

Public Works

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April 29, 2022

Allyson Switzman

Ontario Growth Secretariat, Ministry of Municipal Affairs and Housing
17th Floor, 777 Bay St. Toronto, ON M5G 2E5

Re: Region of Peel Comments on ERO 019-5285 Community Infrastructure and Housing Accelerator – Proposed Guideline

Thank you for the opportunity to review and comment on Environmental Registry of Ontario posting 019-5285, Community Infrastructure and Housing Accelerator – Proposed Guideline.

This letter should be viewed as a Regional staff submission that is subject to Council endorsement. A copy of any corresponding Council report or Council resolution will be forwarded to the Ministry for further consideration.

Region of Peel staff believe that the Province's efforts to streamline development approval processes should prioritize strategic community building projects that create additional opportunities to provide affordable housing, long term care homes, and hospice and health services to maximize community benefits.

Regional staff are supportive of tools to expedite planning approvals through an established process. The Community Infrastructure and Housing Accelerator order should be targeted for strategic community building purposes and should not be used for general market housing unless there is a sufficient affordable housing component as part of the proposed development. This requirement would maximize community benefits, meet a range of household affordability needs, and support complete community objectives. The order would not be supported by the Region in low density residential subdivision development, low density commercial development, and development that would require substantial public infrastructure investment (e.g., water and wastewater, transportation) where funding for this investment is not available. Should alternative funding arrangements be made (e.g., from the Province or development proponent), this should be satisfactory to the responsible municipality or public infrastructure agency.

Provincial efforts to streamline approval processes, such as the Community Infrastructure and Housing Accelerator order, should be prioritized for housing options that are in particular need, such as missing middle housing, purpose built rental housing, and units that are affordable to low and moderate income households. The ability for the Minister to use discretion to impose conditions on the approval of a Community Infrastructure and Housing Accelerator order to protect the public interest is an important provision. It must be used to ensure the order supports projects that enhance quality of life and mitigate any potential impacts such as unaffordable housing and an inadequate range and mix of housing options that do not sufficiently support Provincial and municipal housing objectives or reflect local housing need. Ministerial conditions on an order should be used to ensure that housing that is affordable to low and moderate income households is a key component of a proposed development and that these units are maintained as affordable over the long term.

Regional staff appreciate the Province's efforts to increase transparency and ensure public consultation for this tool. Public input is an important part of good planning and Regional

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staff support requirements to provide public notice, conduct public consultation, and ensuring the order, once issued, is made available to the public. Regional staff do not support overriding planning policy by means of a Community Infrastructure and Housing Accelerator order without clear criteria, process, and consultation mechanisms in place. Providing exemptions from necessary planning-related approvals from provincial plans, the Provincial Policy Statement and municipal official plans would be substantial and would circumvent important land use planning considerations.

Regional staff support the provision to ensure that the guideline for Community Infrastructure and Housing Accelerator is implemented in a manner that is consistent with the recognition and affirmation of existing Aboriginal and treaty rights in Section 35 of the Constitution Act, 1982. While it is appreciated that the Minister will only consider exemptions that adequately mitigate potential impacts related to community engagement and Indigenous engagement, undertaking meaningful Indigenous engagement requires relationship building that cannot be rushed and this should be considered carefully through any order or policy that accelerates planning approvals.

The Province should also introduce formal processes for its existing Minister's Zoning Order (MZO) powers, similarly scoped to strategic community building purposes, where the support of municipalities has been established.

While the streamlining of planning approvals is one tool that can be used to create more housing supply sooner and address housing affordability, efforts are being made to better understand why development applicants with subdivision draft approvals or site plan approvals have yet to apply for building permits. For instance, City of Brampton staff indicate that approximately 9,000 approved residential units have not proceeded to construction. The City of Mississauga's Planning and Building Department has approved zoning for 20,000 units, but developers have not yet applied for building permits for these units. Notably, over half of these units received zoning approval more than two years ago. In these cases, developers have had ample time to receive site plan approvals and move to the building permit stage. The Region estimates that over 1,600 units in the Town of Caledon are approved but are awaiting the applicant to apply for a building permit to commence construction. In total, this means that over 30,000 units in Peel Region have received the necessary approvals to apply for building permits and commence construction. While it is understood that there is a period of time that exists between when units are approved and when construction commences, applicants not adding housing supply in a timely manner despite having the sufficient approvals in place puts negative pressures on housing options and affordability. The Province should consider mandating timelines to require developments to commence construction within a certain period after receiving the necessary planning approvals.

In addition to units specifically approved through subdivisions and site plans, "as of right" zoning exists in communities such as Mississauga's Downtown Core to facilitate new housing supply. City of Mississauga staff estimate that lands in the Downtown Core are pre-zoned to accommodate a further 40,000 units beyond the approximate 10,000 units currently in the development pipeline, for a total potential of 50,000 units. These permissions, however, have not led to any substantial increase in affordable units being built by the development industry.

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Conclusion

Regional staff are supportive of strategic tools to be used in limited cases, where appropriate, but have concerns with proposals limiting formal consultation (including consultation with Indigenous communities), and limiting or bypassing technical review, and public planning processes. The Community Infrastructure and Housing Accelerator tool has the potential to overcome potential barriers and development delays associated with affordable housing and housing options but must be carefully considered so that good planning principles are maintained, including public consultation and municipal decision-making. The Region remains committed to continuing to work with the Province to advance housing objectives, including providing a greater range and mix of housing options including affordable housing.

The Region supports the Province's goal of addressing housing supply and affordability and looks forward to working with the Province and all stakeholders to accelerate the delivery of housing supply and to address housing affordability in Peel Region and across Ontario. Regional staff look forward to participating in future consultations and providing additional comments or clarification as needed.

Sincerely,



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