<table>
<thead>
<tr>
<th>TO:</th>
<th>Chair and Members Planning Committee</th>
<th>WARD(S) AFFECTED:</th>
<th>WARD 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>COMMITTEE DATE:</td>
<td>May 3, 2011</td>
<td>SUBJECT/REPORT NO:</td>
<td>Application for Approval of a Draft Plan of Condominium Conversion for Lands Located at 421 Whitney Avenue (Hamilton) (PED11074) (Ward 1)</td>
</tr>
<tr>
<td>SUBMITTED BY:</td>
<td>Tim McCabe</td>
<td>PREPARED BY:</td>
<td>Timothy Lee</td>
</tr>
<tr>
<td>General Manager</td>
<td></td>
<td>(905) 546-2424, Ext. 1249</td>
<td></td>
</tr>
<tr>
<td>Planning and Economic Development Department</td>
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**RECOMMENDATION**

That approval be given to **Condominium Conversion Application CDM-CONV-10-02, by Scenic Investments Limited**, to establish a Draft Plan of Condominium for 50 apartment units, located at 421 Whitney Avenue (Hamilton), as shown on the attached map marked as Appendix “A” to Report PED11074, subject to the following:

(a) That this approval apply to the plan, as red-lined revised, prepared by A.T. McLaren Limited and certified by S.D. McLaren, O.L.S., dated June 25, 2010, showing a total of 50 residential apartment dwellings and 47 vehicular parking spaces, attached as Appendix “B” to Report PED11074.

(b) That the following conditions shall apply to the Draft Plan of Condominium approval:

(i) That the Final Plan of Condominium shall comply with all of the applicable provisions of the applicable Zoning By-law, to the satisfaction of the Manager of Development Planning.
(ii) That the owner shall satisfy all conditions, financial or otherwise, of the City of Hamilton.

(iii) That the owner shall submit a report in accordance with 9(4) of the Condominium Act, 1998, prepared and certified by a qualified Registered Professional Engineer or Licensed Architect, to the satisfaction of the Chief Building Official of the City of Hamilton, to confirm the structural and mechanical integrity of the building and any owner initiated measures required to correct any deficiencies prior to the release of the final plan for registration.

(iv) That the owner shall include the following warning clause in all Development Agreements and Offers of Purchase and Sale or Lease/Rental Agreements:

“Purchasers/tenants are advised that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels may exceed the Municipality’s and the Ministry of the Environment’s noise criteria.”

(v) That the owner shall provide the Manager of Design and Construction with evidence that satisfactory arrangements, financial and otherwise, have been made with a telecommunications service provider, approved by the Canadian Radio and Telecommunications Commission (CRTC), that adequate telecommunication service will be provided to the condominium, including 9-1-1 emergency calling service that identifies, at a minimum, the caller’s name and location information.

EXECUTIVE SUMMARY

The purpose of this application is to create a Plan of Condominium for 50 apartment units within a 5-storey building, and 47 vehicular parking spaces, located at 421 Whitney Avenue (Hamilton), to allow for the tenure of the units to change from rental to condominium ownership (see Appendix “A”). The existing tenants are protected under the Residential Tenancies Act.

The proposed condominium conversion has merit and can be supported, with conditions, as the proposal is consistent with the Provincial Policy Statement, and conforms to the Places to Grow Plan, the “Urban Area” policies of the Hamilton-Wentworth Official Plan, and the “Residential” and “Housing” policies of the City of Hamilton Official Plan.

Alternatives for Consideration - See Page 13.
FINANCIAL / STAFFING / LEGAL IMPLICATIONS

Financial: None.

Staffing: None.

Legal: The Planning Act does not require notice of Public Meeting for an application for Condominium Conversion. However, formal notice was given to all existing residents.

HISTORICAL BACKGROUND

Proposal

The subject property is approximately 0.28 hectares in size and is located on the south side of Whitney Avenue, west of Mericourt Road (see Appendix “A”). The 5-storey building was built in 1959, and consists of parking and a common element lobby area on the ground floor and residential units on the remaining floors. Currently there are 9 one-bedroom, 35 two-bedroom, and 5 three-bedroom units, for a total of 49 units. The applicant proposes to create an additional dwelling unit within the existing building by converting the three-bedroom penthouse unit into 2 three-bedroom units, for a total of 50 units.

Uses that surround the subject property include an educational institution immediately to the north, single-detached dwellings to the south, and apartment buildings to the east of the property. The White Chapel Memorial Gardens Cemetery and Crematorium is located directly to the west of the property. The purpose of the Condominium Conversion application is to allow a change in tenure from rental to condominium for the existing 49 apartment dwelling units located within the existing building (see Appendix “B”).

Chronology:

May 20, 2010: Date of Tenant Information Meeting.

November 3, 2010: Application is deemed complete.

April 7, 2011: Circulation of Notice of Public Meeting to all residents of the subject building.
Details of Submitted Application

Location: 421 Whitney Avenue (Hamilton)

Owner/Applicant: Scenic Investments Limited (c/o Effort Trust Company)

Agent: IBI Group (George Zajac)

Property Description: Lot Area: 0.28 hectares
Lot Frontage: 70.8 metres
Lot Depth: 33.2 metres

EXISTING LAND USES AND ZONING:

| Subject Lands:      | Existing Land Use               | Existing Zoning                                                                 |
|---------------------|---------------------------------|---------------------------------------------------------------------------------
|                     | Apartment Building              | “H” (Community Shopping and Commercial) District                                 |

Surrounding Lands:

<table>
<thead>
<tr>
<th>West</th>
<th>Cemetery</th>
<th>Open Space “P4” Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Educational Institution</td>
<td>“H” (Community Shopping and Commercial) District</td>
</tr>
<tr>
<td>East</td>
<td>Apartment Building with Commercial Retail on the Ground Floor</td>
<td>“H” (Community Shopping and Commercial) District</td>
</tr>
<tr>
<td>South</td>
<td>Single-Detached Dwellings</td>
<td>“C/S-1335a” (Urban Protected Residential - One and Two Family Dwellings)</td>
</tr>
</tbody>
</table>

Vision: To be the best place in Canada to raise a child, promote innovation, engage citizens and provide diverse economic opportunities.

Values: Honesty, Accountability, Innovation, Leadership, Respect, Excellence, Teamwork
POLICY IMPLICATIONS

Provincial Policy Statement

The application has been reviewed with respect to the Provincial Policy Statement (PPS). The application is consistent with Policy 1.1.3.1. that focuses growth in Settlement Areas. In addition, Policy 1.4.3(a) outlines establishing and implementing minimum targets for the provision of housing, which is affordable to low and moderate income households. Finally, Policy 1.4.3(b) permits and facilitates all forms of housing required to meet the social, health, and well-being requirements of current and future residents. These policies are consistent in addressing the Provincial Interest in Section 2(j) of the Planning Act with respect to providing adequate housing types.

Policy 1.7.1(e) outlines that sensitive land uses are to be appropriately designed, buffered, and/or separated from major transportation corridors to prevent adverse effects from odour, noise, and other contaminants. A condition to Draft Plan of Condominium Conversion approval has been included requiring that a noise warning clause be added to all Development Agreements and Offers of Purchase and Sales or Lease/Rental Agreements (see Recommendation (b)(iv)). Based on the foregoing, the proposal is consistent with the policies of the Provincial Policy Statement.

