## Appendix A: Report of the Ontario Housing Affordability Task Force

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	Report of the Ontario	Support /	
	Housing Affordability Task Force	Potential to Support /	Comments
	Recommendation	Do not Support	
1.	Set a goal of building 1.5 million new homes in ten years.	Potential to Support	<ul> <li>Increasing the housing supply should not be at the cost of building complete communities which need to consider other matters such as employment, financial sustainability, environmental protection, climate change, and public infrastructure.</li> <li>What is the basis of the province wide 1.5 million homes and it should include a target for affordable and rental housing</li> <li>This goal cannot be supported if all the proposed recommendations in the Task Force Report are necessary to achieve this target.</li> </ul>
2.	Amend the Planning Act, Provincial Policy Statement, and Growth Plans to set "growth in the full spectrum of housing supply" and "intensification within existing built-up areas" of municipalities as the most important residential housing priorities in the mandate and purpose.	Potential to Support	<ul> <li>Clarity is needed on "growth in the full spectrum of housing supply" as certain housing types are not appropriate in all locations and the extent of "intensification within built-up areas".</li> <li>Markham Official Plan, 2014 already supports a mix and range of housing types.</li> <li>These priorities should not override other city-building goals and objectives such as building complete communities.</li> </ul>
3.	<ul> <li>municipalities through binding</li> <li>provincial action: <ul> <li>a. Allow "as of right" residential</li> <li>housing up to four units and up</li> <li>to four storeys on a single</li> <li>residential lot.</li> </ul> </li> </ul>	Do not Support	• This could impact existing and new residential neighbourhoods and make it challenging to plan for these areas including ensuring appropriate servicing and transportation infrastructure, and community services such as parkland, schools and community amenities.
	<ul> <li>Modernize the Building Code and other policies to remove any barriers to affordable construction and to ensure meaningful implementation</li> </ul>	Do not Support	• Staff are concerned that the examples cited in this recommendation may result in safety issues such as allowing single staircases in a 4 storey residential building would make egress difficult during an emergency and could impact occupants ability to leave.

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	(e.g., allow single-staircase construction for up to four storeys, allow single egress, etc.).		• Egress and other issues such as smoke control, early notification of fires, sprinklers, fire separations, etc. would need to be explored to reduce the risk for the occupants.
4.	Permit "as of right" conversion of underutilized or redundant commercial properties to residential or mixed residential and commercial use.	Do not Support	<ul> <li>Staff are concerned that "as-of-right" conversion may reduce needed employment uses and result in residential development occurring in potentially inappropriate locations. It is also unclear who would determine what underutilized or redundant means.</li> <li>Servicing needs are different for commercial and residential areas and would need to be assessed.</li> </ul>
5.	Permit "as of right" secondary suites, garden suites, and laneway houses province-wide.	Potential to Support	<ul> <li>Potential to support subject to compliance with Building Code and Fire Inspection.</li> <li>Would need appropriate standards to address parking, services and safety.</li> </ul>
6.	Permit "as of right" multi-tenant housing (renting rooms within a dwelling) province-wide.	Potential to Support	• Housing would need to meet criteria in municipal policies and by-laws such as the number of renters and subject to infrastructure capacity and health and safety requirement of the Building Code.
7.	Encourage and incentivize municipalities to increase density in areas with excess school capacity to benefit families with children.	Potential to Support	<ul> <li>Considering additional family sized units in school areas with excess capacity may be supported in appropriate locations subject to available infrastructure and other community services such as parks, libraries, recreational, emergency services, etc.</li> <li>Consultation would be required with school boards to determine locations where schools may have excess capacity.</li> </ul>
8.	Allow "as of right" zoning up to unlimited height and unlimited density in the immediate proximity of individual major transit stations within two years if municipal zoning remains insufficient to meet provincial density targets.	Do not Support	<ul> <li>This would place significant pressure on infrastructure and create challenges in planning for hard and soft services.</li> <li>Height and density needs to be considered within the local context and existing land uses, for example, if transit station is in Heritage Conservation District like Markham Village or Major Transit Station Areas that are focused on employment and not residential.</li> </ul>

