

Attachment 2: Benchmarking - Residential Rental Protection By-laws

Category	City of Mississauga	City of Hamilton	Town of Oakville	City of Kitchener	City of Toronto
By-law Name & No.	Rental Housing Protection By-law No. 0121-2018	Rental Housing Protection By-law No. 24-109	By-law No. 2023-102	Rental Replacement By-law No. 2024-132	Residential Rental Property Demolition and Conversion Control No. 1331-2023
Effective Date	June 1, 2019	January 1, 2025	July 10, 2023	June 24, 2024	December 15, 2023
Scope	Residential rental properties with 6+ rental units.	Residential rental properties with 6+ rental units.	Residential rental properties with 6+ rental units.	Residential rental properties or with 6+ rental or lodging units.	Residential rental properties with 6+ rental units.
Not in Scope	A condominium; Life Lease Projects; and Section 7 in the RTA.	A condominium; Life Lease Projects; Section 5 of the RTA; Section 7 of the RTA; Certain Municipal, Provincial, Federal Project.	Contains less than six dwelling units; A condominium; Life Lease Projects; Section 5 of the RTA; and Section 7 of the RTA.	A condominium; Life Lease Projects; Section 5 of the RTA; and Section 7 of the RTA.	Contains less than six dwelling units; A condominium; Life Lease Projects; and Section 5 of the RTA.
Conversion Restrictions	Permit required to convert rental units to another use.	Permit required to convert rental units to another use.	Permit required to convert rental units to another use. Adds additional context as to what a purpose other than a residential rental unit is.	Permit required to convert rental units to another use.	Permit required to convert rental units to another use. Adds additional context as to what a purpose other than a residential rental unit is.
Demolition Restrictions	Permit required for demolishing any part of a rental property that contains a dwelling unit.	Permit required for demolishing any part of a rental property that contains a dwelling unit.	Permit required for demolishing any part of a rental property that contains a dwelling unit.	Permit required for demolishing any part of a rental property that contains a dwelling unit.	Permit required for demolishing any part of a rental property that contains a dwelling unit.

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<p>Permit Exemptions</p>	<p>Notwithstanding the above, a permit is not required if the conversion or demolition only includes portions of the property that does not contain any part of a dwelling unit.</p> <p>A permit is not required when the property is subject to a consent to sever and: (1) each parcel of land resulting from the conveyance will have six or more rental units; or (2) one or more of the parcels of land resulting from the conveyance will have six or more rental units an all other parcels at the time have no dwelling units.</p>	<p>Notwithstanding the above, a permit is not required if the demolition does not contain any part of a dwelling unit.</p> <p>A permit is not required when the property is subject to a consent to sever and: (1) each parcel of land resulting from the conveyance will have six or more rental units; or (2) one or more of the parcels of land resulting from the conveyance will have six or more rental units an all other parcels at the time have no dwelling units.</p>	<p>Notwithstanding the above, a permit is not required if the demolition does not contain any part of a dwelling unit.</p> <p>A permit is not required when the property is subject to a consent to sever and: (1) each parcel of land resulting from the conveyance will have six or more rental units; or (2) one or more of the parcels of land resulting from the conveyance will have six or more rental units an all other parcels at the time have no dwelling units.</p>	<p>Notwithstanding the above, a permit is not required if the conversion or demolition only includes portions of the property that does not contain any part of a dwelling unit.</p> <p>A permit is not required when the property is subject to a consent to sever and: (1) each parcel of land resulting from the conveyance will have six or more rental units; or (2) one or more of the parcels of land resulting from the conveyance will have six or more rental units an all other parcels at the time have no dwelling units.</p>	<p>Notwithstanding the above, a permit is not required if the conversion or demolition only includes portions of the property that does not contain any part of a dwelling unit.</p> <p>A permit is not required when the property is subject to a consent to sever and: (1) each parcel of land resulting from the conveyance will have six or more rental units; or (2) one or more of the parcels of land resulting from the conveyance will have six or more rental units an all other parcels at the time have no dwelling units.</p>
<p>Application Requirements</p>	<p>Description of proposed demolition or conversion; Unit count (by type); Rent rolls; Tenant list; Any related planning applications; Proposed rental replacements where applicable; Tenant engagement plan; and Applicable fees.</p>	<p>Description of proposed demolition or conversion; Unit count (by type); Rent rolls; Tenant list; Any related planning applications; Proposed rental replacements where applicable; Tenant engagement plan + extensive tenant meeting; and</p>	<p>Description of proposed demolition or conversion; Unit count (by type); Rent rolls; Tenant list; Any related planning applications; Proposed rental replacements where applicable; Tenant engagement plan + extensive tenant meeting;</p>	<p>Description of proposed demolition or conversion; Unit count (by type); Rent rolls; Tenant list; Any related planning applications; Proposed rental replacements where applicable; Tenant engagement plan; and Applicable fees.</p>	<p>Not specified.</p>

