to the much-maligned former Ontario Municipal Board.

CERA recommends not proceeding with either of these proposed changes. A government that aims to make policy “for the people” must make decisions that are people centred. This means protecting the right of Ontarians to participate in decision-making processes and the right of municipalities to represent the views of, and make evidence-based decisions for, the people who they represent.