Places to Grow

The application has been reviewed with respect to the Places to Grow Plan. The application is consistent with the guiding principles of Policy 1.2.2 with respect to building compact, vibrant, and complete communities, and providing for different approaches to managing growth that recognizes the diversity of communities in the Greater Golden Horseshoe. In addition, Policy 2.2.2.1h) encourages cities and towns to develop as complete communities with a diverse mix of land uses and a range of housing types and easy access to local stores and services. These policies are also consistent in addressing the Provincial Interest in Section 2(j) of the Planning Act with respect to providing adequate housing types. As a result, the proposal conforms to the Places to Grow Plan.

Hamilton- Wentworth Official Plan

The subject property is designated “Urban Area” in the Hamilton-Wentworth Official Plan. Policy C.3.1 outlines that a wide range of urban uses, defined through Area Municipal Official Plans and based on full municipal services, will be concentrated in the Urban Areas. Urban Areas are intended to accommodate approximately 96% of new residential housing units in the Region to the year 2020. In addition, under Part A, Section II, the City has interests in providing for housing which meets the needs of the diversity of households throughout the City.
As the nature of the application is for the conversion of the existing rental apartment units into a plan of condominium, the proposal conforms to the Hamilton-Wentworth Official Plan.

**City of Hamilton Official Plan**

The subject lands are designated “Residential” on Schedule “A”, Land Use Concept, of the City of Hamilton Official Plan, which permits the existing residential use. Section C.7.3.v) supports residential development that provides tenure options and a range of prices for new dwellings that will be affordable to Hamilton residents. Also, Section C.7.3.ix) supports the concept of a residential community that provides a diversity of dwelling forms and housing options that are accessible to all Hamilton residents.

Section C.7.11 provides the criteria for evaluating condominium conversion proposals. A detailed analysis of the proposal of this policy is found in the Analysis/Rationale for Recommendation section of this Report. Based on the analysis of this application, staff notes that the application conforms to Section C.7.11.i) with respect to rental vacancy rate by dwelling/structure type for the City, and the respective local housing market being at or above 2.0% for the City and respective local housing market zone; and, Section C.7.11.iii), that the existing market rent levels for the units proposed are not significantly below the average market rent levels for the City and the respective local housing market zone.

Based on the foregoing, the proposal conforms to the policies of the City of Hamilton Official Plan.

**New Urban Hamilton Official Plan (Council Adopted)**

The New Urban Hamilton Official Plan was adopted by Council on July 9, 2009. The Minister issued his decision on the Plan on March 16, 2011. The decision is currently in the 20-day appeal period until April 5, 2011. The subject property is designated “Neighbourhoods” on Schedule E-1, which permits the existing use. Section 3.2.5.1 of the Plan includes Condominium Conversion policies for Rental Housing Units. Section 3.2.5.1 (a) states that to protect the adequate provision of a full range of housing, conversion to condominium of rental apartment or townhouse buildings, or groups of buildings comprised of six or more units, should be permitted if all three general criteria are met, as outlined in (i), (ii), and (iii) below:

“3.2.5.1a) All of the following criteria are met:

(i) 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 2.0% for the preceding twenty-four months;

(ii) The proposed conversion shall not reduce the rental vacancy rate by dwelling unit and structure type to below 2.0% for the City and the respective local housing market zone; and,

(iii) The existing market rent levels for the units proposed to be converted are not significantly (approximately 10%) below the average market rent levels for the City and the respective local housing market zone for rental units of a similar dwelling unit, and structure type and size.”

As all of the criteria are being met with respect to the Condominium Conversion policies for Rental Housing Units, the application conforms to the Urban Hamilton Official Plan.

### RELEVANT CONSULTATION

The following Departments and Agencies had no comments or objections to the proposed conversion:

- Taxation Division, Corporate Services Department.
- Strategic Planning Section, Environment and Sustainable Infrastructure Division, Public Works Department.
- Traffic Engineering Section, Public Works Department.
- Urban Forestry, Public Works Department.
- Hamilton Municipal Parking System, Parking and By-law Services Division.
- Emergency Services.
- Union Gas.
- Canada Post.
- Horizon Utilities.

**Housing Division, Community Services Department:**

The City’s Housing Division has advised that the following Official Plan requirements for both the local housing market zone and City of Hamilton have been met:

1. The vacancy rates have been above 2% for the past two years by dwelling/structure type for the City and the respective local housing market zone;

2. The proposed conversion will not reduce the rental vacancy rate by dwelling/structure type to below 2.0% for the City and the respective local housing market zone; and,
3. The existing market rent levels for the units proposed to be converted are not significantly below the average market rent levels for the City and the respective local housing market zone.

The Fall 2009 and Fall 2010 CMHC Rental Market Reports were used by the Housing Division as part of their comments for this application. The Zone 5 (West Hamilton) local housing market zone was used in their analysis. Data showed that the vacancy rates within the local housing market zone decreased slightly from 3.4% in 2009 to 3.3% in 2010 for one-bedroom units, increased from 2.5% in 2009 to 3.9% in 2010 for two-bedroom units, and decreased from 4.5% in 2009 to 3.5% in 2010 for three-bedroom units. The vacancy rates for the City of Hamilton showed that the rental vacancy rates increased from 3.8% in 2009 to 4.1% in 2010 for one-bedroom units, decreased from 4.7% in 2009 to 3.9% in 2010 for two-bedroom units, and increased from 3.9% in 2009 to 5.0% in 2010 for three-bedroom units.

Based on the data presented, Criteria 1 and 2 of the Hamilton Official Plan requirements have been met as the rental vacancy rate has been above the minimum required 2.0% for the past two years, and that the loss of stock from the proposed Condominium Conversion will not negatively affect rental vacancy rates.

The CMHC Rental Market Reports showed that the average rents for one, two, and three-bedroom units showed an increase for the local housing market and the City from 2009 to 2010. For the local market zone, the average rent increased from $674 per month in 2009 to $694 per month in 2010 for one-bedroom units. For two-bedroom units, average rents increased from $793 per month in 2009 to $811 per month in 2010. The average rents for three-bedroom units increased from $939 per month in 2009 to $1,018 per month in 2010.

For the City, the average rents for one-bedroom units increased from $644 per month in 2009 to $655 per month in 2010. For two-bedroom units, the average rent increased from $767 per month in 2009 to $788 per month in 2010. Finally, the average rent for three-bedroom units increased from $874 per month in 2009 to $938 per month in 2010. Further analyses of the Housing Division comments are provided in the Analysis/Rationale for Recommendation section of this Report (Comment 3, Pages 10-12).

The rent roll information that was provided by the applicant showed that the average rent for 1 three-bedroom unit was significantly below the average market rent for the local housing market and the City, where the rent was $742. Based on the CMHC data, the rent was 15% below the 2009 average market rent, and 21% below the 2010 average market rent for the City of Hamilton. The rent was 21% below the 2009 average market rent, and 27% below the 2010 average market rent for the local housing market. In addition, the unit was registered as vacant in the rent roll that was provided as part of the application.
However, as only 1 unit out of 49 units is significantly below the average market rent for the City and the local housing market, the application generally is in compliance with this criterion. The remaining units have rents that are above the average market rent. Based on the analysis, the application conforms to all of the criteria of the Official Plan requirements, and staff supports the Condominium Conversion application.

