



OANHSS

Submission on Bill 140 - *Strong
Communities through Affordable Housing
Act*

March 2011

Ontario Association of Non-Profit Homes and Services for Seniors

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Introduction

The Ontario Association of Non-Profit Homes and Services for Seniors (OANHSS) welcomes this opportunity to provide input on Bill 140 - *Strong Communities through Affordable Housing Act*.

OANHSS is a provincial, membership-based association that has represented not-for-profit providers of care, services and housing for seniors for over 90 years. Housing members include municipal and private not-for-profit housing projects, and providers of supportive housing, non-profit retirement homes and life lease housing. The balance of our membership includes municipal and charitable long term care homes and community service agencies.

Association members are respected and recognized for their dedication and commitment to quality care and services for seniors and for the active and integral role they play in the communities that they serve.

OANHSS members support the government's efforts to increase access to affordable housing, and in particular, the commitment to a long term approach to ensuring the effectiveness of systems to provide affordable housing. Our experience and expertise is in the area of seniors' housing and it is this perspective that is reflected in our submission. Our interest is in ensuring that there continues to be a full range of appropriate housing options to address the diverse needs of Ontario's seniors.

There are several issues of importance to OANHSS members on which we want to provide comments:

Sustainable Funding

The government's vision, as articulated in its *Long Term Affordable Housing Strategy* (LTAHS) is to "improve Ontario's access to adequate, suitable and affordable housing and provide a solid

foundation on which to secure employment, raise families and build strong communities”.¹

This is an ambitious but important initiative, and one that cannot be achieved without the commitment of significant resources. As we indicated in our submission during government consultation on the LTAHS in 2009, every level of government is responsible to ensure a well functioning housing system. The federal, provincial and municipal governments must work cooperatively to ensure that the resources and other needed measures are in place, such as planning tools, tax measures, reduced fees and charges.

While at the present time neither the LTAHS nor Bill 140 include a commitment of provincial funding, the strategy does call for a long term commitment from the federal government, a call that OANHSS echoes. However, we should stress that the level of funding, or lack thereof, from the federal government or from any other level of government, should not be used as an excuse for inaction at the provincial level. Each level of government must commit to act with appropriate funding, unilaterally if necessary.

Flexible Funding

Any long term strategy with respect to affordable housing will be undermined by programs that respond only to immediate needs and realities and do not have as their foundation ongoing and sustainable funding and support.

“Use it or lose” program approaches that are based on the sporadic availability of limited funds do not constitute a “strategy” – they inhibit participation by smaller not-for-profits and do not enable housing providers and communities to plan in an orderly and effective way for their future needs. Funding allocations for new housing projects should be based on need and the strength of the proposed development rather than the ability of the proponent to meet short timeframes.

An effective long term affordable housing strategy must be sustainable and flexible and include predictable funding, provided year after year, that responds to local needs and priorities.

¹ *Building Foundations: Building Futures – Ontario’s Long-Term Affordable Housing Strategy*, p. 3

Affordability

Affordable housing program resources should be sufficient to achieve true affordability and therefore rents in housing developed under existing and any future affordable housing programs should be based on the income of residents, not tied to the market.

Housing allowances for people living in the private sector should not be seen as an alternative to permanently affordable non-profit housing.

Rent supplement funds must be available to make a portion of the units in any new affordable housing development accessible to low income households on a geared to income basis.

Supportive Housing

OANHSS applauds the provisions in Bill 140 which would require that each service manager have a plan to address housing and homelessness (Section 6.1) and that the plan must address the matters of provincial interest, which include a number of principles as outlined in Section 4.1, specifically:

“(g) is co-ordinated with other community services, and ...

(i) allows for a range of housing options to meet a broad range of needs.”

OANHSS has long advocated that any provincial initiative designed to ensure the availability of affordable housing for seniors must incorporate the capacity for the provision of support services that will enable residents to live as independently as possible and for as long as possible in their own communities.

Non-profit community-based housing dedicated to providing a supportive environment for seniors to age in their own communities, is an important contributor to the range of housing options available for seniors.

However, ongoing funding is needed for services to support seniors to live independently in the community. It is also essential that the timing and delivery of funding for those services be coordinated with capital funding for the housing.

Section 4.1 of Bill 140 is in keeping with the provincial government’s Aging at Home Strategy, launched in 2007. The strategy is aimed at providing health care services to seniors in the

comfort and dignity of their own homes, allowing them to lead healthy and independent lives while avoiding unnecessary visits to hospitals and premature admission to long term care homes.

