

# Increasing Affordable Rental Housing in Toronto

**DEVELOPMENTS AND SETBACKS**

**RIGHTS  
REVIEW**

**Right to  
Housing  
in Toronto**



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Right to Housing Toronto (R2HTO) is a network of individuals and organizational supporters that are working to ensure that the City of Toronto takes a rights-based approach to its housing planning and policy.

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Toronto's housing crisis is most acutely experienced by those who are renting their home. Over the course of the last year, average rents in the city alarmingly increased by about 22%.<sup>1</sup> Among households who are paying more than 30% of their income on shelter – the threshold used to determine whether housing costs are affordable - 40% are renters compared to 26% of homeowners.<sup>2</sup> Among those households who earn less than \$60,000 annually, about 75% of renters spent more than 30% of their income on shelter.<sup>3</sup> These figures are very concerning given that the proportion of those who will be renting their homes is expected to increase over time.<sup>4</sup> Without meaningful action, the affordability challenges that so many renters face may worsen.

The deepening affordability crisis in the rental housing market stems from rising demand from low to moderate-income households for a stock of rental housing that has not grown at an adequate pace over the past few decades. This stagnation is explained by governments reducing their investments in affordable housing programs over the last few decades as well as private developers opting to construct condos over purpose-built rentals. Meanwhile, a more diverse set of households have been looking for affordable homes in the rental market. For example, amongst moderate-income earners wanting to purchase a home, rising house prices and interest rates have made it more difficult for them to take out a mortgage. This barrier leaves such households with housing options that are limited to the rental market. Newcomers to Toronto also tend to rent when they arrive in the city, driving up the demand for rental housing. While more new immigrants have settled outside of large cities over the last few years, many continue to choose Toronto as their new home.<sup>5</sup> Additionally, the demand for rental housing has grown with the return of students to Toronto post-pandemic. Meanwhile, the limited stock of social housing options and inadequate income supports have left lower income households in a situation where they are also competing for private rental housing options, which are typically available at rents which they cannot afford.

The City of Toronto has nonetheless experienced some increase in private rental construction over the last few years although the pace has recently slowed down significantly. Either way, the halting gains are not enough to make up for decades of neglect and disinvestment in affordable rental housing.<sup>6</sup> In addition, the new supply of rentals is largely out of reach for a large segment of Toronto's population that is in need of deeply affordable housing options. Clearly, there is a need to come up with a comprehensive strategy to create a range of rental housing options, both in the form of social and private rental housing, to meet the diverse needs of Torontonians.

# 1

## Affordability and the Right to Housing

The Right to Housing Toronto (R2HTO) network has consistently raised awareness about how accessing affordable housing is an essential element of the right to adequate housing and that all levels of government ought to help advance the right to housing. This is a matter of human rights because living in unaffordable housing leaves people with little room to make ends meet and live dignified lives. To this end, the City of Toronto made a commitment to progressively realize the right to housing in its Housing-TO 2020-2030 Action Plan.<sup>7</sup>

R2HTO built the case for applying a rights-based approach to create more affordable rental housing options for lower income renters in its previous [Rights Review](#) report a year ago, echoing calls made by housing advocates, community groups and nonprofit organizations. The report reviewed a range of municipal housing initiatives and recommended ways to create more affordable rental housing options. Since its publication, the urgency to act has escalated.

This report takes stock of recent housing developments in Toronto and assesses the extent to which municipal action has lived up to broad recommendations made by the R2HTO in its past report. The actions of the province of Ontario and the federal government are also considered to better understand how all levels of government are collaborating to solve our housing affordability issues.



Recent  
Housing Policy  
Developments

## Federal

Over the last few years, the federal government has taken on a more proactive role in affordable housing. With the adoption of the National Housing Strategy (NHS) in 2017, several programs were initiated to provide loans and grants to create more affordable housing options and protect the existing stock of affordable housing.<sup>8</sup> However, the initiatives have not yet delivered in a way that adequately meets the affordability needs of many low- and moderate-income households.

