LOCAL GOVERNMENT LEVERS for HOUSING AFFORDABILITY

COMMUNITY SOCIAL PLANNING COUNCIL Insights · Dialogue · Solutions

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EXECUTIVE SUMMARY

As we navigate in an era marked by a nation-wide housing crisis, all levels of government are under pressure to address the challenge, although local governments are on the front lines. Municipalities also hold a pivotal role in orchestrating the changes needed to address the affordability challenges facing Canadian cities. This toolkit outlines the many levers within municipal control that can significantly influence housing supply and affordability.

This toolkit is intended to help local governments across Canada, big and small, to understand and utilize all of the tools available to improve housing affordability by:

- providing an overview of tools and their municipal context;
- identifying success factors and key considerations for each of the tools; and
- sharing case studies and best practices that highlight successes in implementing the tools in a range of municipal contexts and for a diversity of housing types.

The optimal use of these municipal tools can change the trajectory of our current housing situation, creating a better future for housing availability and affordability. A summary of each of the tools is below.

ZONING AND DEVELOPMENT POLICIES

Zoning bylaws bylaws exert a profound influence on the housing landscape by determining land use within a municipality. They can be harnessed to enhance housing density and diversity, by encouraging secondary suites, garden suites, missing middle and other forms of density and reducing or eliminating setbacks and/or parking minimums. This toolkit includes some of the key ways zoning can be used to improve affordability.

Some provinces, including British Columbia, allow municipalities to implement **rental-only zoning** as a tool for preserving and potentially expanding rental stock. This zoning can be applied to an area, a building, or units within a building which have a residential use.

Inclusionary zoning policies encourage or mandate a portion of new developments to be allocated to affordable housing. These policies are becoming more common across Canada.

Streamlining development processes can significantly impact housing affordability. By making approval processes more efficient, affordable housing can be brought to market quicker and at a lower cost.

Municipalities can enable and, if necessary, incentivize secondary suites, a vital component of the rental market. They can cover part of the creation costs and offer tax reductions, leading to an increase in these types of units.

Housing Development Agreements are agreements between the developer, the municipality, and often a non-profit housing provider and other levels of government. These can contain specific agreements to ensure the creation and continuing affordability of housing is included in the development. Municipalities can be instrumental in initiating and brokering partnerships between non-profit providers and developers in privately led new development projects that include affordable units.

FINANCIAL TOOLS

Development fees and charges are another mechanism by which municipalities influence housing costs and affordability. By waiving or reducing these fees, municipalities can lower the cost of adding new affordable housing units to their communities.

Density bonuses and amenity contributions are usually negotiated as part of the rezoning process and can be used to increase density, while addressing increased demand for community amenities that are not adequately covered by development cost charges. Density bonuses can be a valuable tool for negotiating affordability requirements and adding affordability to a project without cost to the local government.

Property taxes and exemptions serve as yet another tool for municipalities. By reducing or waiving property taxes on non-market housing for up to 10 years, local governments can demonstrate their commitment to affordable housing and support related initiatives, like cooperative housing, community non-profits and environmentally sustainable projects.

Affordable housing reserve funds enable

municipalities to direct public revenues towards affordable housing projects via grants and loans. These funds can incentivize developers to produce more affordable units, or even allow municipalities to purchase land for future non-profit housing projects.

TOOLS FOR AFFORDABLE HOUSING CREATION AND PROTECTION

Rental conversion policies can prevent the conversion of rental units into non-rental tenure, preserving rental housing stock, especially when the vacancy rate is low.

Tenant Assistance Policies (TAPs) protect and support tenants at risk of displacement due to major renovations or redevelopment. Protections can include monetary compensation for moving costs, higher rent and information on the tenant's Right to First Refusal. Land and Housing Acquisition presents a direct approach municipalities can utilize for the creation of affordable or non-market housing. This is especially impactful in markets with high land and housing prices, where the strategic use of municipally-owned land provides a stable platform for affordable housing projects. However, the effectiveness of this strategy may be limited to specific scenarios due to the variability in available, unused municipal land.

> Canadian municipalities, by acting on these various levers, hold substantial power to shape housing affordability. Through strategic policy choices and initiatives, they can cultivate more affordable, inclusive, and vibrant communities. The challenge for municipalities is to recognize and optimally use these levers to address the diverse housing needs of Canadians.



INTRODUCTION

As we navigate in an era marked by a nation-wide housing crisis there is an increasing focus on affordability. All levels of government are under pressure to address the challenge, though local governments are on the front lines of the affordability challenges facing Canadian cities. It has become critical to ensure that we are maximizing all avenues available to improve housing affordability. It is often assumed that the federal or provincial governments are the ones with the tools; however, municipalities, as the local governing bodies, hold a pivotal role in orchestrating policy changes that can significantly influence housing supply and affordability in their respective communities.

Given the extent of their impact, municipalities should be recognized as essential players in addressing and mitigating the housing crisis that exists across Canada. The optimal use of the municipal tools outlined in this toolkit can change the trajectory of our current housing situation, creating a more optimistic future for housing availability and affordability.

