



EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 23-010

1:30 p.m.

Thursday, August 17, 2023

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillors B. Clark (Chair), T. Jackson, C. Kroetsch, T. Hwang (Vice Chair), N. Nann, A. Wilson and M. Wilson

THE EMERGENCY AND COMMUNITY SERVICES COMMITTEE PRESENTS REPORT 23-010 AND RESPECTFULLY RECOMMENDS:

- 1. Hamilton Tenant Support Program (HSC23023(b)) (City Wide) (Item 8.1)**
 - (a) That Council approve transferring \$150 K from the Social Housing Transition Reserve #112244 to fund the current Tenant Defence Fund Project ID 6731841801 to provide immediate increased support to tenants for Landlord Tenant Board expenses through Housing Services Division staff current process of supporting tenants with finding adequate legal services;
 - (b) That Council approve the creation of a Hamilton Tenant Support Program to be delivered in combination with community organizations and the Housing Services Division at an annualized cost of up to \$1.197 M be referred to the Housing Services Division's 2024 Tax Operating Budget, which is broken down as follows:
 - (i) To fund the Hamilton Community Legal Clinic pursuant to Procurement Policy By-Law (20-205) Policy 11 in the amount of \$290 K to expand legal support for tenants through the Landlord Tenant Board to cover N12's, N13's, T5's, T6's, and Above Guideline Rent Increases;
 - (ii) To fund designated agencies pursuant to Procurement Policy By-Law (2-205) Policy 11 for community capacity building up to \$135 K for the following staff positions:

- (1) Housing Help Centre Hamilton Property Rehab Tenant Liaison Coordinator up to \$80 K;
- (2) The Association of Community Organizations for Reform Now (ACORN) for 2 staff positions as follows:
 - 1 FTE Tenant Defence Fund Organizer and
 - 0.25 FTE for a Project Manager position up to \$55 K
- (iii) To fund up to \$100 K for promotional materials and advertisement campaigns to educate landlords and tenants on their rights and responsibilities, available community supports, and local legislation;
- (iv) To fund up to \$25 K for resourcing the Community Research Table to pay guest speakers and other items to inform future work;
- (v) To increase Housing Services Division 2024 budget complement by five (5) full-time permanent FTEs for the administration of the Hamilton Tenant Support Program Staff at an estimated cost of \$647,000, broken down as follows:
 - (1) Manager, Tenant Support Program, \$188,000;
 - (2) Project Manager, \$143,000;
 - (3) Two (2) Contract Analysts, \$236,000;
 - (4) Program Secretary, \$80,000;
- (c) That Council approve an increase to the Planning and Economic Development Department by \$116,900 to be referred to the 2024 Tax Operating budget to assist the Tenant Support Program through:
 - (i) An increase to the Planning and Economic Development Department 2024 budgeted complement by one (1) full-time, permanent FTE for a Municipal Law Enforcement Officer, at an annual cost of approximately \$108,000 for salary, benefits, and ancillary charges to respond to tenant concerns,
 - (ii) \$8,900 in annual vehicle maintenance costs such as insurance and gas, on condition that recommendation (d) is approved.
- (d) That Council approve the addition of 1 vehicle for use in the Planning and Economic Development Department at a cost of \$50 K to be referred to the 2024 Tax Capital Budget to assist the Tenant Support Program;
- (e) That the General Manager, Healthy and Safe Communities Department, or their designate be authorized and directed to execute and administer all agreements with any ancillary documentation and amendments in a form satisfactory to the City Solicitor;