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9. Allow "as of right" zoning of six to 11 storeys with no minimum parking requirements on any streets utilized by public transit (including streets on bus and streetcar routes).	Do not Support	• While staff support the principle of locating appropriate residential development in close proximity to transit there is concern that this would not be appropriate in all locations.
<ul> <li>10. Designate or rezone as mixed commercial and residential use all land along transit corridors and redesignate all Residential Apartment to mixed commercial and residential zoning in Toronto.</li> </ul>	Do not Support	<ul> <li>Staff believe that this is intended to be Toronto specific.</li> <li>However there is concern if this recommendation is intended to be more broadly applied to all land along transit corridors as the City of Markham has a variety of land uses along transit corridors to support complete communities including employment areas that need to be protected.</li> </ul>
11. Support responsible housing growth on undeveloped land, including outside existing municipal boundaries, by building necessary infrastructure to support higher density housing and complete communities and applying the recommendations of this report to all undeveloped land.	Do not Support	• This would undermine growth management and infrastructure planning and result in inefficient use of resources (i.e. land and infrastructure).
<ul> <li>12. Create a more permissive land use, planning, and approvals system:</li> <li>a. Repeal or override municipal policies, zoning, or plans that prioritize the preservation of physical character of neighbourhood</li> </ul>	Do not Support	<ul> <li>Municipal planning should account and plan according to local conditions and context.</li> <li>Would not protect heritage conservation district plans and preservation of heritage character areas.</li> </ul>
b. Exempt from site plan approval and public consultation all projects of 10 units or less that conform to the Official Plan and require only minor variances	Do not Support	<ul> <li>Site plan should demonstrate excellent urban design considerations such as building interface with the public realm, landscape design, transition and many other factors that play an important role in shaping the physical space.</li> <li>Limiting public consultation would impact the public interest.</li> </ul>

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		• Site Plan Approval for project of 10 units is needed to ensure heritage objectives are achieved and securities are obtained to ensure implementation.
c. Establish province-wide zoning standards, or prohibitions, for minimum lot sizes, maximum building setbacks, minimum heights, angular planes, shadow rules, front doors, building depth, landscaping, floor space index, and heritage view cones, and planes; restore pre-2006 site plan exclusions (colour, texture, and type of materials, window details, etc.) to the Planning Act and reduce or eliminate minimum parking requirements; and	Do not Support	Municipal planning should account for local conditions and context and a one size fits all approach is not appropriate.
d. Remove any floorplate restrictions to allow larger, more efficient high-density towers.	Do not Support	<ul> <li>Floorplate guidelines reflect the building dimension and should relate to the context.</li> <li>Tower floor plate size and dimension will have direct sun/shadow and wind impact on parks and open space as well as the public realm at street level.</li> </ul>
13. Limit municipalities from requesting or hosting additional public meetings beyond those that are required under the Planning Act.	Do not Support	• Additional public meetings are needed in certain circumstances such as when a project changes or when considerable time has passed between public meetings and supports the public interest.
14. Require that public consultations provide digital participation options.	Support	• Digital public participation options increase the accessibility of the consultation process.
15. Require mandatory delegation of site plan approvals and minor variances to staff or pre-approved qualified third- party technical consultants through a	Potential to Support	• While certain planning matters have been delegated to staff, there is potential to support further delegation subject to Council approval.

