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HE-36

Standing Committee on Heritage, Infrastructure and Cultural Policy

Affordable Homes
and Good Jobs Act, 2023

Comité permanent du patrimoine, de l'infrastructure et de la culture

Loi de 2023 pour des logements
abordables et de bons emplois

1st Session
43rd Parliament

Thursday 23 November 2023

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43^e législature

Jeudi 23 novembre 2023

Chair: Laurie Scott
Clerk: Isaiah Thorning

Présidente : Laurie Scott
Greffier : Isaiah Thorning

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON HERITAGE,
INFRASTRUCTURE
AND CULTURAL POLICY**

**COMITÉ PERMANENT DU PATRIMOINE,
DE L'INFRASTRUCTURE
ET DE LA CULTURE**

Thursday 23 November 2023

Jeudi 23 novembre 2023

The committee met at 0900 in committee room 1.

**AFFORDABLE HOMES
AND GOOD JOBS ACT, 2023
LOI DE 2023 POUR DES LOGEMENTS
ABORDABLES ET DE BONS EMPLOIS**

Consideration of the following bill:

Bill 134, An Act to amend the Development Charges Act, 1997 and the St. Thomas-Central Elgin Boundary Adjustment Act, 2023 / Projet de loi 134, Loi modifiant la Loi de 1997 sur les redevances d'aménagement et la Loi de 2023 sur la modification des limites territoriales entre St. Thomas et Central Elgin.

The Chair (Ms. Laurie Scott): Good morning, everyone. The Standing Committee on Heritage, Infrastructure and Cultural Policy will now come to order. We are here to conduct clause-by-clause consideration of Bill 134, An Act to amend the Development Charges Act, 1997 and the St. Thomas-Central Elgin Boundary Adjustment Act, 2023.

We are joined by staff from legislative counsel, Hansard, and broadcast and recording. Please wait until I recognize you before starting to speak, and as always, all comments should go through the Chair.

Are there any questions before we begin? Seeing none, the Clerk has distributed the amendment package to all members and staff electronically. Are there any comments or questions to any section or schedule of the bill, and if so, to which section? Yes, MPP Bell?

Ms. Jessica Bell: I'd like to make some opening remarks. Can I do that here?

The Chair (Ms. Laurie Scott): Yes.

Ms. Jessica Bell: Amazing. Okay, great. Nice to see everybody. Morning.

Overall, there are a lot of things that we like about this bill, and there are some things that we've got some concerns with about this bill.

When we're talking about moving forward with increasing incentives to electric vehicle plants, that makes a lot of sense. We need to build a green economy here in Ontario.

When we are looking at the affordable housing definition and what the definition should be in order for developers to get a development fee exemption in the order of \$30,000 to \$50,000, we need to have a definition that's actually

going to work. What we heard from stakeholders who came in to speak at committee is that this definition is not going to work. The Ontario Home Builders' Association was very clear. They said—and they were being polite—that there is not going to be a lot of uptake, because it doesn't pencil. They are not going to be building these affordable housing units because they are not going to make enough profit. That's essentially what they were saying. And then we also had the Big City Mayors come in and Ontario for All housing stakeholders, and they were also very clear. They said the definition of affordable housing is not affordable enough to work for people who are waiting for social housing or who are low- and moderate-income. You need to be earning about \$68,000 a year in order to afford these affordable homes to rent.

So we have a lot of concerns about a bill that essentially, stakeholders are telling us, is not going to result in more affordable homes being built, and even if they are being built, it's not going to be affordable for people who need it the most.

That's a summary of my comments. Thank you.

The Chair (Ms. Laurie Scott): Any further comments? Seeing none, we'll continue and begin clause-by-clause consideration on Bill 134.

Bill 134 is comprised of three sections which enact two schedules. In order to deal with the bill in an orderly fashion, I suggest we postpone these three sections in order to dispose of the schedules first. Is there agreement on this? Thank you very much.

We'll start with schedule 1, Development Charges Act, 1997. Schedule 1, section 1: I believe we have the first amendment and it's by the independent. MPP McMahon, if you would like to begin?

Ms. Mary-Margaret McMahon: I surely would. Good morning, everyone. It's nice to see you all here. I'm optimistic because the Christmas trees are being delivered today, so I know you're in the festive spirit to support amendments from your colleagues across the table, because you want to work collaboratively.

I move that section 1 of schedule 1 to the bill be amended by adding the following subsection:

“(1.1) Section 4.1 of the act is amended by adding the following subsection:

““Bulletin and data

“(1.1) The Minister of Municipal Affairs and Housing shall ensure that,

“(a) the income-based affordable rent for residential units set out in the affordable residential units bulletin is based on publicly accessible, reliable and objective data that is produced in collaboration with municipalities, non-profit housing organizations and builders’ associations;

“(b) the data is published as open data on a website of the government of Ontario; and

“(c) the bulletin is sent to all municipalities referred to in the bulletin.”

The Chair (Ms. Laurie Scott): Is there any debate? MPP McMahon.

Ms. Mary-Margaret McMahon: Just to further explain that: We heard it time and time again from presenters that the information they were getting was old and it wasn’t up to date. It wasn’t current, so it wasn’t reflective of the market and reality. We also heard about access to that data. I know that municipalities have to email to ask for it. Why not just be proactive if we want to work collaboratively and send it out to them? I don’t think that’s too much to ask, and of course we’re all into transparency and open data. C’est tout.

