



# An Environmental Scan of Condominium Conversion Policies in Select Canadian Communities

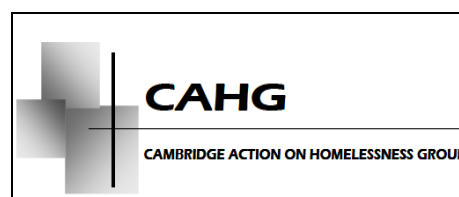
**Social Planning Council of Cambridge and North Dumfries  
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# An Environmental Scan of Condominium Conversion Policies in Select Canadian Communities



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## Glossary of Terms

**Age Range:** Refers to age ranges of the primary household maintainer. (Canada Mortgage and Housing Corporation, 2010)

**Affordable housing:** Dwelling units whose rent is at or below average market rent. (Housing Peterborough, 2011)

**Average Market Rent:** The price that a property is worth, either to rent or to own. (MortgageLoan.com, 2011)

**Dwelling/Structure:** A self contained unit with full cooking, sleeping and sanitary facilities which are not part of an institution; the physical structure of the dwelling, or the physical structure of the building in which the dwelling is located. (City of Calgary, 2010)

**Dwelling/ Structure Type:** The physical structure of the dwelling, or the physical structure of the building in which the dwelling is located, in relation to other similar units. (City of Calgary, 2010)

**Condominium:** A unit, usually in a high-rise or low-rise, or a townhouse that can be owned. The unit itself is owned and ownership rights for the common space of the building are shared. (Canadian Mortgage and Housing Company, 2011)

**Condominium conversion:** When an individual changes the ownership from that of an existing project which is often a rental one to the condominium form of ownership. (MortgageLoan.com, 2011)

**Evict Tenant/ Terminate Tenancy:** The legal removal of an occupant from real property. (MortgageLoan.com, 2011)

**Landlord:** A person or company which owns a property which is rented out. (Law-Glossary.com, 2011)

**Low-income:** The income level at which a family may be in straitened circumstances because it has to spend a greater proportion of its income on necessities than the average family of similar size. duals and households supported by an income that is below average. (Statistics Canada, n.d.)

**Multi-family properties:** A property that has more than one living unit on a single plot of land. (MortgageLoan.com, 2011)

**Notice of Intent:** To inform a tenant officially that he or she has to leave the premises by a specified date due to the landlords' intent to convert or alter the premises. (Law-Glossary.com, 2011)

**Primary Household Maintainer:** Refers to the person in the household most responsible for paying the rent or mortgage, the electricity, the taxes, etc. for the dwelling. (Canada Mortgage and Housing Corporation, 2010)

**Application /Proposal:** The act or process of asking for something, usually in writing. In this case, the application or proposal is for permission from City Council for the conversion of a rental building to condominium ownership. (Law-Glossary.com, 2011)

**Purchaser:** One who is intending to or is in the process of buying a newly converted condominium from the owner. (Condominium Act, 1998)

**Rental stock/ Supply:** The total number of dwelling units in an area that are available for rent. (AllBusiness.com, 2011)

**Right of first refusal:** The right to make an offer to buy a property after other others have been submitted and with the knowledge of the value of those other offers. (Law-Glossary.com, 2011)

**Security of tenure:** The right to keep a position or rented accommodation, provided that conditions are met. (Law-Glossary.com, 2011)

**Single-family properties:** Free-standing home for one family, not attached to a house on either side. (Canada Mortgage and Housing Company, 2011)

**Subsidized housing:** Housing that charges a certain percentage of the total monthly income of the individual or family for rent. Subsidized housing must be applied for and is designed for people with low to moderate incomes. (Housing Peterborough, 2011)

**Tenant:** A person, family or company who rents a house, apartment or office in which to live or work. (Law-Glossary.com, 2011)

**Vacancy rate:** The percentage of all dwellings that are available to be occupied, that are not currently occupied. (City of Calgary, 2010)

## Introduction

Condominiums are increasing in popularity throughout Canada. One cost-effective way to develop condominiums is to convert existing rental apartment buildings. However, the rental stock in Canada is being depleted faster than it is being rebuilt, and converting rental units into condominiums can severely damage the vacancy rate and overall housing health of a city.

Many provinces have implemented strategies to protect tenants from the impact of condominium conversions. As well, many municipalities have implemented further strategies to protect their stock of rental housing.

This report scans a selection of promising practices implemented across the country that attempt to preserve the stock of rental housing and outlines some of these practices based on the experiences of these communities.

## Housing Market Health

The health of the housing market of a municipality is determined by various factors:

- The availability of different types of housing options such as apartments, condominiums, townhouses, and single-family properties both attracts new people to move to the area and allows current residents to select a type of dwelling to suit their individual needs.
- People also desire the option to either own or rent their home, so there should be an availability of both types of dwellings.
- There should be a variety of prices available for both owners and renters so people of different levels of income can afford housing that does not exceed their ability to pay for housing.
- Vacancy rates represent the percentage of the housing market that is currently available to rent. The vacancy rate includes all different types of dwellings and price ranges for all renters. The vacancy rate of a municipality is considered healthy if it is over three percent for two consecutive years.

A city that meets all of the above conditions is considered to have a healthy housing market (Ontario Ministry of Municipal Affairs and Housing, 2007).

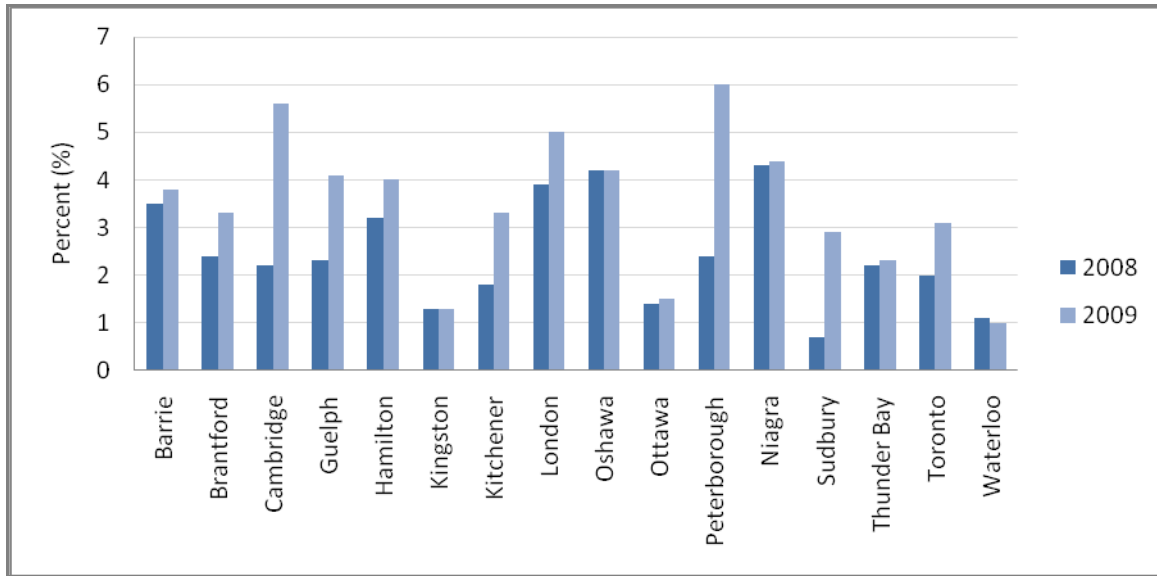
## Vacancy Rates in Waterloo Region

As shown in the Figure 2 below, the City of Cambridge had a relatively high vacancy rate of 5.6 percent in 2009, compared with 2.2 percent in 2008. Cambridge's vacancy rate dropped to 4.3 percent in 2010. In recent years Cambridge has had the highest vacancy rate of the three cities in Waterloo Region.

Kitchener's vacancy rate was lower in 2008 at 2.0 percent. It increased to 3.4 percent in 2009, and fell back to 2.4 percent in 2010. This demonstrates how quickly vacancy rates can fluctuate year to year within a municipality.

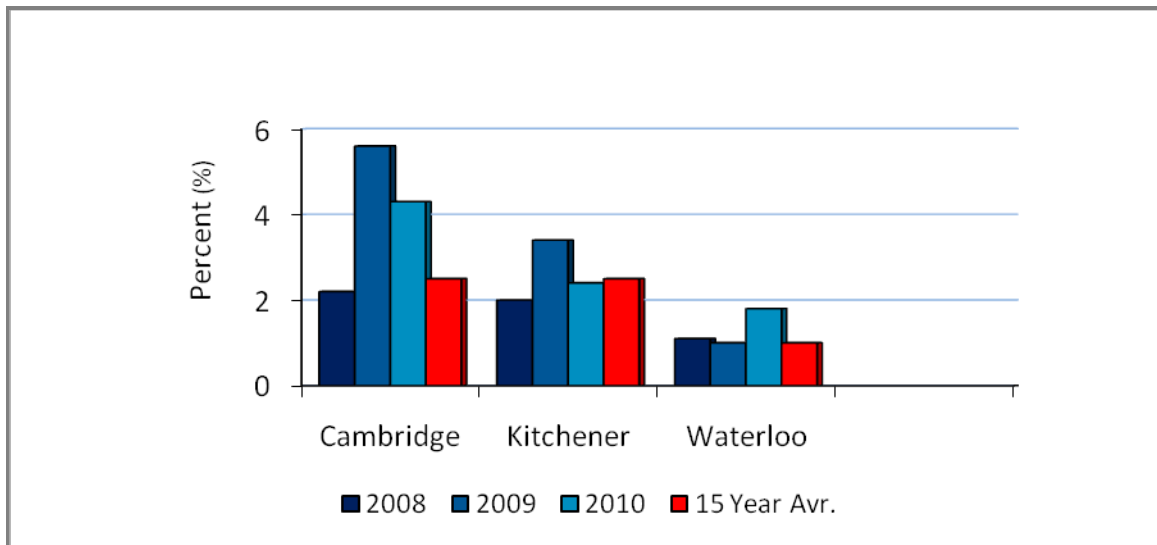
Waterloo's vacancy rate has been the lowest of the three cities for the past several years. It was 1.1 percent in 2008, 1.0 percent in 2009, and rose to 1.8 percent in 2010. Such low vacancy rates would suggest that renters, particularly low-income renters, may struggle to find suitable units.

**Figure 1: Vacancy Rates in Select Ontario Cities (2008, 2009)**



Source: Settlement.org, 2009

**Figure 2: Vacancy Rates in Waterloo Region (2008 – 2010)**



Source: Canada Mortgage and Housing Corporation, Rental Market Report Kitchener and Guelph CMA's, 2009, 2010

## Affordability

Rents can vary considerably. The overall vacancy rate does not distinguish between different rental categories. Typically, housing is considered affordable if less than thirty percent of gross income is spent on shelter. Statistics Canada reported that in 2006, 24.9 percent of households across the country were paying more than thirty percent of their income on rent. (Statistics Canada, 2009).