This toolkit is intended to help local governments across Canada, big and small to understand and utilize all of the tools available to improve housing affordability by:

- providing an overview of tools and their municipal context;
- identifying success factors and key considerations for each of the tools; and
- presenting illustrative scenarios that highlight successes in implementing the tools in a range of municipal contexts and for a diversity of housing types.

This toolkit supports municipalities to take a comprehensive approach to housing affordability which transcends the provision of shelter, addressing historical system failures and tapping into core municipal priorities: promoting economic resilience and cultivating vibrant communities.

Policy decisions have helped to contribute to the housing crisis our country now faces, and policy choices we make today can address and end the housing crisis. The repercussions of those decisions are witnessed in the burgeoning housing insecurity and lack of affordability across Canada, with citizens facing precarious living conditions or, in extreme cases, homelessness. To navigate this crisis effectively, we must acknowledge these roots and address the historical policy shortcomings.

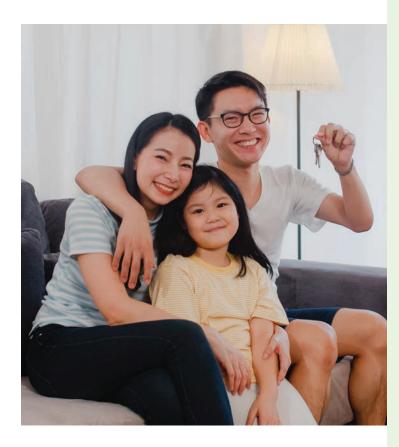
Economic resilience hinges on the affordability of housing. When housing costs outstrip earning potential, a larger portion of income is funnelled

towards rent, stifling an individual's capacity to contribute to the wider economy. Moreover, sustained unaffordability may compel individuals to seek more affordable living conditions elsewhere. This can result in a drain of human capital for regions grappling with escalating housing costs, and resulting in labour shortages and stunted economic growth/diversity. Thus, affordable housing becomes an economic necessity, supporting both business and individual prosperity while reinforcing local economies.

Housing affordability also plays a crucial role in cultivating **vibrant communities**. Far from depreciating community value—a common misconception—

affordable housing can bolster it. Research indicates that well-planned, well-managed affordable housing developments can have a positive impact on the property values in their vicinity. Hence, affordable and non-market housing options are not a detriment to communities, but rather potential contributors to their prosperity and vibrancy. Further, the density needed to increase affordability brings the population to support market amenities like coffee shops, local retail, pubs and farmers markets that, if planned well, make for thriving vibrant communities.

Municipalities wield an array of instruments that affect housing costs. These levers, ranging from zoning to development charges, and from density bonuses to land acquisition, can be strategically employed to address the affordability challenges confronting Canadian cities. It is highly recommended that municipalities with limited economic flexibility look to the myriad of zoning and other non-fiscal changes before forgoing revenues or providing fiscal incentives.



RACISM AND EXCLUSIONARY ZONING:

Exclusionary zoning – zoning that limits what can be built and where structures can be built – still marginalizes low-income communities and new immigrant families today.

Within Canada's history, zoning regulations and other municipal controls have been used to exclude, or even marginalize communities. Canada's Black, Indigenous, Jewish, and Chinese populations, among others, have faced exclusionary zoning in many urban centres across the country, rendering them unable to afford homes or even stay in them due to forced relocation. This was seen in Hogan's Alley in Vancouver, when what was once a thriving Black neighbourhood was demolished in the 1960s after Vancouver city officials decided to build a viaduct on the land (Skelton, 2011). Though many objectively racist ordinances and bylaws have been removed from use, the economic impacts of exclusionary zoning continue to marginalize communities and reinforce intergenerational wealth inequality.

For more information see:

Skelton, I. (2012). Keeping them at bay: Practices of municipal exclusion. Canadian Centre for Policy Alternatives Manitoba.

https://policyalternatives.ca/sites/default/files/uploads/ publications/Manitoba%20Office/2012/10/%20Full%20 Report%20-%20Keeping%20them%20at%20bay%20FINAL. pdf

Wright, A. (2021, May 25). Yes, remnants of discriminatory urban planning remain. *The Globe and Mail*. <u>https://www.theglobeandmail.com/featured-reports/</u> <u>article-yes-remnants-of-discriminatory-urban-planningremain/</u>

WHAT ARE THE MUNICIPAL LEVERS FOR AFFORDABLE HOUSING?

Policies and Tools Covered:

I: ZONING AND DEVELOPMENT POLICIES

- 1. Zoning and Pre-zoning
- 2. Rental Only Zoning
- 3. Inclusionary Zoning
- 4. Streamlining Development Processes
- Incentivizing and Encouraging Secondary Suites and Accessory Dwelling Units
- 6. Housing Development Agreements

II: FINANCIAL TOOLS

- 7. Development Fees and Charges
- 8. Density Bonuses & Amenity Contributions
- 9. Property Taxes, Exemptions & Covenants
- **10.** Affordable Housing Reserve Funds

III: TOOLS FOR AFFORDABLE HOUSING PROTECTION AND CREATION

- 11. Rental Conversion Policies
- 12. Tenant Assistance Policies
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DEFINING CORE HOUSING NEED:

According to the Canada Mortgage and Housing Corporation (CMHC) if a household meets both of the following criteria, they are considered to have core housing need:

- If a household is living in a space that requires major repairs, if there are not enough bedrooms to accommodate the number of residents in the home, and/or
- 2. If a household pays 30% or more of their household income in order to access housing that requires minimal repairs and can fit residents comfortably.