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simplified review and approval process, without the ability to withdraw Council's delegation.		
<ul><li>16. Prevent abuse of the heritage preservation and designation process by:</li><li>a) Prohibiting the use of bulk listing on municipal heritage registers</li></ul>	Do not Support	• Bulk listing is appropriate especially for municipalities that have not developed their Heritage Register. As per the Ontario Heritage Act, justification must still be provided for each property to be listed and those listed can appeal to municipal council.
<ul> <li>b) Prohibiting reactive heritage designations after a Planning Act development application has been filed.</li> </ul>	Do not Support	<ul> <li>Often it is only when a Planning Act application is filed where it is understood that heritage resource are to be removed or impacted and designation is necessary.</li> <li>This recommendation is contrary to recent amendments to the Ontario Heritage Act, as amended through Bill 108, and which came into effect on July 1, 2021. As revised, the Ontario Heritage Act now includes statutory timeline limitations on when municipalities can designate a property following the submission of certain applications under the Planning Act. The Act also allows municipalities and owners to mutually extend timelines. It has not been Markham's experience that the industry is seeking further limitations on designations. The current legislation, which provides a mechanism for mutually agreed extensions allows for consultation, rigorous research and evaluation, and for a collaborative approach to the conservation of heritage properties.</li> </ul>
17. Requiring municipalities to compensate property owners for loss of property value as a result of heritage designations, based on the principle of best economic use of land.	Do not Support	<ul> <li>The heritage designation does not limit redevelopment of land, it just ensures that the resource/attributes are conserved. Designation also recognizes buildings/lands that are valued and worth preserving.</li> <li>This compensation approach exists in Alberta and there is little that is designated in the province.</li> <li>Ontario courts have held that requiring the owner's consent before considering designation was not consistent with the intent of the Heritage Act. The object of the Heritage Act is the</li> </ul>

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		conservation and protection of Ontario's heritage which may interfere with individual property rights.
<ol> <li>Restore the right of developers to appeal Official Plans and Municipal Comprehensive Reviews.</li> </ol>	Do not Support	<ul> <li>This would result in more litigation, delay, increased costs and would not support streamlining the planning process.</li> <li>Upper and single tier municipal comprehensive review processes are currently sheltered from appeal, as the Minister is the decision maker.</li> <li>Staff are also concerned if this recommendation is seeking to allow appeals on other matters that are currently sheltered such as inclusionary zoning.</li> </ul>
19. Legislate timelines at each stage of the provincial and municipal review process, including site plan, minor variance, and provincial reviews, and deem an application approved if the legislated response time is exceeded.	Do not Support	<ul> <li>Deemed approval could lead to inappropriate development proceeding that does not support good planning nor is it in the public interest.</li> <li>Application processing time also depends on how long proponents take to respond to comments, which is beyond municipal control.</li> </ul>
20. Fund the creation of "approvals facilitators" with the authority to quickly resolve conflicts among municipal and/or provincial authorities and ensure timelines are met.	Potential to Support	<ul> <li>While staff are generally supportive of facilitation as a tool to resolve conflict, it is unclear how these "approvals facilitators" would be different than the current Office of the Provincial Land and Development Facilitator.</li> <li>Further information is needed regarding the facilitators' role, authority, and when they can be engaged, including pre or post appeal to the Ontario Land Tribunal (Tribunal).</li> </ul>
21. Require a pre-consultation with all relevant parties at which the municipality sets out a binding list that defines what constitutes a complete application; confirms the number of consultations established in the previous recommendations; and clarifies that if a member of a regulated profession such as a professional engineer has stamped an application,	Do not Support	<ul> <li>City of Markham staff provide a complete application document to the proponent outlining required studies and information.</li> <li>It is unclear what is meant by "confirms the number of consultations established in the previous recommendations".</li> <li>Stamping a study by regulated professional, such as a P.Eng., does not mean that the study is complete or appropriate. For example, transportation studies have been known to omit critical components. Similarly, a development transportation study can assume a certain modal split without including the necessary transit and Transportation Demand Management plans to achieve that modal split.</li> </ul>

