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AFFORDABLE HOUSING IN TORONTO: LEGISLATIVE AND REGULATORY
TOOLS FOR MUNICIPAL LED DEVELOPMENT

Alex Kolsteren, BA, Simon Fraser University, 2007

A Major Research Paper
Presented to Ryerson University
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ABSTRACT

This paper analyses the regulatory and legislative tools for affordable housing in Toronto. Through a review of relevant literature and interviews with key informants, key trends in affordable housing in Toronto have been identified. An analysis of affordable housing in Vancouver and Montreal is provided to show divergences and similarities in other Canadian cities. Key findings of this research reveal several trends. Firstly, past funding of housing was often rationalized as an economic imperative, rather than as a social policy issue. Secondly, federal retrenchment and Ontario government offloading have placed responsibility for housing on Toronto, which has neither the financial nor regulatory tools to adequately fund housing. Thirdly, this lack of capacity has led Toronto to adopt a more entrepreneurial approach to housing, using public-private partnerships, social mix revitalization initiatives, and other market influenced development mechanisms. These findings highlight difficulties on the part of Toronto to develop new affordable housing at a time when the city continues to grow and demand for housing is increasing.

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1. Introduction

With a population of over 2.6 million, Toronto is Canada's largest city. The most recent census from 2011 shows that in the last five years, the city has grown by over a hundred thousand people. While there has been a concurrent growth in new housing, particularly in condominium construction, this growth has been concentrated in the mid to upper end of affordability based on average household incomes, while the low affordability range has not experienced the same rates of growth. This has not been from lack of need. While most households are able to secure housing at market rates, wait lists for affordable housing continue to grow, and there are over 65,000 Toronto households on the waiting list for affordable housing in the City of Toronto (ONPHA, 2011).

Further complicating housing issues is a continuing rise in the number of low-income households in the city (Hulchanski, 2010). Along with the lack of affordable housing, these conditions contribute to larger social problems, including increased homelessness, higher crime rates and poor household health (Wadsworth, 2008).

The low- and moderate-income households in need of affordable housing include individuals and families, new immigrants and the elderly, disabled people as well as other at risk communities. In short, they represent a cross section of Toronto's vulnerable and marginalized citizens. Ensuring all residents, regardless of socio-economic status, have access to safe, clean and affordable housing is an important component to ensuring the continued economic and social stability

of the city. Maintaining a supply of affordable housing for new and existing residents is thus an important component in successful city building, and will be a significant and long-term challenge for Toronto (City of Toronto, 2012).

Despite the above described conditions, declining rates of new affordable starts and sustained capital financing are not new challenges for the city. Toronto has been facing significant financial pressure in the affordable housing sector since the retrenchment of the federal government from affordable housing funding in the 1980's and 90's, and in the case of Ontario, subsequent downloading of jurisdictional responsibility from the province to municipalities.

In response to these changes, Toronto has increasingly sought alternative ways to continue supporting affordable housing, including revitalization schemes, partnerships with the private sector, leveraging of community benefit provisions, and other financial and planning tools, such as the Large Sites Policy.

These responses have had mixed results. Revitalization efforts as in the case of Regent Park and Don Mount Court have been able to transform older social housing projects into modern redevelopments incorporating strong urban design and principles of social mix as a way to integrate socio-economically disparate communities. However, these initiatives come against the backdrop of Toronto Community Housing, the public corporation tasked with management of affordable housing for the city, having an estimated capital repair backlog of over \$751 million. This presents a substantial challenge to the long term stability of the

affordable housing stock in the city (Toronto Community Housing, 2012). In addition, planning tools, such as the Large Sites Policy or developer contributions, designed to leverage affordable housing contributions from large market housing developments, have not had a significant impact in procuring affordable units (Drdla, 2010; Mah, 2009).

2. What is Affordable Housing?

Within the Canadian housing sector, affordability is often defined as a relationship between a household's income and how much they spend on shelter. The base standard established by the Canadian Mortgage and Housing Corporation (CMHC) defines housing as affordable if shelter costs are 30% or less of a household's gross income (CMHC, n.d.a) Affordability can, however, take on different meanings because of differing local contexts, including vacancy rates, market prices, quality, and type of housing stock. For example, housing prices in Vancouver, one of the most expensive markets in the country, place more households under the affordability threshold than in another market.

This approach does not, however, take into account a household's ability to pay. A higher income household can potentially be able to afford to spend more than 30% of their income on shelter without undue impacts on their quality of life or ability to provide other essentials. For the purposes of this paper, affordability is not to be understood as a measure of a household's ability to pay, but rather as a measure of their need. In most Canadian contexts, this limits the scope of those in need of affordable housing to low- and moderate-income households.

The complexity of arriving at an accurate definition of affordability also highlights the challenge of deciding what exactly constitutes affordable housing. The range and diversity of housing options that may fall under the banner of

affordable can range from fully subsidized assisted living for the hard-to-house, to home ownership subsidy programs.

