



RENTAL HOUSING DEMOLITION AND CONVERSION APPLICATION

In accordance with the City of Hamilton's Rental Housing Protection By-law No. 24-109 (hereafter referred to as by-law), a Section 99.1 permit is required for all projects proposing to demolish or convert residential rental properties containing 6 or more dwelling units. Please refer to the User Guidelines for further information and application requirements.

Before submitting this application, the Rental Housing Demolition and Conversion Declaration of Use and Screening Form is required to be completed.

Have you submitted the Declaration of Use and Screening Form to confirm the requirement for this application? Yes [ ] No [ ]

Planning Division review completed on: \_\_\_\_\_ (date)

1. Applicant Information

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email: \_\_\_\_\_ Telephone: \_\_\_\_\_

Applicant is: [ ] Owner [ ] Agent [ ] Contractor [ ] Other: \_\_\_\_\_

2. Subject Property and Property Owner Information

Municipal Address: \_\_\_\_\_

Legal description: \_\_\_\_\_

Is the property located within the Downtown Secondary Plan Area? Yes [ ] No [ ]

Present use of site: \_\_\_\_\_ Proposed use of site: \_\_\_\_\_

Is the building(s) registered as a condominium? Yes [ ] No [ ]

Is the building(s) registered as a life-lease property? Yes [ ] No [ ]

Number of existing dwelling units: \_\_\_\_\_ Number of existing rental units: \_\_\_\_\_

Registered Owner (if different from Applicant): \_\_\_\_\_

Mailing address of Registered Owner: \_\_\_\_\_

Email address: \_\_\_\_\_ Telephone: \_\_\_\_\_

### 3. Project Information

(a) Select the type of changes that are being proposed for the existing rental dwelling units.

- Demolition (including interior renovations or alterations)
- Conversion to Condominium
- Conversion to Co-Ownership/Life Lease
- Conversion to Freehold Ownership
- Conversion to Non-Residential Use
- Consent to Sever under Section 53 of the *Planning Act*
- Other:

(b) Provide a brief description of the proposal (including new buildings, additions, etc.):

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(c) Number of existing and proposed Rental Units by unit type (please attach a list with the floor area (m<sup>2</sup>) for each existing rental unit and the floor area (m<sup>2</sup>) for each proposed rental unit):

Dwelling Unit Type	Number of Existing Rental Units	Number of Proposed Rental Units
Bachelor (Studio)		
1-Bedroom		
2-Bedroom		
3-Bedroom		
4-Bedroom		
Other		
Total		

(d) Are all existing rental units being demolished or converted by the proposal?

Yes  No

If no, how many existing units will be demolished or converted?

Dwelling Unit Type	Number of Existing Units to be demolished or converted
Bachelor (Studio)	
1-Bedroom	
2-Bedroom	
3-Bedroom	
4-Bedroom	
Other	
Total	

(d) Are you also applying, or have you currently applied for a related Planning Application(s) as defined under subsection 1(18) of By-law No. 24-109.

Yes  No

If yes, check all applicable boxes.

Application Type	File Number (if known)
<input type="checkbox"/> Building Permit and/or Demolition Permit	
<input type="checkbox"/> Ontario Heritage Act Approval	
<input type="checkbox"/> Draft Plan of Condominium	
<input type="checkbox"/> Official Plan Amendment	
<input type="checkbox"/> Zoning By-law Amendment	
<input type="checkbox"/> Minor Variance	
<input type="checkbox"/> Site Plan Control	
<input type="checkbox"/> Draft Plan of Subdivision	
<input type="checkbox"/> Consent	
<input type="checkbox"/> Other, please specify: _____	

#### 4. Existing Rental Unit, Rental Rates

(a) Provide the following information related to the existing rental rates.

Note:

For the respective local housing market zone in the City, refer to Volume 1, Schedule G of the Urban Hamilton Official Plan.

For all vacant rental units, the last market rent levels charged prior to vacancy is applicable. Where the last market rents are unknown, the last market rents shall be deemed to be 90 percent of the Average Market Rent (AMR).

Unit Type	Average Market Rent (AMR) City Wide <sup>1</sup>	Number of Units below the AMR	Average Market Rent (AMR) for the respective local housing market zone  NOTE: Refer to User Guide, Appendix 2	Number of Units below the AMR for the respective housing market zone in the City	Total Units by Type
<b>Apartment</b>					
Bachelor	\$1,059		\$		
1 Bedroom	\$1,335		\$		
2 Bedrooms	\$1,546		\$		
3+ Bedrooms	\$1,674		\$		
<b>Townhouse</b>					
Bachelor	*		\$		
1 Bedroom	*		\$		
2 Bedrooms	\$1,628		\$		
3+ Bedrooms	\$1,583		\$		
Total Units**					

1. CMHC, Rental Market Survey, October 2023, Hamilton CMA (Without Grimsby and Burlington).

\*Data Suppressed to protect confidentiality or data not statistically reliable.

\*\*Ensure that the totals for all columns are noted and that the grand total comprises 100% of the existing rental units for the property.

(b) For the rents indicated above, please provide the following information for each of the units (attach a list):

1. List which utility charges are included in the rent (heat, hydro or water).
2. Indicate if TV service fees are included.
3. List the number of parking spaces included in the rent (specify if the parking is within a garage or outside).

