



Hamilton

**Neighbourhood Residential Rental Housing Community
Liaison Committee
Public Information Centre - Landlords**

April 22, 2009

Changes to the Municipal Act, 2001

Changes to Section 151 of the Municipal Act, 2001 now provides the City with the authority to pass a licensing by-law to licence the rental of residential dwelling units

Subsection 10(2) sets out purposes for which any by-law may be passed, including:

- 5. the economic, social and environmental well-being of the municipality;
- 6. the health, safety and well-being of persons; and
- 8. the protection of persons and property, including consumer protection.



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Zoning By-Law to Limit Bedrooms/Habitable Rooms

- Section 34 of the Planning Act permits a municipality to regulate the character and use of buildings



Council Direction

- On December 12, 2007 Council requested a detailed review of three initiatives:
 - A licensing program for residential rental housing under the Municipal Act;
 - A Zoning By-law Amendment under the Planning Act limiting the number of bedrooms in new housing and through renovations to existing houses; and,
 - A Community Improvement Plan for encouraging the de-conversion of rental housing back to owner occupied single detached dwellings.



Council Direction

Committee of the Whole – October 14, 2008

- approved the recommendations put forth by staff
- For a copy of staff report click on Item 6.3 -

<http://www.myhamilton.ca/myhamilton/CityandGovernment/CityDepartments/CorporateServices/Clerks/AgendaMinutes/CommitteeWhole/2008/October14CommitteeoftheWholeAgenda.htm>

–COW also recommended that a City-wide Community Liaison Committee be undertaken

City Council – October 15, 2008

- approved all recommendations put forth
- For a Copy of COW Report with Recommendations click on item 6.3 -

<http://www.myhamilton.ca/myhamilton/CityandGovernment/CityDepartments/CorporateServices/Clerks/AgendaMinutes/Council/2008/October15CouncilAgenda.htm>



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Recommendation Report PED07296(a)

Staff recommendation (October 14, 2008):

- That Municipal Law Enforcement staff be directed to undertake a consultation process through the establishment of a Community Liaison Committee (CLC) in order to obtain input from the community to determine the appropriateness, potential effectiveness and the prospective extent of a strategy for regulating residential rental housing, including a Licensing By-law pursuant to the provisions of the Municipal Act, 2001



Scope – Geographical Areas

- Ainslie Wood - Westdale Secondary Plan area in Ward 1
- Mohawk-Buchanan-Bonnington-Southam Neighbourhoods in Ward 8
- Guernsey Neighbourhood in Ward 10
- Meadowlands Neighbourhood in Ward 12
(added at October 14, 2008 COW meeting)



NRRHCLC (Wards 1, 8, 10 & 12)

- Neighbourhood Residential Rental Housing Community Liaison Committee has been established
- Has met four times since January 2009



NRRHCLC Membership

- Three (3) members of Council
- Three (3) staff representatives one from each of the following: McMaster University, Mohawk College, and Redeemer University College.
- Two (2) representatives for McMaster Students Union.
- Two (2) representatives for Mohawk Student Union.
- One (1) representative for Redeemer Student Senate.
- Three (3) representatives of the Ainslie Wood Westdale Community Association.
- Two (2) representatives of the Bonnington- Buchanan-Mohawk-Southam Neighbourhood Association,
- One (1) representative of the Meadowlands Neighbourhood & Ancaster Community Council
- Four (2) local residents each representing their respective ward of the City – Ward 1, 8,
- Four (4) landlords each representing the respective Ward of the City – Ward 1, 8, 10, and 12, and,
- Four (4) tenant representing the respective Ward of the City– Ward 1, 8, 10, and 12 or in absence of a local tenant another tenant from any of the four wards identified.

Purpose

The NRRHCLC shall review and examine the feasibility and implications of a policy to regulate single/semi-detached residential rental housing by:

- Implementing a Licensing By-law;
- Implementing a Zoning By-law Amendment; or,
- Reviewing other tools that may be identified.



Purpose

- The NRRHCLC members shall seek input and feedback from the organizations they represent, community organizations and associations, residents, and the general public that may have a particular interest in the issue.
- The NRRHCLC will review, discuss and consider what other municipalities have undertaken and/or what they have contemplated.
- The outcome/recommendation(s) of the NRRHCLC will inform the City-wide Residential Rental Housing Community Liaison Committee.



