

Municipal Comparison of Condominium Conversion Policies

Municipality	Policy Location	Rent Level Criteria	Supply/Vacancy Rate Criteria	Unit Quantity Criteria	Other Criteria or Requirements
Hamilton	Official Plan	The existing market rent levels for the units proposed to be converted are not significantly (approximately 10%) below the average market rent in the local rental market area.	<p>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% for the preceding twenty-four months.</p> <p>The proposed conversion shall not reduce the rental vacancy rate by dwelling unit and structure type to below 2% for the City and the respective local housing market zone.</p>	Does not apply for buildings of less than six units.	<p>OR, meets criteria if at least 75% of the current tenants support the conversion to condominium, as demonstrated to the satisfaction of the City.</p> <p>OR, the subject building or group of buildings is a protected heritage property.</p> <p>The City may approve an Application to convert rental housing to condominium tenure, where it is demonstrated to the satisfaction of the City that:</p> <p>a) Repair or retrofitting is immediately required to meet health and safety standards; and,</p> <p>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.</p> <p>The City may require Applicants to submit certified financial statements in support of an Application.</p>

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Hamilton (Continued)					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.
Toronto	Official Plan and Toronto Municipal Code By-law Chapter 667	All of the rental housing units have rents that exceed mid-range rents at the time of application or the matters in the supply vacancy rate criteria column are met.	<p>Rental housing in the City is showing positive, sustained improvement as demonstrated by significant net gains in the supply of rental housing including significant levels of production of rental housing, and continued projected net gains in the supply of rental housing.</p> <p>The overall rental apartment vacancy rate for the City of Toronto, as reported by the CMHC, has been at or above 3% per cent for the preceding four consecutive annual surveys.</p> <p>The proposal may negatively affect the supply or availability of rental housing or rental housing sub-sectors including affordable units, units suitable for families, or housing for vulnerable populations such as seniors, persons with special needs, or students, either in the City or in a geographic subarea or a neighbourhood of the City.</p>	Does not apply for buildings of less than six units.	<p>Proposals may require approval by City Council of a Rental Housing Demolition and Conversion application under Section 111 of the City of Toronto Act.</p> <p>All provisions of other applicable legislation and polices must be satisfied.</p>

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Region of Halton (Burlington, Oakville, Halton Hills and Milton)	Official Plan	No criteria.	<p>Halton Regional Official Plan requires Local Municipalities to use a rental housing vacancy rate of 3% as the minimum threshold to permit the conversion of existing rental housing to ownership tenure or other uses or the demolition of such housing.</p> <p>Burlington: The rental vacancy rate by dwelling/structure type for the City of Burlington as defined and reported yearly through the C.M.H.C. Rental Market Survey has been at or above 3% for the preceding two-year reporting period.</p>	Burlington: Does not apply for buildings of less than six units.	<p>Oakville: The Town will seek a balance in housing tenure. Conversions of existing rental accommodation to condominium or other forms of ownership shall be discouraged.</p> <p>Milton: The conversion of rental housing to condominium, equity co-ops or other forms of tenure shall not be permitted unless:</p> <p>a) The vacancy rate for rental structures in the Town exceeds an acceptable percentage level and as determined by the Municipal Housing Statement targets; or,</p> <p>b) The proposal meets other criteria as set out in the Municipal Housing Statement which is consistent with the objectives of the "Housing Mix" section of the Official Plan; or,</p> <p>c) The building proposed for conversion is designated as a heritage property under the provisions of the <i>Ontario Heritage Act</i> and the conversion is necessary for the viability of the building.</p>