For example, the Rental Construction Financing Initiative has received particular attention because of the \$25 billion in loans made available for development projects that are supposed to be affordable. However, it appears as though the investments tend to be geared towards housing developments that would be suitable for those households on the higher end of the income spectrum.<sup>9</sup> While stricter standards may help target the loans more effectively for more affordable schemes, reports also reveal that program details are not made available in a transparent manner, making it difficult to understand the impact of the loans on the ground.<sup>10</sup>

Other initiatives have shown more promise. Notably, funds from the Rapid Housing Initiative over the last couple of years have helped the City of Toronto create more supportive housing projects and permanently house a growing share of people experiencing chronic homelessness from the shelter system. In fact, this support has helped the City exceed its targets for creating more deeply affordable housing options.<sup>11</sup> However, the federal government's most recent budget has done little to add more funding for deeply affordable housing projects, leaving it unclear whether some of the progress made over the last few years will be sustained.<sup>12</sup> In addition, rising interest rates and a stagnating economy are making it more difficult to finance new affordable housing projects.

## Provincial

The Ontario government has focused primarily on finding solutions that it views as ways to speed up housing development. It began the process by setting up a Task Force on Housing Affordability in 2022 which was given a mandate to address the housing affordability crisis solely based on market housing solutions, leaving discussions around the value of social housing as an affordable alternative out of the scope of the study. Some of the Task Force's recommendations have since shaped a slew of legislative measures that mostly consist of removing real and perceived barriers to private housing development so that the process of construction can be sped up.<sup>13</sup>

For example, Bill 109, *More Homes for Everyone Act* introduced provisions that would compel municipalities, including the City of Toronto, to complete development applications brought forward by builders within a defined period or face having to return the application fees if the deadline is not met.<sup>14</sup> The City of Toronto, in assessing the impacts of the legislative changes, has projected that it stands to lose



up to \$77 million in revenue in 2023 if it cannot meet the deadlines, a concern that is very real given the limited staff that the City has to complete reviews in a timely fashion.<sup>15</sup>

Bill 23, *More Homes Built Faster Act*, introduced policies with a similar rationale to speed up development.<sup>16</sup> For example, the legislation includes significant restrictions on the amount of revenues municipalities can raise through development charges, and how they can use the proceeds. Notably, municipalities can no longer use the proceeds from development for housing services. In addition, the restrictions on how much can be raised through such charges will impact investments in infrastructure, which in turn would slow down housing construction. In fact, the City projected that its HousingTO 2020-2030 Action Plan may have to be paired down by \$1.3 billion if the province does not come up with a way to make up for these anticipated losses.<sup>17</sup> In the provincial 2023 budget, there was no evidence of additional support for municipalities to make up for these financial shortfalls.<sup>18</sup>

Bill 23 also placed significant restrictions on how municipalities can apply inclusionary zoning. It introduced a 5% cap on the percentage of units that a municipality can require a developer to set aside for affordable housing, and a 25-year limit on the period during which such units need to remain affordable. These new legislative measures would make the City of Toronto's Inclusionary Zoning policy considerably weaker in creating affordable housing for moderate income households and reduce the City's ability to deliver on its 10-year housing target of creating 40,000 affordable homes. The legislative changes effectively disregard years of consultations that the City held with citizens and stakeholders in the housing sector along with rigorous feasibility studies that routinely recommended more robust inclusionary zoning requirements.<sup>19</sup>

In addition to these legislative measures creating new challenges for the City of Toronto to add more affordable rental housing supply, an alarming provision jeopardizes the City's efforts to preserve its existing affordable housing. Bill 23 empowers the province to prohibit or regulate the City of Toronto's powers over how existing buildings can be demolished and converted, otherwise known as a rental replacement policy. In Toronto, the by-law requires developers to replace older rental units (often with affordable rents) that it intends to redevelop with an equal number of rental units at the same rents in the new building. Tenants whose homes are to be replaced have the right to return along with some compensation to facilitate the temporary move. These conditions have helped the City of Toronto protect about 4,000 rental units, over half of which were affordable over the past fifteen years.<sup>20</sup>

