Special Meeting of Council Meeting Consolidated Agenda

Date: Wednesday, December 13, 2023
Time: 2:00 o'clock p.m.

Location: Council Chambers, 1st Floor, Windsor City Hall

All members will have the option of participating in person in Council Chambers or electronically and will be counted towards quorum in accordance with Procedure By-law 98-2011 as amended, which allows for electronic meetings. The minutes will reflect this accordingly. Any delegations have the option to participate in person or electronically.

Mayor Drew Dilkens

Ward 1 – Councillor Fred Francis

Ward 2 – Councillor Fabio Costante

Ward 3 – Councillor Renaldo Agostino

Ward 4 – Councillor Mark McKenzie

Ward 5 – Councillor Ed Sleiman

Ward 6 – Councillor Jo-Anne Gignac

Ward 7 – Councillor Angelo Marignani

Ward 8 – Councillor Gary Kaschak

Ward 9 – Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison

ORDER OF BUSINESS

Item #	Item Description
1.	**ORDER OF BUSINESS**
2.	**CALL TO ORDER**

READING OF LAND ACKNOWLEDGEMENT

We [I] would like to begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations, which includes the Ojibwa, the Odawa, and the Potawatomi. The City of Windsor honours all First Nations, Inuit and Métis peoples and their valuable past and present contributions to this land.

3.	**DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**
6.	**COMMITTEE OF THE WHOLE**
9.	**REQUESTS FOR DEFERRALS, REFERRALS OR WITHDRAWALS**
11.	**REGULAR BUSINESS ITEMS**
11.1.	Update - Housing Accelerator Fund Grant Application **(C 179/2023)** ***(attached)***
13.	**BY-LAW** (First and Second Readings) ***(attached)***
13.1.	**By-law 169-2023** BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS SPECIAL MEETING HELD ON THE 13th day of December, 2023.
14.	**MOVE BACK INTO FORMAL SESSION**
16.	**THIRD AND FINAL READING OF THE BY-LAW**

By-law 169-2023

21.	**ADJOURNMENT**

THE CITY OF WINDSOR ONTARIO, CANADA

Council Report: C 179/2023

Subject: Update - Housing Accelerator Fund Grant Application - City Wide

Reference:

Date to Council: December 13, 2023
Author: Joe Baker
Senior Economic Development Officer
519-255-6267 x6459
jbaker@citywindsor.ca

Economic Development & Innovation
Report Date: December 13, 2023
Clerk's File #: GH/14271

To: Mayor and Members of City Council

Recommendation:

THAT the report from the Senior Economic Development Officer providing a status update on the Housing Accelerator Fund Grant Application **BE RECEIVED**; and further,

THAT City Council **PROVIDE DIRECTION** to Administration on their preferred approach to any enhancements to the City of Windsor's Housing Accelerator Fund Action Plan:

Option #1
THAT City Council **DIRECT** Administration to proceed with the initiatives as proposed in the Housing Accelerator Fund Action Plan approved by Council through CR289/2023; or alternatively,

Option #2
THAT City Council **APPROVE** enhancing Windsor's Housing Accelerator Fund Action Plan, as requested by the Federal Minister of Housing, Infrastructure and Communities, specifically:

a) **THAT** City Council **COMMITS** to permitting four (4) residential dwelling units as-of-right in low density zoning districts throughout the city, subject to infrastructure and environmental considerations; and further, should the City of Windsor receive funding through the Housing Accelerator Fund program,
b) **THAT**, subject to HAF funding, City Council **DIRECTS** Administration to address this enhancement through standalone Official Plan and Zoning By-law amendments in 2024; and further,
c) **THAT** City Council **ENDORSE IN PRINCIPLE** the remaining enhancements outlined in the Housing Accelerator Fund (HAF) Best Practices list.

Executive Summary:

N/A.

Background:

In the 2022 Federal Budget, the Government of Canada allocated $4 billion in funding to the Housing Accelerator Fund (HAF) Program over the period of 2023 to 2027. In order to be considered for funding, eligible organizations were required to submit council approved Action Plans as part of their application. The City of Windsor's Action Plan, as a jurisdiction under the Large/Urban Stream, was required to included a minimum of seven initiatives.

A report seeking authority to pursue the HAF grant (C88/2023 attached as Appendix A) and the Action Plan were considered by City Council on July 10, 2023. Through CR289/2023 Council approved:

I) ***THAT*** *City Council* ***AUTHORIZE*** *Administration to submit a Housing Accelerator Fund application to the Canada Mortgage and Housing Corporation ("grant provider"); and further,*

II) ***THAT*** *City Council* ***APPROVE,*** *in principle, the proposed initiatives to be included in the Housing Accelerator Fund Action Plan ("Action Plan") as outlined in this report; and further,*

III) ***THAT*** *the Chief Administrative Officer, in consultation with the Commissioner of Economic Development & Innovation and the Commissioner of Corporate Services – Chief Financial Officer/City Treasurer,* ***BE AUTHORIZED*** *to approve the Action Plan, including the refinement of any proposed initiatives, in support of the City's application for the Housing Accelerator Fund prior to finalizing the application to the grant provider; and further,*

IV) ***THAT*** *the Commissioner of Corporate Services – Chief Financial Officer/City Treasurer,* ***BE AUTHORIZED*** *to sign any documents required to submit the Housing Accelerator Fund application to the grant provider, subject to all documentation being satisfactory in legal form to the Commissioner of Legal and Legislative Services and in technical content to the Commissioner of Economic Development and Innovation or their designates; and further,*

V) ***THAT,*** *subject to receiving written confirmation from the grant provider that the City's Housing Accelerator Fund application has been successful, City Council* ***APPROVE*** *the following recommendations:*

a) ***THAT*** *the Chief Administrative Officer and the City Clerk* ***BE AUTHORIZED*** *to sign any agreements, declarations and other such documentation required as part of receiving funding under the Housing Accelerator Fund, subject to all documentation being satisfactory in legal form to the Commissioner of*