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Ottawa	Official Plan	The existing market rents of the units proposed for conversion are at or above the average market rent levels for the corresponding CMHC survey zone in the City of Ottawa, as reported yearly by the CMHC Survey for rental units of a similar dwelling/structure and bedroom type.	The rental vacancy rate by dwelling/structure type for the City of Ottawa as defined and reported yearly through the Canada Mortgage and Housing Corporation (CMHC) Rental Housing Market Survey has been at or above 3% for the preceding two-year reporting period.	Does not apply for buildings of less than six units.	Applications for the conversion of rental tenure buildings to condominium tenure shall be evaluated in the context of any relevant policies and standards of the City and in the context of any applicable Provincial legislation.
Mississauga	Official Plan and Rental Housing Protection By-law 121-2018	<p>Rental Housing Protection By-law:</p> <p>Purpose-built rental units must be replaced or retained when existing rents for the units proposed to be converted or demolished are less than the affordable rate of 1.75 times average market rent</p>	<p>Conversion of residential rental properties to a purpose other than the purpose of a residential rental property, will not be permitted if it adversely affects the supply of affordable rental housing as determined by affordable housing targets and rental vacancy rates. (rate not specified in OP)</p> <p>Rental Housing Protection By-law: Purpose-built rental units must be replaced or retained when the City's vacancy rate is less than 3%.</p>	Does not apply for buildings of less than six units.	<p>If the rent level and/or vacancy rate criteria are not met, applications to convert more than six dwelling units will require a Section 99.1 permit under the <i>Municipal Act</i>.</p> <p>Application for approval of a condominium Application will be considered with reference to standards and specifications regarding safety, driveways, traffic, parking control, parking facilities, sidewalks and walkways, open space, recreation, utilities, storm drainage, grading, and internal road construction.</p>

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Brampton	Official Plan	No criteria.	The City shall encourage the maintenance of a minimum rental vacancy of 2%. To this end the City shall encourage the rehabilitation and provision of rental housing in appropriate forms and locations by practical and realistic means.	No criteria.	Applications for the construction of condominium projects or for the conversion of rental tenure buildings to condominium tenure shall be evaluated in the context of any relevant policies and standards of the City and in the context of any applicable Provincial legislation.
Kitchener	Official Plan	No criteria.	Conversion of rental affordable housing to condominium ownership may only be permitted where the rental vacancy rate for comparable units of the City of Kitchener or Kitchener Census Metropolitan Area, if not available for the City of Kitchener, has been at or above 3% for the preceding three years.	No criteria.	<p>OR, the conversion will address and result in the creation of affordable housing for affordable home ownership; and,</p> <p>OR, the conversion will rectify existing health and safety issues through the completion of building renovations/ retrofits, the cost of which would necessitate an increase in rent levels above the affordability threshold.</p> <p>d) The owner/Applicant submits a detailed inspection report on the physical condition of the property by a qualified architect or engineer to the satisfaction of the City;</p> <p>e) Tenants have the option to continue to lease their units following the approval of the conversion to condominium in accordance with the provisions of the <i>Residential Tenancies Act</i>; and,</p> <p>f) The owner enters into an agreement with the City which states that tenants may have first right to purchase their units or allows them to continue to rent despite the tenure of the building.</p>

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Guelph	Official Plan	Conversion may only be permitted where a Rental Conversion Report has been submitted demonstrating to the satisfaction of the City that no adverse impacts will result on the supply or range of rental housing provided, including its geographic distribution. (Specific rent levels not specified)	The City will discourage the conversion of existing rental units to condominium or co-ownership housing when the vacancy rate for rental accommodation is below 3% and will prohibit such conversions when the vacancy rate is below 1.5%. The vacancy rate shall be defined as the average vacancy rate of the latest two vacancy surveys conducted in Guelph by the CMHC. The City may conduct supplementary vacancy rate surveys and modify the vacancy rates reported by CMHC in accordance with its own findings.	No criteria.	When considering applications for the condominium or co-ownership housing conversion, Council will have regard for: i) The number of units included in the conversion application; ii) The number of rental units under construction at the time of application for conversion; and, iii) The impact of the conversion on the rental housing market (i.e., anticipated changes in vacancy rates.)
London	Official Plan	No criteria.	The City May establish policies to limit demolition of residential units or the conversion of rental units to condominiums if it is demonstrated through the Housing Monitoring Report that there has been an adverse impact on the supply of affordable housing through these actions.	No criteria.	The City will undertake, annually, and periodically as need arises, a housing affordability needs analysis and strategy for addressing deficient areas. This will include an assessment of: a) Rental vacancy rates, and the anticipated trend in vacancy rates; and, b) Demolitions and conversion statistics.

