



Hamilton

WELCOME TO THE CITY OF HAMILTON

PLANNING COMMITTEE

June 18, 2024

PED22091(a) – Rental Housing Protection Policy Review

(City-wide)(Outstanding Business List Item)

Presented by: Melanie Pham

Acknowledgements

- Public
- Community partners/Interest groups
- Legal Services
- Other staff groups



Why are there Policies in Official Plans about Conversions and Demolitions of Rental Housing?



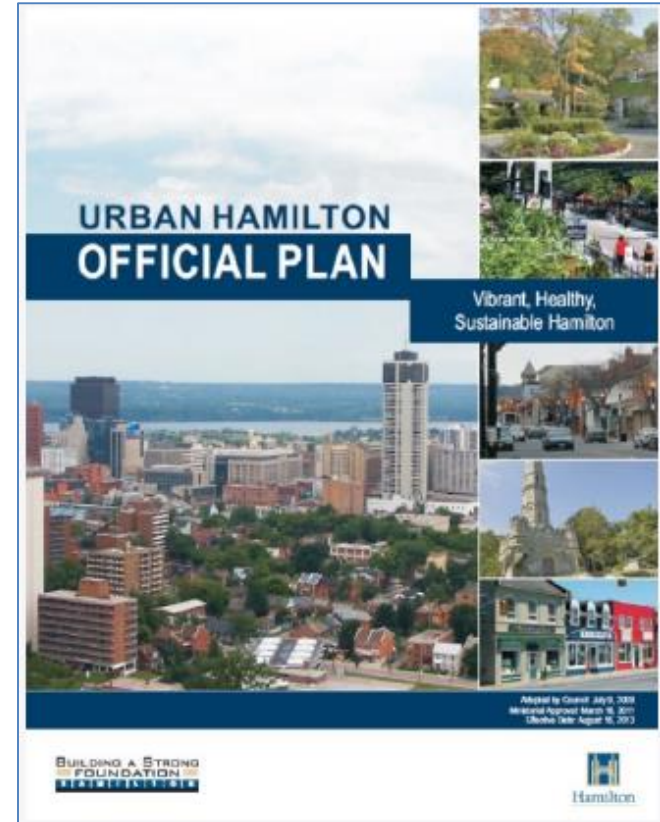
Rental housing is a key part of the City's housing continuum.



Rental housing is a significant contributor to affordable housing options.



Existing rental housing can be lost due to conversions to condominium ownership or through demolitions.

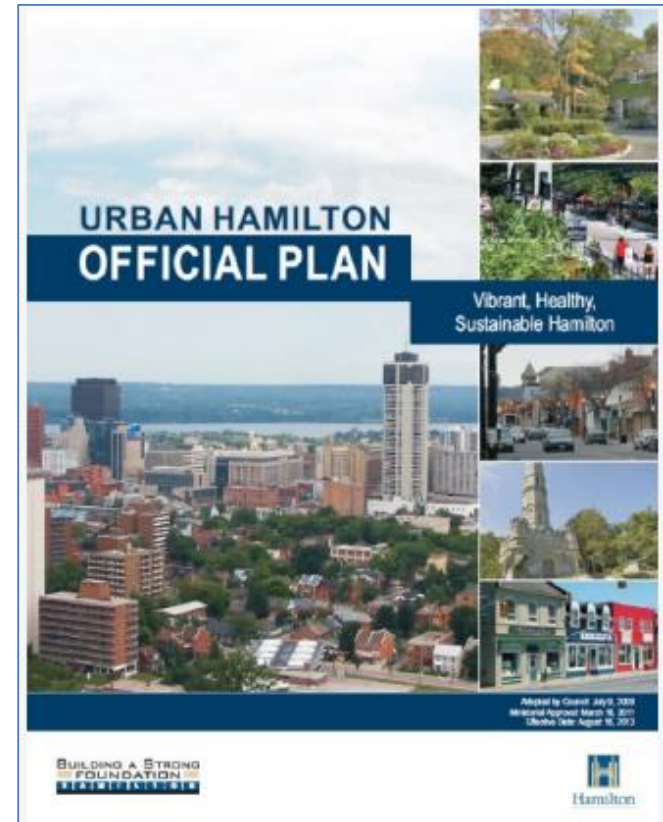


Project Background

Direction from Council to review existing Official Plan policies for conversions of primary rental housing from rental tenure to condominium and report back with recommendations on how to strengthen the policies and provide more protection for rental housing.

Demolition policies also included in review.

May 2022: Report PED22091 was presented to Planning Committee with preliminary recommendations.



PED22091 Key Recommendations



Create a Municipal Act By-law to regulate conversions and demolitions of primary rental housing through a permit process.



Simplifying language in Urban Hamilton Official Plan and adding reference to a Municipal Act By-law.



Amendments to some of the criteria for conversions and demolitions and relocation of some criteria details to the Municipal Act By-law.



Adding policy language for demolitions where replacement units will be provided.



