



The mission of OPHA is to provide leadership on issues affecting the public’s health and to strengthen the impact of people who are active in public and community health throughout Ontario.

Ontario Public Health Association
l'Association pour la santé publique de l'Ontario
Established/Établi 1949

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 - Association of Public Health Epidemiologists in Ontario (APHEO)
 - Association of Supervisors of Public Health Inspectors of Ontario (ASPHIO)

Canadian Institute of Public Health Inspectors - Ontario Branch (CIPHI-O)

Community Health Nurses' Initiatives Group (RNAO)

Health Promotion Ontario (HPO)

Ontario Association of Public Health Dentistry (OAPHD)

Ontario Association of Public Health Nursing Leaders (OAPHNL)

Ontario Dietitians in Public Health (ODPH)

Charitable Registration
Number 11924 8771 RR0001

December 9, 2022

To: Cristina.Dasilva@ontario.ca

RE: Ontario’s Regulatory Registry – Proposal # 22-MMAH017 – Seeking Feedback on Municipal Rental Replacement By-laws

Thank you for the opportunity to provide feedback on proposal # 22-MMAH017 - Municipal Rental Replacement By-laws, as it relates to provisions under the Municipal Act and the City of Toronto Act.

As noted in our November 16th submission to the Legislative Assembly of Ontario, Standing Committee on Heritage, Infrastructure and Cultural Policy on Bill 23, the Ontario Public Health Association (OPHA) fully supports the need for Ontario to find more affordable housing opportunities for its residents and create healthy, equitable and climate-resilient communities. At the same time, it is vital that these processes, including legislative changes, are undertaken in a manner that reduces the health risks and inequities posed by unaffordable housing, in particular for low-income households and people experiencing housing poverty.

Public health professionals have long recognized housing as an important social determinant of health, and thus the importance of healthy public policy across all sectors to strengthen housing protections that prioritize equity. Housing affordability, habitability and availability can have significant health impacts – affecting our physical, mental and social health.ⁱ The National Housing Strategy Act acknowledges that access to affordable housing contributes to achieving beneficial social, economic, health and environmental outcomes.ⁱⁱ One of the many recommendations presented through the Canadian Partnership for Children’s Health and Environment’s RentSafe report, *Towards Healthy Homes for All*, called for intersectoral collaboration to address housing habitability concerns including access to affordable housing.ⁱⁱⁱ

OPHA urges the Government of Ontario to prioritize policy actions, whether they are regulations, guidelines or standards, that strengthen rental replacement policies aimed at maintaining or increasing affordable rental replacement units within existing communities, that do not displace residential tenants from affordable housing within their own communities, and that include enforcement mechanisms to ensure compliance, and transparency and accountable mechanisms to track and report on the impact of these policies on affordable rental.

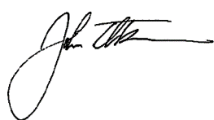
While OPHA appreciates the province seeking feedback on municipal rental replacement by-laws, we are concerned that Bill 23's proposed changes to amend the City of Toronto Act and the Municipal Act to: *"...give the Minister the authority to make regulations imposing limits and conditions on the powers of [the City/a local municipality] to prohibit and regulate the demolition and conversion of residential rental properties"* will have the unintended negative consequence of eroding the existing affordable rental housing supply, creating greater inequities.

Rental replacement by-laws are important tools that municipalities can use to require that the redevelopment of affordable housing be replaced with affordable housing units and offered to the existing tenants at the same rent. Several major urban centres in Ontario, including Toronto, Mississauga, Ottawa and Hamilton have, or are developing by-laws that ensure the replacement of affordable housing when residential properties are demolished or converted to condos. Limiting the ability of municipalities to adopt and implement rental replacement by-laws will remove these protections for housing affordability, putting more people at risk of losing their home or being displaced from their communities.

OPHA supports policy actions that strengthen rental replacement policies aimed at maintaining or increasing affordable rental replacement units within existing communities, including enforcement mechanisms to ensure compliance, and transparency and accountable mechanisms to track and report on the impact of these policies on affordable rental. If the Province is to consider a potential regulation related to rental replacement, its primary aim must be to increase the number of affordable rental housing (as existing residential rental replacement by-laws are intended to achieve) and not displace residential tenants from their communities. OPHA recommends that the Government of Ontario consider the recommendations of the Right to Housing Toronto (R2HTO) network's report – Protecting the Affordable Rental Housing Stock, Rights Review in any proposed legislation on rental replacement. including "strengthening processes and oversight to ensure that lower income tenants' needs are not neglected in the process."^{iv}

Thank you for considering our concerns and recommendations with respect to proposal # 22-MMAH017 - Municipal Rental Replacement By-laws, as it relates to provisions under the Municipal Act and the City of Toronto Act. We would welcome the opportunity to meet with the government to discuss the proposed changes and solutions that address concerns related to this proposed legislative change.

Sincerely



Executive Director
Ontario Public Health Association

ⁱ <https://nccdh.ca/blog/entry/housing-an-area-for-public-health-action-on-equity>

ⁱⁱ <https://laws-lois.justice.gc.ca/eng/acts/n-11.2/FullText.html>

ⁱⁱⁱ https://rentsafecanada.files.wordpress.com/2018/10/rentsafe-summary-report_final.pdf

^{iv} <https://right2housingto.ca/wp-content/uploads/2022/10/R2HTO-Rights-Review-Protecting-Affordable-Rental-Housing-July2022.pdf>

More about the Ontario Public Health Association

OPHA has established a strong record of success as the voice of public health in Ontario. We are a member-based, not-for-profit association that has been advancing the public health agenda since 1949. OPHA provides leadership on issues affecting the public's health and strengthens the impact of those who are active in public and community health throughout Ontario. OPHA does this through a variety of means including advocacy, capacity building, research and knowledge exchange. Our membership represents many disciplines from across multiple sectors.

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