**ANALYSIS / RATIONALE FOR RECOMMENDATION**

1. The proposal can be supported for the following reasons:
   
   (i) It is consistent with the Provincial Policy Statement, and conforms to the Places to Grow Plan and the Hamilton-Wentworth Official Plan;
   
   (ii) It conforms to the Residential Condominium Conversion policies of the City of Hamilton Official Plan and the Ministerial-approved Urban Official Plan; and,
   
   (iii) The conversion of the units will not reduce the number of overall affordable rental units for one-bedroom, two-bedroom, and three-bedroom apartment dwelling units within the City of Hamilton.

2. There are currently 9 one-bedroom, 35 two-bedroom, and 5 three-bedroom units, for a total of 49 units. The owner proposes to convert the three-bedroom penthouse unit into 2 three-bedroom units, for a total of 50 units.

The subject property is zoned “H” (Community Shopping and Commercial) District in the Hamilton Zoning By-law. Multiple dwellings were a permitted use when the building was constructed in May, 1959; however, multiple dwellings were removed as a permitted use as of November 28, 1961. Currently, the existing apartment building is a legal non-conforming use, and a variance would be required to increase the number of dwelling units within the existing apartment building from 49 to 50 units.

In addition, variances will be required to address the parking deficiencies within the subject property if an additional unit is proposed. Currently there are 47 parking spaces. Under the current zoning provisions, 1.25 parking spaces, including 0.25 visitor parking spaces, are to be provided for each multiple dwelling unit. With 50 units in the apartment building, a total of 63 parking spaces will be required.

The requirement for variances is addressed in Recommendation (b)(i).
3. The housing policies found in the City of Hamilton Official Plan are intended to guide future growth and development, which includes the protection of a full range of housing, including rental housing, throughout the City. In this regard, Section C.7.11 of the City of Hamilton’s Official Plan identifies the three conditions that must be satisfied in order to recommend the conversion of rental stock to condominium ownership:

“(i) The Vacancy rate has been above 2% for the past two years by dwelling/structure type for the City and the respective local housing market zone;

(ii) The Proposed conversion will not reduce the rental vacancy rate by dwelling/structure type to below 2.0% for the City and the respective local housing market zone; and,

(iii) The existing market rent levels for the units proposed to be converted are not significantly below the average market rent levels for the City and the respective local housing market zone for rental units of a similar dwelling/structure type.”

The Canada Mortgage and Housing Corporation (CMHC) provides annual statistical information on the national, provincial, and local housing markets. In order to evaluate the proposal against the above noted Official Plan policies, the City uses the local housing market data that is specifically ordered from CMHC (see Tables 1 and 2).

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<tbody>
<tr>
<td>One-Bedroom</td>
<td>3.8%</td>
<td>$644</td>
<td>4.1%</td>
<td>$655</td>
</tr>
<tr>
<td>Two-Bedroom</td>
<td>4.7%</td>
<td>$767</td>
<td>3.9%</td>
<td>$788</td>
</tr>
<tr>
<td>Three-Bedroom</td>
<td>3.9%</td>
<td>$874</td>
<td>5.0%</td>
<td>$938</td>
</tr>
</tbody>
</table>

Source: CMHC (2009)
Table 1: Vacancy Rate and Average Market Rents for One-Bedroom, Two-Bedroom, and Three-Bedroom Units in CMHC Zone 5 - West Hamilton

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<tbody>
<tr>
<td>One-Bedroom</td>
<td>3.4%</td>
<td>$674</td>
<td>3.3%</td>
<td>$694</td>
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<td>Two-Bedroom</td>
<td>2.5%</td>
<td>$793</td>
<td>3.9%</td>
<td>$811</td>
</tr>
<tr>
<td>Three-Bedroom</td>
<td>4.5%</td>
<td>$939</td>
<td>3.5%</td>
<td>$1,018</td>
</tr>
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</table>

Source: CMHC (2009)

The subject property is located in the Hamilton West (Zone 5) local market zone. Comments from the City’s Housing Division used the Fall 2009 and Fall 2010 Rental Market Reports as the sources of data for the analysis of Official Plan conformity. As outlined in Table 1, the rental vacancy rate in the City of Hamilton for one-bedroom units increased from 3.8% in 2009 to 4.1% in 2010. The rental vacancy rates for two-bedroom units decreased from 4.7% in 2009 to 3.9% in 2010. For three-bedroom units, the rental vacancy rate increased from 3.9% in 2009 to 5.0% in 2010.

As outlined in Table 2, the rental vacancy rate in the local housing market zone for one-bedroom units decreased slightly from 3.4% in 2009 to 3.3% in 2010. For two-bedroom units, the rental vacancy rate increased from 2.5% in 2009 to 3.9% in 2010. Finally, the rental vacancy rate for three-bedroom units decreased from 4.5% in 2009 to 3.5% in 2010. The data has shown that the rental vacancy rate for all bedroom types for the City of Hamilton and the local housing market has been consistently above the minimum required 2.0% threshold and, therefore, demonstrated that Section C.7.11.i) of the Hamilton Official Plan, that requires the rental vacancy rate to be at or above 2.0% for the preceding twenty-four months for the City and the respective local housing market, has been met.

Staff reviewed the application against the Fall 2009 and Fall 2010 Rental Market Reports, which showed that the vacancy rates for one-bedroom, two-bedroom, and three-bedroom units for the City of Hamilton to be consistently above 2.0% for the preceding twenty-four months, where the lowest rental vacancy rate for the period was 3.8%. Similarly, the rental vacancy rate for all bedroom types for the local housing market zone was also consistently above 2.0% for the preceding twenty-four months, where the lowest rental vacancy rate for the period was 2.5%. The conversion of the 49 apartment units will not reduce the rental vacancy rate to below 2.0%. Therefore, Section C.7.11.ii) of the Hamilton...
Official Plan has been met as the conversion of the 50 apartment units will not result in the rental vacancy rate to decrease below 2.0%.

The information that was provided by the applicant showed that the monthly rents, as of December 2010, for one-bedroom units range from $739 per month to $795 per month. For two-bedroom units, the monthly rents range from $809 per month to $915 per month. The monthly rents for three-bedroom units range from $742 per month to $992 per month. Comparing the Fall 2010 Rental Market Report, the data showed that there was 1 three-bedroom unit that was significantly below the average market rent for three-bedroom units in the City of Hamilton and the local market zone. For the City of Hamilton, the average market rent for one-bedroom units increased from $644 per month in 2009 to $655 per month in 2010. The average market rent for two-bedroom units increased from $767 per month in 2009 to $788 per month in 2010. Finally, the average market rent for three-bedroom units increased from $874 in 2009 to $938 in 2010.

For the local housing market, the average market rent for one-bedroom units increased from $674 per month in 2009 to $694 per month in 2010. For two-bedroom units, the average market rent increased from $793 per month in 2009 to $811 per month in 2010. The average market rent for three-bedroom increased from $939 per month in 2009 to $1,018 per month in 2010. The data shows that even though 1 three-bedroom unit is significantly below the average market rent for the City of Hamilton and the local housing market zone, the application, in general, conforms to Policy C.7.11.iii) with respect to the existing market rent levels for the units proposed to be converted as the rents are not significantly below the average market rent levels for the City and the respective local housing market zone for rental units of similar dwelling/structure type.

