

# RENTAL HOUSING PROTECTION

## Public Feedback Report

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This Public Feedback Report includes feedback from a Virtual Information Meeting held on October 5, 2022, stakeholder meetings with Hamilton Association of Community Organizations for Reform Now (ACORN), Hamilton and District Apartment Association (HDAA), Realtor's Association of Hamilton-Burlington (RAHB) and Effort Trust held between October 11 and November 28, 2022. It also includes written feedback and online responses to a public survey which was available from September 26 to November 4, 2022.



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## About this Report

The Rental Housing Protection Policy Review is a City of Hamilton initiative that is looking at the rental housing protection policies within the Urban Hamilton Official Plan and is proposing changes to the policy and planning process framework surrounding conversions of primary rental housing to condominium tenure and demolitions of primary rental housing. The intent of the policy changes is to establish appropriate limitations to manage change and ensure protection for existing affordable rental housing units.

As part of the changes to the planning process framework, the City is proposing to establish a permit process for conversions and demolitions of rental housing by passing a by-law under the Municipal Act. This is intended to be used as a tool to implement the Official Plan directions. The permit process is identified as a key part of the City's strategy that could strengthen protections for rental housing and provide a consistent process for applications to convert or demolish rental housing. It would also permit the City to attach conditions to a permit, such as requiring legal agreements for replacement units in a new development, providing tenant assistance, and other conditions.

In May 2022, Hamilton Planning Committee received a report on the Condominium Conversion Policy Review. The report contained a draft Official Plan Amendment and Municipal Act By-law addressing proposed policy and planning process changes to regulate demolitions and conversions of rental housing. Hamilton City staff were directed to consult with stakeholders and the public on the draft document and report back with final recommendations. From September to November 2022, staff engaged with the community to obtain feedback. This report includes a summary of common themes, key messages and a synthesis of public feedback.

## 1. How the consultation was organized

The purpose of the consultations was to provide information to the public on the background for the Rental Housing Protection Policy Review, and to collect feedback on the proposed policy and planning framework changes associated with rental housing. The Rental Housing Protection Policy Review consultations created opportunities to provide input and options for discussion. There were various ways to provide input, as noted below:

### Virtual public information meeting

A Public Information Meeting was hosted on WebEx and included a live presentation followed by a facilitated discussion. The meeting was held Wednesday, October 5, 2022, from 7:00 to 8:00 pm. Residents registered for the meeting through Engage Hamilton. Participants were able to provide comments by typing into the Q & A and having these read aloud by the facilitator and, raising their hand to speak and being able to provide their feedback orally. The meeting presentation was recorded and subsequently posted on the project web page for public viewing.

### Stakeholder meetings

Staff held stakeholder meetings with representatives of different groups and organizations that were identified to have an interest in rental housing policy. Three stakeholder meetings occurred. Participants provided input through speaking at the meetings and asked staff questions. The meeting with ACORN was held on WebEx with two representatives from ACORN and involved an open discussion with City staff. The second stakeholder meeting was held in person at City Hall with three representatives from Hamilton and District Apartment Association and three representatives with Realtors Association of Hamilton Burlington. The discussion involved the representatives voicing their thoughts and concerns regarding Rental Housing Policy and asking questions to City Staff. The third stakeholder meeting was held on Webex with two representatives, one from Urban Solutions and one from Effort Trust, discussing the project and asking staff questions.

**Figure 1: Meeting Dates and Attendees**

Consultation Meetings Held	Number of Attendees
Virtual Public Information Meeting held October 5, 2022 (evening)	11
Acorn Meeting held October 11, 2022 (afternoon)	5
Hamilton and District Apartment Association (HDAA) and Realtors Association of Hamilton Burlington (RAHB) Meeting held November 7, 2022 (afternoon)	8
Effort Trust Meeting held November 28, 2022 (afternoon)	5

### Written input

The City established the consultation website <https://engage.hamilton.ca/rentalprotection>, where information on Rental Housing Protection policy was provided for public review and comments. This included proposed policy changes, draft Official Plan Amendments, and draft Municipal Act By-law. Input could be provided by sending an email to the posted city staff contact. The public was able to provide feedback until November 4, 2022.

### Online survey

There was opportunity for the public to provide feedback on the Rental Housing Policy Review through a survey on the Engage Hamilton website. The survey was accessible from September 26 to November 4, 2022 and respondents were able to answer three questions and state their reasons for support, or lack thereof, to various criteria changes that the City was proposing, as well as changes to policy and by-laws. Respondents of the survey also had the opportunity to provide additional comments or statements of their own.

## 2. Common themes and key messages heard from meetings

This report section identifies common themes and key messages that were raised through the virtual consultation and three stakeholder meetings. Numerous questions were raised in each meeting and a variety of different opinions and viewpoints were heard. There was strong support from some viewpoints, while others raised some significant concerns.

**Figure 2: General Themes and Key Messages**

General Topic	Overall Themes Noted
<p><b>Benefits and Incentives</b></p>	<ul style="list-style-type: none"> <li>• How or in what circumstances would converting the purpose-based rentals to condos actually be beneficial to affordable housing?</li> <li>• What do you see for incentives that city would provide to renters/developers to want to do business in Hamilton?</li> <li>• How will this policy assist in economic development in Hamilton?</li> <li>• Will this policy encourage or discourage people who own housing or will own housing and want to rent out? Will it be an impediment or encouragement?</li> <li>• Have you thought about the benefits of converting from rental to condominium?</li> <li>• Private sector would have to be involved to help with housing. Don't over-regulate and create more deterrents.</li> <li>• What is the public benefit that makes conversions something that should be permitted?</li> <li>• Right of a rental owner to have the type of ownership they want is an important right. Mixing owners and rentals in a building is also good for community. Also, people can have an opportunity to own without moving out of their neighbourhood/building.</li> <li>• There is a huge gap in affordability from renting to buying. If people can take some buildings that are old, convert and create potential to buy, it could lower the price to purchase for ownership. Conversions allow an occasional unit to come into market that is</li> </ul>

General Topic	Overall Themes Noted
	<p>affordable. It's providing opportunity for home ownership.</p>
<p><b>Renovictions and Demovictions</b></p>	<ul style="list-style-type: none"> <li>• What is the City doing about “renovictions” (E.g. When a tenant is removed from a unit for renovations and supposed to be allowed back, but are essentially evicted from the unit and the landlord tries to increase rent after the renovations are completed)?</li> <li>• When people get notices for demovictions and are harassed by owners to get out (called every 3 days), the building is empty, and nothing is being done. ACORN would like to stop tenants being harassed.</li> <li>• ACORN recently held a walking tour through Ward 3. Tenants spoke to different tactics of renovictions and what landlords are doing. Buyouts have gone up. Landlords don't want tenants back and are motivated to get tenants to accept cash incentives.</li> <li>• ACORN noted that they are also working with the Housing Division at the City of Hamilton on the review of ‘renoviction’ programs like the one in New Westminster BC.</li> </ul>
<p><b>Rental Stock and Rental Replacement</b></p>	<ul style="list-style-type: none"> <li>• Regarding the 6 units for primary rental housing, is there an effort to capture the units and buildings with 5 or less?</li> <li>• Are there other tools that can be used for buildings with less than six units?</li> <li>• Housing stock is old, needs to be rejuvenated and improved over time. People who have ownership tend to care better and improve their property. If not rejuvenated, housing could be demolished.</li> <li>• Older stock generally has lower rent and little turnover. Guideline increase does not cover increased cost of maintenance and improvements. After a certain time, a building needs to be brought up to a higher standard.</li> <li>• When a conversion occurs, housing stock remains the same</li> <li>• Conversation about rental housing should be broader. What is the fair way to document supply? i.e. condos being rented and rentals less than 6 units make up a large portion of rental market.</li> </ul>

<b>General Topic</b>	<b>Overall Themes Noted</b>
<b>Rental Protections</b>	<ul style="list-style-type: none"> <li>• ACORN would like to see language around tenant relocation as strong as possible</li> <li>• Most important priority to tenants is staying in homes. If not possible, providing support during construction and then having a right to come back to same units at same rent is key.</li> <li>• Landlord's paperwork to tenants can be misleading by not providing all options (move out, money, stay). Can requirements help with clear communication?</li> <li>• Best practices for tenant support such as in Burnaby, BC and New Westminster, BC should be implemented.</li> </ul>
<b>Landlords</b>	<ul style="list-style-type: none"> <li>• The prevailing impression is that the City is against landlords. Most landlords are good landlords and provide important housing supply (1/3 to 40% of housing). The City should recognize landlord's beneficial contributions better.</li> <li>• Things need to be realistic, need to make sure we don't go overboard with rental protection. Need to have a balance between landlords staying and investing in Hamilton vs protecting renters. Legislations may not make Hamilton as likely to be invested in.</li> </ul>
<b>Policy and Regulations</b>	<ul style="list-style-type: none"> <li>• Why would the proposed demolition rules/policy be different in the Downtown Secondary Plan than outside of it?</li> <li>• What does the permitting process do that can't already be addressed via conditions of condo conversion?</li> <li>• Can City restrict all conversions?</li> <li>• The Province requires landlords to pay tenants 3 months rent or offer another unit (S. 52, RTA) when an eviction occurs for demolition/conversion. New policy seems to go over and above what Province requires.</li> <li>• Did the new Provincial policy proposal say anything about protecting rentals?</li> <li>• Concerns were noted about cumulative impacts of new requirements being rolled out by the City for rental units.</li> </ul>



General Topic	Overall Themes Noted
	<ul style="list-style-type: none"> <li>• Raising the threshold of vacancy rates creates a challenge to change status to condominium. Don't want to see unattainable policy in place by the city. Vacancy rate threshold is an issue.</li> <li>• If Federal government allowed any rental building to convert to condo, there would be a lot more rentals built. Restrictions for rentals to condos has kept supply of rentals down.</li> <li>• Consideration of sunset clause to ensure that units remain rental for a specified period of time?</li> </ul>

### 3. Overall themes and comments from written feedback

This report section includes a summary of overall themes and comments that were noted in the written feedback. There were a total of 56 respondents who provided comments.

Figure 3: Overall Themes from Written Feedback

General Topic	Overall Themes Noted
<b>Tenant Assistance</b>	<ul style="list-style-type: none"> <li>• Concerns about lack of detail on tenant protections.</li> <li>• If demolition permits are approved, landlords must be responsible for tenant assistance.</li> <li>• Allow tenants to choose between accepting temporary accommodation of comparable size and location at the same rent previously paid.</li> <li>• Provide a rental "top up" should the tenant choose to find their own temporary accommodation (would cover the difference between their original rent and rent of their temporary accommodation).</li> <li>• Help for tenants to find a new place and moving assistance (tenant's choice of an insured moving company arranged by the landlord OR compensation).</li> </ul>

<b>General Topic</b>	<b>Overall Themes Noted</b>
<b>Rental Replacement</b>	<ul style="list-style-type: none"> <li>• Grant tenants the right to return to the redeveloped building at the same rent in a unit with the same number of bedrooms.</li> <li>• Units lost to redevelopment must be replaced at a ratio of 1:1 or 30% of the total number of proposed units (whichever is greater).</li> <li>• Replaced units must be replaced on site, and developers cannot opt out of rental replacement through cash-in-lieu or be allowed to replace off site.</li> <li>• Concerns about different rules for outside of the Downtown Secondary Plan.</li> </ul>
<b>Demolition Criteria</b>	<ul style="list-style-type: none"> <li>• Should not be tied to vacancy rates (vacancy rate over 3% does not mean low income tenants will have an easier time finding affordable housing).</li> </ul>
<b>Tenant Communication</b>	<ul style="list-style-type: none"> <li>• All written communication to tenants must be translated with common languages spoken by tenants in the buildings, and translation services must be provided at tenant meetings.</li> <li>• Tenants must be given 180 days notice of a move out day (60 extra on top of 120 days required by Residential Tenancies Act).</li> <li>• Frequent communication to tenants during the redevelopment to share timeline on returning to units.</li> <li>• Tenant engagement and required tenant meetings must include a representative from the City of Hamilton and community groups that support tenant rights if requested.</li> <li>• Frequent communication should be provided.</li> </ul>
<b>Condominium Conversion</b>	<ul style="list-style-type: none"> <li>• City of Hamilton must create a policy to oppose the conversion of rental housing into condominiums.</li> </ul>
<b>Lessons Learned from Past Demolitions</b>	<ul style="list-style-type: none"> <li>• Tenants do not want to move.</li> <li>• Compensation cannot cover the loss of affordable housing.</li> <li>• Being forced to move is extremely stressful for low income tenants.</li> <li>• Families want to stay in the neighbourhood where they have community connections (transit, work,</li> </ul>

General Topic	Overall Themes Noted
	school, places of worship, close to health care, friends and family).

## 4. Summary of survey feedback

This report section includes a summary of overall themes and comments from the Engage Hamilton online survey. Contributors answered three questions relating to criteria and policy changes that the City is proposing, stating whether they support it or not and to explain their reasoning for the response. The contributors also had the opportunity to respond to three additional questions where they could add their own suggestions or comments relating the By-law and Official Plan amendments.