In Canada, 1 out of every 10 households experienced core housing need in 2021 (Statistics Canada, 2022).

DEFINING AFFORDABLE HOUSING:

According to the CMHC, housing is understood to be affordable if "it costs less than 30% of a household's before-tax income" (CMHC, 2019). There is a misconception that affordable housing only refers to housing that is subsidized by the government. Affordable units can be found in the market or provided by the government and/or co-op/non-profit organizations. Housing affordability also applies to both renter and owner households. For owner households' affordability measures can also consider the household income needed to qualify for a mortgage and the number of years it would take to save for a mortgage at the median income. Canada has an affordable housing deficit. For every new affordable unit created, 15 existing market affordable units (with rents below \$750) were lost between 2011 and 2015 (Institute on Municipal Finance & Governance, 2022).

THE MUNICIPAL LEVERS FOR AFFECTING HOUSING AFFORDABILITY

Municipalities have a significant role in determining housing affordability. With high land costs, density is key to affordability. With high interest rates, delays and lack of certainty in zoning approvals can be big cost drivers. Increased development costs, such as development cost charges, amenity contributions, and taxes, significantly contribute to the overall cost of housing.

I: ZONING AND DEVELOPMENT POLICIES

ZONING AND PRE-ZONING

Zoning bylaws manage how the land, buildings, and developments in a municipality can be used, limiting land use and density in different areas or zones. Uses can range from housing or business to industry, transportation and parks and recreation. It can also include regulations on types of buildings, height, location on the property appearance and characteristics. Municipalities have the ability to increase density, set locations on the property, and influence the characteristics and appearance of new developments through broad or targeted upzoning.

Pre-zoning is when municipalities establish zoning regulations and designations for land use before any development takes place. It allows local governments to proactively shape the future of their communities by designating specific areas for different types of land use, such as residential, commercial, industrial or a combination of those (i.e. rental only zoning and light industrial). By implementing pre-zoning, municipalities can strategically plan and manage growth, ensuring that land is utilized in a way that aligns with their long-term vision and goals. This approach also helps streamline the development process by providing clarity and certainty to developers, investors, and residents regarding the allowable land uses and development standards in different areas.

Single family zoning has been a dominant form of zoning in municipalities across Canada, but that is changing. Many municipalities are introducing forms of multi-family zoning in areas or city wide (i.e. Toronto and Victoria) and some provinces such as B.C. and Ontario have introduced provincial policies to replace single family home zoning with multi-unit zoning.

The following examples show how zoning amendments can affect affordability:

- Pass broad upzoning for multi-unit buildings (i.e. missing middle) to replace exclusionary single detached zoning, or introduce targeted upzoning to increase density in strategic areas, such as urban villages, or along transit corridors, with certain types of housing, including apartments or townhouses. Targeted upzoning can be used to increase density along transit lines, bike corridors, and frequent destinations such as community centres, grocery stores, and schools.
- Reduce or eliminate parking minimums and consider parking maximums.
- Introduce rental only zoning or inclusionary zoning.
- Streamline approvals to reduce zoning approval delays through policies that allow the rapid deployment of affordable housing or eliminate the need for zoning approvals for developments consistent with the Official Community Plan.
- Allow and incentivize secondary suites or garden suites also known as Accessory Dwelling Units (ADUs).
- Use Housing Development Agreements to leverage partnerships with private sector and non-profit partners as well as other levels of government.

Parking Minimums

Many municipalities in Canada have parking minimums, in certain zones or city wide (Ponticelli, 2022).

Parking requirements for housing add to the overall costs paid by occupants. Lowering parking requirements on housing developments or secondary suites may help increase affordability. It has been estimated that adding one required parking spot can add an additional 10-15% to development costs of a smaller build (Litman, 2023).

Several North American cities have eliminated parking minimum requirements for many forms of housing. These cities include New York, San Francisco, Cincinatti and Buffalo. Within Canada, cities such as Toronto and Edmonton have also eliminated their minimum parking requirements. Vancouver and Victoria have reduced parking requirements for some types of housing developments (Ren, 2020; City of Victoria, 2021).

The City of Edmonton ended parking minimums after a study found that they forced the creation of over 50% more parking than the city needed (City of Edmonton, 2019).

RENTAL ONLY ZONING

Rental only zoning can be used to protect existing rental units and encourage new rental developments. It can be applied to whole areas (zones) or a building or a portion of units in a building (locations within a zone). Inclusionary zoning differs in that it is used mainly to ensure affordability within new developments.

