



BEFORE YOU PRINT:

Please note this document is 56 pages long.

Ministry of Municipal Affairs and Housing
Ministère des Affaires municipales et du Logement

Introduction to MMAH

Manitoulin-Sudbury District Services
Board
April 2011

Disclaimer

- These slides are provided by the Ministry of Municipal Affairs and Housing for convenience only.
- The slides should not be relied on for legal or official purposes. For authoritative text, recourse may be had to the legislation at www.e-laws.gov.on.ca
- As local facts and circumstances are variable, users may wish to consider obtaining their own legal advice when particular legal issues or decisions arise.

Northeastern Municipal Services Office

- Organized into three units
 - Local Government
 - Community Planning and Development
 - Housing
- The primary point of contact for municipalities and the public
- Explaining key government initiatives and programs for municipalities
- Provide training and information

Local Government Unit

- Deliver training and information
 - Work directly with municipalities to provide information and advice on municipal legislation, practices and procedures, planning and housing policies, programs and new initiatives

- Financial Review of Municipalities
 - Annual review based on FIR, financial statements, and other information
 - Review municipal applications for funding programs

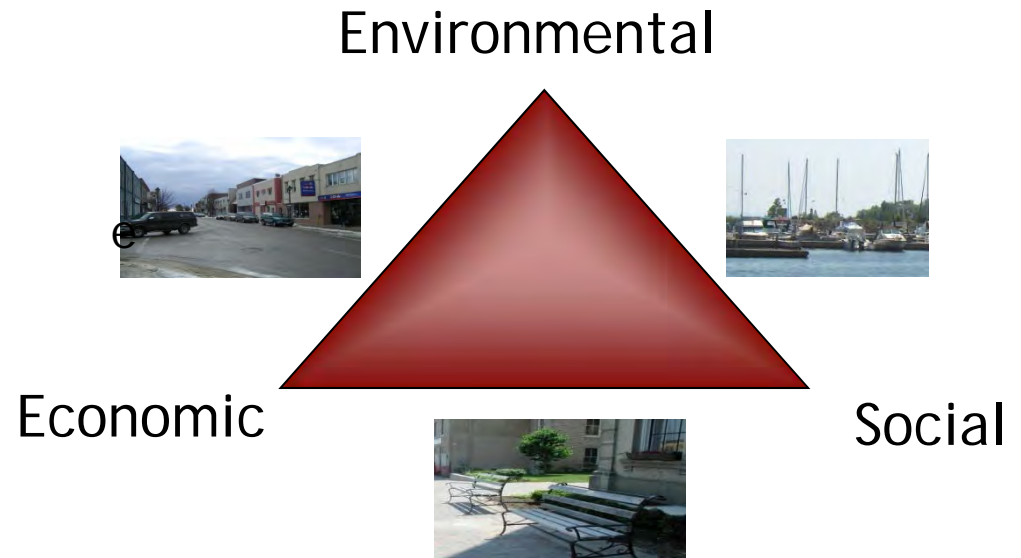
Local Government Unit

- Meet with individual municipalities (Councils, Boards, Committees, Staff)
 - To provide general information or on specific issues
- Partner with municipal organizations for common goals (ie: FONOM, AMCTO, MFOA)
 - * FONOM and City of Timmins for the Northeastern Municipal Conference, in Timmins on May 11-13, 2011 .