**Figure 4: Overall Themes from Online Survey**

General Topic	Overall Themes Noted
<p><b>Criteria changes for conversions of rental unit to condominium</b></p>	<ul style="list-style-type: none"> <li>• Rentals should be more affordable.</li> <li>• Allowing conversions will worsen rental housing shortage. We need more rentals.</li> <li>• Issues of pricing and affordability for tenants should be considered. Most people who rent cannot afford a condominium.</li> <li>• Pricing of rentals vs condos – condominiums are too expensive.</li> <li>• Conversion criteria doesn't go far enough and should be more stringent. Vacancy rate criteria should be higher than three percent.</li> <li>• Housing supply is low, more rentals would mean more opportunities for people to find housing, and people who cannot find rentals or can't afford a condo will be forced to move elsewhere.</li> <li>• Support for proposed removal of "75% tenant support" criteria, as this may add unfair pressure on residents and does not support maintaining rental.</li> <li>• May add unnecessary restrictions, leading owners or landlords try to find other ways around them (i.e. renovations) and/or discouraging investment in rental</li> </ul>

	<p>properties and financial ability to bring properties up to a higher standard. Time and effort should be spent on building correct type of housing.</p>
<p><b>Criteria changes for demolitions of rental housing</b></p>	<ul style="list-style-type: none"> <li>• Similar responses as for criteria changes for conversions.</li> <li>• Changes will inhibit new housing starts. There needs to be more incentives for private people to invest money into providing more rental units.</li> <li>• Concern that allowing developers to make up units off-site or make a payment in lieu will add to gentrification or result in fewer units overall.</li> <li>• Concerns about tenants being evicted and unable to find housing, and affordability. Landlords must find other housing for evicted tenants at the same costs or cover the difference.</li> <li>• Need more rental housing, not less. Opposition to demolition overall, as it decreases affordability.</li> <li>• Criteria needs to be strong and sensible, could go even further than what is proposed.</li> <li>• Have time limits on demolitions so that buildings are not left vacant.</li> <li>• Criteria doesn't go far enough and should be more stringent. Vacancy rate criteria should be higher than three percent.</li> <li>• Demolition should only be permitted if the result density is greater than the original and that the original rental unit count must remain and still be rentals in the new development and offered at the same rent.</li> <li>• Allow renters to continue to rent units of same square footage and type at the same price. Vital that rent levels remain the same, through a City agreement.</li> <li>• Rent levels of replacement units should be controlled, even if there is turnover in occupancy, otherwise affordable rent is lost.</li> <li>• Tenants must receive appropriate compensation for moving costs, storage, and temporary accommodation.</li> </ul>
<p><b>By-law to establish permit process to regulate conversions</b></p>	<ul style="list-style-type: none"> <li>• By-law will protect tenants but discourage housing starts.</li> <li>• Permit process sounds flexible and free from appeal to the OLT.</li> </ul>

<p><b>and demolitions of rental housing</b></p>	<ul style="list-style-type: none"> <li>• Conversion of rental units to condo, provisions that permit landlords to remove tenants or increase prices above guidelines will reduce affordability of housing for many people.</li> <li>• May add unnecessary restrictions, leading owners or landlords try to find other ways around them (i.e. renovictions) which will be more detrimental. Time and effort should be spent on building correct type of housing.</li> <li>• There needs to be incentive for landlords to want to provide rental units to tenants.</li> <li>• There should be time limits on permits for demos, adjustments, and development so property isn't left unoccupied and decaying.</li> <li>• By should extend to conversions or demolitions of 4 units rather than the proposed 6.</li> <li>• City's permit process may be used as a barrier to conversions the city disapproves of, but minor hurdle for developers on good terms with the City.</li> </ul>
<p><b>Conditions applied to approvals of conversions or demolitions</b></p>	<ul style="list-style-type: none"> <li>• By-law is restrictive.</li> <li>• Support for proposed conditions.</li> <li>• Subsidized rent should be available.</li> <li>• Builders will need to recoup their investment and these requirements will be reflected in new rental/sale costs.</li> <li>• Requiring comparable alternative accommodations be provided by the landlord to all tenants at or below the tenant's current monthly rental rate for the duration of the construction process.</li> <li>• Securing tenant's rights to return to replaced units at the same rents. Units should be rent-controlled through a City agreement.</li> <li>• Square footage of replacement units should be comparable to previous.</li> <li>• A re-think is needed to end discrimination against tenants (city approach to tax rates favours ownership over rent, tax rates are higher for rentals, property tax rebates available to low income owners but not tenants).</li> <li>• Time limits on demolitions and development so that buildings are not left vacant.</li> </ul>

	<ul style="list-style-type: none"> <li>• Conditions provide no incentive for landlords to build better units when they won't get more rent.</li> <li>• Offering tenants an opportunity to purchase units is not affordable for low income renters.</li> <li>• By-law should "grandfather" existing units.</li> <li>• Downtown Hamilton Secondary Plan policy should be expanded City-wide.</li> <li>• Concern about cash-in-lieu conditions not benefitting tenants.</li> <li>• Demolitions should be prohibited.</li> </ul>
<p><b>Additional comments on draft Official Plan Amendments and By-law text, and general comments</b></p>	<ul style="list-style-type: none"> <li>• Property owners have the right to protect and enhance their investments.</li> <li>• Expecting 75% of tenants to agree is unreasonable.</li> <li>• 2% vacancies figure seems low. Figure should be 3-4% to protect and limit conversions.</li> <li>• For any rental unit removed, another should be provided for the same cost.</li> <li>• There should be a process that is not one-sided and that will work with people seeking to rent or purchase.</li> <li>• If the condo is bought at a certain amount, the developer has to honour the price and not increase it.</li> <li>• Proposal adds more unnecessary restrictions, owners will find a way around them.</li> <li>• Condos should be built on underutilized land, not in places with 6 or more rentals.</li> <li>• How are we protecting against demolition by neglect? We need to ensure we don't reward delinquent owners with demolition permits because they let a building fall so far into disrepair that it becomes unsafe.</li> <li>• Would like to see the City incentivizing the construction and conversion of rental buildings into housing cooperatives.</li> <li>• Concern about Provincial changes to Municipal Act that may impact Rental Replacement By-laws.</li> </ul>

## Appendix 1 - Virtual Public Meeting (October 5)

This Appendix includes feedback from the Virtual Public Information Meeting which was held on Wednesday October 5, 2022 from 7:00 to 8:00 p.m.

The format included a live presentation by Melanie Pham, a Planner for the City of Hamilton. Following the presentation, a Q&A was held where individuals could post questions or comments by typing them into the question-and-answer box or by raising their hand to speak. The Facilitator would read the questions and comments aloud and kept the individual's name anonymous.

**Figure 5: Transcript of Questions and Responses**

Topic	What Was heard
<p><b>Questions and staff responses</b></p>	<p>1. Why would the proposed demolition rules be different in the Downtown Secondary Plan than outside of it?</p> <p>Staff Response:</p> <p>Certain areas of the City have what we call “Secondary Plans” where there’s more specific policies in place that provide direction for those areas and it is unique to those areas. There are different policies in the Downtown Secondary Plan, and they require replacement units where units are demolished. For other areas of the City, this requirement doesn’t apply, and therefore the by-law, as it’s been written, creates a distinction between those two areas.</p> <p>Within the downtown it would require replacement, and outside of the downtown there could be other options such as providing cash in lieu or creating replacement units on a different site. It (the By-law) essentially makes that distinction to make sure we’re implementing the policies of the Secondary Plan that are in effect.</p> <p>2. What does the permitting process do that can’t already be addressed via conditions of condo conversion?</p>

Staff Response:

It is a little bit more flexible based on what types of things that can be asked for and there are legal agreements that can be used as part of the process. One of the big things is that we can also apply it to the demolition situation which we weren't able to do before. It is just trying to take a consistent approach to all of those situations, and it would be something that would be done concurrently with the condominium applications. We're looking at how we can mesh those 2 processes (condominium conversion application and permit application) together to try and avoid duplication of efforts.

Additional Follow-up Note: In addition to the response provided at the meeting, it should also be noted that decisions on Condominium applications can be appealed to the OLT, whereas the decision to issue or not issue a permit under the Municipal Act is final and cannot be appealed.

3. Is there more information on definitions of rental replacement, tenant assistance, similar rents, and right to come back to the redevelopment?

Staff Response:

These items are relating to potential conditions that might be associated with a permit, so we haven't determined all of those details yet. Housing Division staff and Legal Services staff will be providing input on that.

The intent was that units need to be replaced on a like-for-like basis in terms of the number of bedrooms a unit has. For example, a 3 bedroom unit would be replaced by another 3 bedroom unit.

Another example from Mississauga which might be similar to what Hamilton will use: for similar rent, they define it as the last rent paid by the tenant with an increase no higher than the provincial guideline, and a one-time capital allowance of 3 percent.

4. A developer will often eat penalties as the profits often outweigh the loss. How will you ensure these penalties will stop non-compliance with unit conversions?



Staff Response:

The By-law has some fines (for non-compliance) and they are based on the maximum that can be charged through the Municipal Act. We are proposing that the maximum fine is set at \$100,000, and then the initial fines would be \$10,000. We are using the powers that have been given under the Municipal Act and we are planning to incorporate those amounts that we are permitted to ask for as fines for non-compliance.

5. What is the City doing about “renovictions” (E.g. When a tenant is removed from a unit for renovations and supposed to be allowed back, but are essentially evicted from the unit and the landlord tries to increase rent after the renovations are completed)?

Staff Response:

This project is not directly related to renovictions. The information below has been provided by Housing Services regarding renovictions:

The City is conducting a jurisdictional review of ‘renoviction’ programs such as the New Westminster BC style bylaw. Given the challenges around jurisdictional differences among provinces and the legal challenges a by-law must overcome, staff have retained a consultant, Enterprise Canada, to complete engagement and a thorough analysis of the options for implementation of an approach similar to the New Westminster, BC by-law in Ontario and/or other best practices related to the issue of renovictions. This work is underway and is expected to come back to Council for consideration in early 2023.

6. Where are we at with landlord licensing?

Staff Response:

This question was not answered at the meeting, as this initiative is not within the Planning Division. Staff advised that a response from the City’s Licensing and By-law Services

group would be requested following the meeting. This response was posted online.

Response provided by Licensing and By-law Services:

On August 13, 2021 City Council approved the creation of a two—year Rental Housing Licensing pilot program for Wards 1, 8 and parts of 14. As per Schedule 31 of By-law 07-170, a license is now required for rental housing units and building or part of buildings with 4 or less self-contained units, detached homes or townhouses, if rented. Each rental housing unit requires a license.

The Pilot Program rolled out April 2022 and property owners were able to submit applications for the first phased-in zone (Zone 1), as we are taking a phased-in approach for accepting applications. Wards 1, 8 and parts of 14 have been broken down into a total of seven zones.

To date, 137 rental housing license applications have been received by the Licensing Section, primarily consisting of single-family dwelling units with 5 or more tenants. A total of 18 rental housing licenses have been issued.

During the past 6 months of implementation, Staff from the relevant City Departments have prioritized education to property owners, residents, and tenants. Focusing on reaching out to property owners suspected of operating a rental housing unit, fielding Municipal Law Enforcement Officers to provide door knockers, and sending informational mail outs.

7. What type of data will be collected during the permit process (E.g. Type of unit, location, size, etc.) Will that data be used to better understand current rental stock?

Staff Response:

There are a number of things that would be required as part of an application. We would ask for the number of dwelling units and the number of units by unit type, and that's the number of bedrooms in each unit and the floor areas. The rental rates would be requested and any related planning application information. If there is a proposal for replacement or retention of units, we would ask for that and potentially information on

an agreement between tenants and the landlord for tenants to be able to purchase their units. We would also ask for some other things like tenant engagement information.

Typically, there is a meeting for the condominium conversion (existing process) that the applicant holds for all tenants in advance of submitting an application. That would continue, and they (applicants) would need to provide a record of that meeting. We need this information to determine whether or not the proposal is meeting the policies for average market rents that are in the Official Plan.

8. Regarding the 6 units for primary rental housing, is there an effort to capture the vast number of units and buildings with 5 or less?

Staff Response:

This is something that we identified as a challenge because the Municipal Act only allows us to regulate 6 or more, and the Official Plan policies are based on that as well. That's not to say there aren't any other approaches, but when we're dealing with demolitions and conversions, it is a lot harder to regulate that sort of thing. Some of our other processes that are in place would be part of those checks and balances. The demolition control by-law for one, and then, depending on what type of proposal is in place, there are other planning applications that might be needed where a smaller number of units are being demolished or removed.

So, there are other process where we might flag that through other planning applications and suggest that certain things be done or encourage the replacement of units, but it is difficult to mandate that through a permit process.

9. How or in what circumstances would converting the purpose-based rentals to condos actually be beneficial to affordable housing?

Staff Response:

The main benefit is that there is some data that does show that where tenants are able to purchase their unit, it can provide a good opportunity for an affordable home ownership situation because the units are typically less expensive than

	<p>new units. In that sense, if we're looking at the whole continuum of housing, sometimes it's beneficial because tenants are able to get into a situation where they can have home ownership and it's relatively affordable. It's a lot about finding a balance between trying to protect the most affordable units and looking at other types of housing and benefits that could occur.</p>
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## Appendix 2 - ACORN Meeting (October 11)

### Stakeholder Meeting with ACORN

This Appendix includes the feedback from the Stakeholder meeting with Association of Community Organizations for Reform Now (ACORN) which was held:

- Tuesday, October 11, from 1:00 p.m. to 2:00 p.m.

The format included a discussion about ACORN as an organization and its interest in the project as well as a discussion of some of the best practices for tenant support in New Westminister, BC and Burnaby, BC. Furthermore, ACORN presented various questions and comments on the Rental Housing Protection for City Staff. Participants included the following:

- Olivia O'Connor (ACORN Representative)
- Christine Neale (Chair of ACORN Downtown Chapter)
- Christine Newbold (City of Hamilton)
- Melanie Pham (City of Hamilton)
- Justin Waud (City of Hamilton)

**Figure 6: ACORN Stakeholder Meeting**

Topic	What Was heard
<p><b>Overall questions and comments</b></p>	<ul style="list-style-type: none"> <li>• Olivia discussed some best practices for tenant support in New Westminister, BC and Burnaby, BC.</li> <li>• Considered best in Canada example, identified as a “Gold standard” for their requirements related to demolitions (E.g. tenant assistance program, rental top-ups, financial support for moving).</li> <li>• Examples of demolitions in the City were discussed, and the tenant issues associated with the demolitions:               <ul style="list-style-type: none"> <li>• 468 James Street</li> <li>• 816 Concession Street</li> <li>• 192 Hughson Street and 181 John Street</li> </ul> </li> <li>• Buyouts and harassment that occurs prior to making an application viewed as a serious issue.</li> </ul>

Topic	What Was heard
<p><b>Overall questions and comments (continued)</b></p>	<ul style="list-style-type: none"> <li>• ACORN would like to see language around tenant relocation as strong as possible (i.e. shall vs may).</li> <li>• Most important priority to tenants is staying in homes. If not possible, providing support during construction and then having a right to come back to same units at same rent is key.</li> <li>• When people get notices for demovictions and are harassed by owners to get out (called every 3 days), the building is empty and nothing is being done. ACORN would like to stop tenants being harassed.</li> <li>• ACORN recently held a walking tour through Ward 3. Tenants spoke to different tactics of renovictions and what landlords are doing. Buyouts have gone up. Landlords don't want tenants back and are motivated to get tenants to accept cash incentives. ACORN notes the problem has escalated. Low- and mid- rises are perceived as being at higher risk.</li> <li>• ACORN noted that they are also working with the Housing Division at the City of Hamilton on the review of 'renoviction' programs like the one in New Westminster BC.</li> <li>• Where does cash-in-lieu option come from and how is it different from Downtown Secondary Plan?</li> <li>• Clarification requested regarding Scenario 1 example and additional allowance for demolitions when replacement units are provided. What is the purpose of this policy?</li> <li>• Are there other tools that can be used for buildings with less than six units?</li> <li>• Can City restrict all conversions?</li> <li>• Landlord's paperwork to tenants can be misleading by not providing all options (move out, money, stay). Can requirements help with clear communication?</li> </ul>

## Appendix 3 - Hamilton and District Apartment Association (HDAA) and Realtors Association of Hamilton Burlington (RAHB) Meeting (November 7)

### Stakeholder with Meeting HDAA and RAHB

This Appendix includes the feedback from the Stakeholder meeting with Hamilton and District Apartment Association (HDAA) and Realtors Association of Hamilton Burlington (RAHB), which was held:

- Monday, November 7, from 3:30 p.m. to 4:30 p.m.