Individuals and families who have a medium to low income may live in subsidized housing. For many tenants, having subsidized housing allows them to afford the rent and avoid homelessness. However, wait lists can be long. The wait for subsidized housing in Waterloo Region has been an ongoing concern. In Cambridge, for example, the current wait time for a two bedroom townhouse is about two years, while the wait time for a one bedroom apartment is up to six years. There are upwards of seven hundred Cambridge families currently on the waiting list for subsidized housing. While this is an improvement from the one thousand families that were on the waiting list in 2000, there are still a very large number of families who are waiting to be housed in accommodations they can afford (Community Housing Action Centre, Personal Communication, 2010).

## Urban Growth and Development

Development is necessary for all cities. New development allows for the normal growth of the current population, as well as attracting new residents to the city. New residents contribute to the overall economic health of the city and all the stores and businesses located within the city. This makes for a more vibrant economy (Suite101.com, 2010). Development allows residents to have a wide variety of options to choose from if they decide they need new housing accommodations (Royal Bank of Canada, 2010). Development also allows for the revitalization of a city, as is apparent with the recent construction in the downtown cores of Kitchener, Cambridge, and Waterloo.



*New Condominiums: Kaufman Lofts in Kitchener and 144 Park in Waterloo*



*New Condominiums located in Cambridge: Tiger Brand building in downtown Galt and Riverbank Condominiums on Speed River in Hespeler.*

Condominiums can be developed from buildings that were formerly used for a different purpose, such as a factory. Examples, pictured above, are the new condominiums in Kitchener and Cambridge that were converted from former factories. This alternate use of existing space is beneficial for a city, as it rebuilds some of the properties in need of repair and use, and leaves rural areas and open spaces undeveloped.

## Introduction to Condominium Conversion

Condominiums have become a convenient and popular option for homebuyers throughout Canada. They are more affordable than detached homes, and are becoming a very popular option for first-time homebuyers. Condominiums are also appealing to people who wish to own a home with minimal maintenance responsibilities, as well as to seniors (Canadian Centre for Policy Alternatives-Manitoba, 2010). Condominiums provide all of the benefits of owning a home at a much lower price than a traditional single-family detached home. They can be built to be very modern and have many popular additions and upgrades that can be included during construction (Commercial Focus Advisory Services Inc, n.d.). Condominiums and condominium conversions generally become popular when the average price for a single-family home rises above the amount that first-time home buyers can generally afford (DALA Group of Companies, 2006).

There are two common ways for condominiums to be developed. The first way is for a condominium building to be constructed on a vacant plot of land. The second method is to convert an existing apartment building into condominiums. This second option is what will be focused on for the purposes of this paper.

Converting an existing apartment building into condominiums may be easier and more cost-effective for the developer. It also gives existing tenants the option to purchase a condominium, when owning their property may not have been an option for them previously (OntarioRealEstateSource.com, n.d.). However, there are also disadvantages. It has been suggested that cities should normally have a rental stock that accounts for between twenty-five and forty percent of all housing within the city (World Wealth Builders, 2011). Converting existing rental buildings into condominiums can, over time, severely diminish the rental stock of a city. This is important because rental stock is not being rebuilt as quickly as it has been in the past, and the diminished supply of rental stock can result in a lower vacancy rate for a municipality (Merriman, Pringle, 2008). If the building that is converted charged a lower rent than other apartments, then the low-income population of the city would be affected.

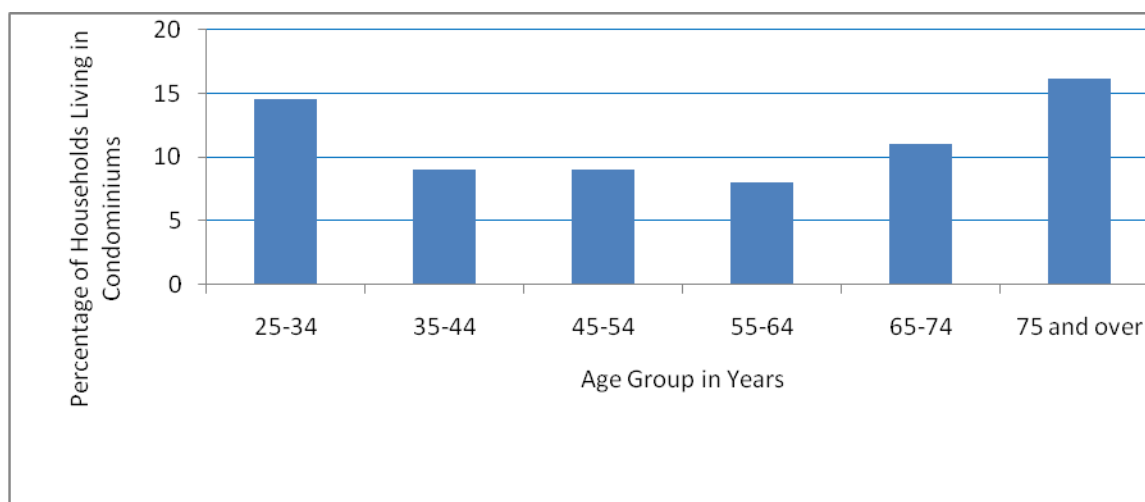
The Government of Ontario previously oversaw maintenance of the affordable rental supply under the Rental Housing Protection Act (1990). When the Act was repealed in 1998, the Government's role in the provision of affordable housing stock was abandoned. This allowed the private sector to do as it pleased with rental properties. Some building owners chose to convert their buildings into condominiums to decrease taxes while simultaneously increasing the value of their properties.

After condominium conversions became widely popular and many rental units were lost, some municipalities decided to adopt their own individual condominium conversion policies. However, these policies often only come into effect when the vacancy rate of a city is low. Once the vacancy rate of a city rises there is little, if any, protection provided through that city's condominium conversion policies. While a city's adoption of its own condominium conversion policies does protect a city from having its rental supply completely diminished in times of high demand, there is generally nothing in place to protect a city from a diminishing rental supply in other instances, such as when the vacancy rates rise. (City of Pickering, Planning Department, Personal Communication, 2011).

### Popularity of Condominium Ownership by Age Group

Today nearly eleven percent of Canadians live in condominiums (Statistics Canada, Censuses of Population 1981 to 2006). The popularity of condominium ownership varies by age. The twenty-five to thirty-four age group reported 14.5 percent of homeowners living in condominiums. This was almost five percent higher than the rate reported five years previously (Statistics Canada, Changing Patterns in Canadian Homeownership and Shelter Costs, 2006 Census: Housing Life Cycle, 2010). The popularity of condominium ownership lessens in the next age groups. Households where the primary household maintainer was aged thirty-five to forty-four reported nine percent condominium ownership. These numbers are also similar for the forty-five to fifty-four age category. The fifty-five to sixty-four age range reports slightly over eight percent of households living in condominiums. The popularity of condominium ownership rises again in the next age groups, with eleven percent of households in the sixty-five to seventy-four age category living in condominiums, and this increases to 16.2 percent of households in the seventy-five and over age group. However, it should be noted that the number of renters is significantly higher than the number of condominium owners across all age groups.

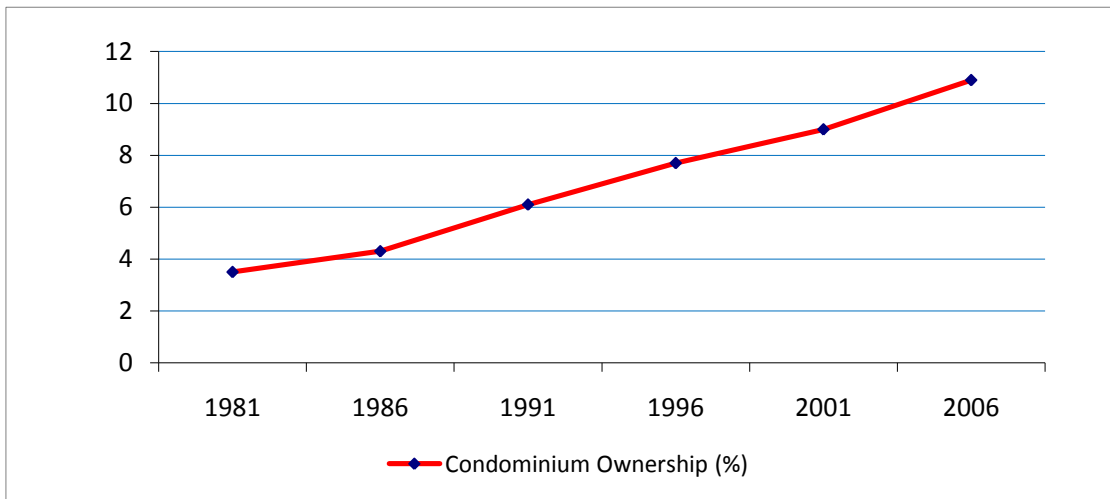
**Figure 3: Popularity of Condominium Ownership by Age (2006)**



Source: Statistics Canada, 2006 Census Changing Patterns in Canadian Homeownership and Shelter Costs, 2006 Census: Housing Life Cycle

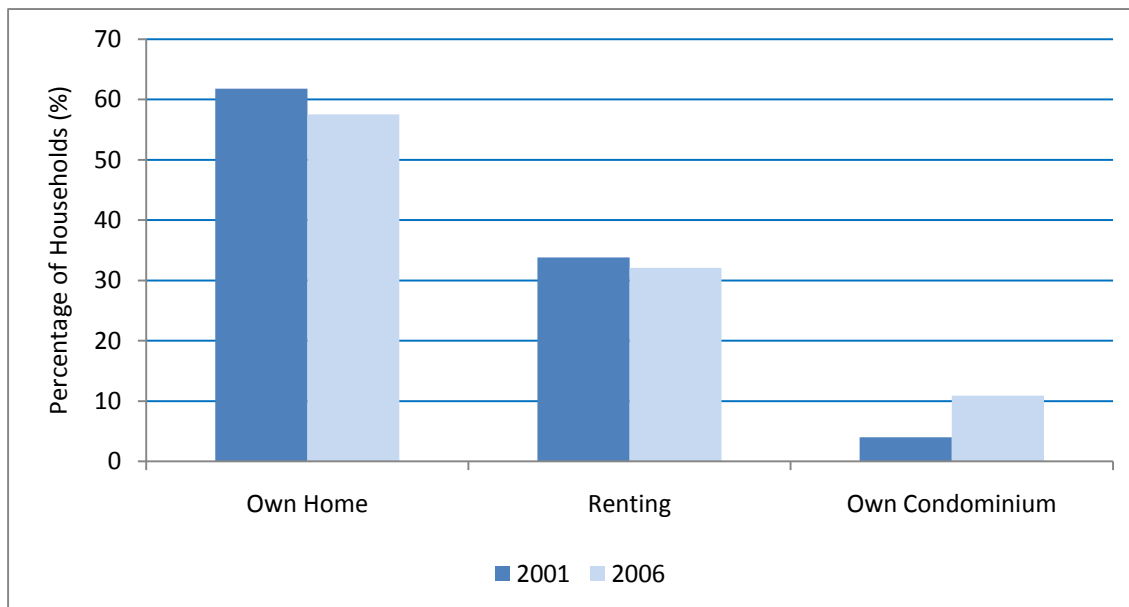
While condominiums are important for a city to have to be able to offer to residents, they are not a viable option for many households. It is important for cities to have an adequate supply of rental housing, including an adequate number of low-income rental units, to meet existing and future demand.