The Chair (Ms. Laurie Scott): Okay. Any further debate or discussion? MPP Rae.

Mr. Matthew Rae: Good morning, Chair, and good morning, colleagues. As my Liberal colleague mentioned, we’re in a festive spirit. I’d just like to point out she is wearing a very nice red blazer this morning.

Interjection.

Mr. Matthew Rae: Santa Claus? Are you going to bring us some presents today, Triple M?

Unfortunately, the government is recommending to vote against this amendment. The government is already proposing to use publicly accessible data and reliable data. The proposed bulletin, the Affordable Residential Units for the Purposes of the Development Charges Act, 1997 Bulletin, will contain rent and ownership prices already proposed to be required to be publicly posted by the ministry on the website of the government of Ontario. When published, all municipalities will have access to that.

The Chair (Ms. Laurie Scott): Any debate or discussion? MPP Bell.

Ms. Jessica Bell: I will be supporting this amendment. I think it makes a lot of sense. One thing I’ve noticed over the last few weeks since this bill was introduced is that we don’t clearly know what this definition of affordable housing is municipality by municipality. We just don’t know; it’s a mystery.

The figures that I got were from a stakeholder who crunched the numbers just for Kingston. It took them a lot of work, and they presented that to us. We also asked the ministry to give us an indication of what the definitions of affordable for sale and for rent would be in different municipal markets. We’re voting on clause-by-clause and we still don’t have that information, and neither do municipalities, and neither do the big city mayors, which is why I’m supporting this amendment, because it’s calling for very clear and transparent data moving forward.

The Chair (Ms. Laurie Scott): Further debate or discussion? Seeing none, are the members ready to vote?

All those in favour of MPP McMahon’s amendment, amendment 1, please raise your hands.

Ms. Mary-Margaret McMahon: Recorded vote.

Ayes

Bell, Harden, McMahon.

Nays

Bouma, Coe, Kusendova-Bashta, Pang, Rae, Sabawy.

The Chair (Ms. Laurie Scott): I declare amendment 1 lost.

Moving on to amendment 2 in schedule 1, section 1: MPP McMahon?

Ms. Mary-Margaret McMahon: I move that subsection 1(2) of schedule 1 to the bill be amended by striking out subparagraph 1 ii of subsection 4.1(2) of the Development Charges Act, 1997 and substituting the following:

“ii. 80 per cent of the average market rent for the residential unit.”

The Chair (Ms. Laurie Scott): Thank you. Is there any debate? MPP McMahon.

Ms. Mary-Margaret McMahon: And so, we just—

The Chair (Ms. Laurie Scott): Just a minute. Hold on. I’m sorry. We just have a technical—

Interjections.

The Chair (Ms. Laurie Scott): Okay, we’ll move to amendment number 2, which is the NDP. MPP Bell.

0910

Ms. Jessica Bell: I move that subsection 1(2) of schedule 1 to the bill be amended by striking out “the average market rent” at the beginning of subparagraph 1 ii of subsection 4.1(2) of the Development Charges Act, 1997 and substituting “80 per cent of the average market rent”.

The Chair (Ms. Laurie Scott): Any debate or discussion? MPP Bell.

Ms. Jessica Bell: The reason why we’re introducing this amendment is because we are proposing a definition of affordable rent that really focuses more on what minimum-wage and moderate-income people can afford, so it’s lower than the \$68,000 threshold.

The purpose of this bill, we thought, was to bring in a definition of affordability that tied affordable rent not just to what the market is, but also to what incomes are, and that it would be better than what the definition of affordable was in Bill 23. When we listened to stakeholders and we called people up and talked to them, like the Canadian Centre for Housing Rights, they told us pretty clearly that this definition in this bill could possibly be worse in some municipalities—as in more expensive rent—than what it was in Bill 23.

We are introducing this amendment to make the rent more affordable, to bring in a definition of affordable rent that is cheaper than what it is in Bill 23. That’s the purpose of this motion.

The Chair (Ms. Laurie Scott): Any further debate or discussion? MPP Rae.

Mr. Matthew Rae: Thank you to my colleague for moving the amendment. Unfortunately, the government recommends voting against this amendment. It would result in a definition of affordable residential units which is not consistent with the Provincial Planning Statement, 2020. Municipalities and builders are very familiar with the PPS document.

The Chair (Ms. Laurie Scott): Any further debate or discussion? MPP Bell?

Ms. Jessica Bell: That's just downright weird. You changed the provincial policy statement to tie it to market rent. The original provincial policy statement had a definition of affordable that was tied to income. You changed it. The government changed it. I'm working to improve it. It's a pity that you're voting against it.

The Chair (Ms. Laurie Scott): Further debate or discussion? Seeing none, are the members ready to vote on amendment number 2?

Ms. Jessica Bell: Recorded.

Ayes

Bell, Harden, McMahon.

Nays

Bouma, Coe, Kusendova-Bashta, Pang, Rae, Sabawy.

The Chair (Ms. Laurie Scott): I declare amendment number 2 lost.