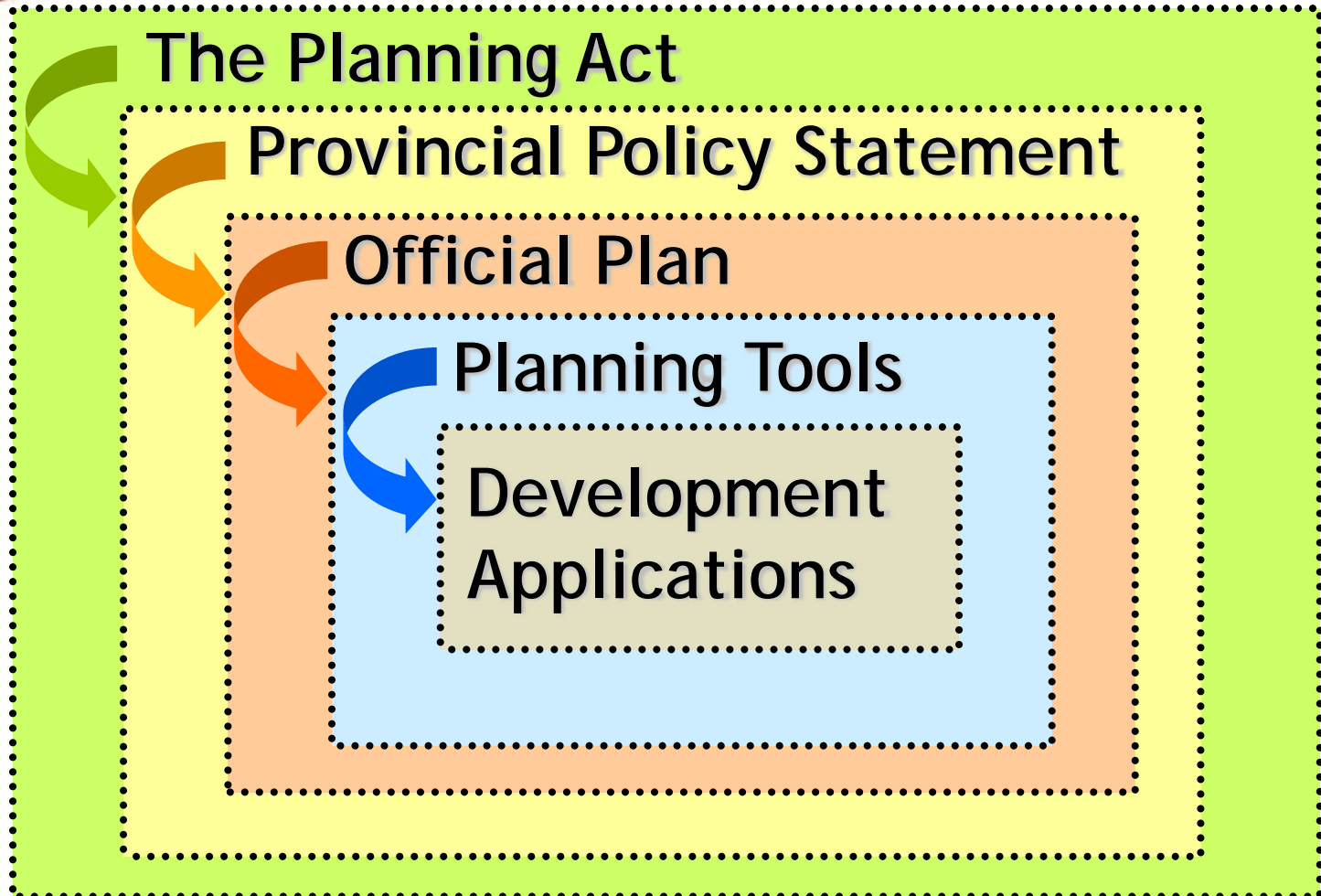
Land Use Planning

Why Plan?

- * minimize conflict
- * minimize costs
- * protect the community
- * manage change



The Planning Framework



Land Use Planning

- Planning technical guidance to municipalities and planning boards
 - Ministry staff available to provide technical assistance

The Municipal Act, 2001

The Municipal Act, 2001

- Certain provisions in the Municipal Act apply to local boards
- Local Boards - any board established or exercising any power with respect to the affairs or purposes of one or more municipalities

The Municipal Act, 2001

Meetings (s.238-239)

- Procedural by-law
- Open meetings
- Closed meetings
- Meeting Investigations

The Municipal Act, 2001

Closed Meetings

Subject matters where meetings can be closed:

- Security of municipal \ local board property
- Personal matters about an identifiable individual
- Proposed acquisition or disposal of land
- Labour relations or employee negotiations
- Litigation or potential litigation affecting the local board
- Advice \ communication subject to solicitor-client privilege
- Education or training sessions that meet certain conditions
- A matter that can be closed under the authority of another Act
- Municipal freedom of information requests require a meeting to be closed

The Municipal Act, 2001

Accountability and Transparency

(s.223.1-223.8)

- Code of Conduct
- Integrity Commissioner
- Auditor General

The Municipal Act, 2001

Policies (s.270)

- Board required to adopt and maintain policies with respect to:
 - The sale and other disposition of land
 - The hiring of its employees
 - The procurement of goods and services

The Municipal Act, 2001

Records (s.253)

- Inspection of records
- Security of records
- Retention by-law
- Destruction of records

