

# **Barriers to Affordable Housing in Land Use Planning Systems**

Northwest Territories  
Round Table  
Summary Report

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700 Montreal Road  
Ottawa, Ontario K1A 0P7

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Société canadienne d'hypothèques et de logement  
700, chemin Montréal  
Ottawa (Ontario) K1A 0P7

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## Northwest Territories Round Table Executive Summary

### Introduction

Across Canada, growing attention is being paid to the role of the land use planning systems as a key element in the supply of all housing, particularly affordable housing. CMHC commissioned a qualitative research project to identify the systemic barriers that most affect supply in planning systems. This Roundtable Series also explored the regional expression of these barriers.

### Background on Roundtable Series

In 2022, 10 virtual roundtables in regions across Canada brought together key stakeholders, including planners, developers and affordable housing professionals. The regions were selected intentionally to respect the regionally specific land use planning systems.

The discussions aimed to document the most common or systemic barriers to building new affordable housing and to retaining existing affordable housing, by region and then summarized nationally. Participants identified what they saw as the main barriers within their respective areas of expertise. Given the varied regulations at the provincial/territorial level, the group discussed what was being done in their region to address these barriers. Participants also recommended potential improvements and highlighted the groups who are overly affected by the barriers identified.

This will be an important factor in reaching CMHC's 2030 goal of all Canadians having a home they can afford and that meets their needs.

### The Northwest Territories Roundtable

One Roundtable session took place in the Northwest Territories on November 9, 2022. Organizers invited 33 individuals, with five ultimately took part. An additional follow-up interview was conducted with one more participant on January 5, 2023, and two others submitted written responses. Participants shared experiences from living or working in Yellowknife, Dettah, Nahanni Butte, Behcho'ko and Sahtu, and represented perspectives from the Northwest Territories Government and Housing Corporation, First Nations, and private development and architecture practice.

#### Here are the main barriers we heard:

*Note that barriers are listed from most to least discussed.*

#### 1 – Barriers to *creating new* affordable housing in land use planning systems

##### Theme #1: Land availability

- Not having access to land is a major barrier to providing housing.
- The cost of lot development and infrastructure is high in the North.
- Many different types of land tenure can result in delays and bureaucratic red tape.

##### Theme #2: Affordable housing landscape

- The Northwest Territories Housing Corporation has historically been the dominant affordable housing provider, but decentralizing this could better tailor housing to local needs.
- The role of community governments is changing and this brings challenges and uncertainty.

- A lack of administrative capacity or limited experience building housing can present challenges to communities looking to take on new roles in housing.

**Possible solutions:**

- Give communities time and support to define how housing should look, build local capacity and trust in their own institutions.
- Support local capacity through agency, government and professional partnerships or cooperation

**Theme #3: Zoning**

- Many communities do not have enough land zoned for multi-family residential.

**Other themes: Community opposition and input, planning and policy systems, housing options, development costs, Indigenous governance challenges and funding and financing**

- Community opposition can cause delays, especially for low income or social housing.
- Policy limitations can raise costs or prevent affordable housing.
- Local planning tools are critical in ensuring available land and housing but face competing funding priorities.
- There is a lack of rental options in smaller communities.
- High construction, shipping and labour costs slow development and make housing unaffordable without subsidies.
- Indigenous governments face unique challenges and complicated agreements with territorial and federal governments.
- Communities struggle to raise enough money to ensure affordability.
- Short funding timelines affect long-term planning and commitments.

**Possible solutions:**

- Proactive community engagement and building trust can address community opposition.
- Updated zoning can help address opposition to higher density housing.
- Community housing plans can support community engagement and ongoing consultation with the housing corporation.
- Communities need a mix of housing options to be responsive to population needs.
- Investment from private and Indigenous organizations can help provide market housing.
- Creative financing tools could support more affordable housing.

**2 - Barriers to *preserving* affordable housing in land use planning systems**

**Theme #1: Operations and maintenance**

- High operations and maintenance costs in the NWT are a major expense and a barrier to preserving and building affordable units.

**Theme #2: Efficient use of stock**

- Vacant federal government housing stock and residential land is slow to be made available.

**Theme #3: Impacts on communities**

- A lack of affordability pushes residents out of communities or prevents them from returning.

## Résumé de la table ronde des Territoires du Nord-Ouest

### Introduction

Au Canada, on s'intéresse de plus en plus au rôle des systèmes d'aménagement du territoire en tant qu'élément clé de l'offre de logements, en particulier de logements abordables. La SCHL a commandé un projet de recherche qualitative afin de déterminer les obstacles systémiques qui ont le plus d'incidence sur l'offre dans les systèmes de planification. Cette série de tables rondes a également porté sur les obstacles régionaux.

### Contexte de la série de tables rondes

En 2022, 10 tables rondes virtuelles ont eu lieu pour diverses régions du Canada. Elles ont réuni des parties prenantes clés, notamment des urbanistes, des promoteurs et des professionnels du logement abordable. Les régions ont été sélectionnées dans le but précis de respecter les systèmes d'aménagement du territoire propres à chacune.

Les discussions visaient à documenter les obstacles les plus courants ou les obstacles systémiques à la construction de logements abordables ainsi que les obstacles à la préservation des logements abordables existants, par région, puis à les résumer à l'échelle nationale. Les personnes qui y ont participé ont indiqué ce qu'elles percevaient comme les principaux obstacles dans leurs domaines d'expertise respectifs. Étant donné la diversité des règlements provinciaux et territoriaux, le groupe a discuté des mesures prises dans chaque région pour éliminer ces obstacles. Les participants ont également recommandé des améliorations possibles et indiqué les groupes les plus touchés par les obstacles relevés.

Il s'agira d'un facteur important pour atteindre l'objectif de la SCHL pour 2030 : faire que tout le monde au Canada puisse se payer un logement qui répond à ses besoins.

### Table ronde des Territoires du Nord-Ouest

Une table ronde a eu lieu pour les Territoires du Nord-Ouest le 9 novembre 2022. Les organisateurs ont invité 33 personnes, et 5 y ont pris part. Une entrevue de suivi supplémentaire a été menée avec un participant de plus le 5 janvier 2023. Deux autres participants ont, quant à eux, soumis des réponses écrites. Les participants ont partagé leurs expériences de vie ou de travail à Yellowknife, à Dettah, à Nahanni Butte, à Behcho'ko et au Sahtu. Ils ont présenté le point de vue du gouvernement et de la Société d'habitation des Territoires du Nord-Ouest, des Premières Nations et du secteur privé de l'aménagement et de l'architecture.