The format of this meeting included time for representatives from HDAA and RAHB to provide a description of their respective organizations and their interest in providing input on the Rental Housing Protection Project as well as time for asking questions and open discussion with City staff. Participants included the following:

- Anna Kusmider (HDAA)
- Arun Pathak (HDAA)
- Paul Martindale (HDAA)
- Lou Piriano (RAHB)
- Nicolas Von Bredow (RAHB)
- Crystal Henderson (RAHB)
- Melanie Pham (City of Hamilton)
- Justin Waud (City of Hamilton)

### Figure 7: HDAA and RAHB Stakeholder Meeting

Topic	What Was heard
<b>Overall questions</b>	<ul style="list-style-type: none"> <li>What do you see for incentives that city would provide to renters/developers to want to do business in Hamilton?</li> <li>How will this policy assist in economic development in Hamilton?</li> <li>Will this policy encourage or discourage people who own housing or will own housing and want to rent out? Will it be an impediment or encouragement?</li> </ul>

	<ul style="list-style-type: none"> <li>• Have you thought about the benefits of converting from rental to condominium?</li> <li>• The Province requires landlords to pay tenants 3 months rent or offer another unit (S. 52, RTA) when an eviction occurs for demolition/conversion. New policy seems to go over and above what province requires? If so, HDAA and RAHB do not agree with this approach as it puts more restrictions on landlords.</li> <li>• If vacancy rate doesn't meet 3% threshold, but all other requirements were met, is there a mechanism to appeal or go through a variance? If you have a specific area with high vacancy rate of e.g. 5%, 7%, 10% vs the city's 2.9% is there anything in proposals that would allow conversions in that area?</li> <li>• If an application were minor, would it go to the Director for approval?</li> <li>• Did the new Provincial policy proposal say anything about protecting rentals?</li> </ul>
<p><b>Overall comments</b></p>	<ul style="list-style-type: none"> <li>• Concerns were noted about cumulative impacts of new requirements being rolled out by the City for rental units. (I.e. Regulation for short term Airbnb rentals, vacant home tax, etc.)</li> <li>• Private sector would have to be involved to help with housing. Don't over-regulate and create more deterrents.</li> <li>• CMHC report from 1975 states increased construction costs, lack of supply, increased interest rates. Not much has changed. Still dealing with same issues.</li> <li>• More inventory is the solution. Landlords with no regard for tenants or who can't afford to improve will continue as is. If there are options for a renter to look elsewhere, the landlord will have to improve conditions. Looking at bigger picture, solution is more supply.</li> </ul>



- The perception is as important as what is actually happening. The prevailing impression is that the City is against landlords. Most landlords are good landlords and provide important housing supply (1/3 to 40% of housing). The City should recognize landlord's beneficial contributions better.
- Raising the threshold of vacancy rates creates a challenge to change status to condominium. Don't want to see unattainable policy in place by the city. Vacancy rate threshold is an issue. Have concerns with raising the rate from 2% to 3%. 2% is not unreasonable, would like to remain at 2%.
- Housing stock is old, needs to be rejuvenated and improved over time. People who have ownership tend to care better and improve their property. If not rejuvenated, housing could be demolished.
- Older stock generally has lower rent and little turnover. Guideline next year is 2.5% (frozen for 1 year), inflation is 6-10%. Properties need more than inflation. Guideline increase does not cover increased cost of maintenance and improvements. After a certain time, a building needs to be brought up to a higher standard.
- There is a huge gap in affordability from renting to buying. If people can take some buildings that are old, convert and create potential to buy, it could lower the price to purchase for ownership. Conversions allow an occasional unit to come into market that is affordable. It's providing opportunity for home ownership.
- Concern was expressed about the accuracy and validity of CMHC data, and relying on this data to determine compliance with Official Plan criteria. I.e. An example was provided where an individual was looking at buying 2 buildings in east Hamilton. There were more vacant units in the 2 buildings than CMHC reported in that entire housing market area.
- Things need to be realistic, need to make sure we don't go overboard with rental protection. Need to have a balance between landlords staying and investing in Hamilton vs

	<p>protecting renters. Legislations may not make Hamilton as likely to be invested in. Doesn't seem positive to landlords.</p> <ul style="list-style-type: none"><li>• If Federal government allowed any rental building to convert to condo, there would be a lot more rentals built. Restrictions for rentals to condos has kept supply of rentals down. Would help if it was easier to convert rental to condo.</li></ul>
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## Appendix 4 - Effort Trust Meeting (November 28)

### Stakeholder Meeting with Effort Trust

This Appendix includes the feedback from the Stakeholder meeting with Effort Trust, which was held:

- Monday, November 28, from 1:00 p.m. to 2:00 p.m.

The format of this meeting included time for representatives from Urban Solutions and Effort Trust to meet with City Staff and discuss the project and voice their interests as well as any questions or concerns. Participants included the following:

- Matt Johnston (Urban Solutions)
- David Horwood (Effort Trust)
- Jason Throne (City of Hamilton)
- Steve Robichaud (City Hamilton)
- Melanie Pham (City of Hamilton)

**Figure 8: Effort Trust Stakeholder Meeting**

Topic	What Was heard – Comments Noted
<p><b>Overall questions and comments</b></p>	<ul style="list-style-type: none"> <li>Would like to maintain ability to contemplate conversions. Effort Trust have never been involved in demolitions and that is not what they are planning to do.</li> <li>When a conversion occurs, housing stock remains. This initiative seems to focus on loss of units, when the units are still there and occupied.</li> </ul>
<p><b>Overall questions and comments (continued)</b></p>	<ul style="list-style-type: none"> <li>Support noted for lifetime security of tenure. Turnover would be needed to sell a unit for ownership.</li> <li>Have concerns about whether the designation as primary rental must be maintained. May be potential unintended consequences.</li> <li>Conversation about rental housing should be broader. What is the fair way to document supply? i.e. condos being rented and rentals less than 6 units make up a large portion of rental market. Need to focus on these as well.</li> </ul>

Topic	What Was heard – Comments Noted
	<ul style="list-style-type: none"><li data-bbox="532 279 1386 384">• Suggested consideration of a sunset clause to guarantee that converted units remain rental for a certain period of time.</li><li data-bbox="532 426 1409 499">• Concerns that in the case of condo conversions, the proposed permitting process is taking away right to appeal.</li><li data-bbox="532 541 1414 867">• Concern about certainty of process and powers of Planning Committee. It should continue to be clear as with current conversion process that if the criteria are met, approval SHALL be granted. Planning Committee cannot oppose application if criteria are met. Condos should be delegated to staff if it meets the criteria. Staff's report back on rental housing protection policy review needs to make sure we provide certainty of outcome through clear delegation of powers and clear application of criteria.</li><li data-bbox="532 909 1406 1014">• Effort Trust – Uses conversions to reposition building for sale or as a long-term strategy. Noted that there are some bad actors in the industry, but majority follow the rules.</li><li data-bbox="532 1056 1398 1236">• Right of a rental owner to have the type of ownership they want is an important right. Mixing owners and rentals in a building is also good for community. Also, people can have an opportunity to own without moving out of their neighbourhood/building, which is another benefit of condo.</li></ul>

## Appendix 5 - Written Comments

### Written Comments

In addition to the online survey, written comments were also solicited. There were 56 individual comment submissions. Fifty-four of the comment submissions were identical letters. Only one copy of the repeated letter has been included in this Appendix, with a note identifying that there were multiple submissions. The comments are numbered for reference purposes in Figure 9 below and are verbatim. Each number represents a different individual's comments.

Figure 9: Individual Written Submissions

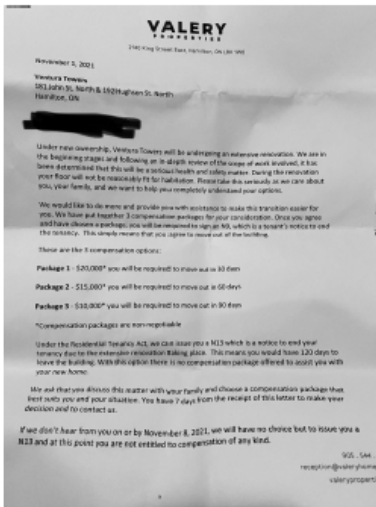
Comment #	Comments
1.	<div data-bbox="553 485 672 655" data-label="Image"> </div> <p data-bbox="542 695 727 716">November 3rd 2022</p> <p data-bbox="542 747 1260 800"><b><u>ACORN Hamilton Written Submission - Rental Housing Protection Policy Review</u></b></p> <p data-bbox="542 831 1295 932">The housing crisis in Hamilton has gone from bad to worse. Low- and moderate-income tenants are facing the brunt of the crisis and Hamilton ACORN is demanding the City of Hamilton develop policies that puts the housing security of tenants ahead of the profit of developers.</p> <p data-bbox="542 966 1295 1018">ACORN was pleased to see the motion passed in May 2022 for the city to look into policy changes regarding condo conversions and demolitions.</p> <p data-bbox="542 1050 1240 1068">As the proposed draft by-law stands, there are several concerns for ACORN:</p> <ul data-bbox="574 1073 1146 1205" style="list-style-type: none"> <li>● Option for cash-in-lieu payments</li> <li>● Option for rental replacement off site</li> <li>● Tenant protections tied to vacancy rates</li> <li>● Different rules for outside of the Downtown Secondary Plan</li> <li>● Lack of detail on tenant protections</li> </ul> <p data-bbox="542 1236 1308 1312">Our submission includes lessons learned through tenant organizing, ACORN's demands for local policy to protect tenants from condo conversion / demoviction and examples of demoviction / condo conversion in Hamilton.</p> <p data-bbox="574 1344 1286 1365">1) <u>Lessons learned through tenant organizing at buildings facing demoviction:</u></p> <ul data-bbox="574 1369 1305 1665" style="list-style-type: none"> <li>● Tenants do not want to move. Tenants want to keep the same affordable home.</li> <li>● No amount of compensation can cover the loss of affordable housing (ie. buyouts can range from \$2,000 - \$20,000).</li> <li>● If permits are approved, tenants needs moving costs covered, support during demolition (temporary accommodation with the same # of units and rent) and right to come back to same # of units in the same building at the same rent.</li> <li>● Families want to stay in the neighbourhood where they have community connections (transit, work, school, places of worship, close to health care, friends and family).</li> <li>● Being forced to move is extremely stressful for low income tenants.</li> </ul>

Comment #	Comments
	<p>2) <u>ACORN Hamilton's demands:</u></p> <ul style="list-style-type: none"> <li>● The City of Hamilton must pass a strong tenant assistance and rental replacement policy based on the Tenant Assistance Policy from Burnaby, British Columbia <b>applied to all building sizes:</b></li> </ul> <p>If demolition permits are approved, landlords <b>must</b> be responsible for:</p> <ul style="list-style-type: none"> <li>● Allowing tenants to choose between accepting temporary accommodation of comparable size and location at the same rent they were paying before OR a rental top up should the tenant choose to find their own temporary accommodation (the rental top up would cover the difference between their original rent and rent of their temporary accommodation)</li> <li>● Help for tenants to find a new place and moving assistance (tenant's choice of an insured moving company arranged by the landlord OR compensation)</li> <li>● Extra support for vulnerable tenants (transportation to view interim housing units, and packing assistance for those with mobility impairments)</li> <li>● Granting tenants the right to return to the redeveloped building at the same rent (plus any Residential Tenancy Act rent increases) in a unit with the same number of bedrooms</li> <li>● Units lost to redevelopment must be replaced at a ratio of 1:1 or 30% of the total number of proposed units, whichever is greater. <b>Replaced units must be replaced on site.</b> Developers cannot opt out of rental replacement or be allowed to replace off site.</li> <li>● By requiring 1:1 rental replacement on site would effectively ban the approval of demolition permits within existing rental buildings (i.e. landlord wants to reconfigure the number and size of units).</li> </ul> <p><i>Additional demands</i></p> <ul style="list-style-type: none"> <li>● Tenant protections and approval of demolition permits should not be tied to vacancy rates. A vacancy rate of over 3% does not mean low income tenants will have an easier time finding affordable housing</li> <li>● Any tenant engagement and required tenant meetings must include a representative from the City of Hamilton and community groups that support tenant rights if requested (Hamilton Community Legal Clinic, ACORN)</li> </ul>