Other Relevant Sections

- Insurance
- Remuneration and Expenses
- Auditor - Joint Boards
- Fees and Charges

Municipal Conflict of Interest Act

- Municipal Conflict of Interest Act applies to:
 - Members of municipal Councils
 - Local Boards including members of DSSABs
- A member's duties under the Act
 - Disclosure of pecuniary interest and nature
 - Leave the room if it is a closed meeting

Municipal Conflict of Interest Act

A member's pecuniary interests may include:

- the direct pecuniary interests of the member
- certain indirect pecuniary interests of a member
- the pecuniary interests of certain family members

Municipal Conflict of Interest Act

- Exemptions - 11 Exemptions
- Record of Disclosure - In minutes
- Enforcement - Through the courts
- Penalties - By the courts
- Insurance - No contravention

Municipal Freedom of Information and Protection of Privacy Act

- Applies to DSSABs
- Provide right of access to information
- Protect privacy of individuals
- Provide right to access own personal information
- Information and Privacy Commissioner

Sources of Information

- Ministry of Municipal Affairs and Housing website - www.mah.gov.on.ca
- Legislation - www.e-laws.gov.on.ca
- Own legal advisor

Housing Services

Social Housing

What is Social Housing ?

- “Social housing” is rental housing developed with the assistance of the government and subsidized by government for people with low to moderate incomes.
- Serves all types of households, including:
 - families
 - seniors
 - single individuals
 - people who need housing with modifications or support services in order to live independently

Social Housing - What is it?

- **Public Housing** – housing built under a federal public housing program and originally owned wholly by the Province or by a partnership of the federal and provincial governments.
- **Non-Profit/Co-operative Housing** – housing owned and operated on a not-for-profit basis by community based non-profit corporations. Funded under a federal or provincial government housing program, it provides housing for low and moderate-income people.
- **Rent Supplement** – rent-geared-to-income housing units in privately owned rental housing and federal non-profit and co-op projects. Subsidies are given to Housing Providers to supplement reduced rents paid by tenants.
- **Aboriginal Housing**— housing developed for aboriginal communities with the support of the federal government (includes Rural and Native Housing and Urban Native Housing programs).
- **Dedicated Supportive Housing**—projects where 100% of units provided housing with support services funded by MCSS or MOHLTC. Other types of supportive housing (e.g. integrated in larger projects) included in transfers to service managers

Housing Transfer

- 2001 Transfer of Social Housing from the Province / Federal Governments to 47 Service Managers across the Province
- Service Manager representative of 37 Consolidated Municipal Service Managers (CMSM) and 10 District Social Service Boards in Northern Ontario (DSSAB)
- DSSAB's and CMSM's responsible for Social Housing and new Housing Programs

What was transferred?

- Public housing program and commercial rent supplement program transferred to all 47 service managers on January 1, 2001
- Created Local Housing Corporations (LHC's) under the Business Corporations Act to assume the responsibilities of Local Housing Authorities (LHA's)
- All other Housing Programs were transferred on October 1, 2001

DSSAB Responsibilities

Social Housing

- Service manager must meet key provincial standards
- Maintain number of Rent-geared-to-income (RGI) households and modified units
- Comply with Federal/Provincial Social Housing Agreement(s)
- Set key policies for client assistance (eligibility and benefit levels)

Municipal Services Office

Housing Services - Our Role

- Service Managers' "first point of contact" with the Ministry
- Provide guidance and support to Service Managers on key government housing initiatives and programs
 - Communicating, delivering,
- Deliver information and training
 - about housing legislation
 - policy, programs, best practices and new initiatives
 - public inquiries
- Assist Service Managers in the Delivery of Affordable Housing Programs
- Guide Service Managers re the Long Term Affordable Housing Strategy

Role of MSO in Social Housing

- Provide advice and information to Social Housing Boards (SHB) on local issues that impact policies, procedures and practices affecting social housing
- Provide information to Service Managers, local client groups on social housing related matters
- As initial contact, respond to preliminary questions related to social housing
- Assist Service Managers in the Delivery of Affordable Housing Programs.
- Guide Service Managers through the Long Term Affordable Housing Strategy

Canada-Ontario Affordable Housing Program

- 2002/03 - 1st Canada-Ontario Affordable Housing Agreement signed
- 2005 Affordable Housing Program-
Wave 1 - \$602M (\$301M federal & provincial)
- 2009-Affordable Housing Program
Extension (2009) - Economic Stimulus
\$1.2B (ending March 31, 2011)