Legal and Legislative Services and in technical content to the Commissioner of Economic Development and Innovation and in financial content to the Commissioner of Corporate Services – Chief Financial Officer/City Treasurer, or designates; and further,

b) ***THAT**, if required by the grant provider, the Mayor **BE AUTHORIZED** to sign any agreements, declarations and other such documents required as part of receiving funding under the Housing Accelerator Fund, subject to such documentation being satisfactory in legal form to the Commissioner of Legal and Legislative Services, in technical content to the Commissioner of Economic Development and Innovation, and in financial content to the Commissioner of Corporate Services – Chief Financial Officer/City Treasurer, or designates; and further,*

c) ***THAT** the Chief Administrative Officer **BE AUTHORIZED** to delegate the signing of all applicable reports and other such documents as required as part of receiving the funding from the grant provider to the Commissioner of Corporate Services – Chief Financial Officer/City Treasurer, or designate; and further,*

d) ***THAT** pursuant to Purchasing By-law 93-2012, the Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders as may be required to effect the recommendations noted above, subject to all specification being satisfactory in technical content to the Commissioner of Economic Development and Innovation and in financial content to the Commissioner of Corporate Services – Chief Financial Officer/City Treasurer, or designates; and further,*

e) ***THAT** the results of the City's Housing Accelerator Fund application **BE COMMUNICATED** to City Council, and if successful, such report to include a Housing Accelerator Fund Implementation Plan that specifically includes how the awarded funds will be allocated in alignment with the requirements of the Housing Accelerator Fund Program.*

Discussion:

The Housing Accelerator Fund application was submitted by the August 2023 deadline and outlined actions to address the following initiatives:

1. Direct Residential Intensification to Support Mixed-Use Communities
2. Allow Appropriate Intensification within Existing Residential Neighbourhoods
3. Residential Intensification Target Areas
4. Financial Incentives to Offset the Development Costs of Affordable Housing
5. Reduce Parking Requirements for Affordable Housing
6. E-Permitting & Development Services Modernization
7. Social or Affordable Housing Land Acquisition and Disposition Policy
8. Green Development Standards Community Improvement Plan

Initiative #1 establishes a policy framework that permits as-of-right residential intensification and mixed-use developments within identified corridors, nodes, and commercial centres. The City's existing corridors (e.g. arterial roads), nodes (e.g. intersections of arterial roads) and commercial centres (e.g. shopping malls and commercial big box centres) are outlined in the map attached as Appendix B. Additionally, Initiative #3 will identify sites that can accommodate medium to high-density residential intensification in defined residential areas that have the appropriate services and amenities to support the additional density, and where higher density developments are compatible.

On October 23, 2023 CMHC published a list of 10 best practices from successful Housing Accelerator Fund applications, stating they were a "roadmap, specifically designed for municipalities aiming to enhance their affordable housing plans". This list is attached as Appendix C.

On November 30, 2023, the Commissioner and Senior Economic Development Officer met with the CMHC representative, at his request. At that meeting the City's contact shared that these best practices were heavily favoured by the Minister of Housing when considering HAF grant applications. Although there was no guarantee of funding, CMHC was looking for Windsor's committment to enhance its original Action Plan and commit to additional items as proposed in the Top 10 HAF Best Practices.

While City Council has the option to proceed with the HAF application and initiatives as previously approved, Administration is seeking direction from Council regarding their appetite to permit four residential dwelling units as of right within low density zoning districts, as requested by the Minister of Housing.

In response to changes in provincial legislation, in November of 2018 City Council approved Official Plan and Zoning By-law amendments to permit one additional dwelling unit within single detached, semi-detached, and townhome dwellings. Additional Dwelling Units (also known as an ADUs, Second Units, accessory or basement apartments, secondary suites, carriage houses, laneway suites and in-law flats) are self-contained residential units with kitchen and bathroom facilities within dwellings or accessory structures. In May 2020 Council further amended the Official Plan and Zoning By-law to permit two ADUs per property—one within the main building and one within an accessory building. This had the effect of permitting up to three dwelling units on a property zoned to permit a single detached, semi-detached, or townhome dwelling.

The Province of Ontario introduced Bill 23, *More Homes Built Faster Act* in 2022. Bill 23 amended parts of the *Planning Act* to strengthen the additional residential unit framework across Ontario. On July 10, 2023, the Official Plan and Zoning By-law were amended to reflect Provincial changes to the Planning *Act* made through Bill 23. The amendments provided greater flexibility regarding how three units may be permitted on a single property, e.g. up to three in the main building or up to two in the main building and one in an accessory building. The amendments also permitted a third unit within a duplex dwelling (either in the main or accessory building). The current permissions are summarized in the Tables 1 & 2.

Table 1: Maximum Dwelling Units Per Property – Main Building			
Dwelling Type	**Dwelling Units - Maximum**		
	Main Building	**Accessory Building**	**Total**
Single Unit Dwelling	3	0	3
Semi-detached Dwelling Unit	3	0	3
Duplex Dwelling	3	0	3
Townhome Dwelling Unit	3	0	3

Table 2: Maximum Dwelling Units Per Property – Main + Accessory Building			
Dwelling Type	**Dwelling Units - Maximum**		
	Main Building	**Accessory Building**	**Total**
Single Unit Dwelling	2	1	3
Semi-detached Dwelling Unit	2	1	3
Duplex Dwelling	2	1	3
Townhome Dwelling Unit	2	1	3

ADUs are subject to the following requirements:

- An ADU is not permitted within the basement of a dwelling located within the Floodplain;
- One additional parking space is required for an ADU outside of the core area of the City;
- Within a single detached, semi-detached or duplex dwelling the total gross floor area of all dwelling units cannot exceed 400 m^2 (4,305 ft^2);
- The maximum height of the main building is 9 m (29.5 ft); and
- ADUs within an accessory building are limited to 100 m^2 (1,076 ft^2) and 8 meters in height.

Records in the AMANDA system indicate approximately 130 ADU permits were issued between 2018 and 2021, and those in Cloudpermit indicate 16 in 2021, 26 in 2022, and 26 year to date 2023. While the data between the two systems isn't comparable with 100% certainty, Administration is confident in reporting that in the last five years, approximately 200 permits for ADU's (a mix of one unit standalone and two units) were issued.

The Federal Minister of Housing, Infrastructure and Communities (Minister) is requesting that the City of Windsor enhance its HAF application by making a commitment to bring forward an Official Plan Amendment, and a subsequent Zoning Bylaw Amendment, that would allow for four (4) units as of right on any urban parcel of land in the city. The expectation from the Minister is that these amendments will be brought forward as quickly as possible to fulfil this commitment should Council decide to go in this direction. This request is consistent across all of the municipalities that have been awarded funding to date.