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Markham	Official Plan	No criteria.	Conversion of the rental units to condominium units prohibited unless the rental vacancy rates, as reported through the CMHC Rental Market Survey, has been at or above 3% for the preceding three-year reporting period and the Application does not negatively affect the supply of rental housing that is affordable and suitable for families, seniors or persons with special needs.	Does not apply for buildings of less than six units.	None.
St. Catharines	Official Plan	No criteria.	<p>Conversion of rental accommodation to condominium or other forms of housing ownership shall only be permitted where both of the following two criteria are met:</p> <p>a) The rental vacancy rate by dwelling/structure type, as defined as reported through the CMHC Rental Market Survey, has been at or above 3.0% within the municipality of reach of the preceding two consecutive annual surveys; and</p> <p>b) All of the ownership housing to be created after conversion is affordable as defined pursuant to the Provincial Policy Statement.</p>	Does not apply to conversion of residential rental properties of five dwellings units or less.	The rental vacancy rates and defined affordable housing value used to evaluate Applications for conversion of rental accommodation will be based on those published at the time a complete application is submitted to the municipality.

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Cambridge	Official Plan	The City may allow the conversion to condominiums of affordable rental multi-unit residential developments where such conversion will not have significant adverse impacts on the supply of affordable housing for rent in Cambridge. (targets not specified in OP)	<p>Condominium conversion of affordable rental units may only be permitted where:</p> <p>a) The private rental vacancy rate, provided by CMHC and public rental vacancy rate, when available, for comparable units including size, type and rental rates in the city has been at or above 3% for the preceding three years; and,</p> <p>b) The conversion will result in the creating of affordable housing for affordable home ownership.</p>	No criteria.	<p>Tenants have the option to continue to lease their units following the approval of the conversion to condominium in accordance with the provisions of the <i>Residential Tenancies Act</i>.</p> <p>Tenants are given the right of first refusal to purchase a condominium unit in the building proposed for conversion.</p> <p>The City will monitor the cumulative impact of condominium conversion on the supply of rental housing. The assessment of the potential effects of condominium conversion will include the following:</p> <p>a) The overall availability of, and vacancy rates for, rental units of various sizes, types and rental rates; and</p> <p>b) The number of potential new rental units becoming or having become available within twelve months of the proposed conversion, including new rental units in the vicinity of the conversion.</p>

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City of Greater Sudbury	Official Plan	<p>Where the existing market rent levels for units proposed to be converted are equal to or less than 90% of the average market rent levels for the entire City and the specific local housing market zone for rental units of a similar unit size, the City may consider the following:</p> <p>a) That replacement units be provided with rents at no more than 90% of average market rents for the entire City and the specific local housing market zone for a period of ten years, increased annually by not more than the Provincial Rent Increase Guideline; or,</p> <p>b) The subject units be sold as affordable ownership units the purchase price of which is at least 10% below the average purchase price of a resale unit in the regional market area and that the tenants of the subject units, if applicable, be given the right of first refusal to purchase the unit; or,</p>	<p>Condominium conversion may only be permitted where:</p> <p>a) The rental vacancy rate for the whole City is 3% or higher for the preceding three years (three successive Fall rental market surveys as undertaken by the CMHC;</p> <p>b) The rental vacancy rate for the specific unit size for the entire City and the specific local housing market zone based on CMHC data, has been at or above 2% for the preceding three years; and,</p> <p>c) The proposed conversion shall not reduce the rental vacancy rate for the majority of the unit type to below 2% for the entire City and the specific local housing market zone.</p>	No criteria.	<p>The subject property must meet the requirements of the City's Property Standards By-law and the requirements of the Ontario Building Code and any deficiencies must be addressed prior to final approval.</p> <p>The subject property must be inspected by a qualified professional and a report be submitted to the City that addresses the following matters: a life and safety audit of the building(s); a structural report; a mechanical report; an electrical report; and a site servicing report.</p> <p>Written confirmation must be received from the Applicant that the tenants of the subject property have been notified of the application for conversion to condominium tenure and of their rights under the <i>Residential Tenancies Act</i> or any successor legislation.</p> <p>All provisions of other applicable legislation and policies must be satisfied.</p> <p>The City of Greater Sudbury may support the implementation of Rental Conversion Policies by:</p>