New Housing Programs 2005-2011

- ✓ New Rental Construction
- ✓ Renovation and repair of existing home owner units
- ✓ Repair and regeneration of existing Social Housing stock
- ✓ Homeownership loans
- ✓ Rent Supplements
- ✓ Rent Bank

Canada-Ontario Affordable Housing Programs

- **Affordable Housing Program – 2005 to March 31, 2009**
 - Northern Home Repair Program
 - \$1.4 Million

- **Affordable Housing Program – Extension (2009) April 1, 2009 to March 31, 2011**
 - Northern Repair Program
 - \$1.2 Million

Social Housing Repair and Renewal

- **Social Housing Capital Repair (2008)**
 - \$200,000
- **Social Housing Renovation and Retrofit Program - (April 1, 2009 to March 31, 2011)**
 - \$1.1 Million
- **Renewable Energy Initiative 2010-11**
 - \$240,000

Other Housing Programs

- **Rent Bank** (2005 -2009) & (2010 -2015 annually)
 - \$84,000 received since 2005; 58 evictions prevented
- **Delivering Opportunities for Ontario Renters** (2007)
 - \$350,000 in one-time funding
- **Short-Term Rent Support Program Oct. 2010 to March 31, 2013**
 - \$21,000 -Year 1
 - \$23,000 -Year 2
 - \$19,000 -Year3

Long Term Affordable Housing Strategy - Bill 140

- November 29, 2010 - launch of Long Term Affordable Housing Strategy and introduction of Bill 140, *Strong Communities through Affordable Housing Act*
- If passed, repeal *Social Housing Reform Act*, 2000 and enact the Housing Services Act, 2010 to provide a new framework for delivery of housing programs in Ontario

Long Term Affordable Housing Strategy - Bill 140

- Subject to legislature, legislation proposed to pass May -June 2011
- Consultations with stakeholder groups and Service Manager representation
- Standing Committee - Policy Justice
- Website:
www.ontario.ca/housingstrategy

Vision and Principles of Strategy - Bill 140

- Vision: To Improve Ontarians access to adequate, suitable and affordable housing, and provide a solid foundation on which to secure employment, raise families and build strong communities

- Principles:
 - People Centred
 - Partnership Driven
 - Supportive
 - Inclusive
 - Fiscally responsible

- Proposed *Housing Service Act*, would define provincial role as “steward” of Ontario’s housing system

Key Elements of the Strategy

- Roles, Local Plans and Accountability
- Program Consolidation
- Proposed Strong communities through Affordable Housing Act, 2010
 - *Housing Services Act, 2010*
 - Amendments to the *Planning Act*
 - Amendments to the *Residential Tenancies Act, 2006*
- Engage federal government
- Promote energy efficiencies in the sector

Establishing Clear Roles

New proposed legislation would establish clear roles and responsibilities and define a new partnership between the province and municipalities:

- **Province as System Steward**
 - Set overall vision and provincial interests for housing in Ontario
 - Set the legislative and policy framework
 - Identify common desired outcomes and report on their achievement
 - Assist in achievement of desired outcomes through broad, outcome-based (consolidated) program funding
 - Engage with the federal government to establish national directions and negotiate federal contributions

- **Municipalities/DSSAB as System Service Managers**
 - Set local vision for housing, reflecting the provincial interest
 - Provide local leadership in research and analysis of local housing and homelessness systems
 - Develop and implement strategies to address housing need and to produce desired housing outcomes
 - Contribute to and coordinate housing funding
 - Administer housing and homelessness programs, coordinating with other programs and services
 - Report on progress in addressing needs/producing outcomes

Local Housing and Homelessness Plans

- Province would identify provincial interests in housing through a Housing Policy Statement
- Proposed new legislation, if passed would require Service Managers to undertake comprehensive local planning for housing and homelessness, identifying needs and establishing priorities
 - 10 year planning horizon, renewed at least every five years
 - Province would have the opportunity to comment on plans before they are finalized
 - Plans are approved by Service Managers
 - Implementation: first plans would be due one year after legislation enacted - target end of 2012

Performance Measures and Reporting

- Four common measures of progress:
 - Ontario Housing Measure (existing measure)
 - Rental Affordability Index (existing measure)
 - Service Manager metrics along the housing continuum (new measure)
 - Social Housing Tenant Satisfaction Survey (new measure)

