



June 17, 2024

033-14

Via Email

Melanie Pham, MCIP, RPP
Community Planning Program Lead, Sustainable Communities
Planning and Economic Development Department

City of Hamilton
71 Main Street West, 4th Floor
Hamilton, ON L8P 4Y5

**RE: RENTAL HOUSING PROTECTION POLICY REVIEW (PED22091(a))
Comment Response to Staff Report No. PED22091(a)**

Dear Ms. Pham,

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultant acting on behalf of The Effort Trust Company Ltd. (Effort Trust). Effort Trust is an established landowner in the City of Hamilton with a strong real estate portfolio comprised primarily of rental units. This portfolio includes Kensington Apartments (115 Main Street East), Fontainebleau Apartments (121 Hunter Street West), and Charwal Apartments (155 Charlton Avenue East), each subject to active condominium conversion applications approved under the existing condominium conversion policies of Section B.3.2.5.1 of the Urban Hamilton Official Plan (UHOP). On their behalf, UrbanSolutions is pleased to submit these written comments in response to the City's Rental Housing Protection Policy Review contained within Staff Report No. PED22091(a).

The existing condominium conversion policies contained within Section B.3.2.5.1 of the UHOP currently state that conversion to condominium of rental apartment or townhouse buildings or groups of buildings comprised of six or more units shall be permitted if any one of three general criteria are met, outlined as a), b), and c) below:

- a) " all the following criteria are met:
 - i. the rental vacancy rate by dwelling unit and structure type for the City and the respective local housing market zone, as identified on Schedule G – Local Housing Market Zones and based on CMHC data, has been at or above 2.0% for the preceding twenty-four months; and,
 - ii. the proposed conversion shall not reduce the rental vacancy rate by dwelling unit and structure type to below 2.0% for the City and the respective local housing market zone; and,
 - iii. the existing market rent levels for the units proposed to be converted are not significantly (approximately 10%) below the average market rent levels for the City and the respective local housing market zone for rental units of a similar dwelling unit and structure type and size; and,

- iv. for vacant rental units, the last market rent levels charged prior to vacancy for the units proposed to be converted were not significantly (approximately 10%) below the average market rent levels at the time for the City and the respective local housing market zone for rental units of a similar dwelling unit and structure type and size; or,
- b) at least 75% of the current tenants support the conversion to condominium, as demonstrated to the satisfaction of the City; or,
- c) the subject building or group of buildings is a protected heritage property on the date of application.”

Report No. PED22091(a) proposes an Official Plan Amendment (OPA) with recommended changes to Section B.3.2.5.1 and the introduction of the Rental Housing Protection By-law. The OPA seeks to increase the minimum rental vacancy rate from 2% to 3% to permit Condominium Conversions within local housing market zones and the overall City where the rental vacancy rate has been at or above 3% for the preceding 2 years, and also ensure that the conversion will not adversely affect the supply of affordable rental housing units of a similar dwelling unit structure, size, and type for the city and respective local housing market zone. Furthermore, the criteria that would require at least 75% of current tenants being in support of the conversion is proposed to be removed.

The City’s existing condominium conversion policies play an important role in the provision of affordable ownership opportunities in the City. This is because condominium conversion policies act as a transitory mechanism intended to help facilitate the transition of rental units into affordable home ownership opportunities. The existing policies aim to preserve a strong rental housing stock across the City while creating ownership opportunities for current renters within their own building or neighbourhood, with renters having the right of first refusal for their rental units which are converted into a condominium unit.


The proposed new condominium conversion policies in the OPA and the Rental Housing Protection By-law may undermine the intent of the existing condominium conversion policies by making this transition from rental units to affordable ownership more difficult. The City’s condominium conversion policies play a critical role in the provision of affordable home ownership opportunities across the City, and the recommended changes discussed in Staff Report No. PED22091(a) may hamper some of the benefits provided by these applications. Further consideration of these implications to ensure policies effectively balance the interests of all involved parties is recommended.

We trust the enclosed is in order, however, please feel free to contact the undersigned with any questions.

Sincerely,
UrbanSolutions



Matt Johnston, MCIP, RPP
Principal



Stefano Rosatone, BES
Planner

Cc: The Effort Trust Company Ltd. c/o Mr. David Horwood