**Figure 4: Percent of Canadian Home Owners Living in Condominiums (1981-2006)**



Source: Statistics Canada, Censuses of Population 1981 to 2006

**Figure 5: Housing Trends in Canada (2001-2006)**



Source: Statistics Canada, Housing affordability for owner and renter households, showing presence of mortgage and condominium status for owner households, 2006 counts, for Canada, provinces and territories.

Figure 5 shows housing trends from 2001 to 2006, as recorded by Statistics Canada. While the most significant increase is in condominium ownership, this housing choice accounts for only a small proportion of all housing in Canada (Statistics Canada, Changing Patterns in Canadian Homeownership and Shelter Costs, 2008).

It has been over forty years since much of Canada's rental stock was constructed and many older rental buildings are in need of repair and upgrading. While the number of families who are homeowners has increased, in part due to condominium ownership, there needs to be more attention given to the rental stock throughout the country. There need to be more options for those who cannot afford or do not wish to buy their own home, whether it be a single-family detached house or a condominium (Merriman, Pringle, 2008).

### Condominium Conversions in Waterloo Region

According to the Regional Municipality of Waterloo, the condominium conversion rates for Waterloo Region are not alarmingly high. There have only been six condominium conversions approved in Cambridge, eighteen in Kitchener, and two in Waterloo since 2005. However, it should be noted that condominium conversions can be for very large rental buildings, so while this number represents the number of proposals accepted, it is not representative of the total number of rental units lost (Region of Waterloo, Planning Department, Personal Communication, 2011). The following chart illustrates the number of condominium conversions approved in Waterloo Region since 2005. The number of condominium conversions approved and the number of new condominiums registered also do not match. This can be for various reasons, such as the developer encountering problems or running out of money (Region of Waterloo, Planning Department, Personal Communication, 2011).

**Figure 6: Condominium Conversions in Waterloo Region Since 2005**

Municipality	Residential Condo Applications Since 2005	Residential Condo Conversion Applications Since 2005	Residential Condos Registered Since 2005	Residential Condo Conversions Registered Since 2005
Cambridge	19	6	14	3
Kitchener	53	18	32	11
North Dumfries	0	0	0	0
Waterloo	15	2	21	3
Wellesley	1	1	1	1
Wilmot	4	0	5	0
Woolwich	3	0	3	0
<b>Waterloo Region</b>	<b>95</b>	<b>27</b>	<b>76</b>	<b>18</b>

Source: Region of Waterloo Planning Department

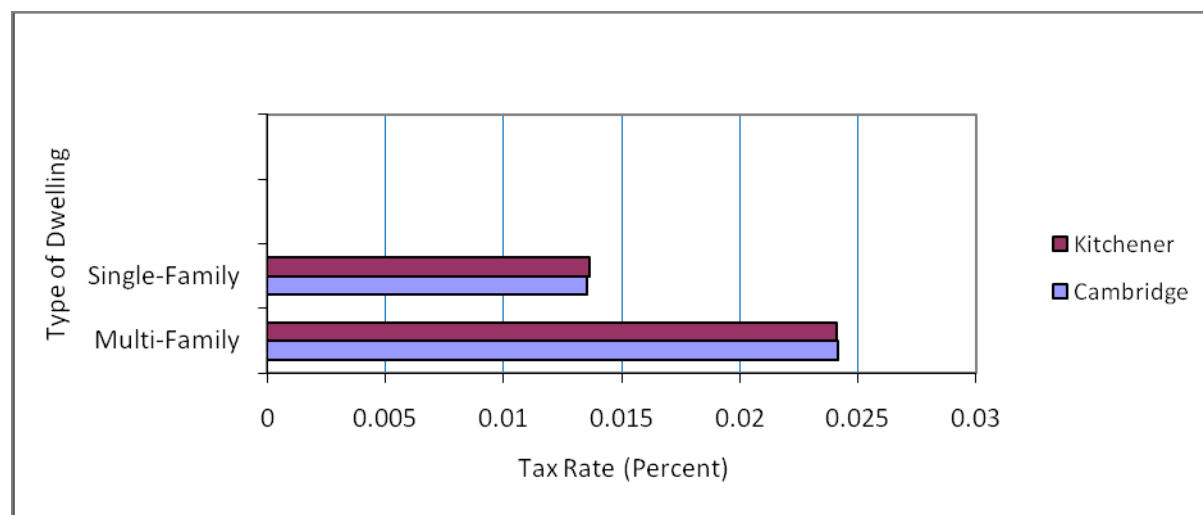
Kitchener has the highest condominium conversion rate, followed by Cambridge. It should be noted that while twenty-seven condominium conversion applications in Waterloo Region may not seem like a very large number, the amount of rental units combined in all of the converted condominiums are units that are now lost to the rental market forever. For example, the City of Cambridge had two hundred and fifty-one units lost as rentals to the city because of condominium conversions, with many of these units being lower-rent, affordable units (City of Cambridge, 2004).

## Incentives for Condominium Conversions

Condominium owners receive significantly better property tax benefits than owners of apartment buildings. This is because apartments are considered multi-family properties by the government and are taxed as such. Condominiums, although still multi-family properties, can be sold individually and then can be considered single-family properties. This allows for the owner of the condominium building to be taxed up to 3.8 times less than owners of apartment buildings. This is an incentive for owners of apartment buildings to want to convert the buildings into independently owned condominiums (DALA Group of Companies, 2006).

For example, the 2010 tax rate for multi-family properties, or apartment buildings, in Cambridge was 0.0241391 percent. The 2010 tax rate for a single family dwelling, including condominiums, was 0.0135531 percent. This rate is multiplied by the current value of the property to calculate the amount of property tax to be paid annually (2010 City of Cambridge Tax Rates, 2010). This difference in the tax rates between apartments and condominiums results in a higher tax rate of 0.010586 percent for the owners of apartment buildings. The apartment building owners have to pay double the tax that condominium building owners do. Many apartment owners see this as incentive to convert their buildings into condominiums. Overall it can be cheaper for the owner to upgrade all units and then sell the units individually as opposed to renting them out (DALA Group of Companies, 2006). Figure 7 shows the 2010 tax rates for single-family and multi-family dwellings in Cambridge and Kitchener. The City of Waterloo is not included as Waterloo charges similar taxes for both single-family dwellings and multi-family dwellings, but the tax rates are not comparable to Kitchener and Cambridge (City of Waterloo, 2010).

**Figure 7: 2010 Tax Rates for Cambridge and Kitchener**



Source: *City of Cambridge, 2010; City of Kitchener, 2010*

Apartment owners who choose to convert to condominiums enjoy higher revenue for their property. A condominium unit can be worth up to two and a half times what a well-maintained apartment unit is worth. Converting to condominiums and ensuring the work done is of good quality can be costly, but the units will generate much revenue for the owner as an end result (Commercial Focus Advisory Services Inc., n.d.). These two factors, when combined, create a very compelling reason for an owner of an apartment building to convert the building into condominiums and then sell the units individually. And with no existing government policies at either the federal or provincial level to protect these rental

units, there is nothing stopping the owners from converting their buildings except for any policies that individual municipalities may have in place. There are policies in place to protect the existing tenants, but not the rental buildings themselves. This is why it is important for a city to have very clear, detailed condominium conversion policies in place that protect the rental supply of a city.

## Protection for Tenants and Rental Units in Canada

In Canada each individual province is responsible for implementing its own policies regarding tenant protection and protecting the supply of rental housing, including general policies regarding condominium conversions (Canada Mortgage and Housing Corporation, 2011). The provinces have generally responded by creating legislation and by-laws that allow for minimal protection for tenants against eviction for reasons not involving non-payment of rent, etc. Most provinces have their own separate Residential Tenancies Act. These Acts are legally binding and are overseen by the province's rental authority (Canada Mortgage and Housing Corporation, 2011). Some provinces have very limited protection to offer tenants specifically from eviction due to condominium conversion, while other provinces set some very good basic guidelines. Each province's policies, both regarding evictions due to the landlord requiring personal use of the property, and evictions due to the landlord converting the property into condominiums, are examined below.

It should be noted that while it is important to protect the tenants from eviction due to condominium conversion, it is equally important to have policies in place that protect the rental stock of a city, especially when vacancy rates are low. Offering tenants the highest amount of protection possible would be great for the residents within the city, but could still not be in the best interests of the city itself. This is because the units that are converted to condominiums are lost to the rental market despite any tenant protection offered. Policies that protect the rental supply, whether the tenants of the building will be negatively affected by the conversion or not, need to be implemented country-wide. The supply of rental housing cannot protect itself and is not likely to be rebuilt or replaced after it is significantly depleted (Merriman, Pringle, 2008).

Protecting the rental stock also helps protect affordable housing. Less condominium conversion results in less competition for remaining rental units (Ontario Ministry of Municipal Affairs and Housing, 2007). Protecting rental units helps to protect the availability of affordable housing. Diversity in housing options is necessary for all provinces, as there are far too many people in Canada who are struggling to pay for their accommodations (Ontario Ministry of Municipal Affairs and Housing, 2010).