- Service Managers would be required to report (locally) annually on progress in housing, including on provincially-established metrics, as well as other metrics that reflect local priorities/needs

- Province reports annually on provincial outcomes and progress

Program Consolidation

- Today, there are more than 20 provincial housing and homelessness programs in Ontario
- Province will consolidate the current patchwork of provincial housing programs
- First phase of consolidation will begin with five homelessness-related programs:
 - Consolidated Homelessness Prevention Program
 - Emergency Energy Fund
 - Emergency Hostels
 - Domiciliary Hostels
 - Rent Bank
- Program consolidation will allow municipalities to use funding in a more flexible manner, reflective of local need
- The province and Service Managers to explore future phases of program consolidation and/or harmonization

Housing Services Act, 2010

- The current *Social Housing Reform Act* (SHRA) does not provide an overarching enabling framework for affordable and social housing - limited to social housing
- The proposed *Housing Services Act, 2010* would:
 - Provide for a provincial role
 - Set out a high level provincial interest
 - Clarify the Service Manager role
 - Provide for effective delivery of community-based programs
 - Require municipalities to develop local housing and homelessness plans
- Would replace/reform the *Social Housing Reform Act, 2000*, including reforms to:
 - Ministerial Consents
 - RGI Calculation
 - Waiting List
 - Asset-Creation
 - Social Housing Review Process

Housing Services Act, 2010

Ministerial Consents

- Currently:
 - Service Managers must seek provincial approval for a range of social housing decisions - consent requirements are considered cumbersome
 - Requirement does not reflect Service Manager experience and expertise
- Proposed legislation:
 - Would remove the requirement for “Ministerial Consent” for decisions that impact social housing projects, by transferring the decision-making authority to Service Managers
 - Province would retain through regulation the authority to re-instate the requirement for consents for specific actions

RGI Calculation

- Currently:
 - Process is overly complex (recalculating rent every time income changes),
 - Administrative burden for tenants, providers and Service Managers
- Proposed legislation:
 - New regulations would create a simplified, annual calculation, potentially reducing or streamlining more than 60 income and asset exclusions
 - Move toward an income-tax based system for determining income and establishing rent

Housing Services Act, 2010

Waiting Lists

- Currently:
 - Social housing tenants have minimal involvement in the selection process for social housing units, due to a cumbersome, paper-driven process
 - Applicants cannot transfer from one Service Manager wait list to another
- Proposed legislation:
 - Would include provisions to clarify flexibility for Service Managers to adopt alternatives to the current chronologically-based system
 - Would facilitate tenant transfers across wait lists or across Service Manager areas

Asset-Creation for Social Housing Tenants

- Currently:
 - RGI tenants face a disincentive to employment and education, as any additional income is clawed back through a corresponding increase in rents
- Proposed legislation:
 - Service Managers would have the ability to administer asset-creation programs
 - MMAH will work with some Service Managers to launch pilot programs which will be used to evaluate the results prior to considering broader implementation

Housing Services Act, 2010

Social Housing Review Process

- Currently:
 - The review process regarding social housing eligibility and rent-geared-to-income (RGI) calculation decisions for tenants is criticized as not being transparent and not arms length
 - No formal avenue for housing providers to challenge Service Manager decisions

- Proposed legislation:
 - Would require Service Managers to establish a new review process for specific types of Service Manager decisions affecting social housing tenants and providers (e.g. tenant eligibility for RGI, decrease in subsidy for housing provider), ensuring more fairness in the system

Non-Profit Governance

- Currently:
 - Some non-profit and co-op housing providers face financial difficulties
 - Service Managers currently have the ability to move quickly to receivership as a remedy without exercising a range of progressive steps to assist boards

- Proposed legislation:
 - Would require Service Managers to use a range of options to work with housing providers in financial difficulty and articulate goal of returning to community-based governance
 - Would require housing providers to develop Board and staff renewal plans

Amendments to the *Planning Act*

Second Units

Currently:

- Municipalities can choose (but are not required) to establish second unit policies for singles, semi and row houses

Proposed amendments would:

- Require municipalities to establish policies allowing second units in new and existing developments
- Expand affordable housing opportunities for lower and moderate income households, for elderly parents or live-in caregivers and provide additional income for homeowners

Other Planning Initiatives

- Proposal to extend timeline that garden suites can be initially permitted
- Add a reference to “affordable housing” in matters of provincial interest