The following is the direction that Richmond Hill's Council provided to its Administration in order to action its commitment to allow four units, and to unlock HAF funding:

> *Council direct staff to propose an amendment to the City's Official Plan and Zoning By-law to permit up to four (4) residential units on a property wherever zoning permits single detached, semi-detached or townhouse dwelling units. The implementing zoning by-law may prescribe additional criteria such as servicing capacity to support the proposed units for consideration by Council as soon as permitted by the statutory requirements of The Planning Act.*

On August 29, 2023, London's City Council directed its Administration to "prepare a zoning by-law amendment that would permit as of right building permits for up to 4 residential units wherever a zone permits singles, semis, or street townhomes." Subsequently, on October 17, 2023, London staff brought an Official Plan Amendment and Zoning Bylaw Amendment to its Council that changed the maximum of two (2) additional residential units to three (3) additional units on lots that permit single, semi-detached and street townhouse dwellings. London's provisions also permit a maximum of one (of the 3 permitted) of the additional residential units to be in an accessory or ancillary structure.

Should City Council approve, Administration suggests an approach similar to Richmond Hill and London that allows for a total of 3 additional units, for a total of 4 units, on properties that are zoned for single, semi-detached and street townhouse dwellings, and that any of the amendments take into consideration any infrastructure and environmental constraints. If the City is successful in its application to the Housing Accelerator Fund program, Administration would address this enhancement through standalone Official Plan and Zoning By-law amendments in 2024 should Council provide the direction to do so.

Risk Analysis:

Administration acknowledges the efforts and direction by both the Provincial and Federal levels of government intended to add much needed housing in communities. Municipalities are requested to do their part to address the issue. Windsor has been assigned a target by the Province to add 13,000 homes in the community over 10 years. Permitting four residential dwelling units as of right within low density zoning districts, is an action to support the increase in housing units. Should Council decline to permit four residential dwelling units, there is a risk that the City may fall short of its targets. Further, such a decision may place the funding requested through the Housing Accelerator Fund in jeopardy.

Should Council elect to permit four residential dwelling units as of right within low density zoning districts, there may be risks to existing neighbourhoods that are difficult to predict at this time as the number of applications to permit 4 units as of right are unknown.

Significant uptake could have an impact on established neighbourhoods by changing the landscape that residents did not anticipate, and making demands on services such as sewer capacity, traffic, parking, enhance flooding issues, etc. Increasing the number of units permitted must consider the infrastructure and environmental impacts.

Permitting four residential dwelling units as of right reduces the opportunity for public input into the planning process and design of neighbourhoods. While Administration acknowledges the need to reduce red tape and streamline processes, the planning process exists to design communities and neighbourhoods to support and enhance a quality of life for residents.

Windsor is starting to see growth and transformation after decades of consistency. Change is often not easy or well received. A sudden transformation to a neighbourhood could be met with significant opposition.

The Housing Accelerator Fund prescribes strict timelines for the program. Funding is not only dependant on adopting the best practices, but also fulfilling all the commitments in the HAF application and meeting the projected targets for new units over three years.

There is a risk that, despite Council's approval to proceed with the enhancement requested by the Minister, the City may not receive the full amount, or any, of the requested HAF funding or advance their progress towards their housing targets, as the municipality does not directly build housing units.

Climate Change Risks

Climate Change Mitigation:

As noted in previous report.

Climate Change Adaptation:

As noted in previous report.

Financial Matters:

As noted in the initial report to Council, HAF Action Plans are required to include projections of net new permitted housing units expected to be gained both with (i.e. growth target) and without (i.e. baseline) HAF funding over the 3-year duration of the program. The formula used to capture growth resulting from "HAF-incented units" is as follows:

Permitted Units with HAF (growth target) – Permitted Units without HAF (baseline) = HAF incented units

The amount of incentive funding allocated to successful applicants is further based on a funding framework comprised of three (3) major components:

1. **Base Funding**: Designed to incent all types of supply across the housing spectrum. An ascribed per unit amount of $20,000 is multiplied by the number of permitted housing units projected with the support of the HAF program.

2. **Top up Funding**: Designed to incent certain types of housing supply. The ascribed per unit amount can range from $7,000 to $15,000, depending on the type of housing and the associated projected increase in the number of permitted units with the support of the HAF program.

3. **Affordable Housing Bonus**: Designed to reward the increase in share of affordable housing units relative to the total projected permitted units with the support of the HAF program. The percentage growth is multiplied by the ascribed per unit amount of $19,000, and then by the total projected permitted units with the support of the HAF program.

As reported to Council in report C88/2023, the HAF Working Group projected that the total number of "HAF incented units" for each of the individual initiatives listed in the HAF Action Plan could result in an additional 2,135 residential dwelling units beyond regular growth by 2026. Based on this, it was estimated that the City would be eligible to receive over $40 million in base funding. At the time, it was also noted that this estimate did not account for any additional top up or bonus funds that may be awarded per HAF Program eligibility requirements.

Should the City of Windsor meet and exceed its target for new permitted units, and based on the type of housing developed, the potential for top up and/or bonus funding could be substantial; however, it is not guaranteed. As such, Administration identified initiatives within the conservative estimate of $40M in base funding.

Successful municipalities can allocate HAF funds towards prescribed uses under the following four categories:

1. Investments in Housing Accelerator Fund Action Plans that outline required supply growth targets and specific initiatives to grow housing supply and accelerate housing approvals.
2. Investments in Affordable Housing such as the construction, repair or modernization of housing, including land/building acquisition.
3. Investments in Housing-related infrastructure such as drinking water and wastewater infrastructure, public transit, brownfield development, etc.
4. Community-Related Infrastructure such as local roads and bridges, sidewalks, lighting, bicycle lanes etc.

Administration committed to bringing the final Action Plan, along with detailed costs surrounding each of the initiatives, to City Council as part of a final HAF Implementation Plan if the City is successfully awarded funding under the program. The Implementation Plan will identify that any HAF funding received will first be allocated to the cost of the Action Plan initiatives, with the remaining funds allocated to housing and infrastructure related works in alignment with program criteria and timeframes.

There is a risk that the funds awarded by CMHC may be adjusted to help support higher than anticipated housing supply growth targets and outcomes across Canada within the overall program funding. It should further be noted that the outcome of the initiatives and overall increase in housing supply are also contingent upon factors outside the control of the City, such as private sector interest and uptake, as well as labour and market conditions. As such, as the Ministry/CMHC has yet to confirm the amount, if any, that Windsor may receive through the HAF, Administration has not considered this funding in its current capital planning.

