

Special Council Meeting – November 22, 2022

**Analysis of Bill 109 (More Homes for Everyone Act, 2022) and Bill 23 (More Homes Built Faster Act, 2022) - 2022-349**

(Additional delegates and correspondence received after the posting of the Revised Agenda)

**Delegates:**

Mike Puddister

Alexandre Krucker

Ryan Scott

**Correspondence:**

Cindy Washington

Laura Murr

Susan Watson

Dear Mayor Guthrie and Councillors,

I am writing to voice my concern with the provincial government's proposed Bill 23.

1. It is irresponsible of Mr. Ford to "limit development and community benefit charges", thereby erroneously placing the financial onus of growth on municipalities and local taxpayers while easing the burden on developers.
2. Reducing site planning time will negate the importance of proper traffic, infrastructure, and environmental studies, and the study feedback given to developers to create proposals in keeping with Guelph's Official City Plan.
3. Reducing the influence of conservation authorities completely eradicates the purpose of these necessary environmental oversights. Who is watching out for our drinking water, wetlands and animal habitats?
4. The province's desire to override municipal planning decisions is undemocratic and appalling. Guelph has spent years attempting to create an environmentally conscious community that reflects the interests and needs of its population.

Guelph *is* growing quickly. To ensure that it's done wisely, with proper infrastructure that looks to the future for the protection of our water and environment, Bill 23 needs a huge overhaul.

I wish you luck in your debate on this concerning issue. Thank you for your time.

Cyndy Washington

Please add my comments and concerns re Bill 23 and 109 to the addendum for the Tuesday Nov. 22 council meeting.

Mayor Guthrie and Guelph City Council Members:

I believe that it is so unfortunate that as a new Council one of the first major items you have to deal with is the major implications to the City's and our province's environment, quality of life and finances if Bill 109 and Bill 23 are implemented in their current iterations.

This attempt by Premier Rob Ford to attempt to approve so quickly such substantial changes to legislation that has evolved over many years, thru thousands of hours of public and scientific input is an affront and violation of our democratic process. Furthermore it erodes the true spirit of public involvement in planning a healthy sustainable city and province for ours and future generations.

Bill 23 appears to eliminate planning on a watershed basis. Water is the basis of all life. The protection of our natural heritage and the quality and quantity of water has been a keystone in our city planning starting in 1994 with the approval of the Hanlon Creek Watershed Plan. Therefore, Council and staff should request that all amendments in the act that weaken the protection our natural environment and that erode the ability of our Ministry of Natural Resources and Forests, our conservation authorities and the public to advise and comment on environmental protection and flooding should be removed.

Professor Dawn Baker, University of Waterloo believes that the bill "will not create new livable communities - instead it will create a race to the bottom for developers, disadvantaging those who prioritize environmental quality and affordability " She recommends that the act should instead "ensure that new higher density builds should have sufficient open space and parks to be attractive alternatives to single family residences " (from Nov. 1, 2022 Q and A with the experts More Homes Built Faster Act or Bill 23 by Media Relations University of Waterloo)

I agree with City Staff's analysis of the terrible potential financial impacts of these bills on the City and it's taxpayers. Existing residents should not have to pay higher taxes to cover growth related costs while watching their quality of life deteriorate because of reductions of parkland, more traffic, heat island effects, flooding and pollution.

I have no problem with intensification thru infill and accessory units but I am concerned about the potential large loss of mature tree canopy in the city. Many of our largest and oldest trees live on private property. Unlike Toronto and other cities, we currently have no private tree by law that protects trees in existing residential areas on smaller lots. This needs to be remedied.

Please consider the long term future of Guelph and the province. Please show a strong pushback to this legislation thru passing a motion to reject Bill 23 and 109 until there is more time to review all the implications of these bills on the financial and environmental on our municipality and the province at large.

In conclusion, I believe that Bill 23 violates the belief of protecting our city, our farmland and our natural heritage for ours and the next seven generations. I would like to finish with a quote once shared with me by a 1st Nations Elder " when you walk , walk softly on our Mother Earth because you are walking on the faces of the coming children. You will see their tears in the the rain that falls. "

Respectfully  
Laura Murr

[REDACTED]

Guelph ON

[REDACTED]

Mayor Guthrie and members of Council:

As I read the staff report on Bills 109 and 23, there are repeated recommendations to seek financial support from the Province to cover Development Charge shortfalls created by these bills.

I ask that these recommendations NOT be included in feedback to the Province. Instead, I ask that Council support and promote the principle that ***Growth Should Pay for Growth***.

Early calculations suggest that this legislation will result in a cash transfusion from citizens to developers of \$1 billion annually. There is only one taxpayer. I am not interested in enriching developers, whether it is through my property taxes or my Provincial taxes.

This is a brazen cash grab by the development industry and should not be enabled at any level of government.

Sincerely,  
Susan Watson

Mayor Guthrie and Members of Council:

Perhaps one of the most cynical things about Bill 23 is that it purports to address the need for "affordable housing", when in fact, the opposite is true. Bill 23 will further constrain the supply of truly affordable housing by removing controls on the demolition and conversion of current rental stock and by removing fees for housing services provided by municipalities from Development Charge formulas.

The Association of Municipalities of Ontario created a document which proposes housing solutions at all levels of government: ***Blueprint for Action: An integrated approach to address the Ontario housing crisis***:

<https://www.amo.on.ca/sites/default/files/assets/DOCUMENTS/Reports/2022/A%20Blueprint%20for%20Action%20-%20An%20Integrated%20Approach%20To%20Address%20The%20Ontario%20Housing%20Crisis%20Revised%202022-03-11.pdf>

I urge you to read the AMO paper.