The province has recently released more details over how it intends to regulate replacement policies and opened the proposal for consultations.<sup>21</sup> Suggested provisions include instituting common requirements and minimum standards related to landlord obligations to tenants during the conversion process, compensation, and core features that should be included in a replacement unit. However, the lack of detail regarding the proposed regulations makes it difficult to gauge the extent to which the City's current replacement policy will be altered and potentially weakened.

There are some provisions in the bills mentioned that have the potential to help the City of Toronto to create affordable housing options. In particular, a Community Infrastructure and Housing Accelerator

now gives municipalities the chance to skip planning and development procedures, with the consent of the province, for projects that it deems a priority. This can include affordable housing. Laws allowing for greater density across transit corridors and gentle density elsewhere are in line with plans that the City of Toronto has also been making to increase the supply of housing. Some of the exemptions, including development charge discounts and write-offs on affordable housing, are also helpful. Lastly, there are reductions in taxes to incentivize rental housing construction which could also help develop some affordable rental housing.

However, taken together, the variety of changes brought about by the recent bills do not show much potential for creating deeply affordable rental housing options for those most impacted by the housing crisis. For example, direct funding to support social housing developments through the Canada-Ontario Community Housing Initiative remains limited where funding has remained low compared to commitments made by other orders of government, a trend that has persisted for two decades.<sup>22</sup>

## Municipal

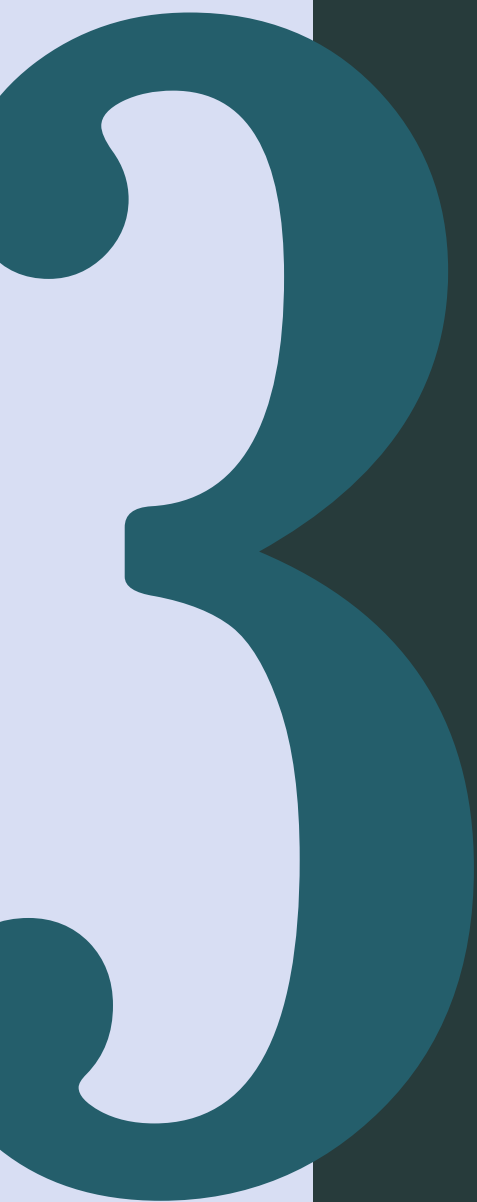
Under complex intergovernmental and economic circumstances, the City of Toronto has attempted to navigate these headwinds using a variety of levers at its disposal, in part to meet its commitments to create 40,000 affordable rental homes by 2030 as part of its HousingTO 2020-2030 Action Plan.<sup>23</sup>

Toronto's previous mayor John Tory tasked the City Manager to detail out a number of priorities as part of a new Housing Action Plan.<sup>24</sup> The proposal calls for refining and building on a number of ongoing housing initiatives at the City level including exploring ways to enhance intensification through Official Plan and related zoning amendments and ensuring that existing programs such as Housing Now and Open Doors are being fully utilized to deliver on affordable housing.

