



SUBJECT: City of Burlington Housing Strategy Inclusionary Zoning
Municipal Assessment Report update

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Community Planning Department

Report Number: PL-56-22

Wards Affected: All

File Numbers: 502-02-73

Date to Committee: July 5, 2022

Date to Council: July 12, 2022

Recommendation:

Receive and file community planning department report PL-56-22, City of Burlington Housing Strategy, Inclusionary Zoning Municipal Assessment Report update.

PURPOSE:

The purpose of this report is to provide an update on the Inclusionary Zoning Municipal Assessment Report which was identified as a key deliverable of the Housing Strategy project in the [Housing Strategy Project Terms of Reference](#) and as Action 12 of the [Burlington Housing Strategy](#) that was approved by Council on June 21, 2022.

Vision to Focus Alignment:

- Increase economic prosperity and community responsive city growth

Increasing options for housing across the city was identified as a top priority and goal in the From Vision to Focus Plan. A key action item associated with this priority was 'to complete the City's Housing Strategy and implement the plan to address the needs related to young families, senior's housing, affordable housing, special needs housing and newcomers by Q2-2022'.

- Building more citizen engagement, community health and culture

From Vision to Focus identified being a municipal leader in community engagement and collaboration as a top priority and goal. The key action item associated with this priority is to employ a range of communication and engagement tactics to ensure

citizen engagement represents all residents while also focusing on diverse demographic groups and communities.

Background and Discussion:

Housing Strategy Project

In January 2021, City Council endorsed the [Housing Strategy Proposed Terms of Reference](#), directing staff to initiate Phase 1 of the Housing Strategy Project. Phase 1 of the Housing Strategy project delivered, among other things, the City's [Housing Strategy](#). The work was guided by its Project Plan, [Engagement Plan](#), and underpinned by extensive technical work that can be found in the [Housing Needs and Opportunities Report](#) as well as significant public engagement.

The City's [Housing Strategy](#) establishes a road map and acts as a guiding document for the City to use in order to take action and work towards meeting the housing needs of the community and moving the city closer to the Vision for housing in Burlington. It provides a set of city-wide housing objectives (the Themes) supported by 12 Actions and an implementation and monitoring plan. It sets priorities, identifies quick wins and provides pathways forward that are responsive to change.

The Housing Strategy was presented to the [Community Planning Regulation and Mobility Committee](#) on June 7, 2022 and approved by City Council on June 21, 2022. The approval of the Housing Strategy marks the end of the first phase of the Housing Strategy project, and the beginning of the implementation phase (phase 2) of the project.

Inclusionary Zoning Initial Report

In January 2022, Staff brought forward [Staff Report PL-03-22: City of Burlington Housing Strategy, Inclusionary Zoning Initial Report](#) to the Community Planning, Regulation and Mobility Committee. This report and its [Appendix](#), provided an overview of the Inclusionary Zoning policy tool and regulations as set out in the *Planning Act* as well as a review of various Inclusionary Zoning programs in Ontario, Canada and the United States.

Inclusionary Zoning Municipal Assessment Report

The Housing Strategy Terms of Reference identifies the preparation of an Inclusionary Zoning Municipal Assessment Report as a key deliverable of the Housing Strategy project. The intent of this key deliverable is to prepare a Municipal Assessment Report that meets the requirements of the [Provincial Regulation for Inclusionary Zoning \(Ontario Regulation 232/18\)](#) under the *Planning Act*.

This is further reinforced by Action 12 of the Housing Strategy: “*Undertake a formal assessment of the potential to introduce inclusionary zoning*”. The preparation of a Municipal Assessment Report is the first step set out in legislation and regulation that enables the implementation of Inclusionary Zoning. The work on the Municipal Assessment Report began in the summer of 2021 and has continued throughout the development of the Housing Strategy. Details about the requirements of the Municipal Assessment Report and its requirements can be found in the [Inclusionary Zoning Initial Report](#).

Strategy/process

Work on the Municipal Assessment Report was initiated by the project consultant team in August 2021, when a preliminary meeting with Halton Region was held. Later in November 2021, a roundtable session was held with the Burlington Housing and Development Liaison Committee (HDLC). These meetings were held in order to start the conversation about Inclusionary Zoning in Burlington and to seek initial feedback on the approach the project team will take on the Municipal Assessment Report work. The feedback received at both sessions helped to inform and refine the approach to the Municipal Assessment report and resulted in expanding the scope of work and the level of engagement with the development community, details about this feedback can be found in [Staff Report PL-03-22](#).