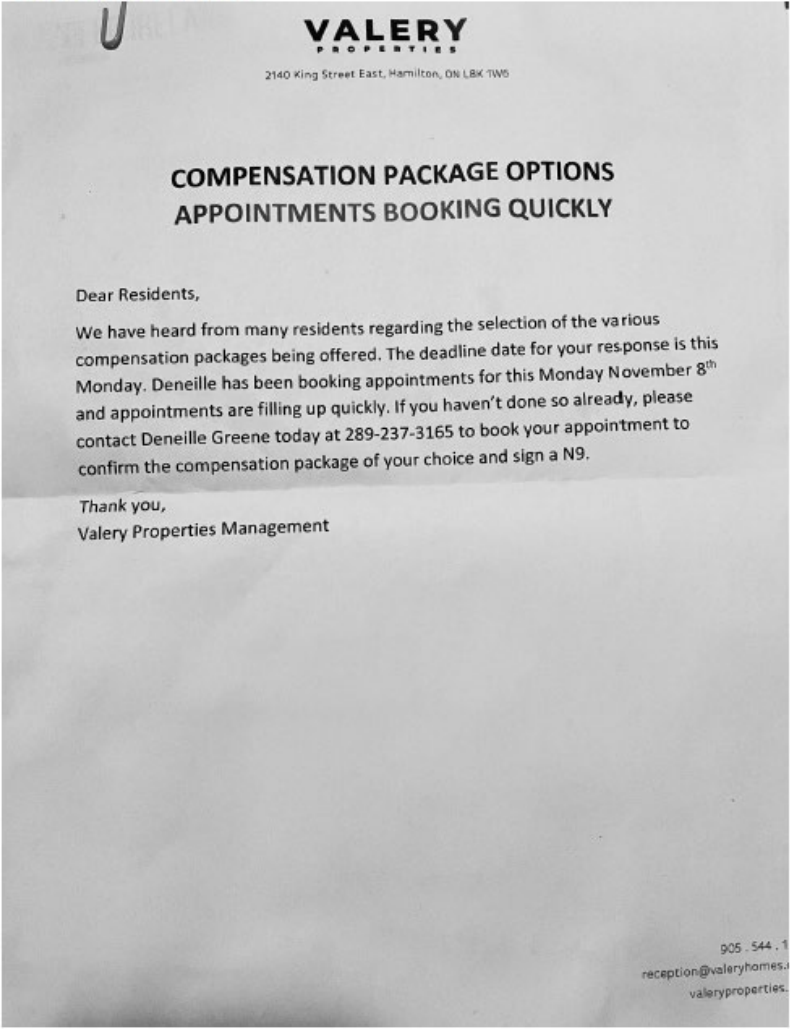
Comment #	Comments
	<ul style="list-style-type: none"><li>● All written communication to tenants must be translated with common languages spoken by tenants in the buildings, and translation services must be provided at tenant meetings</li><li>● Tenants must be given 180 days notice of a move out day (60 extra on top of 120 days required by Residential Tenancies Act)</li><li>● Temporary accommodation and rental top ups only expire once the redevelopment is complete and tenants can exercise their right of first refusal</li><li>● Building maintenance must continue after a notice of demolition</li><li>● Frequent communication to tenants during the redevelopment to share timeline on returning to units</li></ul> <p>2) The City of Hamilton must create a policy to <b>oppose</b> the conversion of rental housing into condominiums.</p> <p>Conversion of rental units to condos has no benefit for renters and only further contributes to the housing crisis. As demonstrated in the examples on pages 14-16, landlords are using the threat of condo conversions as a tactic to push low ball buyout offers and force tenants to move.</p>

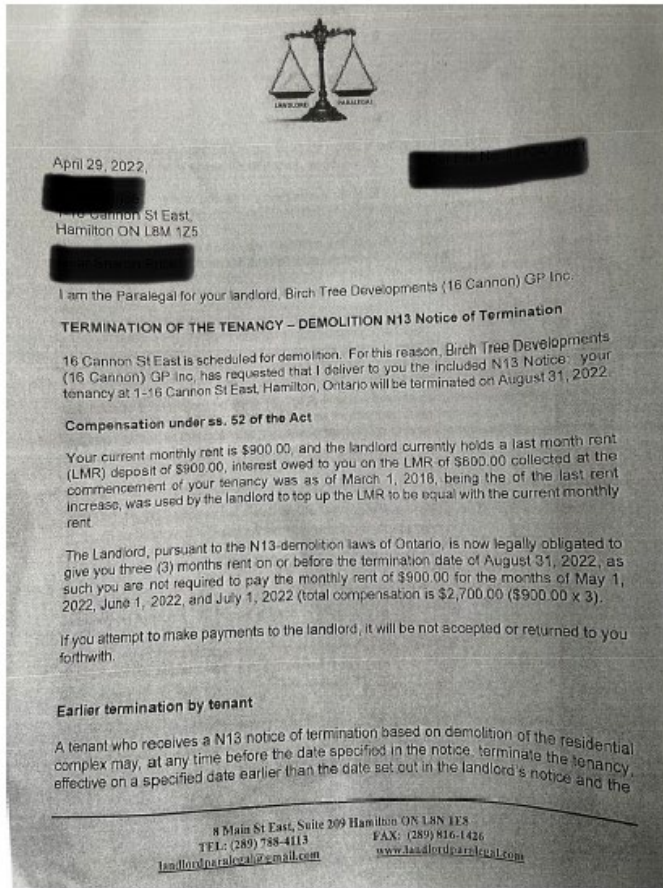



Comment #	Comments												
	<p style="text-align: center;"><b>3) <u>Examples of demoviction in Hamilton</u></b></p> <p style="text-align: center;"><b>A) 468 James St N (Ward 2)</b></p> <p>468 James Street North had 13 affordable units. The building changed ownership in 2021 and the new developer gave remaining tenants N13 notices for demolition. The tenants organized with ACORN and were able to secure more compensation and time to move out.</p> <p><u>Permit approved:</u></p> <p>To demolish the 2 storey 360m<sup>2</sup> commercial building as shown on the attached site plan.</p> <p>Photo 1: N13 given to a tenant at 468 James St N</p> <div style="border: 1px solid black; padding: 5px;"> <p style="text-align: right; font-size: small;">Notice to End your Tenancy Because the Landlord Wants to Demolish the Rental Unit, Repair it or Convert it to Another Use N13 (Disponible en français)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; font-size: x-small;">To: (Tenant's name) include all tenant names.</td> <td style="width: 50%; font-size: x-small;">From: (Landlord's name)</td> </tr> <tr> <td style="background-color: black; color: white;">[REDACTED]</td> <td>476 James Inc.</td> </tr> <tr> <td colspan="2" style="font-size: x-small;">Address of the Rental Unit:</td> </tr> <tr> <td colspan="2">468 James Street N, [REDACTED] Hamilton, ON L8B 1J1</td> </tr> </table> <p style="text-align: center; background-color: black; color: white; font-weight: bold; padding: 2px;">This is a legal notice that could lead to you being evicted from your home.</p> <p style="text-align: center; font-size: x-small;">The following information is from your landlord</p> <p style="font-size: x-small;">I am giving you this notice because I want to end your tenancy. I want you to move out of your rental unit by the following termination date: <span style="border: 1px solid black; padding: 2px;">2   0   7   0   6   7   2   0   2   1</span>.</p> <p><b>My Reason for Ending your Tenancy</b> I have shaded the circle next to my reason for ending your tenancy.</p> <p><input checked="" type="radio"/> Reason 1: I intend to demolish the rental unit or the residential complex.</p> <p><input type="radio"/> Reason 2: I require the rental unit to be vacant in order to do repairs or renovations so extensive that I am required to get a building permit and the rental unit must be vacant to do the work. <b>Note:</b> You have the right to move back into the rental unit once I have completed the repairs or renovations. If you want to move back in once the work is done, you must give me written notice telling me you want to move back in. Also, you must keep me informed in writing any time your address changes.</p> <p><input type="radio"/> Reason 3: I intend to convert the rental unit or the residential complex to a non-residential use.</p> <p><b>Details About the Work I Plan to do</b> I have described below the work I plan to do for the reason shown above, including specific details about how I will carry out the work.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%; font-size: x-small;">Work planned</th> <th style="font-size: x-small;">Details of the Work</th> </tr> </thead> <tbody> <tr> <td style="height: 100px;"></td> <td></td> </tr> </tbody> </table> </div>	To: (Tenant's name) include all tenant names.	From: (Landlord's name)	[REDACTED]	476 James Inc.	Address of the Rental Unit:		468 James Street N, [REDACTED] Hamilton, ON L8B 1J1		Work planned	Details of the Work		
To: (Tenant's name) include all tenant names.	From: (Landlord's name)												
[REDACTED]	476 James Inc.												
Address of the Rental Unit:													
468 James Street N, [REDACTED] Hamilton, ON L8B 1J1													
Work planned	Details of the Work												

Comment #	Comments
	<p data-bbox="633 352 1278 380"><b>B) 181 John Street North and 192 Hughson Street North (Ward 2)</b></p> <p data-bbox="539 407 1310 514">These towers have a long history of tenant displacement. Greenwin sold to Valery Homes in 2021. Permits had already been approved by the city for major demolition of lower floors of each highrise despite a public commitment from Greenwin that no more tenants would be displaced.</p> <p data-bbox="539 543 712 569"><u>Permits approved:</u></p> <ul data-bbox="573 571 1310 732" style="list-style-type: none"><li>• 192 Hughson: Alterations works to replace 71 dwelling units with 125 dwelling units in the 5-storey townhouse block and 1/F to 6/F of 18-storey apartment tower of the existing residential building.</li><li>• 181 John: Alterations works to replace 71 dwelling units with 125 dwelling units in the 5-storey townhouse block and 1/F to 6/F of 18-storey apartment tower of the existing residential building.</li></ul> <p data-bbox="539 762 1305 896">Valery gave tenants letters for compensation ranging from \$10,000 - \$20,000 and N13 notices for demolition. ACORN members, tenants and allies organized a press conference to speak out. Through meetings with the landlord, six families ACORN worked with were rehoused in the towers (at higher rents and split up into multiple units) with the promise to return to a 3 bedroom unit post construction.</p> <p data-bbox="539 926 1268 978">Photo 2: Letter to tenants offering compensation between \$10,000 - \$20,000 to move out.</p> <div data-bbox="544 982 917 1486"></div>

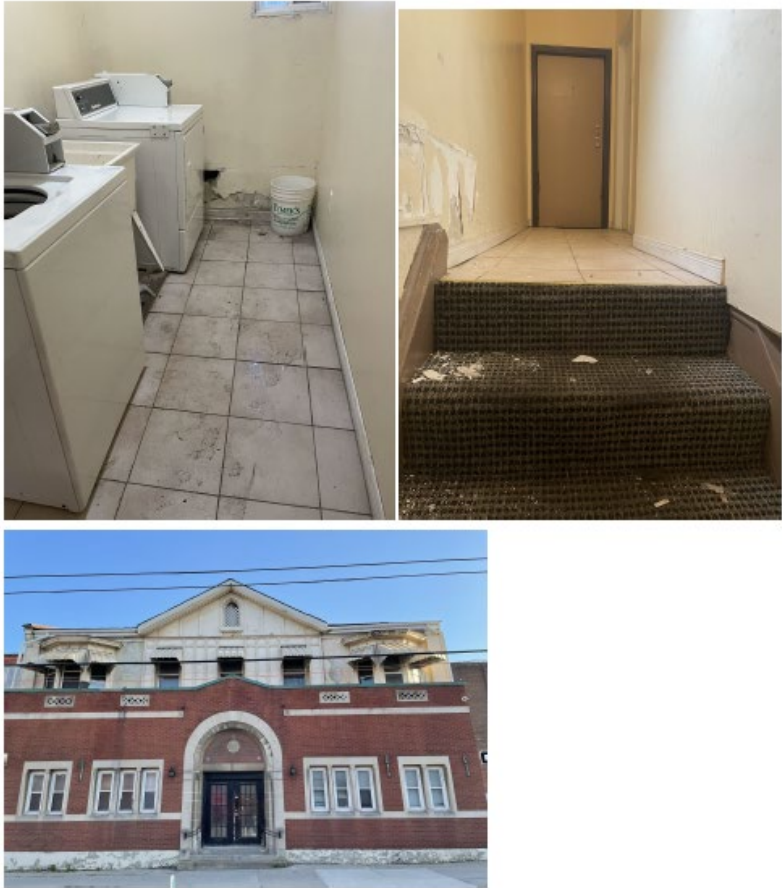
Comment #	Comments				
	<p>Photo 3: N13 notice to tenants for demolition.</p> <p><b>Because the Landlord Wants to Demolish the Rental Unit, Repair it or Convert it to Another Use N13</b> (Disponible en français)</p> <p>To: (Tenant's name) Include all tenant names      From: (Landlord's name) VALERY PROPERTIES</p> <p>Address of the Rental Unit:      UNIT# @ 181 JOHN ST OR 192 HUGHSON ST</p> <p><b>This is a legal notice that could lead to you being evicted from your home.</b></p> <p>The following information is from your landlord</p> <p>I am giving you this notice because I want to end your tenancy. I want you to move out of your rental unit by the following termination date: 08/03/2022.</p> <p><b>My Reason for Ending your Tenancy</b>      I have shaded the circle next to my reason for ending your tenancy.</p> <ul style="list-style-type: none"> <li><input checked="" type="radio"/> Reason 1: I intend to demolish the rental unit or the residential complex.</li> <li><input type="radio"/> Reason 2: I require the rental unit to be vacant in order to do repairs or renovations so extensive that I am required to get a building permit and the rental unit must be vacant to do the work.  <b>Note:</b> You have the right to move back into the rental unit once I have completed the repairs or renovations. If you want to move back in once the work is done, you must give me written notice telling me you want to move back in. Also, you must keep me informed in writing any time your address changes.</li> <li><input type="radio"/> Reason 3: I intend to convert the rental unit or the residential complex to a non-residential use.</li> </ul> <p><b>Details About the Work I Plan to do</b>      I have described below the work I plan to do for the reason shown above, including specific details about how I will carry out the work.</p> <table border="1"> <thead> <tr> <th>Work planned</th> <th>Details of the Work</th> </tr> </thead> <tbody> <tr> <td>NOVEMBER 2021-THRU-NOVEMBER 2023</td> <td>DEMOLISH OF ENTIRE FLOORS 1 THROUGH 6, OPEN ENTIRE FLOOR PLAN, RECONFIGURE UNITS/SIZES, NEW HVAC, NEW PLUMBING, NEW ELECTRICAL, NEW RE PLAN/SYSTEM, NEW LAYOUTS &amp; UNIT #S</td> </tr> </tbody> </table>	Work planned	Details of the Work	NOVEMBER 2021-THRU-NOVEMBER 2023	DEMOLISH OF ENTIRE FLOORS 1 THROUGH 6, OPEN ENTIRE FLOOR PLAN, RECONFIGURE UNITS/SIZES, NEW HVAC, NEW PLUMBING, NEW ELECTRICAL, NEW RE PLAN/SYSTEM, NEW LAYOUTS & UNIT #S
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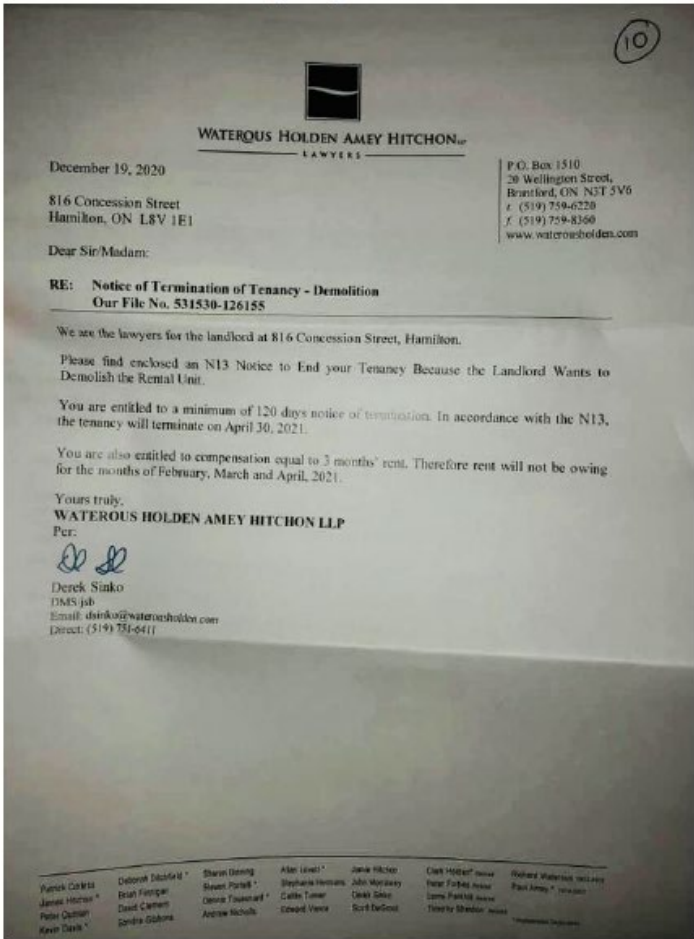
Comment #	Comments
	<p data-bbox="548 426 1250 478">Photo 4: Followup letter to tenants to arrange meetings for tenants to accept compensation to move out.</p>  <p data-bbox="548 485 1333 1507"><b>U</b></p> <p data-bbox="846 499 1008 537"><b>VALERY</b> PROPERTIES</p> <p data-bbox="808 548 1052 564">2140 King Street East, Hamilton, ON L8K 1W6</p> <p data-bbox="716 642 1157 709"><b>COMPENSATION PACKAGE OPTIONS APPOINTMENTS BOOKING QUICKLY</b></p> <p data-bbox="621 766 743 785">Dear Residents,</p> <p data-bbox="621 793 1260 957">We have heard from many residents regarding the selection of the various compensation packages being offered. The deadline date for your response is this Monday. Deneille has been booking appointments for this Monday November 8<sup>th</sup> and appointments are filling up quickly. If you haven't done so already, please contact Deneille Greene today at 289-237-3165 to book your appointment to confirm the compensation package of your choice and sign a N9.</p> <p data-bbox="621 978 873 1024">Thank you, Valery Properties Management</p> <p data-bbox="1182 1419 1333 1478">p05 - 544 - 1 reception@valeryhomes. valeryproperties.</p>