In summary, the application conforms to the following criteria:

(i) The vacancy rate has been above 2% for the past two years by dwelling/structure type for the City and the respective local housing market zone; and,

(ii) The proposed conversion will not reduce the rental vacancy rate by dwelling/structure type to below 2.0% for the City and the respective local housing market zone.

(iii) The existing market rent levels for the units proposed to be converted are not significantly below the average market rent levels for the City and the respective local housing market zone.
4. An "Information Meeting" was held by the applicant on May 20, 2010, and all tenants, staff, and the local Ward Councillor were invited. A total of 18 residents were in attendance. At the meeting, the applicant advised the tenants that the owner intended to make an application to the City for the conversion of the subject property to ownership tenure. The applicant explained to the tenants the condominium conversion process, the tenant's rights under the Residential Tenancies Act, and provided opportunity for the tenants to ask questions. An information sheet was circulated to all tenants outlining the application process and the existing tenants' rights under the Residential Tenancies Act, including confirmation that existing residents not committing to purchase their units will be allowed to continue to rent (see Appendix “C” - Minutes of Meeting).

A total of 27 questionnaires were received from residents, where 15 residents do not support the Condominium Conversion application, 2 residents are in support, and 10 residents have no opinions on the application. The results of the analysis suggest that the application meets all of the criteria with respect to the Residential Condominium Conversion Policies of the Hamilton Official Plan, and that the application will not affect the affordability of the rental market within the City and the local housing market. In addition, tenant's rights are protected under the Residential Tenancies Act, where tenants can continue to rent their unit even though they are not committing to buy their unit.

5. In accordance with Section 9(4) of the Condominium Act, when an application is made to convert a residential building from rental to condominium tenure, the municipality shall require the owner/applicant to retain a qualified professional to inspect the property, and report to the municipality all matters that it considers may be of concern. This has been addressed as Recommendation (b)(iii).

6. There are existing municipal watermains, combined sewers, and storm sewers adjacent to the subject lands. In addition, there are no road widening requirements from the subject property at this time.

**ALTERNATIVES FOR CONSIDERATION**

If the Condominium Conversion application is not approved, the existing apartment dwelling units will remain as rental tenure.
CORPORATE STRATEGIC PLAN


Financial Sustainability
• Generate assessment growth/non-tax revenues.

Social Development
• Everyone has a home they can afford that is well maintained and safe.

Healthy Community
• Plan and manage the built environment.
• Adequate access to food, water, shelter and income, safety, work, recreation and support for all (Human Services)

APPENDICES / SCHEDULES

• Appendix “A”: Location Map
• Appendix “B”: Draft Plan of Condominium
• Appendix “C”: Notice and Minutes of Tenant “Information Meeting” on May 20, 2010, and Resident Questionnaires

:TL
Attachs. (3)
Appendix "A" to Report PED11074 (Page 1 of 1)

Location Map

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
25CDM-CONV-10-02

Date:
November 2, 2010

Appendix "A" Scale:
N.T.S.

Planner/Technician:
TL/SW

Subject Property

421 Whitney Avenue

Ward 1 Key Map N.T.S.
Dear Resident:

421 Whitney Avenue, Hamilton
Condominium Conversion

We act on behalf of the owner’s of the subject building. Our client’s propose to convert the subject building to condominium tenure. We would like to invite you to an Information Meeting to be held on Thursday, May 20th, 2010 at 6:00 p.m. to 7:30 p.m. to discuss the subject application. The meeting will be held at the Mennonite Church, located at 143 Lower Hornng Read, Hamilton in their lower level meeting room.

Further to this conversion, we would like to ensure that you know your rights as an existing tenant:

Quick Facts

- You cannot be forced to buy your unit or move out only by reason of the proposed condominium conversion. This is known as “security of tenure”.
- You will have a “right of first refusal” to purchase your unit in the event that the owner wishes to sell your unit after condominium conversion. Even if you do not wish to purchase your unit, and the owner sells it after the proposed condominium conversion, your rights to remain in the unit as tenant will not be affected.
- The existing units will remain and no new units are proposed.

Our firm and a representative of the owner will be available at this time to answer any questions or concerns you may have regarding the proposal. As mentioned, the rights of existing tenants as of the date of its conversion to condominium, including security of tenure, are protected pursuant to the provisions of the Residential Tenancies Act. We have also invited the ward Councillor and City staff to attend the meeting to address any enquiries which you may have for them.

We look forward to seeing you there. As part of the Notice process, it would be greatly appreciated, if you could please complete the attached questionnaire and return it to me after the aforementioned meeting or submit to your Superintendent if you do not plan on attending. Also, for your convenience, we have attached answers to frequently asked questions regarding condominium conversions.

Yours truly,

IBI GROUP

George T. Zajac, BA (Hons.)
Planner

GZattach.

cc: Councillor Brian McHattie, with attachments, via e-mail
Mr. Jason Thorpe, City of Hamilton, with attachments, via e-mail
Mr. David Howood with attachments, via e-mail
Massrs. Sergio Marchia and Fernando Puga, IBI Group, via e-mail

IBI Group is a group of firms providing professional services and is affiliated with IBI Group Architects
Planning & Engineering Initiatives Ltd. (PEI) is a member of the IBI Group of firms
Appendix “C” to Report PED11074 (Page 2 of 38)

Notice to Residents – 421 Whitney Avenue

Dear Resident:

RE: Conversion to Condominium Status – Application Process

As part of the application process with the City of Hamilton, we are required to obtain confirmation from each tenant acknowledging that they have been informed of our application and have a clear understanding of how the Ontario Residential Tenancies Act specifically provides tenants with “Security of Tenure”. Attached is a copy of our Notice of Meeting that was circulated, plus the excerpts from the Residential Tenancies Act, outlining your specific rights under the Act.

Please answer the following questions and kindly submit this sheet at the information meeting or to your Superintendent if you do not plan on attending. Please retain a copy for your records:

- We were notified of the condominium conversion application
  
  Yes ______ No ______

- We are aware of “Security of Tenure” rights under the Residential Tenancies Act
  
  Yes ______ No ______

- We support the condominium conversion application
  
  Yes ______ No ______ N/A ______

- We have attached additional comments with respect to this application
  
  Yes ______ No ______

Unit No. ______

Name ____________________________

Date ______________ Signature ____________________________

Phone No. ______________

Phone No. not provided ______________

Do not wish to be contacted by the City ______

Thank you for your co-operation in providing this information.

Yours very truly,

IBI Group

George T. Zajac, BA (Hons.)
Planner

GZ/
FREQUENTLY ASKED QUESTIONS (AND ANSWERS)
CONCERNING CONVERSION OF RENTAL UNITS
TO CONDOMINIUM OWNERSHIP

The following only applies to tenants who are tenants of the residential rental building at the time the residential rental property is converted to a condominium (these tenants are called "standing tenants"). Only standing tenants will enjoy the benefits described below.

1. **QUESTION**: Does registration of a rental apartment building to a condominium allow a landlord to terminate my lease under the *Residential Tenancies Act, 2008* (the "RTA")?