However, since the support services necessary to allow for a successful Aging at Home Strategy are funded by the Ministry of Health and Long-Term Care (MOHLTC) and/or other ministries, it is essential that these same ministries be directly involved in the planning and implementation of seniors' affordable housing programs to ensure that the timing and delivery of funding for support services is coordinated with capital funding for the housing. As part of the Minister of Municipal Affairs and Housing's duties to review and provide comment on the plan (as per Section 8 of Bill 140), it should be essential that the Minister also consult with other relevant ministries that have a direct role in providing support services.

Further, we recommend that Bill 140 be amended to require ministerial consent for any sale or transfer of affordable housing units. Such consent will allow for due consideration to be given in ensuring that the community-based, non-profit housing sector is preserved. The government has recognized that it is in their interest to have a role for the community-based non-profit sector. Ministerial consent will help ensure that the sector does not erode as a result of the sale or transfer of affordable housing units.

Local Planning

OANHSS applauds the provisions in Bill 140 which provide for Municipal Service Managers to be given the flexibility to deliver programs to meet local needs and capacities. Because of their understanding of the local housing situation, Service Managers are able to work with providers and other stakeholders to tailor solutions to meet local needs.

Assessment of need and planning for program delivery should begin at the local level, using a community plan approach similar to that used by the federal government for funding under the Homelessness Partnering Initiative (HPI). We are pleased that such provisions are included in Bill 140.

Mandates

OANHSS is pleased to see that Bill 140 preserves the ability of housing providers with specific mandates to continue to provide service to seniors and to members of specific cultural and

ethnic communities in a way that is sensitive to their linguistic and cultural needs and preferences. The provisions set out in Section 99 of the *Social Housing Reform Act* provide for the establishment of such a mandate.

In this regard, the Bill and its corresponding regulations should ensure the ability of seniors' housing providers continue to define their seniors mandate on the basis of the needs and preferences of the people to be served, without the restriction of an arbitrary age definition, such as 65 years.

In addition to the facilitating amendments to the *Planning Act* as well as preserving the requirements for mandates as set out in the *Social Housing Reform Act*, we recommend that the government give further consideration to making appropriate amendments to other relevant legislation to ensure that its affordable housing goals will be met. As an example, some housing providers may, under the authority of the *Places to Grow Act*, be in a position to develop additional affordable units, but are prohibited from doing so under other legislation such as the *Greenbelt Act*, the *Niagara Escarpment Planning and Development Act* and/or the *Oak Ridges Moraine Conservation Act*.

Land Use Planning

OANHSS is very pleased to see the provisions in Bill 140 include a reference to affordable housing as a matter of provincial interest and authorizes the use of second residential units in detached and semi-detached houses or rowhouses, as per Schedule 2 of the Bill. We would urge the government to go an additional step in amending the *Planning Act* to provide for mandatory inclusionary zoning, which would require that a proportion of all new housing developed in a community be affordable to people with low to moderate incomes.

Continuums of Care

Continuum of care settings offer a range of housing options, such as supportive housing, seniors' housing, retirement home, life lease housing, in many cases on the same site as a long term care home. Seniors' housing in a continuum setting allows seniors to age in place or easily move to a higher level of care if required.

Bill 140 and its regulations should provide assurances that a resident will be able to stay within the housing continuum or community when moving from housing to long term care. Such a

change could encourage the development of seniors' housing by not-for-profit long term care homes that have available land. This is an area where collaboration between the Ministry of Municipal Affairs and Housing (MMAH) and MOHLTC can contribute to a more comprehensive strategy to meet the needs of Ontario's seniors.

Life Lease Housing

Life lease housing is a small but important component of seniors' housing options and is often overlooked by government. An example of this is the complete absence of any reference to life lease housing in Bill 140.

In the spring of 2007, the MMAH conducted province-wide consultations on life lease housing. OANHSS provided the views of our members related to best practices, improved consumer protections and ways to achieve a viable, healthy life lease housing sector in Ontario.

Life lease housing is a cost effective way to draw on the housing assets of seniors to develop senior-friendly housing communities. At the same time, the lack of a clear regulatory or legislative framework can inhibit the ability of these providers to access resources and benefits enjoyed by other housing communities. Examples of this can be found in the recent AHP extension program, where life lease housing was not considered eligible for support either as an affordable homeownership option.

We encourage the government to consider including in Bill 140 provisions for a regulatory framework for life lease housing that will support and encourage the flexibility, innovation and creativity that have contributed to the success of life lease projects. Standards for life lease housing should focus on the outcomes to be achieved and should avoid prescribing the process to be followed to achieve the outcomes.

Conclusion

OANHSS appreciates this opportunity to provide comments to help guide future direction on a long-term affordable housing strategy. We look forward to working with the Government of Ontario to ensure that the strategy addresses the housing needs of Ontario's seniors, now and in the future.