




INFORMATION REPORT

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	March 23, 2021
SUBJECT/REPORT NO:	Property Standards By-Law Review and Municipality Comparison (PED21049) (City Wide) (Outstanding Business List Item)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Jim Gordon (905) 546-2424 Ext. 1317
SUBMITTED BY:	Ken Leendertse Director, Licensing and By-law Services Planning and Economic Development Department
SIGNATURE:	

COUNCIL DIRECTION

On January 22, 2020, Council approved Item 12 of Planning Committee Report 20-001 directing Licensing and By-Law Services staff to meet with internal and external stakeholders concerning possible improvements to the Property Standards By-law 10-221 involving rental properties and apartments; and to review and compare our current Property Standards By-law against other municipalities to determine best practices and improvement to our current legislation.

INFORMATION

The purpose of this Report is to advise the Planning Committee that staff has now completed meeting with industry and public stakeholders and has completed a jurisdictional scan and comparison of other municipalities' Property Standards By-laws.

The standards established in the Property Standards By-law should represent minimum standards for maintenance and occupancy because they seek a balance between addressing concerns relating to health, safety and suitable habitation and concerns relating to burdensome repair costs for property owners.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

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Consultation processes took place with engaged stakeholders discussing specific Property Standards By-law issues, mostly in conjunction with multiple dwelling settings. Some examples included duplexes, triplexes, condominiums and apartment buildings.

In depth comparisons were made with five other municipalities in Ontario with somewhat similar population bases and a post-secondary institution presence, 24 common Property Standard elements were compared to assess if Hamilton's Property Standards By-law was similar in nature.

Staff assessment of the comparison between municipalities has determined that the current By-law for the most part is solid and suitable to address the majority of all current maintenance and occupancy concerns. Despite this, staff have identified opportunities to enhance the Property Standards By-law to account for areas that do not align with other municipalities.

Through consultation with various groups such as tenant advisory groups; neighbourhood associations; members of the legal community; building owners and apartment associations, it was determined the City of Hamilton's Property Standards By-law has gaps when compared to other municipalities.

Concerns were expressed by community organizations/associations and members of the public about the quality and safety of rental accommodations and how the City addresses key property standards issues such as pest and vermin control, repair standards and cleanliness. Tenant groups in particular are asking that amendments to the City's Property Standards By-law be made to increase consistency in housing quality throughout the City. Some areas identified by the tenant groups that can be addressed by the City of Hamilton, include:

- Intercoms and Security Locking;
- Appliances Kept in Good Repair;
- Mail Collection Areas;
- Common Area /Hallways Cleanliness;
- Garbage Chutes - Washed and Disinfected;
- Ventilation Systems Cleaned;
- Floors/Walls Similar Finishes Upon Repair;
- Cupboards/Fixtures/Faucets in Good Repair; and,
- Pest and Vermin Control.

Appendix "A" attached to this Report, shows instances where four municipalities in Ontario include measures in their Property Standards By-laws to deal with the top items of concern from the consulted groups. Tenant groups also asked that the City of Hamilton ensures that any enforcement procedures by Municipal Law Enforcement Officers only be deemed concluded by an in-person observation.

During the consultation period, groups and individuals asked that programs similar to Toronto's RentsafeTO, and Ottawa's Rental Housing Property Management By-law be incorporated into this review. These programs can each be more classified as a Registry with Property Standards elements, not Property Standards By-laws.

CONCLUSION

Staff has determined that Property Standards By-Law amendments could be implemented quickly for the more minor identified issues. An internal review involving multiple City departments and outside agencies would be required to facilitate effective strategies to deal with pest and vermin control amendments. Impact on City operations and the community at large would need to be investigated. This issue would most certainly have staffing considerations attached to it as well as cost implications.

As a result of the analysis described in this Report, Council may wish to direct staff to prepare a report, in consultation with Legal Services, that amends the Property Standards By-law to address the following areas, including the staffing and financial impacts of adding these areas to the By-law:

- Intercoms and Security Locking;
- Appliances Kept in Good Repair;
- Mail Collection Areas;
- Common Area /Hallways Cleanliness;
- Garbage Chutes - Washed and Disinfected;
- Ventilation Systems Cleaned;
- Floors/Walls Similar Finishes Upon Repair;
- Cupboards/Fixtures/Faucets in Good Repair

As this Report addresses possible improvements to the Property Standards By-law involving rental properties and apartments; and a comparison of the City's current Property Standards By-law against other municipalities to determine best practices and improvement to our current legislation, it is appropriate to be identified as complete and removed from the Planning Committee Outstanding Business List.

APPENDICES AND SCHEDULES ATTACHED

APPENDIX "A"- Review of Property Standards By-law and Consultation Requests

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