Current Concerns

Competing interests:

- Impact to existing residential neighbourhoods
- Need to provide safe, affordable and accessible accommodations near the university/college
- Intensification of rental housing



Issues & Concerns

Resident Perspective

- Dealing with illicit behaviour
- Personal safety & security
- Dealing with mixed tenancy
- Density of housing; overcrowding; lack of property maintenance
- By-law enforcement

Tenant Perspective

- Safety and security
- Relationship with landlord; other tenants; & community
- Need affordable housing
- Limited financial resources – will opt for poorer housing conditions
- Legal and lease issues
- Access to amenities/campus



Issues & Concerns

Landlord Perspective

- Dealing with legal issues/limitations imposed by RTA; difficulty evicting
- Expenses associated with maintaining property
- Dealing with tenant issues; quality of tenant; lack of cooperation
- Dealing with the municipality – inconsistent application of by-law enforcement
- Dealing with other landlords/absentee landlords
- Level the playing field/staying competitive

City Perspective

- Providing/maintaining a healthy and safe community
- Maintaining a balance between residential and rental housing – minimize over-intensification
- Managing differing expectations – resident-tenant-property owner/landlord etc.
- Lack of resources/budget to enforce





Current Enforcement Measures

- Noise By-law
- Yard Waste and Property Maintenance By-law
- Property Standards By-law
- Zoning By-law
- Westdale/Mohawk Proactive – September and April commenced September 2007





Licensing Rental Units

Why?

- To protect the health, safety and general welfare of the residents in rental dwellings through a proactive approach to address sub-standard or unsuitable housing conditions.
- Tool which would allow for a “level playing field” with all rental units subject to uniform regulations



Licensing Program May Include

- property standards inspection
- fire inspection
- public health inspection
- a prescribed time period for the license
- a prescribed fee to cover the cost of the above mentioned inspections



Zoning By-Law to Limit Bedrooms/Habitable Rooms

Why Limit?

- Avoid “over-intensification” of a single detached dwellings which potentially leads to safety issues and parking problems



Who Benefits?

Tenants:

- Provided with a regulated standard of housing
- Educated on local By-laws and standards
- Made aware of rental units that are unlicensed and potentially do not meet standards

Landlords:

- Documented record of the condition of the rental unit
- Receives guidance from City inspection staff on remedies to resolve property standards issues
- Creates a level playing field

City and Neighbourhoods:

- Provided with proper management, care and maintenance of residential rental properties
- Opportunity to protect residential amenities and neighbourhood stability
- Mechanism to address absentee landlords
- Accurate registry of all rental units

City of Oshawa	Rental housing licensing by-law in 2008 & limiting the number of rooms from 4 to 6 rooms
City of Waterloo	Lodging house licensing by-law since 1986; Council directed staff to review program given recent changes
City of London	Zoning By-law limiting bedrooms (successfully challenged and upheld by OMB); licensing by-law and proactive enforcement of key problem areas across City
City of Barrie	Community Improvement Plan around Georgian College
City of Kingston	Downtown Residential Review Working Committee
City of St. Catharines	Nuisance By-law enacted as opposed to a licensing program



Process to Date

- Four meetings to date:
 - Presentation by Town & Gown Association of Ontario
 - Presentation by City of Hamilton divisions such as Licensing, Municipal Law Enforcement, Fire, Public Health, Zoning;
 - Presentation by City of London
- PIC – with Student/Tenants (March)
- Meeting with Realtors Association of Hamilton-Burlington (RAHB) (April)
- PIC – with Landlords



Next Steps

- PIC to be scheduled with Residents May 2009
- Follow-up with RAHB
- Two more scheduled meetings for CLC in May & June – wrap up consultation
- June – CLC formulate recommendations
- Draft report/recommendations to Economic Development and Planning Committee September 2009



City-Wide Community Liaison Committee

On October 15, 2008, Council Directed staff to:

- That the City of Hamilton endorse the concept of a City Wide Residential Rental Housing Licensing By-law.
- That staff be directed to report back, to the Economic Development & Planning Committee, with an implementation strategy for a City Wide Residential Rental Housing Licensing By-law.
- That a Community Liaison Committee be established to assist staff in the preparation of the City Wide Residential Rental Housing Licensing By-law and the implementation strategy for that by-law.



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Public Information Centres – City-Wide CLC

- Staff directed to conduct a City-wide consultation process comprising two (2) Public Information Centres for the purposes of ascertaining the issues relating to the regulation of rental housing on a City-wide basis
- June 2009 meeting in process of being planned and scheduled



Question & Answer



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Thank You