**Figure 8: Tenant Protection in Canadian Provinces**

Province	Laws Concerning Condominium Conversion
Ontario	<ul style="list-style-type: none"> <li>• When property will become a condominium, lease cannot be terminated for landlord's personal use of property (security of tenure)</li> <li>• Tenant receives first right of refusal with 72 hours to match offer for first offer to buy unit</li> <li>• Tenant receives 120 days notice of intent to convert to condominium</li> <li>• Tenants cannot be forced to leave their homes because of condominium conversion</li> </ul> <p><a href="http://www.ontariotenants.ca/law/act05.phtml">http://www.ontariotenants.ca/law/act05.phtml</a>  <a href="http://www.isthatlegal.ca/index.php?name=termination_regular.tenant_law_ontario">http://www.isthatlegal.ca/index.php?name=termination_regular.tenant_law_ontario</a>  <a href="http://www.isthatlegal.ca/index.php?name=termination_regular.tenant_law_ontario">http://www.isthatlegal.ca/index.php?name=termination_regular.tenant_law_ontario</a></p>
Quebec	<ul style="list-style-type: none"> <li>• Tenants must be informed of conversion before application is made</li> </ul>

	<ul style="list-style-type: none"> <li>• Tenants receive an unlimited right to remain in their dwellings</li> <li>• If there is work done on the building beforehand to prepare for the conversion or if there is efforts made to evict tenants, the application will not be approved</li> <li>• Names of all tenants are kept to ensure tenants are not forced from their homes</li> <li>• Some cities have conversion bans</li> </ul> <p><a href="http://www.rdl.gouv.qc.ca/en/publications/conversion.asp">http://www.rdl.gouv.qc.ca/en/publications/conversion.asp</a></p>
Alberta	<ul style="list-style-type: none"> <li>• Tenant receives 1 year notice and no rent increases during this year once proposal is accepted</li> <li>• Purchaser must also give tenant 3 months notice</li> <li>• Notice must be in writing from purchaser to landlord, and from landlord to tenant before tenant can be evicted</li> <li>• Tenants can be evicted for landlord to convert units to condominiums</li> </ul> <p><a href="http://www.servicealberta.ca/pdf/tipsheets/Information_for_Landlords_and_Tenants.pdf">http://www.servicealberta.ca/pdf/tipsheets/Information_for_Landlords_and_Tenants.pdf</a>  <a href="http://www.servicealberta.ca/1030.cfm">http://www.servicealberta.ca/1030.cfm</a>  <a href="http://tenant.landlordandtenant.org/movingoutfacts/llord_ends.aspx?id=464">http://tenant.landlordandtenant.org/movingoutfacts/llord_ends.aspx?id=464</a></p>
British Columbia	<ul style="list-style-type: none"> <li>• Allows for tenants to be evicted for condominium conversions</li> <li>• Approving authority must take into consideration the priority of rental housing as opposed to privately owned housing in the area; proposals for relocation of current tenants of the building</li> </ul> <p><a href="http://www.tigerseye.ca/navframe.htm?http://www.fin.gov.bc.ca/">http://www.tigerseye.ca/navframe.htm?http://www.fin.gov.bc.ca/</a></p>
Manitoba	<ul style="list-style-type: none"> <li>• Tenants receive first right of refusal with 30 days to make an offer</li> <li>• Tenants have 2 years to reside in unit after proposal for condominium is approved</li> <li>• 3 months notice is then required for landlord's use of the property</li> <li>• 1 month notice is required for purchaser's use of the property</li> <li>• The tenants' moving expenses are paid by the landlord</li> </ul> <p><a href="http://www.tigerseye.ca/navframe.htm?http://www.gov.mb.ca/cca">http://www.tigerseye.ca/navframe.htm?http://www.gov.mb.ca/cca</a></p>
Nova Scotia	<ul style="list-style-type: none"> <li>• Landlords must give no less than 3 months and no more than 6 months notice for tenants to vacate units</li> <li>• Evictions for conversion to condominiums are allowed</li> </ul> <p><a href="http://www.tigerseye.ca/navframe.htm?http://www.gov.ns.ca/snsmr">http://www.tigerseye.ca/navframe.htm?http://www.gov.ns.ca/snsmr</a></p>
Saskatchewan	<ul style="list-style-type: none"> <li>• Landlords must give tenants 1 month notice</li> <li>• Tenant has the right to a hearing if they apply within 30 days of receiving notice of termination of tenancy</li> </ul> <p><a href="http://www.tigerseye.ca/navframe.htm?http://www.saskjustice.gov.sk.ca/">http://www.tigerseye.ca/navframe.htm?http://www.saskjustice.gov.sk.ca/</a></p>
Newfoundland	<ul style="list-style-type: none"> <li>• Landlords may evict tenants for condominium conversions</li> <li>• Tenants that have resided in unit for 5 years have a 72 hour first right of refusal</li> <li>• Tenants must be given a minimum of 3 months notice to vacate the premises and can apply for an extension if the tenant will face financial hardship</li> </ul> <p><a href="http://www.assembly.nl.ca/legislation/sr/statutes/r14-1.htm#17_">http://www.assembly.nl.ca/legislation/sr/statutes/r14-1.htm#17_</a></p>

## Ontario

Ontario previously offered protection for tenants under the Tenant Protection Act. That Act has now been repealed and replaced with the Residential Tenancies Act (Residential Tenancies Act, 2006). In normal circumstances, landlords may evict their tenants if the landlord requires personal use of the property. Tenants are offered security of tenure. This means that the leases of existing tenants cannot be terminated so the property can be personally used by the landlord. While landlords can terminate a lease under other circumstances for their own personal use of the property, they are barred from doing so when the property may become a condominium (Ontario Tenants Rights, 2006).

The landlord can also not terminate a tenancy in order for the purchaser of the unit to have the unit for their own, their spouses, their parents or their children's personal use. The tenants can continue to live in the unit as renters and the new owners then become the tenants' landlords (is that legal.ca, 2010). However, while the landlord or the purchaser is not allowed to increase the rent for the costs of converting the units into condominiums, they can apply for an above average rental increase for other reasons. This could put the apartment out of some of the existing tenants' price range. After a tenant leaves, the next tenants can receive a significant rent increase when compared to the rent paid by the last tenants (Ontario Ministry of Municipal Affairs and Housing, 2007).

The Residential Tenancies Act states that tenants must be given one hundred and twenty days notice if they must vacate a unit for extensive repairs required in a unit. This could potentially include any extensive repairs required during the conversion process. They also receive the first right of refusal to continue to rent the unit once the renovations have been completed (Residential Tenancies Act, 2006). Tenants are also offered the first right of refusal to purchase the unit. This means that if the landlord receives an offer for the condominium that the tenant resides in, the tenant has the opportunity to match the offer and purchase the unit. The tenant has seventy-two hours to make the landlord an offer of an equal monetary value and equal conditions. However, if the tenant cannot make an offer to the landlord, then the landlord may sell the unit to the other party (isthatlegal.ca, 2010).

It should be noted that a landlord can legally evict clients for conversion of units for non-residential purposes and also for repair, renovation or demolition of the building. Tenants can be offered many provisions including being offered another acceptable unit, advance notice of termination, first right of refusal if property will be rented again, the equivalent of three month's rent returned to them, or other such provisions that protect these tenants (Residential Tenancies Act, 2006).

There is protection offered for tenants as they cannot be forced to leave their home for the owner's own use if their rental unit is converted into a condominium. However, once that tenant leaves that unit, it can then be occupied by the owner and subsequently lost as a rental unit. This is not always the case, as owners may purchase units that have tenants living in them as an investment and continue to rent the units after the original tenants leave. Converting entire rental buildings into for-purchase condominiums can severely deplete the rental supply, whether the tenants are permitted to remain in the unit afterwards or not (Commercial Focus Advisory Services Inc, n.d.). And with the Canada-wide average of only nine percent of all new housing built being dedicated to rental housing as discussed earlier, depletions of rental stock due to condominium conversion may never be rebuilt (Merriman, Pringle, 2008).

Many municipalities and regions within Ontario have designed their own policies regarding condominium conversions. Many municipalities also have policies on the percentage of each new building that must be dedicated to affordable housing (City of Thunder Bay, 2005).

## Quebec

In Quebec, an application for a condominium conversion must include proof that all tenants of the building were informed of the landlord's intent to convert. Once the tenant is given this notice, the tenant receives an unlimited right to remain in the premises in their dwelling. Quebec also has certain cities where conversion is not allowed without special permissions, such as Montreal. Condominium conversions in these areas where conversion bans are in effect require a hearing and decision from the local city council as well as additional fees. In a city where condominium conversions are permitted, owners must obtain a certificate that states no by-laws preventing the condominium conversion exist. The notice of the intent to convert must be posted on the existing rental building, and any residents can send a written representation within ten days of the posting of the notice in order to be heard by council. Once council reaches a final decision, they keep records of the names and apartment numbers of all current remaining tenants so no further efforts to repossess the tenants' units can be made (Gouvernement du Quebec, 2006).

The application for conversion must be denied if it is found that a landlord illegally evicted a tenant from the building, or work was done on the building to prepare it for conversion and evict a tenant. The landlord can also not have any outstanding harassment complaints from tenants during the last five years. If any of these conditions are proved to be true, then the application cannot be legally approved. Conversions are also not permitted in housing co-ops, non-profit organizations, a municipal housing corporation, or when a building has been built, purchased, restored or renovated with the assistance of a government housing program (Gouvernement du Quebec, 2006).

A new trend of concern in Quebec is the conversion of rental apartments to cooperative buildings. Tenants of condominium conversions enjoy security of tenure, while tenants of co-op conversions do not always receive security of tenure. This is because the end result of a co-op conversion can be fewer units, so therefore the co-op accommodates fewer tenants than the previous rental building (Montreal Gazette, 2008).

## Alberta

In Alberta, the owner of an apartment building must give the tenant one year's notice before their rental agreement can be terminated under the Residential Tenancies Act (Service Alberta, 2010). Additionally, any rent increases are not permitted during this year. Once the condominium unit has been sold and the purchaser wishes the unit to be vacated, the purchaser must request in writing that the seller then issue the existing tenant a three month termination of tenancy notice. If the buyer does not give a written request to the seller for vacant possession, the buyer then becomes the landlord of the existing tenant (Government of Alberta, 2011). In Alberta, a landlord can end a tenancy for any of his or her relatives to live in the unit, compared to the strict rules for who the unit must be needed by that are set in Ontario. The landlord can evict tenants if he or she proposes to convert the units into condominiums providing the proposal is at the land titles office or the plan has already been registered (Laws for Tenants in Alberta, 2005). The Provincial Government of Alberta does not delegate the individual municipalities the authority to restrict the conversion of the rental house stock built before 1966 (Calgary Housing Action Initiative, 2005).

## British Columbia

The laws in British Columbia allow for landlords to terminate leases with tenants in order to convert the property into condominiums (Government of British Columbia, n.d.). Landlords and tenants in British Columbia are governed by The Strata Property Act. Under this Act, any proposals for condominium conversions are approved by people of authority in the area the proposed condominium will be located

in. For example, if the condominium is on an Aboriginal Reservation, then the governing treaty of that reservation makes the decision; if the condominium will be on municipal or regional land, then the municipal or regional council makes the decision. The approving authority must take into consideration such factors as the priority of rental housing as opposed to privately owned housing in the area, proposals for relocation of current tenants of the building, and the life expectancy of the building (Government of British Columbia, n.d.). There is limited tenant protection offered in British Columbia.

## Manitoba

Manitoba is suffering the effects of multiple conversions of apartment complexes into condominiums throughout the province. In 2010, the Canadian Housing and Mortgage Corporation reported that Manitoba as a whole had an average rental vacancy rate of 1.1 percent, which is among the lowest of all Canadian provinces. Many neighbourhood organizations and agencies throughout the province view housing as their most pressing issue. Residents of Manitoba are experiencing many apartment-to-condominium conversions as well as many above-market rent increases in remaining apartments due to the ability of the landlords to charge higher rents for the units. In a low vacancy market, landlords will have little trouble finding tenants who are willing to pay above-average rents for their units (Canadian Centre for Policy Alternatives-Manitoba, 2010).