Comment #	Comments
	<p data-bbox="636 394 950 422">C) 16 Cannon Street E (Ward 2)</p> <p data-bbox="542 451 1321 504">Birth Tree Developments Inc gave remaining tenants at 16 Cannon St E N13 notices for demolition. This building has less than 6 units.</p> <p data-bbox="542 535 623 560"><u>Permits:</u></p> <p data-bbox="542 590 784 615">Photo 5: Letter to tenants.</p> <div data-bbox="542 619 1201 1501"><p data-bbox="808 632 915 737"></p><p data-bbox="591 768 686 787">April 29, 2022,</p><p data-bbox="591 821 740 854">16 Cannon St East, Hamilton ON L8M 1Z5</p><p data-bbox="591 879 1110 919">I am the Paralegal for your landlord, Birch Tree Developments (16 Cannon) GP Inc.</p><p data-bbox="591 915 1101 951"><b>TERMINATION OF THE TENANCY – DEMOLITION N13 Notice of Termination</b></p><p data-bbox="591 940 1149 1016">16 Cannon St East is scheduled for demolition. For this reason, Birch Tree Developments (16 Cannon) GP Inc. has requested that I deliver to you the included N13 Notice: your tenancy at 1-16 Cannon St East, Hamilton, Ontario will be terminated on August 31, 2022.</p><p data-bbox="591 1022 852 1050"><b>Compensation under ss. 52 of the Act</b></p><p data-bbox="591 1041 1159 1144">Your current monthly rent is \$900.00, and the landlord currently holds a last month rent (LMR) deposit of \$900.00, interest owed to you on the LMR of \$600.00 collected at the commencement of your tenancy was as of March 1, 2018, being the of the last rent increase, was used by the landlord to top up the LMR to be equal with the current monthly rent.</p><p data-bbox="591 1146 1164 1228">The Landlord, pursuant to the N13-demolition laws of Ontario, is now legally obligated to give you three (3) months rent on or before the termination date of August 31, 2022, as such you are not required to pay the monthly rent of \$900.00 for the months of May 1, 2022, June 1, 2022, and July 1, 2022 (total compensation is \$2,700.00 (\$900.00 x 3).</p><p data-bbox="591 1232 1167 1276">If you attempt to make payments to the landlord, it will be not accepted or returned to you forthwith.</p><p data-bbox="591 1304 794 1331"><b>Earlier termination by tenant</b></p><p data-bbox="591 1339 1172 1404">A tenant who receives a N13 notice of termination based on demolition of the residential complex may, at any time before the date specified in the notice, terminate the tenancy effective on a specified date earlier than the date set out in the landlord's notice and the</p><p data-bbox="695 1423 1062 1484">8 Main St East, Suite 209 Hamilton ON L8N 1E8 TEL: (289) 788-4113 FAX: (289) 816-1426 landlordparalegal@gmail.com www.landlordparalegal.com</p></div>



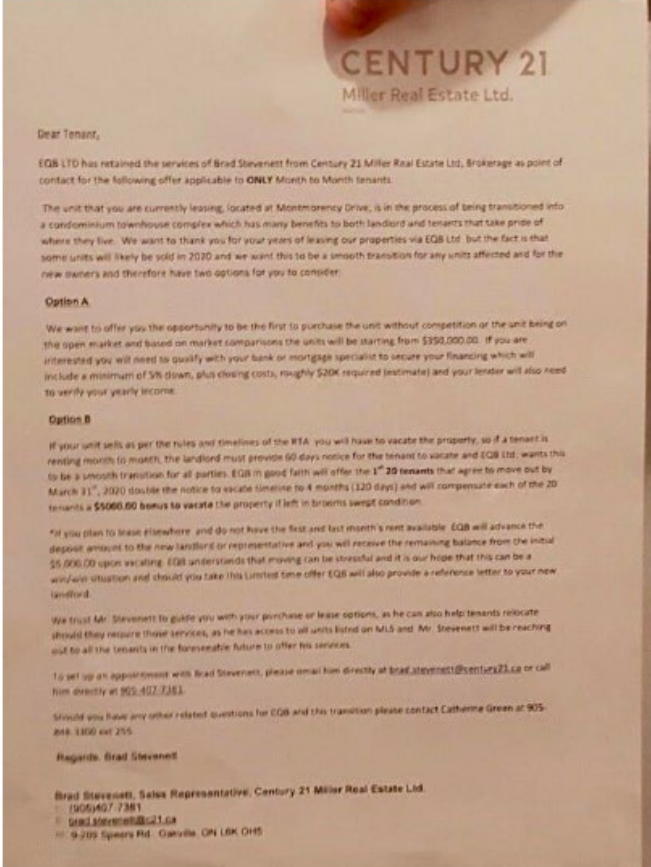
Comment #	Comments
	<p>Photo 6: N13 to tenants for demolition.</p>

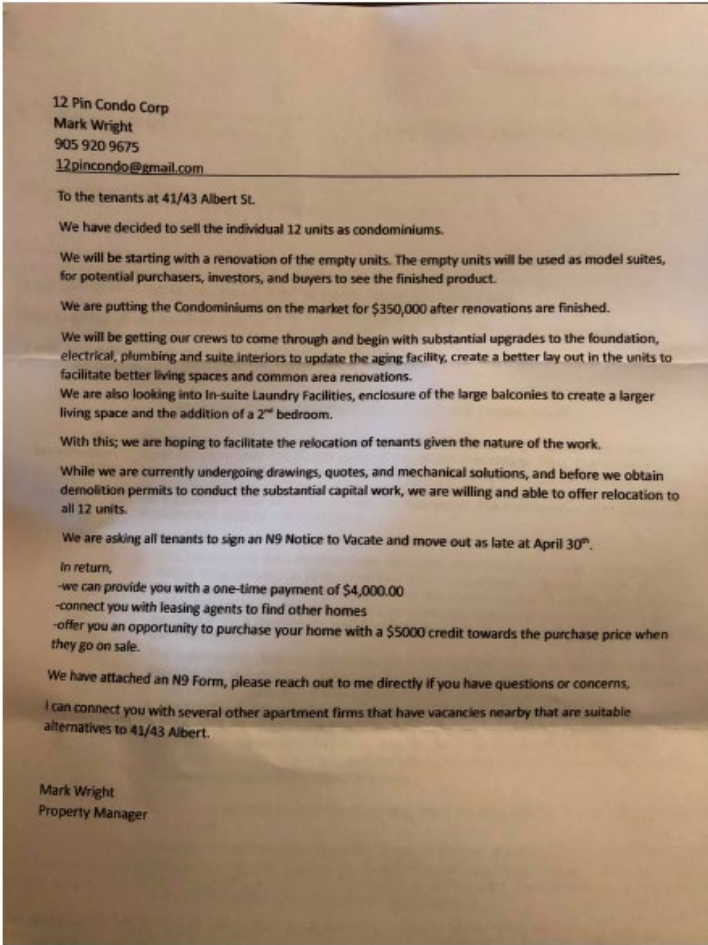
Comment #	Comments
	<p data-bbox="544 401 1284 449">Photo 7 - 10: Photos of the building in disrepair. A tenant shared that the building was left neglected and had pest issues.</p> <div data-bbox="544 485 1321 1367"><p>The image block contains three photographs. The top-left photo shows a laundry room with a sink, a washing machine, and a dryer on a tiled floor. The top-right photo shows a hallway with a door and a carpeted staircase. The bottom photo shows the exterior of a red brick building with a central arched entrance and a gabled roof.</p></div>

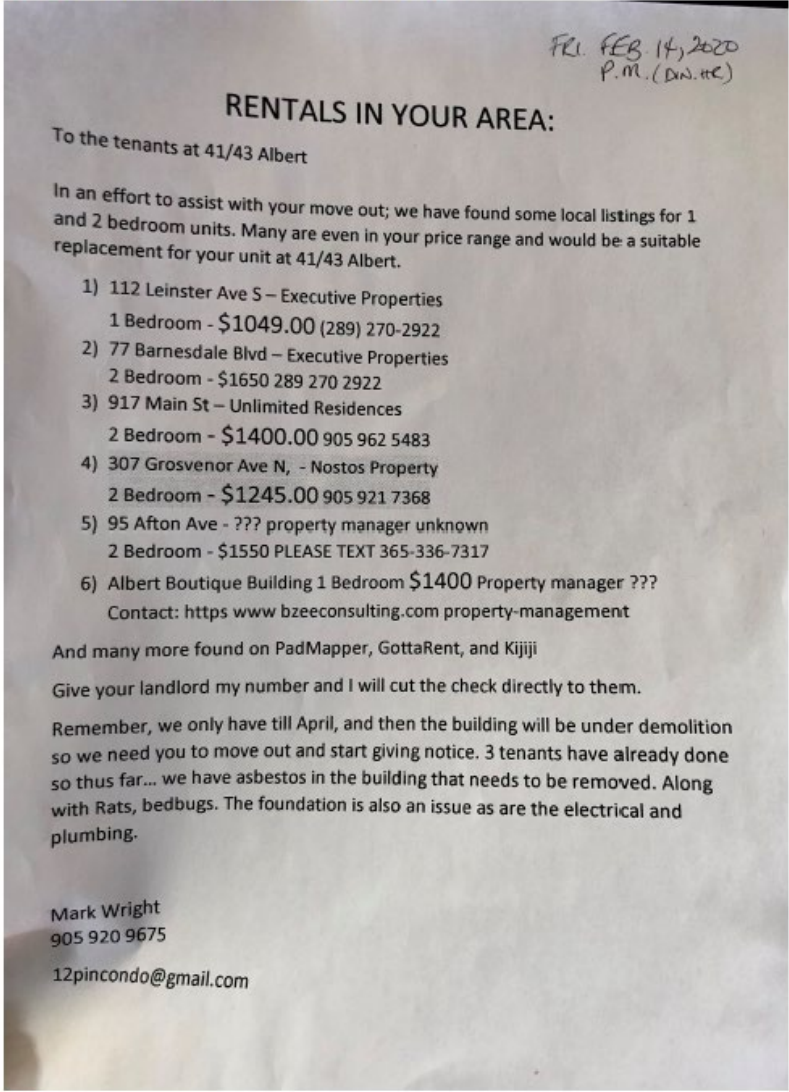
Comment #	Comments
	<p style="text-align: center;"><b>D) 816 Concession Street (Ward 7)</b></p> <p><u>Approved permit:</u> Alterations to the existing 3-storey apartments building to convert existing 11- 1-BR units into 7 new units (2 - 1BR units plus 5 - 2BR units).</p> <p>Photo 11: Letter to tenants regarding demolition.</p>  <p>The photograph shows a letter on the letterhead of Waterous Holden Amey Hitchon LLP, Lawyers. The letter is dated December 19, 2020, and is addressed to 816 Concession Street, Hamilton, ON L8V 1E1. The subject is a 'Notice of Termination of Tenancy - Demolition' for file number 531530-126155. The letter states that the tenants are being notified that their tenancy will terminate on April 30, 2021, and that they are entitled to compensation equal to 3 months' rent for the months of February, March, and April, 2021. The letter is signed by Derek Sinko, a DMS job, with contact information provided. At the bottom of the letter, there is a list of staff members including Patrick Corliss, James Hitchon, Peter Oulman, Kevin Davis, Deborah Dicksell, Brian Ferguson, David Cameron, Sandra Gourea, Sherril Fleming, Susan Joyce, Debra Townsend, Andrew Nichols, Allen Lovel, Stephen Hermans, Colleen Turner, Edward Vance, Jane Hitchon, John Wardlaw, David Sikes, Scott Barlow, Clark Mitchell, Peter Forbes, Larry Frankel, and Richard Waterhouse. There is a circled number '10' in the top right corner of the photograph.</p>




