

## A. ROXBOROUGH ACCESS TO HOMEOWNERSHIP GRANT PROGRAM (RAHGP)



### A.1 PROGRAM DESCRIPTION

The Roxborough Access to Homeownership Grant Program (RAHGP) is available to property owners (or their assignees) within the Roxborough Community Improvement Project Area (CIPA). Applicants who provide homeownership units which meet the eligibility criteria of the program will be eligible for a grant equal to the value of the municipal Development Charges owed for the unit(s). Note that Educational Development Charges are not part of the scope of this program.

This program may be used in conjunction with the federal/provincial down payment assistance programs in order to provide deeper affordability opportunities.

Grants provided under this program shall be provided to the applicant who is the Owner registered on title who has constructed or cause to have constructed the unit.

Grants provided under this program shall not exceed the value of the municipal Development Charges owed for the below-market homeownership unit(s) at the time of Building Permit for said unit(s).

Grants under this program will be paid on a per unit basis at such time as:

- The requirements under Section 1 and 2 of A.2 have been fulfilled to the satisfaction of the General Manager of Healthy and Safe Communities; and
- At issuance of Building Permit for the Eligible Unit(s).

An assignment of a grant or application under this program may only be permitted by the General Manager of Healthy and Safe Communities in their sole direction and on such reasonable terms and conditions as the General Manager deems appropriate.

Successful applicants shall be required to enter into an agreement with the City with such terms consistent with the terms and conditions of this program and such additional reasonable terms and conditions that the General Manager of Healthy and Safe Communities deems appropriate in their sole discretion.

Realty taxes must be paid at the time of application approval and prior to grant payment for the project property.

Construction of Eligible Units shall commence no later than five-years following the date of approval of an application under this program. The five-year period may be extended by the General Manager of Healthy and Safe Communities in their sole direction and on such reasonable terms and conditions as the General Manager deems appropriate.

The Housing Services Division will periodically review the terms and the duration of the Program and make appropriate revisions as per the direction of City Council.

All costs associated with the development and the requirements of this program are to be borne by the applicant including construction, design, development charges, administration fees, appraisals, inspections, legal and registration fees.

## **A.2 ELIGIBILITY CRITERIA**

1. Applicants to the RAHGP must meet the goals of the Housing for Hamilton Community Improvement Plan (HHCIP) as identified in Section 6.o.
2. An applicant will be eligible for a grant under this program for each unit (“Eligible Unit”) which meets the following requirements:
  - a) The unit is located within the Roxborough Community Improvement Project Area (CIPA) as identified in Section 7.o of the Housing for Hamilton Community Improvement Plan (HHCIP);
  - b) Townhouse units (all forms) shall have a sale price not to exceed \$420,000 with an overall median price for all townhouse Eligible Units forming part of a development of \$400,000 which prices are to be indexed annually based on the annual percentage change in the median price of new construction homes in the Hamilton Census Metropolitan Area (CMA) as stated by the Realtors Association of Hamilton-Burlington.
  - c) For all other Eligible Units additional price and income thresholds will be determined on an individual project basis to reflect the specific form and size of additional units. Final determination of eligibility shall be at the sole discretion of the General Manager of Healthy and Safe Communities.
  - d) The applicant provides to the City, at the time of Building Permit, an undertaking that confirms the applicant shall execute purchase agreements containing signed declarations between the eligible purchaser and the seller of the Eligible Unit

acknowledging the following conditions associated with the Eligible Unit being purchased:

- i. that the purchaser(s) have a combined average gross household income equal to or less than \$120,000 (indexed each year from 2019 to inflation rate) based on each purchaser(s) Notice of Assessments from the previous two tax years as issued by the Canada Revenue Agency;
  - ii. that the Eligible Unit will be the purchaser(s) principal residence and the purchaser shall not own any other residential property unless prior approval is received from the General Manager of Healthy and Safe Communities;
  - iii. that the purchaser(s) is not a corporation, business or entity;
  - iv. that in the event that the purchaser(s) sells the Eligible Unit within one year of becoming the registered owner, and the unit is sold at a value exceeding that for which it was initially purchased, the purchaser may be required to repay to the City the lesser of the increased value received for the Eligible Units or an amount equal to the municipal Development Charges and Cash-in-Lieu of Parkland Dedication fees which would otherwise have been required for the Eligible Unit at the time of Building Permit as determined by the City; and,
  - v. that the purchaser(s) agree to provide to the City any documentation required by the City to confirm the eligibility of the purchaser with respect to the above requirements and acknowledge that in the event of any clear contravention of the above criteria, the purchaser may be required to repay to the City an amount equal to the municipal Development Charges and Cash-in-Lieu of Parkland Dedication fees which would otherwise have been required for the Eligible Unit at the time of Building Permit as determined by the City; and,
- e) Notwithstanding Subsection 2. b), c) and d), a maximum of 107 units may be eligible under this program provided that purchase price does not exceed \$420,000 to be indexed annually based on the annual percentage change in the median price of new construction homes in the Hamilton Census Metropolitan Area (CMA) as stated by the Realtors Association of Hamilton-Burlington. Such units shall be permitted under this program until such time as the City's Development Charge By-Law contains in force and effect provision(s) which permit existing CityHousing Hamilton residential units to be eligible for demolition credits;
- f) To be eligible under this program, an applicant must commit to providing:

- i. a minimum of 150 townhouse units (all forms) forming part of the Eligible Units within a development which meet the requirements contained in Section 2. a), b) d) e) and i) and,
- ii. a minimum 200 eligible rental units as determined eligible under the Roxborough Rental Housing Loan Program (RRHLP).