Manitoba also offers the right of first refusal to its tenants in instances of condominium conversion. Manitoba offers tenants thirty days to match the first offer made to the landlord, as opposed to the tenant having seventy-two hours to match the offer in Ontario (Government of Manitoba, n.d.). The tenant also has the right of first return to rent the unit after completion if it is to be rented, however the landlord is permitted to apply for the right to charge a higher rent for the unit than the tenant was previously paying. The tenant can be permitted to rent the unit for either two years or the number of years that the tenant resided in the unit prior to conversion, whichever is greater. The tenant is only supposed to pay the original rent plus allowable rent increases, but these allowable rent increases can put low-income renters out of the market if the landlord has applied for a higher allowable rent increase (Canadian Centre for Policy Alternatives-Manitoba, 2010). If the purchaser desires to rent the unit, the original tenant is permitted to reside in the unit for two years after the proposal for conversion to condominium is approved (Government of Manitoba, n.d.). The landlord is required to give the tenant at least five months termination notice before the tenant must vacate the premises for renovation or conversion, and the landlord must pay the tenant up to five hundred dollars to help pay for the tenant's moving costs (Canadian Centre for Policy Alternatives-Manitoba, 2010).

The landlord may terminate a rental agreement with a tenant for personal use of the unit. If the condominium is being sold, the purchaser must provide the landlord with a written request to evict the existing tenants. There must be three months notice to vacate the unit for the original landlord or owner's personal use, and one month's notice to vacate the unit for the new purchaser of the unit's personal use. The landlord or purchaser must pay the tenants' moving expenses, and the tenant is entitled to a compensation payment if the landlord or the purchaser or any members of their immediately families did not require personal use of the unit. This compensation includes any rent to be paid in the tenant's new unit that is higher than the rent paid in the previous unit for up to twelve months (Government of Manitoba, n.d.).

## Nova Scotia

Nova Scotia allows for a landlord to give a tenant no less than three months notice and no more than six months notice if they or a member of their immediate family requires personal use of the unit and the

existing tenant must vacate the unit. The landlord is also required to give the same amount of notice if the existing tenants must vacate the premises due to renovations (Government of Nova Scotia, 2011).

### **Saskatchewan**

Saskatchewan requires landlords to give tenants one month's notice if they must terminate a tenancy due to the landlord or a close family member or friend needing personal use of the unit, or the landlord's intent to convert the units into condominiums. The landlord can also evict a tenant if the purchaser of the condominium gives the landlord written notice of their intent to occupy the unit, or if a close family member or friend of the purchaser intends to occupy the unit. The tenant can dispute the termination within thirty days of receiving notice, and the landlord can be held liable for damages if the rental unit is not used for the stated purposes thereafter. The tenant has the right to a hearing by the Office of Residential Tenancies if they do not agree with the termination notice (Government of Saskatchewan, 2007). The laws in Saskatchewan differ from the rest of Canada in that a close friend, as opposed to a family member, may hold precedence over an existing tenant for occupancy of a rental unit.

### **Newfoundland**

Evicting tenants so landlords can convert units into condominiums is legal in Newfoundland. If a landlord receives an offer to purchase the unit and the tenant has resided in the unit for five years or more, the tenant must then be offered the first right of refusal with seventy-two hours to make a counter-offer to the landlord. If the landlord requires the tenant to vacate the premises, the landlord must give the tenant minimum three months notice. If the tenant will face undue financial hardship due to the amount of notice given, the tenant may apply for a hearing for an extension by the Residential Tenancies Division (Newfoundland and Labrador House of Assembly, 2006).

## **Condominium Conversion Policies in Waterloo Region**

### **Cambridge**

The overall vacancy rate must be above three percent, including units of a similar size and rent. The number of new rental units that are or will become available within the past twelve months is also considered. The conversion should not have an adverse supply on the rental stock of the City, particularly affordable housing. Existing tenants must also be permitted to continue to reside in the units after the conversion, and tenants must be offered the first right of refusal as to comply with the provincial standards (City of Cambridge, 2005).

### **Kitchener**

Kitchener does not have any individual condominium conversion policies as of yet. The Region of Waterloo Council recently approved a new Regional Official Plan which contains policies for condominium conversions, which are policies that Kitchener will adhere to. All other cities in Waterloo Region must also adhere to the Regional Official Plan, including Cambridge and Waterloo. The Regional Official Plan dictates that conversions are not permitted unless the vacancy rate is three percent or higher. Kitchener will also have to adopt similar condominium conversion policies as the Region when the City next amends its Official Plan, but as of yet has not decided how condominium conversion applications will be processed (City of Kitchener Planning Department, Personal Communication, 2011).

The Regional Official Plan approves conversions when the vacancy rate for the City the conversion is proposed to be in, as well as the vacancy rate for the entire Region, has been at or above three percent for

the preceding three years. A conversion may also be approved if it will address and result in the creation of affordable housing for home ownership. A conversion may also be allowed if the existing building is in such need of repair that the extensive costs of the repairs would cause the rent of the building to be raised above the affordability threshold. If the existing building is community housing, then the developer must replace the amount of community housing units lost due to the conversion at the same rent levels. The existing tenants must also be relocated to units of similar rents during the period of redevelopment to the satisfaction of the Region if there is to be extensive development done (Region of Waterloo, n.d.).

### **Waterloo**

The city generally discourages conversion of rental units containing five or more units. Approval may be granted if seventy-five percent of the existing tenants agree to the proposed conversion or if the landlord agrees to give all tenants the right of first refusal. The vacancy rate of all rental accommodations must also be at or above three percent. Approval may be granted, in consultation with both the owner and the current tenants, if some or all of these conditions are satisfied (City of Waterloo, 2004).

## **Environmental Scan of Policies in Other Municipalities**

### **Barrie**

Barrie has an approval process in conjunction with the Subdivision Process that assesses all plans for condominiums. This approval process protects residents from undue strain on community facilities, services and finances. The approval process also takes into consideration any provincial policies that apply to the proposed condominium (City of Barrie, n.d.). The City holds two public meetings with tenants to ensure the tenants understand the processes and policies of the City related to condominium conversion. The City then enters into an agreement with the applicant that can be terminated at any time if the applicant does not carry out all agreed-upon requirements. The applicant must agree to and begin construction on a new rental building containing the same number of units as the building that is to be converted. The tenants of the existing building are also to be given several benefits by the applicant. The tenants shall have the first choice of rental units if the converted building is still to be a rental, the first choice to purchase a condominium if they are for purchase, or the first choice of rental in the new rental building. The applicant must pay all moving costs for the tenants at the tenants' request. The applicant must also agree to subsidize the rents for the tenants moving into the new building for a period of one year. These provisions allow for much security for the existing tenants as well as no depreciation of the rental supply within the City (City of Barrie, 2010).

### **Brampton**

Brampton requires the owner of the building to survey the tenants on their position in regards to the proposed conversion. This survey must be attached to the application and is reviewed by City Council before the condominium conversion can be approved. The application must also follow all other applicable provincial policies (City of Brampton, 2011).

### **Brantford**

Brantford has policies in effect that ensure tenants of low-income or marginalized populations do not need to move because of a conversion, and their rent increase is minimal to none. If the tenants move, then the new tenants can pay a higher rent than the original tenants (Metroland Media Group Ltd, 2010). While affordable housing is a priority for the City of Brantford, it is not to be at the expense of the

current supply of affordable rental units. Condominium conversions shall be discouraged when the conversion will have an adverse impact on the supply of affordable rental housing within the City. The assessment of the potential effects of the conversion will be based on the vacancy rates of all rental units within the City, especially those of a comparative size, type, and rental rate. Conversions will not be considered unless the vacancy rate has been at or above three percent for the past three years. Brantford's condominium conversion policies do not apply to rental units in the downtown core area (City of Brantford Planning Department, Personal Communication, 2011).

### **Burlington**

The City of Burlington only allows for conversion of six or more units if the rental vacancy rate by dwelling/structure type has been above three percent for the past two years (City of Burlington, 2010). Additionally, new rental units must be created and there must be little financial or economic hardship on the existing tenants (City of Burlington, 2007). The City has guidelines to monitor the conversion of rental units to condominiums so the City can protect both the rental stock and the tenants (City of Burlington, 2010).

### **City of St. Thomas**

The City of St. Thomas is considering implementing further strategies to protect its rental stock from condominium conversion. The current policies state that the vacancy rate must be above three percent for four successive years. The conversion will be prohibited if it will have a negative effect on the affordable housing stock, either by rental amount, by bedroom count, or by neighbourhood. The City has completed extensive research to explore the impact of condominium conversions on the rental stock, and has decided that there must be action taken to protect the rental stock (Lapointe, L., 2008).

### **Clarington**

In Clarington, converting rental properties into condominiums is discouraged. The conversion may be allowed if several conditions are met. The vacancy rate for the city must be above three percent for two successive years and the rental vacancy rate for the specific bedroom type affected by the conversion must be two percent or higher. The conversion must also not result in a vacancy rate of below three percent for the City or below two percent for similar dwellings (Municipality of Clarington, 2010). The Official Plan for the Region of Durham must also be consulted when planning for a condominium conversion. The Region of Durham requires the vacancy rate to be at or above three percent for one year in the area of the proposed conversion, which is the municipality of Clarington. The conversion must also not reduce the vacancy rate to below three percent in the entire region or in the area (Durham Region, 2008).

### **Guelph**

Guelph discourages condominium conversions when the rental vacancy rate is below three percent, and prohibits them when the overall vacancy rate is below 1.5 percent. The vacancy rate must be above 1.5 percent for the past two years in order for the conversion to be considered. The City may also conduct housing surveys independently when necessary. When considering applications for condominium conversion, the City will have regard for the number of rental units proposed to be converted, the number of rental units currently under construction, and the impact of the conversion on the rental housing market (City of Guelph, 2001). Guelph has had a low vacancy rate as well as a large number of condominium conversions approved over the past several years, and city planners are concerned with the remaining supply of rental stock because no new rental housing is being constructed (Guelph Tribune, 2008).

### **Halton Hills**

Halton Hills carefully controls the amount of rental housing that is converted into ownership housing. The acceptable vacancy rate as is set out by guidelines contained in the Annual Housing Report is followed (Halton Hills, 2008).

### **Hamilton**

Hamilton allows for conversions when the local or City-wide vacancy rate is two or three percent or above, depending on the area, and will not drop below two or three percent as a result of the conversion. Conversion is prohibited when the rents charged for the existing units are below average market rent for the area by at least ten percent (City of Hamilton Planning and Economic Development Department, 2008). Hamilton also does not allow the condominiums to be geared for low-income residents (View, 2010). The units lost to conversion must be replaced in the same area at near the same rents as the previous apartments for a period of at least ten years. A tenant relocation and assistance program is also required, as well as seventy-five percent of the existing tenants supporting the conversion (City of Hamilton Planning and Economic Development Department, 2008).

### **Kingston**

The vacancy rate of the neighbourhood as well as the vacancy rate of the City must be considered in Kingston. The vacancy rate of the City and the neighbourhood must be above three percent. The supply of rental accommodation within the specified neighbourhood must not be negatively affected (City of Kingston, 2009).