2. **Addressing Renovictions, Tenant Displacement and Property Standards in Apartment Buildings in the City of Hamilton (PED23072) (City Wide) (Item 8.2)**
- (a) That staff be directed to prepare a Safe Apartment Buildings By-law to regulate apartment building property standards and registration of apartment buildings city-wide in a form satisfactory to the City Solicitor, as per Appendix “A” as amended to Report PED23072 (the “Safe Apartment Buildings By-law”), following the 2024 budget process, subject to the approval of the staffing and resourcing outlined in Recommendation (d) as part of the 2024 Budget;
 - (b) That City of Hamilton User Fees and Charges By-law No. 23-112 be amended to reflect the new Fee Schedule developed at **87%** cost recovery for the Safe Apartment Buildings By-law, attached as Appendix “B” as amended to Report PED23072;
 - (c) That, subject to the adoption of the Safe Apartment Buildings By-law, the Transition Plan as detailed in Appendix “C” to Report PED23072, to develop, implement, initiate building evaluations as they are received and administer the By-law, be approved;
 - (d) That the appropriate General Managers be directed to refer the following to the 2024 Budget for the implementation of the Safe Apartment Buildings By-law:
 - (i) One full time (1.0 FTE) Manager in the Licensing and By-law Services Division at an estimated total cost of \$192,000 annually (\$67,200 net levy);
 - (ii) One Full-time (1.0 FTE) Project Manager in the Licensing and By-law Services Division at an estimated total cost of \$147,000 annually (\$51,450 net levy);
 - (iii) Two full-time (2.0 FTE) Supervisors of Operations and Enforcement in the Licensing and By-law Services Division at an estimated total cost of \$289,000 annually (\$101,150 net levy);
 - (iv) Thirteen full-time (13.0 FTE) Municipal Law Enforcement Officers in the Licensing and By-law Services Division at an estimated total cost of \$1,416,000 annually (\$495,600 net levy);
 - (v) One full-time (1.0 FTE) Program Analyst in the Licensing and By-law Services Division to provide applications support, analyses data and provide program support, at an estimated total cost of \$114,000 annually (\$39,900 net levy);

- (vi) One full-time (1.0 FTE) Licensing Administrator in the Licensing and By-law Services Division to administer registration applications, at an estimated total cost of \$96,000 annually (\$33,600 net levy);
 - (vii) Two full-time (2.0 FTE) By-law Clerks in the Licensing and By-law Services Division to enter files and provide support to enforcement staff, at an estimated total cost of \$176,000 annually (\$61,600 net levy);
 - (viii) One full-time (1.0 FTE) Administrative Secretary in the Licensing and By-law Services Division at an estimated total cost of \$83,000 annually (\$29,050 net levy);
 - (ix) One full-time (1.0 FTE) Outreach Coordinator in the Licensing and By-law Services Division at an estimated total cost of \$109,000 annually (\$38,150 net levy);
 - (x) One full-time (1.0 FTE) Solicitor in Legal Services to provide dedicated legal support, at an estimated total cost of \$212,000 annually (\$74,200 net levy);
 - (xi) One full-time (1.0 FTE) Screening Officer at an estimated total cost of \$124,000 annually (\$43,400 net levy);
 - (xii) The purchase of thirteen (13) vehicles at an estimated initial cost of \$708,825 and an annual operating cost of \$116,350 (\$40,723 net levy);
 - (xiii) An outreach, education and communications budget of \$20,000 annually (\$7,000 net levy); and
 - (xiv) A one-time cost of \$2,003,441 to fund the 18-month transition period for the implementation of the By-law).
- (e) That By-law No. 09-190 (the “Vital Services By-law”) be repealed and replaced with the draft By-law attached as Appendix “G” to Report PED23072, which has been prepared in a form satisfactory to the City Solicitor, to incorporate language and clarifying amendments to facilitate enforcement;
- (f) That By-law No. 10-221 (the “Property Standards By-law”) be repealed and replaced with the draft By-law outlined in Appendix “H” to Report PED23072, which has been prepared in a form satisfactory to the City Solicitor;
- (g) That the draft By-law to amend Schedule 31, Rental Housing, of the Business Licensing By-law No. 07-170, attached as Appendix “I” as amended to Report PED23072, which has been prepared in a form

satisfactory to the City Solicitor, be approved, to extend the rental housing licensing pilot project to include rental properties of 5 units or less;