Such a commitment will be in a form satisfactory to the General Manager of Healthy and Safe Communities prior to an application being approved under this program; and,

- g) The registered property owner/applicant at the time of application shall be the same registered owner of an Eligible Unit at the time of transfer to the first Eligible Purchaser;
- h) All Eligible Units for which a grant is provided under this program shall meet the following development requirements:
  - i. constitute a Dwelling Unit as defined by City of Hamilton Zoning By-Law 05-200; and,
  - ii. generally have the same exterior building materials, design elements and scale as market units being provided within the same development; and,
- i) All Eligible Townhouse Units for which a grant is provided under this program shall meet the following development requirements:
  - i. constitute a Dwelling Unit as defined by City of Hamilton Zoning By-Law 05-200;
  - ii. be in the form of a townhouse (all forms), and without limiting the generality of the foregoing, shall not be eligible under this program if provided in the form of a Single Detached Dwelling, Duplex, Semi-detached Dwelling or as an Accessory Dwelling Unit;
  - iii. consist of two (2) storeys above grade;
  - iv. contain a minimum of two (2) bedrooms; and,
  - v. generally have the same exterior building materials, design elements and scale as market townhouses being provided within the same development; and,

- j) Eligible Unit(s) shall conform to the City’s Official Plan, Zoning By-Laws(s), Site Plan approval and any other applicable and approved municipal policies or guidelines (e.g. urban design guidelines); and,
- k) Any outstanding work orders, property violations or tax arrears on the project property shall be rectified prior to an approval being issued under this program and prior to a grant being provided.

### **A.3 APPLICATION CRITERIA**

1. Applications shall be submitted to the Housing Services Division prior to payment of any Development Charges or the issuance of a Building Permit for Eligible Units which are the subject of an application under this program.
2. An approval under this program shall not preclude eligibility of the property for any other loans or grants available under a municipal program or Community Improvement Plan, where applicable.
3. Applications to this program are subject to the approval of the General Manager of Healthy and Safe Communities in their sole discretion.
4. Approval of an application under this program is subject to the availability of funds.

The General Manager of Healthy and Safe Communities may reject any application received from an applicant where, in the opinion of the GM, the commercial relationship between the City and the applicant has been impaired by, but not limited to, the applicant being involved in litigation with the City. Applicants shall include but not be limited to the following: the applicant identified on the application form and if a corporation any person or entity with an interest in the corporation as determined by the City in its sole, absolute and unfettered discretion.

The General Manager of Healthy and Safe Communities may reject any application received from an applicant, whether or not an applicant satisfies the requirements of the Program, where property tax arrears are owed on the subject property or on other properties owned by the applicant within the City of Hamilton.

The General Manager of Healthy and Safe Communities, whether or not an applicant satisfies the requirements of the Program, may reject any application received from an applicant where there is credible information that an applicant has been involved recently or repeatedly in illegal activity supporting the conclusion that he or she will not conduct himself or herself with honesty and integrity in undertaking the activity, operation or business for which the loan/grant is sought. For corporate applicants, it will be the corporation and the principals of the corporation whose illegal activity will be considered.

#### **A.4 ADMINISTRATION**

Applicants to the RAHGP will complete and submit an application to the Housing Services Division prior to obtaining a Building Permit.

The grant will be provided on a per unit basis at the time of Building Permit issuance for Eligible Unit(s) provided that the applicable eligibility requirements and program terms as contained in A.2 have been met to the satisfaction of the General Manager of Healthy and Safe Communities.

The applicant provides to the City, at or before the time of Building Permit application, an undertaking that confirms the applicant shall execute purchase agreements containing signed declarations between the eligible purchaser and the seller of the Eligible Unit acknowledging the conditions associated with the Eligible Unit being purchased as contained in A.2, Subsection 2. d).

The applicant will provide a proposed sale price list for the phase of development containing the Eligible Units which are the subject of this program at the time of Building Permit application to confirm compliance with unit price maximum and median price requirements.

Grants under this program will be paid on a per unit basis at such time as:

- the requirements under Section 1 and 2 of A.2 have been fulfilled to the satisfaction of the General Manager of Healthy and Safe Communities; and
- at issuance of Building Permit for the Eligible Unit(s).

An assignment of a grant or application under this program may only be permitted by the General Manager of Healthy and Safe Communities in their sole direction and on such terms and conditions as the General Manager deems appropriate.

Realty taxes must be paid at the time of application approval and prior to grant payment for the project property.

The City reserves the right to require the submission of any additional documentation or enter into any additional agreements as deemed necessary by the City to ensure the goals and purpose of the HHCIP and RAHGP are met. This requirement shall include the submission of any documentation provided by a purchaser of an Eligible Unit to the applicant required to demonstrating compliance with the criteria outlined in A.2, Subsection 2. d).

The Housing Services Division is responsible for retaining the following documents for a minimum period of seven (7) years beyond the life of the program:

- Signed application package, including all required accompanying documentation;
- Letter of approval to proponent from City of Hamilton;
- All invoices and internal journals for all eligible expenditures; and
- Records of all payments and defaults.