Moving to amendment number 3, by the independent: MPP McMahon, please go ahead.

Ms. Mary-Margaret McMahon: All right, let's give it a go.

I move that subsection 1(2) of schedule 1 to the bill be amended by striking out subparagraph 1 ii of subsection 4.1(2) of the Development Charges Act, 1997 and substituting the following:

"ii. 80 per cent of the average market rent for the residential unit."

The Chair (Ms. Laurie Scott): Thank you. Any debate or discussion? MPP McMahon.

Ms. Mary-Margaret McMahon: Yes, just that affordable rental housing should remain defined as rent no higher than the lower of the 80% average market rent or rent affordable to households at the 50th percentile of gross annual income for renter households in each specific municipality, defined as 30% of those household incomes. So thank you for your support in advance.

The Chair (Ms. Laurie Scott): Any further debate or discussion? MPP Rae.

Mr. Matthew Rae: Unfortunately, the government is recommending voting against this amendment from the independent member. The proposed motion would result in affordable residential units, which is inconsistent with the Provincial Planning Statement, 2020. Again, municipalities and builders across Ontario are very familiar with the PPS 2020.

The Chair (Ms. Laurie Scott): Further debate? MPP Bell.

Ms. Jessica Bell: Correct me if I'm wrong, but this is literally the definition of affordable housing that you've put in Bill 23. So I'm going to be voting in the favour of MPP McMahon's motion.

The Chair (Ms. Laurie Scott): Thank you. Any further debate or discussion? Seeing none, are the members ready to vote? All those in favour of—

Ms. Mary-Margaret McMahon: Recorded.

The Chair (Ms. Laurie Scott): It's a recorded vote.

Ayes

Bell, Harden, McMahon.

Nays

Bouma, Coe, Kusendova-Bashta, Pang, Rae, Sabawy.

The Chair (Ms. Laurie Scott): I declare amendment 3 lost.

Moving to amendment number 4, official opposition NDP: MPP Bell.

Ms. Jessica Bell: I move that section 1 of schedule 1 to the bill be amended by adding the following subsection:

"(2.1) Subsection 4.1(2) of the act is amended by adding the following paragraph:

"3. The tenant has been selected in accordance with the local municipality's process for prioritizing applicants for affordable rental housing, if any."

The Chair (Ms. Laurie Scott): Any further debate or discussion? MPP Bell.

Ms. Jessica Bell: I love this motion, okay? So give it a think. The reason why I introduced this motion is because, currently, if a developer builds a big purpose-built rental or a big condo and there's 20 affordable units in that big condo—currently, going by what's in this bill, it's the developer that sets the process for determining who gets to move into those affordable housing units. We saw this with the Honest Ed's development that was just built at Bathurst and Bloor. It's massive; it's 1,000 units. All the affordable homes in that building were fully subsidized by the federal government and a dash of city, and it was the developer that gets to choose who moves in, even though a lot of it was subsidized by the city. Essentially these affordable housing units are also going to be subsidized because they've been exempt from development charges, right? We're giving them a break.

If you wanted to apply to be in these affordable housing units, you had to check their website frequently to find out when they opened the portal to apply, and then it was the developer that got to choose who got to move into these homes. The problem with that is that there's no transparency. We don't know if they're giving it to their kids. We don't know, right? We don't know. It also means the people who apply are the more Internet-savvy people who can go onto all these different developer websites every month to see when they're open. They follow Twitter. They

know when things are going to be approved and so on. So you're leaving out a whole lot of people who just want an affordable home. They're on a wait-list and they assume that when an affordable home is available to them, they're going to get a call.

This is especially important because many municipalities have a wait-list for affordable housing, and they have the capacity to create a wait-list for this more mid-market housing. That's fair. It's first-come, first-served, or it's based on need, or it's parents with kids, whatever. It makes sense to have municipalities have some kind of oversight over who gets these affordable homes so they go to the people who need it the most.

Municipalities also approached us and said, "Yes, this makes a lot of sense. We would like it too." It's free. It doesn't cost the government anything, and it would make things more fair. That's why I'm introducing this motion.

The Chair (Ms. Laurie Scott): Further debate, discussion? MPP Rae.

Mr. Matthew Rae: The government recommends voting against this motion. Home builders are required to enter into agreements with municipalities to maintain affordability on eligible affordable rental units. In part of this agreement, municipalities themselves can make additional requirements for the home builder, which they would bound by. This agreement could be registered on title to support enforcement of the requirements.

The Chair (Ms. Laurie Scott): Further debate? MPP Bell.

Ms. Jessica Bell: I did hear the government say that earlier, that municipalities could already have the authority. However, we heard from municipalities, including the city of Toronto, that they don't think they have the authority to enforce these affordable housing agreements. They don't think they have the authority to make sure the process is fair and to oversee it, and they don't know if they have the authority to put these agreements on property title. They said that to us. The big city mayors' Marianne Meed Ward said that to us in committee. So they're asking for additional clarity to make sure they have the authority they need to make sure things are fair.

0920

The city of Toronto has been going through this process for a while. The auditor general at the city of Toronto did a deep dive into who actually gets the affordable housing units that are built in the city of Toronto, and they already found that it's pretty opaque. There's no tracking. We don't know who gets them. We don't know if they're the people who are most deserving. So we're already hearing from experts that this could be a bit of a problem.