   **ANSWER**: NO.

   Section 4(2), ("Rights of Tenants") of the *Condominium Act*, states that the registration of a Condominium shall not terminate or otherwise affect the rights of a standing tenant under the RTA. Therefore, any such person has security of tenure as a tenant.

2. **QUESTION**: When a building is converted to condominium and a residential apartment unit becomes a "condominium unit", does the landlord/owner of such condominium unit have the right to terminate the residential tenancy of the occupant of the unit?

   **ANSWER**: NO.

   Section 4(3) ("No Termination of Tenancy") of the *Condominium Act* states that registration of a condominium does not constitute grounds for a landlord to give notice of termination under Part V of the RTA to standing tenants. Therefore, such tenant has security of tenure.

3. **QUESTION**: Is it true that a standing tenant obtains greater protection against termination of his/her lease on conversion of the rental building to a Condominium?

   **ANSWER**: YES.

   Under the RTA, a landlord can terminate the tenancy under Section 48(1) on the basis that the landlord requires the unit for residential occupation by:

   a) the landlord;
   b) the landlord’s spouse;
   c) a child or parent of the landlord or the landlord’s spouse; or
   d) a person who provides or will provide care services to the landlord, the landlord’s spouse, or a child or parent of the landlord or the landlord’s spouse, if the person receiving the care services resides or will reside in the building.

   Under Section 51(1) of the RTA, when a building is converted to a Condominium, a landlord may NOT give notice to a standing tenant under any of the grounds in Section 48(1).

   Therefore, as a standing tenant (a tenant of the rental building at the time of conversion), you have greater rights to protect your tenancy.

4. **QUESTION**: Does the conversion process give the standing tenant an opportunity to purchase a unit when the conversion is completed?

   **ANSWER**: YES.

   The standing tenant now has a right of first refusal.
Under Section 51(5) ("Conversion to condominium, right of first refusal") of the Condominium Act, the landlord must provide a 72 hour notice of right of first refusal to the standing tenant where:

a) a landlord/owner of a condominium unit receives an acceptable offer to purchase the converted condominium unit which is still occupied by a standing tenant; or

b) where the landlord receives an acceptable offer to purchase a rental unit intended to be converted to a condominium unit,

at the price and subject to the same terms and conditions in the offer to purchase.

The standing tenant has two advantages, greater security of tenure and a right of first refusal.
Minutes

To/Attention: City of Hamilton

Date of Meeting: May 20th, 2010

From: IBI Group (Hamilton) c/o George Zajac

Subject: Resident Information Meeting
6:00 – 7:30pm; May 20th, 2010.

Location: Hamilton Mennonite Church
143 Lower Horning Road

Present:

IBI Group:

Mr. George Zajac, Planner - Agent on behalf of the Owner
Mr. Fernando Puga, Planner - Agent on behalf of the Owner

Tenants of 421 Whitney Avenue, Hamilton, as indicated by attached sign-in sheet.
Meeting is called to commence by Mr. Puga; 6:00 p.m.

- Administrative Issues are addressed;
  All attendees are asked to sign the sign-in sheet.
  Clarification if Notice to Residents had been received.

- Introductions are made in respect to;
  Mr. G. Zajac
  Mr. F. Puga

Introduction from Mr. Puga to Residents.

- Mr. Puga addresses why the meeting has been called and explains that it is the intent of the owner to submit to the City of Hamilton an application for Condominium Conversion.
- This conversion will occur by means of a Draft Plan of Condominium. Mr. Puga explains that this is similar in nature to a Draft Plan of Subdivision.
- He notes that as part of this application the condominium portion will consist of the existing units with the parking area and green space being part of the common element portion.

Mr. Puga explains to the Residents the benefits of Security of Tenure.

- Mr. Puga explains to the residents that if the application was approved, they would enjoy the benefits of Security of Tenure ("SOT").
- The SOT affords the existing or standing tenants more rights and benefits than what they currently enjoy under the Residential Tenancies Act ("RTA").
- As part of the SOT, the existing tenants would not be able to be "kicked out" as long as they continued to pay their rent. It was noted that there was no time limitation to the SOT and that it would continue in perpetuity.
- Mr. Puga clarified that even if approval was given and the units were sold, the new landlord would not be able to displace the existing resident.
- As part of SOT the existing tenant would enjoy the Right of First Refusal. Mr. Puca explains that if the conversion was approved and the units were being sold, the existing tenant would have the right to purchase the unit first.
- Mr. Puga explains that he hopes or anticipates that approval of the application could be given in approximately 4-6 months. Upon final approval of the application, the City would create conditions which would need to be fulfilled prior to final registration.
Q1. Does Security of Tenure apply for year leases and month-to-month rental situations?
   - Mr. Puga explains that SOT would apply to all residents regardless if they have a lease or month-to-month rental situation.
   - As long as the resident remained to be in good standing, SOT would continue to apply.

Q2. Would we rent from the new owner? Could the new owner raise the rent?
   - Mr. Zajac acknowledges that the residents would now be renting from the new owner of the condominium.
   - He also indicates that the rent is controlled by the RTA and increases are set by the Province. This is the same situation which the residents currently have.
   - Mr. Zajac states that this application for a change of tenure will not cause any changes for the existing residents of the units.
   - Any potential increase in rent once the condominium units were sold, would be controlled by the RTA.
   - Increases could only occur in three ways:
     i) By mutual agreement with the landlord and tenant.
     ii) The annual calendar year guideline increase as dictated by the Province.
     iii) An application for an “Above the guideline” increase in rent to the Province.
     This increase could be for such things as improvements to the units.
   - Mr. Zajac also notes that those potential increases are applicable today and not dependent on the approval of this application.

Q3. Are the units expected to receive refurbishments?
   - Mr. Zajac acknowledges that this is possible if the application is given approval.
   - It will remain an option for the future.

Q4. What is the expected purchase price of the units?
   - Mr. Zajac states that the anticipated price will need to be determined at a later date. He indicated that they would most likely be in the affordable housing range.
   - Mr. Zajac states that it is too early to determine the exact price of the units.

Resident

Mr. F. Puga

Resident

Mr. G. Zajac

Mr. G. Zajac
Q5. Who would be responsible for paying the condominium fee? Will the tenants have to pay the fees?

- Mr. Zajac indicates that the residents will be unaffected by the condominium fees as they would be the responsibility of the owner of the units.
- He also indicates that he does not believe that an above the guideline increase would be approved for the associated condominium fees.

Q6. What will be done to improve the current state of the building?

- Mr. Zajac informs the residents that as part of this process an Engineer’s Report would need to be completed and submitted to the City of Hamilton.
- This report would address the existing building deficiencies and issues which will need to be fixed/repairs in order to condominium registration.
- Also as part of the condominium conversion process, a Reserve Fund Study would need to be performed in order to pay for any potential servicing/building problems.
- The Engineer’s Report would be part of the clearing of conditions if the application was approved and would be disclosed to the public. The tenants could view this document at anytime once it is submitted.

Q7. Can the purchaser of the condominium unit move in?

- Mr. Zajac again reiterates that the existing tenants at the time of conversion would enjoy SOT. This would ensure that the tenant would be allowed to stay as long as they desired assuming they remained in good standing.