Comment #	Comments
	<p>Photo 12: N13 to tenant for demolition.</p>

Comment #	Comments
	<p style="text-align: center;"><u>Examples of threat of condo conversion in Hamilton</u></p> <p style="text-align: center;"><b>E) 280 Montmorency Drive (Ward 5)</b></p> <p>The landlord told tenants that the townhouse complex was being turned into condos and that tenants had to accept compensation to move out. The landlord used high pressure sales tactics.</p> <p><b>*NOTE - The property was never converted to a condo*</b></p> <p><b>Photo 13: Letter to tenants with offer to purchase their unit OR accept \$5,000 buyout.</b></p>  <p>The letter, titled "CENTURY 21 Miller Real Estate Ltd.", is addressed to "Dear Tenant," and is from EGB LTD. It states that EGB LTD has retained the services of Brad Stevenett from Century 21 Miller Real Estate Ltd. as a broker. The letter informs the tenant that the unit they are currently leasing, located at Montmorency Drive, is in the process of being transitioned into a condominium townhouse complex. It offers two options: Option A (purchase the unit) and Option B (vacate the property with a bonus). The letter is dated March 31, 2020.</p>

Comment #	Comments
	<p data-bbox="634 396 940 424">F) 41-43 Albert Street (Ward 3)</p> <p data-bbox="542 453 1321 533">New owners of 41-43 Albert Street gave remaining tenants notices of condo conversion. *Note* Tenants knew their rights and did not move out. The landlord later pursued N13 renovations.</p> <p data-bbox="542 564 1281 590">Photo 14: Letter to tenants saying that the building is being converted to condos.</p>  <p data-bbox="594 684 747 766">12 Pin Condo Corp Mark Wright 905 920 9675 <a href="mailto:12pincondo@gmail.com">12pincondo@gmail.com</a></p> <p data-bbox="599 779 797 798">To the tenants at 41/43 Albert St.</p> <p data-bbox="599 810 984 829">We have decided to sell the individual 12 units as condominiums.</p> <p data-bbox="599 840 1203 875">We will be starting with a renovation of the empty units. The empty units will be used as model suites, for potential purchasers, investors, and buyers to see the finished product.</p> <p data-bbox="599 888 1149 907">We are putting the Condominiums on the market for \$350,000 after renovations are finished.</p> <p data-bbox="599 919 1211 974">We will be getting our crews to come through and begin with substantial upgrades to the foundation, electrical, plumbing and suite interiors to update the aging facility, create a better lay out in the units to facilitate better living spaces and common area renovations.</p> <p data-bbox="599 976 1195 1012">We are also looking into In-suite Laundry Facilities, enclosure of the large balconies to create a larger living space and the addition of a 2<sup>nd</sup> bedroom.</p> <p data-bbox="599 1024 1141 1043">With this; we are hoping to facilitate the relocation of tenants given the nature of the work.</p> <p data-bbox="599 1054 1219 1108">While we are currently undergoing drawings, quotes, and mechanical solutions, and before we obtain demolition permits to conduct the substantial capital work, we are willing and able to offer relocation to all 12 units.</p> <p data-bbox="599 1121 1131 1140">We are asking all tenants to sign an N9 Notice to Vacate and move out as late as April 30<sup>th</sup>.</p> <p data-bbox="599 1150 656 1167">In return,</p> <ul data-bbox="599 1171 1208 1243" style="list-style-type: none"><li>-we can provide you with a one-time payment of \$4,000.00</li><li>-connect you with leasing agents to find other homes</li><li>-offer you an opportunity to purchase your home with a \$5000 credit towards the purchase price when they go on sale.</li></ul> <p data-bbox="586 1255 1170 1274">We have attached an N9 Form, please reach out to me directly if you have questions or concerns.</p> <p data-bbox="586 1287 1170 1329">I can connect you with several other apartment firms that have vacancies nearby that are suitable alternatives to 41/43 Albert.</p> <p data-bbox="579 1369 691 1409">Mark Wright Property Manager</p>

Comment #	Comments
	<p>Photo 15: A second letter to tenants now claiming demolition. *Note* Only N13s for renovation were later pursued by the same owner.</p>  <p>RENTALS IN YOUR AREA:</p> <p>To the tenants at 41/43 Albert</p> <p>In an effort to assist with your move out; we have found some local listings for 1 and 2 bedroom units. Many are even in your price range and would be a suitable replacement for your unit at 41/43 Albert.</p> <ol style="list-style-type: none"><li>1) 112 Leinster Ave S – Executive Properties 1 Bedroom - \$1049.00 (289) 270-2922</li><li>2) 77 Barnesdale Blvd – Executive Properties 2 Bedroom - \$1650 289 270 2922</li><li>3) 917 Main St – Unlimited Residences 2 Bedroom - \$1400.00 905 962 5483</li><li>4) 307 Grosvenor Ave N, - Nostos Property 2 Bedroom - \$1245.00 905 921 7368</li><li>5) 95 Afton Ave - ??? property manager unknown 2 Bedroom - \$1550 PLEASE TEXT 365-336-7317</li><li>6) Albert Boutique Building 1 Bedroom \$1400 Property manager ??? Contact: <a href="https://www.bzeeconsulting.com/property-management">https://www.bzeeconsulting.com/property-management</a></li></ol> <p>And many more found on PadMapper, GottaRent, and Kijiji</p> <p>Give your landlord my number and I will cut the check directly to them.</p> <p>Remember, we only have till April, and then the building will be under demolition so we need you to move out and start giving notice. 3 tenants have already done so thus far... we have asbestos in the building that needs to be removed. Along with Rats, bedbugs. The foundation is also an issue as are the electrical and plumbing.</p> <p>Mark Wright 905 920 9675 <a href="mailto:12pincondo@gmail.com">12pincondo@gmail.com</a></p>

Comment #	Comments
	<p>ACORN looks forward to seeing changes to the draft by-law to protect affordable housing and tenants from condo conversion and demoviction. Hamilton tenants are counting on policy that will put housing security and housing as a human right above developer profit.</p> <p>As Hamilton looks to build more housing within the existing urban boundary, intensification should not occur at the expense of low and moderate income tenants and communities.</p> <p>ACORN contact information: Email: <a href="mailto:hamilton@acorncanada.org">hamilton@acorncanada.org</a> Phone: 905-393-5734</p>  <p>The logo for Hamilton ACORN features a red square containing a white stylized maple leaf with a yellow acorn in the center. Below the square, the words "Hamilton" and "ACORN" are written in a bold, sans-serif font, with "Hamilton" in red and "ACORN" in black.</p>

Comment #	Comments
2.	<p>In response to the city’s consultation on Rental Housing Protection Policy Review.</p> <p>I am writing on behalf of the Social Planning and Research Council of Hamilton (SPRC). SPRC has been promoting inclusion and equity in Hamilton for over 50 years, including a long history of supporting tenants, and working to reduce homelessness.</p> <p>Thank you for beginning actions to strengthen rental housing protections in Hamilton. It has been a long time since 2008, when Council directed staff to come back with recommendations around condo conversions. Since that time, the rental housing market has been stressed by many factors, including fast growing demand for rental housing, and not enough primary rental units being built to match that demand. These trends are evident in the attached SPRC reports, titled “2021 Census: Rise of Renter Households Across Hamilton”, and “Growth of Renter Households Outpacing Construction of Primary Rental Units”. Please consider these reports part of the SPRC’s response to this consultation.</p> <p>The growing number of renters should push the city to do more to become a renter-friendly city. Doing more to protect existing rental stock and current tenants, is long overdue. The city should use all the tools and power it has to take action in this area, and much of the proposed details of the new Municipal By-law are positive. We hope this is the beginning, not the end, of the city focussing on renters as a key group that needs more support and protection.</p> <p>More broadly than the proposed steps in the documents provided in this review so far, the city should also be taking a larger advocacy role in pushing the province to do more to protect renters and rental stock, through the media, including social media, and through direct conversations with provincial officials. The Residential Tenancies Act need to be strengthened to be better protect renters, and the city must to do more to collaborate with other municipalities to bring a strong voice to the province on this matter. Specifically, the city should advocate that the province adopt the regulation in Quebec that allows new tenants to appeal an excessive rent increase from the previous tenant. Without this measure, Ontario’s RTA creates a perverse incentive to landlords to encourage tenants to leave through legal or illegal tactics, so they can double or triple the rent and bring in a new</p>



Comment #	Comments
	<p>tenant. Please see the attached SPRC report “Out of Control: Lessons from Hamilton and Quebec City” and consider this report as part of part of the SPRC’s response to this consultation.</p> <p>Please also include the attached SPRC reports “Hamilton’s Rental Landscape” as part of submission, showing the affordability challenges, housing quality concerns, eviction trends, and other issues facing renters in Hamilton in recent years.</p> <p>All these reports are also available on our website <a href="http://www.sprc.hamilton.on.ca/sociallandscape">www.sprc.hamilton.on.ca/sociallandscape</a></p> <p>Thank you for your time in considering these comments. We look forward to the next steps to bring more attention and support to renters across the city.</p>
<p><b>*Comments 3. to 56. contained the same response</b></p>	<p>I am writing to add my voice to the Rental Housing Protection Policy Review in support of ACORN Hamilton’s demands to protect tenants and the city’s private affordable housing from condo conversion and demolition.</p> <p>Across Hamilton, affordable rents are being lost to demoviction and renoviction. With this Rental Housing Protection Policy Review, the City of Hamilton has an opportunity to pass policy that will prioritize protecting tenants from displacement.</p> <p>ACORN Hamilton’s demands:</p> <p>The City of Hamilton must pass a strong tenant assistance and rental replacement policy based on the Tenant Assistance Policy from Burnaby, British Columbia applied to all building sizes:</p> <p>If demolition permits are approved, landlords must be responsible for: Allowing tenants to choose between accepting temporary accommodation of comparable size and location at the same rent they were paying before OR a rental top up should the tenant choose to find their own temporary accommodation (the rental top up would cover the difference between their original rent and rent of their temporary accommodation).</p> <p>Help for tenants to find a new place and moving assistance (tenant’s choice of an insured moving company arranged by the landlord OR</p>

Comment #	Comments
	<p>compensation)  Extra support for vulnerable tenants (transportation to view interim housing units, and packing assistance for those with mobility impairments)  Granting tenants the right to return to the redeveloped building at the same rent (plus any Residential Tenancy Act rent increases) in a unit with the same number of bedrooms</p> <p>Units lost to redevelopment must be replaced at a ratio of 1:1 or 30% of the total number of proposed units, whichever is greater. Replaced units must be replaced on site. Developers cannot opt out of rental replacement or be allowed to replace off site.</p> <p>By requiring 1:1 rental replacement on site would effectively ban the approval of demolition permits within existing rental buildings (i.e. landlord wants to reconfigure the number and size of units). Demovictions such as what happened at 181 John St N and 192 Hughson St N should never be allowed to happen again.</p> <p>Additional demands</p> <p>Tenant protections and approval of demolition permits should not be tied to vacancy rates. A vacancy rate of over 3% does not mean low income tenants will have an easier time finding affordable housing.</p> <p>Any tenant engagement and required tenant meetings must include a representative from the City of Hamilton and community groups that support tenant rights if requested (Hamilton Community Legal Clinic, ACORN)</p> <p>All written communication to tenants must be translated with common languages spoken by tenants in the buildings, and translation services must be provided at tenant meetings</p> <p>Tenants must be given 180 days notice of a move out day (60 extra on top of 120 days required by Residential Tenancies Act)</p> <p>Temporary accommodation and rental top ups only expire once the redevelopment is complete and tenants can exercise their right of first refusal</p> <p>Building maintenance must continue after a notice of demolition</p>



Comment #	Comments
	<p>Frequent communication to tenants during the redevelopment to share timeline on returning to units</p> <p>2) The City of Hamilton must create a policy to oppose the conversion of rental housing into condominiums.</p> <p>By passing strong policy, Hamilton tenants will be protected from being displaced from their homes and neighbourhoods and stop the loss of affordable housing by the increasing threat of demoviction.</p>

## Appendix 6 - Survey Results

### Online Survey

On the Engage Hamilton webpage, there was an online survey available for the public to respond to. The survey was open from September 26 to November 8, 2022. The webpage received 647 site visits and had 26 people participate in the survey. Figures 11 to 16 below contain each question of the survey as well as the responses from each contributor.

