

CITY OF HAMILTON

BY-LAW NO. 06- 142

To Amend By-law No. 03-148

WHEREAS on the 11th day of June, 2003, the Council of the City of Hamilton enacted By-law No. 03-148, being a By-law to Adopt a Municipal Housing Facility By-law;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The number "7997" in the first line of the first paragraph of the Preamble to By-law 03-148 is hereby deleted and the number "1997" substituted therefor.
2. The number "2007" in the first line of the second paragraph of the Preamble to By-law 03-148 is hereby deleted and the number "2001" substituted therefor.
3. The fifth paragraph of the Preamble to By-law 03-148 is hereby amended by inserting the words "or other" between the word "financial" and the word "assistance" in the second line thereof.
4. Paragraph "(a)" of section 1 of By-law 03-148 is hereby amended by deleting the number "2007" therefrom and substituting therefor the number "2001".
5. Section 1 of By-law 03-148 is hereby amended by adding the following thereto as paragraph (e), namely:

“(e)” average resale dwelling price for ownership municipal housing project facilities means the 3 month moving average of the average price of all resale dwellings sold in the City of Hamilton as determined by the REALTORS Association of Hamilton-Burlington or any successor thereof at the time of signing the Offer to Purchase.”

The subsequent paragraphs of the said Section 1 of By-law 03-148 are hereby re-lettered sequentially.

6. Paragraph (i) (formerly (h)) of Section 1 of By-law 03-148 is hereby deleted and the following substituted therefore, namely:

“(i) “Director” means the Director of the Housing Branch of the Community Services Department of the City Of Hamilton or his or her designate.”

7. Paragraph (j) (formerly (i)) of Section 1 of By-law 03-148 is hereby amended by inserting the words “or ownership” between the words “rental” and “residential” in the second line thereof.

8. Paragraph (o) (formerly (n)) of Section 1 of By-law 03-148 is hereby deleted and the following substituted therefore, namely:

“”structure type” means the type of residential dwelling to be constructed and/or occupied. For the purposes of this By-law, structure type includes apartment, townhouse, single detached and semi-detached dwellings.”

9. Section 2 of By-law 03-148 is hereby amended by inserting the words “rental or ownership” ahead of the word “municipal” in the fourth line thereof.

10. Section 4 of By-law 03-148 is hereby deleted and the following substituted therefore, namely:

“”Affordable housing” for the purpose of a municipal housing project facilities by-law or agreement hereunder shall mean:

(a) a rental facility where the average monthly rental by structure type and unit size, exclusive of utilities, is less than or equal to the current average CMHC rent for the City for that respective structure type and unit size; or

(b) an ownership facility where the market value is less than or equal to the average resale dwelling price.”

11.(a) Section 6 of By-law 03-148 is hereby amended by inserting the word “rental” between the words “a” and “housing” in the first line of the first paragraph thereof.

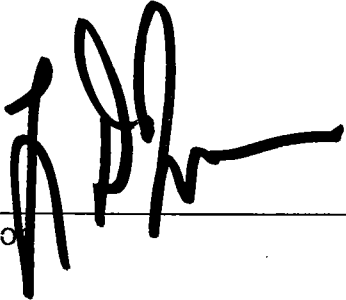
(b) Paragraph (a) of Section 6 of By-law 03-148 is hereby amended by inserting “(a)” between the number “4” and the word “of” in the second line thereof.

12. Section 7 of By-law 03-148 is hereby amended by inserting the words “for rental housing” between the words “agreement” and “shall” in the first line thereof.

13. Section 11 of By-law 03-148 is hereby amended by inserting the words “to a rental municipal housing project facility” between the words “City” and “under” in the first line thereof.

14. Section 11 of By-law 03-148 is hereby amended by deleting the words "Federal-Provincial Community Rental Housing Program" and substituting the words "Canada-Ontario Affordable Housing Program" in the last line thereof.
15. In all other respects, the contents of By-law No. 03-148 are hereby confirmed and remain unchanged.

PASSED AND ENACTED on the 24th day of May, 2006.



Mayor



City Clerk