The label of affordable housing also can be applied to a variety of names and titles, including social housing, public housing, and shelters. There is also private market and third sector affordable housing that is found under the label of accessory/secondary units, single-room occupancy and cooperatives. While this diversity reflects a multitude of housing forms, the focus of this paper is on Toronto's publically owned and operated housing. This necessarily excludes a diversity of other affordability measures, such as rent vouchers and affordable ownership programs, but is done so that an emphasis can be placed on the role of Toronto in *developing* affordable housing. It should be noted that an exploration of third party sector providers, encompassing co-operatives and non-profit housing is beyond the scope of this paper, but merits further examination. This is not to discount the role that these providers play, but rather to direct attention to the municipality's capacity to *themselves* develop housing.¹

¹ It should be noted that all three of the municipalities discussed (Toronto, Montreal, Vancouver) have active engagement with the non-profit sector in housing development, however I wish to focus on the capacities of the city governments.

3. Research Question

The objective of this paper is to explore how planning frameworks, that is, the collective body of legislation, zoning by-laws, development processes, and political bodies, have reacted to changes over the last few decades within social housing provision and to larger scale economic and political dynamics that affect housing. It is my contention that, in the absence of a consistent federal housing policy and with the devolution of housing affairs to municipalities in Ontario, the role of local governments to act not only as housing managers, but also as developers, is increasingly defining the affordable housing paradigm in Toronto.

This paper will seek to examine how, and to what extent, shifting economic trends and changes to legislative structure at all three levels of government over the last thirty years have brought about changes to the affordable housing field in Toronto. This analysis will show to what extent local planning and policy has reacted to these changes, and highlight the successes, but also the short comings, that these new approaches have brought.

4. Methodology

To undertake this research project, a two-step research method has been developed to provide a qualitative assessment of affordable housing conditions in Toronto. The first research approach includes a literature review of relevant academic papers, and books, government housing policy, regulations, reports and publicly recorded discourse (newspapers, blogs, popular magazines, and journals). This review examines both historic trends, as well as the current context. The purpose of this review is to establish an overview of the existing research and analysis surrounding housing issues.

The academic papers and books will provide peer reviewed sources of existing research by scholars and experts in the field who have already devoted considerable time and energy examining these issues. As such, they provide a valuable resource of historical information, theoretical analysis, and critical reflection, which will guide this paper's analysis.

Government policy, regulations, and reports provide the official record of government undertakings. They also offer detailed accounts with quantitative information and analyses.

The inclusion of publicly recorded discourse acknowledges that significant and valuable insights, knowledge and critical analysis can be found outside of peer-reviewed sources. These sources include conventional editorial media such as newspapers, but also newer electronic media that are becoming increasingly

commonplace and influential. Using these sources is also recognition that government policies are often responsive to publicly and popularly expressed sentiments. Examining these can also provide insight into political motivations and objectives as to how and why policies were developed, and why they continue to exist.

The second research approach involves interviews with key informants within the field of affordable housing. Participants were contacted based on their perceived expertise and experience in the field, and thus potential ability to contribute meaningful insights and analysis. The interviews are semi-structured, providing for a basic comparison of answers across participants, but also so that there is room to explore the range of issues associated with affordable housing. The interview responses have not been systematically categorized, but rather inform the analysis where appropriate.

This combination of research methods attempts to provide a balanced research approach, by examining the existing body of literary research, but also including practical applications and experiences with affordable housing in Toronto.

5. Affordable Housing History and Context

The following survey of the history of social housing in Canada and current research on the state of housing reveals many of the circumstances that have led to current conditions in Toronto. This is to show the ways in which researchers, politicians, planners and policy makers have sought to adjust and adapt to changing political, economic and social climates. It is intended to provide context and overview of the major developments in Canadian housing policy.

The modern history of housing can be roughly separated into two periods in the post WWII era. The first period (1938 -1984) can be characterized by large investments by the federal government as part of liberal-Keynesian-welfare state economic policies aimed at providing housing and spurring growth through economic stimulus, while the second period (1985 to present) is notable for the divestment on the part of the federal government and, in the case of Ontario, downloading of responsibility for housing from the province to municipal governments.

Canadian Context WWII-1970's

The origins of large scale government involvement in social housing in Canada are rooted in the post WWII period when significant population growth and returning veterans looking for homes placed large demand pressure on the Canadian housing market (CMHC, n.d.b). Within the context of post-war economic policies, the Canadian federal government through the National

Housing Act and the creation in 1946 of the Central Mortgage and Housing Cooperation (later renamed the Canadian Mortgage and Housing Corporation) provided below market interest rate mortgages for the construction of subsidized housing and provided rental subsidies to low-income families.

These early Canadian social housing programs largely mirrored developments in the United States and emphasized providing assistance to homeowners, financial institutions and developers, rather than whole sale construction of exclusively government funded and run housing projects (Purdy & Kwak, 2007). Despite Canadian liberal welfare state political traditions, the programs reflected less a social policy, and more an economic stimulus program aimed at spurring development and growth (Rose, 1980).

Over the next forty years, joint federal-provincial programs over saw the creation of over 250,000 public housing units across Canada. It was during this period that many of the most well known housing projects in Toronto were built, including Don Mount Court, Alexandra Park and Lawrence Heights². By all measures these programs were successful in creating affordable housing for a broad range of Canadians (Carter 1997:603, Mallach & Calavita, 2010:80). In addition, this period of investment saw home ownership rates increase to one of the highest in the developed world, with a rate of two thirds of Canadians living in owner occupied homes having stayed consistent ever since (Hulchanski, 2007b).