- (h) That the Administrative Penalties By-law No. 17-225 be amended to incorporate charges under the Safe Apartment Buildings By-law, Renovation Licence and Relocation Listing By-law, Vital Services By-law and Property Standards By-law attached as Appendix "J" as amended to Report PED23072;
- (i) That Licensing and By-law Services staff be directed to work with Legal Services to obtain approval for set fines with the Ministry of the Attorney General; and
- (j) That staff be directed to report back to Council with respect to the amount of fine revenues collected under the Safe Apartment Buildings By-law and Renovation Licence and Relocation Listing By-law after they have been in force and effect for 12 months, including options for how fine revenues could be utilized to advance the strategies of the Housing and Sustainability Investment Roadmap;
- (k) That staff consider submissions from tenants and tenant advocates on activities pertaining to communication and outreach materials; building inspection processes; evaluation criteria and scoring; placement on building of evaluation scores; open data and data tools; and monitoring, evaluation, in program development and implementation;
- (l) That there be no further in-person or virtual delegations respecting Report PED23072, Addressing Renovictions, Tenant Displacement and Property Standards in Apartment Buildings in the City of Hamilton at the October 19, 2023 Emergency and Community Services Committee meeting; and
- (m) That comments respecting Report PED23072, Addressing Renovictions, Tenant Displacement and Property Standards in Apartment Buildings in the City of Hamilton, be limited to written submissions.

3. Update on City's Advocacy Regarding Housing with Supports (HSC23054) (City Wide) (Item 9.1)

That the Update on City's Advocacy Regarding Housing with Supports (HSC23054), be received.

4. Hamilton Paramedic Service Resident Survey 2023 Findings (HSC23049) (City Wide) (Item 9.2)

That Hamilton Paramedic Service Resident Survey 2023 Findings (HSC23049), be received.

5. Transfer of Taras Shevchenko Non-profit Housing Inc.'s Project at 194 Gage Avenue South (HSC23047) (Ward 3) (10.1)

- (a) That Consent be given to Taras Shevchenko Non-Profit Housing Inc.'s request to transfer ownership and operation of its project located at 194 Gage Avenue South to Good Shepherd Non-Profit Homes Inc. contingent upon the conditions set out in Appendix "A" being met;
- (b) That to secure the transfer in recommendation (a), \$400 K in mortgage and interest cost avoidance that has been provided by Taras Shevchenko's Charitable Arm to the City over the years, be reimbursed by the Housing Services 2023 Levy Base; and
- (c) That staff forward a copy of Council's resolution approving Recommendation (a) of Report HSC23047 to the Ministry of Municipal Affairs and Housing in fulfillment of its obligation under the Housing Services Act, 2011 to complete the transfer.

6. Service Manager Consent for Stoney Creek Community Homes Inc. to Encumber 110 Stoneybrook Drive (HSC23051) (Ward 10) (Item 10.2)

That Service Manager Consent under the *Housing Services Act, 2011*, be granted to Stoney Creek Community Homes Inc.'s request to encumber its housing asset located at 110 Stoneybrook Drive in Stoney Creek.

7. Procurement of an All-Electric North American Style Fire Pumper for Trial (HSC23037) (City Wide) (Item 10.3)

- (a) That the Hamilton Fire Department be authorized to revise the type of fire apparatus previously approved as part of the 2023 Capital Budget process to be purchased in 2024 from one (1) All-Electric North American Style Fire Pumper to one (1) current style Urban Engine; and
- (b) That the Hamilton Fire Department be authorized to re-allocate \$516,000.00 from the 2024 Vehicle Replacement Capital Reserve fund to the 2023 Vehicle Replacement Capital Reserve fund to fund the increased cost to purchase one (1) All-Electric North American Style Fire Pumper.

8. Legal Advice Regarding Renoviction By-laws (LS23020(a)) (City Wide) (Item 14.1)

- (a) That Report LS23020(a), respecting Legal Advice Regarding Renoviction By-Laws, be received; and
- (b) That the Report remain confidential.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

The Committee Clerk advised the Committee of the following changes to the agenda:

5. COMMUNICATIONS (Item 5)

- 5.2 Correspondence from Josie D'Amico, The Campaign for Adequate Welfare and Disability Benefits, respecting Renovictions, Tenant Displacement and Property Standards in Apartment Buildings

Recommendation: Be received, and referred to Item 8.2 Addressing Renovictions, Tenant Displacement and Property Standards in Apartment Buildings (PED23072)

- 5.3 Correspondence from ACORN Hamilton, respecting Renovictions, Tenant Displacement and Property Standards in Apartment Buildings

Recommendation: Be received, and referred to Item 8.2 Addressing Renovictions, Tenant Displacement and Property Standards in Apartment Buildings (PED23072)

6. DELEGATION REQUESTS (Item 6)

- 6.1 Delegations respecting Renovictions, Tenant Displacement and Supports in the City of Hamilton (Added Item 6.1)