#### Voici les principaux obstacles mentionnés :

*Veillez noter que les obstacles sont énumérés par ordre décroissant (ceux dont il a le plus été question figurent en premier).*

#### 1 – Obstacles à la *création* de logements abordables dans les systèmes d'aménagement du territoire

##### Thème 1 : Disponibilité des terrains

- Le fait de ne pas avoir accès à des terrains constitue un obstacle majeur à l'offre de logements.
- Les coûts liés à l'aménagement des terrains et aux infrastructures sont élevés dans le Nord.

- Le fait d'avoir de nombreux types de régimes fonciers peut entraîner des retards et des formalités administratives.

### **Thème 2 : Paysage du logement abordable**

- La Société d'habitation des Territoires du Nord-Ouest a toujours été le principal fournisseur de logements abordables. Décentraliser cette responsabilité pourrait cependant permettre une meilleure adaptation du logement aux besoins locaux.
- Le rôle des administrations communautaires évolue, ce qui crée des défis et de l'incertitude.
- Le manque de capacités administratives et l'expérience limitée en construction résidentielle peuvent présenter des défis pour les collectivités qui cherchent à assumer de nouveaux rôles dans le domaine du logement.

#### ***Solutions possibles :***

- Donner aux collectivités le temps et le soutien nécessaires pour définir ce à quoi devrait ressembler le logement, et renforcer les capacités locales et la confiance dans leurs propres institutions.
- Soutenir la capacité locale grâce à des partenariats ou à la coopération d'organismes, de gouvernements et de professionnels.

### **Thème 3 : Zonage**

- De nombreuses collectivités n'ont pas suffisamment de terrains zonés pour accueillir des immeubles de logements collectifs.

### **Autres thèmes : Opposition et participation de la collectivité, systèmes de planification et de politiques, options de logement, coûts d'aménagement, défis de gouvernance liés aux Autochtones et financement**

- L'opposition de la population locale peut entraîner des retards, surtout dans le cas des logements sociaux ou des logements destinés à des personnes à faible revenu.
- Les limites des politiques peuvent faire augmenter les coûts ou empêcher l'aménagement de logements abordables.
- Les outils de planification locaux sont essentiels pour assurer la disponibilité des terrains et des logements, mais il faut composer avec des priorités de financement concurrentes.
- Il y a un manque de logements locatifs dans les petites collectivités.
- Les coûts de construction, d'expédition et de main-d'œuvre élevés ralentissent la création de logements et rendent le logement inabordable sans subventions.
- Les gouvernements autochtones doivent composer avec des défis uniques et des ententes complexes avec les gouvernements territoriaux et le gouvernement fédéral.
- Les collectivités ont du mal à obtenir des fonds suffisants pour assurer l'abordabilité.
- Les courts délais de financement ont une incidence sur la planification et les engagements à long terme.

#### ***Solutions possibles :***

- Consulter la population de façon proactive et établir un climat de confiance pour aider à réduire l'opposition de la collectivité.
- La modification du zonage peut aider à réduire l'opposition aux ensembles résidentiels de forte densité.
- Les plans de logement communautaire peuvent soutenir la mobilisation de la communauté et les consultations continues avec la société d'habitation.

- Les collectivités ont besoin d'un choix de logements diversifié pour répondre aux besoins de la population.
- Les investissements d'organismes privés et autochtones peuvent aider à fournir des logements du marché.
- Des outils de financement créatifs pourraient permettre de créer davantage de logements abordables.

## **2 – Obstacles à la *préservation* des logements abordables dans les systèmes d'aménagement du territoire**

### **Thème 1 : Exploitation et entretien**

- Les coûts d'exploitation et d'entretien élevés dans les Territoires du Nord-Ouest sont une dépense importante et un obstacle à la préservation et à la construction de logements abordables.

### **Thème 2 : Utilisation efficace du parc de logements**

- Le parc de logements et les terrains résidentiels vacants du gouvernement fédéral tardent à être mis à disposition.

### **Thème 3 : Incidences sur les collectivités**

- Le manque de logements abordables oblige les résidents à quitter leurs collectivités ou les empêche d'y revenir.

# **Systemic Barriers to Affordable Housing in Land Use Planning Systems**

CMHC Roundtable Series

**Northwest Territories Session Summary Report**

May 31, 2023



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# A) Introduction

## Background on Roundtable Series

In a recent update to its Corporate Strategy (the Strategy), the Canada Mortgage and Housing Corporation (CMHC) identified three main outcomes needed across the housing system in Canada to reach its 2030 goal of everyone having a home they can afford and that meets their needs. One of the outcomes set out in the Corporate Strategy is for Canada to have the quantity and mix of housing options to serve diverse needs (as identified by communities and individuals). Having sufficient housing options and supply is an important component of creating and maintaining affordable housing for all.

CMHC identified two areas of prioritization to achieve this outcome including:

- Current and future housing needs and supply gaps are understood by system participants
- Removal of barriers to building new affordable and retaining existing housing

To work towards realizing these strategic results, CMHC engaged SHS Consulting to conduct a series of ten (10) virtual roundtables in regions across Canada over the later half of 2022 to document examples of systemic barriers in the planning system and identify solutions to those barriers.

The overarching objectives of the roundtable series were to:

1. Gain knowledge from developers and affordable housing professionals on local planning issues that are negatively impacting their ability to provide, preserve, and facilitate access to affordable housing
2. Gather opinions from key stakeholders on their experiences with barriers to affordable housing
3. Highlight key barriers and challenges in each region researched
4. Identify problems that are systemic and/or common to many cities and planning systems
5. Solicit solutions to the identified barriers and challenges

Within these sessions, participants were asked a series of questions about barriers and potential solutions in two key areas:

- a) Creating new affordable housing
- b) Preserving existing affordable housing

Participants were asked to identify what they viewed as the main barriers within their respective areas of expertise, what was being done in their region to address these barriers and/or what they wished was being done differently, and if they were aware of how these challenges were being addressed in other jurisdictions across Canada or internationally. Participants were also asked for their input on the population groups that experience disproportionate impacts related to the barriers identified.