² Regent Park, perhaps Canada's most well known foray into public housing, was built in the late 1940's, and served as a template for many of the later developments.

Diversification 1970's-1980's

By the late 1960's, large-scale housing projects had increasingly come to be seen as failures for their propensity to be sites of increased violence, drug use, and entrenchment and concentration of poverty. In effect, they were further contributing to many of the social problems that the housing was originally supposed to address. Much of this reaction came out of larger debates surrounding exclusionary housing practices that whether through de jure or de facto processes, reinforced many of the social problems of the era (Calavita & Mallach, 2010).

In response to these perceived failures of social housing programs, the federal government amended the National Housing Act in 1973 to encourage the development of affordable housing from a wider array of non-profit providers and co-operatives (Carter, 1997; Dreier & Hulchanski, 1993). The objective was to promote the creation of a greater variety of housing forms to encourage mixed income developments and foster more diverse communities within developments to counter the concentration and segregation of earlier projects.

The 1970's also saw the beginnings of government retrenchment from direct capital funding of project development, as subsidies and below market interest rates for "third sector" organizations became more prevalent (Carter, 1997). Policy was not the sole driver of change; increasing interest rates also made sustained capital investment increasingly difficult for governments to

maintain, and the large expenditures became increasingly vulnerable to cut backs as government debt rates rose (Carter, 1997).

While the 1973 amendment opened up affordable housing to the non-profit sector and cooperative organizations, it also reflected the shifting political landscape. Keynesian economic policies from the post war era until the 1970's brought a large amount of investment into social programs, but in the context of the 1973 OPEC oil crisis, rising interest rates and increasing expansion of the bureaucracy, social welfare and economic stimulus programs increasingly came under scrutiny by the federal government seeking to control spending. The response was the beginning of a period of divestment, which led to the eventual removal of the federal government from the affordable housing sector.

Retrenchment 1980's - 1993

Although housing has always been a provincial responsibility, the federal government had during the post war years funded housing programs with the recognition that neither the provinces nor municipalities had the resources to adequately address the housing challenges of the era (Rose, 1980). Rapid population growth and increasing urbanisation required a large scale response to housing needs and the federal government had intervened to both provide housing, but also to stimulate economic growth.

Starting in the 1980's, fiscally conservative governments progressively cut CMHC funding, and stripped out capital contributions for new housing starts such

that, by 1993, new affordable housing commitments were eliminated from the federal budget altogether (Carter, 1997). Since the elimination of federal funding for affordable housing, funding responsibility has been placed on the provinces and increasingly, although not mandated, to municipalities as well. In Ontario, under the Social Housing and Reform Act (SHRA) of 2000, affordable housing was placed under the jurisdiction of municipalities, reflecting a progression of off loading of service provision from a federally funded system under the CHMC, down to the municipality (Hackworth & Moriah, 2006).

While new cost sharing arrangements have been instituted in many jurisdictions, the shift away from federal support has been characterized by a significant decrease in new construction on affordable housing, with current new spending in Ontario falling below half their 1994 amounts (Shapcott, 2007). The conclusion to be drawn from this shift is that the offloading of social housing onto municipalities has resulted in significant decreases in affordable housing expenditures, a drop in new investments, and an increased burden on city finances.

The downloading of housing has been a significant challenge for municipalities in Ontario that must meet standards of provision, but often lack the capacity to do so. The lack of capacity has largely been situated as a symptom of municipalities' position as "creatures of the province" and subsequent lack of revenue raising mechanisms to provide capital funds for housing construction and repairs. In a study by Hackworth and Moriah (2006), it was found that the

problems were compounded by the inability of municipalities to leverage existing housing resources for equity capital without provincial ministerial approval.

This also extends to other potential avenues for fiscal innovation, as debt issuance and capital borrowing is strictly limited for most municipalities (Kitchen, 2009). While granting provinces and cities more autonomy and responsibility was ostensibly the reason for the SHRA, housing providers now often face increased bureaucratic processes, have little autonomy, and remain reliant on upper level government resources (Hackworth & Moriah, 2006).

6. Current Legislative and Regulatory Framework in Toronto

This section explores how the current state of social housing legislation and service provision operates in Toronto, and how shifts in the structure of housing administration have affected affordable housing provision. Current regulatory and planning frameworks will be discussed, along with economic impacts. Further discussion will also detail how Toronto has responded to the challenges of the SHRA, through the current role of cooperative housing, revitalization initiatives and planning responses. By examining the effects of offloading at the ground level, we can arrive at a better understanding of the impacts and implications of the current housing regime.

As a cumulative capstone on the offloading process, the SHRA designated service managers as the responsible body for housing in respective municipalities. For Toronto, as a large municipality with no upper tier body, the city is the Service Manager. The powers and duties of the Manager are set out under the SHRA, and they “shall in accordance with its housing and homelessness plan, carry out measures to meet the objectives and targets relating to housing needs” (SHRA, 2000, part III, s. 12). In addition, the “service manager may establish, administer and fund housing and homelessness programs and services and may provide housing directly” (SHRA, 2000, part III, s.13.1).