- (b) Christina Erie, ACORN
- (c) Pauline Roberts, ACORN
- (d) Damien Ash, ACORN
- (e) Liz Scott, ACORN
- (f) Elizabeth McMicking, ACORN
- (g) Marnie Schurter, ACORN
- (h) Kristan Jewers, ACORN
- (i) Ginger Knight, ACORN
- (j) Tracey Romanoski, ACORN

- (k) Myrna Harrington and Crystal Gold, ACORN
- (l) Mia Staios, ACORN
- (m) Aden Hassan, ACORN
- (n) Sherline Morris, ACORN
- (o) Karl Andrus, Hamilton Community Benefits Network
- (p) David Galvin, ACORN
- (q) Shelby Komarniski, ACORN
- (r) Merima Menzildzic, Hamilton Community Legal Clinic
- (s) Tom Cooper, Hamilton Roundtable for Poverty Reduction
- (t) Jennifer McGrath, ACORN

ITEM WITHDRAWN:

7. DELEGATIONS

7.1(a) Jeff Neven, Indwell Community Homes (approved at the July 13, 2023 meeting)

Staff from Indwell Community Homes are not available to present today but will present at a future meeting.

The agenda for the August 17, 2023 Emergency and Community Services Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no Declarations of Interest

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)

(i) July 13, 2023 (Item 4.1)

The Minutes of the July 13, 2023 meeting of the Emergency and Community Services Committee, were approved, as presented.

(d) COMMUNICATIONS (Item 5)

The following Communication Items were approved, as presented:

- (i) Correspondence from Kevin Gonci, Hamilton ParticipACTION Team, respecting the ParticipACTION Community Challenge (Item 5.1)
- (ii) Correspondence from Josie D'Amico, The Campaign for Adequate Welfare and Disability Benefits, respecting Renovictions, Tenant Displacement and Property Standards in Apartment Buildings

Recommendation: Be received, and referred to Item 8.2 Addressing Renovictions, Tenant Displacement and Property Standards in Apartment Buildings (PED23072) (Added Item 5.2)

- (iii) Correspondence from ACORN Hamilton, respecting Renovictions, Tenant Displacement and Property Standards in Apartment Buildings

Recommendation: Be received, and referred to Item 8.2 Addressing Renovictions, Tenant Displacement and Property Standards in Apartment Buildings (PED23072) (Added Item 5.2)

(e) DELEGATION REQUESTS (Item 6)

The following Delegation Requests were approved, as presented:

- (i) Delegations respecting Renovictions, Tenant Displacement and Supports in the City of Hamilton (Item 6.1)
 - (a) Christine Neale, ACORN
 - (b) Christina Erie, ACORN
 - (c) Pauline Roberts, ACORN
 - (d) Damien Ash, ACORN
 - (e) Liz Scott, ACORN
 - (f) Elizabeth McMicking, ACORN
 - (g) Marnie Schurter, ACORN
 - (h) Kristan Jewers, ACORN
 - (i) Ginger Knight, ACORN

- (j) Tracey Romanoski, ACORN
- (k) Myrna Harrington and Crystal Gold, ACORN
- (l) Mia Staios, ACORN
- (m) Aden Hassan, ACORN
- (n) Sherline Morris, ACORN
- (o) Karl Andrus, Hamilton Community Benefits Network
- (p) David Galvin, ACORN
- (q) Shelby Komarniski, ACORN
- (r) Merima Menzildzic, Hamilton Community Legal Clinic
- (s) Tom Cooper, Hamilton Roundtable for Poverty Reduction
- (t) Jennifer McGrath, ACORN
- (ii) Delegations respecting the state of emergency taking place within the emergency food system within Hamilton (for a future meeting) (Item 6.2)
 - (a) Karen Randell and Jamie Vanderberg, Emergency Food Committee
 - (b) Olive Warhoush, McMaster University
- (iii) Landen Reil, respecting Improvements in Mental Health and Emergency Services (In- Person) (For a future meeting) (Added Item 6.3)
- (iv) Don McLean, respecting the use of HSR buses as mobile cooling centres during heat emergencies (For a future meeting) (Added Item 6.4)
- (f) DELEGATIONS (Item 7)**
 - (a) Graham Cubitt, Hamilton is Home, respecting the City of Hamilton's Advocacy Regarding Housing with Supports (Item 7.1(a))

