

WATERLOO REGION ACORN

SUBMISSION TO
KITCHENER PLANNING
AND STRATEGIC
INITIATIVES COMMITTEE



WHAT IS ACORN?

Association of Community Organizations for Reform Now

ACORN is a multi-issue community and tenant union of low-to moderate-income people. The purpose of the union is to give power to people so that they can have their voices heard at all levels of government. We operate on the belief that social and economic justice is best achieved by building community power for change. With chapters across the city, province, and country, ACORN is able to act both as a local-based union and a large organization combining forces to fight for policy changes at the provincial and national levels.



A BACKGROUND ON RENOVICTIONS

- Ontario ACORN's 2024 Renovictions Report found Kitchener to be the city with the 6th highest number of N13 eviction notices filed in the province.
 - *However, Kitchener is only the 9th largest city in Ontario!*
- The majority of cities that ranked higher than Kitchener, and even some cities who ranked lower than Kitchener, have all since implemented or began implementing anti-renoviction bylaws.
- Housing researcher Steve Pomeroy found that, for every 1 unit of affordable rental housing built in Kitchener-Waterloo, a whopping 39 units are lost.

We can't afford to wait any longer to protect our renters!



ACORN STATE OF TENANT AFFAIRS REPORT

RELEASED JUNE 2, 2025



ABOUT:

ACORN conducted a survey of 160 tenant respondents in Waterloo Region, primarily residents of Kitchener, to gain insight into the lived experience of renters.

STATS HIGHLIGHTS:

- **23%** of respondents have received one or more eviction notices within the past 5 years
 - **54%** of those notices were N13 notices (notice to vacate for renovations or demolition).
- **80%** of respondents who received eviction notices in the past 5 years shared that they experienced pressure tactics from their landlord such as harassment, increased laundry and parking fees, and frequent utility shut offs.



Waterloo Region
**ACORN
State of
Tenant Affairs
Report**

Information collected and presented
by Waterloo Region ACORN

(519)-670-1859
acorncanada.org
kw@acorncanada.org
@waterlooregionacorn

ACORN'S RENOVICTION BYLAW CAMPAIGN

Considering what has made other renoviction bylaws in Ontario effective, ACORN would recommend that Kitchener implement the following:

Renovation Applications and Licensing

Requiring landlords to apply via the City within a week of issuing an N13 notice.

Applications to include building permit, engineer report proving vacancy is needed, and copy of N13 form filed.

Alternative Accommodations/ Compensation

Requiring landlords to provide EITHER temporary alternative accommodations (at same rate of rent) OR a monetary rental top-up for the duration of renovations.

Providing Arrangement Details

Landlords to provide details to the City of the tenant accommodation arrangement that has been made - PRIOR to receiving a renovation license

Noncompliance Enforcement

If a landlord is found failing to comply with the provisions of the bylaw, they are to face enforcement, including escalating fines.

RENOVICTION BYLAWS IN ONTARIO CITIES

Hamilton

- Has only received ONE application since implementation on January 1st, 2025
 - According to LTB data from 2022–2023, Hamilton would have seen about 40 N13s filed with the LTB in that same timeframe without the bylaw in place
 - This doesn't include the number of N13s issued to tenants but not filed

London

- Has received ZERO applications since implementation in March of 2025
- Bylaw does not include other municipal supports like Toronto and Hamilton, but is still acting as a deterrent

Toronto

- The City of Toronto has approved an anti-renoviction bylaw, which will take effect on July 31, 2025.

Ottawa

- Currently drafting an anti-renoviction bylaw.

Mississauga

- Currently drafting an anti-renoviction bylaw.

STAFF REPORT



Staff Report

Development Services Department



www.kitchener.ca

REPORT TO: Planning and Strategic Initiatives Committee

DATE OF MEETING: June 16, 2025

SUBMITTED BY: Rosa Bustamante, Director of Planning and Housing Policy/City Planner, 519-783-8929

PREPARED BY: Katie Anderl, Project Manager - Planning, 519-783-8926
Natalie Goss, Manager of Policy and Research, 519-783-8933
Mike Balch, Planner (Policy), 519-783-8928

WARD(S) INVOLVED: All Wards

DATE OF REPORT: June 4, 2025

REPORT NO.: DSD-2025-248

SUBJECT: Evictions due to Renovations

RECOMMENDATION:

That staff be directed to refer Path 2 initiatives to the Housing for All update for consideration and implementation; and,

That staff be directed to apply for relevant new Federal and Provincial funding and support community partners to access, programs and funding sources that support the creation and maintenance of affordable rental housing; and further,

That advocacy to the Province of Ontario include the proclamation and enactment of all regulations pertaining to bad faith evictions due to renovations in Bill 97, Helping Homebuyers, Protecting Tenants Act, 2023.

STAFF REASON #1

“REGULATIONS IN A LICENSE BY-LAW CANNOT SUPERSEDE THE RESIDENTIAL TENANCIES ACT.”



- **Renoviction bylaws do not conflict with the RTA**
 - Several Ontario cities have successfully implemented renoviction bylaws, none of which are in conflict with provincial law.
 - To quote the Staff report: “The Municipal Act gives the City authority to pass licensing by-laws and require business licenses.”

STAFF REASON #2



"THE EFFECTIVENESS OF A RENOVICTION BY-LAW IS NOT PROVEN."