Q8. How long will this process take?

- Mr. Zajac estimates that the application process will take approximately 5 months for a decision to be made.
- If approval was given the next step would be to show conformity with the existing site plan and zoning by-law.
- The Engineer’s Report will be completed and conditions of approval will be given.
- In total the process is expected to take 2 to 3 years to complete.

Q9. Will the tenants be notified during the application process? Are we able to offer our input?

- Mr. Puga indicates that residents/tenants will be informed of the progress of the application during the process if they wish.
- Information can be obtained directly from the City of Hamilton, once the application is submitted.
- Any further questions or concerns can also be asked directly to IBI Group.
Q10. What will happen if the new owner wants to change the rental agreement?

- Mr. Zajac again points to the fact that existing tenants would be protected by SOT as well as the RTA guidelines.

Q11. Will the improvements/repairs bring the state of the buildings up to "code" (Ontario Building Code)?

- Mr. Zajac indicates that the Engineer’s Report will address all of the issues currently existing on the property. As such, the repairs or improvements will need to be in compliance with the Ontario Building Code.
- As part of the condominium conversation process, a Reserve Fund Study will be established in order to deal with any future problems that may occur.

Messrs. Puga and Zajac thank the residents for their attendance at the meeting and advises that they may contact them if they have any further questions or concerns. The meeting concludes.
<table>
<thead>
<tr>
<th>NAME(S)</th>
<th>ADDRESS/Unit #</th>
<th>PHONE</th>
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<tbody>
<tr>
<td>Nicole Gervais</td>
<td>421 Whitney 106</td>
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<tr>
<td>Melissa Gloyd</td>
<td>421 Whitney 302</td>
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<td>Norman Mohindra</td>
<td>421 Whitney 403</td>
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<td>S. Reed</td>
<td>421 11 204</td>
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<td>Jackie Lee</td>
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<tr>
<td>Roya * Linda Graham</td>
<td>421 Whitney 1405</td>
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<td>B. Graham</td>
<td>421 Whitney 410</td>
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<tr>
<td>Margaret Deane</td>
<td>421 Whitney 104</td>
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<td>Eisenhower Donn Battery</td>
<td>421 Whitney 218</td>
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<td>Roger Cusson</td>
<td>421 Whitney 110</td>
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<td>Suzanne Myers</td>
<td>421 Whitney 105</td>
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<td>Margaret Stader</td>
<td>421 Whitney 305</td>
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<td>Alanna McPherson</td>
<td>421 Whitney 102</td>
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<td>Miss Evans</td>
<td>421 Whitney 403</td>
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<tr>
<td>Patrick Persaud</td>
<td>14 306</td>
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<tr>
<td>Carmen Teamer</td>
<td>Hamilton Planning Dept.</td>
<td></td>
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<tr>
<td>John Haylett</td>
<td>404 421 Whitney Ave 185 246 905 577 025</td>
<td></td>
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<tr>
<td>NAME(S)</td>
<td>ADDRESS/Unit #</td>
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<tr>
<td>J. L. Kramer</td>
<td>421 Whitney 469</td>
<td>905-772-9622</td>
</tr>
<tr>
<td>M. Reed</td>
<td>412 Whitney</td>
<td></td>
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</tbody>
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Appendix "C" to Report PED11074 (Page 11 of 38)
Notice to Residents – 421 Whitney Avenue

Dear Resident:

RE: Conversion to Condominium Status – Application Process

As part of the application process with the City of Hamilton, we are required to obtain confirmation from each tenant acknowledging that they have been informed of our application and have a clear understanding of how the Ontario Residential Tenancies Act specifically provides tenants with “Security of Tenure”. Attached is a copy of our Notice of Meeting that was circulated, plus the excerpts from the Residential Tenancies Act, outlining your specific rights under the Act.

Please answer the following questions and kindly submit this sheet at the information meeting or to your Superintendant if you do not plan on attending. Please retain a copy for your records:

- We were notified of the condominium conversion application   Yes  No
- We are aware of “Security of Tenure” rights under the Residential Tenancies Act Yes  No
- We support the condominium conversion application   Yes  No  N/A
- We have attached additional comments with respect to this application   Yes  No

Unit No. 210
Name Tim Collins
Date  May 8/10
Signature
Phone No. 905-513-4691
Phone No. not provided
Do not wish to be contacted by the City

Thank you for your co-operation in providing this information.

Yours very truly,
IBI Group

George T. Zajac, BA (Hons.)
Planner

GZI
Notice to Residents – 421 Whitney Avenue

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- We are aware of “Security of Tenure” rights under the Residential Tenancies Act Yes___No___
- We support the condominium conversion application Yes___No___N/A___
- We have attached additional comments with respect to this application Yes___No___

Unit No. 209       Name CLAIRE MARLOWE

Date May 19, 2010   Signature S. Marlowe

Phone No. __________ Phone No. not provided _

Do not wish to be contacted by the City __

Thank you for your cooperation in providing this information.

Yours very truly,

IBI Group

George T. Zajac, BA (Hon.)
Planner

GZI
Notice to Residents – 421 Whitney Avenue

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- We were notified of the condominium conversion application
  - Yes
  - No

- We are aware of “Security of Tenure” rights under the Residential Tenancies Act
  - Yes
  - No

- We support the condominium conversion application
  - Yes
  - No
  - N/A

- We have attached additional comments with respect to this application
  - Yes
  - No

Unit No. 408

Date May 6th, 2010

Phone No. 905.386.1200

Phone No. not provided

Do not wish to be contacted by the City

Name

Signature

Thank you for your co-operation in providing this information.

Yours very truly,

IBI Group

George T. Zalar, BA (Hons.)
Planner

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Planning & Engineering Ltd. (IBI) is a member of the IBI Group of firms
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  Yes [ ] No [ ]

- We are aware of "Security of Tenure" rights under the Residential Tenancies Act
  Yes [ ] No [ ]

- We support the condominium conversion application
  Yes [ ] No [ ] N/A [ ]

- We have attached additional comments with respect to this application
  Yes [ ] No [ ]

Unit No. 267
Date: May 12
Phone No. 905-393-5431

Please provide the following information:

Name: Dave Poonfot
Signature: [Signature]
Phone No.: 905-393-5431

Thank you for your co-operation in providing this information.

Yours very truly,

IBI Group

George T. Zelac, BA (Hons.)
Planner

GZ/
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- We were notified of the condominium conversion application: Yes/No
- We are aware of “Security of Tenure” rights under the Residential Tenancies Act: Yes/No
- We support the condominium conversion application: Yes/No/NA
- We have attached additional comments with respect to this application: Yes/No

Unit No. 203

Date: May 12, 2010
Name: Judy Richerchichi

Signature: Judy Richerchichi

Phone No. 905-523-5659
Phone No. not provided

Do not wish to be contacted by the City

Thank you for your cooperation in providing this information.

Yours very truly,

IBI Group

George T. Zajac, BA (Hons.)
Planner

GZ/
Appendix “C” to Report PED11074 (Page 17 of 38)

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- We were notified of the condominium conversion application  Yes ☒ No____
- We are aware of “Security of Tenure” rights under the Residential Tenancies Act Yes ☒ No____
- We support the condominium conversion application Yes ☒ No ____ N/A ☒
- We have attached additional comments with respect to this application Yes ☒ No ____

Unit No. 2011  Name __________
Date 05-19-2010  Signature __________
Phone No. 905-536-8171  Phone No. not provided __________
Do not wish to be contacted by the City __________

Thank you for your co-operation in providing this information.