The following Delegates addressed the Committee respecting Renovictions, Tenant Displacement and Supports in the City of Hamilton:

- (b) Christine Neale, ACORN (Added Item 7.1(b))
- (c) Christina Erie, ACORN (Added Item 7.1(c))
- (d) Pauline Roberts, ACORN (Added Item 7.1(d))

- (e) Damien Ash, ACORN (Added Item 7.1(e))
- (f) Liz Scott, ACORN (Added Item 7.1(f))
- (g) Elizabeth McMicking, ACORN (Added Item 7.1(g))
- (h) Marnie Schurter, ACORN (Added Item 7.1(h))
- (i) Kristan Jewers, ACORN (Added Item 7.1(i))
- (j) Ginger Knight, ACORN (Added Item 7.1(j))
- (k) Tracey Romanoski, ACORN (Added Item 7.1(k))
- (l) Myrna Harrington and Crystal Gold, ACORN (Added Item 7.1(l))
- (m) Mia Staios, ACORN (Added Item 7.1(m))
- (n) Aden Hassan, ACORN (Added Item 7.1(n))
- (o) Sherline Morris, ACORN (Added Item 7.1(o))
- (p) Karl Andrus, Hamilton Community Benefits Network (Added Item 7.1(p))
- (q) David Galvin, ACORN (Added Item 7.1(q))
- (r) Shelby Komarniski, ACORN (Added Item 7.1(r))
- (s) Merima Menzildzic, Hamilton Community Legal Clinic (Added Item 7.1(s))
- (t) Tom Cooper, Hamilton Roundtable for Poverty Reduction(Added Item 7.1(t))
- (u) Jennifer McGrath, ACORN (Added Item 7.1(u))

The following Delegations respecting Renovictions, Tenant Displacement and Supports in the City of Hamilton, were received:

- (a) Graham Cubitt, Hamilton is Home, respecting the City of Hamilton's Advocacy Regarding Housing with Supports (Item 7.1(a))
- (b) Christine Neale, ACORN (Added Item 7.1(b))
- (c) Christina Erie, ACORN (Added Item 7.1(c))
- (d) Pauline Roberts, ACORN (Added Item 7.1(d))

- (e) Damien Ash, ACORN (Added Item 7.1(e))
- (f) Liz Scott, ACORN (Added Item 7.1(f))
- (g) Elizabeth McMicking, ACORN (Added Item 7.1(g))
- (h) Marnie Schurter, ACORN (Added Item 7.1(h))
- (i) Kristan Jewers, ACORN (Added Item 7.1(i))
- (j) Ginger Knight, ACORN (Added Item 7.1(j))
- (k) Tracey Romanoski, ACORN (Added Item 7.1(k))
- (l) Myrna Harrington and Crystal Gold, ACORN (Added Item 7.1(l))
- (m) Mia Staios, ACORN (Added Item 7.1(m))
- (n) Aden Hassan, ACORN (Added Item 7.1(n))
- (o) Sherline Morris, ACORN (Added Item 7.1(o))
- (p) Karl Andrus, Hamilton Community Benefits Network (Added Item 7.1(p))
- (q) David Galvin, ACORN (Added Item 7.1(q))
- (r) Shelby Komarniski, ACORN (Added Item 7.1(r))
- (s) Merima Menzildzic, Hamilton Community Legal Clinic (Added Item 7.1(s))
- (t) Tom Cooper, Hamilton Roundtable for Poverty Reduction(Added Item 7.1(t))
- (u) Jennifer McGrath, ACORN (Added Item 7.1(u))
- (ii)** (a) Staff were directed to investigate current status of contractual relationships with landlords who are in receipt of rent subsidies and providing sub-standard tenant conditions and report back to the Emergency and Community Services Committee in January 2024,
- (b) The report back to the Emergency and Community Services Committee will include the following:
 - (i) Number of households/tenants supported by rent subsidies, number of buildings and overall funding amounts provided by the City, and the federal/provincial and municipal breakdown

- (ii) Nature of the relationship between the City and the landlord, the City and the tenant, and the City, including
- (iii) Accountability/obligations of the landlord to provide acceptable standards of rental conditions under the terms of the contract with the City
- (iv) Obligations of the City to the tenant receiving the rent subsidy; and
- (v) An analysis of and any proposed changes to current practice to improve conditions for tenants, along with any resource implications

(g) STAFF PRESENTATIONS (Item 8)

(i) Hamilton Tenant Support Program (HSC23023(b)) (City Wide) (Item 8.1)

Michelle Baird, Director of Housing, provided the Committee with a presentation respecting the Hamilton Tenant Support Program (HSC23023(b)).