## **The Northwest Territories Session**

The Northwest Territories Session took place on November 9, 2022. Overall, there were 33 individuals invited to participate in this session, with five (5) ultimately taking part. An additional follow-up interview was conducted with one (1) additional participant on January 5, 2023, and two (2) additional participants submitted written responses. Participants shared experiences from living or working in Yellowknife, Dettah, Nahanni Butte, Behcho'ko and Sahtu, and represented perspectives from the Northwest Territories Government and Housing Corporation, First Nations, and private development and architecture practice.

Participants were recruited through CMHC internal contact lists, and with further support from CMHC's Planning Advisory Council (PRAC). It should be noted that, while very valuable qualitative information was collected through this session, these participants do not constitute a representative sample of perspectives that may exist across this region. The report reflects the opinions, expertise and experience of the participants who took part in the session and, as such, may not capture other important perspectives and factors related to barriers in land use planning and broader housing systems.

## **Report Structure**

This report summarizes key highlights from the Northwest Territories Session. It is organized into three sections. The first section examines key themes related to barriers and solutions in the context of creating new affordable housing. The second section examines the same in the context of preserving affordable housing. The final section identifies some of the key insights that can be drawn across the themes and subthemes that emerged from the Roundtable discussion.

## B) Creating New Affordable Housing: Barriers and Solutions

This section summarizes the barriers and potential solutions participants raised in the context of creating new affordable housing. The information is organized into a series of themes and associated subthemes.

### **Theme #1: Land Availability**

#### ***a) Sufficient land availability is a major barrier to the provision of housing.***

Many participants stressed the importance of land availability in providing housing. As one participant put it, housing has to go somewhere, and pre-construction issues are critical to this. According to a participant from the Northwest Territories (NWT) Government, communities have cited that not having access to land has been a barrier to growth. This participant suggested that a major part of a community government's<sup>1</sup> role as it relates to housing is to ensure that land is available in the right place at the right time to support housing starts. Participants emphasized particular challenges related to servicing land and navigating complications around land tenure.

#### ***b) Servicing land is costly and falls to community governments who face competing priorities.***

Community governments in the NWT are responsible for planning, construction and operation of all community public infrastructure which includes community land use, planning processes and land development projects.

During the session, one participant stressed that the cost of lot development and infrastructure is significantly higher in the North relative to the provinces. They expressed challenges around the fact that getting capital funding for housing and processes for securing and servicing land are separated through a variety of bureaucratic functions. As explained by a participant from the Department of Municipal and Community Affairs (MACA), a community must identify an area for future growth through their planning process (discussed further under Planning and Policy Systems), then subdivide and survey land, and finally build relevant services, such as roads, power,

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<sup>1</sup> The Northwest Territories is made up of 33 communities. Of these communities, 24 are municipalities, which includes cities, towns, villages, hamlets, charter communities, and self-governments, and which are subject to territorial legislation for municipalities. Another 9 communities are designated authorities, which are First Nation communities within the jurisdiction of the federal government's *Indian Act*. Designated authorities are not subject to territorial legislation although deliver municipal like services to residents through contractual agreements with the territorial government. Throughout this report, the term 'community government' is used to refer to both municipalities and designated authorities.

and drainage. This investment is the responsibility of community governments, who must service lots before they can be leased to the housing corporation for housing, as an example. The participant noted that there may be differences in opinion or understanding relating to whether and how capital planning funds should be put towards developing lands, and many other demands can compete for the same pool funds.

The representative from MACA provided an example where the Hamlet of Tulita, a community of approximately 500 people used their capital planning process, and a 5-year capital plan to allocate their community public infrastructure funding they receive from the NWT government. The community government allocated approximately one million dollars to develop some land the municipality owned and had zoned the land residential use. As part of the multi phased land development project, the municipality hired a professional planning consultant to provide design options for a 36-lot subdivision. The locally approved subdivision was then submitted to the Department of Lands for territorial government approval. Through the support of a hired project manager by the municipality, the coordination of road construction, power servicing, drainage and legal survey activities was supportive toward the first phase of the project. The first phase prepared 8 serviced lots. The hamlet was successful in securing federal funding to purchase 8 modular homes, which were transported by a barge up the Mackenzie River in the fall of 2022. The participant expressed that they were able to accomplish this by taking on the role of a housing supplier, and land developer, which was a different role than they had ever been involved.

***c) The Northwest Territories has varied and unique forms of land tenure, and challenges and delays can arise from bureaucratic or other barriers.***

Many participants pointed out that land tenure in the Northwest Territories is complicated relative to the provinces. There are many different types of land tenure, including municipal land, territorial land, land owned by Indigenous organizations, Commissioner's land<sup>2</sup>, and Indian Affairs Branch land (which is unique to the Northwest Territories)<sup>3</sup>. Each faces their own challenges with regards to access.

A few participants pointed out that where the housing corporation or a community government has land tenure, such as in the case of the Hamlet of Tulita, the process of development is much quicker than in places where land needs to be identified and assembled or tenure needs to be determined. As one participant explained, land can be physically available but unable to be developed due to bureaucratic 'red tape'. The participant described a community where unsurveyed land has been designated as 'Hinterland' by the territorial government. It will require several years of paperwork to change the zoning, create lot lines, and work out a lease or change

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<sup>2</sup> Commissioner's land is a type of public land that is managed and administered by the Government of the Northwest Territories.

<sup>3</sup> Indian Affairs Branch (IAB) land is federal Crown land that has been set aside to be used for residential purposes in Indigenous communities.

in ownership for each parcel before it can be developed. Further, many communities do not have the administrative capacity to take on such a challenge. The participant felt that these barriers are a result of the ongoing legacy of colonialism.

One participant spoke about the challenges for an unsettled First Nation in particular, where access to land is complicated and tenuous, and is shaped by unique agreements with both the territorial and federal governments. Additionally, the potential for changing urban boundaries has implications for how land is planned and serviced. A couple participants also noted that Indigenous-owned lands, Commissioner's Land, or unsettled land claims carry the Duty to Consult with the NWT Government, and sufficient timelines need to be planned to support this.

Participants discussed how land tenure additionally impacts private development. For example, if a development does not have at least a 30-year lease, CMHC will not underwrite the development or provide traditional financing. A participant from the development industry pointed out that the proliferation of private housing is predicated on privately owned land. They suggested that if ownership is not a possibility, particularly in remote areas, long-term leases are needed for developers to build housing and acquire appropriate revenue streams. This could help bring more capital and housing into remote areas.

