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**Re: City of Brampton comments on the Community Infrastructure and Housing Accelerator – Proposed Guideline (Bill 109) ERO number 019-5285**

The City of Brampton appreciates the opportunity to provide feedback on the proposed Community Infrastructure and Housing Accelerator Guideline. Addressing the housing supply crisis requires a long-term strategy, long-term commitments and productive collaboration to achieve results.

The City of Brampton has taken a comprehensive approach to improving housing affordability. Brampton's new housing strategy [Housing Brampton](#) was endorsed by Brampton Council in May 2021. It is an ambitious approach to address the complex housing challenges Brampton faces and several key housing initiatives are already under way.

We understand that once the Community Infrastructure and Housing Accelerator guidelines have been published, the Community Infrastructure and Housing Accelerator tool will allow local municipalities to request a Community Infrastructure and Housing Accelerator Order to regulate the use of land and the location, use, height, size and spacing of buildings and structures to permit certain types of development. Through this letter, we submit our comments for Ministerial consideration in the finalization of the guidelines and hope they will be helpful.

Sincerely,

*Jason Schmidt-Shoukri*

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Attachment:

Appendix 1: Detailed City of Brampton Comments on the **Community Infrastructure and Housing Accelerator – Proposed Guideline**

**Appendix 1: Detailed City of Brampton Comments on the Community Infrastructure and Housing Accelerator – Proposed Guideline****1. Public Engagement**

The newly proposed Community Infrastructure and Housing Accelerator (CIHA) requires the requesting municipality to provide public notice, undertake consultation and ensure that the order, once made, is made available to the public. Brampton is appreciative of the inclusion of these measures which are not mandated under the current Minister's Zoning Order tool. Collaboration and consultation can encourage better quality development proposals, related to the proposed use of a CIHA, by helping to identify technical concerns/issues, to provide an opportunity for discussion on any other matters that may be pertinent to the CIHA, and allowing for early feedback and information sharing on the proposed regulation.

The proposed CIHA guidelines do not appear to indicate the type of consultation or public notice period. We would appreciate further guidance on minimum consultation requirements and notice periods. Given that the CIHA requires Councils to pass resolutions and submit a formal request to the Minister explaining the rationale for the project, the consultations completed, and the approvals being sought, Brampton suggests clear consultation and notice requirement guidelines may assist the Minister in reviewing applications.

**Suggested Addition:** CIHA Guidelines specify expected norms for public notice periods and public consultation.

**2. Subsequent Approvals- Exemptions from Provincial Plans, the Provincial Policy Statement and Municipal Official Plans**

With Bill 109 having received Royal Assent, Brampton will limit comments to the guidelines related to the exemption clause in the Planning Act. The proposed guidelines specify that the Minister will only consider an exemption from provincial policy requirements if the subsequent approval is needed to facilitate the proposed project, and the municipality provides a plan that would, in the opinion of the Minister, adequately mitigate any potential impacts arising from the exemption. This includes, but is not limited to, matters dealing with:

- Community engagement
- Indigenous engagement
- Environmental protection/mitigation

The requirement of a plan to “adequately mitigate” may be open to interpretation and could prove to be challenging to implement. Further clarity would be helpful as well as whether this tool provides exemptions from requirements under the Ontario Heritage Act. Cultural heritage is a matter of provincial importance and conservation of built heritage resources, cultural heritage landscapes, and archaeological resources could be detailed and included in plans submitted to the Minister.



**Suggested Changes:** Final guidelines to specify the use of the exemptions clause to be limited to developments that are of an emergency measure, and that development remain consistent with and/or in conformity with provincial policies and legislation.

### 3. Types of development

- 1) The proposed guidelines include any type of housing, including community housing, affordable housing, and market-based housing as eligible for a CIHA. Brampton welcomes the emphasis on community and affordable housing projects. However, expediting all market-based housing without considering housing options (i.e., by affordability, tenure, form, size, typology, etc.) may not guarantee the right kind of housing to address local needs and affordability. In Brampton, more than 70% of households cannot afford 95% of the new housing being delivered to the market. Brampton hopes the CIHA will be a catalyst to realize the housing needs of many segments of the population who have few choices at their disposable.

**Suggested Change:** CIHA Guidelines to include a further qualification for market housing by specifying: “market housing that includes a provision of affordable units (as per the Provincial Policy Statement definition of affordable housing) and ones that align with local housing affordability thresholds and any set-aside rates of affordable units that are deemed to be appropriate by local municipalities.”

- 2) There may be potential for the CIHA to be used to further employment conversions and more clarity could be provided under eligible types of development.

**Suggested Change:** CIHA Guidelines could include a further clarity for “any type of housing” as “any type of housing except housing on lands designated as Employment Lands, including land located within Provincially Significant Employment Zones; in which case municipal and provincial policies related to employment conversion shall be applicable”.

### 4. Other Comments

#### 1) Minister’s Zoning Orders

Under the new model, the Minister would still retain the broad powers of the current MZO — the CIHA is an additional tool. It is our opinion that these parallel tools could create a sense of uncertainty and complexity for local municipalities and it may create an environment where the municipality wishes to pursue the CIHA while the developer may favour an MZO process.

**Suggested Addition:** To enhance the effectiveness of the CIHA, the province may wish to elaborate on the applicability of each tool to provide guidance to local municipal Councils to avoid the simultaneous application of both tools.



### 2) Processing Fees

In contrast to the mandatory refunds for municipal decision-making that takes more than 90/120 days, no timelines are provided within the CIHA. Given the time required to support application of the CIHA, we suggest consideration be given to a provision for application fees to recover municipal costs.

**Suggested Addition:** The final guidelines specify a requirement of CIHA processing fees, to be established by the applicable municipality.

### 3) Supporting Materials

Clarification around supporting materials to accompany a submission might help expedite and provide more clarity to the process.

**Suggested Addition:** The final guidelines provide clarification on supporting materials needed to determine if using the tool is appropriate for any submission to the Minister.