To EPC on September 17, 2019

Thank you for the opportunity to submit comments on the report outlining strategies and tools to enhance neighborhood liveability. This is to commend Councillor Gillingham and colleagues for having requested the report, and the report authors for proposed tools that seek to improve existing bylaws.

This report is organized to indicate A) what our group recommended, B) includes responses to some of the specific options in the report, as well as C) issues not addressed, and D) some suggestions.

A. Here is what we asked the City to do (in April 16th e-mail to Councillors Rollins and Gillingham). As well, this was included in the handout we gave to passersby at our "chalk party" on August 14.

Here are what we would like to see in a revised By-law regarding derelict and boarded-up buildings:

1. **That boarded-up properties - even when they are in compliance with By-law directives - must be renovated within a LIMITED time-frame (ie, within 2 – 3 years), or the City will invoke TTWC (Taking Title without Compensation) or expropriation – or some other creative solution for dealing with irresponsible property-owners.**

2. **That a limit be placed on the number of allowed infractions.**

3. **That fees and fines for boarded-up properties be substantially higher than they are now, and will escalate faster than they do currently.**

4. **That fees for such properties should be assessed AS IF the building were occupied (either as commercial or residential). That requirement should be an incentive to renovate, upgrade or sell such properties.**

These are the four policy areas addressed in the report to EPC; our specific suggestions may relate to one or more (or all four) of those policies:

Enhancing Efficiency:

Improving Safety/Reducing Blight

Reducing Timelines To Compliance

Increasing Accountability and Transparency.

B. **Below is our summary of what is being recommended in the report to Executive Policy C'tt**

Here is what is recommended, and **these comments are ours:**

a. an inspection fee (new) of $225 for non-compliant property owners, which will be applied to third and subsequent inspections, to recover costs on behalf of the City of Winnipeg and to act as a deterrent to ongoing non-compliance. Change the option from a "fee waiver" to a 30-day limit on their request for a fee refund.

We ask for that fee to rise substantially with any subsequent inspections

Agree on the shift from "waiver" to "refund"

b. for residential properties where there are three or more rental units, the property owner be required to post on that property, as prescribed by by-law, a valid contact number of a caretaker/property manager for that property;

This should apply to empty/boarded residential units, also – not just occupied ones.

c. appellants be required to post publicly, notices of any appeals to orders issued under either by-law on the property,

This would give community residents a way to "track" orders on a building.

d. the authority to require boarding of a residential building where safety concerns outweigh the negative impacts of boarding, and that escalating boarding fees currently applicable to commercial properties apply to these buildings as soon as the designated employee imposes this requirement.

Agree – AND those fees also should be substantial and should increase each time further boarding is required.

The current By-law requires residential buildings to be boarded for only one year – why has that not been enforced on the Rubin and others?

e. net revenue from the Empty Building Fee be directed to the Housing Rehabilitation Investment Reserve to be reinvested in affordable housing initiatives.

AGREE!

f. in order to encourage owners to have long-term vacant buildings occupied, re-used, or demolished, an Empty Building Fee (new) in the amount of 1% of the most current assessed value of the property be imposed annually on properties

that remain vacant after they have had five annual inspections under the by-law. The fee will be effective as of January 1, 2020.

We think it should be a three-year limit rather than five, and, on the second year it should 5%, and 10% in the third year.

That the taxes paid on a boarded property be assessed as if the building were occupied, either commercial, retail and/or residential.

C. **The report does not address the issue of actively refurbishing and reoccupying. We suggest that ensuring redevelopment and reuse of vacant buildings should be included in amendments to existing bylaws, in addition to collecting fees, revitalizing and improving community safety, while creating employment and housing opportunities.**

The fact that the Rubin Block (and most likely many other vacant buildings) might be without heating this winter should be noted and emphasized.

D. **Would it be possible to post information on the City's website about a particular building and its infractions, and the status of the remedy? For example, there could be a GIS map to click on, and it would show the various infractions and whether or not they've been resolved or are outstanding.**

As a further suggestion, there could be a not-for-profit corporation, comprised of neighbourhood residents, that would actively try to buy buildings for the public good. It has been done before - CentreVenture, Entreprises Riel in St Boniface, and Merchants Corner on Selkirk Avenue. Such a group could apply to CMHC for affordable housing money as a not-for-profit corporation. The North End Community Renewal Corp owns a handful of buildings that they are using for community purposes.

