

CITY OF HAMILTON

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Parking and By-law Services Division

TO: Mayor and Members General Issues Committee	WARD(S) AFFECTED: CITY WIDE
COMMITTEE DATE: February 7, 2012	
SUBJECT/REPORT NO: Project Compliance Update (Wards 1, 2, 3, 4, 5, 6, 7 and 8) (PED10049(g)) (City Wide)	
SUBMITTED BY: Tim McCabe General Manager Planning and Economic Development Department	PREPARED BY: Joe Xamin 905-546-2424 Ext. 6656 Marty Hazell 905-546-2424 Ext. 4588
SIGNATURE:	

RECOMMENDATION

- a) That the 18 month Proactive By-law Enforcement Pilot Program for Wards 1 to 8 be extended to the end of December 2012 to be funded from the Parking Reserve Account #108021; and,
- b) That the temporary Vital Services Program be extended to the end of December 2012 to be funded from the Tax Stabilization Reserve Account #110046.

EXECUTIVE SUMMARY

To assist with its comprehensive investigation into the need to license rental housing, City Council, on March 31, 2010, approved an 18 month Proactive By-law Enforcement Pilot Program for Wards 1 to 8 (subsequently named "Project Compliance").

The Pilot Enforcement Program is significantly contributing to the City's goals towards a safe and healthy Community by uncovering and addressing significant deficiencies in rental housing. Staff has regularly updated the Planning Committee on the findings; the last being on September 7, 2011, where Committee, and subsequently City Council on September 14, 2011 approved the following:

- “a) That Project Compliance (Property Standards) be extended by four months through to the end of March 2012 to be funded through the Parking Reserve #108021,
- b) That staff report back on licensing options based on the experience of other municipalities, including but not limited to a hybrid of a rental housing license/proactive by-law enforcement.”

In order to allow staff enough time to comprehensively investigate, analyze, consult and cost the various models, it is recommended that pilot be further extended to the end of December 2012.

Further, as the temporary Vital Services Program, initiated in 2006 through the Emergency and Community Services Committee, is associated with rental housing conditions, it is also recommended that the funding for this program be extended until staff has an opportunity to comprehensively address all rental housing deficiencies

Alternatives for Consideration – See Page 4

FINANCIAL / STAFFING / LEGAL IMPLICATIONS (for Recommendation(s) only)

Financial/Staffing: Extending “Project Compliance” to the end of December 2012, is estimated to cost \$324,000.00 (\$36,000.00 per month), and sufficient funds continue to be available in the Parking Reserve Account #108021.

Extending funding to the temporary Vital Services Program until the end of December 2012 is estimated to cost \$180,000.00 and sufficient funds continue to be available in the Tax Stabilization Reserve Account #110046.

Legal: N/A

HISTORICAL BACKGROUND (Chronology of events)

City Council, on March 31, 2010, approved an 18 month Proactive By-law Enforcement Pilot Program for Wards 1 to 8 consisting of six temporary part-time Municipal Law Enforcement Officers and a temporary full-time Clerk funded from the Parking Reserve with any fees and fines from the program being returned to that reserve.

Planning Committee, and subsequently City Council on September 14, 2011, approved:

- “a) That project compliance (property standards) be extended by four months through to the end of March 2012 to be funded through the Parking Reserve #108021

- b) That staff report back on licensing options based on the experience of other municipalities, including but not limited to a hybrid of a rental housing license/proactive By-law enforcement.”

The Vital Services By-law 05-322 was first enacted in 2005 with approval of a temporary position to administer and enforce the by-law and funding to pay for the utilities and reconnections. Originally, it was intended to be an 18 month pilot (expiring in the Fall of 2006) but due to the need to explore the many complex issues, the pilot was extended by the Emergency and Community Services Committee and Council several times; most recently in October 2010 when Council approved an extension and continuation of temporary funding until March 2012 to coincide with the expected conclusion of Project Compliance.

POLICY IMPLICATIONS

N/A

RELEVANT CONSULTATION

Finance staff were consulted in the preparation of this report.

ANALYSIS / RATIONALE FOR RECOMMENDATION

(include Performance Measurement/Benchmarking Data, if applicable)

Given the complexity of the various rental housing issues (i.e. Property Standards deficiencies and maintenance of vital services), staff require more time to analyze, consult and develop a comprehensive concept for a rental housing program which incorporates licensing and proactive by-law enforcement.

ALTERNATIVES FOR CONSIDERATION

(include Financial, Staffing, Legal and Policy Implications and pros and cons for each alternative)

Cease the funding and conclude “Project Compliance” and/or the Vital Services Program, but this is not recommended without proper evaluation and assessment.

CORPORATE STRATEGIC PLAN (Linkage to Desired End Results)

Focus Areas: 1. Skilled, Innovative and Respectful Organization, 2. Financial Sustainability,
3. Intergovernmental Relationships, 4. Growing Our Economy, 5. Social Development,
6. Environmental Stewardship, 7. Healthy Community

- **Healthy Community** - addressing Property Standards deficiencies and ensuring Vital Services are not disrupted significantly contributes to the health and well-being of the Community.

APPENDICES / SCHEDULES

MH/dt