Consultations:

John Revell – Chief Building Official

Greg Atkinson – Deputy City Planner - Development

Tina Moore – Executive Initiatives Coordinator

Sandra Bradt – Executive Initiatives Coordinator

Conclusion:

The Housing Accelerator Fund (HAF) Program is intended to drive transformational change related to municipal land use planning and development approvals with the overall objective of accelerating the supply of housing. City Council has approved an application and robust action plan as per the criteria of the program. The federal Minister of Housing has requested that City Council consider specific enhancements as part of Windsor's Action Plan and Administration is looking to Council for direction.

Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional Planner.

Greg Atkinson – Deputy City Planner - Development

I am not a registered Planner and have reviewed as a Corporate Team Leader

JP

Approvals:

Name	Title
Joe Baker	Senior Economic Development Officer
Neil Robertson	City Planner (A)
Natasha Gabbana	Senior Manager of Asset Planning
Janice Guthrie	Commissioner, Finance and City Treasurer
Mark Winterton	Commissioner, Infrastructure Services and City Engineer (A)
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

1 Appendix A - Housing Accelerator Grant Application Council Report
2 Appendix B - Intensification Map
3 Appendix C - Top 10 Housing Accelerator Fund Best Practices
4 Appendix D - P&C Memo for Mayor and City Council only

THE CITY OF WINDSOR
ONTARIO, CANADA

Council Report: C 88/2023

Subject: Housing Accelerator Fund (HAF) Grant Application - City Wide

Reference:

Date to Council: July 10, 2023
Author: Joe Baker
Senior Economic Development Officer
519-255-6267 x6459
jbaker@citywindsor.ca
Economic Development & Innovation
Report Date: May 22, 2023
Clerk's File #: GH/14271

To: Mayor and Members of City Council

Recommendation:

I) **THAT** City Council **AUTHORIZE** Administration to submit a Housing Accelerator Fund application to the Canada Mortgage and Housing Corporation ("grant provider"); and further,

II) **THAT** City Council **APPROVE,** in principle, the proposed initiatives to be included in the Housing Accelerator Fund Action Plan ("Action Plan") as outlined in this report; and further,

III) **THAT** the Chief Administrative Officer, in consultation with the Commissioner of Economic Development & Innovation and the Commissioner of Corporate Services – Chief Financial Officer/City Treasurer, **BE AUTHORIZED** to approve the Action Plan, including the refinement of any proposed initiatives, in support of the City's application for the Housing Accelerator Fund prior to finalizing the application to the grant provider; and further,

IV) **THAT** the Commissioner of Corporate Services – Chief Financial Officer/City Treasurer, **BE AUTHORIZED** to sign any documents required to submit the Housing Accelerator Fund application to the grant provider, subject to all documentation being satisfactory in legal form to the Commissioner of Legal and Legislative Services and in technical content to the Commissioner of Economic Development and Innovation or their designates; and further,

V) **THAT,** subject to receiving written confirmation from the grant provider that the City's Housing Accelerator Fund application has been successful, City Council **APPROVE** the following recommendations:

a) **THAT** the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign any agreements, declarations and other such documentation required as part of receiving funding under the Housing Accelerator Fund, subject to all documentation being satisfactory in legal form to the Commissioner of Legal and Legislative Services and in technical content to the Commissioner of Economic Development and Innovation and in financial content to the Commissioner of Corporate Services – Chief Financial Officer/City Treasurer, or designates; and further,

b) **THAT**, if required by the grant provider, the Mayor **BE AUTHORIZED** to sign any agreements, declarations and other such documents required as part of receiving funding under the Housing Accelerator Fund, subject to such documentation being satisfactory in legal form to the Commissioner of Legal and Legislative Services, in technical content to the Commissioner of Economic Development and Innovation, and in financial content to the Commissioner of Corporate Services – Chief Financial Officer/City Treasurer, or designates; and further,

c) **THAT** the Chief Administrative Officer **BE AUTHORIZED** to delegate the signing of all applicable reports and other such documents as required as part of receiving the funding from the grant provider to the Commissioner of Corporate Services – Chief Financial Officer/City Treasurer, or designate; and further,

d) **THAT** pursuant to Purchasing By-law 93-2012, the Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders as may be required to effect the recommendations noted above, subject to all specification being satisfactory in technical content to the Commissioner of Economic Development and Innovation and in financial content to the Commissioner of Corporate Services – Chief Financial Officer/City Treasurer, or designates; and further,

e) **THAT** the results of the City's Housing Accelerator Fund application **BE COMMUNICATED** to City Council, and if successful, such report to include a Housing Accelerator Fund Implementation Plan that specifically includes how the awarded funds will be allocated in alignment with the requirements of the Housing Accelerator Fund Program.

Executive Summary:

N/A

Background:

On March 30, 2023, Administration received email correspondence from the Canada Mortgage and Housing Corporation (CMHC) regarding the federal government's Housing Accelerator Fund (HAF) and an invitation to attend information sessions being held the following month. Administration has learned that in its 2022 Federal Budget, the Government of Canada allocated $4 billion in funding to the HAF Program over the period of 2023 to 2027. The objective of the program is to provide incentive funding aimed at accelerating housing development and increasing supply within the sphere of control of local governments. The funding program will also support the development of complete, low-carbon and climate-resilient communities which are affordable, inclusive, equitable and diverse. The program will be administered though CMHC and it is expected to result in the issuance of 100,000 more housing permits across Canada.

Local governments within Canada who have delegated authority over land use planning and development approvals are eligible for funding. There are two application streams through which eligible recipients can receive funding:

- **Large/Urban Stream**: For Canadian jurisdictions with a population equal to or greater than 10,000, excluding those within a territory or an Indigenous community.
- **Small/Rural/North/Indigenous Stream**: For Canadian jurisdictions with a population less than 10,000, within one of the territories, or an Indigenous community.

The HAF Program is intended to incent applicants to commit to change, show progress, and receive funding in return. Therefore, if approved, municipalities can allocate the HAF funding towards prescribed uses under the following four (4) categories:

- Investments in Housing Accelerator Fund Action Plans that outline required supply growth targets and specific initiatives to grow housing supply and accelerate housing approvals.
- Investments in Affordable Housing such as the construction, repair or modernization of housing, including land/building acquisition.
- Investments in Housing-related infrastructure such as drinking water and wastewater infrastructure, public transit, brownfield development, etc.
- Community-Related Infrastructure such as local roads and bridges, sidewalks, lighting, bicycle lanes etc.