Not all provinces overtly allow municipalities to zone for tenure. The province of British Columbia allowed municipalities to implement rental-only zoning in 2018 (Ministry of Municipal Affairs and Housing, 2018). Municipalities such as New Westminster and Burnaby have used this to protect existing rental stock by zoning those properties as rental only. The City of New Westminster was taken to court over the zoning but it was upheld at the Supreme Court. This ability can ensure that areas or buildings with high levels of rentals retain the same number of rental properties in the long term, alongside creating opportunities for more rentals in the future.

INCLUSIONARY ZONING

Inclusionary zoning refers to policies that encourage or mandate the inclusion of affordable housing as well as affordable housing provisions into new developments or re-zoning projects (CMHC, 2017). Cities and municipalities such as Vancouver, Victoria, Saanich, Edmonton, Toronto and Montreal have all created inclusionary housing policies.

City of Langford, British Columbia

- Langford's Attainable Home Ownership Program Policy is a form of inclusionary zoning. The rezoning of any building that is four storeys or more, is subject to this policy.
- The policy mandates that applicable developments must reserve between 5-30% of units to be sold through the program (City of Langford, 2022).

City of Montreal, Quebec

 In 2021, the City of Montreal implemented an inclusionary zoning bylaw which mandates that 10-20% of all new private housing developments must be affordable units (Institute of Municipal Finance & Governance, 2022).

City of Toronto, Ontario

Toronto's Inclusionary Zoning Policy notes that

- Starting in 2022, 5-10% of all new condominium developments must be affordable housing; and
- Developments need to be prioritized close to transit stations and in areas with high development strength and potential (City of Toronto, 2021).

STREAMLINING DEVELOPMENT PROCESSES

The length of time and process involved in development approvals can be a significant cost driver for developments. Some provinces have enabled the streamlining of development approvals to change that. In 2021, the Province of British Columbia updated the Local Government Act, so that municipal governments no longer need to hold public hearings for amendments to local zoning bylaws if a potential development is consistent with the municipality's Official Community Plan (Province of British Columbia, 2021).

Additionally, local government staff in B.C. now have the ability to make decisions on minor development permits and variances, meaning that the process can be quicker and more streamlined (BC Government, 2021).

Similarly, Ontario has worked to aid the creation of housing, by streamlining approval processes for developments and has invested \$45 million dollars into this initiative (Province of Ontario, 2022). The \$45 million fund is intended to support Ontario's 39 largest municipalities to streamline, update, and expedite housing development processes, such as applications. Ontario has also created an Audit and Accountability Fund, with \$8 million in funding, which is intended to help large municipalities understand opportunities for potential costs savings or increased efficiency through external review, to expedite housing creation and update municipal processes and services.

Development processes can be long and costly. If a non-profit developer owns land and would like to increase the density beyond the zoning allowed, they will need to undergo a re-zoning process. These processes can take many months, even years, and mortgages and other costs must be paid while waiting. The longer the re-development process is, the more costs are incurred and the lower the project's overall affordability will be for future occupants.

Municipal Government Examples

Victoria's Fast Lane for Affordable Housing (British Columbia)

Victoria used the updated Local Government Act to foster more development of non-profit, public, and co-operative housing.

Now:

- These types of developments do not require rezoning public hearings when they are in line with the City's Official Plan and design guidelines; and
- Developments meeting the City's criteria will be able to build to the City's maximum density outlined in the Official Community Plan; and
- Victoria's City staff are now tasked with approving these types of developments, related permits, and zoning variances.

Caveats:

- The type of housing must fit within preexisting area zoning to apply; and
- If an area does not currently allow multifamily dwellings – the type of development which affordable housing typically falls under - then this does not apply.

Victoria expects that this change will reduce approximately nine months of the time that is needed to create the average affordable housing development, thus saving approximately \$2 million in costs (City of Victoria, 2022). This is important, as these kinds of cost savings directly affect the housing affordability for future occupants.

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While a development waits for community input through a public hearing, the property still incurs fees such as borrowing costs, mortgages, and more.

Non-profit housing developers struggle with the uncertainty, facing costly rezoning applications that may not be approved.

City of Mississauga, Ontario

Mississauga has taken several actions to streamline and expedite housing creation. In fact, Mississauga was the first Canadian city to create an online system for approving housing development applications as well as building permits. Mississauga will also be launching a permit approval team to streamline and accelerate approval processes for housing creation (Mississauga, n.d).

City of Calgary, Alberta

The City of Calgary has created a Customer Coordinator, Affordable Housing position to ensure that non-market housing applications are prioritized. This role has served to streamline housing development applications, and the City has received very positive feedback from non-profit housing developers regarding the position and streamlined process which gives non-profits priority status in their applications. In the first two years of the role, the Customer Coordinator supported the creation of approximately 505 non-market units in Calgary (City of Calgary, 2018).

City of Nanaimo, British Columbia

Nanaimo's Fast Track Building Permit allows building permits regarding the improvement of tenant housing to be expedited. Through this program Nanaimo asserts that these permits can be approved as quickly as within 15 days (City of Nanaimo, n.d).

Further, streamlining processes can incentivize the creation of additional housing units.