Additional Requirements to be included with the application as an attachment:

- A list of the names and mailing addresses of all tenants of the Residential Rental Property proposed for Demolition or Conversion.
- Where applicable, a proposal for the replacement or retention of the Rental Units proposed for Demolition.
- A proposal for tenant engagement by the owner of applicant, which shall include at least one meeting for all tenants of the Regulated Property, as required by Section 11 of By-law No. 24-109.
- Attachment as required for application question 3. (c).
- Attachment as required for application question 4. (b).

Please include any additional information which may assist staff in reviewing this proposal.

**Owner Authorization for Agent to Make the Application**

One authorization (if applicable) must be completed for every owner registered on title at the time of application. Where owner or applicant is a corporation, full name of Corporation and name and title of signing officer of Corporation to be set out.

I/we, \_\_\_\_\_, am/are the owner(s) of the land that is the subject of this application and

I/we authorize \_\_\_\_\_ to submit this application as my agent.

\_\_\_\_\_  
Signature of Owner or Signing Officer(s)

\_\_\_\_\_  
Date

**Declaration of the Land Owner**

I/We \_\_\_\_\_, am/are the owner(s) of the land that is the subject of this application and declare that:

1. As of the date of this application, I am the registered owner of the lands described in the application. I have examined the contents of the application, certify that the information submitted with it is accurate and agree with all parts of the submission of application.
2. I acknowledge that it is an offence to include false or misleading information in the application.
3. I acknowledge that it is an offence to demolish or convert residential rental property if the proposed work is subject to the Rental Housing Protection By-Law.

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Date

**Applicant's Signature (If different from Owner)**

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Date

Personal information on this form is collected under the authority of Section 99.1 and section 227 of the Municipal Act and Section 2 the City of Hamilton's Rental Housing Protection By-law No. 24-109 for the purpose of evaluating your application and for aggregate statistical reporting. Questions about the collection of this personal information can be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 71 Main Street West, 5th Floor, City Hall, Hamilton, Ontario, Telephone: 905-546-2424.

## Definitions

**“Conversion”** or **“Convert”** means conversion of a Residential Rental Property to a purpose other than a Residential Rental Property and includes:

- i. A Conversion as a result of a consent to sever land under Section 53 of the Planning Act;
- ii. A Conversion to:
  1. A non-residential use;
  2. A living accommodation other than Dwelling Units;
  3. A Co-ownership, a condominium or a building organized as a Life Lease Project; and
- iii. Conversion to Co-ownership is deemed to occur when the first lease or sale of an interest in Residential Rental Property or of a share in a corporation owning or leasing any interest in Residential Rental Property takes place that carries with it the right to occupy a specific unit in the Residential Rental Property or when a Residential Rental Property is transferred or leased to a corporation of the type described in s. 1(9)(b);

**“Co-ownership”** means an equity co-operative or other co-ownership form of housing where the residential property is owned or leased or otherwise held, directly or indirectly by:

- i. more than one person where any such person, or a person claiming under such person, has the right to present or future exclusive possession of a Dwelling Unit in the residential property; or
- ii. a corporation having more than one shareholder or member, where any such shareholder or member, or a person claiming under such shareholder or member, by reason of the ownership of shares in or being a member of the corporation, has the right to present or future exclusive possession of a Dwelling Unit in the residential property;

For greater certainty, a Co-ownership does not include a condominium, a residential building that is organized as a Life Lease Project, or a non-profit housing co-operative under the Co-operative Corporations Act, R.S.O. 1990, c. C. 35, as may be amended;

**“Demolition”** or **“Demolish”** means to do anything that will result in the removal of a building or any material part thereof and includes, but is not limited to, interior renovations or alterations that will result in a change to the number of:

- i. Dwelling Units in the building; or
- ii. Dwelling Unit Types in the building;

**“Dwelling Unit”** means one (1) or more habitable rooms designed, occupied or intended to be occupied as self-contained living quarters and shall, at a minimum, contain:

- i. sanitary facilities;
- ii. accommodation for sleeping; and
- iii. one (1) kitchen;

For greater certainty, a Dwelling Unit shall not cease to be a Dwelling Unit due to any vacancy thereof.

**“Related Buildings”** means:

- i. Buildings that are under the same ownership and on the same parcel of land (as defined in Section 46 of the Planning Act); or
- ii. Buildings that form part of the same Application under this By-law or under a Related Planning Application;

**“Rental Unit”** means a Dwelling Unit used, or intended for use, for residential rental purposes, including a Dwelling Unit in a Co-ownership that is or was last used for residential rental purposes, but does not include:

- i. a Dwelling Unit in a condominium registered under Section 2 of the Condominium Act, 1998;
- ii. a Dwelling Unit in a building organized as a Life Lease Project where the right to occupy the Dwelling Unit is based on a life lease interest; or
- iii. a Dwelling Unit in a Mobile Home (as defined in City of Hamilton Zoning By-law 05-200) which is only occupied on a seasonal basis,

**Please refer to the Rental Housing Protection By-law No. 24-109 for additional definitions.**