To receive funding, eligible applicants must develop council approved Action Plans. The Plan must contain a minimum number of initiatives that will contribute to the achievement of a prescribed housing supply growth target that increases the average annual rate of growth by at least 10%, and supports a growth rate that exceeds 1.1%, as well as specific housing type and affordable housing targets. For those jurisdictions that fall under the Large/Urban Stream, such as the City of Windsor, they must include a minimum of seven (7) initiatives in their proposed Action Plan.
The amount of incentive funding allocated to successful applicants will be based on a funding framework comprised of three (3) major components:

1. **Base Funding**: Designed to incent all types of supply across the housing spectrum. An ascribed per unit amount of $20,000 is multiplied by the number of permitted housing units projected with the support of the HAF program.

2. **Top up Funding**: Designed to incent certain types of housing supply. The ascribed per unit amount can range from $7,000 to $15,000, depending on the type of housing and the associated projected increase in the number of permitted units with the support of the HAF program.

3. **Affordable Housing Bonus**: Designed to reward the increase in share of affordable housing units relative to the total projected permitted units with the support of the HAF program. The percentage growth is multiplied by the ascribed per unit amount of $19,000, and then by the total projected permitted units with the support of the HAF program.

At the time of the writing on this report, an application submission date has not yet been established by CMHC. However, CMHC has advised that an application portal will likely launch early summer and that they will be accepting applications over a 45-day period. Applications will be evaluated during the fall with the expectation that funding will be awarded during the winter of 2023. Administration has attended multiple meetings with CMHC representatives to obtain clarification on program guidelines and requirements, and will continue to monitor any further updates provided by CMHC going forward.

Discussion:

After the Housing Accelerator Fund (HAF) application information was released earlier this year, Administration formed an interdepartmental HAF Working Group to develop the program's required "Action Plan" with a focus on developing key initiatives that aim to achieve growth targets that appropriately increase the housing supply throughout Windsor. Included below is a summary of nine (9) initiatives that have been developed by the HAF Working Group with full consideration given to application guidelines and the desired holistic outcome of the HAF Program.

Housing Accelerator Fund Action Plan

Initiative #1 – Direct Residential Intensification to Support Mixed-Use Communities

This initiative establishes a policy framework that permits as-of-right residential intensification and mixed-use developments within existing corridors, nodes, and commercial centres. Many of the City's existing corridors (for example arterial roads), nodes (for example intersections of arterial roads) and commercial centres (for example shopping malls and commercial big box centres) are developed with mainly commercial uses. The proposal is to implement a policy framework that will permit the introduction

of medium-density residential and mixed-use buildings along corridors and in nodes, and high-density residential and mixed-use buildings within commercial centres.

Currently, if a developer proposes a multi-unit residential building within most corridors, nodes or centres, they would require approvals through various *Planning Act* processes such as Zoning By-law Amendments, Official Plan Amendments, and Site Plan Control approval. The timelines, fees and uncertainty involved in Zoning By-law Amendments and Official Plan Amendments have the possibility of increasing the time and cost of the final product (the purchase price or rent of the residential units). This initiative will focus on reducing the timelines, fees and uncertainty associated with applying for planning approvals, and implement as-of-right permissions for multi-unit residential and mixed-use buildings.

Existing corridors, nodes and commercial centres are serviced with public transportation, sewers and are adjacent to existing low-density residential neighbourhoods. The Planning Department will retain a consultant to identify the existing corridors, nodes and commercial centres that can be rezoned to permit multi-unit residential/mixed-use buildings as-of-right. The consultant will also make recommendations as to the policy framework needed in the Official Plan and Zoning By-law through amendments.

In addition to the policy framework, this initiative will include incentives through a Community Improvement Plan (CIP), to encourage the creation of residential units above storefronts and the development of vacant/underutilized land and buildings that result in the creation of residential units through a mixed-use or residential development within Business Improvement Areas (i.e. – mainstreets). Further discussions regarding the development and use of a CIP is included in initiative #5. The incentive programs will include an expansion of the use of:

- Building/Property Improvement Tax Increment Grant Program—economic incentive for the construction of housing units by rebating the municipal tax increase resulting from the new unit(s) for a defined period of time.
- New Residential Development Grant Program (Creation of Residential Units)—a grant for each new residential unit.

Initiative #2 – Allow Appropriate Intensification within Existing Residential Neighbourhoods

This initiative will provide clear policy direction, evaluation criteria, and Intensification Guidelines to guide increased compatible housing density (i.e. semi-detached, duplexes, townhomes, etc.) in existing neighbourhoods that are predominantly zoned for single detached homes.

Currently, if a developer proposes a different housing density than what is permitted in low-density residential zoning areas, a Zoning By-law Amendment is required. This initiative will propose amendments to the Official Plan to introduce policy direction for the consideration of the “missing middle” housing forms (i.e. semi-detached, duplexes,

townhomes, etc.) in low-density residential communities. The Official Plan policies will provide certainty to the developer that a Zoning By-law Amendment is likely to be approved if it meets the policy direction set out in the Official Plan. The timelines, fees and uncertainty involved in Zoning By-law Amendments have the possibility of increasing the time and cost of the final product (the purchase price or rent of the residential units), but providing clear policy framework and guidelines reduces that risk and creates reliable outcomes.

This initiative will reduce uncertainty associated with applying for planning approvals and will explore the possibility of pre-zoning in neighbourhoods that can accommodate missing middle to further reduce the timelines and fees associated with a Zoning By-law Amendment.

Initiative #3 – Residential Intensification Target Areas

This initiative implements Official Plan policy changes and corresponding Zoning By-law Amendments to allow for as-of-right medium to high-density residential intensification in defined residential areas that have the appropriate services and amenities to support the additional density.

This initiative will proactively start to identify areas for residential intensification and provide evaluation criteria and density targets for the redevelopment of larger sites.

Initiative #4 – Removing Minimum Unit Sizes Restrictions

The purpose of this initiative is to implement Zoning By-law provisions to eliminate the minimum residential unit size in order to support a broader range of flexible housing options. In addition, this initiative also removes the minimum and maximum additional dwelling unit size requirements and minimum additional dwelling unit size requirement for an accessory structure in the Zoning By-law.

The Zoning By-law requires a specified minimum residential unit size that is larger than what is required by the Ontario Building Code. With the increased cost of housing, the proposed unit sizes of residential units have been decreasing, which results in some Minor Variance applications being required to seek relief from the Zoning By-law. This process can cause delays and add extra costs when most applications are supported by staff and approved by the Committee of Adjustment. By removing this barrier, time and money can be saved.