## **Theme #2: Affordable Housing Landscape**

### ***a) The territorial housing corporation has historically been the dominant affordable housing provider, however participants supported the ongoing process of decentralization.***

A couple participants explained the Northwest Territories Housing Corporation (NWTHC) has held a monopoly on providing affordable housing in the territory for over 50 years. This is another factor that distinguishes the territory from Canadian provinces, which do not have one dominant housing provider in this way.

Participants acknowledged that NWTHC's role is changing in this regard, and some expressed a desire to see more housing providers. As one participant put it, communities know the needs of their populations, and decentralizing the housing model can allow community governments or providers to better tailor the housing to local needs, rather than a one-size fits all solution across the territory. The participant suggested that this can also support the local economy by providing community-based employment for the ongoing operations and maintenance of developments. Another participant pointed out that the private market is limited, and there are no robust civil society organizations to fill in the gaps between housing from NWTHC and other development. They suggested that First Nations governments, the housing corporation, and civil society organizations (non-profits) need to work together on this front.

A representative from NWT HC discussed both the benefits and challenges of decentralization. On one hand, centralization has the ability to leverage resources across different communities, resulting in potential cost savings. As an example, NWT HC has local housing organizations in 26 communities that operate as agents of NWT HC in providing administration and maintenance of local units. This service could be more costly if organizations were independent in each community. On the other hand, the participant identified the benefits of greater autonomy and authority of the local community to target resources based on local need.

***b) Community governments' relationship to housing provision vary, and some are seeking new roles.***

These changing dynamics have implications for community governments' roles in relation to housing. One participant provided the example of the Yellowknives Dene First Nation, who are actively exploring becoming a new player in the affordable housing sector. They noted that while NWT HC is in the process of changing their role in relation to housing, there will be uncertainty and challenges moving forward. It is unclear who the housing providers may be in 6 months, let alone one to several years, and this will vary based on community. This change may also look different for Indigenous communities depending on the nature of their settlements and access to land.

A participant from the Department of Municipal and Community Affairs affirmed that the relationship to housing can differ across community governments. They suggested that many community governments are service providers, not housing providers and promoted the idea that in many cases, the community government's responsibility is ensuring that land is available to facilitate housing starts, such as by the housing corporation. Alternatively, if the community government can acquire funding for housing, they may provide it themselves, such as in the case of the Hamlet of Tulita (discussed under Land Availability). They also felt that there is interest by some Indigenous governments in taking on more of a role in housing. In contrast, a participant from NWT HC provided the examples of Tłı̄ch̄o and Délı̄ne, which have signed self-government agreements. While they do have the ability to draw down housing jurisdiction through that agreement, they have chosen not to do so as of yet.

The participant from MACA suggested that community plan reviews or community housing plan processes (discussed further under Planning and Policy Systems) can be one way for communities to explore their roles in relation to housing, as well as the tools they have available to support it.

***c) Administrative and community capacity can be a challenge for community governments looking to service land or build housing.***

A few participants discussed local governments' challenges around capacity in relation to preparing land and building housing. A couple participants spoke to the lack of administrative capacity. Many communities are just starting to adopt community plans and zoning by-laws or

may not have robust experience processing development permit applications. Similarly, they may not have the administrative infrastructure to support zoning, surveying, and other bureaucratic functions to ensure land is ready for development. Challenges can also arise due to turnovers and changes in leadership at the mayoral, council, and senior administrative level.

As one participant pointed out, when communities have not been part of the process of building homes for generations they lack the particular understanding around it, and this can have implications for supporting community-based design. They expressed that communities are able to identify what housing is needed, but how to get it in the ground is a challenge. The participant advocated for ensuring sufficient time, effort, and money to engage the community in a process of defining what housing should look like for them. This involves both an education piece and trying to build trust between communities and their own institutions following such a long period of monopoly.

***d) Agency, government and professional partnerships or cooperation may support local capacity and autonomy.***

The participant from NWT HC discussed the potential for partnerships between NWT HC and local organizations or community governments. For example, local communities could own units, while NWT HC could provide services or staff to support ongoing maintenance as a way to seek efficiencies. They provided an example out of Fort Good Hope where the housing corporation provided funding and in-kind services to a local group seeking to do maintenance on homeownership units. The corporation has also provided plans, drawings and estimates to organizations looking to build housing, and the participant expressed openness to working with Indigenous governments on what they see benefiting their communities, including by providing housing or funding.

A participant with the Department of Municipal and Community Affairs pointed out that they can provide support in some cases, for example in administering the development permit process where the housing corporation may wish to build. Further, the planning legislation requires that community governments work with a professional planning consultant when reviewing community plans and they felt that this can bring experience, knowledge, and capacity when developing these plans. They attributed Tulita's success in part to support of the professional planning consultant who helped with the subdivision design.

During a separate discussion a participant who works with a First Nation noted that there are solutions being sold in the north that may not be the best options for a local community, and communities will need time and support to work through these decisions.

## **Theme #3: Zoning**

### ***a) Where zoning does exist, it can present barriers for the development of multi-family housing.***

Participants acknowledged that many communities do not have zoning in the Northwest Territories. In smaller communities, zoning is not of particular concern as compared to other Canadian jurisdictions. That being said, participants did discuss the question of zoning and density for some communities. A representative from NWT HC shared that the housing corporation is trying to move away from single family dwellings, particularly for social housing, but in many communities there is not enough land zoned for multi-family residential. A second participant agreed that increased density is more sustainable and provides for easier operations and maintenance. Where the zoning will allow, added density allows for more units on the same lot for the same amount of work for the land assembly and administrative regulatory processes. A couple participants noted that some communities have rezoned to accommodate higher densities in some areas, including moving from specific residential zone categories to mixed use or community use zoning, which permits all types of housing. A participant also cited the example of Hay River, where as part of the community housing plan they have discussed permitting garden suites through the zoning by-law update.

## **Theme #4: Community Opposition and Input**

### ***a) Community opposition can result in delays, particularly in response to social housing or increased density.***

A few participants cited pushback or 'Not In My Backyard' sentiments as a barrier to housing. Participants shared that this is a particular challenge in larger communities, and in response to low income or social housing, which carries an unfair stigma. Opposition was also reported toward duplexes where residents want to retain a single-family dwelling character. This pushback can take place at the by-law and review level, and has resulted in several appeals that have caused delays. A representative from the department of Municipal and Community Affairs noted the importance of having appeal options, however. They explained that appeals are regulated at the local level, and despite misconceptions that anyone can appeal for any reason, the territorial legislation does provide provisions for how appeals are granted, and municipalities will incorporate these provisions into zoning by-laws. One participant felt that the influx of people who could not find accommodation in their communities into Yellowknife or other larger centres can put strain on those centres' municipal and housing systems, leading to NIMBY sentiments.