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<ul><li>the municipality has no liability and no additional stamp is needed.</li><li>22. Simplify planning legislation and</li></ul>	Support	Simulifying planning logislation and policy decomparts is
policy documents.		• Simplifying planning legislation and policy documents is supported.
23. Create a common, province-wide definition of plan of subdivision and standard set of conditions which clarify which may be included; require the use of standard province-wide legal agreements and, where feasible, plans of subdivision.	Do not Support	<ul> <li>Establishing a standard set of conditions or legal agreements will be challenging to develop and address local context, complexity and regional differences.</li> <li>Municipal planning should account and plan according to local conditions and context.</li> </ul>
24. Allow wood construction of up to 12 storeys.	Support	• Support if appropriate changes are made to the Building Code.
25. Require municipalities to provide the option of pay on demand surety bonds and letters of credit.	Potential to Support	• Further information is needed on surety bonds and if they can provide the same security as letters of credit and what it would achieve.
26. Require appellants to promptly seek permission ("leave to appeal") of the Tribunal and demonstrate that an appeal has merit, relying on evidence and expert reports, before it is accepted.	Potential to Support	<ul> <li>Potential to support Tribunal in determining merit of appeal and limiting frivolous or vexatious appeals earlier in the process.</li> <li>This process could be duplicative, potentially delaying the litigation process and making it more costly for all parties.</li> </ul>
<ul> <li>27. Prevent abuse of process:</li> <li>a) Remove right of appeal for projects with at least 30% affordable housing in which units are guaranteed affordable for at least 40 years.</li> </ul>	Do not Support	<ul> <li>Staff are concerned with removal of public process and ability to appeal.</li> <li>Further information and rationale is needed on the 30% minimum proportion of affordable units and 40 year affordability period.</li> </ul>
b) Require a \$10,000 filing fee for third-party appeals.	Do not Support	• The substantial fee increase from \$400 would likely preclude public participation from private citizens, a registered charity or a non-profit ratepayers' association. This unduly limits access to the appeal process and is a barrier that does not even exist in the court system.

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c) Provide discretion to adjudicators to award full costs to the successful party in any appeal brought by a third party or by a municipality where its council has overridden a recommended staff approval.	Do not Support	• The Tribunal already has the authority to award costs against a party if the conduct or course of a conduct of a party has been unreasonable, frivolous or vexatious or if the party has acted in bad faith. This authority provides sufficient deterrence from abuse of process and exceeding this would negatively limit public participation in appeals, tipping the balance significantly in favour of those with deep pockets. In the case of municipalities, staff recommendations are just that - recommendations. Council, as an elected body, is the decision-maker. Developers also receive advice and recommendations from professionals that they may or may not accept. To treat municipal councils differently does not uphold the Planning Act's purpose in section 1.1 (f) to recognize the decision-making authority and accountability of municipal councils in planning.
28. Encourage greater use of oral decisions issued the day of the hearing, with written reasons to follow, and allow those decisions to become binding the day that they are issued.	Support	• Support in cases that have limited issues or are not complex.
29. Where it is found that a municipality has refused an application simply to avoid a deemed approval for lack of decision, allow the Tribunal to award punitive damages.	Do not Support	• Staff do not support Recommendation 19 that proposes deemed approval of development applications if no decision is made within provincial timeline or Recommendation 29 that could award punitive damages on refused applications. There are various circumstances that influence the timing of approvals. To ascribe this to municipalities alone, with the threat of punitive damages, is excessive, would have undue financial implications and is not in the public interest.
30. Provide funding to increase staffing (adjudicators and case managers), provide market-competitive salaries, outsource more matters to mediators, and set shorter time targets.	Support	• Increased funding for Tribunal staffing to reduce workloads and resolve backlog would be beneficial. Increased Tribunal mediation and shorter periods for setting case management conferences and hearings are also supported.