Initiative #5 – Financial Incentives to Offset the Development Costs of Affordable Housing

This initiative establishes financial incentives for developments to offset the costs of developing affordable housing. Section 106 (1) of the Municipal Act, 2001 prohibits municipalities from assisting directly or indirectly in manufacturing business or other industrial or commercial enterprise through the granting of bonuses, however an exception is provided where Council approves a Community Improvement Plan under Section 28 of the Planning Act.

Under the Planning Act, a municipality many engage in the following for the purpose of carrying out a community improvement plan:

- acquire, hold, clear, grade or otherwise prepare land for community improvement;
- construct, repair, rehabilitate or improve buildings on land acquired or held by it in conformity with the community improvement plan;
- sell, lease, or otherwise dispose of any land and buildings acquired or held by it inconformity with the community improvement plan; and
- make grants or loans in conformity with the community improvement plan to the registered owners, assessed owners or assignees to pay for eligible costs.

This initiative involves developing a Community Improvement Plan containing the following programs to offer financial incentives to increase the supply of affordable housing:

- Affordable Housing Tax Increment Grant Program that will provide an economic incentive for the construction of affordable housing units by reducing the municipal tax increase resulting from the new unit(s) for a defined period of time.
- Feasibility Study Grant that offers financial incentive aimed at helping developers explore the feasibility of creating new affordable housing units, including an evaluation of what happens to the financial performance of the project when possible incentives are factored in.
- Municipal Development Fees Grant program that helps with offsetting the municipal development fees associated with the necessary planning approvals and building permits for affordable housing units.
- Brownfield Clean up Grant Program to provide a direct financial incentive to offset the costs associated filing a Record of Site Condition (RSC) for affordable housing projects that trigger the requirement under Ontario Regulation 153/04.
- Building Conversion Grant Program to create a financial incentive program targeted at the costs of converting the space in currently vacant non-residential or underutilized space in existing buildings to new affordable residential units.

Initiative #6 – Reduce Parking Requirements for Affordable Housing

This initiative proposes to develop an Affordable Rental Housing Reduced Parking Guide that will establish the policy and criteria for reducing the parking requirements for medium and high-density affordable rental housing projects through the minor variance process. The Affordable Housing Parking Reduction Program will also provide a direct financial incentive to offset the costs associated with the fees associated with making an application to the Committee of Adjustment.

Initiative #7 – E-Permitting & Development Services Modernization

Through the Ministry of Municipal Affair and Housing's (MMAH) Streamline Development Approval Fund (SDAF) the Building, Planning and Right of Way Departments secured the assistance of a consultant to review the current processes for development applications. The scope of the work was to explore opportunities to improve the integration of processes between departments, simplify access to development services, improve the digital experience for applicants and staff, and elevate the customer experience. The key drivers for the project include Provincial legislation accelerating development and development approval processes, unprecedented growth in the City of Windsor, and increased expectation for online service delivery from both customers and staff. As a result of the review, improvements were suggested in business processes, technology solutions, and website enhancements.

Activities related to this initiative:

- Identification of the people, process and technology resources required to support housing development goals.
- Address the current numerous fragmented technologies that are currently in use and adopt a single technology solution for Development Services.
- Development and implementation of a road map/plan to implement a fully digital single technology solution.
- Improving the website and web content to support customers.

Implementation of the recommendations from Administration and the consultant requires a multi-year plan of action so that stakeholders can clearly understand what capabilities and functionalities are ahead, what projects are required to deliver those capabilities, and when those capabilities can be expected. City Council recently received a separate in-camera report detailing the recommendations and next steps for modernizing Development Services. Upon Council's approval, the recommendations will be implemented over a three- to five-year period.

The Housing Accelerator Fund (HAF) provides incentive funding to municipalities to encourage local initiatives that remove barriers to housing supply, accelerate the growth of supply, and support the development of complete, low-carbon and climate-resilient communities, which are affordable, inclusive, equitable and diverse. The parameters of this program align with the work through the Provincial SDAF grant to modernize Development Services, provide exceptional customer service, streamline applications and approvals, and remove barriers to housing development.

Initiative #8 – Social or Affordable Housing Land Acquisition and Disposition Policy

This initiative proposes to establish a corporate policy to evaluate and determine if current City owned land is suitable for social or affordable housing development, and prepare the land for said development where appropriate. Where suitable, the land

would be sold or leased below market value conditional on the development of social or affordable housing. Further, land that is not suitable would be sold for market value with the proceeds from said sale being deposited to City Reserve Funds and used where deemed suitable, to support future development of social or affordable housing. Opportunities will also be explored to add lands to the City's inventory, as appropriate, to ensure sufficient shovel ready lands exist for future development.

Initiative #9 – Green Development Standards Community Improvement Plan

This initiative provides financial incentives aimed at increasing the uptake of sustainability measures for new development throughout the community. This will help new (and also alterations to existing) developments improve environmental, social, and economic performance, increase community resiliency, support the reduction in greenhouse gas emissions to mitigate the effects of climate change, reduce long-term operating costs, and manage long-term affordability (e.g. energy poverty). The development of the Community Improvement Plan will include the development of a Tiered Green Development Standard. The inclusion of green development standards supports the Housing Accelerator Fund's objectives of the development of complete communities; affordable, inclusive, equitable, diverse; low-carbon and climate resilient.

Housing Supply Growth Target

HAF Action Plans must also include projections of net new permitted housing units to occur both with (i.e. growth target) and without (i.e. baseline) HAF funding over the 3-year duration of the program. The baseline projection is the number of permitted units anticipated without the support of the HAF funding, and the growth target projection is the number of permitted units anticipated with the support of the HAF funding. The following formula is meant to capture growth in the form of resulting "HAF-incented units" attributable to the program.

Permitted Units with HAF (growth target) – Permitted Units without HAF (baseline) = HAF incented units

The HAF Working Group has projected the total number of "HAF incented units" for each of the nine (9) individual initiatives listed in the HAF Action Plan. It has been estimated that the total projected housing supply growth target of these initiatives will result in an additional 2,135 residential dwelling units beyond regular growth by 2026. Based on this high-level estimate, and if selected as a successful candidate of the Housing Accelerator Fund, it is estimated that the City could be eligible to receive over $40 million in base funding based on preliminary housing forecasts. Note that this estimated amount does not account for any additional top up or bonus funds that may be awarded per HAF Program eligibility requirements. Lastly, it should further be noted that the outcome of the initiatives and overall increase in housing supply are also contingent upon factors outside the control of the City, such as private sector interest and uptake, as well as labour and market conditions.