***b) It is important to distinguish community opposition from processes of self-determination within Indigenous and other communities.***

A participant on behalf of a First Nation specified that when discussing community opposition, there are two levels of community relationships being discussed, and that engagement can be understood as a bifurcated process. On one level, there is often the relationship between NWT HC and the Indigenous or small community they are working with. The second level refers to the relationship within the community itself, which may have a separate process for gaining community approval. Both involve complicated relationships that can slow down the overall process. The participant stressed that in relation to the first level, while NWT HC is undergoing a renewal process and outlining new ways to work with communities, this is still a complex interaction with various power dynamics. As such it is important to not reduce this dynamic down to 'NIMBY' sentiments when it relates to questions of self-determination. These processes of community participation are being navigated in new ways and they can be unique from other jurisdictions. The representative from NWT HC agreed that this reality is not simple.

***c) Proactive community engagement and building trust are ways to address community opposition and support community participation.***

A representative from NWT HC shared how the corporation has been promoting proactive communication and trying to get ahead of some of the challenges around community opposition. For example, after identifying what and where they want to build, the corporation has been sending out letters to community organizations and seeking discussions with different community leaders to determine any concerns communities may have. This has helped streamline the process and, in some cases, enabled the corporation to work with Indigenous and community organizations where they put in a request to negotiate a contract. The participant additionally stressed the importance of hearing from different communities in light of the corporation's changing relationship to community governments and new housing providers. The corporation has been working on community housing plans with some communities, and the participant felt that while not entirely sufficient, this is one tool contributing to this process.

Participants also touched on the notion of building trust. As part of this process of working with communities, the participant from the housing corporation stressed the importance of trust, saying it is difficult to build but easy to lose. They identified the corporation's renewal and rebranding process as one of rebuilding that trust, with communication being a major part of this. Similarly a participant pointed out that after over a half a century of centralized housing delivery, communities need to build trust in their own institutions to deliver appropriate housing. While this emphasis on building and maintaining trust can slow down engagement processes, it's worth it in the long run. In contrast, rushing these processes to meet short timelines associated with funding programs can make the housing sector worse.

**d) Updating zoning can help combat opposition to higher density dwellings.**

A participant from MACA identified an increase of mixed-used or community use zones in many community plans over the last 5 years, which allow for all types of housing and some commercial uses. The participant suggested that communities are trying to get away from zoning for specific types of housing and felt that this could help in readdressing single family dwelling areas. As such, duplexes may face less opposition as more community plan reviews are modernized in this way.

## **Theme #5: Planning and Policy Systems**

**a) Policy limitations can raise costs or prevent opportunities to provide affordable and responsive housing.**

Participants identified how policy limitations can cause challenges to affordability. A few participants noted that public procurement processes add to overall costs. Participants from the housing corporation expressed concerns that when the government puts out a public tender, the costs may be higher compared to private proponent's costs. As an example, the government has a business incentive policy that gives preference for local contracts to promote the development of the local labour force. In contrast the private industry may save money by bringing in outside workers. One participant expressed concerns that local businesses or government will inflate costs because it is a government tender, and that this can drive up the cost to rent the units or results in the tender being cancelled.

One participant acknowledged that funds could be saved if contractors were picked in a more private way, however pointed out that the government is working with public funds and should demonstrate that funds are being used in an open, transparent, fair and public process. Another participant stressed the need to make clear that projects are meant to house community members and are not intended for large profits. There is a need for collaboration between developers, community leaders, and business leaders, and in-person appeals to government, such as through council meetings, may help garner support.

A participant from NWT HC also cited limitations with the Northwest Territories Power Corporation's Net Metering policy<sup>4</sup>, which does not permit government agencies, such as the housing corporation to take advantage of net metering. The corporation does have seniors

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<sup>4</sup> The Net Metering program is open to electricity customers who own small, commercially proven, renewable energy generators. Net Metering allows customers to accumulate energy credits monthly for any excess electricity they produce to be used against those months when their usage exceeds their production. For more information, see:

[www.ntpc.com/customer-service/net-metering](http://www.ntpc.com/customer-service/net-metering)

facilities with solar arrays on them, however cannot pass on the associated savings to the residents because of this policy.

Finally, a participant from the private development industry felt that housing policies can lag the changing needs of populations as they evolve. They cited an example of communities lacking housing models that can accommodate for resident that move in and out of the community for short periods of time to work in the mines.

***b) While community planning tools are critical in preparing land and helping facilitate community discussions, they face competing funding priorities.***

Participants spoke to the value and implications of local planning tools in ensuring available land and housing. A participant from the Department of Municipal and Community Affairs (MACA) provided background information on this process and advocated for the importance of keeping these planning tools<sup>5</sup> current. The Department of Municipal and Community Affairs provides community public infrastructure funding to community governments that covers both infrastructure costs and planning costs, including creating or updating these planning tools, or capital planning projects associated with preparing land. While the territorial government encourages community governments to update their community land use planning tools every eight years, some communities take longer to initiative and prioritize planning projects during capital planning processes. The participant stressed several reasons communities may wish to ensure these plans are current.

Primarily, these planning tools are closely tied to ensuring an adequate supply of available land. For example, the Department of Lands will not issue leases to the housing corporation within a community unless the proposed land application conforms to that community's planning tool. Where this is not the case, for example where proposals are not in residential zones, amendments must be made to the planning tool before applications can go ahead, and this can cause delays. Furthermore, an important step during plan reviews is to identify future growth areas, as this is required to facilitate land transfers from the Department of Lands to community governments. A participant from the private development industry similarly shared their experience that many community plans have not been updated in 30 years, and this causes challenges for identifying developed land.