NOTE: See further detail and elaboration below:

Although the report presents disincentives in the form of Empty Building fees to discourage negligent property ownership, a key element absent in the report is a plan to actively encourage refurbishment and use of vacant buildings for affordable housing and commercial activity to improve neighborhood liveability.

General comments include:

1. Proposed frequency of inspections and heating during winter: Clarification is required in regards to the proposed frequency (monthly, seasonal, annual, or following 311 requests) of inspections (i.e. p. 4, Recommendation 1; p. 5, Implications of the Recommendations; p. 7, Inspection Fees for Non-Compliance).

Heating of vacant buildings during winter (~10 degrees C) should also be made mandatory.

Additional amendment and recommendation for Vacant Buildings By-law: The frequency of inspections should be noted with the requirement that the heating of vacant buildings during winter be ensured during inspections.

2. Timeline, plan and schedule for renovations and occupancy of vacant buildings: When a building becomes vacant, a plan and schedule for redevelopment within a six month to one-year (depending on retroactive vacancy) timeframe/timeline should be provided to relevant departments in the City of Winnipeg (housing, commercial, PP&D). Inspections would then include an assessment on progress in achieving the plan for refurbishment and occupancy and consultation with the owners as to what is required to ensure that the schedule is met.

The timeframe of six months to one year is proposed to reduce costs to and resources required by the city and community from the perspective of inspections, policing services, building deterioration, impact on infrastructure, lost revenue from lack of occupancy, and impact on neighborhood safety and liveability beyond a one-year vacancy duration.

This is to recommend that the Vacant Buildings By-law be amended to declare failure to comply with refurbishment and occupancy within the one-year timeframe/timeline an offence, allowing the TTWC to be implemented following this deadline.

Additional amendment and recommendation for Vacant Buildings By-law: **A timeline for redevelopment should be defined in the Vacant Buildings By-law; failure to comply or achieve refurbishment and occupancy plans within the specified timeframe/timeline would then be considered an offence enabling implementation of the TTWC to complement existing fees and fines that do not serve as a sufficient disincentive to refurbish and use vacant buildings.**

3. Actions for occupancy and vacant building reuse within one-year timeframe

During one-year timeframe: To ensure compliance, inspectors and other relevant city officials could monitor progress of plans and schedules at regular intervals. The number of inspections would be specified in amendments to liveability and vacant buildings bylaws; fees noted in existing report recommendations ($225 on non-compliant property owners in third and subsequent (per year?) inspections) could apply to community complaint- and non-compliance-based inspections.

Beyond one-year timeframe: If a building is not refurbished and occupied within the specified (one-year proposed) timeline, TTWC should be implemented based on noncompliance as outlined in Recommendation 2 of this synopsis and/or if the building owner is found to be in non-compliance according to amendments recommended in the report for the Liveability and Vacant Buildings By-laws. Once TTWC is implemented, the City could instigate a process to ensure sale/transfer of the vacant building to interested buyers with a viable plan and schedule that incorporates affordable housing and commercial (for commercial buildings) initiatives, including community groups, non-profit organizations, management companies, for completion within a one-year timeframe.

Additional amendment and recommendation for Liveability and Vacant Buildings By-law: A comprehensive plan for refurbishment and re-use of vacant buildings should be outlined in both the Liveability and Vacant Buildings By-laws, using such instruments as timelines to deter deterioration in the building structure, lost City revenue and resources, criminal activity associated with vacant buildings, TTWC, and partnerships with interested buyers including community groups, non-profit organizations, and management companies.

4. **Building-specific reserve fund for affordable housing and occupancy**: Revenue from the Empty Building fee proposed could, in addition to being reinvested in a general fund for affordable housing initiatives, be directed to incentives to refurbish vacant buildings for affordable housing. More specifically, the revenue generated from the Empty Building Fee associated with each building could be directed to a reserve fund for that building to be used for affordable housing in that building; this fund could then, after a one-year (suggested) timeframe and upon expropriation, be put towards renovations by the new owner for affordable housing and/or rental financing/loans.

Additional amendment and recommendation for Liveability and Vacant Buildings By-law: Revenue from Empty Building fees can be reinvested in building-specific reserve funds for refurbishment and reuse as an additional incentive for occupancy over vacancy.