I also contest that if Doug Ford were truly committed to solving the housing supply and affordability crisis, there are at least 4 timely and relatively low-cost actions he could initiate immediately.

#### 1) **Fix the Landlord and Tenant Board:**

Many landlords are selling rental units, or simply not renting them out because they are afraid of ending up with tenants who will use current hearing delays to avoid paying rent. It now takes 8 - 10 months before applicants even receive notice about a hearing date, even in situations of fraud:

***Month-long delays at Ontario Tribunal crushing small landlords under debt from unpaid rent:***

<https://www.cbc.ca/news/canada/toronto/delays-ontario-ltb-crushing-small-landlords-1.6630256>

#### 2) **Provide 50,000 LTC beds.**

As of May 21, 2021, there were 38,000 people on the waitlist for Long-Term-Care. These people no longer want to "age-in-place". In fact, for many, their needs can no longer be met at home. Many of these people are living in multi-bedroom family homes which would be released onto the market for sale or rental if they could move into LTC.

Moreover, while the LTC Act provides for spouses to be housed in LTC with their partners, even if they would not otherwise be qualified, in practice this is not happening. Adding another 12,000 beds would allow spouses to live together in LTC and release much-needed housing onto the market.

During the recent election, Mayoral candidate William Albabish talked about the case of his 94-year-old neighbour who lives alone in a multi-bedroom house. The man wants to live with his wife, but currently has to drive from Guelph to Fergus every day to visit his wife at Wellington Terrace.

LTC housing is efficient and compact. Providing seniors with the care they need and deserve would also remove a bottleneck in the housing market.

### **3) Introduce a Province-wide vacancy tax**

In the midst of a housing crisis, there should be no vacant housing anywhere. BC introduced a Province-wide vacancy tax which started at 1%, moved to 2% and is now rising to 5%. Together with the Foreign Buyers tax, BC's speculation tax released 20,000 condo units into the market in Vancouver.

BC is also investing revenues from the tax in affordable housing:

**Speculation and vacancy tax will help housing affordability in new communities:**

<https://news.gov.bc.ca/releases/2022FIN0028-001137>

### **4) Fund land trusts, co-ops and public housing which will provide truly affordable housing in perpetuity.**

Grants and subsidies for housing which revert to market prices after 25 years are rip-offs for citizens. No private-sector developer would invest millions in an asset that would have no value after 25 years.

Public dollars need to be invested in land trusts, co-ops and public housing which will provide rent-geared-to-income affordable housing in perpetuity.

Best,  
Susan Watson

Mayor Guthrie and Members of Council:

This video features data generated for Guelph by Urban3:

***Suburbia is Subsidized: Here's the math***

<https://www.youtube.com/watch?v=7Nw6qyyrTel&t=18s>

The key message is that low-density sprawl is subsidized by more densely built areas.

The implication for Bill 23 is that Guelph and Ontario citizens will not just be fleeced for \$1 billion annually in infrastructure costs, we will be saddling future generations with financially unsustainable sprawl foisted on us by Doug Ford.

I urge you to take 10 minutes to watch this video.

Sincerely,  
Susan Watson

# Financial Impact of Bill 23



# Initial calculation from AMO

\$1 billion annual transfer of costs  
from developers to citizens

# Current Guelph Development Charges

	Single det. Semi det.	2-bed apt. Stacked towns.	1-bed units	Multiple units
Development Charge	\$44,192	\$25,787	\$19,248	\$33,312
Current public contribution: 20% (AMO)	\$11,048	\$ 6,447	\$ 4,812	\$ 8,328
Total infrastructure cost	\$55,240	\$32,234	\$24,060	\$41,640

# “Affordable Residential Unit”

## Bill 23 Definition:

- ▶ “The price of the residential unit is no greater than 80 per cent of the average purchase price, as determined in accordance with subsection (6)”
- ▶ Section (8): “The creation of a residential unit that is intended to be an affordable residential unit for a period of 25 years or more from the time that the unit is first rented or sold *is exempt from development charges*”

# Average home price in Guelph

**\$729,457**

*Zolo Housing Market Report November 2022*

*Does this mean all housing will be deemed affordable (and therefore exempt from fees) which falls below:*

**\$583,566**

# Average 2-bedroom condo price in Guelph

**\$478,000**

*Zolo Housing Market Report November 2022*

*Does this mean most condos will be deemed affordable  
(and therefore exempt from all Development Charges)?*

*For every 100 “affordable” condos built in Guelph, the public cost will be:*

**\$3,223,400**

# And the elephant in the room!

- ▶ (10) The creation of a residential unit that is intended to be an *attainable* residential unit when the unit is first sold *is exempt from development charges*.
- ▶ FYI. The legislation contains no financial benchmarks to define what will be considered an “attainable residential unit”, other than wide-open statements like:
  1. *The residential unit is not an affordable residential unit.*

# Oh, and random discounts!

- ▶ *(8) 1. A development charge imposed during the first year that the (DC) by-law is in force shall be reduced to 80 per cent of the development charge that would otherwise be imposed by the by-law.*
- ▶ N.B. This drops to 85% in the 2<sup>nd</sup> year, 90% in the 3<sup>rd</sup> year and 95% in the 4<sup>th</sup> year.

In the recent Peer Review meeting for the Development Charge update, Gary Scandlan from Watson and Associates pointed out that since this discount applies to all development, his 94-year-old mother will therefore be subsidizing \$5 million mansions with her property taxes. Life for seniors will be rendered *unaffordable*.

*The City (Toronto) would have no choice but to postpone or not proceed with many capital projects.*

*Greg Lintern, Toronto's Chief Planner*