Within Toronto, provincial level policies are distilled into the local planning context through the city’s Official Plan. Policies for the provision of social housing

are outlined in the Official Plan, and stipulate that:

“A full range of housing, in terms of form, tenure and affordability, across the City and within neighbourhoods, will be provided and maintained to meet the current and future needs of residents... [including] social housing, shared and/or congregate-living housing arrangements, supportive housing, emergency and transitional housing for homeless people and at-risk groups, [and] housing that meets the needs of people with physical disabilities” (City of Toronto, 2006; 3.2.1.1.)

This sets a broad agenda for delivering housing within the city, and is inclusive towards a wide range of resident's needs. The OP policies, however, remain non-prescriptive and implementation is fluid and contextual.

At the bureaucratic level, provincial and municipal policies are primarily enacted through Toronto Community Housing Corporation (TCHC). Created in 2002, TCHC was formed through the merger of the former Toronto Housing Company and the Metropolitan Toronto Housing Corporation (TCHC, n.d.). Through TCHC, the City of Toronto manages over 90,000 units of social housing, including private non-profit housing, cooperative housing, private rent supplement programs (rent-geared-to-income) and a large portfolio of housing buildings, including high rises, town houses and detached houses (TCHC, n.d.; City of Toronto, n.d.). Funding for TCHC comes from a combination of sources, including federal transfers (through the province), a small provincial contribution, regional pooling, reserve fund withdrawals and municipal tax contributions. The municipal portion of the funding accounts for nearly half of the total budget, while the federal government contributes the second largest portion of funding. It

should be noted, however, that federal funding is expected to be completely eliminated by 2030³ (City of Toronto, 2007b).

While TCHC is the responsible agency for affordable housing and operates as an independent organization, the responsibility for municipal land use planning is with the city. Since provincial offloading, the city has increasingly sought to leverage planning tools and mechanisms to develop affordable housing. The most public of these has been a series of revitalization initiatives aimed at rehabilitating some of the older housing projects. These projects constitute significant components of Toronto's current housing program, and will be elaborated on further.

Planning Tools

The most direct mechanism employed within the planning framework for affordable housing is the Large Sites Policy. This policy requires that new residential sites over 5 ha provide 30% of the housing in attached and multiple housing forms, and projects seeking increases in height and density provide 20% of the additional residential units as affordable housing. These units may be built on or near the site, but may also be provided through land conveyance or cash-in-lieu (City of Toronto, 2006, s.3.2.1.9(b)). While the Large Sites Policy provides some level of mandatory affordable housing provision from new residential projects, these new housing starts are dependent on private developers meeting

³ Funding breakdown in 2007 was as follows: Municipal: 44%, Federal: 33%, GTA pooling: 17%, social housing reserve funds: 5%, Province: 5% (City of Toronto, 2007b)

market thresholds that may or may not be economically feasible. Additionally, an option for conveyance or cash-in-lieu places potential limits on the capacity of the policy to generate housing.

In analyzing the implementation of the Large Site Policy, Drdla (2010), comments that it “supports a narrow mix of affordable housing...it does not support a broader and more complete mix of housing that would come out of leveraging the regulatory and approval process to produce affordable ownership housing”. The result is a policy that on paper delivers housing solutions, but has too narrow of an applicable scope to have much impact.

The regulatory provision for the Large Site Policy falls within the purvey of section 37 of the Planning Act which allows municipalities to “authorize increases in the height and density of development...in return for the provision of such facilities, services or matters as are set out in the by-law” (Planning Act, s37(1). This provision allows municipalities to secure benefits to the community in exchange for allowing developers to build beyond what the zoning by-law allows.

The extent of the benefits that can be negotiated for through section 37 agreements is set out under implementation guidelines and defines how agreements can be used to secure affordable housing (City of Toronto, 2007a).

Despite the potential within Section 37 to provide affordable housing, very little has materialized from any agreements (Mah, 2009). This is due in part to the “nexus” requirement of the agreements, which dictates that any community benefits must be secured in close relation to the development site. Additionally,

political impetuses often make park and public benefits more accepted by local communities, versus affordable housing which, in addition to benefitting a limited range of residents (although they are in the most need), can attract NIMBY attitudes from residents against the locating of public housing in their communities.

Revitalization Initiatives

The revitalization of large housing projects has been the most prominent affordable housing initiative undertaken within Toronto since the introduction of the SHRA. Many of the large affordable housing developments built in the post-war era with federal funds have over the last few decades fallen into disrepair, and are now regarded as substandard housing. As a legacy of city building, they have also become emblematic of environmentally deterministic modernist planning, and are associated in the popular imagination with high levels of violence, crime and poverty. While revitalization may not explicitly deliver new affordable housing units, the rebuilding of these developments represents a significant investment in housing on the part of the city.

Although there are several revitalization projects underway or completed, including Don Mount Court, Alexandra Park and Lawrence Heights, the Regent Park revitalization has been the largest to have entered development so far, and serves as an example of post SHRA affordable housing development. Two of the defining characteristics of the Regent Park project are the social mix approach

adopted in planning the redevelopment, and the public-private partnership through which a large portion of the costs were secured.

