

Municipal Affairs & Housing

Hon. Steve Clark



Ministry of Municipal Affairs & Housing

The Honourable Steve Clark, Minister

Meeting: The Honourable Steve Clark, Minister
Wednesday, August 22, 2018
8:10 am – 8:25 am
Westin Hotel, Oak Room

Topics: Full and Fair Representation at the Region of Peel
Secondary Units – Right of Entry
DC Rebate & Housing Affordability
Housing Brampton

Full & Fair Representation at the Region of Peel

Our Ask:

The Ministry of Municipal Affairs enact legislative changes, ahead of the 2022 municipal election, to create fair and equal representation for the City of Brampton at the Region of Peel.

What is the ideal regional governance structure for Brampton and the regional economy?

Brampton residents deserve full and fair representation at the Region of Peel (Region) that includes all 10 elected Councillors and the Mayor.

Currently, each Brampton Regional Councillor represents 98,939 residents at the Region, compared to Mississauga Councillors who each represent 72,159 residents.

Why is full and fair representation important for the regional economy?

- Brampton's population growth has outpaced that of Mississauga and Caledon, reinforcing the need for increased representation for Brampton
- Brampton's current population is nearly 600,000 and is anticipated to grow to 900,000 by 2041, making Brampton the second-fastest growing city in Canada.
- From 2011 to 2016, Brampton saw a net population increase of almost 70,000 people, a growth rate of 13.3%. Each day, 47 people relocate to Peel, 38 of those, move to Brampton.
- Equal representation is essential to reflect our current and future strong population and employment growth.
- Consider these facts:
 - Brampton's location in the middle of the Innovation Super Corridor (between Waterloo to Toronto), will have a significant and positive impact on the Regional and Provincial economies
 - Brampton will soon open doors to a university that is a unique Centre for Innovation, a catalyst for more jobs, increased development and investment

- Brampton has more than 800 health sector businesses and agencies. This is further strengthened as a significant health and life sciences cluster is taking shape around the new Peel Memorial Centre for Integrated Health and Wellness. More than \$500 million has been invested in the 350,000 sq.ft. urgent care facility that is estimated to see more than 40,000 visitors annually. Businesses in this sector are recognizing the potential and investing in this growth opportunity.

Key highlights

- The Municipal Act's requirement of a triple majority to change the composition of Council has prevented the residents of Brampton from having an equitable voice at Regional Government.
- Since 2003, many unsuccessful attempts have been made to seek full representation:
 - In 2003, Brampton took a bold step and reduced its own Council from 17 to 11 members, 10 Councillors and a Mayor, with 10 Wards to prepare for all members to serve on Regional and City Council, like the Mississauga model.
 - In 2004 Justice Adams was commissioned by the Premier to look at the issue of representation at the Region of Peel. Justice Adams recommended full representation at the Region that included all 10 Brampton Councillors.
 - Despite his recommendation, it did not receive majority support at Peel Regional Council
 - During the 2010 – 2014 term of Council, a regional Task Force was formed with the Regional Chair and Mayors, who discussed this issue for months.
 - There was no consensus among all three municipalities
 - In 2013, Brampton underwent a ward boundary review due to population growth, and to prepare for full representation at Regional Council.
 - In 2015 a third-party facilitator was retained to work with the Regional Chair and Mayors to do a full review of the existing governance model.
 - After a lengthy and vigorous review, the Region's consultant indicated that Brampton's proportion of the Region's vote share was 29%, which warranted all 10 elected Brampton Councillors have a seat at Regional Council.
 - In 2017, Bill 68 did not go far enough to address disparity in regional representation and call for legislative changes in advance of the 2018 Municipal Election

- To date, only six Councillors plus the Mayor sit on Regional Council. All of Mississauga's Members of Council have been sitting on Regional Council for more than two decades.

Brampton is asking that the province initiate legislative changes to create a fair and equal representation at the Region of Peel Council. This will be a significant step towards empowering the regional economy to meet the current and future needs of population and employment growth.

INFORMATION CONTACT

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Secondary Units – Right of Entry

Our Ask:

The Ministry of Municipal Affairs and Housing enact changes to the *Building Code Act* and the *Planning Act* to give expanded rights of entry for municipalities for the purpose of inspecting secondary units and illegal multi-unit dwellings.

What is the Right of Entry for secondary units in Brampton?

The City of Brampton has policies allowing secondary units in detached, semi-detached and townhouse dwellings, subject to zoning requirements and restrictions. However, the City has a limited ability to investigate reported illegal units to ensure they are safe.

Why is the Right of Entry to secondary units important?

- The Province's *Strong Communities Through Affordable Housing Act* requires municipalities to permit second units in detached, semi-detached and townhouse dwellings.
- Brampton's policies state that all secondary units must be registered with the City, which helps the City ensure that the units are safe, legal and livable.
 - However, because of restricted rights of entry under both the *Building Code Act* and the *Planning Act*, building inspectors and enforcement officers are often refused entry when attempting to investigate a reported illegal dwelling unit.
 - As a result, the inability to inspect these secondary units may pose a safety risk for both occupants and first responders.