### **London**

London's Official Plan contains provisions for the City to establish policies to control condominium conversion if it is demonstrated that there has been an adverse impact on the supply of affordable housing throughout the City (City of London, 2009). London does not have any other specific policies regarding condominium conversion (Corby, M., Planner, City of London, Personal Communication, 2011).

### **Milton**

Milton does not allow for condominium conversions unless the vacancy rate for rental structures exceeds an acceptable percentage level for each type of dwelling affected (Town of Milton, 2008). As the rental vacancy rate in Milton is currently extremely low, city staff does not support condominium conversions at this time. However, if the conversion will result in additional height and density for the building, therefore creating more units, then the conversion may be allowed (Milton Planning Department, Personal Communication, 2011).

### **Mississauga**

The policies for condominium conversion in Mississauga include that the owner of the building to be converted must sign an acknowledgment that all tenants have been informed of the proposed conversion and have been made aware of their rights under the Residential Tenancies Act (City of Mississauga Development Services, 1990). There is no additional protection offered to tenants other than what is in the Act. Condominium sales are excellent in Mississauga as many residents from Toronto or people who work in Toronto come to Mississauga in hopes of purchasing a condominium there. Mississauga is located close to Toronto with the advantage of not being as busy or crowded (Ezine Articles, 2011).

### **Muskoka**

The District of Muskoka will not approve a conversion of a rental building to condominium tenure unless the rental vacancy rate for both the District of Muskoka and the applicable municipality has been at or above three percent for the preceding two years. The rents charged for the current rental units must be already at or above the average market rent for both the municipality and the District (The District of Muskoka Planning and Economic Development Department, 2010).

### **Niagara Falls**

Condominium conversions of existing rental stock are discouraged in Niagara Falls. The protection of the current rental stock is a priority for the City, which discourages conversions when the vacancy rate is below three percent (Niagara Falls Planning and Development, 2010). City procedure dictates that the tenants of the existing building must be informed of the City Council meeting. The removal of rental units should not adversely affect the supply of affordable rental units within the City (City of Niagara Falls Planning Department, Personal Communication, 2011).

### **North Bay**

North Bay has no official condominium conversion policies in the Official Plan for the city. However, the City is in the process of having its new Official Plan approved, which does contain condominium conversion policies. The new Official Plan does not permit conversions at all unless the rental vacancy rate has been at or above three percent for the previous two years. If this condition is satisfied, there are still more conditions that must be met. The developer must have a signed agreement with fifty percent or more of the existing tenants to purchase their unit. If not, then the condominium units must provide a form of affordable ownership. The rents charged for the existing units may also be above average rents for the City based on the type of dwelling. The conversion may also be approved if the resulting conversion will have no demonstrated reduction on the availability of affordable housing. This is determined by the City of Peterborough's Planning Department (City of North Bay Planning Services, 2009).

### **Oakville**

The Town of Oakville generally discourages conversions from residential apartments to condominiums when the number of rental units falls below twenty-five percent of the total accommodation of the town (Town of Oakville, 2006). Oakville is currently well below that number, therefore condominium conversions are not supported at this time (Oakville Planning Department, Personal Communication, 2011)

### **Ottawa**

Ottawa prioritizes affordable and low-income rental housing stock. The City creates affordable housing by renovating and maintaining existing buildings and turning them into affordable housing (City of Ottawa, 2010). This keeps the rental market healthy as there is always new affordable housing being built each year. This ensures there are places that residents can affordably move if their apartment was threatened with conversion into condominiums. Ottawa has also adopted condominium conversion policies that are similar to those implemented in Toronto. These policies are facilitated through Official Plan, which limits the number of rental units that can be converted to an ownership format when vacancy rates are low. This policy was created with a goal of protecting the rental housing stock that is currently renting at below average market rents. The City of Ottawa does not allow for conversions unless the rental vacancy rate for similar types of dwellings has been above three percent for the past two years. The existing market rent of the units that are being considered for conversion must also be at

or above the average market rent for similar types of dwellings. A conversion will only be approved if these two conditions are met (Calgary Housing Action Initiative, 2005).

### **Peterborough**

The City of Peterborough will allow for conversions to condominiums provided that Council approves the conversion under the Rental Housing Protection Act. The condominium plan must then be approved under the Planning Act and the Condominium Act. Incentives must be provided to the existing tenants to allow them to either purchase the condominium unit or remain renting the unit after the conversion is completed. Examples of incentives provided are a subsidized rental rate or negotiable selling prices and terms (City of Peterborough, 2009).

### **Pickering and Ajax**

The City of Pickering may require applicants for condominium conversion to enter into agreements with the City regarding provincial and municipal policies relating to condominium conversion. Pickering has ordered a study of condominium conversion policies to be undertaken and may add these policies to the Official Plan (City of Pickering Planning and Development, 2010).

The Town of Ajax requires that all proposals for condominium conversions be accompanied by a justification for the need of the conversion, as well as demonstrate that there are sufficient rental units available to meet the town's long-term affordable housing needs. The Town is also currently in the process of a rental housing conversion study (Town of Ajax by the Lake, 2009).

The Official Plan for the Region of Durham must also be consulted when planning for a condominium conversion. The Region of Durham requires the vacancy rate to be at or above three percent for one year in the area of the proposed conversion, which is the combined municipalities of Pickering and Ajax. The conversion must also not reduce the vacancy rate to below three percent in the entire Region or in the area (Durham Region, 2008).

### **St. Catharines**

The City of St. Catharines requires the rental vacancy rate by dwelling/structure type to be at or above three percent (City of St. Catharines, 2010).

### **Sarnia**

Condominium conversions in Sarnia must not have an adverse supply on the supply of rental housing, particularly affordable rental housing. Affordable housing in Sarnia is defined as either a unit that does not charge more than thirty percent of a low to moderate income for rent, or a unit that charges rent at or below the average market rent of the area (City of Sarnia Community Development Policies, n.d.). Sarnia will only approve a condominium conversion if the vacancy rate for similar types of dwellings has been over three percent for two years. The rents for the existing apartments must also be already above market value. The proposed conversion also must not take away ten percent or more of the existing rental stock of similar types of dwellings. Lastly, the tenants must be invited to a meeting and are allowed to remain in their apartment for up to two years after the conversion (City of Sarnia Community Development Policies, nd).

### **Sudbury**

The City of Sudbury discourages any conversions to condominiums when the apartment vacancy rate falls below three percent (City of Greater Sudbury Planning Services Division, 2010). No other policies

have been adopted by the City of Sudbury to date (City of Sudbury Planning Department, Personal Communication, 2011).

### **Thunder Bay**

Thunder Bay will only approve an application to convert an existing rental building into a for-purchase condominium when the vacancy rate for all rental units within the City is three percent or higher. This is in an effort to maintain an appropriate supply of rental units within the City (City of Thunder Bay, 2005).

### **Toronto**

Toronto recognizes the importance of protecting its rental stock and has very clear and detailed policies pertaining to condominium conversion. The Residential Rental Property Demolition and Conversion Control by-law protects rental housing from demolition or conversion. The bylaw takes its policy direction from the City of Toronto's Official Plan and is used as a tool to implement these policies (City of Toronto, n.d.). In Toronto, the vacancy rate and the rental market must be healthy for three consecutive years before conversions in buildings of six or more units are considered. Units with rents under a certain amount, units designed for seniors or vulnerable populations, and units that are suitable for families are always protected (City of Toronto, 2007).

Even with the rental market and the vacancy rate healthy, there are several other factors that must be considered before a conversion is approved. These include considering the vacancy rate of affordable housing as well as the overall vacancy rate, as well as including the gains and losses in the affordable housing rental stock over the past five years, and present projects underway to create affordable housing. These studies are undertaken by the City of Toronto's Planning Department. If all of these factors are considered and the approval for conversion is accepted, there are still policies that must be followed to protect the tenants by the owner of the building. These may include finding tenants who do not wish to purchase a condominium a rental unit of comparative size, quality and price as the unit being left. Owners must also provide some financial assistance to tenants to help cover the costs of moving. The affordable housing stock must also be replaced. This ensures that the affordable housing stock in Toronto will remain available and plentiful (City of Toronto, 2007).

### **Windsor**

In Windsor, maintaining the rental supply is a priority. Before a proposal for conversion may be approved, the owner must notify all tenants of the intent to convert. The City must also ensure that the proposed conversion will not have an adverse effect on the rental supply of the city, particularly in the area of affordable housing. Affordable housing means that either the units charge thirty percent or below of a low to average income, or that the unit is at or below the average market rent for a similar unit in the city (City of Windsor, n.d.).

### **Whitby and Oshawa**

Whitby requires the vacancy rate for the Town and for the whole of Durham Region to be at two percent or higher for the previous two years. The Town of Whitby also will not approve a proposal for conversion to condominium if the conversion may cause the vacancy rate to decrease to below two percent (Town of Whitby, 2009).

Oshawa requires a vacancy rate of three percent or above before the conversion of rental units to condominiums will be approved. This is to help the City maintain an adequate supply of rental housing. (City of Oshawa, n.d.)

The Official Plan for the Region of Durham must also be consulted when planning for a condominium conversion. The Region of Durham requires the vacancy rate to be at or above three percent for one year in the area of the proposed conversion, which is the combined municipalities of Whitby and Oshawa. The conversion must also not reduce the vacancy rate to below three percent in the entire Region or in the area (Durham Region, 2008).

### York Region, Richmond Hill

York Region requires municipalities to adopt their own Official Plan policies that protect rental housing from conversion. Conversions that would result in a rental vacancy rate of less than three percent in the local municipality are prohibited (York Region, 2009).

Richmond Hill discourages all conversions from rental buildings to condominium tenure. This means that there is a lengthy process that must be followed in order for condominium conversions to be approved, and the benefit must be demonstrated. This is to maintain a balance between rental and ownership housing in the town. This also ensures that there are a range of different housing options within the town (Town of Richmond Hill, 2010).