CHALLENGES SURROUNDING THE CREATION OF NON-MARKET HOUSING

Building new non-profit housing is challenging in three key areas: certainty, time and costs. Time is money.

While a development waits for community input through a public hearing, the property incurs fees such as borrowing costs, mortgages, and more. The uncertainty of this process is challenging for non-profit and for-profit developers alike. However, these challenges can be mitigated, for example through the use of initiatives that expedite approvals.

Amenity requirements and development costs can create challenges for financing affordable housing projects by increasing overall unit costs. Non-profit housing providers receive funding that is specifically allocated to achieve affordability per unit. When changes are mandated, such as requirements for community amenity contributions, it can affect the non-profit's ability to utilize their original funding and hinder their ability to build affordable housing, ultimately undermining the goal of ensuring unit affordability. In other words, if the costs associated with amenity requirements and development fees are too high, it becomes more difficult for non-profit housing providers to keep the units affordable for those in need.

INCENTIVIZING AND ENCOURAGING SECONDARY SUITES AND ACCESSORY DWELLING UNITS

Secondary suites represent a significant portion of many municipalities' rental markets. Several municipalities have programs to incentivize the building of secondary suites. One promising incentive for secondary suite creation is municipal funding to cover a portion of the creation costs, often covering 50% of the cost up to anywhere between \$5,000 and \$50,000.

Many municipalities allow the development of Accessory Dwelling Units (ADUs) on residential properties. ADUs are small, self-contained living units that are typically built on the same property as an existing single-family home. They are also sometimes referred to as laneway homes, garden suites, and carriage homes depending on the municipality. There are numerous variations that are allowed under local zoning bylaws depending on the municipality. These can be attached ADUs– physically attached to the main house and sharing a common wall or roof (basement suites, units above a garage that is attached to the main home, etc.). They can also be a detached and separate structure from the main house, such as a garden suite or laneway home. In the case of these detached units, they are designed to be long-term housing:

- They cannot be utilized as short-term rentals (such as Airbnb).
- They may require a development permit and all necessary building permits.



Municipal Government Examples

City of Vancouver, British Columbia

In Vancouver, ADUs are allowed in many residential areas under the City's Laneway Housing Program, which was introduced in 2009 to increase the supply of affordable housing. Under the program, homeowners can build a small dwelling unit on their property, typically in the backyard or in place of an existing garage or carport. The unit must have its own entrance, kitchen, bathroom, and living space, and is subject to design and building requirements set by the city.

City of Winnipeg, Manitoba

The City of Winnipeg allows ADUs only on lots with single-family homes. Additionally, certain conditions must be met such as lot size minimums, unit size minimums and maximums, and unit setback requirements (City of Winnipeg, n.d).

City of Edmonton, Alberta

Edmonton allows ADUs on many low-density residential properties. Edmonton requires that ADUs have minimum setbacks from the rear, side, and front of the property as well as the primary building on the lot. The maximum size that ADUs can occupy is a floor space of 130 m2 (Edmonton, n.d).

HOUSING DEVELOPMENT AGREEMENTS

In order to create and protect affordable housing, local governments can formulate a housing agreement. Housing agreements are a useful tool to ensure that housing affordability is plausible for the renters and owners of the present and future, as they have the ability to impose limits on rental rates and sale prices. (BC Gov, n.d.a).

Though a housing agreement does not have the ability to change the use or density that was allowed on the original zoning bylaw, housing agreements can still address many important ideas, such as:

- Who holds tenure of the housing unit(s),
- What the possibilities are for renting and leasing, including potentially imposing rental limits,
- What some potential sale or share prices could be, including how they may increase or be limited over time, and
- Who is in charge of managing and administering the housing unit(s)

Once passed, if a housing agreement requires an amendment, it can only be amended through a bylaw

Municipal Government Examples

City of Victoria, British Columbia

The Victoria, B.C. project known as the Dalmatian Building is a creative partnership between the City, the Province, the developer and a non-profit housing provider. The developer built a mixed-use building with a new fire hall, fire department headquarters and emergency operations centre for the city on the main floor and purpose-built rental units above with a mix of market and non-market rents. The agreement includes financial contributions from the province and municipality to support affordability and an agreement with the non-profit housing provider to purchase and operate the affordable housing units. The project was a redevelopment of a Mazda dealership site close to downtown and was triggered by an RFP by the City for the new fire hall.

In another creative partnership, the City used the municipal density bonus allowance to leverage a land donation from a private developer that was donated to a non-profit housing developer to build affordable housing. These types of partnerships recognize that with collaboration across sectors, more housing can be unlocked, especially with current land price challenges.

that is adopted by the local government with the consent of the owner. If this housing agreement is either a) agreed upon or b) requires an amendment, it is the local government's responsibility to file a notice in the land title office that states that the land within the agreement is, in fact, subject to a housing agreement. Once this notice is filed, the housing agreement is now binding.

Metro Vancouver and the BC Non-Profit Housing Association have created resources with the legal context and guidelines for successful housing agreements for different types of housing tenure including sample housing agreements (BCNPHA 2021; Metro Vancouver, 2020).