Yours very truly,

IBI Group

George T. Zajac, BA (Hons.)
Planner

GZ/
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- We were notified of the condominium conversion application Yes X No
- We are aware of “Security of Tenure” rights under the Residential Tenancies Act Yes X No
- We support the condominium conversion application Yes No N/A X
- We have attached additional comments with respect to this application Yes No X

Unit No. 4/0 8
Name
Date Mon, 20, 2010
Signature
Phone No. 905 252 1467
Phone No. not provided
Do not wish to be contacted by the City

Thank you for your cooperation in providing this information.

Yours very truly,

IBI Group

George T. Zajac, BA (Hons.)
Planner

GZ/
Appendix “C” to Report PED11074 (Page 19 of 38)

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• We were notified of the condominium conversion application _Yes_ _No_
• We are aware of “Security of Tenure” rights under the Residential Tenancies Act _Yes_ _No_
• We support the condominium conversion application _Yes_ _No_ _NA_ _X_
• We have attached additional comments with respect to this application _Yes_ _No_ _X_

Unit No. _10X_ Name _Nicole Geoffroy_
Date _May 20/10_ Signature _Nicole Geoffroy_
Phone No. _not provided_ Phone No. not provided _X_
Do not wish to be contacted by the City _X_

Thank you for your co-operation in providing this information.

Yours very truly,

IBI Group

George T. Zejac, BA (Hons.)
Planner

GZ/
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- We were notified of the condominium conversion application [Yes] [No]
- We are aware of "Security of Tenure" rights under the Residential Tenancies Act [Yes] [No]
- We support the condominium conversion application [Yes] [No] [NA]
- We have attached additional comments with respect to this application [Yes] [No]

Unit No. 409

Date: May 17, 2010

Name: L. I. Demaster

Signature: L. I. Demaster

Phone No.: (905) 522-5968

Do not wish to be contacted by the City [Yes] [No]

Thank you for your co-operation in providing this information.

Yours very truly,

IBI Group

George T. Zelac, BA (Hons.)
Planner

GZ!
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- We support the condominium conversion application Yes\No\NA
- We have attached additional comments with respect to this application Yes\No

Unit No. 306
Name: ROBERT P. R. S

Date: May 20, 2010
Signature: [Signature]

Phone No.: 905-540-1438
Phone No. not provided. 905-952-540-1438

Do not wish to be contacted by the City...

Thank you for your co-operation in providing this information.

Yours very truly,

IBI Group

Georgie T. Zajice, BA (Hons.)
Planner

GZ/
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- We are aware of "Security of Tenure" rights under the Residential Tenancies Act: Yes __ No __
- We support the condominium conversion application: Yes __ No __ NA __
- We have attached additional comments with respect to this application: Yes __ No __

Unit No. __________ Name: __________

Date: __________ Signature: __________

Phone No.: __________ Phone No. not provided: __________

Do not wish to be contacted by the City: __________

Thank you for your co-operation in providing this information.

Yours very truly,

IBI Group

George T. Zajac, BA (Hons.)
Planner

GZ/

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Planning & Environmental Interests Ltd (PEI) is a member of the IBI Group of firms.
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- We are aware of “Security of Tenure” rights under the Residential Tenancies Act [Yes\(\checkmark\) No]
- We support the condominium conversion application [Yes\(\checkmark\) No]
- We have attached additional comments with respect to this application [Yes\(\checkmark\) No]

Unit No. 302  Name: Melissa Auld

Date: May\(1^\text{st}\) 10  Signature:

Phone No. 905-438-0033 Phone No. not provided

Do not wish to be contacted by the City

Thank you for your co-operation in providing this information.

Yours very truly,

IBI Group

George T. Zajac, BA (Hons.) Planner

GZI
Appendix “C” to Report PED11074 (Page 24 of 38)

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  Yes ☑ No

- We are aware of "Security of Tenure" rights under the Residential Tenancies Act  
  Yes ☑ No

- We support the condominium conversion application  
  Yes ☑ No

- We have attached additional comments with respect to this application  
  Yes ☑ No

Unit No.: 403
Name: Naseer Mohiuddin
Date: May 9, 2010
Signature: [Signature]
Phone No.: 905-526-6618
Phone No. not provided
Do not wish to be contacted by the City

Thank you for your co-operation in providing this information.

Yours very truly,
IBI Group

George T. Zajac, BA (Hons.)
Planner

GZ/

IBI Group is a group of three distinct professional services and is affiliated with IBI Group Architects
Planning & Engineering Services Ltd. ("IBI") is a member of the IBI Group of firms.
Notice to Residents – 421 Whitney Avenue

Dear Resident:

RE: Conversion to Condominium Status – Application Process

As part of the application process with the City of Hamilton, we are required to obtain confirmation from each tenant acknowledging that they have been informed of our application and have a clear understanding of how the Ontario Residential Tenancies Act specifically provides tenants with "Security of Tenure". Attached is a copy of our Notice of Meeting that was circulated, plus the excerpts from the Residential Tenancies Act, outlining your specific rights under the Act.

Please answer the following questions and kindly submit this sheet at the information meeting or to your Superintendent if you do not plan on attending. Please retain a copy for your records:

- We were notified of the condominium conversion application [Yes/No]
- We are aware of "Security of Tenure" rights under the Residential Tenancies Act [Yes/No]
- We support the condominium conversion application [Yes/No/N/A]
- We have attached additional comments with respect to this application [Yes/No]

Unit No. 104
Name __________________________
Date May 20, 2010
Signature __________________________
Phone No. 905-322-2133
Phone No. not provided
Do not wish to be contacted by the City

Thank you for your cooperation in providing this information.

Yours very truly,

IBI Group

George T. Zajac, BA (Hons.)
Planner

GZ/
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- We are aware of “Security of Tenure” rights under the Residential Tenancies Act ____________
- We support the condominium conversion application ____________
- We have attached additional comments with respect to this application ____________

Unit No. 308
Date: May 26, 2010
Name: Susan Foster
Signature:________________________________________
Phone No.: 905-543-7448
Phone No. not provided
Do not wish to be contacted by the City __________

Thank you for your co-operation in providing this information.

Yours very truly,

IBI Group

George T. Zajac, BA (Hons.)
Planner

GZ/
Notice to Residents – 421 Whitney Avenue

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- We were notified of the condominium conversion application [ ] Yes [ ] No
- We are aware of “Security of Tenure” rights under the Residential Tenancies Act [ ] Yes [ ] No
- We support the condominium conversion application [ ] Yes [ ] No [ ] N/A
- We have attached additional comments with respect to this application [ ] Yes [ ] No

Unit No. [ ] Name [ ]
Date [ ] Signature [ ]
Phone No. [ ] Phone No. not provided

Do not wish to be contacted by the City [ ]

Thank you for your co-operation in providing this information.