A closer look at secondary units in Brampton

- In response to the Province's *Strong Communities Through Affordable Housing Act*, the City of Brampton introduced new secondary unit policies in 2015.
- The City's one-time registration requirement ensures that secondary units meet all safety requirements under the:

- Ontario Building Code and/or Fire Code
 - Electrical Safety Authority
 - Local zoning by-law
- As of July 2018, there were a total of 620 legal registered second units in the City
- Registration also helps the City identify the location of second units. This information is shared with Brampton Fire and Emergency Services, for firefighters responding to an emergency.
- The Right of Entry issues stems from the City's inability to investigate illegal dwelling units.
- Section 16(1) of the *Building Code Act* states, in part, that
 - "an inspector or officer shall not enter or remain in any room or place actually being used as a dwelling unless the consent of the occupier is obtained, the occupier first having been informed that the Right of Entry may be refused and entry made only under the authority of a warrant issued under this Act."
- Section 49(3) of the *Planning Act* states, in part, that:
 - "Except under the authority of a search warrant issued under section 49.1, an officer or any person acting under his or her instructions shall not enter any room or place actually used as a dwelling without requesting and obtaining the consent of the occupier, first having informed the occupier that the Right of Entry may be refused and entry made only under the authority of a search warrant."
- As such, when City inspectors and/or officers are investigating a reported illegal second unit, they are often refused the Right of Entry.
- If inspectors/officers are able to gather enough evidence that a second unit exists, they may be successful in getting a warrant from the courts, but this is very resource intensive, and is subject to the evidence collected and the Justice of the Peace presiding.
- If unsuccessful in gaining a warrant and/or entry into the dwelling, the City cannot prosecute for illegal construction/change of use or for compliance with the second unit registration by-law.
- As a result, the City cannot confirm that secondary units meet the necessary requirements noted above, which could risk the safety of the building's occupants and the emergency responders dispatched to that location in an emergency.
- Illegal secondary units add financial pressures and lead to loss in revenue to the City, Region and Province.

- Residents of illegal secondary units use the existing infrastructure (water, sewer, waste collection services, roads, public transit, schools, libraries, recreational facilities etc.). However, the property taxes for these homes are based only on the assessed value of the primary dwelling and not the secondary unit.
- In addition, Development Charges are currently exempt when adding a secondary unit. Development Charges are proposed to continue to be exempt for new purpose-built two-unit housing.

INFORMATION CONTACT

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Development Charges (DC) Rebate Program

Our Ask:

The City of Brampton requests the Province to maintain the \$5 million DC rebate commitment for new purpose-built rental housing projects in Brampton, and expedite associated agreements with the Region of Peel. DC rebates will pave the way for more flexible, price-friendly housing options for Brampton's young, diverse and fast-growing population.

About the DC Rebate Program

In May 2018, the City of Brampton was one of a few municipalities to receive funding to help stimulate the development of purpose-built market rental buildings in the province. The funding allocation committed to Brampton is \$5,039,074 over five years.

The Region of Peel has been delegated authority to administer the program on behalf of the City, and it is anticipated that the Region will enter into a transfer payment agreement with the Ontario government by September 1, 2018. When the program is finalized, development charges will be required to be paid in full, prior to issuance of a building permit. Reimbursement will be administered through the coordination of the Region of Peel, as program administrator.

The program does not apply to affordable rental units (i.e. units receiving funding under provincial or federal affordable housing programs such as the Investment in Affordable Housing program).

Benefits of the DC Rebate Program

Flexible, affordable housing continues to be a problem in Brampton, and throughout Peel. Peel and Brampton. The Average Market Rate of rental units in Brampton in 2017 was \$1,236 monthly, across all bedroom types, while the current vacancy rate stands at 1.3%.

The DC Rebate Program will benefit:

- **Residents:** Rental housing is a viable option for middle-income families, people seeking to age in place, and young adults who may be experiencing financial barriers to entering the housing ownership market.
- **Developers:** Provide greater impetus to focus on larger, more modern housing projects that will deliver longer-term benefits.

- **Governments:** Adequate supply of a wide variety of housing tenure types is crucial in building complete communities.

Additional Highlights

- With a population of more than 600,000 Brampton is the second-fastest growing city in Canada. Of the 47 new residents who move to Peel every day, 38 of them make Brampton their home.
- The rising real estate prices in Brampton are barriers to young adults and middle income families entering the housing ownership market. Seeking cost-friendly housing solutions, many residents are resorting to live in illegal second units. Having more affordable rental housing options that are operating legally will help cater to the growing demand for housing.
- Throughout the extensive public consultation for Brampton's 2040 Vision in 2017, the City repeatedly heard from residents that diversity of housing options is important in order to build complete neighbourhoods. The DC Rebate Program will help address what we have heard from the people of Brampton.
- Based on the City of Brampton's and Region of Peel's current development charges rates, approximately 20 units could benefit from the program, annually, if funding is applied to cover both local and Regional DCs.
- The City has developed eligibility criteria to guide the local administration of the program, which was endorsed by its Council on July 11, 2018. Some of the parameters include proximity to transit, family size, two or more bedroom units and more accessibility features.
- The City and the Region of Peel recently held a joint information session (August 8) for the development community to promote interest in the program through initial engagement.

