

## Urban Hamilton Official Plan Policies

**Affordable:** means:

- a) in the case of ownership housing, the least expensive of:
  - i) housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for *low and moderate income households*; or
  - ii) housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the City of Hamilton; and,
- b) in the case of rental housing, the least expensive of:
  - i) a unit for which the rent does not exceed 30 percent of gross annual household income for *low and moderate income households*; or
  - ii) a unit for which the rent is at or below the average market rent of a unit in the City of Hamilton (PPS, 2005 amended); and,
- c) in the case of housing developments, at least 25 percent of either *affordable* ownership or *affordable* rental housing. For the purposes of the policies of this Plan, *affordable* housing developments may include a mix of *affordable* and market rate units, both ownership and rental.

(Urban Hamilton Official Plan)

## Urban Hamilton Official Plan Condominium Conversion Policies

### Condominium Conversion of Rental Housing Units

3.2.5.1 To protect the adequate provision of a full range of housing, conversion to condominium of rental apartment or townhouse buildings or groups of buildings comprised of six or more units shall be permitted if any one of three general criteria are met, outlined as a), b) and c) below:

- a) all the following criteria are met:
  - i) the rental vacancy rate by dwelling unit and structure type for the City and the respective local housing market zone, as identified on Schedule G – Local Housing Market Zones and based on CMHC data, has been at or above 2.0% for the preceding twenty-four months; and,
  - ii) the proposed conversion shall not reduce the rental vacancy rate by dwelling unit and structure type to below 2.0% for the City and the respective local housing market zone; and,

- iii) the existing market rent levels for the units proposed to be converted are not significantly (approximately 10%) below the average market rent levels for the City and the respective local housing market zone for rental units of a similar dwelling unit and structure type and size; and,
    - iv) for vacant rental units, the last market rent levels charged prior to vacancy for the units proposed to be converted were not significantly (approximately 10%) below the average market rent levels at the time for the City and the respective local housing market zone for rental units of a similar dwelling unit and structure type and size; or,
  - b) at least 75% of the current tenants support the conversion to condominium, as demonstrated to the satisfaction of the City; or,
  - c) the subject building or group of buildings is a *protected heritage property* on the date of application.
- 3.2.5.2 In considering a request for extension of an approval for conversion to condominium of rental housing, the City shall apply Policy B.3.2.5.1.
- 3.2.5.3 Notwithstanding Policy B.3.2.5.1, the City may approve an application to convert rental housing to condominium tenure, where it is demonstrated to the satisfaction of the City that:
  - a) repair or retrofitting is immediately required to meet health and safety standards; and,
  - b) income received from rent and available from government funding programs, including rent increases permitted under provincial legislation, is not capable of supporting the work required.
- 3.2.5.4 The City may require applicants to submit certified financial statements in support of an application under Policy B.3.2.5.3.
- 3.2.5.5 A complete application for conversion to condominium of rental apartment or townhouse buildings or groups of buildings comprised of six or more rental units shall include, in a manner acceptable to the City, proof of tenant notification of the conversion proposal and proof of notification of the rights of tenants under provincial residential tenancy legislation.