In principle, the plan is in line with rights-based approaches to housing, to maximize all available resources and make full use of all available policy tools to deliver on housing. The Plan not only aspires to produce market, non-market and hybrid housing options but commits to ensuring intensification is considered through "the lens of the right to adequate housing."<sup>25</sup>

Given the upcoming change in leadership following the resignation of Mayor Tory, the general status of the plan is unclear. Nonetheless, a more detailed work plan has since been presented to the Executive Committee with orders to City staff to report back on its progress by the end of 2023.<sup>26</sup>

Notwithstanding uncertainties, the strategic orientation of the plan is, in many ways, in line with broad recommendations made by the Right to Housing Toronto network in its first edition of a [Rights Review on Increasing Affordable Rental Housing](#). Reflecting back on these recommendations offers an opportunity to dig deeper into the progress made by the City.



City of Toronto's  
Progress in  
Creating  
Affordable  
Housing Options

## **Building affordable housing for those most in need**

The City of Toronto is faced with the challenge of having to deliver on capital intensive initiatives such as housing with limited financial capacity. This year's fiscal pressures were compounded by the fact that revenues from transit have continued to decline because of low ridership while business activity is still recovering in the downtown core and rising interest rates and inflation have made financing services expensive.<sup>27</sup>

### **Revenue tools**

Under such conditions, the City increased property tax rates by 5%, a significant jump relative to past years. This has played a role in enabling the City to come up with a \$16.6 billion dollar budget in 2023 out of which over a billion will be spent on housing operations and \$50 billion has been allocated over 10 years for capital financing.<sup>28</sup>

The 2023 budget was also significant because of the introduction of the Vacant Home Tax, a source of revenue that has the potential to generate between \$55 to \$65 million annually.<sup>29</sup> The main goal of the tax is to nudge owners that leave the housing they've purchased vacant to instead rent out these units or put the unit on sale for those who intend to live in them. For those who continue to own vacant properties, a motion at City Council was added to ensure that a portion of the proceeds of the tax would be committed to affordable housing programs. There is likely room to increase the tax rate over the coming year to about 5% similar to how the City of Vancouver has successfully expanded its Vacant Home Tax.<sup>30</sup> The potential proceeds from such increases could also fund new affordable housing construction, by providing grants for non-profit housing providers.

Toronto's City Council also asked City staff to explore the feasibility of a parking levy which would tax commercial parking spaces.<sup>31</sup> However, the levy is being explored primarily to help make up for financial shortfalls experienced by the Toronto Transit Commission (TTC). In addition, the viability of the proposal remains in question given that several representatives from the business community have pushed back against the proposal.<sup>32</sup> Still, proceeds in the future still have the potential of funding portions of housing initiatives.

A significant chunk of affordable housing construction will continue to come from borrowing money from the markets.<sup>33</sup> In addition to funds from reserves, this strategy helps procure much needed financing for new affordable housing projects. Increasingly, the City has been issuing social bonds which is a way to get discounted loans for socially and environmentally oriented projects.<sup>34</sup> At a time when interest rates are high and the proceeds from development charges to fund similar construction initiatives are in limbo because of provincial restrictions, these financial instruments need to be explored in more depth as well.