The new developments on the site mix market rate housing with rent-geared-to-income TCHC units in an effort to create a more diverse social mix among residents. With a better mix of socio-economic backgrounds, it is hoped that the new Regent Park would be able to avoid the historic concentration of poverty in the area as well as the damaging stigmatization. This approach follows contemporary planning ideas about how to avoid the historic trend towards ghettoization of public housing projects by having more diverse populations intermixed within them. The empirical evidence supporting this approach, however, remains inconclusive, and Regent Park is likely to be a long-term test case for this style of development (August, 2008; James, 2010).

The public-private component of the Regent Park project saw the city enter into an agreement with a developer, the Daniels Corporation, to cover project construction costs in exchange for rights to develop market based housing alongside the affordable units. By leveraging their cash flow for the necessary capital, TCHC has been able to finance the reconstruction of the affordable units while rejuvenating the neighbourhood. This was also done without significant financial contributions from either the provincial or federal government, offering an innovative model of affordable housing development.

Primarily due to its location on high value downtown land, Regent Park has been successful in leveraging the land value of the site to support revitalization. The location made market-based subsidization financially viable, achieving roughly a two to three ratio of market to affordable units. It is, however, not clear how much the success of this project can be replicated elsewhere. While Alexandra Park is equally situated on a valuable, centralized site, other projects, such as the Lawrence Heights revitalization, will not be able to leverage land values as effectively and have much higher infrastructure costs. This will result in much higher numbers of market based units needed to fund construction, and could create gentrification like conditions as low-income residents will be substantially marginalized demographically by new residents of the market rate units (Lorinc, 2008)

The economic impact of offloading has required the City of Toronto to develop alternative methods of financing affordable housing capital projects and maintaining expenditures. These methods have involved attempts to leverage new development through community benefits, development charges and other levies, greater private-public partnerships, revitalization projects and capital equity extraction from existing real estate and holdings.

The tools and policies outlined above have however been limited in their capacity to generate new affordable housing or to fund repairs. This is due to a subsidization and benefits extraction model of funding that relies on the economic viability of market based development. Under such a framework, once market

forces can no longer provide the external benefits for affordable housing, as in the case of recession or low profitability, these mechanisms have little use.

7. Outside Toronto: Trends in Canada's Large Urban Centres

Many of the historical trends informing Toronto's social housing field are not unique to the city. Other Canadian municipalities have seen significant transformations in the provision of social housing over the last few decades, but localized contexts have led to different outcomes and responses than those seen in Toronto. To this extent, it is useful to explore social housing issues in other large Canadian municipalities, and how they have responded to their particular circumstances. For this section, social housing in the cities of Vancouver and Montreal will be reviewed and analysed, with the objective of ascertaining what factors have influenced their respective social housing programs, and what insights can be gained from these that could provide direction for Toronto. This analysis will be conducted by exploring the individual history of social housing in these respective cities, the relevant policy and funding frameworks that direct affordable housing development, the unique features that distinguish these frameworks, and an analysis of their respective successes and failures in delivering affordable housing.

To examine alternative Canadian approaches to social housing, Vancouver and Montreal were chosen because of their size and experience with housing issues. The experiences of these two municipalities offer case study examples of how social housing systems function across differing political, economic and social climates in Canada. While the insights these case studies

provide may not lead to directly applicable interventions for Toronto, they can serve as indices of how other models function.

Vancouver

Although the municipality of Vancouver has a population of just over 600,000, the greater Vancouver area has well over 2 million residents for whom the municipality is the core central urban area and economic, social, and cultural hub. Demographic pressure, along with a restrictive natural geography that has placed limits on urban expansion, has led to some of the highest housing prices in Canada. As a result, low income and moderate income residents face significant challenges in accessing affordable housing within the city, making social and affordable housing a high priority for city builders.

In similar fashion to Toronto's housing history, the bulk of Vancouver's affordable housing was built during the years after WWII with heavy federal investment through the CMHC. Development dropped off as it did elsewhere in Canada with the retrenchment of the federal government from the funding of housing. To make up the shortfall in affordable housing starts, the city of Vancouver and the province of British Columbia have since sought to provide new social housing through a variety of ways.

In British Columbia, delivery of social housing falls under the authority of the province. Through the BC Housing Management Commission (BC Housing), the province provides capital funds for new development, redevelopment of

existing sites, and tenders contracts to non-profit housing providers who operate the buildings. Vancouver purchases and provides land in the city for affordable housing development, but usually does not bear any capital or operating cost beyond standard amenities and services.

Land for affordable housing sites is secured by the city through the Property Endowment Fund (PEF). Through the PEF, the city purchases land for affordable housing. This can be in the form of sites to be renovated, retrofitted, and rebuilt. One of the benefits of the PEF has been that the city has been able to purchase and allocate land or, at a minimum, allocate capital funds for future purchases, of land for affordable housing at a rate consistent with development in the city.