My request: You can go think and later on maybe come up with another amendment in another government bill—I don't know; sometimes they appear later on. It would be wonderful to see this in a future bill. You could even vote for it now.

The Chair (Ms. Laurie Scott): Further debate? MPP McMahon.

Ms. Mary-Margaret McMahon: I'm happy to support this bill in an effort of fairness and transparency. It makes

sense. We're saying people could do this. But do they do it? We need to track it and monitor it and ensure fairness. As the member said, it was her favourite amendment, so of all the amendments, here's your chance to prove you want to work with us.

The Chair (Ms. Laurie Scott): Further debate? Seeing none, are the members ready to vote on amendment number 4?

Ms. Mary-Margaret McMahon: Recorded vote.

Ayes

Bell, Harden, McMahon.

Nays

Bouma, Coe, Kusendova-Bashta, Pang, Rae, Sabawy.

The Chair (Ms. Laurie Scott): I declare amendment 4 lost.

Moving on to amendment 5, from the official opposition: MPP Bell, when you're ready, please go ahead.

Ms. Jessica Bell: I move that subsection 1(3) of schedule 1 to the bill be amended by striking out "90 per cent" at the beginning of subparagraph 1 ii of subsection 4.1(3) of the Development Charges Act, 1997 and substituting "80 per cent".

The Chair (Ms. Laurie Scott): Further debate or discussion? MPP Bell.

Ms. Jessica Bell: This is similar. With this bill, we've got a definition of affordable housing that developers must meet if they want to build an affordable rental home in order to be exempt from development charges. Then there's also a definition of affordable homes that are then sold. They need to meet a certain price for the developer to have that exemption, too.

This motion looks at lowering the definition of affordability so the homes that are sold are sold at a more affordable price. Instead of 90% of the average sale price for that type of unit, we are asking for it to be 80%.

The Chair (Ms. Laurie Scott): Further debate or discussion? MPP McMahon.

Ms. Mary-Margaret McMahon: It makes complete sense, so I will be supporting it.

The Chair (Ms. Laurie Scott): Further debate? MPP Rae.

Mr. Matthew Rae: The government recommends voting against this motion. The proposed motion would make the market-based criteria for an owned affordable residential unit inconsistent with the criteria for an owned residential unit in the Provincial Planning Statement, 2020. Municipalities and builders, as I've mentioned in previous comments, are already very familiar with that PPS.

The Chair (Ms. Laurie Scott): Is there further debate or discussion? Seeing none, are the members ready to vote?

Interjection.

The Chair (Ms. Laurie Scott): It will be a recorded vote.

Ms. Jessica Bell: Can we have a recorded vote on every one?

The Chair (Ms. Laurie Scott): Let me check on that. I'm afraid you've got to request it for every one.

Interjection.

The Chair (Ms. Laurie Scott): You have to request it for every one, yes.

Amendment number 5: All those in favour, please raise your hand. It is a recorded vote.

Ayes

Bell, McMahon.

Nays

Bouma, Coe, Kusendova-Bashta, Pang, Rae, Sabawy.

The Chair (Ms. Laurie Scott): I declare amendment 5 lost.

Moving on to amendment number 6: I'll go to MPP Bell, when she's ready.

Ms. Jessica Bell: I move that section 1 of schedule 1 to the bill be amended by adding the following subsection:

“(3.1) Subsection 4.1 (3) of the act is amended by adding the following paragraph:

“3. The residential unit is sold to a person who has been selected in accordance with the local municipality's process for prioritizing applicants for affordable ownership housing, if any.”

The Chair (Ms. Laurie Scott): Further debate? MPP Bell.

Ms. Jessica Bell: This is similar to what I explained earlier with the affordable rental selection process. We want to make sure that municipalities have some oversight to ensure that the people who have been waiting the longest, who are most in need, and who also meet the criteria, are getting these affordable homes for sale. They have to be able to get a mortgage at that rate and to afford the mortgage payments. But then, in addition to that, it's a centralized process that exists so that people can apply. I think it makes a lot of sense. Municipalities have been asking for it, and it ensures that the process is fair.

One thing that we're worried about is when these units come up for sale, they're going to be cheaper than what a unit would be typically if it was just sold on the open market. There is some concern, if the process isn't transparent, that a developer could let their friends and friends' friends know that this process is open, but then not a lot of other people. So then who gets these more affordable units? And what's to stop them from being flipped in two years so that a profit is made? We've got some concerns about that. Having municipalities oversee that process of selection, if they have one, just brings transparency and fairness to the process.

The Chair (Ms. Laurie Scott): Further debate or discussion? MPP Rae.

Mr. Matthew Rae: The government will be recommending voting against this amendment. Home builders are required, as I've mentioned earlier, to enter into agreements with municipalities to maintain affordability. As

part of these agreements, municipalities can add additional requirements for the home builder to be bound by.

The Chair (Ms. Laurie Scott): Any further debate or discussion on amendment number 6? Seeing none, are the members ready to vote?

Ms. Jessica Bell: Recorded.

The Chair (Ms. Laurie Scott): Recorded vote.