## Assets

The City of Toronto has also moved aggressively to make better use of its lands since 2019 to deliver more affordable rental housing options. Notably, the Housing Now program has leased out a variety of land to non-profit and private developers to develop mixed-income communities that consist of a range of affordable and deeply affordable housing options.<sup>35</sup> By providing land at discounted rates, the City effectively removes a significant barrier to housing construction. It is also worth noting that many of these lands are close to transit stations meaning that the value of the area will likely go up creating incentives for developers to raise house prices as a result. To guard against such pressures, the City has also set requirements that the projects remain affordable if developers enter into lease agreements with the City.

The Housing Now program has also been intentional in incorporating the participation of non-profit housing providers and building their capacity through either requiring that private developers partner with non-profit organizations for some sites or by setting aside land exclusively for non-profit housing providers. Complementary initiatives such as development charge exemptions through the City's Open Door Program and speeding up approvals through the Concept to Keys program also helps reduce additional barriers to increasing affordable housing construction through Housing Now.<sup>36</sup>

That said, out of the 15,000 units that have been slated for development in the Housing Now program – far exceeding the original target – none have yet opened up for residents to live in.<sup>37</sup> Part of the delays in development stems from a range of project specific, technical hurdles that the City had to work through overtime. For example, the City has had to conduct satisfactory feasibility analyses and coordinate land parceling exercises between various departments. Even after resolving such bottlenecks, challenges beyond the City's control will continue to affect the pace of construction. These include weaker market conditions that make it difficult to get sufficient financing for development, continued shortfalls in labour and materials, and other engineering challenges.<sup>38</sup>

The City also has a wider portfolio of real estate that may have the potential of being leveraged or repurposed for residential use. For example, the City is looking into identifying civic buildings that can be used for shelter and working with partners to address surging demand.<sup>39</sup> Similarly, other partnerships could be explored with housing providers to make better use of other civic buildings for more permanent housing solutions along with commercial spaces, which are currently experiencing high levels of vacancies.

## Using all available policy tools to increase the supply of affordable housing

In addition to funding, the most significant lever that the City of Toronto has in increasing affordable housing options is through its control over planning functions. It has attempted to both use these tools to steer the development sector in creating more affordable housing, and in other instances where requirements may function as barriers, come up with ways to remove these obstacles to enable more affordable housing construction.<sup>40</sup> A significant number of these changes are now being expanded upon in the newly tabled Housing Action Plan.<sup>41</sup>

### Promoting density

Over the last few years, the City has been chipping away at a system of exclusionary zoning practices that designated the majority of areas across the city only for detached, single-family homes. This has artificially suppressed the supply of diverse forms of housing and contributed significantly to the current affordability problems faced by many Torontonians.

Through various initiatives, the City has effectively changed planning guidelines to now allow for the construction of building forms with more density. For example, along main streets, mid-rise apartments are now allowed as-of-right, which means that such development applications do not have to go through zone-specific reviews before the project can get approval. Similarly, in neighbourhoods that account for a significant portion of the City's lands, and where the majority of detached homes are situated, the Expanding Housing Options in Neighbourhoods (EHON) program introduces a set of planning changes that permit developments of structures with up to four stories.<sup>42</sup> The City underwent innumerable consultations over the last year to find a balance between respecting design guidelines that would be in line with community aesthetics while making room for more people to live in more neighbourhoods across the city.

What remains unclear, however, is the extent to which the new permissions will actually produce more affordable housing options that meet the needs of those most impacted by the housing affordability crisis. It is also unclear whether builders will generally take advantage of these new rules to create more density. Detached homes continue to be in high demand. It is therefore important for the City to explore options to either incentivize or require more developments in line with stricter affordability and density requirements.