The Presentation respecting the Hamilton Tenant Support Program (HSC23023(b)), was received.

For further disposition, refer to Item 1.

(ii) Addressing Renovictions, Tenant Displacement and Property Standards in Apartment Buildings in the City of Hamilton (PED23072) (City Wide) (Item 8.2)

Monica Ciriello, Director Licensing and Bylaw Services, provided the Committee with a presentation respecting Addressing Renovictions, Tenant Displacement and Property Standards in Apartment Buildings in the City of Hamilton (PED23072).

The Presentation respecting Addressing Renovictions, Tenant Displacement and Property Standards in Apartment Buildings in the City of Hamilton (PED23072) (City Wide), was received.

(a) Consideration of Report PED23072, Addressing Renovictions, Tenant Displacement and Property Standards in Apartment Buildings in the City of Hamilton, be deferred until after Closed Session discussion of Item 14.1, Legal Advice Regarding Renoviction By-laws (LS23020(a)).

(b) (a) That staff be directed to prepare a Safe Apartment Buildings By-law to regulate apartment building property standards and registration of apartment buildings city-wide in a form

satisfactory to the City Solicitor, as per Appendix “A” to Report PED23072 (the “Safe Apartment Buildings By-law”), following the 2024 budget process, subject to the approval of the staffing and resourcing outlined in Recommendation (d) as part of the 2024 Budget;

- (b) That City of Hamilton User Fees and Charges By-law No. 23-112 be amended to reflect the new Fee Schedule developed at 65% cost recovery for the Safe Apartment Buildings By-law, attached as Appendix “B” to Report PED23072;
- (c) That, subject to the adoption of the Safe Apartment Buildings By-law, the Transition Plan as detailed in Appendix “C” to Report PED23072 to develop, implement and administer the By-law be approved;
- (d) That the appropriate General Managers be directed to refer the following to the 2024 Budget for the implementation of the Safe Apartment Buildings By-law:
 - (i) One full time (1.0 FTE) Manager in the Licensing and By-law Services Division at an estimated total cost of \$192,000 annually (\$67,200 net levy);
 - (ii) One Full-time (1.0 FTE) Project Manager in the Licensing and By-law Services Division at an estimated total cost of \$147,000 annually (\$51,450 net levy);
 - (iii) Two full-time (2.0 FTE) Supervisors of Operations and Enforcement in the Licensing and By-law Services Division at an estimated total cost of \$289,000 annually (\$101,150 net levy);
 - (iv) Thirteen full-time (13.0 FTE) Municipal Law Enforcement Officers in the Licensing and By-law Services Division at an estimated total cost of \$1,416,000 annually (\$495,600 net levy);
 - (v) One full-time (1.0 FTE) Program Analyst in the Licensing and By-law Services Division to provide applications support, analyses data and provide program support, at an estimated total cost of \$114,000 annually (\$39,900 net levy);
 - (vi) One full-time (1.0 FTE) Licensing Administrator in the Licensing and By-law Services Division to administer