The city's ability to secure sites is also supported by a 20 percent affordable housing allocation provision on new neighbourhoods and re-zonings. Established in 1988, the 20 percent allocation has been used to ensure that any new development provides affordable housing at a growth rate with affordability cut-off rates based on median household incomes (City of Vancouver, 2011). The allocation works by requiring developers to enter into agreement with the city to provide land allocations on-site. Since the loss of federal support for new developments in the 1990's, developers have been able to provide the 20 percent allocations through cash-in-lieu contributions that, through the PEF, are used to secure sites. Once sites have been secured, the city enters into agreement with the province and a developer to build the project. Operation of

housing sites is usually contracted to non-profit operators, who are given long-term leases through a subsidized upfront rent of the market value.

Unlike Ontario, British Columbia has not seen a downloading of responsibility for social housing from the provincial government to municipalities. Accordingly, social housing remains within the jurisdiction of the province, while the role of municipalities has largely revolved around securing land for housing development. Vancouver, however, has historically had an involved role in affordable housing, due to the size of the municipality, prevalence of housing issues, and special authority delegated to the municipality under the Vancouver Charter (Punter, 2003).

The Vancouver Charter is the provincial legislation that provides for the incorporation of the City of Vancouver. Authority for affordable housing contributions is derived from section 565.1 of the Charter, which “entitles an owner to a higher density” in exchange for, among other things, “provision of affordable housing or special needs housing” (Vancouver Charter, s. 565.1 (1), (3), Mah, 2009).

In addition to section 565.1, the Charter also allows the City to establish Official Development Plans (ODPs) under section 561, which “must include housing policies of the Council respecting affordable housing, rental housing and special needs housing.” (Vancouver Charter s. 561.3). In practice, the city at the time of implementation of an ODP will establish housing affordability and social housing objectives for an area. As an example, the South East False Creek ODP

(2007), established a requirement for a 20% affordability target for new housing development within the area, which follows the 1988 precedent set by the city for newly redeveloped neighbourhoods.

Due to core structural differences between Toronto and Vancouver's affordable housing models, direct comparisons and evaluations are difficult to make. Without the housing portfolio having been downloaded onto the municipality, as is the case in Toronto, Vancouver's role has been more collaborative with other levels of government, non-profits, and developers. With the primary responsibility to secure land for housing projects, Vancouver has been able to meet these demands with a variety of legislative tools as well as through a discretionary approach to development approvals. This has allowed the city to leverage re-zonings and density bonuses to secure housing contributions from redevelopment. However, this has been in a limited capacity and reflects context specific interventions where economic and social conditions provide adequate financial incentives on the part of developers. Generally onsite, or inclusionary housing, is the exception rather than the norm, and stand alone housing projects are still the dominant model of new affordable housing development in Vancouver.

It should be noted, however, that Vancouver, under the current political leadership of Mayor Gregor Robertson, has stated that affordable housing is a significant priority for the municipality, signalling that the city may be seeking a more activist role in housing development beyond historical role of site purveyor

(Bula, 2011). The expansion of up until now limited development involvement by the city may be a trend worth observing closely in the future, and insights from future work should be worth following.

Montreal

Although Montreal is the second most populated municipality in Canada, it is unique among large Canadian cities with respect to housing affordability issues. Most notable is the comparatively high percentage of renters versus owners under forms of tenure (Choko & Harris, 1990). The over 60% rental share is also reflected in the built form, with a comparatively higher stock of apartment housing compared to Toronto. While historically this has resulted in slightly higher vacancy rates and marginally better affordability, over the last decade vacancy rates have dropped, and new construction has been focused on higher end, smaller condominium units (Germain, 2009). Analyzing the similarities as well as divergences between Montreal and Toronto provides value as a comparative mechanism to see how similar factors (federal retrenchment, municipal assumption of responsibility) have affected these different urban milieus.

Similar to other Canadian municipalities, the history of social housing in Montreal follows a trajectory delineated by a period of post-war federal funding and support for projects, followed by retrenchment, and provincial assumption of responsibility in the 1990's. Montreal is, however, unique in its historically distinct form of housing tenure, with a much higher share of rental housing, and lower

levels of home ownership. This has historically resulted in marginally better housing affordability, but increasing homeownership rates, immigration, and economic cycles over the last decade have led to significant changes in the affordability landscape (Mah, 2009). In addition, as is the case in many major Canadian municipalities, much of Montreal's affordable housing stock built is aging and repairs are increasingly a cost concern for the municipality. The degraded quality of existing housing has also made it susceptible to redevelopment in a growing condominium oriented housing market.

Social housing in Montreal, or HLM (Habitations a Loyer Modique), are provided through a mix of public and private sector organizations. The Provincial oversight body is the Societe d'Habitation du Quebec (SHQ), through which a variety of programs provide support and funding for affordable housing in the province (SHQ, n.d.). Other key organizations include the CMHC, Affordable Housing Quebec (AHQ), Habiter Montreal (the housing agency for the Ville de Montreal), Groupe de Ressources Techniques (GRT) and a variety of other non-profit and cooperative agencies.

The Acceslogis program, provided by the SHQ, is one of the most prominent affordable housing programs in Montreal and the province as well. The program is locally administered by municipalities, and through cooperation between public, cooperative and private organizations (SHQ, n.d.). Under the requirements of the program, non-profit and co-operative organizations meeting

operational qualifications receive financing loans and operational subsidies (FLHLMQ, n.d.).