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		Applicable fees.	A proposal for assistance that goes beyond the requirements of the RTA; and Applicable fees.		
Permit Approval Requirements	The vacancy rate for the City is a or above 3.0%; or The rents for all rental units are equal to or more than 1.75 times the average market rent.	<u>General:</u> Property has six or more dwelling units, but less than six rental units <u>Conversion:</u> Vacancy rate based on unit and structure type has been at or above 3.0% for the preceding two years; Rents for proposed converted units are above 100% of the AMR; For vacant units, the last market rent levels charged prior to vacancy were above 100% of AMR. <u>Demolition:</u> Vacancy rate based on unit and structure type has been at or above 3.0% for the preceding two years; Rents for proposed demolished units are above 100% of the AMR;	Property has six or more dwelling units, but less than six rental units; The Residential Rental Property at the time of the application has six or more Rental Units, and: (a) The combined number of existing Rental Units affected by the proposed Demolition or Conversion and any previous Demolition or Conversion activities within the preceding five-year period is less than six; and (b) The proposed Demolition or Conversion will not reduce the number of Rental Units to less than six.	Not specified.	Property has six or more dwelling units, but less than six rental units; The Residential Rental Property at the time of the application has six or more Rental Units, and: (a) The combined number of existing Rental Units affected by the proposed Demolition or Conversion and any previous Demolition or Conversion activities within the preceding five-year period is less than six; and (b) The proposed Demolition or Conversion will not reduce the number of Rental Units to less than six.

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		<p>For vacant units, the last market rent levels charged prior to vacancy were above 100% of AMR.</p> <p><u>Consent to Sever:</u></p> <p>For conversions only, and applies if the conversion will not result in the alteration of a dwelling unit.</p>			
<p>Potential Conditions</p>	<p>Replaced or retained units be available at similar rents for a defined period;</p> <p>Notify affected tenants as per the RTA;</p> <p>Provide tenants with the right to return to replaced or retained unit;</p> <p>Enter into an agreement to be registered on title; and</p> <p>Replacement of units on-site, comparable off-site location, cash -in-lieu, or combination.</p>	<p><u>Demolition:</u></p> <p><i>In Downtown SP</i></p> <p>On-site replacement; and</p> <p>Tenant relocation and assistance.</p> <p><i>Outside Downtown SP</i></p> <p>On-site or off-site replacement; and</p> <p>Tenant relocation and assistance.</p> <p><u>Conversion:</u></p> <p>Similar rental rates for a defined term;</p> <p>Right of first refusal for tenants;</p> <p><u>Conversion and Demolition:</u></p> <p>Written Notice</p> <p><u>Social Housing:</u></p>	<p>Replaced or retained units be available at similar rents for a defined period – similar rents to be determined through AMR;</p> <p>Notify affected tenants as per the RTA;</p> <p>Enter into an agreement to be registered on title;</p> <p>An enhanced Tenant Assistance Package beyond the requirements in the RTA;</p> <p>Provide tenants with the right to return to replaced or retained unit;</p> <p>Replacement of units on-site, comparable off-site location, cash -in-lieu, or combination;</p> <p>Requirements specifying the timeframe that replacement</p>	<p>Tenant compensation;</p> <p>Replacement of an equal number of rental units to be demolished or converted;</p> <p>Notify affected tenants as per the RTA;</p> <p>Other requirements reasonable to minimize the impact of the demolition or conversion; and</p> <p>Initiate a Rental Replacement Agreement with the City to be registered on title.</p>	<p>Notify affected tenants as per the RTA;</p> <p>Tenant relocation and assistance;</p> <p>Enter into an agreement to be registered on title;</p> <p>For demolitions, replacement units with similar rents as well as tenant relocation assistance, including the right to return;</p> <p>Develop and implement an access plan for replacement rental units with no returning tenant such as use of centralized housing access system</p> <p>For conversions, requirements relating to the cost impacts of tenants; and</p>