As the participant from MACA explained, undergoing plan reviews provides additional benefits. As discussed under Affordable Housing Landscape, community governments are required to work

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<sup>5</sup>Municipalities pass community plan by-laws and zoning by-laws, which are regulated by the Community Planning Development Act (CPDA), and in the case of the community plan by-law, is subject to approval by the Minister of Municipal and Community Affairs. Designated authorities cannot pass these by-laws, however can create a land use plan, which is not regulated by the territorial planning legislation (reviewed in the spirit and intent of the CPDA), yet provides a similar function. Both community plan and zoning by-laws, and land use plans are referred to as 'planning tools' or 'plans' throughout this section.

with a professional planning consultant when updating plans, and this can provide additional support and capacity with local goals, including around housing. Further, these reviews can provide a space for communities to discuss housing or other priorities and better determine their relationship to both providing housing or preparing land. In the example of Tulita, which recently took on a new role as a housing supplier, the participant suggested that the plan review process enabled them to have these conversations around housing. The participant also noted that the Duty to Consult may be triggered through plan reviews, and Indigenous consultation is often conducted through MACA. Undergoing Indigenous consultation as part of a plan review process may help address First Nation's interests in and near future growth areas and reduce conflict around future land transfer requests. It is important to note however, as discussed further under Indigenous Governance Challenges, that the ability for Indigenous governments to achieve self-determination is complicated, and may not be satisfied through such consultations alone.

While the participant discussed the value of this plan review, they recognized that funding can be a major barrier. The same pool of funds is used for planning reviews, capital projects, and infrastructure projects, and other priorities compete. As an example, a community may push off updating these tools where replacing a water truck or other municipal services takes precedence.

As for support, MACA is in the process of developing tools to support plan reviews, to be released in 2023 or 2024. The participant also explained that MACA collaborates with and encourages the Department of Lands and the Housing Corporation to become more aware of the planning process and to advocate and support the communities through these plan review processes. At present, MACA also provides tools to support with the request for proposal process when communities are retaining professional planning consultants, including a list of possible consultants.

***c) Community housing plans are an additional tool to support community engagement and define a community government's role in relation to housing.***

Community housing plans are a related mechanism that, as one participant described, support the implementation of community planning tools. They focus on housing priorities and programs that can be formatted to reflect the needs of a particular community. Examples could include repair programs for homeowners or new housing targeted for low-income residents. They can support the administration's understanding of what housing tools are available to them, create links between the capital planning process and the provision of housing, and promote community leadership. Further, as discussed under Community Opposition and Input, NWT HC has been working with communities governments to create community housing plans, and these can be one way to support ongoing consultation between the housing corporation and communities.

## **Theme #6: Housing Options**

### ***a) Communities need a mix of housing options to be responsive to changing and unique population needs.***

A few participants identified the value of having a variety of housing typologies in order to meet and respond to needs of different populations as they evolve. Participants discussed the example of communities requiring housing to support temporary workers in the mines. The communities did not have models of housing that could accommodate a resident moving in and out of a community for short periods of time. More options are needed to prevent these individuals from becoming homeless when they return to their home community.

The participant from the private development industry felt that it is challenging under a waged economy, as opposed to a subsidized economy, to have housing variety within each of the communities. They shared an example of a Senior Administrative Officer within a community expressing concerns over losing residents to Yellowknife, as residents in the waged economy could not find the flexibility of housing required. The participant was concerned that this migration into larger centres, such as Yellowknife and Hay River, contributes to housing challenges and community opposition in those centres.

The participant had observed that most of the successful models of tailoring housing to the needs of a particular community are done by the private sector. They felt that with a greater proliferation of housing providers, housing systems could be more responsive. They drew from an experience building a housing prototype for the Government of Nunavut, where they wished they had worked through an Inuit birthright group or larger landowners with housing presence in the community. They felt that this could provide a model that could reduce costs and provide competition within the marketplace for housing types that can be selected by users to match their lifestyles.

### ***b) There is a desire to see more investment in market housing from private industry and Indigenous organizations, and barriers to development are being explored.***

A couple participants specified that there is a lack of market housing, particularly in smaller communities, and private housing is poor quality where it does exist. In line with the above discussion on housing options, a participant from the NWT HC similarly expressed a desire for more market housing. They pointed out that a lack of market housing has led to hiring challenges for the government and other organizations. As such, the housing corporation is seeking investment from private and Indigenous organizations to help the government in areas where there is a market and the potential for them to be profitable.

A couple participants noted that in light of high development costs, it is a challenge for private developers to come up with sufficient capital and ensure profitability. Without some input of

capital, it is difficult to make the housing affordable. Further, as discussed under Land Availability, access to land can be a barrier, as private developers may struggle to access financing without sufficient leasing or ownership options.

A participant from NWT HC shared that the corporation is exploring barriers that private industry or Indigenous organizations are facing in getting into housing, and a paper will be forthcoming. A participant from the architecture and development industry shared their experience working in Japan, where the government would provide a subsidized mortgage at a reduced interest rate to promote secondary suites. They suggested this both made the procurement of housing affordable and put the responsibility on the private sector to develop that housing.

***c) There are limited private rental options, and challenges around construction costs and rental guarantees threaten feasibility.***

Participants discussed the challenges of providing private rental housing and noted the lack of rental options in smaller communities. One participant provided a breakdown of modern costs of construction relative to that of the 1970's. They argued that while feasible rents were achievable in past decades, modern day costs limit the ability to achieve reasonable rates of return while providing affordable rents. Costs are between \$450 and \$550 a square foot for a 3-storey walk-up, meaning a 1000 square foot unit with a ten-year capitalization rate would require \$4500 a month for a two-bedroom unit, without factoring in the land purchase and assembly costs. As such, developments need to be heavily capitalized over a long-term horizon, such as 20 years, and affordability will not be achievable without government subsidies or a rental mortgage program.

One participant felt that organizations or governments do not wish to be landlords due to challenges where tenants fail to pay rent. One participant connected this to the rent subsidy program in the territory. They explained that in other Canadian jurisdictions, a renter who qualifies for social assistance can acquire a voucher in order to access private housing. Housing providers in these areas thus have some guarantee that individuals who qualify for assistance can provide rental income. Providers could even tailor their rents to those rental allowances. In contrast, in the Northwest Territories, these allowances are directed by the housing corporation, and there is limited access within Indigenous communities. As such, Indigenous governments or Indigenous or private organizations take on more risk when attempting to build affordable private rental housing.

According to the participant from NWT HC, there are some internal discussions within the corporation around committing to long-term funding of private rental units. In essence, the corporation could guarantee rents for 75% of the units in a private development, allowing the developer to break even. The remaining 25% of units could support their profit margins and future renovations. That being said, the participant noted that this long-term commitment of funding can

present fiscal challenges, and explained that feasibility would need to be ensured on a case-by-case basis.