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31. In clearing the existing backlog, encourage the Tribunal to prioritize projects close to the finish line that will support housing growth and intensification, as well as regional water or utility infrastructure decisions that will unlock significant housing capacity.	Potential to Support	<ul> <li>This could support cases that have been waiting for a hearing and would allocate resources for their resolution.</li> <li>Appeals of municipally-initiated Official Plans and Secondary Plans should be prioritized where appellants have simply put in placeholder appeals and have shown no effort to move forward, enabling the finalization of these large municipal endeavours.</li> </ul>
32. Waive development charges and parkland cash-in-lieu and charge only modest connection fees for all infill residential projects up to 10 units or for any development where no new material infrastructure will be required.	Do not Support	<ul> <li>This will put municipal financial sustainability at risk.</li> <li>There are also concerns for existing Parkland provisions if a specific area sees multiple infill activities that cumulatively put burden on existing parkland supply.</li> <li>Population growth will drive the need for services. All development should contribute to growth related costs.</li> </ul>
<ul><li>33. Waive development charges on all forms of affordable housing guaranteed to be affordable for 40 years.</li></ul>	Potential to Support	<ul> <li>As outlined above the rationale is unclear for a 40 year period.</li> <li>Financial assistance from senior levels of government is requested to support this recommendation.</li> <li>An option should be provided to develop discounted Development Charge Rate for affordable housing.</li> </ul>
34. Prohibit interest rates on development charges higher than a municipality's borrowing rate.	Do not Support	<ul> <li>A funding gap may result and interest rates are needed to mitigate the risk of Development Charge installment payments.</li> <li>Setting rates too low would reduce the municipality's purchasing power as land and construction values increase higher than the normal borrowing rates.</li> </ul>
<ul> <li>35. Regarding cash in lieu of parkland, s.37, Community Benefit Charges, and development charges:</li> <li>a) Provincial review of reserve levels, collections and drawdowns annually to ensure funds are being used in a timely fashion and for the intended purpose, and, where review points to a significant</li> </ul>	Do not Support	<ul> <li>Impacts a municipalities' ability to prioritize funding based on local needs.</li> <li>There are already rules in place for the collecting and spending of money for these reserves. Annual reports are presented to Council and submitted to the province. Halting the collection of payments based on a review is not appropriate.</li> </ul>

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concern, do not allow further collection until the situation has been corrected.		
b) Except where allocated towards municipality-wide infrastructure projects, require municipalities to spend funds in the neighbourhoods where they were collected. However, where there's a significant community need in a priority area of the City, allow for specific ward-to-ward allocation of unspent and unallocated reserves.	Do not Support	<ul> <li>This would impact municipal ability to plan based on identified needs.</li> <li>In the case of parkland, some neighbourhoods could have a deficit and municipalities should have control on where cash-in-lieu should be allocated to balance parkland provision throughout the municipality.</li> </ul>
36. Recommend that the federal government and provincial governments update HST rebate to reflect current home prices and begin indexing the thresholds to housing prices, and that the federal government match the provincial 75% rebate and remove any clawback.	Potential to Support	• Staff support financial incentives from senior levels of government to support housing but require further information on what this recommendation would achieve.
37. Align property taxes for purpose-built rental with those of condos and low-rise homes	Support	• Markham's tax rates are the same for rental and ownership.
38. Amend the Planning Act and Perpetuities Act to extend the maximum period for land leases and restrictive covenants on land to 40 or more years.	Support	• Longer term land leases can provide more security to property owners and can be used to assist in implementing affordable housing initiatives.
39. Eliminate or reduce tax disincentives to housing growth.	Do not Support	• This recommendation needs clarity as to what is meant by disincentives, which level of government collects the referenced

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		tax and consider focusing on affordable or purpose built rental housing.
40. Call on the Federal Government to implement an Urban, Rural and Northern Indigenous Housing Strategy.	Support	• This recommendation recognizes that there is a Federal role in developing strategies that address the housing needs in rural and urban areas and among different communities such as Indigenous peoples.
41. Funding for pilot projects that create innovative pathways to homeownership, for Black, Indigenous, and marginalized people and first- generation homeowners.	Support	• Pilot projects which provide a path to homeownership for marginalized people can be supported.
42. Provide provincial and federal loan guarantees for purpose-built rental, affordable rental and affordable ownership projects.	Support	• Addressing access to financing for affordable housing would remove an often identified barrier by housing proponents.
43. Enable municipalities, subject to adverse external economic events, to withdraw infrastructure allocations from any permitted projects where construction has not been initiated within three years of build permits being issued.	Potential to Support	• Clarity is needed regarding the extent of "subject to adverse external economic events".
44. Work with municipalities to develop and implement a municipal services corporation utility model for water and wastewater under which the municipal corporation would borrow and amortize costs among customers instead of using development charges.	Do not Support	• Water is a growth related charge and new infrastructure should be paid by those entities that are causing the need for it through Development Charges.

