



Hamilton

**PLANNING AND ECONOMIC DEVELOPMENT
DEPARTMENT**

**Exemptions from
Planning Application Fees for
New Non-Profit Affordable Housing**

**INFORMATION AND
ELIGIBILITY REQUIREMENTS**

A. DEFINITIONS

In accordance with the Urban and Rural Hamilton Official Plan, “**Affordable**” means

1. 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 households¹; 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.
2. 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 households²; or
 - ii) A unit for which the rent is at or below the average market rent of a unit in the City of Hamilton.
3. In the case of housing developments, at least 25 percent of either affordable ownership or affordable rental housing. For the purposes of the City’s Official Plans, affordable housing developments may include a mix of affordable and market rate units, both ownership and rental.

“**Average Rents**” means for a calendar year, the average monthly City-wide rents by unit type (size) as determined in the year end annual survey of City-wide rents for the prior calendar year published by Canada Mortgage and Housing Corporation (CMHC).

“**Household Income**” means total gross household income from all sources of all persons who reside in a unit or who will reside in a unit if it is rented to them as defined in the City’s Affordable Rental Housing – Income Verification Guide.

“**Monthly Occupancy Costs**” means the amount of rent payable by the tenant to the landlord of a housing unit together with monthly charges for hydro, heat, water, and hot water for the unit but does not include charges for parking, cable, telephone or other similar charges.

“**New Non-Profit Housing**” means either any development of Non-profit housing for which Development Charges would otherwise be payable and, for greater certainty, does not include upgrades or renovations to existing Non-profit housing, or as determined by the Manager, Infrastructure, Planning, & Development, Housing Secretariat in his/her sole discretion.

¹ Households with incomes in the lowest 60 percent of the income distribution in the City of Hamilton.

² Households with incomes in the lowest 60 percent of the income distribution for renter households in the City of Hamilton.

“Non-profit housing” means Affordable Housing, which is or is not intended to be offered to persons or families of low to moderate income.

“Not-for-Profit Co-operative” has the same meaning as in the *Co-operative Corporations Act*, R.S.O. 1990, C.35, as may be amended from time to time.

“Not-for-Profit Corporation” means a corporation, no part of the income of which is payable to or otherwise available for the personal benefit of a member or a shareholder thereof.

“Project” means the development or phase of a development for which a building permit is currently being contemplated.

B. THE EXEMPTIONS AUTHORITIES

Planning Application Fees – By authority of Recommendation (a) of Report PED16098, as adopted by the Council of the City of Hamilton at its meeting held on May 25th, 2016, Non-profit housing is eligible for fee waivers for the following Planning Application Fees:

1. Official Plan Amendment – Fees Waived
2. Rezoning Application – Fees Waived
3. Site Plan Approval – Fees Waived (all fees required as per Conditions of Site Plan Approval remain in effect)
4. Plans of Subdivision – 25% Reduction
5. Plans of Condominium – 25% Reduction

All other fees as per the fee schedule are to remain in effect.

Rental Housing Protection Permit Fees – By authority of Recommendation (n) of Report PED22091(a), as amended and adopted by Council at its meeting held on June 26, 2024, the Permit to Demolish fee shall be waived for all charitable and not-for-profit organizations proposing to demolish and replace rental housing units as part of an affordable housing project.

C. ELIGIBILITY CRITERIA FOR FEE EXEMPTIONS

1. You must be a Not-for-Profit Corporation or Not-for-Profit Co-operative that is creating new Non-profit affordable housing.
2. The land on which the Non-profit housing will be located must be owned or leased, with a minimum of twenty (20) years remaining on the lease by the Not-for-Profit Corporation or Not-for-Profit Co-operative.
3. Monthly Occupancy Costs to be charged must be consistent with the affordable housing definition.

4. Household Income for each unit cannot be more than four times the annualized Monthly Occupancy Costs.
5. The Project is viable as determined by the Director of Planning and Chief Planner in his/her sole discretion.

D. APPLICATION PROCESS

1. Applicants are required to complete and sign the attached Application for Fee Exemption.
2. Applications for Fee Exemption and all required supporting documents should be submitted to the Planning Division.

To initiate a digital application submission, email planningapps@hamilton.ca to obtain a Sync link to upload the completed application form and supporting information.

To complete the digital submission process, email planningapps@hamilton.ca with subject line “NEW SUBMISSION – [Insert Application Type] – [Insert Address]” to confirm that the upload to Sync is complete.

3. City staff may contact the applicant to collect further information.
4. The applicant can expect to receive a response to an application within 30 business days of submission of the completed and signed application form and all required supporting documents.
5. If the Application for Fee Exemption is not approved, the Manager, Infrastructure Planning & Development, Housing Secretariat will provide a letter confirming that the application has been denied with an explanation for the denial.
6. To obtain the benefit of the fee exemption, the applicant must provide confirmation of the approved Fee Exemption to the Planning Division when submitting a *Planning Act* application.
7. To inquire about these exemptions, please contact the Housing Secretariat Division at Housing.Secretariat@hamilton.ca.

5. Please check one: Rental Cooperative Ownership Proposed

6. Proposed Monthly Occupancy Costs of the Non-Profit Housing:

Bachelor	\$ _____	One-bedroom	\$ _____
Two-bedroom	\$ _____	Three-bedroom	\$ _____
Other	\$ _____		

7. Please summarize your tenant targeting plan (i.e. Will you target certain disadvantaged groups? Will you select tenants through the Access to Housing Wait List?)

8. If the land, buildings, or units for the Non-Profit housing are to be leased, please complete the following:

Length of Lease: _____

Name of Landlord: _____

Address: _____

Telephone: _____ E-mail: _____

9. What relief are you seeking for this Project?

- Official Plan Amendment
- Zoning By-law Amendment
- Subdivision
- Condominium
- Site Plan Control
- Rental Housing Protection - Permit to Demolish

10. The following documents must accompany this application:

- a) A copy of your Letters Patent or other incorporating documents.
- b) Certified Resolution of the Board of Directors authorizing the Project.
- c) A copy of the lease or Transfer/Deed of Land for the property on which the Project will be situated.
- d) A letter confirming that funding is available.

NOT-FOR-PROFIT HOUSING CERTIFICATION

The Applicant hereby certifies that the Project or the part of the Project described in Section A.2 meets the definition of New Non-Profit housing and that the information included in this application and in the documents filed with this application is correct. I/We have read, understood and agree with the attached information sheet outlining the Non-profit eligibility criteria for fees and charges exemptions.

Signature

Date

Name

Title

Signature

Date

Name

Title

I/We have the authority to bind the corporation.

Authorization of Agent (if applicable)

_____ authorizes _____ to act as agent and sign applications to the City of Hamilton on behalf of the Applicant for the eligible non-profit affordable housing for the property known as _____