## **Theme #7: Development Costs**

### ***a) High construction costs slow development and render housing unaffordable without subsidies.***

Most participants cited the high cost of construction as a barrier to building affordable housing. One participant pointed out that costs in the Northwest Territories are much higher than in the provinces, and subsidies are required to ensure that what is being built is affordable to potential tenants or homeowners. Another outlined that costs have increased significantly over time, and there is now a reliance on old building stock to create affordable housing in Yellowknife. As an example, the city has seen some large apartment fires, yet no one has rebuilt them due to the high costs.

### ***b) Materials are limited by time-sensitive supply routes that cause logistical challenges and raise costs.***

Participants similarly discussed challenges around shipping logistics. Connectivity varies across communities and many rely on routes that are accessible for only a few months out of the year. For example, while some can access materials by year-round highways, others can only receive supplies through winter-only highways or once via barge. This causes additional challenges around logistics and raises costs.

### ***c) Labour shortages across the territory require contractors to travel, and incentives for local labour can raise costs.***

Participants identified labour shortages as a barrier for both building and maintaining housing. As one participant pointed out, there are only so many contractors across the territory, and not every community has all trades represented. This requires contractors to travel back and forth across communities, or to be brought in from the south. While the Government of the Northwest Territories has prioritized developing the contracting industry, this additionally impacts costs. For example, a government incentive provides preference for Northern and local employment as part of bid adjustment for work for the housing corporation, however this can increase the costs for such development.

## **Theme #8: Indigenous Governance Challenges**

### ***a) Indigenous governments face unique challenges in light of broader relationships to federal and territorial governments.***

A participant working with a First Nation stressed some of the unique complications Indigenous governments face. As previously discussed under Land Availability, First Nation's access to land, as well as their agreements with territorial and federal governments can be tenuous, complicated, and distinct. While some communities are in self-government situations, others are unsettled, and this leads to questions around jurisdiction, sovereignty, and self-determination, which ultimately affects goals to ensure housing for all. The participant acknowledged that these challenges are not sector-specific, but relate to broader relationships and current and historic agreements between Indigenous governments and the federal government. While local Indigenous governments may strive to take over care and control of housing, this is not the same as full determination in the housing sector that ties into these broader realities. Further, as discussed under Community Opposition and Input, the participant acknowledged that while NWTHC is seeking new ways to work with Indigenous governments, these are complicated interactions that carry power dynamics, and matters relating to self-determination should not be conflated with 'Not In My Backyard' sentiments.

## **Theme #9: Funding and Financing**

### ***a) Communities struggle to raise sufficient equity and compete for limited funds.***

While CMHC funding programs were outside the scope of this initiative, most participants repeatedly cited funding sources at all levels of government as a central barrier in providing affordable housing.

Participants emphasized the territory's small tax base and limited ability to generate revenue. External funds from federal or other partnership sources are necessary to leverage the limited funds the territory has in order to ensure affordability. Participants working in First Nation governments described accessing capital funding for both housing and pre-construction land costs as a 'massive' barrier for small communities, and expressed limited capacity to raise funds for the equity contributions or loan repayments needed for federal programs such as CMHC's Co-Investment fund.

Many participants expressed difficulties around competing for funds. One participant described the challenge of participating within nationally competitive processes and justifying why it costs four times the amount to build a house in the Northwest Territories compared to southern Canadian jurisdictions. Another explained that there is only one pot of funding for public housing

in the Northwest Territories despite so much need, and different agencies compete amongst each other. Further, as discussed under Planning and Policy Systems, communities face competition for different priorities that draw from one funding source, such as infrastructure repair and upgrades versus land preparation.

***b) Short funding timelines can impede long-range planning and hinder community trust and capacity building.***

As discussed throughout this report, preparing land, undergoing consultation, and building community trust and capacity comes with long timelines. In contrast, Government of Northwest Territories and CMHC funding timelines are provided and approved on much shorter timelines, in some cases annually. A couple participants described how this impedes long-term planning or commitments, such as for rental guarantees, and creates pressure to rush consultation, which can negatively impact community relationships.

***c) Smaller communities face barriers to accessing traditional financing, which still may not be enough to provide affordability.***

Participants also expressed barriers around accessing traditional financing. As one participant explained, in small communities, developers or Indigenous organizations struggle to get traditional financing where there is not a market, and CMHC may not underwrite. Proponents need at least a 30-year lease, and there is no ability to register a mortgage against Indian Affairs Branch land.

Another participant pointed out that outside of Indian Affairs Branch lands, Indigenous governments develop on reserve land through a Ministerial Loan Guarantee, wherein the Indigenous Services Canada Minister underwrites the loan. While this is currently being sorted out in the courts, it has not been possible for the last 50 years to receive Ministerial Loan Guarantees on Indian Affairs Branch Land, which can make up a large portion of First Nation's lands. The participant stressed the importance of this tool in enabling Indigenous governments to create housing, and they estimated that 90% of reserve communities in Canada develop land through this mechanism.

A third participant stressed the need for creative financing tools, citing the example of reduced interest rates on mortgages in Japan for secondary suites, saying that the territory has not been able to achieve affordability with a regular finance model for the past 25 years.

## C) Preserving Affordability: Barriers and Solutions

This section summarizes the barriers and potential solutions participants raised in the context of preserving affordable housing. Like the previous section, the information is organized into a series of themes and associated subthemes.

### **Theme #1: Operations and Maintenance**

#### ***a) The high costs associated with operations and maintenance present challenges for preserving and building affordable units and put tenants at risk.***

Most participants spoke to the challenges associated with the operations and maintenance costs in the Northwest Territories. As one participant put it, the cost of materials and labour to maintain housing is ‘absolutely enormous.’ This presents ongoing challenges to the housing corporation and other proponents to keep unit costs low and save capital for new housing, particularly where stock is aging. One participant noted that if housing is built cheaply from the onset, it becomes an ongoing liability due to high maintenance costs. This challenge is further exacerbated by the labour shortage, and costs and delays are increased where contractors need to be brought in from other communities.

There is a question of who pays for ongoing operations and maintenance, with one participant stressing that it is not possible for housing to be affordable if this must be fully paid by the user. Another participant cited a series of fires that have occurred in private housing. Residents are unable to pay for utility connections, and as a result are staying warm through other means that can cause fires. Even for those in public housing, the cost of utilities may be three or four times higher than the rent, putting the tenant at risk of eviction. Given the shifting role of NWT HC, one participant questioned what will happen to their existing units and who will bear these costs.