Notification and Promotion

- Newspaper Notice
- Community/interest group email notice
- Indigenous Rights-Holder groups email notice
- Social Media
- Engage Hamilton website
- Our Future Hamilton Newsletter
- Youth Newsletter and @HamOntYouth Instagram channel
- Development Industry Liaison Group



Public Consultation

- Virtual Community Meeting
- Development Industry Liaison Group
- Engage Hamilton
- Survey
- Written comments
- Meetings



What We Heard

- A desire to minimize rental housing stock losses;
- A need to protect existing tenants and provide support to mitigate the impacts of demolitions on existing tenants;
- A need to reduce regulations and hurdles for landlords and find a balance between protecting renters and encouraging investment in Hamilton; and,
- An urgent need to also focus on measures that will increase the supply of rental housing, in addition to protecting existing tenants.

Recommendations



Create a Municipal Act By-law to regulate conversions and demolitions of primary rental housing through a permit process.



Simplifying language in Urban Hamilton Official Plan and adding reference to a Municipal Act By-law.



Amendments to some of the criteria for conversions and demolitions and relocation of some criteria details to the Municipal Act By-law.



Adding policy language for demolitions where replacement units will be provided.



Existing Standard Criteria – Conversions and Demolitions

1. The rental vacancy rate by dwelling unit type and structure type for the City and the Local Housing Market Zone has been at or above 2.0% for the preceding 24 months.
2. The conversion will not reduce the vacancy rate below 2.0%
3. The existing market rent levels are not more than 10% below the average market rent levels for similar unit types/sizes.
4. For vacant units, the last rents charged were not significantly below the average market rent levels.

Changes Proposed:

- Detailed Criteria to be relocated to Rental Housing Protection By-law.
- Vacancy rate requirement to be increased to 3 percent over preceding 24 months.
- Market rent levels cannot be below Average Market Rent instead of more than 10% below

Additional Criteria – Conversions

<p>Scenario 2: At least 75% of the current tenants support the conversion to condominium.</p>	<p>To be deleted</p>
<p>Scenario 3: The building or group of buildings is a protected heritage property.</p>	<p>To be deleted</p>
<p>Scenario 4: Repair or retrofitting is immediately required to meet health and safety standards and the income received from rent and available government funding is not capable of supporting the work required.</p>	<p>No Changes</p>

Additional Criteria - Demolitions

<p>Scenario 2: If the building is determined to be structurally unsound.</p>	<p>No changes</p>
<p>Scenario 3: In Downtown Hamilton Secondary Plan, replacement units are required on the same site.</p>	<p>No changes</p>
	<p>New Policies:</p> <p>Policy clarification that demolition includes internal building renovations that result in the loss of dwelling unit types (number of bedrooms).</p> <p>Demolition may be permitted where replacement units are provided and a tenant relocation and assistance plan.</p>

Additional Changes

- Option for cash in lieu of replacement units removed
- Text of Rental Housing Protection By-law revised to provide more clarity, improve language, and align with proposed Official Plan policies
- Similar amendments to the former Hamilton Official Plan as it relates to the West Harbour Secondary Plan area



Rental Housing Protection By-law

- Applies to any site with 6 or more dwelling units, and at least one rental unit.
- Sets out process for obtaining a permit
- By-law format outlines “Routine” approval situations where all vacancy rate and market rent level criteria are met.
- Also identifies “Discretionary” approval situations where a permit can be considered subject to meeting other scenarios such as those outlined in Official Plan policies.

Permit Process

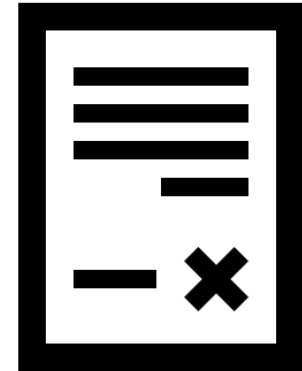
- Screening Form
- Application, fee and supplementary material
- Notice to tenants and tenant meeting
- Notice to Planning Committee
- Preparation of report and recommended conditions
- Approval or refusal
- Conditions fulfilled
- Permit Issued

Tenant Relocation and Assistance

- Guideline for City staff and applicants
- Sets out general expectations for Tenant Relocation and Assistance Plans
- Provides standards for compensation
 - Financial compensation: 3 months rent
 - Moving Expenses: \$1,500 to \$2,500
 - Special Needs Assistance: up to 3 months rent
 - Rent Gap Payments: covering gap between current rent and average rent for same Housing Market Zone
- Outlines replacement unit requirements

Provincial Legislative Changes

- Bill 23
- Bill 97
- Potential future regulations



Next Steps

- Recommendations (a)(b)(c)(e)(f)(h) – Official Plan Amendments, Rental Housing Protection By-law and supporting by-law amendments to take effect on January 1, 2025.
- Recommendation (i) – Planning staff and Legal staff to prepare necessary process documents to implement the permit process by January 1, 2025.
- Recommendation (m) – Staff to monitor process and report back in 2 years on any changes needed.
- Recommendation (l) - Assess and report back on any future Provincial changes to Section 99.1 of Municipal Act or associated regulations.



Hamilton

THANK YOU FOR ATTENDING

THE CITY OF HAMILTON PLANNING COMMITTEE