**Figure 11: Survey Question 1**

<b>The City is proposing changes to its criteria which must be met to permit a conversion of rental units to condominium. Do you support these changes?</b>		
<b>Contributor #</b>	<b>Response</b>	<b>Reason</b>
1	No	Many rental units are deteriorating in the city because of no investment, we need investment to bring these properties up to a higher standard. Tenants complain about the conditions of their buildings well that not going to improve without investment and market rate rents.
2	No	Make rentals more affordable.
3	No	n/a
4	No	Increased housing is needed for all incomes.
5	Yes	n/a
6	Yes	We have a significantly lower than needed number of rental units, continuing to convert apartments to condos is a recipe for disaster.
7	No	The changes are positive but inadequate. The conditions allowing conversion of existing rental housing to

The City is proposing changes to its criteria which must be met to permit a conversion of rental units to condominium. Do you support these changes?		
Contributor #	Response	Reason
		condominiums are not stringent enough. The minimum vacancy rate is not high enough, and it should be for more than two years. The game has been 'wait for high vacancy rate and then quickly make an application'. I think you'll also find that the Statistics Canada measurements do not take account of vacancy rates in smaller buildings, so their numbers don't reflect the actual situation in rental availability. Therefore a 4 percent or higher vacancy rate should be considered.
8	No	THERE ARE ENOUGH CONDOS IN THE CITY NOW...WHAT IS NEEDED AND REQUIRED IS A PLAN TO PUT PEOPLE INTO HOUSING SO THAT THEY CAN LIVE WITH DIGNITY. TAKE A SERIOUS WALK AROUND THE CITY AND SEE HOW MANY HOMES ARE BOARDED UP AND LEFT, THEY COULD BE REFURBISHED FOR PEOPLE TO LIVE IN. ENOUGH OF LANDLORDS OWNING BUILDINGS WHEN THEY COULD BE PUT TO GOOD USE FOR PEOPLE. THERE IS A SOLUTION BUT I DON'T REALLY THINK THE CITY OR LANDLORDS CARE.
9	Unsure	Landlords must find or provide other housing for evicted tenants, at the same costs or cover the difference. Also time limits on permits for demo, adjustments, and development so property isn't left unoccupied and decaying.
10	Yes	n/a
11	Yes	It seems like you have done significant research and I trust your division to make the best decisions for all us. In the future, I would not limit comparing our policy just to other "southern Ontario" municipalities that are probably all suffering similar problems to us and would search or

The City is proposing changes to its criteria which must be met to permit a conversion of rental units to condominium. Do you support these changes?		
Contributor #	Response	Reason
		reach out to other cities (nationally or internationally) who have had similar problems and come up with their own solutions. This doesn't seem like a Hamilton only problem.
12	Unsure	I am not educated as to this issue, what are the changes?
13	Yes	I support removing the "75% of tenant support" criteria for conversion, as this may add unfair pressure on residents. I support the addition of a criteria to support densification.
14	No	Because condos are too expensive. They have a committed group that you have to answer too. Condo fees are ridiculous \$\$\$\$. You buy a condo, not many people can buy them.
15	Yes	It is necessary yes
16	Yes	Most people who rent cannot afford a condominium, so will be forced to move and will be unable to find a place with a rent they can afford
17	No	We need more rental units, not expensive condominiums.
18	No	n/a
19	No	Adds more unnecessary restrictions that will just elicit owners for finding ways around it which will be more detrimental. e.g. Renovictions are a symptom of rent control. They sound great, appeal to voters, but have the opposite effect. Time and effort should be spent elsewhere building the correct type of housing for all. Use a carrot and stick approach instead of just the stick.

The City is proposing changes to its criteria which must be met to permit a conversion of rental units to condominium. Do you support these changes?		
Contributor #	Response	Reason
20	Yes	Agreement of current tenants to condo conversion is NOT necessarily in the interest of the common good and should not be allowed. Criteria for conversion permission should be based on housing needs and the state of the rental market.
21	Unsure	Hi - I see no situation where a 6+ unit apartment building being converted to condominiums helps anybody in the community other than the land owner who stands to benefit enormously from the equity multiplication resulting from severance. I think that conversion should almost never be allowed unless the density on that parcel is increased. I am happy to see that the "tenant approval" path is being removed, however I think we could do even more to protect the rental stock by disallowing conversion unless the following 2 criteria are met: 1. parcel density is increased by a specific percent and 2. No net loss of rental units. This may mean the developer has to add floors or create units elsewhere - but that's their burden not the citizen's. Thanks!
22	No	I do not support allowing rental units to be converted to condominiums under almost any circumstances. Condominiums are frequently used illegally as short-term accommodation, and drive up the cost of housing. I would support allowing the conversion of rental units to coop housing.
23	No	To lose rental units would decrease housing affordability for those individuals and families unable to afford a condominium.

<b>The City is proposing changes to its criteria which must be met to permit a conversion of rental units to condominium. Do you support these changes?</b>		
<b>Contributor #</b>	<b>Response</b>	<b>Reason</b>
24	No	While I strongly agree with the proposal to no longer allow conversions to proceed if 75 per cent of tenants approve and the reasoning behind that, I think the requirements around minimum vacancy rates set levels that are too low. The vacancy rate should have to be at least 4 per cent for 24 months city wide and 3 per cent for the housing type and local market zone before a conversion can be approved. Hamilton has had a vacancy rate of about 3 per cent for two years yet that level of vacancy has not been sufficient to prevent average market rents from continuing to rise very rapidly, more than 10 per cent in the past two years. Perhaps a 4 per cent vacancy rate might provide sufficient choice in the market to moderate rent increases and to reach a point where we could contemplate losing any rental units.
25	No	While I strongly agree with the proposal to no longer allow conversions to proceed if 75 per cent of tenants approve and the reasoning behind that, I think the requirements around minimum vacancy rates set levels that are too low. The vacancy rate should have to be at least 4 per cent for 24 months city wide and 3 per cent for the housing type and local market zone before a conversion can be approved. Hamilton has had a vacancy rate of about 3 per cent for two years yet that level of vacancy has not been sufficient to prevent average market rents from continuing to rise very rapidly, more than 10 per cent in the past two years. Perhaps a 4 per cent vacancy rate might provide sufficient choice in the market to moderate rent increases and to reach a point where we could contemplate losing any rental units.
26	No	Although I agree that conversions should not be allowed to proceed unless at least 75 percent of the tenants approve, I do not agree with the other parameters set, The vacancy rate must be at least 4.5 percent, for two years or more, city wide, and also for the kind of buildings

The City is proposing changes to its criteria which must be met to permit a conversion of rental units to condominium. Do you support these changes?		
Contributor #	Response	Reason
		for which conversion permission is sought, and for specific zones of the city, to enable tenants to have some options other than to rent overpriced units in order to avoid becoming homeless. Hamilton's vacancy rate of about 3 percent has not succeeded in putting a break on soaring rents.

Figure 12: Survey Question 2

The City is proposing changes to its criteria which must be met to permit demolitions of rental housing. Do you support these changes?		
Contributor #	Response	Reason
1	No	Again its a free market
2	Yes	Good stuff.
3	No	n/a
4	No	This will inhibit new housing starts.
5	No	I am extremely concerned that allowing developers to make up the number of units off-site, or make a payment in lieu, will add to gentrification as replacement rental units are located on less attractive locations, or even the possibility of fewer rental units overall in exchange for a payment which may not be sufficient to replace the rental units and/or might be used for something else by the city ( I.e. construction of a highway bypass, purchase of

The City is proposing changes to its criteria which must be met to permit demolitions of rental housing. Do you support these changes?		
Contributor #	Response	Reason
		parkland, building a rec centre, etc. which would not alleviate the rental issues in the city.
6	Yes	Same as above
7	No	Same answer as question one.
8	Yes	THERE SHOULD BE STRONG SENSIBLE CRITERIA FOR HOUSE DEMOS, NOT THE WHIMS OF DEVELOPERS AND LANDLORDS WHO ARE IN IT JUST FOR THE MONEY.
9	Unsure	Landlords must find or provide other housing for evicted tenants, at the same costs or cover the difference. Also time limits on permits for demo, adjustments, and development so property isn't left unoccupied and decaying.
10	Unsure	There needs to be more incentives for private people to invest their money into providing more rental units to potential tenants. Too many regulations and hurdles makes it unprofitable for me to invest in rentals.
11	Yes	n/a
12	Unsure	I am not educated as to this issue, what are the changes?
13	Yes	n/a
14	Yes	Because people live in these rentals now you have to be removed.



The City is proposing changes to its criteria which must be met to permit demolitions of rental housing. Do you support these changes?		
Contributor #	Response	Reason
15	Yes	I agree
16	Yes	Residents will be evicted and will be unable to find a place they can afford. That building that was supposed to be demolished, often times, will sit vacant. An investment for an out of town landlord.
17	No	We need more, not fewer, rental units.
18	Unsure	n/a
19	No	Adds more unnecessary restrictions that will just elicit owners for finding ways around it which will be more detrimental. e.g. Renovictions are a symptom of rent control. They sound great, appeal to voters, but have the opposite effect. Time and effort should be spent elsewhere building the correct type of housing for all. Use a carrot and stick approach instead of just the stick.
20	No	Although the proposed criteria are a good start, they don't go far enough. Given that the city-wide vacancy rate is above 3 per cent now and rents are still rising rapidly, the requirement should be at least 4 per cent for two full years to ensure that people have access to homes they can afford.
21	Unsure	Demolition is a tricky one. I think that demolition should only be permitted if the result is density much greater than the original, and that the original unit count must be included AS RENTALS in the new development, meaning that if they want the building to be condos a certain number of the condo units must be maintained as rentals, offered to original tenants as first right of refusal at the

The City is proposing changes to its criteria which must be met to permit demolitions of rental housing. Do you support these changes?		
Contributor #	Response	Reason
		same rent, and if refused, rents cannot be increased beyond the mandated maximum. In other words no huge increases during vacancy.
22	Unsure	I would only support changes that fully supported renters to continue to rent units of the same square footage and type, and at the same price, continuously throughout the period of demolition and construction, and thereafter.
23	Unsure	I oppose the demolition of rental units as a matter of principle, as it decreases affordability.
24	Unsure	<p>I have a concern about the proposed new provision to allow a landlord to demolish a building if they demonstrate that the rental housing units will be replaced by units of the same type (i.e. with the same number of bedrooms) either on-site, off-site in a comparable location within the same local housing market zone, or through a cash-in-lieu payment. I agree that it is essential that an acceptable tenant relocation and assistance plan would be required in addition to replacement, and that tenants be guaranteed that they will have a place to live, at comparable rent, during demolition and reconstruction and that they have the right to return to the new replacement building at the old rent (plus annual rent control increases). The city would have to keep track of those tenants.</p> <p>But it is also vital that the replacement units not just be of the same type but that they be at the same rent as the units lost and that the landlord commit to having the new units rent controlled, through a city agreement, even though the provincial law as it stands now would exempt them. The agreement would have to be written so that rent is controlled, notwithstanding provincial rules that exempt new buildings from rent control.</p>

<b>The City is proposing changes to its criteria which must be met to permit demolitions of rental housing. Do you support these changes?</b>		
<b>Contributor #</b>	<b>Response</b>	<b>Reason</b>
25	Unsure	<p>I have a concern about the proposed new provision to allow a landlord to demolish a building if they demonstrate that the rental housing units will be replaced by units of the same type (i.e. with the same number of bedrooms) either on-site, off-site in a comparable location within the same local housing market zone, or through a cash-in-lieu payment. I agree that it is essential that an acceptable tenant relocation and assistance plan would be required in addition to replacement, and that tenants be guaranteed that they will have a place to live, at comparable rent, during demolition and reconstruction and that they have the right to return to the new replacement building at the old rent (plus annual rent control increases). The city would have to keep track of those tenants.</p> <p>But it is also vital that the replacement units not just be of the same type but that they be at the same rent as the units lost and that the landlord commit to having the new units rent controlled, through a city agreement, even though the provincial law as it stands now would exempt them. The agreement would have to be written so that rent is controlled, notwithstanding provincial rules that exempt new buildings from rent control.</p>
26	Unsure	<p>Any units demolished must be replaced by units that not only have the same number of bedrooms, but also have comparable square footage and storage facilities. The tenants must have iron-clad guarantees and a practical mechanism and orderly process so that they can return to the building, if they so wish, once construction has finished, at the same rent plus the regular guideline increases. The City must insist on signed agreements that will ensure that rents on those units only increase by guideline percentages, even if there is turnover in the occupancy, otherwise the rent on those units will promptly soar. The City must have a dedicated office that keeps in touch with those tenants. The costs of moving, and any gap between the rent that the tenant was paying and the rent that they are obliged to pay in the open-market for a</p>

<b>The City is proposing changes to its criteria which must be met to permit demolitions of rental housing. Do you support these changes?</b>		
<b>Contributor #</b>	<b>Response</b>	<b>Reason</b>
		unit comparable in size and quality must be paid in full by the landlord, and the City must take responsibility for tracking that process and ensuring that the compensation is paid in full and in a timely manner. The City must oblige the landlord to undertake a signed commitment to not raise the rent on any unit by above-guideline percentages, regardless of tenant turnover or vacancies. (This is necessary, since Ontario's current rent control legislation allows for de-control every time there is any change in tenancy, and exempts new buildings from rent control. The net effect has been to drive rents up and provide an incentive for landlords to demolish entire buildings of relatively affordable housing. Tenants must be compensated for the costs of moving, storage of their personal effects if necessary, any gap between their old rent and the rent they must pay in order to be settled promptly, any time they must spend in temporary accommodation in hotels, B & Bs, etc.