Yours very truly,
IBI Group

George T. Zeljac, BA (Hons.)
Planner

GZ/
Notice to Residents – 421 Whitney Avenue

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- We were notified of the condominum conversion application ___________ Yes ☑ No ___________
- We are aware of “Security of Tenure” rights under the Residential Tenancies Act ___________ Yes ☑ No ___________
- We support the condominium conversion application ___________ Yes ☑ No ___________
- We have attached additional comments with respect to the application ___________ Yes ☑ No ___________

Unit No. 31A
Date MAY 20, 2010
Phone No. ____________________ Phone No. not provided ____________________

Name STABLES WILLIAM ARLENE
Signature __________________________________________

Thank you for your co-operation in providing this information.

Yours very truly,

IBI Group

George T. Zajac, BA (Hons.)
Planner

G27
Notice to Residents – 421 Whitney Avenue

Dear Resident:

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- We were notified of the condominium conversion application [Yes □ No □]
- We are aware of “Security of Tenure” rights under the Residential Tenancies Act [Yes □ No □]
- We support the condominium conversion application [Yes □ No □ N/A □]
- We have attached additional comments with respect to this application [Yes □ No □ N/A □]

Unit No: 105  Name: SUSANNE MUIR
Date: 6/20/2010  Signature: [Signature]
Phone No: 905-824-773  Phone No. not provided, 905-394-4779

Thank you for your co-operation in providing this information.

Yours very truly,

[Signature]
George T. Zajac, BA (Hons.)
Planner

GZI

IBI Group is a group of firms providing professional services and is affiliated with IBI Group Architects, Planning & Engineering Institute Ltd. (PEI), a member of the IBI Group of Firms.
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- We are aware of “Security of Tenure” rights under the Residential Tenancies Act [Yes/No]
- We support the condominium conversion application [Yes/No/N/A]
- We have attached additional comments with respect to this application [Yes/No]

Unit No.: 110
Name: Roseanne Canseur
Signature: R. Canseur
Date: 5/20/2010
Phone No.: 9-393-6518
Phone No. not provided
Do not wish to be contacted by the City

Thank you for your co-operation in providing this information.

Yours very truly,

IBI Group

George T. Zalac, BA (Hons.)
Planner

GZ/
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- We were notified of the condominium conversion application [Yes ☑ / No ___]
- We are aware of “Security of Tenure” rights under the Residential Tenancies Act [Yes ☑ / No ___]
- We support the condominium conversion application [Yes ☑ / No ___ / N/A ___]
- We have attached additional comments with respect to this application [Yes ☑ / No ___]

Unit No. 305
Name: Margaret Boehm

Date: May 20, 2010
Signature: Margaret Boehm

Phone No.: 905-538-4276
Phone No. not provided
Do not wish to be contacted by the City

Thank you for your cooperation in providing this information.

Yours very truly,

IBI Group

George T. Zajac, BA (Hons.)
Planner

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- We were notified of the condominium conversion application ___________, Yes ___________, No ___________
- We are aware of "Security of Tenure" rights under the Residential Tenancies Act Yes ___________, No ___________
- We support the condominium conversion application Yes ___________, (NO) N/A ___________, No ___________
- We have attached additional comments with respect to this application Yes ___________, No ___________

Unit No. 401 ___________ Name: Douglas Brennan

Date 05-10-2010 ___________ Signature: Douglas Brennan

Phone No. ___________ Phone No. not provided ___________ Do not wish to be contacted by the City ___________

Thank you for your co-operation in providing this information.

Yours very truly,

IBI Group

George T. Zajac, BA (Hons.)
Planner

GZ/
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meeting or to your Superintendent if you do not plan on attending. Please retain a copy
for your records:

- We were notified of the condominium conversion application ___________ Yes ☑ No ☑
- We are aware of “Security of Tenure” rights under the Residential Tenancies Act. Yes ☑ No ☑
- We support the condominium conversion application Yes ☑ No ☑ N/A
- We have attached additional comments with respect to this application Yes ☑ No ☑

Unit No: 406
Date: May 6th
Phone No: 905-528-1649

Name: Mrs. J. Van Kerkhoven
Signature: [Signature]

Phone No. not provided__________
Do not wish to be contacted by the City __________

Thank you for your co-operation in providing this information.

Yours very truly,
IBI Group

George T. Zajac, BA (Hons.)
Planner

GZ
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- Were you notified of the condominium conversion application Yes / No ___
- We are aware of "Security of Tenure" rights under the Residential Tenancies Act Yes / No ___
- We support the condominium conversion application Yes / No / N/A ___
- We have attached additional comments with respect to this application Yes / No ___

Unit No. 401 Name: A.M. Vospeel
Date: May 10, 2010 Signature: A.M. Vospeel
Phone No. ______ Phone No. not provided ______
Do not wish to be contacted by the City ______

Thank you for your cooperation in providing this information.

Yours very truly,
IBI Group

George T. Zajac, BA (Hons.)
Planner

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- We were notified of the condominium conversion application □ Yes □ No
- We are aware of "Security of Tenure" rights under the Residential Tenancies Act □ Yes □ No
- We support the condominium conversion application □ Yes □ No □ N/A
- We have attached additional comments with respect to this application □ Yes □ No □

Unit No. 311 Name ROBERT AVAL
Date May 11, 2010 Signature
Phone No. Phone No. not provided
Do not wish to be contacted by the City

Thank you for your cooperation in providing this information.

Yours very truly,

IBI Group

George T. Zabac, BA (Hons.)
Planner

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- We were notified of the condominium conversion application: Yes, No
- We are aware of "Security of Tenure" rights under the Residential Tenancies Act: Yes, No
- We support the condominium conversion application: Yes, No, N/A
- We have attached additional comments with respect to this application: Yes, No

Unit No.: L1/7
Date: May 22, 2010
Signature: [Signature]
Phone No.: 789-789-6601
Phone No. not provided
Do not wish to be contacted by the City

Thank you for your co-operation in providing this information.

Yours very truly,

IBI Group

George T. Zajac, BA (Hons.)
Planner

GZ/

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- We were notified of the condominium conversion application [Yes: ✔ No: ]
- We are aware of “Security of Tenure” rights under the Residential Tenancies Act [Yes: ✔ No: ]
- We support the condominium conversion application [Yes: ✔ No: N/A: ]
- We have attached additional comments with respect to this application [Yes: ✔ No: ]

Unit No. 410
Name: Bruce Cochrane
Signature: B. Cochrane

Date: May 20/2010
Phone No: 905-529-2727
Phone No. not provided
Do not wish to be contacted by the City

Thank you for your co-operation in providing this information.

Yours very truly,

IBI Group

George T. Zajac, BA (Hons.)
Planner

OZ/
Appendix “C” to Report PED11074 (Page 38 of 38)

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- We were notified of the condominium conversion application: Yes, No ______
- We are aware of “Security of Tenure” rights under the Residential Tenancies Act: Yes, No ______
- We support the condominium conversion application: Yes, No, VNA ______
- We have attached additional comments with respect to this application: Yes, No, VNA ______

Unit No.: 204
Name: REES
Date: May 29, 2010
Signature: [Signature]
Phone No.: (519) 389-5815
Phone No. not provided: ______
Do not wish to be contacted by the City: ______

Thank you for your cooperation in providing this information.

Yours very truly,

IBI Group

George T. Zapor, BA (Hons.)
Planner

GZ/