**Figure 9: Condominium Conversion Policies in Select Municipalities across Ontario**

City	Condominium Conversion Policies
Barrie	<ul style="list-style-type: none"> <li>• City holds 2 public meeting with tenants</li> <li>• City enters into agreement with applicant</li> <li>• Applicant must construct the same amount of new rental units</li> <li>• Tenants have first choice of units in the new building, or first right of refusal</li> <li>• Applicant pays all moving costs for tenants</li> <li>• Rents in new building for existing tenants are subsidized for 1 year</li> </ul> <a href="http://www.barrie.ca/Content.cfm?C=597&amp;SC=1&amp;SCM=0&amp;MI=357&amp;L1M=4">http://www.barrie.ca/Content.cfm?C=597&amp;SC=1&amp;SCM=0&amp;MI=357&amp;L1M=4</a>
Brampton	<ul style="list-style-type: none"> <li>• Owner must include tenant survey regarding the proposed conversion with initial application</li> <li>• This survey is taken into consideration</li> </ul> <a href="http://www.brampton.ca/en/Business/planning-development/Documents/eForms/DevServ/sub_condo_guide.pdf">http://www.brampton.ca/en/Business/planning-development/Documents/eForms/DevServ/sub_condo_guide.pdf</a>
Brantford	<ul style="list-style-type: none"> <li>• Low-income and marginalized populations do not need to move because of a conversion</li> <li>• Their rent increase is minimal to none</li> <li>• Conversions are not approved when they will have an adverse impact on the affordable rental housing supply</li> <li>• Assessment is based on vacancy rate for all rental units, especially units of a comparative size, type and rent</li> <li>• Vacancy rate must be at or above 3 percent for past 3 years</li> <li>• Conversion policies do not apply to downtown core area</li> </ul>
Burlington	<ul style="list-style-type: none"> <li>• Vacancy rate by dwelling/type must be above 3 percent for past 2 years</li> <li>• New rental units must be created</li> <li>• Little to no financial or economic hardship on tenants</li> <li>• City has guidelines to protect both rental stock and tenants</li> </ul> <a href="http://cms.burlington.ca/AssetFactory.aspx?did=10257">http://cms.burlington.ca/AssetFactory.aspx?did=10257</a>
Cambridge	<ul style="list-style-type: none"> <li>• Vacancy rate must be at or above 3 percent including units of a similar size</li> </ul>

	<p>and rent</p> <ul style="list-style-type: none"> <li>• Number of new rental units available within past 12 months also considered</li> <li>• Conversion should not have an adverse impact on the rental supply, especially affordable housing</li> </ul> <p><a href="http://www.cambridge.ca/relatedDocs/2004%20OP%20Consolidation%20incl%20fig%20&amp;%20maps.pdf">http://www.cambridge.ca/relatedDocs/2004%20OP%20Consolidation%20incl%20fig%20&amp;%20maps.pdf</a></p>
City of St. Thomas	<ul style="list-style-type: none"> <li>• Vacancy rate must be above 3 percent for past 4 years</li> <li>• Conversion must not have adverse effect on affordable housing stock by bedroom count, rental amount, or neighbourhood</li> <li>• City will be implementing more strategies</li> </ul>
Clarington	<ul style="list-style-type: none"> <li>• <b>Clarington:</b> Vacancy rate must be above 3 percent for 2 years</li> <li>• Rental vacancy rate for bedroom type affected must be 2 percent or higher</li> <li>• Conversion must not result in vacancy rate below 3 percent for city or below 2 percent for similar dwellings</li> <li>• <b>Durham Region:</b> Official Plan for the Region of Durham must also be consulted</li> <li>• Vacancy rate must be 3 percent or higher for 1 year in city of conversion</li> <li>• Conversion must not reduce vacancy rate to below 3 percent in city or entire Region</li> </ul> <p><a href="http://www.clarington.net/htdocs/documents/Planning/OP-OCT-2010/Chapter%206%20Housing.pdf">http://www.clarington.net/htdocs/documents/Planning/OP-OCT-2010/Chapter%206%20Housing.pdf</a>  <a href="http://www.durham.ca/departments/planning/op_documents/dr_official_plan_2008/2008dropoc.pdf">http://www.durham.ca/departments/planning/op_documents/dr_official_plan_2008/2008dropoc.pdf</a></p>
Guelph	<ul style="list-style-type: none"> <li>• Discourages conversions when vacancy rate is below 3 percent</li> <li>• Prohibits conversions when vacancy rate is below 1.5 percent</li> <li>• Vacancy rate must be 1.5 percent or higher for past 2 years</li> <li>• City can conduct housing surveys when necessary</li> <li>• Number of rental units being converted, number of rental units currently under construction, and impact of conversion on rental stock are all considered</li> </ul> <p><a href="http://www.guelph.ca/uploads/PBS_Dept/planning/documents/Official_Plan_Nov.2006.pdf">http://www.guelph.ca/uploads/PBS_Dept/planning/documents/Official_Plan_Nov.2006.pdf</a>  <a href="http://www.guelphtribune.ca/news/article/112760">http://www.guelphtribune.ca/news/article/112760</a></p>
Halton Hills	<ul style="list-style-type: none"> <li>• Vacancy rate as set out by guidelines in Annual Housing Report are followed</li> </ul> <p><a href="http://www.haltonhills.ca/planning/pdf/official-plan/Official-Plan-Halton-Hills-2008-05.pdf">http://www.haltonhills.ca/planning/pdf/official-plan/Official-Plan-Halton-Hills-2008-05.pdf</a></p>
Hamilton	<ul style="list-style-type: none"> <li>• Local or city-wide vacancy rate must be 2 or 3 percent or higher, depending on area</li> <li>• Conversion must not cause the vacancy rate to fall below 2 or 3 percent</li> <li>• Conversion prohibited when rents charged for units are 10 percent below average market rent</li> <li>• Units lost must be replaced nearby at close to same rents for 10 years</li> <li>• Tenant relocation and assistance is required</li> <li>• 75 percent of existing tenants must support conversion</li> </ul> <p><a href="http://www.hamilton.ca/NR/rdonlyres/2C4D199C-1F66-4101-8BA8-6AEF77197E07/0/Nov27PED08283.pdf">http://www.hamilton.ca/NR/rdonlyres/2C4D199C-1F66-4101-8BA8-6AEF77197E07/0/Nov27PED08283.pdf</a></p>
Kingston	<ul style="list-style-type: none"> <li>• Vacancy rate of city and neighbourhood must be considered</li> <li>• Vacancy rates must be above 3 percent</li> </ul>

	<ul style="list-style-type: none"> <li>Rental supply within neighbourhood must not be negatively affected</li> </ul> <p><a href="http://www.cityofkingston.ca/pdf/cityhall/committees/planning/agenda/2009/PLN_A0709-SchedF.pdf">http://www.cityofkingston.ca/pdf/cityhall/committees/planning/agenda/2009/PLN_A0709-SchedF.pdf</a></p>
Kitchener and the Region of Waterloo	<ul style="list-style-type: none"> <li>Does not have municipal condominium conversion policies yet, will be adopting them soon</li> <li>City follows Region of Waterloo's conversion policies</li> <li><b>Waterloo Region:</b> Vacancy rate in both Region and city must be 3 percent or higher for past 3 years</li> <li>Can be approved if results in creation of affordable housing for home ownership</li> <li>Can be approved if existing building needs much repair</li> <li>For community housing, units must be replaced at similar rents</li> <li>For community housing, tenants must be relocated if extensive repairs are needed to units with similar rents during the conversion period</li> </ul> <p><a href="http://www.region.waterloo.on.ca/web/region.nsf/0/CA5BC18540AE6A2185257555006D0304/\$file/5%20Chapter3.pdf">http://www.region.waterloo.on.ca/web/region.nsf/0/CA5BC18540AE6A2185257555006D0304/\$file/5%20Chapter3.pdf</a></p>
London	<ul style="list-style-type: none"> <li>City may control conversion if there has been an adverse supply of affordable housing within the City</li> </ul> <p><a href="http://www.london.ca/Official_Plan/PDFs/Chapter-12.pdf">http://www.london.ca/Official_Plan/PDFs/Chapter-12.pdf</a></p>
Milton	<ul style="list-style-type: none"> <li>Vacancy rate must exceed acceptable percentage level for type of dwelling affected</li> <li>No conversions allowed at this time unless they will result in additional height and density for buildings</li> </ul> <p><a href="http://www.milton.ca/plandev/op/officialplan-text.pdf">http://www.milton.ca/plandev/op/officialplan-text.pdf</a></p>
Mississauga	<ul style="list-style-type: none"> <li>Owner must sign acknowledgement that tenants have been informed and made aware of their rights</li> <li>Condominium sales are excellent in Mississauga due to its close proximity to Toronto</li> </ul> <p><a href="http://www.mississauga.ca/file/COM/CondoApplication_Guide_Sept2010.pdf">http://www.mississauga.ca/file/COM/CondoApplication_Guide_Sept2010.pdf</a>  <a href="http://ezinearticles.com/?Activity-and-Growth-Are-All-Around-the-Mississauga-Condo-Market&amp;id=4187696">http://ezinearticles.com/?Activity-and-Growth-Are-All-Around-the-Mississauga-Condo-Market&amp;id=4187696</a></p>
Muskoka	<ul style="list-style-type: none"> <li>Vacancy rate for District and applicable city must be 3 percent or higher for past 2 years</li> <li>Rents charged for units must already be at or above average market rent for both district and applicable city</li> </ul> <p><a href="http://muskoka.fileprosite.com/FileStorage/EBFE5CAE0A9840BFA92513520B9AD323-Muskoka%20Official%20Plan%20November%2019-2010.pdf">http://muskoka.fileprosite.com/FileStorage/EBFE5CAE0A9840BFA92513520B9AD323-Muskoka%20Official%20Plan%20November%2019-2010.pdf</a></p>
Niagara Falls	<ul style="list-style-type: none"> <li>Tenants must be informed of council meeting</li> <li>Conversion should not adversely affect supply of affordable rental units</li> </ul> <p><a href="http://www.niagarafalls.ca/city_hall/departments/planning/pdf/official_plan.pdf">http://www.niagarafalls.ca/city_hall/departments/planning/pdf/official_plan.pdf</a></p>
North Bay	<ul style="list-style-type: none"> <li>Vacancy rate must be 3 percent or higher for past 2 years</li> <li>50 percent or more of tenants must sign agreement to purchase their unit</li> <li>Conversion must provide a form of affordable ownership</li> <li>Conversion may be approved if rents charged are already above average rents for the city based on dwelling type</li> <li>Conversion should result in no reduction in availability of affordable housing</li> </ul>