### **Theme #2: Efficient Use of Stock**

#### ***a) Vacant federal government housing and land stock should be made available readily and in a transparent manner.***

A participant from NWT HC expressed concerns surrounding housing stock and residential land owned by the federal government. They explained that this stock is slow to be made available, and it is unclear what criteria is being used where sales do take place. They cited a lot in Fort Simpson where two duplexes were demolished, and the residential land has remained vacant for a decade.

They advocated for limitations on the age or condition of multi-unit buildings being demolished, and for public conversations between the federal government and northern communities on the future of vacant houses and lands. They further explained that NWT HC will sell land and buildings that are deemed unsuitable to their needs, and gave an example in Inuvik, where the housing corporation sold a dated 22-unit apartment building to a purchaser who intends to renovate and make the building available to rent.

### **Theme #3: Impacts on Communities**

#### ***a) The lack of affordability pushes residents out of communities and severely impacts their quality of life.***

Although not within the scope of the discussion, at various points in the discussion participants raised impacts that the lack of affordability in the territory has on the population, which are briefly summarized here. Participants described residents being pushed out of or being unable to return to their home communities due to a lack accommodation. One participant described the negative quality of life in Yellowknife, saying residents overwork themselves, become burnt out, and leave. Where residents can find homes, they risk eviction when they cannot pay, and a participant spoke to the high rates of homelessness, citing a community where 15% of the population is chronically homeless.

## D) Key Insights from the Northwest Territories

There are several key insights that can be drawn across the themes presented in the above sections:

- Ensuring a **sufficient supply of land** is a **critical** step in providing housing and a major **responsibility** that falls to **community governments**.
- **Servicing land** represents a **high-cost burden**, and community governments face **bureaucratic challenges** and **competing priorities** in securing sufficient funds.
- **Land tenure** is particularly **complicated** in the Northwest Territories. Where tenure needs to be secured, **community governments** can face **significant hurdles** and **delays**, despite limited capacity. This presents particular **challenges** for **First Nations** whose access to land is **shaped by complex agreements**. In the case of **private development**, **long-term leases** may be needed in some cases to ensure financing.
- The Northwest Territories **Housing Corporation** has been the **dominant housing provider** in the territory for over 50 years, and there is an ongoing process of **decentralization occurring**. While this may result in some **reduced efficiencies**, more **community housing providers** can better **tailor housing to local need**.
- **Community governments vary** in their relationship to **providing housing**. Some are **changing their role** as part of ongoing processes of decentralization, and this will bring **challenges** and **uncertainty** moving forward.
- **Insufficient administrative capacity** or **limited experience** building housing can present **challenges** to communities looking to take on **new roles in housing**. Communities will need **time** and **support** to **build local capacity** and **trust** in their own institutions.
- **Partnerships** with the **housing corporation** or with professional **planning consultants** may **support community government's** capacity, however communities need **time to decide** what **solutions** work best for them.
- The **NWT Housing Corporation** is seeking to build at **higher densities** yet is finding **insufficient land** zoned for **multi-family use**. This is changing in **some communities** that are **starting to rezone** for mixed use or higher density.

- **Community opposition** can **cause delays**, particularly in **response to social housing or increased density**. Opposition arises due to **stigma, desire to retain single-family character, or concerns over service capacity**.
- Indigenous and other **communities** have both **external relationships** to proponents such as the housing corporation **and internal relationships** among their own community. Complex **dynamics relating to self-determination** should not be conflated with 'NIMBY' sentiments.
- Proactively **seeking input** from communities and organizations and providing the **time to build and maintain trust** can help **address community opposition** and **support community participation**.
- The **increasing use of mixed-use zones** may support the move away from single family dwelling areas and **reduce opposition to duplexes**.
- **Government policies** around **public procurement** are important for **due process** but can **raise costs**. **Clear communication and cooperation** between governments, community leaders and businesses **are needed**. **Policy flexibility** is needed to **take advantage of new housing technologies** and **opportunities**.
- **Community planning tools** can support the **availability of land**, provide **space for dialogue** around housing and other goals, and enable **capacity through partnerships** with planning consultants. While the territorial government supports **regular reviews**, community governments face **competing funding priorities**.
- **Community housing plans** can support the **link between housing and land preparation**, explore available **housing tools**, and promote **community leadership**.
- A **variety of housing types** are needed to **respond** to the needs of **different populations** as they **evolve**, including for those in the waged economy seeking housing. A proliferation of **more housing providers**, particularly in the **private sector**, may support a **more flexible mix** of housing.
- There is a **desire** to see **more private investment** in market housing, however private developers and Indigenous organizations face **challenges providing affordability** without capital support due to **high costs** and **difficult access to land**. NWT HC is further exploring barriers to the private industry.

- There are a **lack of rental options** in small communities, and Indigenous or private organizations **struggle to provide** rental housing in light of **high costs** and a **lack of rental guarantees**, such as through shelter allowances. **NWTHC** is exploring the **possibility of private rental guarantees**, however needs to ensure financial feasibility.
- **Constructions costs are high** relative to the provinces and **affordable housing** requires **subsidies** or reliance on **old building stock** as a result.
- **Varied** and **intermittent** forms of **connectivity** across communities cause **logistical challenges** and **raise costs** to build.
- **Labour shortages** require contractors to **travel** across the territory or be **brought in from the south**. Government incentives promote local labour however **increase costs**.
- **Indigenous governments** face **unique governance challenges** relating to their **historic and ongoing agreements** with the Federal government. Their work in housing is connected to **broader dynamics** around **self-determination** and **sovereignty**.
- Communities face **competition** for funds at **all levels of government** while **struggling** to **raise sufficient equity** contributions to leverage projects.
- Fiscal and funding **timelines clash** with the **long-term needs** of community planning and relationship building.
- Developers can **struggle** to get **traditional financing** in certain markets or land tenures. **Ministerial Loan Guarantees** or **other creative financing tools** are needed, particularly in Indigenous communities.
- High **operations and maintenance costs** present **challenges** for housing providers ability to **maintain** and **build units**. Further, **tenants** who cannot afford utilities are at risk of **eviction** or **unsafe living conditions**.
- Vacant or unused federal and other **government housing stock** should be **sold readily** and in a **transparent manner**.
- The **lack of affordability pushes people out** of their communities, **impacts quality of life**, and leads to **chronic homelessness**.