Ayes

Bell, McMahon.

Nays

Bouma, Coe, Kusendova-Bashta, Pang, Rae, Sabawy.

The Chair (Ms. Laurie Scott): I declare amendment number 6 lost.

Moving on to amendment number 7, independent: MPP McMahon, when you're ready, please go ahead.

Ms. Mary-Margaret McMahon: I'm up. Here we go again.

I move that subsection 1(4) of schedule 1 to the bill be amended by striking out “60th percentile” in clause 4.1(5)(a) of the Development Charges Act, 1997 and substituting “50th percentile”.

The Chair (Ms. Laurie Scott): Further debate? MPP McMahon.

Ms. Mary-Margaret McMahon: Sure. It's kind of similar to my other one, but affordable rental housing should remain affordable to households at the 50th percentile of gross annual income for renters' households in specific municipalities. Let's just be realistic about the situation we're in in the world with the affordability crisis, especially in Ontario—so moving it from 60th to 50th. I would love 40th, but I'm going to just move 50th for now. Love your support.

The Chair (Ms. Laurie Scott): Further debate, discussion? MPP Rae.

Mr. Matthew Rae: Thank you to the independent member for moving this amendment. Unfortunately, the government is recommending we vote against this motion because the proposed motion would make eligible household income used for determining income-based affordable rent inconsistent with the PPS 2020, which currently uses household income that is the 60th percentile for both rental and ownership. As I mentioned in previous comments, both municipalities and home builders are familiar with the PPS approach.

The Chair (Ms. Laurie Scott): Any further debate, discussion?

Ms. Mary-Margaret McMahon: Did you say “inconsistent” or “inhumane”? Sorry.

The Chair (Ms. Laurie Scott): MPP Rae.

Mr. Matthew Rae: “Inconsistent.” We want to remain consistent.

The Chair (Ms. Laurie Scott): MPP Rae said “inconsistent.” Any further debate or discussion? Seeing none, are the members ready to vote on amendment number 7?

Ms. Mary-Margaret McMahon: Recorded.

The Chair (Ms. Laurie Scott): A recorded vote is requested.

Ayes

Bell, McMahon.

Nays

Bouma, Coe, Kusendova-Bashta, Pang, Rae, Sabawy.

The Chair (Ms. Laurie Scott): I declare amendment 7 lost.

Moving now to amendment number 8, I'll turn to MPP Bell. When you're ready, please.

Ms. Jessica Bell: I move that subsection 1(4) of schedule 1 to the bill be amended by striking out clauses 4.1(5)(a) and (b) of the Development Charges Act, 1997 and substituting the following:

“(a) determine the incomes of households of prescribed sizes that are in the 60th percentile of incomes of renter households of the prescribed size; and

“(b) identify, with regard to the national housing standard, the rent of a suitable unit equal to 30 per cent of the income of any household referred to in clause (a).”

0930

The Chair (Ms. Laurie Scott): Further discussion? MPP Bell.

Ms. Jessica Bell: I also really like this one. This came from stakeholders. I actually hadn't thought of this, but when I was listening to Sean Meagher from Ontario for All and, once again, Marianne Meed Ward from Ontario's Big City Mayors, they made a really important point. They said that when you're creating this definition of affordability, you're lumping all rental households in a municipality together. That means you're including people who can afford a three-bedroom rental unit—usually people with two incomes—with people who can just afford an apartment—usually lower income—to come up with the average 60% percentile, which means you're creating a situation where, if you want to create an affordable bachelor unit, the definition of affordability is too high for these people who typically live in these bachelor units. Maybe they're students. Maybe they're minimum-wage workers. So they recommended to come up with a bulletin that looks at the average household rental income based on that unit size. So if it's a three-bedroom rental unit, you're looking at other household incomes that live in other three-bedroom rental units to come up with your definition there. And when you're looking at the bachelors, you're comparing it to people who typically live in bachelor units; you're looking at their rental income and you're coming up with something that's more affordable for them, too. That makes a lot of sense to me. That's why I introduced this amendment.

The Chair (Ms. Laurie Scott): Further debate or discussion? MPP Rae.

Mr. Matthew Rae: Thank you to my NDP colleague for the motion.

The government is recommending that we vote against this motion because the government is exploring data sources to support the development, obviously, of the proposed bulletin. This includes ensuring that the data and the parameters of the bulletin provide consistent province-wide coverage, not just for downtown Toronto, and will consistently be available for the foreseeable future. It would be premature to identify additional parameters in the definition which may or may not be available given data sources.

The Chair (Ms. Laurie Scott): Further debate? MPP Bell.

Ms. Jessica Bell: We're under the impression that the affordable housing bulletin is going to include municipal-by-municipal definitions. So you're already not coming up with a provincial-wide standard; you're going to be coming up with specific municipal definitions. If you build an affordable housing unit in Kingston, it's going to have a different definition of affordability than a unit that's going to be built in Ottawa or Peterborough. That makes a whole lot of sense.

So, yes, you are going to be voting against this motion. Surprise, surprise. No Christmas or Hanukkah presents for us over here today. However, my request is that when you're talking to ministry staff, moving forward, you consider this very practical piece of advice we're giving you so that we can make these bachelor apartments, these one-bedroom apartments that are typically filled with people who earn less money—we want to make them more affordable, too. So give it a think and factor it in, and if you want to talk afterwards with ministry staff and me and us, we're happy to do that.