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		<p>Full replacement of RGI units; and</p> <p>Tenant relocation and assistance.</p> <p><u>General:</u></p> <p>Specific amenities for replacements units;</p> <p>Other requirements reasonable to minimize the impact of the demolition or conversion;</p> <p>Enter into an agreement to be registered on title; and</p> <p>Replacement of units on-site, comparable off-site location, cash -in-lieu, or combination.</p>	<p>units to be constructed + financial consequences; and</p> <p>Possibility of 'Preliminary Approval.'</p>		Lapsing approval.
Approval Authority	<p>Delegated to the Commissioner;</p> <p>Commissioner may refer the application to the Planning and Development Committee for approval.</p>	<p>Delegated to the Commissioner;</p> <p>Commissioner may refer the application to the appropriate Committee for approval.</p>	<p>Delegated to the Commissioner;</p> <p>Commissioner may refer the application to the Council for approval.</p>	<p>Delegated to the Director;</p> <p>Director may refer the application to the Council for approval.</p>	<p>Delegated to the Chief Planner;</p> <p>Chief Planner may refer the application to the Council for approval.</p>
Tenant Protections	<p>Right to return to replacement units at similar rents; and</p> <p>Notification of rights under the RTA.</p>	<p>Right to return to replacement units at similar rents; and</p> <p>Notification of rights under the RTA.</p>	<p>Right to return to replacement units at similar rents; and</p> <p>Notification of rights under the RTA.</p>	<p>Tenant compensation which may include Temporary Offsite Replacement Unit, Rent Waiver, and Cash Payout.</p> <p>Notification of rights under the RTA.</p>	<p>Tenant relocation and assistance;</p> <p>Right to return to replacement units at similar rents; and</p> <p>Notification of rights under the RTA.</p>

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Enforcement and Penalties	Maximum fine of \$100,000; Continuing fines of \$10,000/day; Special fines exceeding \$100,000 for economic gain.	Maximum fine of \$100,000; Continuing fines of \$10,000/day; Special fines exceeding \$100,000 for economic gain.	Maximum fine of \$100,000; Continuing fines of \$10,000/day; Special fines exceeding \$100,000 for economic gain.	Maximum fine of \$100,000; Continuing fines of \$10,000/day; Special fines exceeding \$100,000 for economic gain.	Not specified.
Inspection Powers	City officials may enter for inspections, demand documents, take photographs.	City officials may enter for inspections, demand documents, take photographs.	Not specified.	City officials may enter for inspections, demand documents, take photographs.	No specified.
Anti-Harassment Clause	Prohibits interference with tenants to influence approvals.	Prohibits interference with tenants to influence approvals.			
Appeals Process	No right of appeal for Commissioner or Council decisions.	No right of appeal for Commissioner or Council decisions.	Not specified.	No right of appeal for Director or Council decisions.	No specified.