

Bill 109, More Homes for Everyone Act, 2022

Submission to the Standing Committee on the
Legislative Assembly, Government of Ontario

April 11, 2022

Centre for Equality Rights in Accommodation (CERA)

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

Dear Members of the Standing Committee on the Legislative Assembly,

Re: Bill 109, More Homes for Everyone Act, 2022

I am writing on behalf of the Centre for Equality Rights in Accommodation (CERA), Canada's leading non-profit organization working to advance the right to adequate housing. For 35 years, we have worked tirelessly at the intersection of human rights and housing, providing free services to renters facing evictions and human rights violations to remain housed, providing education and training about housing rights across Canada, and advancing rights-based housing policy through research, policy development, advocacy, and litigation.

Over the course of the last few years, we have witnessed a housing crisis spiral out of control across Ontario. Homelessness has increased across the province and many people living on lower incomes are at risk of eviction. Affordable housing options, whether rental or ownership, are out of reach for a broad cross-section of society.

There are multiple causes of this problem. Over the years, provincial and federal governments have retreated from funding affordable housing, leaving municipalities in Ontario to pick up the responsibilities with few and inadequate revenue tools. Naturally, little progress has been made in creating new affordable housing supply. Private market actors have not provided a viable alternative either. In part, municipal policies such as exclusionary zoning may cause significant bottlenecks to increasing housing supply through the private sector. But where new homes are created, little effort has been made to curtail the market power of investors in inflating house prices. Even for housing options that remain affordable, regulatory loopholes such as Ontario's vacancy decontrol policy risk depleting this precious stock. At the same time, federal efforts to strengthen the economy through boosting immigration have also translated into a gap between a rapidly growing population and affordable housing options.

More housing is needed urgently, but this must be done in a way that ensures new homes are indeed affordable for the majority of Ontarians, most notably its lower income households. In addition, without policies that preserve housing affordability, boosting the housing supply will be ineffective in solving the housing crisis. Bill 109 appears to scratch the surface. We are also cognizant that the province has acknowledged that a broader set of recommendations from its Housing Affordability Taskforce will serve as a more comprehensive roadmap over the coming years to address the housing crisis. As the Standing Committee on the Legislative Assembly undertakes its review of Bill 109, we propose that the principles outlined below be considered to ensure that the provisions within the Bill constitute robust and impactful measures to address the province's urgent housing affordability crisis. These principles are also useful reference points to complement the province's actions beyond the details of this legislation.

Recommendations

First, we encourage the province to embed a spirit of collaboration into how it moves forward with forging sound housing policies. The roundtables, consultations and conferences preceding the formulation of the Taskforce's recommendations were a start. Still, we hope that mechanisms are created for more frequent interactions between the province, its municipalities, housing providers and other service providers to unpack and resolve the many bottlenecks impeding housing supply. This is the only way in which some consensus can be built around applying policies like as of right zoning to multi-tenant houses.

Second, provincial policies should empower municipalities to deliver housing options instead of restricting them, a principle that naturally flows from a spirit of collaboration. For example, provisions in the legislation for a Community Infrastructure and Housing Accelerator offer a creative way to help municipalities overcome administrative roadblocks to creating projects of public value, such as affordable housing. However, it is unclear whether proposals to expedite approvals processes through instituting timelines and refund policies will achieve their intended objective. Many municipalities may not be able to meet these deadlines with their

current resources. Instead, there are risks that municipalities may lose revenue sources in the process, and that development applications are litigated at the Ontario Lands Tribunal, tying up the process in more red tape. An alternative approach could be to provide more resources and build the capacity of municipalities to both complete approvals quickly and find and fix gaps in the process on their own. Unfortunately, reconsidering other restrictions placed on municipalities through the Planning Act, such as requiring municipalities to apply Inclusionary Zoning only to Protected Major Transit Station Areas (PMTSAs), have not been considered under this Bill, which is a missed opportunity.

Third, this legislation and upcoming initiatives should recognize that market solutions alone will not create the affordable housing options that Ontarians urgently need. Direct government funding for non-market housing and regulations to maintain affordable options are essential complements to the province's proposed strategy. In terms of regulation, this may mean instituting a combination of stronger protections for existing affordable stock and efforts to curb speculation in the market. The fact that the province is keen on looking into whether landowners are sitting on valuable assets in anticipation of price rises is a positive sign. With respect to funding, the province's own financial accountability office [has noted](#) that projected investments in housing and homelessness programs will likely not alleviate the burdens facing a significant portion of households in core housing need. While proposals to seek feedback on financing non-profit housing are a good start, much work still needs to be done to explore the full spectrum of fiscal options available to creating a significant variety of affordable housing options.

More collaboration, intergovernmental cooperation and maximizing available resources are critical to cultivating a rights-based approach to housing policy and implementation. This approach is needs-based, premised on fulfilling the right to adequate housing, including for our province's lowest income households and most vulnerable residents. This means that policies and funding addressing the housing affordability crisis should prioritize and target those most impacted by the crisis. By extension, significant effort should be

invested in collecting more granular data on the varied housing needs of the province's communities. Indeed, it means being more proactive about coming up with dwelling and tenure options that match Ontario's socio-economic and geographic diversity. It means acting now in a thoughtful way.

We hope you will consider the abovementioned principles to ensure the province's path forward is productive, inclusive, and contributes to fulfilling the right to adequate housing.

Thank you for your consideration. We welcome the opportunity to provide our housing expertise and look forward to further discussions with the province to ensure Ontarians can live in safe, adequate and affordable homes.

Sincerely,

A handwritten signature in black ink that reads "B. Shadpour". The signature is fluid and cursive, with the first letter of the last name being a large, stylized capital 'S'.

Bahar Shadpour
Director of Policy and Communications
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