The Chair (Ms. Laurie Scott): Further debate? Seeing none—in just a minute, a vote on amendment number 8. I'm assuming—

Ms. Jessica Bell: Recorded vote.

The Chair (Ms. Laurie Scott): A recorded vote is requested.

Ayes

Bell, McMahon.

Nays

Coe, Grewal, Kusendova-Bashta, Pang, Rae, Sabawy.

The Chair (Ms. Laurie Scott): I declare amendment number 8 lost.

We'll move to amendment number 9. MPP McMahon.

Ms. Mary-Margaret McMahon: I just have two more left, so let's really think long and hard about which one, if not both, that you're going to support.

I move that subsection 1(4) of schedule 1 to the bill be amended by adding the following subsection to section 4.1 of the Development Charges Act, 1997:

“Average market rent

“(5.1) For the purposes of subparagraph 1 ii of subsection (2), the average market rent shall be identified by reference to the local municipality in which the residential unit is located and whether the residential unit is a studio unit, a one-bedroom unit, a two-bedroom unit or a unit with three or more bedrooms.”

The Chair (Ms. Laurie Scott): Debate? MPP McMahon.

Ms. Mary-Margaret McMahon: We heard testimony from numerous people and organizations about how we need to factor in the size of units when we're deliberating this bill and drafting the legislation.

What I would say is, the people who come down to give testimony, they come all the way; they travel a distance. They prepped for it, studied it, researched it and maybe practised in front of the mirror to give—maybe they're a little nervous. They come down and spend all this energy and time, and they have hope that they're going to be listened to and that maybe we would heed some of their advice. We heard this over and over again. I just really think this is a fair amendment and a logical one, so I'm looking for your support.

The Chair (Ms. Laurie Scott): Further debate? MPP Rae.

Mr. Matthew Rae: Thank you to the independent member for proposing the amendment. Unfortunately, the government is recommending we vote against this motion. The government is exploring data sources to support the development of the proposed bulletin. This includes ensuring that the data and the parameters of the bulletin provide consistent, province-wide coverage and will be consistently available for the foreseeable future at this time.

The Chair (Ms. Laurie Scott): Any further debate or discussion? Seeing none, are the members ready to vote?

Ms. Mary-Margaret McMahon: Recorded vote.

Ayes

Bell, McMahon.

Nays

Coe, Grewal, Kusendova-Bashta, Rae, Sabawy.

The Chair (Ms. Laurie Scott): I declare amendment 9 lost.

Moving to amendment 10: MPP Bell, when you're ready.

Ms. Jessica Bell: I move that subsection 1(4) of schedule 1 to the bill be amended by striking out clauses 4.1(6)(a) and (b) of the Development Charges Act, 1997 and substituting the following:

“(a) determine the incomes of households of prescribed sizes that are in the 60th percentile of incomes of renter households of the prescribed size; and

“(b) identify, with regard to the national housing standard, the purchase price of a suitable unit equal to 30 per cent of the income of any household referred to in clause (a).”

The Chair (Ms. Laurie Scott): MPP Bell, discussion?

Ms. Jessica Bell: This is the same thing as what we have proposed for affordable rental units. We are asking

the government to come up with a bulletin when we're identifying purchase prices that need to be met for a developer to get a development fee exemption based on the unit size. So we're comparing bachelors with bachelors, one bedrooms with one bedrooms, two bedrooms with two bedrooms, and the incomes of the people that would typically live in them. I think it makes a lot of sense because it means we're building homes that are affordable for the kinds of people and the kinds of household size that would typically move into them.

The Chair (Ms. Laurie Scott): Further debate or discussion? MPP Rae.

Mr. Matthew Rae: The government is recommending we vote against this motion. The proposed motion would make the criteria for an income-based affordable ownership unit inconsistent with the definition of affordable housing in the PPS 2020. As I've mentioned previously, municipalities and builders are familiar with the definition in the PPS.

The Chair (Ms. Laurie Scott): Any further debate or discussion on amendment number 10?

Ms. Jessica Bell: Recorded vote.

The Chair (Ms. Laurie Scott): A recorded vote is requested. Are the members ready to vote?

Ayes

Bell, McMahon.

Nays

Coe, Grewal, Kusendova-Bashta, Pang, Rae, Sabawy.

The Chair (Ms. Laurie Scott): I declare amendment number 10 lost.

We just had a clerical error, so we're going to go to amendment 12 first and then back to 11.

MPP Bell, if you're ready for amendment number 12.

Ms. Jessica Bell: I move that section 1 of schedule 1 to the bill be amended by adding the following subsection:

“(5) Subsection 4.1(9) of the act is amended by striking out ‘25 years’ at the end and substituting ‘50 years’.”

The Chair (Ms. Laurie Scott): Further debate? MPP Bell.