### Expediting developments

As mentioned earlier, the City's Concept to Keys program aimed to streamline approvals through prioritizing affordable housing construction and moving reviews online. In addition, the City is also keen on

taking advantage of the provincial Community Infrastructure and Housing Accelerator, an initiative that empowers municipalities to forego development approvals processes for projects it deems a priority – this includes affordable housing projects. The Ontario Minister of Municipal Affairs and Housing will then have to sign off for such projects to proceed. However, in the past, similar tools have been used by the province to halt developments such as modular housing, instead of expediting them.<sup>43</sup> Nonetheless, the City is in the process of developing a framework that defines the conditions under which the tool would be used.<sup>44</sup>

## **Inclusionary Zoning and changes to community benefits arrangements**

The City's Inclusionary Zoning policy was passed after years of consultations, which mandates developers to set aside varying levels of units depending on the area of the city, for affordable use. The affordability requirements would have effectively been permanent (for a period of 99 years) and had the potential of bringing thousands of affordable units into the housing market.<sup>45</sup> These details were explored in much more depth in the past [Rights Review on Increasing Affordable Housing](#).

However, as referenced earlier, recent proscriptions to the policy at the provincial level has severely curtailed the City of Toronto's ability to make full use of its Inclusionary Zoning policy. Similarly, several community benefits arrangements that the City developed with developers using a separate tool – Section 37 – has also been restricted in their application by the province. Taken together, the potential of creating affordable housing projects has been restricted significantly. In addition, the potential of Inclusionary Zoning on slowing down the escalating cost of land has also been curtailed, instead leaving room for speculative activity to continue and keep inflating land and house prices.

## **Advocating for affordable rental housing options**

Every housing plan that the City of Toronto comes up with routinely highlights how the success of these initiatives is contingent on the support of the provincial and federal governments. Given the City's limited revenue raising ability, other levels of government must collaborate with the City and contribute to increasing affordable rental housing. The City's 2023 budget was based on an assumption that some of its objectives would be funded by higher levels of government.<sup>46</sup> In addition, policies at all levels of government must work in tandem, reinforcing each other so that more affordable and deeply affordable housing options are created. On both fronts, however, the level of collaboration and coordination between all levels of government has been weak.

The 2023 budgets at both federal and provincial levels make it clear that the City of Toronto is going to be left with limited room to maneuver in delivering on its housing obligations. While the province committed to continue its funding of supportive housing, more systemic concerns are related to limited clarity over the province's willingness to reimburse the City of Toronto for projected losses from

reduced development charges brought about by Bill 23. Similarly, at the federal level, the 2023 budget offered few commitments to respond to the City of Toronto's growing housing challenges. In effect, this has forced the City to pivot to drawing on its reserves to fund commitments that it had assumed other levels of government would fund, which leaves the City in a fiscally precarious position in 2024 if clearer commitments by the provincial and federal governments are not made.<sup>47</sup>

From a policy perspective, provincial proscriptions to inclusionary zoning, development charge use and rental replacements affect the City of Toronto's ability to increase affordable housing options and preserve its existing affordable housing supply. Some broader changes to permit more development are in line with the City's priorities but do not necessarily buttress its efforts in any tangible way. Meanwhile, federal programs designed for affordable housing are not necessarily producing affordable housing options while other initiatives such as the National Housing Co-Investment Fund are so administratively complex that many applicants do not have the capacity to complete the process in a timely fashion to get the funding and support that they need to build affordable housing.

Underpinning this problem is a mismatch between revenue-raising powers and responsibilities over housing and urban services.<sup>48</sup> The City of Toronto has to take on much of the housing delivery functions without having the capacity to do so. In addition, there is a lack of an institutionalized framework that brings together all orders of government to align on the root cause of the housing crisis and then align on priorities accordingly. Political uncertainty at the City of Toronto on account of the mayoral resignation likely means that moves towards some semblance of coordination will likely take time.

As people continue to struggle to make ends meet and find adequate and affordable shelter, all levels of government need to come together with a renewed sense of purpose. To this end, a rights-based approach helps ensure all levels of government are committed, aligned, and working towards delivering on housing, especially to meet the needs of some of our lowest income and marginalized households.



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# Increasing Affordable Rental Housing in Toronto

DEVELOPMENTS AND SETBACKS

RIGHTS  
REVIEW