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Housing Brampton

Our Ask:

The City of Brampton continues to advocate for upper-levels of government to provide financial contributions toward the development of local affordable housing units. Collaborative partnerships with all levels of government and agencies will be fundamental to the success of the Housing Brampton strategy and achievement of its goals.

Why is Housing Strategy important to Brampton?

In 2016, approximately 3,250 Brampton households were on Peel Region's Centralized Wait List, 400 Brampton individuals benefitted from Peel's Preventing Homelessness Program, and 2,400 local residents accessed emergency shelters.

The City of Brampton is leading the development of an affordable housing strategy, entitled Housing Brampton, to respond to the varying housing needs of its residents. As the Region of Peel is a housing service manager, Brampton's housing strategy will focus primarily on stimulating the supply of market rental and affordable ownership units, while strategic partnerships and advocacy efforts will support housing needs across the entire housing continuum.

Brampton's affordable housing strategy will be formed around the following four themes, to guide project deliverables and expectations:

- Increasing Affordable Housing Supply;
- Policies and Initiatives to Encourage Housing Diversity;
- Communication and Advocacy; and,
- Monitoring and Measuring Progress.

Developing a Housing Strategy Framework

- Housing Brampton is a city-wide affordable housing strategy, which will identify action items needed to meet the varying housing needs of local residents. The strategy will take guidance from provincial and regional policy documents, in addition to the City's current Strategic Plan. The strategy will also give consideration to federal housing programs.

- The strategy will focus on improving the creation of affordable units. Given the City's jurisdiction over land use planning matters through powers granted by the Planning Act, the City has the greatest ability to impact the development of market rental and affordable ownership units.
- The City will also focus its efforts through proactively seeking to develop innovative partnerships and undertake extensive engagement with local housing providers, community stakeholders, residents, and upper-levels of government, including the Region, to support the development of a holistic and multi-faceted housing strategy that effectively responds to the current and future needs of its residents.

The City acknowledges the challenges with respect to minimal opportunities for receiving funding from upper-levels of government for affordable housing and having limited authority over the service delivery for affordable housing, which will be further examined as part of the strategy.

- The City of Brampton is positioning itself for the future, with an understanding that a mix and range of housing options is necessary for residents to have a high quality of life.
- Safe and adequate housing has been long linked to improved health and well-being, and is fundamental to the physical, economic, and social well-being of individuals, families and communities.
- The current housing affordability challenges faced across the Greater Toronto Area necessitate an affordable housing strategy for Brampton to respond to ongoing increases in housing costs.
- Housing Brampton will be a "Made-in-Brampton" approach for responding to housing challenges that reflect the local context and unique qualities of the City's neighbourhoods.

City of Brampton

Between 2016 and 2041, Brampton's population is anticipated to grow by 50%, to nearly 900,000. As housing prices increase, affordability will continue to remain a challenge for residents:

- Brampton has one of the lowest median ages among Canada's largest cities, with an average age of 36.5.
- Household composition sets Brampton apart from other municipalities. As of 2016, 49% of the City's households contained four or more people. Approximately 12% of all units

- are comprised of multi-family households, including multi-generational families, in comparison to the Peel Region and national averages of 8%, and 2%, respectively.
- Brampton’s seniors’ population continues to experience steady growth. In 2016, 22% of the City’s population was 55 years or older, totaling 66,270.
- The City is also very diverse. Approximately 52% of the City’s population is foreign-born, representing 234 different ethnicities.

Region of Peel

Region of Peel is the local housing service manager, addressing a wide spectrum of needs along the entire housing continuum, including the provision of supportive housing, rent subsidies, and incentives for affordable housing developments.

- The Region has oversight of over 47 non-profit housing providers.
- 18,539 individuals accessed emergency shelters in 2017 within Peel Region.
- Centralized housing waitlist is 13,597 individuals, or 6.5 years (3,432 are Brampton residents).
- Within Brampton alone, there are currently 172 shelter/ transitional beds, and 3,386 social housing units.

Peel Housing Targets

	Emergency Temporary/ Transitional Housing	Affordable Permanent Housing			Supportive Housing
		Low Income	Middle Income	Middle Income and Greater	
Average # of Units/Years	30	770	1000	5500	200
Mississauga	10	400	520	2860	104
Brampton	18	316	410	2255	82
Caledon	2	54	70	385	14

Key Findings of Brampton’s Needs Assessment

- Youth homelessness in Brampton, and state of chronic homelessness across Peel
- Low and middle-income families continue to struggle with affordability
- Need for innovative and adaptable solutions
- High percentages of large families and multiple family households
- Emerging need – vulnerable low-income residents within downtown core

As work on Housing Brampton progresses, the City continues to advocate for upper-levels of government to provide financial contributions toward the development of local affordable housing units. Collaborative partnerships with all levels of government and agencies will be fundamental to the success of the Housing Brampton strategy and achievement of its goals.

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