II: FINANCIAL TOOLS



FEES, CHARGES, AND TAXES

Municipalities levy a range of fees associated with developments. These include planning application and processing fees, building permit fees and development cost charges as well as amenity contributions and taxes. Different provinces legislate these differently, including limitations on charges, the contexts in which they can be charged and exemptions.

The implication of fees on development and land costs is often misunderstood. They are not necessarily drivers of development costs. If municipalities make their expectations clear and predictable, those costs are factored into the price a developer pays for land. In this context the costs are passed onto the seller rather than in the form of lost revenue to taxpayers.

It is important for municipal governments to leverage regulatory and non-monetary levers to boost supply and reduce costs before foregoing revenues which may be necessary to address the needs of their growing population and aging infrastructure.

DEVELOPMENT FEES AND CHARGES

Development Cost Charges (DCCs) are costs charged to developers for infrastructure and service needs of the new development. With the affordability challenges households are facing, municipalities face revenue constraints, making DCCs important for funding capital projects needed to sustain growth from roads, drains and sewers to water and parkland.

Permit and development fees can have a significant impact on the development costs for the creation of new housing, especially when all fees are considered. In some large Canadian cities, the combined charges and fees from governments can make up 20% of the costs to build housing (CMHC, 2022). However, where these fees are consistent, they can be considered in the land value at time of purchase.

Municipalities can opt to waive or lower charges for specific types of developments, such as non-market housing, for-profit rental housing, and supportive housing. Waiving development fees can have a significant impact on reducing the cost of creating new non-market housing or market rental housing.

One of the recent calls to action from Vancouver Island's Non-Profit Housing Providers highlights the need to *"implement financial exemptions for non-profit developers – including exemptions from property taxes, development cost charges and municipal improvement obligations."*

Municipal Government Examples

Town of Cornwall, Prince Edward Island

 In 2019, Cornwall introduced its Affordable Housing Incentive Program to increase the development of affordable housing options. The Town combines development permit fee waivers with accessibility bonuses and property tax grants to reduce development and operating costs if the project meets the eligibility criteria (Town of Cornwall, 2019).

City of Ottawa

 The City of Ottawa's Action Ottawa initiative for affordable housing waives development charges, planning fees, and parkland levies for affordable units (City of Ottawa, 2003).

City of Penticton, British Columbia

 Penticton's <u>Development Cost Charges</u> <u>Reduction Bylaw</u> provides rental housing developments with a 100% reduction in fees as long as they fit within certain criteria (City of Penticton, 2018).

City of Parksville, British Columbia

 City of Parksville offers a <u>similar incentive</u>, waiving 100% of development fees for developments that are built in accordance with the City's definition of "affordable housing." Further, these developments must remain affordable for at least 15 years according to the related housing agreements (City of Parksville, 2009).

City of Surrey, British Columbia

• City of Surrey has a <u>Development Cost</u> <u>Charge Bylaw</u> which allows developments to forgo paying development charges as long as the development is either fully or partially going to be used for not-for-profit rental housing (City of Surrey, 2023).



DENSITY BONUSES & AMENITY CONTRIBUTIONS

Municipalities can provide an opportunity for increased density within a Zoning Bylaw (bonus density) in exchange for community amenities (built or financial). Density Bonusing schemes are usually outlines within a Zoning Bylaw. This needs to be a voluntary exchange. In order to increase the density of a property, developers can voluntarily contribute funds towards community amenities or build them within their developments. Community amenity contributions (CACs) are usually set in policy or are negotiated contributions agreed to by the developer and local government. Community amenity contributions can include, for example, funds towards constructing parks or for affordable housing. This approach offers several benefits. Firstly, it saves time by providing clear expectations for developers, reducing the need for lengthy negotiation processes. It ensures transparency by making the requirements openly available to all developers and offers predictability during the planning and design phase.

Examples of community amenities that developers may contribute to through CACs include the construction or enhancement of parks, the improvement of transportation infrastructure, or the creation of public art installations. These contributions help offset the impacts of increased density by providing benefits that enhance the overall livability and quality of life within the community.

It's important to note that the specifics of bonus density programs and CACs can vary between municipalities, as they are often tailored to suit the local context and needs. Developers should consult the specific zoning bylaws and policies of the municipality where their project is located to understand the requirements and options available to them.

Municipal Government Examples

City of Charlottetown, Prince Edward Island

In B.C., for example, land developers have the option to <u>either</u>

- Develop utilizing the permitted base density without any sort of contribution required, or
- Build with additional floor space or density, but the local government will ask for some sort of contribution in return (BC Government, 2018).

The contributions that the government may seek include:

- Infrastructure/public realm updates, public art, accessible units, community garden, play spaces, green spaces/trees,
- 2. A number of units dedicated to affordable housing,
- **3.** Cash in lieu– Money for the local government so that they can provide affordable housing units and/ or amenities to their community members.



• Allows for a 20% density increase over zoning requirements if the additional units are all affordable, or 40% more density if the development has both underground parking and affordable dwelling units as part of the same development (City of Charlottetown, 2018).

