



**SUBJECT: Halton Area Planning Partnership (HAPP) Joint Submission
– Bill 204: Inclusionary Zoning**

TO: Development and Infrastructure Committee

FROM: Planning and Building Department

Report Number: PB-75-16

Wards Affected: All

File Numbers: 145-22

Date to Committee: September 13, 2016

Date to Council: October 3, 2016

Recommendation:

Endorse the *Halton Area Planning Partnership (HAPP) – Bill 204: Inclusionary Zoning Joint Submission*, as contained in Appendix A of planning and building department report PB-75-16 in response to the Province of Ontario's proposed updates to Ontario's Long-Term Affordable Housing Strategy through Bill 204 – the Promoting Affordable Housing Act, 2016; and

Direct the City Clerk to forward the resolution of City Council, subject to endorsement of the recommendation contained in planning and building department report PB-75-16, and forward staff report PB-75-16 (including Appendix A) to the Ministry of Municipal Affairs and Housing.

Purpose:

This report recommends that City Council endorse the comments prepared by the Halton Area Planning Partnership in response to Provincial consultation regarding the introduction of inclusionary zoning provisions to the Planning Act as part of proposed updates to Ontario's Long-Term Affordable Housing Strategy.

The topic of this report addresses matters which correlate to the following strategic directions of Burlington's Strategic Plan:

A City that Grows

- Focused Population Growth

1.3.a - Burlington is an inclusive and diverse city that has a growing proportion of youth, newcomers and young families and offers a price range and mix of housing choices.

Background and Discussion:

Background:

On March 14th, 2016 the Ministry of Municipal Affairs and Housing (the Province) announced a proposed update to Ontario's Long-Term Affordable Housing Strategy (Bill 204 – the Promoting Affordable Housing Act, 2016). As part of this update, the Province is proposing to introduce enabling legislation to the Planning Act that would permit single and lower-tier municipalities to establish an Inclusionary Zoning By-Law that would require a proportion of units within a proposed development to be provided as affordable housing. The decision to enact such a by-law, as well as the development of specific by-law requirements such as the scale and type of developments subject to inclusionary zoning and any geographic limitations (among other considerations) would be at the discretion of each municipality to determine based on local considerations.

To help solicit and guide feedback regarding the inclusionary zoning proposals, the Province produced a guidance document entitled "Long-Term Affordable Housing Strategy Update: Inclusionary Zoning Consultation Discussion Guide, May 2016". A copy of this document can be found at the following link:

<http://www.mah.gov.on.ca/AssetFactory.aspx?did=14977>

In response to the Province's request for comments, members of HAPP agreed to prepare a joint submission in order to provide a common set of comments to the Province. The HAPP agencies involved in preparing the joint submission contained in Appendix A were the City of Burlington, Town of Oakville, Town of Milton, Town of Halton Hills and the Region of Halton.

The Province's deadline for submission of comments was August 16th, 2016.

Discussion:

The introduction of new Planning Act provisions to enable the development of Inclusionary Zoning By-Laws provides a significant opportunity to increase the number of affordable housing units within a municipality and to ensure such units are created in a timely and consistent manner in concert with on-going development and redevelopment within a community. In addition, the integrated nature of such units within individual development proposals may also serve to reduce potential stigma associated with affordable housing projects and foster greater inclusivity within the community.

Therefore, staff are generally supportive of inclusionary zoning and the Province's efforts to provide this as one potential tool available to municipalities to assist with affordable housing needs within the community. In addition, inclusionary zoning may serve to achieve a mix of affordable housing options in support of strategic direction 1.3.a of Burlington's Strategic Plan, (2015-2040) as identified on page 1 of this report.

Through HAPP's review of the proposed legislation, key themes emerged amongst the participating agencies for consideration by the Province which have formed the basis of the joint submission contained in Appendix A. Some of these key themes are highlighted below:

Key Themes of HAPP Joint Submission

- There is support for the Province's approach to make inclusionary zoning an optional tool that can be implemented and programmed at the discretion of the municipality in response to local circumstances/conditions;
- Greater regulatory clarity should be provided the ownership and subsequent transfer of titles as well as identification of roles and responsibilities for the management and administrative of units;
- While inclusionary zoning may assist with the supply of moderately affordable housing, the creation of units to address deeper affordability issues should be addressed through the use of broader tools such as the Provincial tax system; and
- Significant concern regarding the inability of municipalities to obtain non affordable housing related community benefits through Section 37 of the Planning Act for proposed developments subject to an Inclusionary Zoning By-Law.

Strategy/process

Subject to the endorsement of the HAPP joint submission contained in Appendix A by City Council, the joint submission and this report will be forwarded to the Ministry of Municipal Affairs and Housing.

Financial Matters:

There are no financial impacts directly related to the subject report.

Connections:

The HAPP joint submission was a collaborative effort between the City of Burlington, Town of Oakville, Town of Milton, Town of Halton Hills and the Region of Halton. In addition, staff met with internal City of Burlington staff to discuss the inclusionary zoning review and to solicit comments and feedback to inform the joint submission.

Public Engagement Matters:

Public consultation regarding the proposed changes contained in Bill 204 is being led by the Province.

Conclusion:

The introduction of inclusionary zoning as one of the tools available to municipalities to address affordable housing is supported. The endorsement of the HAPP joint submission will identify additional comments and concerns to the Province which have been developed collaboratively by the Halton Region municipalities.

Respectfully submitted,

Phillip Caldwell, MCIP RPP
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Appendices:

- a. Halton Area Planning Partnership (HAPP) - Bill 204: Inclusionary Zoning Joint Submission

Note: Appendix A is available online at www.burlington.ca/calendar

Report Approval:

All reports are reviewed and/or approved by Department Director, Director of Finance and Director of Legal. Final approval is by the City Manager.