Risk Analysis:

There is a significant timing risk associated with the submission of an application to the Canada Housing and Mortgage Corporation (CMHC) for the Housing Accelerator Fund (HAF) Program. At the time of writing this report, it is anticipated that CMHC's application portal will open at the end of June or in early July 2023, with a limited 45-day window of time for municipalities to submit their application. This risk is mitigated by the substantial work undertaken in advance of the portal opening to propose an Action Plan to ensure that the City meets the application deadline provided by CMHC.

There is also moderate risk that if awarded funds by CMHC, that a portion of said funding may be clawed back in the final year of the program if the actual housing supply growth does not meet the total projected growth target over the three (3) year period of the program. The outcome of the initiatives listed in the Action Plan does not rest solely in the hands of the City, as the overall increase in housing supply will also be reliant on private sector interest and uptake, labour and market conditions, etc. This risk can be mitigated by proactively engaging the private sector in discussions surrounding the individual initiatives and obtaining their feedback prior to full implementation.

Further, there is also moderate risk that funds awarded by CMHC may be adjusted to help support higher than anticipated housing supply growth targets and outcomes across Canada within the overall program funding. This risk can be mitigated through adjustments to the allocation of funding identified in the City's final HAF Implementation Plan or by seeking alternative funding sources if needed.

Climate Change Risks

Climate Change Mitigation:

There are no climate change mitigation risks associated with applying for funding under the Housing Accelerator Fund. The primary objectives of the program are to create more supply of housing at an accelerated pace while also supporting the following priorities:

- Supporting the development of complete communities that are walkable, consisting of appropriate residential density and a diverse mix of land uses, providing access to a wide variety of amenities and services through public and active transportation.
- Supporting the development of affordable, inclusive, equitable and diverse communities that encourage clear pathways to achieving greater socio-economic inclusion largely achieved through the equitable provision of housing across the entire housing spectrum.
- Supporting the development of low-carbon and climate-resilient communities.

The grant provider will be reviewing the proposed initiatives within the City's Action Plan to confirm that they support one or more of the objectives listed above. As such, Administration will consider opportunities to enhance the proposed initiatives to meet the additional priorities where practical.

The Housing Accelerator Fund priorities closely align with the City's objectives and targets within the Community Energy Plan. The inclusion of Initiative #9 – Green Development Standard CIP provides an opportunity to address the grant provider's priority of building low-carbon and climate resilient communities more holistically.

Climate Change Adaptation:

There are no climate change adaptation risks associated with applying for funding under the Housing Accelerator Fund. Similar to above, the Housing Accelerator Fund priorities closely align the City's objectives within the 2020 Adaptation Plan, Degrees of Change. Furthermore, the inclusion of Initiative #9 – Green Development Standards CIP provides additional opportunities to address the funding providers priority of building climate-resilient communities, reduce climate impacts, and align the need for private side investment/action to reduce the risk of flooding as outlined in the City's Sewer and Coastal Flood Management Plan (e.g. low impact development).

Financial Matters:

As noted earlier in this report, if selected as a successful candidate of the Housing Accelerator Fund Program, it is estimated that the City could be eligible to receive over $40 million in funding without including any additional top up or bonus funding that may also be awarded under the program.

If successful, municipalities can allocate the spending of HAF funds received towards prescribed uses under the following four (4) categories:

1. Investments in Housing Accelerator Fund Action Plans that outline required supply growth targets and specific initiatives to grow housing supply and accelerate housing approvals.
2. Investments in Affordable Housing such as the construction, repair or modernization of housing, including land/building acquisition.
3. Investments in Housing-related infrastructure such as drinking water and wastewater infrastructure, public transit, brownfield development, etc.
4. Community-Related Infrastructure such as local roads and bridges, sidewalks, lighting, bicycle lanes etc.

At this time, the total cost to implement all listed HAF Action Plan initiatives under Category 1 above is estimated to be $10 million, however this amount will continue to be reviewed as the noted initiatives and related program costs surrounding each are further developed. The remaining funding received will be directed to the other three

categories noted above as required under the program, however a detailed allocation of funds is still to be determined based on the outcome of the City's application. The final Action Plan, along with detailed costs surrounding each of the initiatives will be presented to City Council as part of a final HAF Implementation Plan if the City is successfully awarded funding under the program. All awarded funds will be allocated for spending under one of the four categories listed above and consideration for spending will be given to the program's funding model which provides payment advances for each year per the below table.

Year 1	First Advance: 25% of total approved funding
Year 2	Second Advance: 25% of total approved funding
Year 3	Third Advance: 25% of total approved funding
Year 4	Fourth Advance: 25% of total approved funding

Consultations:

Luigi Congi – Asset Coordinator

Andrew Daher – Commissioner, Human & Health Services

Kirk Whittal – Executive Director Housing & Children Services

Diane Wilson – Manager Social & Affordable Housing

Chris Carpenter – Coordinator Housing Administration & Development

Sonia Bajaj – Coordinator Housing Administration & Development

John Revell – Chief Building Official

Tina Moore – Executive Initiatives Coordinator

Sandra Bradt – Executive Initiatives Coordinator

Stacey McGuire – Manager of Development (Engineering)

Karina Richters – Supervisor Environmental Sustainability & Climate Change

Patrick Winters – Manager of Corporate Projects – Economic Development

Conclusion:

The Housing Accelerator Fund (HAF) Program is intended to drive transformational change related to municipal land use planning and development approvals with the overall objective of accelerating the supply of housing. The HAF Action Plan presented in this report provides a range of initiatives that address the overall breadth and desired

outcomes of the program. It is therefore recommended that City Council support the HAF Action Plan and authorize the submission of an application to the Canada Housing and Mortgage Corporation under the HAF Program. In doing so this would align with the objectives of all levels of government with a need to accelerate the supply of housing.