City of Burnaby, British Columbia

• In designated areas, the City of Burnaby allows developers to increase the density of new developments in exchange for community amenity donations. Of the funds garnered from this program, 30% are contributed to affordable housing (Institute on Municipal Finance & Governance, 2022).

Note: Community amenity contributions can make the task of building affordable housing more challenging and less feasible for non-profits.

PROPERTY TAXES, EXEMPTIONS & COVENANTS

The costs of operating and maintaining non-market housing can disincentivize the creation and existence of non-market housing in the long term. One tool municipalities can use to help non-market housing operators is to limit or reduce property taxes.

This can be used to promote the building of affordable housing developments, as well as preserving the affordability of affordable housing in the longterm. By implementing property tax exemptions, community leaders have the potential to encourage the development of more affordable housing within their area.

The potential benefits of local government property tax exemptions include:

- **1.** Encouraging more affordable housing developments,
- **2.** Supporting more non-profits in the community that provide essential services, such as programs for atrisk youth and supportive housing,
- **3.** Supporting the conservation and protection of heritage properties,
- **4.** Bolstering the local economy by attracting new residents into the community,
- **5.** Supporting properties that contribute to more environmentally conscious and climate-related goals.

In order to implement property tax exemptions, local governments need to do so within a specific time frame, and these exemptions need to be passed through a bylaw.

Properties that may be eligible for permissive tax exemptions include: (BC Government, 2021)

- Property that is owned by a charitable, philanthropic, and/or non-profit corporation, in which the land is used to fulfil the purpose of the corporation,
- Property that is owned by a local authority, in which the land is used to fulfil the purpose of the authority,
- Property that is occupied by a public authority or a non-profit organization, but is owned by a separate public authority,
- Property that is owned by an individual, business, society, or corporation that provides a partnering agreement, so long as the provision of the agreement allows for it,
- Community housing or housing for seniors that operates on a not-for-profit basis, or,
- Property that is located across from a place of worship, in which the property is not eligible for statutory exemptions.

Covenants are legal agreements that impose specific restrictions or obligations on a property or its use. These agreements are binding on both the current and future owners of the property. Covenants can cover a wide range of conditions, such as architectural design guidelines, restrictions on land use, maintenance requirements, or limitations on certain activities. They are commonly used in planned communities, strata developments, and subdivisions to maintain certain standards and preserve the character and value of the properties. Covenants can be used to maintain affordability requirements or other related conditions in housing developments.

Municipal Government Examples

City of Moosejaw, Saskatchewan

In January 2023, the City of Moosejaw introduced its Housing Incentive Policy, which includes Property Tax Exemption and Capital Grant. Both will incentivize developers and allow for property tax exemptions for up to five years, as well as be eligible to receive a base grant of \$3,000 per unit (City of Moosejaw, 2023).



AFFORDABLE HOUSING RESERVE FUNDS

Affordable housing reserve funds can be used to strategically fund the creation of affordable housing within municipalities (Opit & James, 2022). These reserve funds can either provide grants or loans to development companies to incentivize their building efforts, or they can be used for municipalities to purchase land for non-market affordable housing.

Affordable housing reserve funds can have revenues from a variety of sources, including public sources such as development levies and taxes, or more private sources, such as charitable donations. Colwood, Victoria, Langford and the Capital Regional District (CRD) have affordable housing reserve funds.

These reserve funds have been seen in Canada since 1991, but have recently become very popular across British Columbia at the municipal level, specifically in relation to providing funding to nonprofit housing providers..

Municipalities may have unused or underused land, which can be revealed by completing a land analysis. These lands can include parking lots, school land, and more.

Municipal Government Examples

City of Cambridge, Ontario

- Established its Affordable Housing Reserve Funds as part of the City's effort to increase affordable housing options in the city.
- The funding can only be used for the costs directly associated with the development and it is intended to work with other funding sources, as well as the other affordable housing incentives the City offers (City of Cambridge, 2016).

City of Saskatoon, Saskatchewan

- Saskatoon established its Affordable Housing Reserve Fund to supplement provincial and federal funding for affordable housing.
- The funds are allocated on a case-by-case basis to affordable housing projects.
- Funding is mostly obtained through the revenue from city-owned land sales (City of Saskatoon, n.d).

III: TOOLS FOR AFFORDABLE HOUSING PROTECTION AND CREATION

RENTAL CONVERSION POLICIES

Several Canadian municipalities have regulations limiting the conversion of market rental apartments into non-rental tenure. The intention of these regulations is to retain rental housing while the vacancy rate is very low. Cities such as Hamilton, Windsor, Mississauga, and Montreal have at times prohibited the conversion of rental housing if the vacancy rate is below a certain percentage, which is usually between 2-3% (Ellery, 2019).

Municipal Government Examples

District of Saanich, British Columbia

• Saanich's Strata Conversion Council Policy restricts rental conversions to strata units when the rental vacancy rate is below 4% (District of Saanich, 2003).

City of Toronto, Ontario

 In 2023, Toronto implemented a bylaw that regulates rental housing demolition and conversion. The bylaw requires that the owner of a residential rental property considering demolition or conversion is subject to the provisions of the bylaw to obtain a permit from the City. Examples of provisions include, but are not limited to, changing the number of units of existing rentals if the demolition or conversion plans involve six or more existing dwellings (City of Toronto, 2023).