Ms. Jessica Bell: We heard pretty clearly from Sean Meagher from Ontario for All. He gave us a rundown of what happened in New York City when they brought in an “affordable housing” definition. When he talked to people there—I can't remember the exact name, but it's in Hansard—they said pretty clearly, “Our biggest regret is that we made the definition of affordable housing too short. Because all of a sudden that time frame was done and we still had a housing affordability crisis.” Which is why we are proposing that we extend the “affordable housing” definition to 50 years, which means a home has to be affordable for rent for 50 years, or the purchase price needs to be affordable for 50 years, so it can't just be flipped after a period of time and so on.

0940

It makes a lot of sense. I hope we don't, but my hunch is that we'll still have housing affordability issues 25 years from now. We have a responsibility to plan in the long term, plan for future generations, and this is a way to do that.

The Chair (Ms. Laurie Scott): MPP McMahon for further discussion.

Ms. Mary-Margaret McMahon: I'll be supporting this terrific motion from my terrific colleague.

Again, you have another case of an expert in his field coming down here to speak to us and explain to us his experience, but especially his knowledge—from a credible expert in housing from New York City who learned the hard way. Why would we want to make those same mistakes? Why wouldn't we listen to those people and that information and consider it? Hopefully you'll support this.

The Chair (Ms. Laurie Scott): Further debate? MPP Rae.

Mr. Matthew Rae: The government is recommending we vote against this motion. The proposed motion would be inconsistent with the proposed proposal for inclusionary zoning, which proposes that units remain affordable for up to 25 years. I know our government is going to work to ensure we do not have an affordability crisis in 25 years.

The Chair (Ms. Laurie Scott): Any further debate, discussion? MPP Bell.

Ms. Jessica Bell: MPP Rae, that's very interesting that we are hearing talk from the government about inclusionary zoning—yay. Many municipalities, including the city of Toronto, have been waiting two years for permission from the Ontario government to move forward with inclusionary zoning and to allow for increased density near transit stations, because those two regulations are twinned.

So I'm really looking forward to seeing when you're going to be making that announcement. I've been waiting with bated breath. Would you be open to sharing any information here today, MPP Rae?

The Chair (Ms. Laurie Scott): MPP Rae, please go ahead.

Mr. Matthew Rae: Keep waiting.

The Chair (Ms. Laurie Scott): Any further debate or discussion? Seeing none, are the members ready to vote?

All those in favour of schedule 12—

Ms. Jessica Bell: Recorded vote.

The Chair (Ms. Laurie Scott): Recorded vote—please raise your hand.

Ayes

Bell, McMahon.

Nays

Coe, Grewal, Kusendova-Bashta, Pang, Rae, Sabawy.

The Chair (Ms. Laurie Scott): I declare amendment 12 lost.

We're going to go back to amendment 11 now. I'll look to MPP McMahon.

Ms. Mary-Margaret McMahon: This is my last one—saved the best for last. I know you're going to surprise me here with your support.

I move that section 1 of schedule 1 to the bill be amended by adding the following subsection:

“(5) Section 4.1 of the act is amended by adding the following subsections:

“Accountability framework

“(13.1) The Minister of Municipal Affairs and Housing shall consult with local municipalities, builders' associations and non-profit housing organizations and develop a framework intended for developers to ensure accountability with respect to compliance with the policy underlying the development charge exemption under this section.

“Same

“(13.2) Developers shall comply with the framework.”

The Chair (Ms. Laurie Scott): MPP McMahon for debate?

Ms. Mary-Margaret McMahon: We heard from the big city mayors and Mayor Meed Ward, and we heard from others as well in their testimony that there should be some accountability. If you are going to get these exemptions to build affordable housing, we need to make sure, after you get them, that you actually do what you have been tasked to do, what you promised to do. We have faith that people will do the right thing, but sometimes that doesn't happen. So just a little bit of accountability to ensure people comply, I think, would be something completely up the government's alley, to ensure what they're trying to do, endeavouring to do, will actually happen. Thank you in advance.

The Chair (Ms. Laurie Scott): Further debate or discussion? MPP Rae?

Mr. Matthew Rae: Thank you to the independent member for moving this amendment. The government is recommending we vote against this motion. Within the agreements, municipalities may set requirements that support the enforcement of accountability of the other party—for example, a homeowner or a developer—and they would be bound by this in the agreement and, as I've mentioned earlier, can be registered on title to the land and be enforced against subsequent owners on that piece of property.

Hopefully I don't get a piece of coal from the member from the Liberals today.

The Chair (Ms. Laurie Scott): Further debate or discussion on amendment number 11? Seeing none, are the members ready to vote?

Ms. Mary-Margaret McMahon: Recorded vote.

Ayes

Bell, McMahon.

Nays

Coe, Grewal, Kusendova-Bashta, Pang, Rae, Sabawy.

The Chair (Ms. Laurie Scott): I declare amendment number 11 lost.

Shall schedule 1, section 1, carry? Any debate or discussion? Is everybody ready to vote? All in favour, please raise your hands. All those opposed, please raise your hands. I declare schedule 1, section 1, carried.

Moving on to section 2 of schedule 1: Is there any debate and discussion? Seeing none, are the members ready to vote? Shall the section carry? All those in favour, please raise your hands. All those opposed, please raise your hands. I declare schedule 1, section 2, carried.

Shall schedule 1 as a whole carry? Any discussion? Are members ready to vote? All those in favour, please raise your hands. All those opposed, please raise your hands. I declare schedule 1 as a whole carried.