Planning Act Matters:

N/A

Approvals:

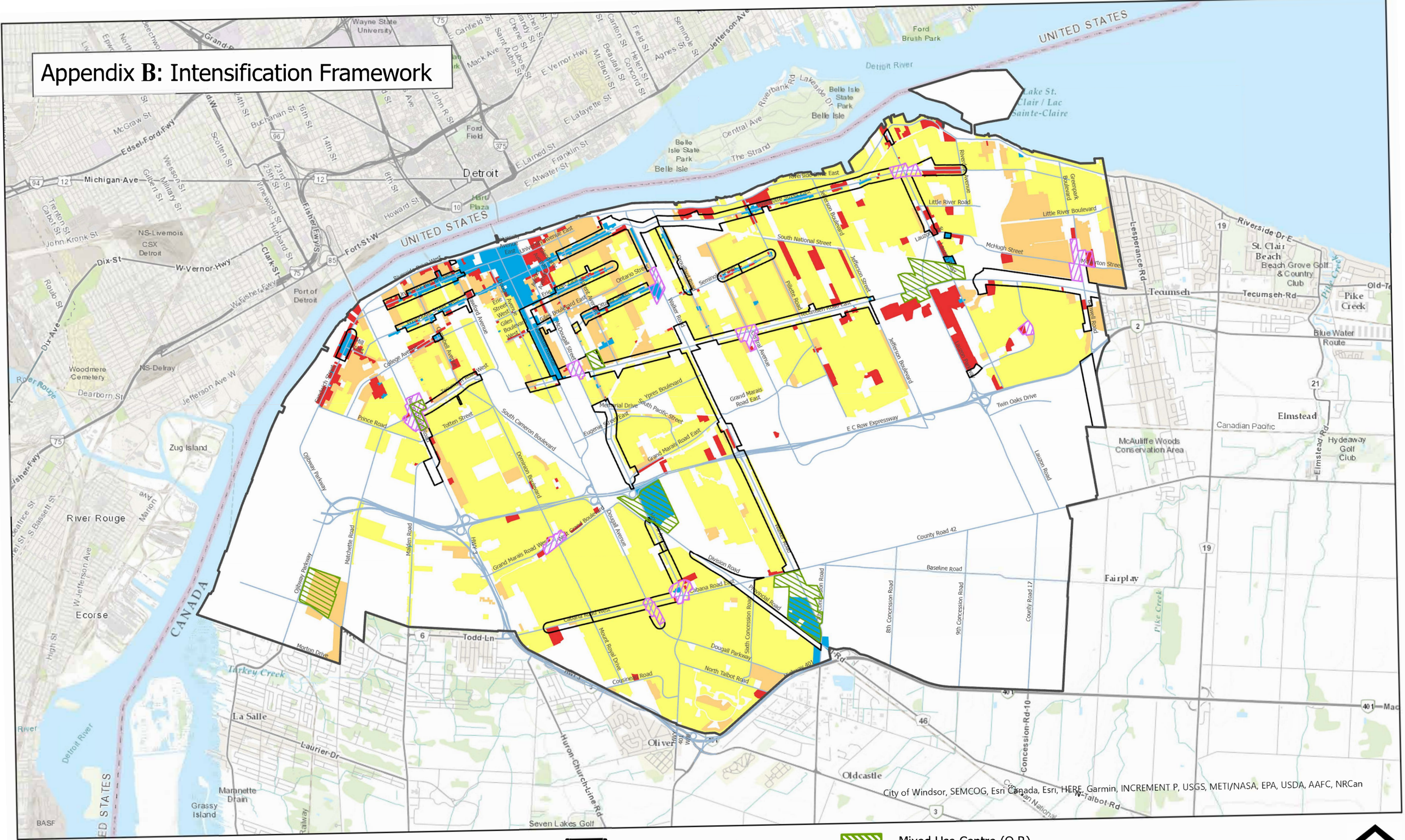
Name	Title
Joe Baker	Senior Economic Development Officer
Neil Robertson	City Planner (A)
Rosamaria Scalia	Financial Planning Administrator
Natasha Gabbana	Senior Manager of Asset Planning
Janice Guthrie	Commissioner, Corporate Services – Chief Financial Officer/City Treasurer
Chris Nepszy	Commissioner, Infrastructure Services
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email
Windsor Construction Association	2880 Temple Drive, Windsor, ON N8W 5J5	construction@wca.on.ca
Windsor Essex Home Builders Association	2880 Temple Drive, Windsor, ON N8W 5J5	communications@wehba.ca

Appendices:

Appendix B: Intensification Framework



10 Housing Accelerator Fund Best Practices

1. **End exclusionary zoning**

    - Stop low-density zoning and regulation that excludes housing types such as affordable and social housing in residential areas.
    - Encourage high density by allowing mixed-use development and high-density residential as-of-right within proximity to urban cores and transit corridors.
    - This includes adopting by-laws to adopt more as-of-right zoning measures, from the number of units to storeys.

2. **Make municipally owned lands available for housing** through strategies such as disposition, acquisition and/or pre-development.

3. **Increase process efficiency** by implementing new technologies or software to speed up development approvals, such as e-permitting.

4. **Prioritized/enhanced development approval process** for rental and affordable housing.

5. **Comprehensive review of development charges and fee schedules** including waivers, with a focus on permits associated with affordable housing.

6. **Reduce or eliminate parking standards** to increase project viability, density and reduce carbon footprint.

7. **Eliminate restrictions** related to height, setbacks, building floor area and others to allow a greater variety in housing types, including accessory dwelling units.

8. **Develop affordable housing community improvement plans** or strategies/plans for the rapid deployment of affordable housing.

9. **Design and implement guidelines** or pre-approved building plans for missing middle housing or specific accessory dwelling unit types such as laneway housing or garden suites.

10. **Develop grant programs** encouraging the development of housing types that align with the Housing Accelerator Fund such as missing middle, row homes, purpose-built rental and/or that promote new/innovative construction techniques (modular, pre-fab, mass timber construction, etc.).

Item No. 13.1

BY-LAW NUMBER 169-2023

A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS SPECIAL MEETING HELD ON THE 13th day of December, 2023

Passed the 13th day of December, 2023.

WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Windsor at this meeting be confirmed and adopted by by-law;

THEREFORE the Council of the Corporation of the City of Windsor enacts as follows:

1. The action of the Council of The Corporation of the City of Windsor in respect to each recommendation contained in the Report/Reports of the Committees and the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of The City of Windsor at this special meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.

2. The Mayor and the proper officials of The Corporation of the City of Windsor are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Windsor referred to in the preceding section hereof.

3. The Mayor and the City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Windsor.

This by-law shall come into force and take effect on the day of the final passing thereof.

DREW DILKENS, MAYOR

CITY CLERK

First Reading - December 13, 2023
Second Reading - December 13, 2023
Third Reading - December 13, 2023