TENANT ASSISTANCE POLICIES

Tenant assistance policies seek to improve standards for accommodating, protecting, and supporting tenants who have been displaced or are facing displacement from their homes due to redevelopment or major renovations (CSPC, 2022). These policies usually include the size of unit which the policy applies to (usually five or more units), minimum amount of monetary compensation for tenants including, for example, costs incurred when moving or part or all of the rent gap to their new or temporary home. They also often include information regarding the Right to First Refusal that tenants should be granted when they are able to return to the building.

The B.C. Residential Tenancy Act (RTA) governs evictions and related notice/compensation. Municipalities are limited in applying TAPs to rezoning. Most TAPs are voluntary and developers often apply TAPS outside of rezoning.

Municipal Government Examples

City of Victoria, British Columbia

- Victoria's <u>Tenant Assistance Policy</u> was created in 2018 in order to provide tenant protections in instances where occupied buildings are redeveloped, causing the tenants to be displaced.
- If a tenant has lived in a building for one year or longer has been displaced:
 - o Compensation needs to be provided by the property owner in the form of free rent, a lump sum payment, or a combination of the two;
 - o Moving and/or relocation assistance needs to be provided by the property owner, including paying for moving expenses, hiring an experienced Tenant Relocation Coordinator, and presenting at least three comparable housing options to the tenant, and
 - o Tenants have the Right of First Refusal, meaning that the tenant can return to the building once redeveloped and live there at a rent that is 20% below the starting market rent for the new units.

City of Burnaby, British Columbia

- Burnaby's <u>Tenant Assistance Policy</u> aims to fill in any gaps of the provincial Residential Tenancy Act by assisting tenants who may be displaced or adversely impacted by renovations or building redevelopments
- Supports for tenants to be provided by the applicant include:
 - o A Tenant Relocation Coordinator and other relocation assistance,
 - o Rent top-ups in most interim housing arrangements,
 - o Moving assistance,
 - o Giving an opportunity for tenants to move into a new unit of the same number of bedrooms once renovations/ redevelopment are complete.

LAND AND HOUSING ACQUISITION/ CONTRIBUTIONS

Municipally-owned land has been successfully utilized in Canada to support the creation of non-market housing.

Government contributions of land to affordable housing developments are extremely helpful in building affordable housing, however, many municipalities do not have unused land in their possession. Land acquisition occurs when a government purchases properties that can be used for affordable housing opportunities. Purchasing or finding land for affordable housing is one of the most significant challenges in building affordable housing.

Often municipalities need other levels of government support and funding to make these purchases possible. Creative partnerships and housing agreements can also open land acquisition opportunities.



A worthwhile approach municipalities can take is to adopt a Land Acquisition Strategy. Land acquisition is effective because assets are shifted out of the speculative market and into a non-market scenario, meaning that the pricing of the property or land is not subject to any future market increases and can be used to provide crucially needed affordable homes (Pomeroy, 2020).

Housing acquisition is critical to protecting affordable housing stock. If an existing market housing development with affordable rents is acquired, units that have below-market pricing and affordability can be preserved (Ellen et al., 2020). Further, the purchase of older properties and suites can be associated with lower per-unit costs than constructing new affordable housing.

Without housing acquisition, those affordable units could be lost either due to rising housing costs or due to them physically being demolished and replaced by more expensive developments or investment properties where rent increases undermine affordability. This process often requires significant resources and staff capacity and may require advocacy to higher levels of government for funding partnerships.

Municipal Government Examples

City of Kelowna, British Columbia

Kelowna's <u>Affordable Housing Land</u>
<u>Acquisition Strategy</u> has a focus on subsidized
rental housing, specifically aiming to co locate affordable housing with transportation
in order to increase affordability within the
area. Kelowna aims to acquire enough land
to build at least 40 units per land acquisition.
The municipal government also aims to
acquire more multi-use land, such as land that
could also be used for parks or transportation,
to help them achieve their goals for
affordability and accessibility.

City of Kingston, Ontario

 In 2022, Kingston began the development of two mixed-income housing projects on City-owned land. One project includes 92 units with 52 being rent-geared-to-income units operated by Kingston & Frontenac Housing Corporation, while the other is set to have 38 units operated by Kingston Cooperative Homes (Ferguson, 2022).

Halifax Regional Municipality, Nova Scotia

 Halifax Regional Municipality sold four lots to the Affordable Housing Association of Nova Scotia to develop affordable housing options, with each lot being sold for \$1. The project's first phase will have 12 affordable units and is set to be completed by April 2023 (Halifax Regional Municipality, 2022).

Municipalities may have unused or underused land, which can be revealed by completing a land analysis. These lands can include parking lots, school land, and more.

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CONTACT US TODAY FOR MORE INFORMATION

250-383-6166 | admin@communitycouncil.ca 216-852 Fort Street, The Joseph Building, Victoria, BC V8W 1H8

communitycouncil.ca