**Figure 13: Survey Question 3**

<b>The City is proposing to create a By-law which will establish a permit process to regulate conversions and demolitions of rental housing. Do you feel that this approach would assist with protecting affordable units and addressing potential impacts to tenants where conversions or demolitions are proposed?</b>		
<b>Contributor #</b>	<b>Response</b>	<b>Reason</b>
1	No	Owners have the right to fix their properties, the net number of housing available remains the same
2	Yes	Commendable
3	Yes	n/a

**The City is proposing to create a By-law which will establish a permit process to regulate conversions and demolitions of rental housing. Do you feel that this approach would assist with protecting affordable units and addressing potential impacts to tenants where conversions or demolitions are proposed?**

Contributor #	Response	Reason
4	Yes	It will protect tenants but will discourage new housing starts.
5	No	Call my cynical but do not trust the city's permit process will be used to protect rental housing, rather I think it will be used as a barrier to conversions the city "disapproves" of, but will be a minor hurdle for developers on "good terms" with the city.
6	Unsure	Not sure how permitting is any different than the application process today
7	Yes	The bylaw should extend to conversions or demolitions of FOUR units rather than the proposed six.
8	Yes	THIS WOULD ALLOW DECENT GUIDELINES TO BE ENFORCED TO ALLOW FOR PEOPLE TO PURCHASE OR RENT HOMES FOR A DECENT PRICE.
9	Unsure	Landlords must find or provide other housing for evicted tenants, at the same costs or cover the difference. Also time limits on permits for demo, adjustments, and development so property isn't left unoccupied and decaying.
10	No	There needs to be an incentive for landlords to want to provide rental units to the tenants. When rents are too low there is no incentive for landlords to build more rental units

**The City is proposing to create a By-law which will establish a permit process to regulate conversions and demolitions of rental housing. Do you feel that this approach would assist with protecting affordable units and addressing potential impacts to tenants where conversions or demolitions are proposed?**

Contributor #	Response	Reason
11	Yes	n/a
12	Unsure	I am not educated ass tio this issue, what are the changes?
13	Unsure	n/a
14	No	Developers win all the time.
15	Yes	Agree
16	No	I don't trust the government. Hopefully the new council will be different
17	Yes	If the new law helps renters.
18	No	n/a
19	No	Adds more unnecessary restrictions that will just elicit owners for finding ways around it which will be more detrimental. e.g. Renovictions are a symptom of rent control. They sound great, appeal to voters, but have the opposite effect. Time and effort should be spent elsewhere building the correct type of housing for all. Use a carrot and stick approach instead of just the stick.
20	Unsure	n/a

<p><b>The City is proposing to create a By-law which will establish a permit process to regulate conversions and demolitions of rental housing. Do you feel that this approach would assist with protecting affordable units and addressing potential impacts to tenants where conversions or demolitions are proposed?</b></p>		
<b>Contributor #</b>	<b>Response</b>	<b>Reason</b>
21	Unsure	I'm not sure how this specific approach will affect outcomes (a by law vs whatever the existing restrictions are - aren't they already bylaws?)
22	Unsure	Any provision that permits landlords to remove tenants, or increase prices above guidelines, as well as any provisions that replace rental housing the condominiums, will drive up the price of housing. All intensification must maintain prices.
23	No	Conversion of rental, units to condo housing will reduce the affordability of housing for many folks.
24	Unsure	While I don't fully grasp the implications of this change, the permit process sounds flexible and free from appeal to the OLT.
25	Unsure	While I don't fully grasp the implications of this change, the permit process sounds flexible and free from appeal to the OLT.
26	Unsure	n/a

**Figure 14: Survey Question 4**

<b>Contributor #</b>	<b>The permit process will allow conditions to be applied to approvals of conversions or demolitions, such as: replacing demolished units, offering tenants an opportunity to purchase their unit, providing notification to tenants, securing tenant's rights to return to replaced units at similar rents, requirements for tenant relocation and assistance, financial assistance or alternative</b>
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	<b>accommodations for displaced tenants. Are there other potential conditions that should also be included in the By-law?</b>
1	The bylaw is restrictive, you don't have the right to buy your rental property you don't own it.
2	I like those!
3	Subsidized rent should be available.
4	The costs of building/renovations are increasing. Builders will need to recoup their investment, and this will be reflected in new rental/ sale costs. That is the reality.
5	<p>1. Requiring comparable alternative accommodations be provided by the landlord to all tenants at or below the tenant's current monthly rental rate for the duration of the construction process (Note: Many tenants have challenges getting units elsewhere because they are on disability, poor credit history, have pets, are members of minority groups, etc. These people cannot find alternative housing even with financial incentives or relocation assistance, so it should be up to the developer to secure it and sublet to the tenants so they do not end up homeless.</p> <p>2. Securing tenant's rights to return to replaced units at THE SAME rents (not "similar" as there are tenants who will not be able to afford anything other than the "same" rent).</p>
6	Unknown
7	<p>The city approach to housing has always favoured ownership because of extreme developer influence feeding an ideology that home ownership should be everyone's objective. The bias includes tax rates on rental units that are 2.5 times those on occupier-owned housing. Property tax rebates are available to low-income homeowners but not to low-income tenants. In addition, city officials trumpet building permits as the number one metric for success, and these are overwhelmingly for owner-occupied housing. A complete re-think is needed to end this discrimination against tenants. All of the above biases should be removed.</p>



8	YES, THERE SHOULD BE A COMMITTEE SET UP BY PEOPLE WHO SEEK HOUSING SO THEY CAN HAVE A VOICE IN ALL THIS AND NOT BE LEFT TO THE WHIMS OF THE CITY OR LANDLORDS.
9	Landlords must find or provide other housing for evicted tenants, at the same costs or cover the difference. Also time limits on permits for demo, adjustments, and development so property isn't left unoccupied and decaying.
10	Against ; securing tenant's rights to return to replaced units at similar rents, requirements for tenant relocation and assistance, financial assistance or alternative accommodations for displaced tenants- no incentive for landlords to build better units for the same rent- no incentive for investors to build or improve their units if they were to get the same rent as before improvements
11	n/a
12	don't know
13	Not that I can think of.
14	This sounds great, but it already been proven that low income renters can't afford or qualify fir a mortgage. So how would they be able to buy? If the rent is being evicted. Then they should be allowed to move back paying same amount when they moved out. It's not their fault the landlord let the home age out.
15	Yes
16	There should be a law against absentee owners of empty buildings
17	?
18	This by law should "grant father" existing units

19	Undecided.
20	The requirement should be that the replacement units have the same rent as the units that are lost, in effect making provision B 6.1.4.11 of the Downtown Hamilton Secondary Plan apply to the whole city. Otherwise, we will still lose affordable units.
21	<p>Conditions should definitely be applied. I would be very careful about "cash in lieu" conditions however. Cash in lieu almost always works against tenants. Let's say someone is in a 1000/mth unit and is offered 10k to leave - that is a HUGE amount of money for someone in a 1k apartment. They will almost certainly say yes. But if they are forced to move into an apartment that is 1800/mth, that 10k buyout will only help them with the next 12.5 months of rent. After that they are in a loss scenario and 2 years after moving they will have LOST 9k net.</p> <p>Alternatively, perhaps the tenant sees a buyout as a path toward a house down payment. Average home prices in the 800k level mean that a down payment of 80k MINIMUM is required for a new home, but if you want affordable mortgage payments you need to be putting down hundreds of thousands. Does the city want to be in the business of calculating appropriate buyout values based on current and projected rental and purchase prices? It seems like a bad business for the city to get into.</p>
22	Conditions like this should not be allowed, they should be required. No permits should be allowed to be issued without conditions that allow existing residents to return to equivalent units (equivalent square footage as well as room numbers) at the same price.
23	Demolitions should be outlawed. If buildings are below code, the city should take them over, repair them and maintain them as affordable housing for low income folks.
24	I agree with all of those conditions be included. I also believe that that the landlord should have to commit to having the new units rent controlled, through a city agreement, even though the provincial law as it stands now would exempt them. The agreement would have to be written so that rent is controlled, notwithstanding provincial rules that exempt new buildings from rent control.

25	<p>I agree with all of those conditions be included. I also believe that that the landlord should have to commit to having the new units rent controlled, through a city agreement, even though the provincial law as it stands now would exempt them. The agreement would have to be written so that rent is controlled, notwithstanding provincial rules that exempt new buildings from rent control.</p>
26	<p>Insist that the new units be of comparable square footage to the ones that are being destroyed. Landlords should not be allowed to destroy buildings with fairly decent-size units, and replace them with units half the size, even if the number of bedrooms is comparable. As well, some landlords try to classify all rooms other than the kitchen and bathroom as bedrooms. The city must clarify, legally, that, for example, an apartment can only be described as a two bedroom apartment if it has a living room, and a kitchen, and a bathroom, plus two other rooms, each with a closet and a window, and a certain minimum square footage. I have been inside a unit being marketed as a 3=bedroom that in fact had only a small kitchen, a bathroom, and three other rooms, one of which had prior to his assumption of ownership, been the living room and did not have a wall between it and the kitchen.</p> <p>The city should also institute a stiff tax on vacant units. establish mandatory registration of all rental units, inspect all rental units to register their size, square footage, number of bedrooms, bathrooms, etc.</p> <p>The City should not hesitate to impose a moratorium on the construction of high-end condos (i.e. condos that would not be affordable to an individual earning the medium income). The most pressing need is for decent sized 1 bedroom and 2 bedroom rental housing units. The City should insist that the developers focus on building those, until the housing affordability crisis ends.</p>

**Figure 15: Survey Question 5**

<b>Contributor #</b>	<b>Do you have any specific comments on the draft Official Plan amendments or the draft By-law text that you wish to provide?</b>
1	<p>Property owners have the right to protect and enhance their investments, too many properties in this city are run down because of the lack of investment</p>

Contributor #	Do you have any specific comments on the draft Official Plan amendments or the draft By-law text that you wish to provide?
2	n/a
3	n/a
4	To expect 75% of tenants to agree is unreasonable.
5	The 2% vacancies figure the city uses seems low. That vacancy rate hardly accommodates the churn inherent in people moving from one apartment to another. The current rate in Hamilton is 2.8%, yet I think most people would agree the rental situation is abysmal. The Ontario wide is 3.4% and the province is generally also experiencing an affordability crisis. If the figure is to have any true ability to protect and limit conversions it needs to be 3% at least, or maybe 4%.
6	For any rental unit removed, person doing the conversion must provide another somewhere nearby.
7	See above especially 7
8	YES I THINK IT SHOULD BE A PROCESS THAT IS NOT ONE-SIDED AND THAT WILL WORK WITH PEOPLE SEEKING TO EITHER RENT OR PURCHASE
9	Landlords must find or provide other housing for evicted tenants, at the same costs or cover the difference. Also time limits on permits for demo, adjustments, and development so property isn't left unoccupied and decaying.
10	n/a
11	n/a
12	no

Contributor #	Do you have any specific comments on the draft Official Plan amendments or the draft By-law text that you wish to provide?
13	n/a
14	The bylaw should be enforced if the developer changes rules or excuses. That is so wrong. Also if the condo is bought at x amount. The developer has to honor it, no matter the price keeps going up in supplies. The buyer has committed to buying a condo/home. The developer should also be committed to providing the product.
15	No
16	n/a
17	n/a
18	n/a
19	Adds more unnecessary restrictions that will just elicit owners for finding ways around it which will be more detrimental. e.g. Renovictions are a symptom of rent control. They sound great, appeal to voters, but have the opposite effect. Time and effort should be spent elsewhere building the correct type of housing for all. Use a carrot and stick approach instead of just the stick.
20	n/a
21	Overall, if people want to build condos they should be doing it on land that is underzoned - eg parking lots, vacant land, single family home, low density retail, previous industrial etc etc - Condos are fine but let's use developers desire to build them to the community's advantage by forcing it to happen in situations where rental stock is not lost and density is vastly increased. 6+ unit apartments are extremely valuable as a public good even if they are privately owned and the risk of losing them should be mitigated as much as possible

Contributor #	Do you have any specific comments on the draft Official Plan amendments or the draft By-law text that you wish to provide?
22	n/a
23	No, except my comments above.
24	See above.
25	See above.
26	The City must take a strong stand opposing the Province's attempt via Bill 23 to weaken the City's right to insist developers meet certain criteria for the broader good of the community, especially to protect renters from soaring rent increases, and to prevent urban sprawl.

Figure 16: Survey Question 6

Contributor #	Do you have any additional comments or suggestions that you wish to provide?
1	n/a
2	n/a
3	n/a
4	n/a
5	n/a
6	n/a
7	See above especially 7

Contributor #	Do you have any additional comments or suggestions that you wish to provide?
8	YES, MAKE THE PROCESS OPEN AND HONEST SO THE DIRECTIVES FOR PEOPLE ARE CLEAR & CONCISE.
9	Landlords must find or provide other housing for evicted tenants, at the same costs or cover the difference. Also time limits on permits for demo, adjustments, and development so property isn't left unoccupied and decaying.
10	n/a
11	Keep up the good work, thank you. Your presentation was wonderful with how you started with the current situation and the problem with it and moved into some proposed solutions. I also liked how you addressed this was just a small part of much larger changes to meet city housing goals. 10/10.
12	no
13	Rental protections are paramount. Conversions and demolitions are a part of it, and I support the city protecting the more vulnerable renters. While perhaps unrelated, rent-stabilization beyond a single tenancy is essential, so that renters do not feel tied down to a unit, or don't have to face inordinate rent hikes when moving.
14	Every unit, condo, house that is being built should allow for 1 parking space per unit. Makes no sense to have 1000 units but provide 800 parking spots. Many households have 2 vehicles. Not everyone jumps on the bus. Not all new builds are built close to public Transit.
15	No
16	n/a

Contributor #	Do you have any additional comments or suggestions that you wish to provide?
17	n/a
18	n/a
19	n/a
20	Thank you for taking the news for housing seriously. Please Strengthen protections for the most vulnerable among us.
21	Yes my final note is tangential to this particular bylaw but related: how are we protecting against demolition by neglect? Do we have regular inspections to ensure land owners are maintaining buildings to code? We need to ensure we don't reward delinquent owners with demolition permits because they let a building fall so far into disrepair that it becomes "unsafe". This is an age old trick and we cannot fall for it any more. I'd be happy to chat more about any of this, my email is ----- ---- thanks so much for taking the time to make that wonderful presentation, I learned a lot about a bylaw I was not aware of!
22	I would like to see the city incentivizing the construction of, or conversion of rental buildings into, housing cooperatives that provide housing to residents at (or below, with municipal subsidies) cost.
23	I feel that there should be a municipal/provincial/federal law that limits house/condo price increases to 1-2% every 5 or 10 years. Rental controls should also be put in place.
24	The provincial government, in its Bill 23, has a clause that would amend Section 99.1 of the Municipal Act, 2001 is amended by adding the following subsection: "(7) The Minister may make regulations imposing limits and conditions on the powers of a local municipality to prohibit and regulate the demolition and conversion of residential rental properties under this section." This provision could allow the minister to take away the city's right to introduce the measures being proposed and that I am proposing to augment. The city needs to



Contributor #	Do you have any additional comments or suggestions that you wish to provide?
	<p>respond to the current consultation on that provision. Read more here: <a href="https://www.ontariocanada.com/registry/view.do?postingId=42808&amp;language=en">https://www.ontariocanada.com/registry/view.do?postingId=42808&amp;language=en</a> The deadline to submit comments is November 24, 2022</p>
25	<p>The provincial government, in its Bill 23, has a clause that would amend Section 99.1 of the Municipal Act, 2001 is amended by adding the following subsection: "(7) The Minister may make regulations imposing limits and conditions on the powers of a local municipality to prohibit and regulate the demolition and conversion of residential rental properties under this section." This provision could allow the minister to take away the city's right to introduce the measures being proposed and that I am proposing to augment. The city needs to respond to the current consultation on that provision. Read more here: <a href="https://www.ontariocanada.com/registry/view.do?postingId=42808&amp;language=en">https://www.ontariocanada.com/registry/view.do?postingId=42808&amp;language=en</a> The deadline to submit comments is November 24, 2022</p>
26	<p>The City must take a strong stand opposing the Province's attempt via Bill 23 to weaken the City's right to insist developers meet certain criteria for the broader good of the community, especially criteria intended to protect individual renters of average and low incomes from soaring rents, and to prevent urban sprawl, loss of farm land, and environmental degradation.</p>