- registration applications, at an estimated total cost of \$96,000 annually (\$33,600 net levy);
- (vii) Two full-time (2.0 FTE) By-law Clerks in the Licensing and By-law Services Division to enter files and provide support to enforcement staff, at an estimated total cost of \$176,000 annually (\$61,600 net levy);
 - (viii) One full-time (1.0 FTE) Administrative Secretary in the Licensing and By-law Services Division at an estimated total cost of \$83,000 annually (\$29,050 net levy);
 - (ix) One full-time (1.0 FTE) Outreach Coordinator in the Licensing and By-law Services Division at an estimated total cost of \$109,000 annually (\$38,150 net levy);
 - (x) One full-time (1.0 FTE) Solicitor in Legal Services to provide dedicated legal support, at an estimated total cost of \$212,000 annually (\$74,200 net levy);
 - (xi) One full-time (1.0 FTE) Screening Officer at an estimated total cost of \$124,000 annually (\$43,400 net levy);
 - (xii) The purchase of thirteen (13) vehicles at an estimated initial cost of \$708,825 and an annual operating cost of \$116,350 (\$40,723 net levy);
 - (xiii) An outreach, education and communications budget of \$20,000 annually (\$7,000 net levy); and
 - (xiv) A one-time cost of \$2,003,441 to fund the 18-month transition period for the implementation of the By-law).
- (e) That staff be directed to prepare a Renovation Licence and Relocation Listing By-law to regulate repairs and renovations to rental units, in a form satisfactory to the City Solicitor, as per Appendix "D" to Report PED23072, following the 2024 budget process, subject to the approval of the staffing and resourcing outlined in Recommendation (h) as part of the 2024 Budget;
 - (f) That City of Hamilton User Fees and Charges By-law No. 23-112 be amended to reflect the new Renovation Licence and Relocation Listing Fee Schedule developed at 10% cost recovery attached as Appendix "E" to Report PED23072;

- (g) That, subject to the adoption of the Renovation Licence and Relocation Listing By-law, the Transition Plan as detailed in Appendix “F” to Report PED23072 to develop, implement and administer the By-law be approved;
- (h) That the appropriate General Managers be directed to refer the following to the 2024 Budget for the implementation of the Renovation Licence and Relocation Listing By-law:
 - (i) Three full-time (3.0 FTE) Licensing Administrators in the Licensing and By-law Services Division to administer licence applications, enter investigation files and respond to inquiries, at an estimated total cost of \$287,000 annually (\$258,300 net levy);
 - (ii) Three full-time (3.0 FTE) Licensing Compliance Officer in the Licensing and By-law Services Division to enforce the By-law, at an estimated total cost of \$327,000 annually (\$294,300 net levy);
 - (iii) One full-time (1.0 FTE) Solicitor in Legal Services to respond to legal challenges and increased Property Standards Committee hearings, at an estimated total cost of \$212,000 annually (\$190,800 net levy);
 - (iv) One full-time (1.0 FTE) Housing Clerk in the Housing Services Division to facilitate tenant support/education, at an estimated total cost of \$80,000 annually (\$72,000 net levy);
 - (v) The purchase of three (3) vehicles at an estimated initial cost of \$163,575 and an annual operating cost of \$26,850 (\$24,165 net levy);
 - (vi) An outreach, education and communications budget of \$10,000 annually (\$9,000 net levy); and
 - (vii) A one-time cost of \$150,000 to fund the transition period for the implementation of the By-law.
- (i) That By-law No. 09-190 (the “Vital Services By-law”) be repealed and replaced with the draft By-law attached as Appendix “G” to Report PED23072, which has been prepared in a form satisfactory to the City Solicitor, to incorporate language and clarifying amendments to facilitate enforcement;

- (j) That By-law No. 10-221 (the “Property Standards By-law”) be repealed and replaced with the draft By-law outlined in Appendix “H” to Report PED23072, which has been prepared in a form satisfactory to the City Solicitor;
- (k) That the draft By-law to amend Schedule 31, Rental Housing, of the Business Licensing By-law No. 07-170, attached as Appendix “I” as **amended** to Report PED23072, which has been prepared in a form satisfactory to the City Solicitor, be approved, to extend the rental housing licensing pilot project to include rental properties of 5 units or less;
- (l) That the Administrative Penalties By-law No. 17-225 be amended to incorporate charges under the Safe Apartment Buildings By-law, Renovation Licence and Relocation Listing By-law, Vital Services By-law and Property Standards By-law attached as Appendix "J" as **amended** to Report PED23072;
- (m) That Licensing and By-law Services staff be directed to work with Legal Services to obtain approval for set fines with the Ministry of the Attorney General;
- (n) That staff be directed to report back to Council with respect to the amount of fine revenues collected under the Safe Apartment Buildings By-law and Renovation Licence and Relocation Listing By-law after they have been in force and effect for 12 months, including options for how fine revenues could be utilized to advance the strategies of the Housing and Sustainability Investment Roadmap;
- (c) (a) That Appendix “A” and Appendix “I” to PED23072, Safe Apartment Buildings By-law and the By-law To Amend By-law 07-170, a By-law to License and Regulate Various Businesses, be **amended** to include the following additional section:

Mail:

- (i) **Every dwelling unit shall have a separate and secure mailbox or mail receptacle that is maintained in good repair at all times.**
- (ii) **If a mail slot provides direct access into a dwelling unit, it shall be designed or located so as to prevent access from the slot to unlock the doorknob or other locking device.**
- (iii) **Access to mail rooms shall be maintained in good repair to ensure the security of the mail.**

- (b) That Appendix “J” to Report PED23072, a By-law to Amend By-law 17-225, a By-law to Establish a System of Administrative Penalties Administrative Penalties be **amended** to increase fines associated with Safe Apartment Buildings Bylaw to **\$600** per offense
- (c) That Appendix “A” to Report PED23072, Safe Apartment Buildings By-law also be **amended** as follows:
 - (i) That sections 10 (a)(b)(c) include the same information and mirror the requirements of applicants under the Rental Housing Pilot Program;
 - (ii) That section 10(d) include “number of vacant rooms”;
 - (iii) That sections 62 and 63, be amended to require Vital Services Disruption Plans to be developed in a form and manner satisfactory to the Director and authorize the Director to set standards and minimum requirements for these Plans; and
 - (iv) That a new an additional section be added directing The Owner or Operator to post information provided by the City of Hamilton in common areas/notice board about tenant rights, eviction prevention, and tenant support resources, information on City air-conditioned locations, and how to access this information in multiple languages
- (d) That Sub-section (b) of Report PED23072 and Appendix “B” to Report PED23072, being the City of Hamilton User Fees and Charges By-law No.22-112, be **amended** to reflect **87%** cost recovery
- (e) That Sub-section (c) of Report PED23072 and Appendix “C”, to Report PED23072, be **amended** to read as follows:
 - (c) That, subject to the adoption of the Safe Apartment Buildings By-law, the Transition Plan as detailed in Appendix “C” to Report PED23072, to develop, implement, **initiate building evaluations as they are received** and administer the By-law, be approved;
- (f) That Sub-sections (e), (f), (g) and (h) BE DEFERRED to the October 19, 2023 ECS meeting;

- (g) That the recommendations in Report PED23072, be **amended** by added the following sub-sections:
- (k) ***That staff consider submissions from tenants and tenant advocates on activities pertaining to communication and outreach materials; building inspection processes; evaluation criteria and scoring; placement on building of evaluation scores; open data and data tools; and monitoring, evaluation, in program development and implementation;***
 - (l) ***That there be no further in-person or virtual delegations respecting Report PED23072, Addressing Renovictions, Tenant Displacement and Property Standards in Apartment Buildings in the City of Hamilton at the October 5 or 19, 2023 Emergency and Community Services Committee meeting; and***
 - (m) ***That comments respecting Report PED23072, Addressing Renovictions, Tenant Displacement and Property Standards in Apartment Buildings in the City of Hamilton, be limited to written submissions.***

For further disposition of this matter, refer to Item 2

(h) CONSENT ITEMS (Item 9)

(i) Advisory Committee Minutes (Item 9.3)

The following items, were received:

- (a) Seniors Advisory Committee Minutes – June 2, 2023 (Item 9.3(a))
- (b) LGBTQ Advisory Committee Notes - May 16, 2023 (Item 9.3(b))
- (c) LGBTQ Advisory Committee Notes - July 18, 2023 (Item 9.3(c))

(i) PRIVATE AND CONFIDENTIAL (Item 14)

(i) The Committee moved into Closed Session to discussion Item 14.1, Legal Advice Regarding Renoviction By-laws (LS23020(a)), Pursuant to Section 9.3 sub-sections (e) and (f) of the City's Procedural By-law 21-021, as amended, and Section 239(2) Sub-section (e) and (f) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the City or a local board; and, advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

(ii) Legal Advice Regarding Renoviction By-laws (LS23020(a)) (Item 14.1)

For further disposition refer to Item 8.

(i) ADJOURNMENT (Item 16)

There being no further business, the Emergency and Community Services Committee adjourned at 6:09 p.m.

Respectfully submitted,

Councillor B. Clark
Chair, Emergency and Community Services
Committee

Loren Kolar
Legislative Coordinator
Office of the City Clerk