Moving on to schedule 2: There are no amendments to sections 1 to 5 of schedule 2. I propose we bundle them. Agreed? Agreed.

Any discussion? Seeing none, are the members ready to vote? All those in favour of sections 1 to 5 of schedule 2, please raise your hands. All those opposed, please raise your hands. I declare that carried. Sections 1 to 5 of schedule 2 carry.

Shall schedule 2 as a whole carry? Any discussion?

Ms. Jessica Bell: Recorded vote.

Ayes

Coe, Grewal, Kusendova-Bashta, Pang, Rae, Sabawy.

Nays

Bell, McMahon.

The Chair (Ms. Laurie Scott): I declare schedule 2 carried.

We'll now return to sections 1 to 3. Are there any comments or questions on section 1? MPP Bell.

Ms. Jessica Bell: This is just my final comments on the bill. Can I just do it here?

The Chair (Ms. Laurie Scott): Yes.

Ms. Jessica Bell: There are some things in this bill that we like. Allowing the local municipalities, St. Thomas and Central Elgin, to do what they need to do to incentivize and encourage the creation of green industry in Ontario makes a lot of sense. That's why we support it.

We do have a lot of concerns about the changes to the "affordable housing" definition. It remains to be seen whether it will lead to a lower definition of affordability than what currently exists with Bill 23, which we didn't like anyway. Although we like that there is a section of affordability that is tied to income and not just ever-rising market rates for rent and sale, when you crunch the numbers, when stakeholders have crunched the numbers, they're coming up with definitions of affordability that are still pretty high, and they could be higher than what is in Bill 23. So we've got a lot of concerns about that. We also have some concerns about how effective this bill is going to be, given that the Ontario Home Builders' Association is telling us there is not going to be a lot of uptake with this bill.

0950

A bunch of us were here during Bill 23. That was that massive bill that had some pretty drastic changes to how we plan and build in Ontario, and that bill was rammed through really quickly. Associations didn't even get the opportunity to speak to that bill. Now here we are, a year later, and we're seeing a government introduce bills to fix changes from Bill 23 because they moved too quickly. You cut and planned at the same time instead of planning, or measuring, twice and cutting, and we're still seeing the consequences of that.

The independent member, the Liberal MPP, and myself, we've introduced some pretty similar motions, asking that you look seriously at how we can improve the definition of affordability in Ontario: make it a little tougher, make it tailored to unit size, make sure there's accountability and that municipalities have oversight over the process so we get the right people into these units—people who have been waiting the longest, single parents, seniors, people who are most at need—so that we can get this right.

Most of the measures that we have introduced are free. They're not going to cost the government anything, and for some of them, they're not even going to cost the developer anything. It just brings in transparency. I know you voted against them, but go back, give it a think, talk to stakeholders, do your consultations—I know you have a housing stakeholder coming up on the 27th—and get it right in the regulations or bring in some of these changes in the next bill, because I know, government members, you want to address the housing affordability crisis too. It's not just us on this side. So my hope is that there will be some changes moving forward, in future bills and regulations. Thank you.

The Chair (Ms. Laurie Scott): Any further debate, discussion? MPP McMahon.

Ms. Mary-Margaret McMahon: I would echo my colleague's comments, saying—this is probably true with, well, maybe half of your bills or, I don't know, 75% of your bills, where there's some really good things in there, and then there's some things that are not supportable at all.

In effort of collaboration and co-operation and to build a better Ontario together, we move amendments that we think are palatable, actually. We could move some wild and woolly amendments, but we don't. We're reasonable and realistic. If you just support those, then we can have the full-on kumbaya moment and work together, which is the way Ontarians want to see us—what they want to see us do, not this divisiveness.

So it's pretty disappointing today for the amendments to fail because, as my colleague said, there are some really good things in this bill and it's moving in the right direction. It just needs a little tweaking, in our minds and our constituents' minds and some Ontarians, who you heard from. Thank you.

The Chair (Ms. Laurie Scott): Any further debate, discussion? Seeing none, are the members ready to vote?

Okay, so we're going to vote on section 1. All those in favour, please raise your hands. All those opposed, please raise your hands. I declare section 1 carried.

Moving on to section 2: Any debate, discussion? Seeing none, are the members ready to vote? All those in favour, please raise your hands. All those opposed, please raise your hands. I declare section 2 carried.

Moving to section 3: Any debate, discussion? Seeing none, are the members ready to vote? All those in favour, please raise your hands. All those opposed, please raise your hands. Thank you. I declare section 3 carried.

Moving back to the beginning of Bill 134, shall the title of the bill carry? Any discussion, debate? All those in favour, please raise your hands. All those opposed, please raise your hands. Carried.

Shall Bill 134 carry? Any discussion? All those in favour, please raise your hands. All those opposed, please raise your hands. Carried.

Shall I report the bill back to the House? Any debate, discussion? All those in favour, please raise your hands. All those opposed, please raise your hands. Carried. I shall report the bill back to the House.

Is there any further business of the committee? All right. Seeing none, no further business, this committee now stands adjourned until 3 p.m. on Tuesday, November 28, 2023. Thank you, everyone.

The committee adjourned at 0956.

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