Another housing program is Affordable Housing Quebec (AHQ), which provides funding for both the private and non-profit sectors. Through the program, private developers are encouraged to redevelop existing residential buildings as well as readapt non-residential structures to include affordable units. In exchange for financial assistance to fund the redevelopments, the owner agrees to provide units at low rents (Ville de Montreal, 2005).

The GRT's are a unique component of Montreal's affordable housing program. Acting as intermediaries between government and non-profit providers and co-operative organizations, they provide development and construction expertise to facilitate new housing projects (Ville de Montreal, n.d.). In conjunction with a non-profit or co-operative, the GRT will secure land, provide architectural and design services, and negotiate funding sources with the city. While operating as a non-profit, the GRT's remain independent and assume a competitive approach to securing housing contracts (AGRTQ, n.d.).

While the programs outlined above are the major organizations and programs delivering affordable housing in the city, a variety of other government agencies, initiatives, programs, private sector and non-profit groups also provide housing. It should also be noted that many of these programs operate on context specific terms under fairly complex regulatory and planning circumstances. While

from a policy analysis perspective this complexity creates some difficulty in navigating the role of each body, the diversity of players creates a level of resiliency and adaptability, with government, non-profit, and private sector organizations able to involve themselves at different junctures. To provide some regulatory context as to how this system operates, it is useful to examine the planning and legislative framework of the city in how affordable housing and land use planning is carried out.

Not unlike Toronto, although arguably in a more complicated fashion, Montreal has undergone a process of amalgamation, bringing several formerly independent municipalities on the Island together into a large municipal government structure. The amalgamation process was made more complex by a subsequent de-amalgamation of some of the municipalities, and has left the island of Montreal with a patchwork of municipal boundaries. The resulting government structure has left significant powers with the local boroughs (formerly independent municipalities), that each have local councils in addition to a city wide council.

Within this context, the legislative framework for planning and social housing in Montreal is derived from responsibilities and powers established in the Charter of Ville de Montreal. While the Charter sets out social housing as a responsibility of city council, the borough council system of governance places local land use planning within the purview of the borough council, effectively

placing housing development approval authority at this localized level (Province of Quebec, 2012)

The policy framework for affordable housing in Montreal is set out under the Affordable Housing Strategy contained in the 2005 Master Plan (Ville de Montreal, 2005). The provisions of the Housing Strategy call for a 30% target of affordable housing for all new residential construction. This includes both “low- and moderate-income” households (Ville de Montreal, 2005)⁴. This policy closely resembles the Vancouver 20% policy for new development, and is targeted towards large site development seeking to extract benefits from new residential development, especially in the central boroughs.

Despite the inclusion of the 30% target at the city wide scale, each borough, through their local council, directs land use development, and is independently responsible for overseeing the development of affordable housing within their jurisdiction through these development controls. The 30% target is not a mandatory requirement though, so the inclusion of affordable units in a given project is negotiated on a case-by-case basis.⁵

Having faced the same retrenchment of upper level government funding, Montreal has adapted to affordable housing needs through a diversity of housing

⁴ As will be shown later, the split between low- and moderate-income is determined by the respective planning of the boroughs and can obviously have a significant impact on the socio-economic make up of a given project.

⁵ Mah, (2009) points out that although not mandated, the housing target can become a near requirement if it is a priority of the borough council and the local community, as in the case of Sud-Ouest, where developers know they’ll need to provide the housing allotment to receive development approval.

providers, programs and development incentives. Historically these developments, along with a more rental favoured market, have resulted in more robust housing affordability, with lower rents and higher vacancy rates. The landscape has, however, changed considerably over the last decade, as increasing population growth and development pressure has increased demand for affordable housing.

While inclusionary measures, such as those set out in the 2005 Master Plan, are designed to leverage new residential development, they remain dependent on market conditions delivering favourable returns for developers with the affordable allocations. Outside of these and other similar community benefit style mechanisms, affordable housing development remains reliant on higher-level government funding, with it being noted that “since 2000, subsidies targeting [affordable housing] depend almost entirely on the federal government’s budget surplus, which is unfortunately no guarantee of funds.” (Quebec federation of real estate boards, 2010, p.4).

In comparison to affordable housing in other major Canadian municipalities, Montreal is increasingly coming to resemble the rest, with one report noting that market shifts are bringing Montreal closer in line with housing trends in Vancouver and Toronto (Hiebert et al. 2006). The emergence of a condominium dominated housing development field, which replicates existing trends in Toronto and Vancouver, along with the increasing emphasis on inclusionary models of housing as a solution to affordable housing needs,

suggests larger scale shifts in Canadian municipal planning paradigms. As the Montreal Master Plan shows, the inclusionary provisions, which because of the large site threshold are likely to be situated in high-rise condominium developments, are

[A]n essential aspect of sustainable development in Montréal. Ensuring the presence of affordable housing responds to the current and future needs of Montréal's households while preserving the competitiveness and economic vitality of the City." (Ville de Montreal, 2005, s.2.1).

As in the case of Toronto and Vancouver, Montreal is also adopting a more "entrepreneurial" approach, taking on self directed projects and seeking development opportunities outside of historical funding models reliant on provincial or federally sponsored programs.