- **ACORN believes this is objectively false.**
 - Hamilton has received only one application for a rental renovation license since the bylaw took effect in January of 2025 – prior to the bylaw, Hamilton was seeing approximately 40 N13 applications at the LTB in that time period. London has seen similar results.
 - City staff conflict with this argument in the report: "The City of new Westminster saw a decrease in the number of reported renovictions and inquiries of concern during the time that the by-law was in effect."

STAFF REASON #3



“RENTAL RENOVATION LICENSES ARE LIMITED IN SCOPE, AND WOULD NOT APPLY TO OTHER BAD-FAITH EVICTIONS USED BY LANDLORDS (LIKE N12S).”

- **All bylaws have limits to their scope.**
 - **Example:** Kitchener’s rental replacement bylaw only applies to N13 evictions for the purpose of demolition.
- N12s (evictions for personal use) cannot be used for mass evictions in the same manner as N13s.
 - Corporations are not legally allowed to use N12s for eviction– only individual landlords can evict on the grounds of personal use.

STAFF REASON #4



“THE BYLAW MAY HAVE A LIMITED LIFESPAN IF THE PROVINCIAL GOVERNMENT DECIDES TO FULLY IMPLEMENT BILL 97.”

- Staff cite that the New Westminster bylaw was repealed after BC implemented legislation changes *“similar to the changes being contemplated... through Bill 97”*.
 - BC’s legislation is **significantly stronger** than Bill 97 – it requires that landlords may only end a tenancy for renovations if:
 - Renovations are absolutely **necessary** (no cosmetic renos)
 - The only way to achieve the vacancy needed for renovations is to end the tenancy agreement.
- It has been over 2 years since Bill 97 was passed– yet it is still not fully ratified.
 - We realistically **do not expect the current Ontario government to act on this issue with the urgency that is currently necessary.**

STAFF REASON #5

"A RENTAL RENOVATION LICENSING BY-LAW WILL NOT STOP A LAWFUL EVICTION PROCESS."



- **This was never a goal of this bylaw to begin with**
 - An anti-renoviction bylaw should stop *unlawful/bad-faith* evictions, and ensure that if tenants are being displaced, the price of displacement is on the landlord and not the tenant.

STAFF REASON #6



"A BUILDING PERMIT CANNOT BE WITHHELD PENDING THE ISSUANCE OF A RENTAL RENOVATION LICENSE."

- **This is not necessary for the bylaw, and not a requirement of anti-renoviction bylaws in other cities.**
 - The goal of this bylaw is not to stop renovations altogether, it is to act as a deterrent for renovictions done with the intention of increasing rents and displacing tenants.

STAFF REASON #7



"A RENTAL RENOVATION LICENSING BY-LAW CANNOT COMPEL OR PREVENT THE ISSUANCE OF AN N13."

- **It's not meant to prevent N13s being issued.**
 - Case law shows that the LTB will support local bylaws.
 - Landlords legally must obtain all building permits and other local requirements in order to legally evict a tenant with an N13. This includes licenses for renovations or demolition.

STAFF REASON #8

"A RENTAL RENOVATION LICENSING BY-LAW DOES NOT PROVIDE WRAP-AROUND TENANT SUPPORT, AND KITCHENER IS UNABLE TO PROVIDE THESE SUPPORTS."



- **City Staff reference Hamilton, London and Toronto as all having these wrap around supports- but this is misleading.**
 - London does not provide the services City Staff list in the report (providing legal advice to tenants, funding for LTB representation, or rent gap payments during renovations)
 - Additionally, none of the cities listed by City Staff supply rent gap payments to tenants – landlords provide these payments only if successful in applying for a renovations license.
- ACORN encourages the City to pass other tenant supports **in addition to** (not **in place of**) a renovation bylaw.

OTHER CONCERNS RAISED BY COUNCIL



*CONCERNS THAT THIS BYLAW IS THE REGION'S RESPONSIBILITY, NOT THE CITY'S,
GIVEN THE REGION IS THE PROVINCIALY DESIGNATED HOUSING SERVICE MANAGER.*

- Housing service managers establish, administer and fund housing and homelessness programs and services. An anti-renoviction bylaw does none of these things.
 - Anti-renoviction bylaws regulate the act of evicting a tenant for renovations, just like how Kitchener's Rental Replacement Bylaw regulates the act of evicting a tenant for demolitions.
- **Mississauga is a two-tiered municipality within the region of Peel**
 - Peel is the housing service manager for Mississauga
 - Despite this, the city of **Mississauga is currently drafting an anti-renoviction bylaw.**

OTHER CONCERNS RAISED BY COUNCIL



*CONCERNS THAT THE CITY OF KITCHENER DOES NOT HAVE SUFFICIENT BUDGET TO
PAY FOR ADMINISTRATION OF A RENOVICTION BYLAW*

- Anti-renoviction bylaws act as deterrents for bad-faith evictions, therefore few staff are actually necessary to administer them
- Hamilton and London have both taken an incremental approach to hiring and will increase staff as renovation applications demand.
- Kitchener already has a team of staff for administration and implementation of Kitchener's Rental Replacement Bylaw, which is **very** similar in scope and implementation to the proposed anti-renoviction bylaw.
- **If budget is a concern, the City should scale the renovation licensing fees and fines to meet the costs of the bylaw**

DISCUSSION ON STAFF REPORT



ACORN's question:

Why would any of these challenges prevent Kitchener from passing an anti-renoviction bylaw when the City just passed a similar bylaw preventing demovictions (evictions for demolition) last year?

We implore city council to hear the needs of your constituents and move forward with this bylaw as quickly as possible. Kitchener tenants cannot afford to be left behind.



THANK YOU!