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City of Greater Sudbury (Continued)	Official Plan	c) A contribution is made to an Affordable Housing Fund established by the City at a rate based on a percentage of the average house price for a similar unit in the regional market area.			<p>a) Passing a by-law, as per the <i>Municipal Act</i>, that prohibits the conversion of residential rental properties with six or more dwelling units unless the requirements of the City's rental conversion policies are met; and,</p> <p>b) Monitoring the changing rental housing market conditions, including:</p> <ul style="list-style-type: none"> i. Vacancy rates, average rents and rental universe of private apartment units in the entire City and the different local housing market zones through the annual (Fall) CMHC rental market survey; and, ii. The number of rental conversions and the impact on affordable housing.
Newmarket	Official Plan	No criteria.	Conversion of rental apartment buildings to ownership housing is prohibited if the rental vacancy rate is below 3%.	Six or more dwelling units.	<p>When considering Applications, Council will consider the following:</p> <ul style="list-style-type: none"> a) The rental vacancy rate at the time of application; b) The number of units proposed in the conversion application; c) The number of rental units under construction at the time of the application; and,

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Newmarket (Continued)					<p>d) The impact of the loss on the rental vacancy rate.</p> <p>The Town may enter into agreements with the proponents of rental conversions, setting out the specific standards and conditions to be met.</p>
Windsor	Official Plan	City Council shall ensure that the conversion of rental housing to condominium status will not have an adverse impact on the supply of rental housing in the City, particularly as it relates to affordable housing.	The rental vacancy rate for private apartments has been at or above 3% for the preceding two-year reporting period. Consideration is to be given to the vacancy rate data as it applies to building characteristics including: structure type, location, age and size.	No criteria.	<p>Conversions are also based on the following considerations:</p> <p>The proposed conversion, when totalled with any other dwelling units which have been approved for conversion in the previous two-year period, will not result in the conversion of 5% or more of the existing rental stock.</p> <p>The accommodation of existing tenants of the rental housing development within the proposed condominium development or, if accommodation within the proposed condominium is not feasible, the plan for relocating existing tenants to other rental housing developments.</p> <p>The structural integrity of the building and the condition of the development as it relates to the health and safety of the residents and the public under the requirements of the Ontario Building Code as prescribed by the Corporation of the City of Windsor's Property Standard and Maintenance By-law, all as ascertained by a professional engineer.</p>

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Windsor (Continued)					<p>The condition or proposed provision of landscaping areas, playground equipment and other amenities.</p> <p>The appropriateness of the site for the type of development, including such considerations as the provision of adequate on-site parking, compliance with the Zoning By-law, vehicular and emergency access and screening of adjacent land uses.</p> <p>The condition of the development as it relates to the safety and security of residents under the requirements of the Ontario Fire Code.</p> <p>The condition of public and private infrastructure including sidewalks and sewerage systems; and,</p> <p>The condition of the development as it relates to the safety and security of residents and the public according to the principles of Crime Prevention Through Environmental Design (CPTED) as stipulated by the Windsor Police Service.</p>

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Waterloo	Official Plan	No criteria.	Where the rental housing is considered to be affordable, the City shall only support such application where the rental vacancy rate for comparable units is at or above 3% for the preceding three years; or where other criteria is met as detailed in right column. (vacancy rate in relation to the total number of dwelling units of that type)	No criteria.	<p>Where the rental housing is affordable, the City shall only support such application where:</p> <p>a) The conversion will address and result in the creation of affordable housing for affordable home ownership; or</p> <p>b) The conversion will rectify existing health and safety issues through the completion of building renovations/retrofits, the cost of which would necessitate an increase in rent levels above the affordability threshold; and,</p> <p>c) The owner/applicant submits a detailed inspection report, to the satisfaction of the City of Waterloo and Region of Waterloo, on the physical condition of the property by a qualified architect or engineer.</p> <p>In all cases, the City shall consider:</p> <p>a) Whether the proposal conforms to the Zoning By-Law, and applicable performance standards are achieved or are proposed to be achieved prior to condominium registration;</p> <p>b) Whether the proposal complies with the current Urban Design Manual, based on a review by the Site Plan Review Committee;</p> <p>c) Whether the proposal satisfies legislation or criteria established by the Provincial Government that may be applicable;</p>