Comparisons

The purpose of examining other housing major Canadian housing systems is to highlight how localized contexts can produce differentiation. Although the scale of the Toronto context may make comparisons to smaller markets in Vancouver less apt, the measures undertaken in Vancouver display what is arguably a more politically pro-active approach. Mayor Robertson's vocal advocacy for housing issues, and prominent political and capital investment into housing is worthwhile noting, especially as municipalities have not undergone the same process of downloading. Similar attention and advocacy on housing issues in Toronto have not been forthcoming from the current political leadership of the city, despite the arguably more severe circumstances of the City's housing portfolio.

Montreal, while having not faced the same housing pressures as experienced in Toronto or Vancouver, has none the less displayed a unique level of flexibility and diversity in approaches to affordable housing provision. The multitude of government agencies and third sector groups operating together demonstrates resiliency and adaptability toward housing challenges. With the above noted convergence of the housing market in Montreal with trends elsewhere, it will be interesting to examine how affordable housing in the city reacts to these changes, and whether existing institutions will be able to adapt to new circumstances.

8. Analysis/Findings

This paper set out to examine the changing role within the affordable housing sector in Toronto since the fiscal retrenchment of the federal government and downloading from the province. In addition to an examination of the conditions in Toronto, a comparative analysis of Montreal and Vancouver were undertaken to provide additional context from other large Canadian urban environments. The findings from this research were also supported by interviews with key informants in Toronto's affordable housing sector. The findings can be summarised through the following key conclusions.

Based on historical patterns of federal funding and investment, there has been a consensus within the literature and from key informants that federal housing policy has often been more influenced by economic concerns rather than the provision of a social safety net. The emphasis on economic priorities has had the result that there is a lack of a cohesive federal housing policy. Retrenchment of federal and provincial funding has saddled Toronto with a responsibility for which the city lacks the financial and legislative capacity to adequately address.

In Toronto, without the means to raise adequate capital or other revenues, the existing affordable housing stock has fallen into disrepair. These deficiencies threaten the long-term suitability of these units for housing, and the city may be facing a shrinking stock of affordable housing. As a response, Toronto, through TCHC, has embarked on a series of revitalisation initiatives to rebuild many of the older units in large scale projects through innovative financing schemes and

participation from private sector partners. This is also part of a refocusing of the part of TCHC towards a more private market business focused model of governance, a trend that has also emerged in the City's political structure.

There has also been an attempt to utilize legislative powers to enact planning tools to secure more affordable housing, but these have had limited success. In general terms, the burden of responsibility for affordable housing in Toronto has not been met with the adequate legislative and revenue generating power to properly address the large scale of housing issues.

Examination of different contexts show that local planning and jurisdictional issues, as well as political governance, can have profound effects on the ability and manner in which municipalities can secure land and develop new housing. The case studies of Vancouver and Montreal show a diversity of approaches to planning for affordable housing. The success of Vancouver's ability to secure housing benefits from new development should be further examined for applicable measures in Toronto. The flexibility and decentralized aspects of Montreal's housing framework might similarly hold value for Toronto, a city often characterized by the complexity of its bureaucratic organizations (Hume, 2010)

These findings are consistent with much of the existing research, and reaffirm earlier findings that support the suggestions and recommendations made here and elsewhere. In this way, this paper has furthered the discussion

surrounding affordable housing issues, and encourages continued research, reporting and awareness of the challenges facing affordable housing in Toronto.

9. Conclusion

Research and analysis of housing issues is never complete. As market and political conditions change, so does Toronto's responses, and new insights and expertise are needed. While this paper has focused on the city's role in affordable housing, there remain avenues of further research examining the current role of third party providers, including non-profits and cooperatives. Examination of private market capacities to develop more affordable units, either through subsidization or bonusing may also lead to new insights that would further understanding and knowledge surrounding affordable housing. Also, some sources and interviewees noted that quantitative information surrounding affordable housing belie more complicated issues of family living arrangements, over crowding and transiency. This was particularly noted in the composition and administration of waitlists, as well as recording of the situation of existing tenants. Better documentation and organization may assist in better allocation of waitlisted households with appropriate dwellings, and ensuring households are not living in substandard arrangements.

Barring a dramatic change in municipal taxation powers or revenue tools, it seems likely that the only probable resolution to the financial challenges of TCHC will be a re-uploading of responsibility to the province. The lack of a federal housing strategy and differing economic priorities also makes renewed consistent federal funding unlikely, and the province has the revenue sources to significantly alleviate the burden on the city's financial resources.

The provincial government should also seek ways to provide large municipalities with enhanced regulatory and legislative powers to become more adequate governing bodies on the local scale. Cities are increasingly coming to define the experience of citizenship and local municipal conditions can often have the largest impact on residents' quality of life. Toronto should have a greater capacity to ensure that citizens are not short changed by issues of jurisdictional limits and restricted governments.

In a large and expanding city such as Toronto, the above suggestions are unlikely to completely address the problems of affordable housing. The hope is that they might offer ways of addressing some shortcomings, and at least spur the acknowledgement that our existing circumstances are a poor offering from the rich, large, world-class city that is Toronto to its most marginalized residents.

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