Amendments to the *Residential Tenancies Act, 2006*

Currently:

- Generally, the Landlord and Tenant Board (LTB) in Ontario is operating well to resolve disputes between landlords and tenants
- However, some process issues are impeding effective and efficient management of disputes

Proposed amendments would:

- Give the LTB the responsibility to issue notices of hearings, rather than the applicants
- Allow certain non-contentious adjudicative duties to be carried out by LTB staff rather than LTB members

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Promote Energy Efficiency

Currently:

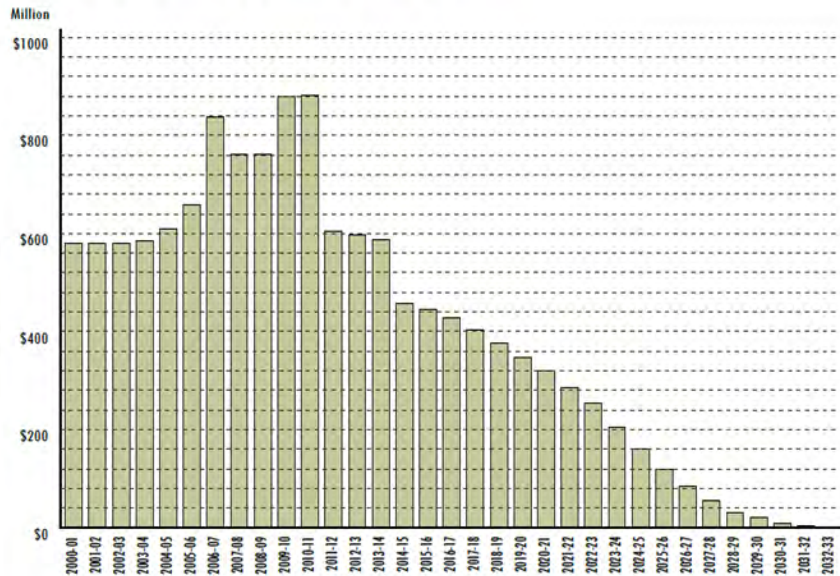
- Rising energy costs and outdated social housing buildings are key cost factors in operating and managing the social housing portfolio
- In addition, there is very little research on energy efficiency in multi-residential buildings, resulting in limited incentive to implement efficiency measures

Under the strategy:

- Ministry staff will work with Infrastructure Ontario (IO) to promote a Green Energy Loan Initiative for social housing providers
- The Ministry will also undertake research on energy efficiency in multi-residential buildings, coordinating with any research being undertaken under the *Green Energy Act*

Long-Term Federal Commitment

Federal Housing Funding To Ontario



Source: Federal-Ontario funding agreements and Public Accounts

- Federal Funding to Ontario Municipalities will decrease by \$166.2 million over the next 10 years, declining to \$0 by 2033
- It is proposed that Ontario, in collaboration with other provinces and territories, engage the federal government to create a housing framework for Canada, including stable long-term funding.

Long-Term Affordable Housing Strategy Pillars

- Putting people first
- Creating strong partnerships
- Supporting affordable options
- Accountability



Building Foundations: Building Futures

Ontario's Long-Term Affordable Housing Strategy

Ontario.ca/HousingStrategy

Legislative Process

- Bill introduced on November 29, 2010
- Second Reading - referred to the Standing Committee on Justice Policy will meet to consider Bill 140
- Clause-by-clause review
- Third reading
- Timing
- For more information visit:
Ontario.ca/HousingStrategy

Ongoing Work

- Building on the process established last summer, the province will continue to work with Service Managers and housing stakeholders on implementation
 - Regulation development, including:
 - RGI calculation
 - Waiting lists
 - Asset building
 - Information and reporting
 - Program consolidation
 - Phase 1 targeted for 2013
 - Provincial housing statement/local planning and reporting
 - Consultation and development of provincial Housing Statement
 - Development of regulations for developing and reporting on local plans
 - Performance measures
 - Province will work with stakeholders to development additional performance measures:
 - Service Manger metrics along the housing continuum
 - Social Housing Tenant Satisfaction Survey

On going work....timelines

- Regulation Development - 2011
- Program Consolidation -2013
- Housing Policy Statement -2011
- Local Housing and Homelessness Plans/Reporting -end of 2012
- Performance Measures -2012-2013

Website: www.ontario.ca/housingstrategy

Questions?

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