In April 2022, one-on-one interviews were conducted with a variety of representatives from the profit and not for profit development community. These interviews were used to gather feedback on the proposed approach to assessing the viability of Inclusionary Zoning within Burlington’s MTSA’s.

In April, the Government of Ontario introduced Bill 109, *More Homes for Everyone Act, 2022*. This omnibus Bill amended 6 different statutes, including the *Planning Act* and the *Development Charges Act*. The Province gave a third reading and Royal Assent to the Bill on April 14, 2022 bringing the bill into effect. The Housing Strategy’s [Proposed Terms of Reference](#) identified a series of project risks, one of these risks was “*Changes to Provincial Planning policy, legislation or regulations*” and Staff report [PL-05-22: City of Burlington Housing Strategy](#) provides a detailed summary of those risks. While these risks did not ultimately impact the timing of the delivery of the Housing Strategy, the effects of this omnibus bill on planning policy and housing is yet to be fully understood.

In June 2022, after discussions with the project consultant team and the Housing Strategy Steering Committee, it was determined that the Municipal Assessment Report work should be paused.

This pause will allow the project team:

- to assess the implications of Bill 109, *More Homes for Everyone Act, 2022* on planning policy;
- to understand any other Provincial actions to support housing;
- to monitor Inclusionary Zoning work underway in other municipalities; and
- to progress on the City's MTSA Area-Specific Planning Project.

Phase 2: Implementation of the Housing Strategy:

While the work on the Inclusionary Zoning Municipal Assessment report is paused, staff will continue work related to moving the Housing Strategy to action. The City's [Housing Strategy](#) was approved by Council on June 21, 2022, initiating the implementation phase of the Housing Strategy project. Implementation of the Housing Strategy will be based on the direction of Council and guided by the implementation plan of the Housing Strategy.

The Housing Strategy identifies a number of quick wins that staff continue to pursue. Staff will continue to explore options to move the Housing Strategy to action.

Below are several actions that Staff will start or continue to work on:

- Work with Development Review to find ways to incorporate the consideration of Housing Strategy objectives in advance of its implementation throughout the development review process;
- Use the findings of the Housing Strategy project to inform the Comprehensive Zoning Bylaw Review Project; and
- Report back to Council with an update in Q1 2023.

Options Considered

Moving forward with the Municipal Assessment Report at this time was considered. The significant potential for changes to Provincial approaches with respect to the creation of housing in the Province represents a significant unknown at this time. It was determined that the most prudent approach would be to allow time to understand new opportunities and challenges in advance of finalizing the Inclusionary Zoning Municipal Assessment Report.

Financial Matters:

N/A

Climate Implications

On April 23, 2019, Burlington's City Council unanimously passed a motion to declare a climate emergency. The City's Housing Strategy will look for innovative solutions to address local housing issues while making better use of existing infrastructure and services through the provision of additional residential units and directing new housing options in locations for intensification, such as Major Transit Station Areas with more diverse options for alternative modes of transportation, to support the provision of a wider range of housing options and minimize impacts on the environment.

Engagement Matters:

The [Housing Strategy Engagement Plan](#) provided a roadmap of the engagement activities that took place over the course of the Housing Strategy Project. It highlighted at which points in the process engagement was to take place, who was to be engaged and the level of engagement. The Engagement Plan was finalized by the Housing Strategy Working Group and Steering Committee in August 2021. The Engagement Plan has been used to guide the Municipal Assessment Report work, seeking feedback from the Burlington Housing and Development Liaison Committee, profit and not for profit industry representatives, city and Regional Staff and the Housing Strategy Steering Committee.

Conclusion:

Work on the Municipal Assessment Report has been underway since August 2021. As a result of the strategic advice provided by the Housing Strategy Steering Committee, the Municipal Assessment Report work paused to allow for the project team to assess the implications of Bill 109, *More Homes for Everyone Act, 2022*, monitor the Inclusionary Zoning work underway in other municipalities, and to progress on the City's Major Transit Station Area Area-Specific Planning Project. Staff will however, continue to move the Housing Strategy to action as set out in the Implementation Plan in the Housing Strategy.

Respectfully submitted,

Kate Hill-Montague, Mplan

Coordinator of Planning Policy

905-335-7600 ext. 7508

Alexandra Mathers, MCIP, RPP

Planner II, Policy and Community

905-335-7600 ext. 7555

Alison Enns, MCIP, RPP

Manager, Policy and Community

905-335-7600 ext. 7787

Notifications:

Curt Benson, Region of Halton

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.