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45. Improve funding for colleges, trade schools, and apprenticeships; encourage and incentivize municipalities, unions and employers to provide more on-the-job training.	Support	• Labour challenges due to declines in trades are often identified as a cost in housing delivery and a challenge for the building industry.
46. Undertake multi-stakeholder education program to promote skilled trades.	Support	• Labour challenges due to declines in trades are often identified as a cost in housing delivery and a challenge for the building industry.
47. Recommend that the federal and provincial government prioritize skilled trades and adjust the immigration points system to strongly favour needed trades and expedite immigration status for these workers, and encourage the federal government to increase from 9,000 to 20,000 the number of immigrants admitted through Ontario's program.	Support	• Labour challenges due to declines in trades are often identified as a cost in housing delivery and a challenge for the building industry.
<ul> <li>48. The Ontario government should establish a large "Ontario Housing Delivery Fund" and encourage the federal government to match funding. This fund should reward: <ul> <li>a) Annual housing growth that meets or exceeds provincial targets</li> </ul> </li> </ul>	Do not Support	• The ability to meet targets is not entirely in municipal control.
b) Reductions in total approval times for new housing	Do not Support	• Approval times for housing are not entirely in municipal control.
c) The speedy removal of exclusionary zoning practices.	Potential to Support	• Clarity is required on exclusionary zoning practices and funding should be provided to support the process of removing exclusionary zoning.

Report of the Ontario Housing Affordability Task Force Recommendation	Support / Potential to Support / Do not Support	Comments
49. Reductions in funding to municipalities that fail to meet provincial housing growth and approval timeline targets.	Do not Support	• The ability to meet targets is not entirely in municipal control.
50. Fund the adoption of consistent municipal e-permitting systems and encourage the federal government to match funding. Fund the development of common data architecture standards across municipalities and provincial agencies and require municipalities to provide their zoning bylaws with open data standards. Set an implementation goal of 2025 and make funding conditional on established targets.	Potential to Support	<ul> <li>The City of Markham has implemented an e-permitting system known as "EPlan" that provides online application, review, approvals and inspection services for Development Services applications (both planning and building). While staff are supportive of the province funding development of e-permitting systems as options for municipalities, further discussion is needed to determine how provincial e-permitting systems can work with EPlan.</li> <li>For municipalities with existing e-permitting systems such as Markham, it is appreciated the province is providing funding through the Streamline Development Approval Fund to upgrade the existing system and would also support further funding for future upgrades to support municipalities across Ontario.</li> <li>Staff are supportive of establishing common data standards and open data for all development.</li> <li>It is equally important that provincial agencies involved in application review also adopt compatible e-permitting systems to allow proper integration of the municipal and provincial plans review processes. Currently some external agencies are not participating in EPlan which causes extra time and delay in sorting and uploading application information to external agencies.</li> </ul>
51. Require municipalities and the provincial government to use the Ministry of Finance population projections as the basis for housing need analysis and related land use requirements.	Do not Support	<ul> <li>Ministry of Finance projections are based on selected demographic variables and do not consider impacts of policy directions such as within the Growth Plan that seek specific growth management outcomes.</li> <li>It would not be possible to keep planning documents up to date as Ministry of Finance updates their population projections annually.</li> </ul>
52. Resume reporting on housing data and require consistent municipal reporting,	Potential to Support	Support collection and sharing of housing data.

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enforcing compliance as a requirement for accessing programs under the Ontario Housing Delivery Fund.		• Do not support compliance linked to Ontario Housing Delivery Fund outlined in Recommendation 48.
53. Report each year at the municipal and provincial level on any gap between demand and supply by housing type and location, and make underlying data freely available to the public.	Do not Support	<ul> <li>Upper and single tier municipalities prepare monitoring reports on affordable units and are responsible for land needs assessment under the Growth Plan.</li> <li>Data and resources are not readily available to analyze demand and supply gaps annually.</li> </ul>
54. Empower the Deputy Minister of Municipal Affairs and Housing to lead an all-of-government committee, including key provincial ministries and agencies, that meets weekly to ensure our remaining recommendations and any other productive ideas are implemented.	Potential to Support	• Support cross-government and agency coordination to support housing outcomes, including consultation with municipalities.
55. Commit to evaluate these recommendations for the next three years with public reporting on progress.	Potential to Support	• Support evaluation and monitoring of implemented recommendations.