

10. Motion – Councillor Kavanagh – Rental Replacement Bylaw

Motion – Conseillère Kavanagh - Règlement municipal sur le remplacement de logements locatifs

Committee recommendation(s)

That Council direct staff to resume work on the rental replacement bylaw joint-departmental work plan item as soon as possible.

Recommandation(s) du comité

Que le Conseil demande au personnel de reprendre dès que possible ses travaux sur le plan d'action conjoint entre directions générales pour un règlement municipal sur le remplacement de logements locatifs.

Documentation/Documentation

1. Extract of draft Minutes, Planning and Housing Committee, December 4, 2024

Extrait de l'ébauche du procès-verbal du Comité de la planification et du logement, le 4 décembre 2024
2. Report from the Committee Coordinator, dated December 4, 2024 (ACS2024-OCC-CCS-0114)

Rapport de la coordonnatrice du comité, daté le 4 décembre 2024 (ACS2024-OCC-CCS-0114)

Planning and Housing
Committee
Report 39
December 11, 2024

2

Comité de de la planification et
du logement
Rapport 39
Le 11 décembre 2024

Extract of Minutes 39
Planning and Housing Committee
December 4, 2024

Extrait du procès-verbal 39
Comité de la planification et du logement
Le 4 décembre 2024

Motion – Councillor Kavanagh – Rental Replacement Bylaw

File No. ACS2024-OCC-CCS-0114 – Citywide

That the Rules of Procedure be Suspended to consider this motion such that it may rise to Council in a timely manner.

WHEREAS on March 27, 2024, the Planning and Housing Committee received a report entitled “Loss of Affordable Rental Housing,” which included a document, written and researched by Steve Pomeroy, specifically highlighting that the City of Ottawa is currently losing 31 affordable units for every 1 unit built; and,

WHEREAS that report recommended “the implementation of a rental replacement bylaw to protect and/or replace existing older stock, which is vulnerable as the city seeks to manage growth through intensification and redevelopment (especially along LRT corridors)”;

and,

WHEREAS according to the Pomeroy report, “between 2011 and 2021, Ottawa lost a total of 30,215 private rental units with rents below \$1,000 - a number greater than the entire community housing stock in Ottawa;” and,

WHEREAS this negative trend continues, with the Bank Block Tenants being the most recent example; and,

WHEREAS given the City’s 10 Year Housing and Homelessness Plan, the declared state of a housing and homelessness emergency, and the efforts from all levels of government to promote new infill development, the city has an increased responsibility to introduce policy regarding rental replacement and demovictions; and,

WHEREAS Prior to The Report of March 2024, city council passed the following items on June 22, 2022:

- 1. Direct Planning, Real Estate and Economic Development (PRED) and Community and Social Services (CSSD) Staff to, as a joint-departmental work plan item, explore the feasibility and identify potential resource implications to the adoption and implementation of a By-law under Section 99.1 of the *Municipal Act*, to prohibit without replacement the full or partial demolition or conversion of residential and rental housing of six or more units without a permit issued by the City, possibly by amending the Demolition Control By-law, and report back by Q2 2023.**
- 2. Direct the City's legal department to review the submitted Legal Opinion RE: Municipal Powers to Regulate Against Renovictions to see if further action outlined in the opinion can be taken by the City of Ottawa to protect Tenants Rights and issue a memo to City Council prior to the report Review of Tools to Prohibit or Prevent "Renovictions" be presented at Council for consideration.**
- 3. Approve that City staff in Legal Services, in the context of the study of a adoption and implementation of a By-law under Section 99.1 of the *Municipal Act* discussed in Recommendation 2, assess the legality and feasibility of the City imposing tools to give specific relief to tenants, such as:**
 - a. Having a requirement of a 1:1 ratio replacement of affordable rental units in the new development**
 - b. Providing tenants temporary accommodations or a rental top up in a similar unit with the same number of bedrooms during the construction of the new development so tenants are not temporarily displaced**

- c. Offering existing tenants the right of first refusal to the new units at the same rent and number of bedrooms
- d. Offering moving cost assistance above and beyond what is required under the *Residential Tenancies Act* to the actual cost of the move at the best prices available in the community; and,

WHEREAS prior to the report back date of Q2 2023, the province appeared to weaken the potential development of a rental replacement bylaw by removing Section 4.2.3 of the new Official Plan. Section 4.2.3 provided the city with language to enable proceeding with a rental replacement bylaw; and,

WHEREAS this led city staff to halt progress on the joint-departmental workplan item; and,

WHEREAS in Q4 of 2023, the province implemented Bill 150, which then re-instated Section 4.2.3 to the City's Official Plan; and,

WHEREAS some uncertainty was expressed regarding a rental replacement bylaw due to Schedule 4 of Bill 23, which grants the Minister of Housing and Municipal Affairs the authority to impose restrictions and conditions on municipal powers outlined in Section 99.1 of the Municipal Act; and,

WHEREAS while the Minister *could* use this authority to hinder the work of a municipality in establishing its own rental replacement bylaw, it does not seem to be the intention or anticipated outcome of the new regulation-making authority; and,

WHEREAS the province announced its intention to conduct consultations *to guide potential future regulations* aimed at standardizing rental replacement policies; and,

WHEREAS the province's indications imply that *existing municipal rental replacement bylaws would serve as valuable references* for this standardization effort; and,

WHEREAS it has been over two years since this provincial announcement, and multiple municipalities have persisted in developing, or are currently in the process of developing, rental replacement bylaws; and,

WHEREAS an inquiry to staff submitted on April 23rd of this year asking staff why review of a rental replacement bylaw was still on hold, despite council direction for staff to review this matter in 2022, and despite other municipalities moving ahead with their own bylaws, and has yet to receive a response; and,

WHEREAS thousands of Ottawa tenants are losing their home every year while this process is delayed; and,

WHEREAS this is a cost on our city both financially and in terms of human suffering;

THEREFORE BE IT RESOLVED THAT staff be directed to resume work on the rental replacement bylaw joint-departmental work plan item as soon as possible.