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Waterloo (Continued)					<p>d) Whether the building for which conversion is proposed meets the requirements of the Property Standards By-law and the requirements of the Ontario Building Code and Ontario Fire Code, or securities and any necessary agreements are in place to ensure such necessary upgrades are undertaken to achieve the said standards and requirements;</p> <p>e) Whether all applicable easements affecting the condominium lands are provided; and,</p> <p>f) Whether the proposal impacts the ability to maintain a reasonable supply of residential rental units within the Planning District and the appropriate distribution of residential rental units through the community.</p>
Vaughan	Official Plan	No criteria.	Conversion to condominium ownership or non-residential use is prohibited where it would result in a rental vacancy rate of less than 3% City-wide.	Greater than six units.	None.
Oshawa	Official Plan	No criteria.	The conversion of existing rental units to condominium tenure shall not normally be permitted when the rental vacancy rate in the City, as determined in the annual rental vacancy survey undertaken by the CMHC, is below 3% for the most recent survey year.	No criteria.	None.

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Kingston	Official Plan	No criteria.	The supply of rental accommodation, both City-wide and within the subject neighbourhood, must not be adversely affected by the proposed condominium conversion. The rental vacancy rate(s), as determined by the CMHC, will be reviewed, and where the rate is less than 3%, the Application for the condominium conversion may be denied.	No criteria.	<p>If additional units are being created as part of the condominium conversion, then parkland contributions must be made in accordance with the parkland conveyance by-law.</p> <p>The applicant must submit a report from a qualified person detailing the existing condition of the building and any necessary improvements. The report must include cost estimates on the necessary improvements, as well as information on the maintenance and operating costs of the project in the past five years, or from the date of construction of the project if less than five years.</p> <p>The Applicant must submit a report by a qualified person stating to what extent the existing services and utilities on the property meet City and Utilities Kingston specifications and requirements. The report must also include detailed plans of underground services, and a site grading and drainage plan with details for paved areas and parking spaces.</p> <p>The Applicant must notify all of the tenants about the intention to convert the building(s) to condominium ownership, in accordance with the regulations of the <i>Residential Tenancies Act, 2006</i> or the <i>Commercial Tenancies Act</i>.</p>

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Barrie	Official Plan	<p>Draft Barrie Official Plan 2051:</p> <p>The units are rented for above average market rent for the City, and the conversion will create <i>affordable</i> home ownership units.</p>	<p>Draft Barrie Official Plan 2051:</p> <p>The rental vacancy rate for comparable units for Barrie has been above 3% for the preceding three years based on City or provincial data, and the proposed conversion will not reduce the rental vacancy rate for comparable units to below 2% for the City.</p>	No criteria.	<p>Draft Barrie Official Plan 2051:</p> <p>OR, the conversion will rectify existing health and safety issues through the completion of building renovations, the cost of which would necessitate a permanent increase in rent levels above the affordability threshold.</p> <p>Other Requirements:</p> <p>a) Submission of a detailed inspection report on the physical condition of the property by a qualified architect or engineer to the satisfaction of the City;</p> <p>b) Submission of an affordable housing report, prepared in accordance with the City's terms of reference;</p> <p>c) Tenants have the option to continue to lease their units following the approval of the conversion to condominium in accordance with the provisions of the <i>Residential Tenancies Act</i>; and,</p> <p>d) The owner enters into an agreement with the City which states that tenants may have first right to purchase their units or allows them to continue to rent despite the tenure of the building.</p> <p>Rental units converted to condominium ownership shall be replaced by the proponent at a ratio of one to one.</p>