Oakville	<p><a href="http://www.cityofnorthbay.ca/common/pdf/uplan/0004-OfficialPlan-August2009.pdf">http://www.cityofnorthbay.ca/common/pdf/uplan/0004-OfficialPlan-August2009.pdf</a></p> <ul style="list-style-type: none"> <li>• Conversions discouraged when number of rental units falls below 25 percent of total accommodation of town</li> <li>• Conversions not approved at this time</li> </ul>
Ottawa	<p><a href="http://www.oakville.ca/Media_Files/Offical_Plan_2006_consolidation.pdf">http://www.oakville.ca/Media_Files/Offical_Plan_2006_consolidation.pdf</a></p> <ul style="list-style-type: none"> <li>• City creates affordable housing by renovating existing buildings</li> <li>• Keeps rental market healthy</li> <li>• Limits number of units that can be converted when vacancy rates are low</li> <li>• Rental stock charging below average market rents are protected</li> <li>• Vacancy rate for similar types of dwellings must be 3 percent or higher for past 2 years</li> <li>• Existing rents must already be at or above average market rent for similar types of dwellings</li> </ul>
Peterborough	<p><a href="http://housingaction.ca/learn/city_affordablehousinginottawa_3">http://housingaction.ca/learn/city_affordablehousinginottawa_3</a></p> <ul style="list-style-type: none"> <li>• Incentives must be provided to existing tenants to allow them to purchase unit or remain renting unit after conversion</li> </ul> <p><a href="http://www.peterborough.ca/Assets/City+Assets/Planning/Documents/Official+Plan.pdf?method=1">http://www.peterborough.ca/Assets/City+Assets/Planning/Documents/Official+Plan.pdf?method=1</a></p>
Pickering and Ajax	<ul style="list-style-type: none"> <li>• <b>Pickering:</b> Applicants must enter into agreement with city</li> <li>• Study of condominium conversion policies is underway</li> </ul> <p><a href="http://www.cityofpickering.com/standard/planning/official_plan/plan.html">http://www.cityofpickering.com/standard/planning/official_plan/plan.html</a></p> <ul style="list-style-type: none"> <li>• <b>Ajax:</b> Need for conversion must be justified</li> <li>• Sufficient rental levels for long-term affordable housing needs must be demonstrated</li> <li>• Study of condominium conversion policies is underway</li> </ul> <p><a href="http://www.townofajax.com/AssetFactory.aspx?did=8384">http://www.townofajax.com/AssetFactory.aspx?did=8384</a></p> <ul style="list-style-type: none"> <li>• Both cities adhere to the Official Plan for the Region of Durham</li> <li>• <b>Durham Region:</b> Vacancy rate must be 3 percent or higher for 1 year in the area of the proposed conversion</li> <li>• Conversion must not result in a reduction of the vacancy rate to below 3 percent in entire Region and in the area of the conversion</li> </ul> <p><a href="http://www.durham.ca/departments/planning/op_documents/dr_official_plan_2008/2008dropoc.pdf">http://www.durham.ca/departments/planning/op_documents/dr_official_plan_2008/2008dropoc.pdf</a></p>
St. Catharines	<ul style="list-style-type: none"> <li>• Vacancy rate must be at or above 3 percent</li> </ul> <p><a href="http://www.stcatharines.ca/en/documents/documentuploads/OfficialDocumentsAndPlans/doc_634201636043363648.pdf">http://www.stcatharines.ca/en/documents/documentuploads/OfficialDocumentsAndPlans/doc_634201636043363648.pdf</a></p>
Sarnia	<ul style="list-style-type: none"> <li>• Conversion must not have an adverse affect on the supply of rental housing, particularly affordable housing</li> <li>• Vacancy rate for similar types of dwellings must be 3 percent or higher for past 2 years</li> <li>• Rents must already be above market value</li> <li>• Conversion must not take away 10 percent or more of existing rental stock for similar types of dwellings</li> <li>• Tenants must be allowed to remain in their units for up to 2 years</li> </ul> <p><a href="http://www.city.sarnia.on.ca/pdf/OP_Part_5_Community_Dev_Policies.pdf">http://www.city.sarnia.on.ca/pdf/OP_Part_5_Community_Dev_Policies.pdf</a></p>
Sudbury	<ul style="list-style-type: none"> <li>• Vacancy rate must be 3 percent or higher</li> <li>• No other policies have been adopted by the city</li> </ul>

	<p><a href="http://www.greatersudbury.ca/content/div_planning/documents/OP_Text_For_Web_Sept_7_2010.pdf">http://www.greatersudbury.ca/content/div_planning/documents/OP_Text_For_Web_Sept_7_2010.pdf</a></p>
Thunder Bay	<ul style="list-style-type: none"> <li>• Vacancy rate must be 3 percent or higher</li> </ul> <p><a href="http://www.thunderbay.ca/Assets/_thunderbayassets/docs/planning/1721.pdf">http://www.thunderbay.ca/Assets/_thunderbayassets/docs/planning/1721.pdf</a></p>
Toronto	<ul style="list-style-type: none"> <li>• Vacancy rate and rental market must be healthy for past 3 consecutive years</li> <li>• Units with low rents, units designated for seniors or vulnerable populations, and units suitable for families are always protected</li> <li>• The vacancy rate of affordable housing as well as the overall vacancy rate must both be considered</li> <li>• Gains and losses in the affordable housing rental stock over the past 5 years must be considered</li> <li>• Present projects underway to create affordable housing are considered</li> <li>• If tenants do not wish to purchase a condominium, the owner may be required to find them another rental unit of comparable size, rent and quality</li> <li>• Owners must provide financial assistance to tenants to help cover moving expenses</li> <li>• The affordable housing stock must also be replaced</li> </ul> <p><a href="http://www.toronto.ca/planning/housing.htm">http://www.toronto.ca/planning/housing.htm</a></p>
Waterloo	<ul style="list-style-type: none"> <li>• Conversion may be approved if 75 percent of tenants agree to the conversion</li> <li>• Vacancy rate must be at or above 3 percent</li> <li>• Approval is granted in consultation with both the owner and the tenants</li> </ul> <p><a href="http://www.city.waterloo.on.ca/Portals/57ad7180-c5e7-49f5-b282-c6475cdb7ee7/DS_COMMUNITYPOLICY_documents/OP1990.pdf">http://www.city.waterloo.on.ca/Portals/57ad7180-c5e7-49f5-b282-c6475cdb7ee7/DS_COMMUNITYPOLICY_documents/OP1990.pdf</a></p>
Windsor	<ul style="list-style-type: none"> <li>• Conversion must not have an adverse affect on the rental supply , particularly affordable housing</li> </ul> <p><a href="http://www.citywindsor.ca/DisplayAttach.asp?AttachID=10387">http://www.citywindsor.ca/DisplayAttach.asp?AttachID=10387</a></p>
Whitby and Oshawa	<ul style="list-style-type: none"> <li>• <b>Whitby:</b> The vacancy rate for both the town and Durham Region must be at or above 2 percent for the past 2 years</li> <li>• The conversion must not cause the vacancy rate to drop below 2 percent</li> </ul> <p><a href="http://www2.whitby.ca/asset/pl-community_whitbyofficialplan-text.pdf">http://www2.whitby.ca/asset/pl-community_whitbyofficialplan-text.pdf</a></p> <ul style="list-style-type: none"> <li>• <b>Oshawa:</b> The vacancy rate must be at or above 3 percent</li> </ul> <p><a href="http://www.oshawa.ca/documents/060Housing.pdf">http://www.oshawa.ca/documents/060Housing.pdf</a></p> <ul style="list-style-type: none"> <li>• Both towns are governed by the Region of Durham</li> <li>• <b>Durham Region:</b> The vacancy rate must be 3 percent or higher for 1 year</li> <li>• Conversion must not cause vacancy rate in town or region to drop below 3 percent</li> </ul> <p><a href="http://www.durham.ca/departments/planning/op_documents/dr_official_plan_2008/2008dropoc.pdf">http://www.durham.ca/departments/planning/op_documents/dr_official_plan_2008/2008dropoc.pdf</a></p>
York Region, Richmond Hill	<ul style="list-style-type: none"> <li>• <b>York Region:</b> Municipalities must adopt their own condominium conversion policies</li> <li>• Conversions that would result in vacancy rate of 3 percent or less in the municipality affected are prohibited</li> </ul> <p><a href="http://www.york.ca/NR/rdonlyres/mlml5rxjuzlatqjpb4m4nsbsqhyuy54zupiwqhmtcdrjpex7grn5ducxgo6ytkjoue3ihexcpfbfvag43fjdxzd/apprv_AnnotatedApprovedYROP.pdf">http://www.york.ca/NR/rdonlyres/mlml5rxjuzlatqjpb4m4nsbsqhyuy54zupiwqhmtcdrjpex7grn5ducxgo6ytkjoue3ihexcpfbfvag43fjdxzd/apprv_AnnotatedApprovedYROP.pdf</a></p> <ul style="list-style-type: none"> <li>• <b>Richmond Hill:</b> All condominium conversions are discouraged</li> </ul> <p><a href="http://www.richmondhill.ca/documents/rh_official_plan_proposed_chapter3.pdf">http://www.richmondhill.ca/documents/rh_official_plan_proposed_chapter3.pdf</a></p>

## Summary and Promising Practices

While there is a place for condominiums in well-planned, growing cities, the protection of the rental stock must be of equal importance. It has been noted that condominiums are becoming increasingly popular, especially with first-time homeowners and seniors. This can cause an increased number of condominium conversions to take place. However, even with their increasing popularity, there is still a need for a balance of different housing alternatives.

Most provinces in Canada offer protection to their tenants against being forced out of their rental units by a condominium conversion. Tenants cannot be evicted or forced to move because their unit is being converted into a condominium throughout most of the country. However, there are some provinces that do allow for a tenant to be evicted due to a condominium conversion as long as the tenant is given adequate time to vacate the premises. While the majority of Canadian provinces have made regulations and acts that protect their tenants, there have been no provincial regulations made to protect the rental housing itself. While the rental stock is depleting faster than it is being rebuilt, it is important to have provincial and municipal guidelines in effect that protect the rental stock and the affordable housing stock.

Many provinces have allowed for individual municipalities to enforce their own condominium conversion policies. Some cities have responded with very specific provisions that allow for the city to maintain its rental stock while protecting certain units, especially when the vacancy rate is low. Many cities require the vacancy rate to be above a certain amount for a specific time before a conversion may be approved. Some cities, however, have not responded or yet seen the need to create their own condominium conversion policies. Many of the municipalities who do not have existing condominium conversion policies are now in the process of creating their own policies.

Waterloo Region does have some existing condominium conversion policies in place that protect the supply of rental housing within the Region. However, the condominium conversion policies located in the Region's Official Plan only offer protection to the rental supply of the municipalities when the vacancy rates are low. There are no provisions to protect the rental stock, particularly the future rental stock, or to protect certain rental supplies such as affordable housing or housing for marginalized individuals.

Condominium conversion needs to be properly addressed, not only in Waterloo Region, but in all municipalities throughout Canada. Cities must be proactive and develop policies that will protect the supply of rental stock. This is for the benefit of all residents, current and future, and the country as a whole.

The following list summarizes promising practices from this paper that could be included in the official plans of municipalities within. Amending official plans to include some or all of the recommendations would result in a more secure rental supply and more security against condominium conversion.

- Include a provision where rental units suitable for specific populations are protected. This will ensure that there will be adequate housing for low-income families, seniors, etc, even with condominium conversions. Units that charge rents that are below average market rent should also be protected. This strategy has been implemented in Toronto (City of Toronto, n.d.).

- Rents charged should already be above average rents before condominium conversions are approved. Examples of municipalities where this strategy has been implemented include North Bay and Ottawa, as well as the District of Muskoka (City of North Bay, 2009; City of Ottawa, 2010; District of Muskoka, 2010).
- Include a required time frame as well as a required vacancy rate for condominium conversions. Many municipalities have a required timeline of two or three years that the vacancy rate must be at or above a certain percentage before a condominium conversion can be approved. Examples of municipalities where this strategy has been introduced include Brantford and Burlington (City of Brantford, Planning Department, Personal Communication, 2011; City of Burlington, 2010).
- Take into account the overall rental vacancy rate as well as the vacancy rate by dwelling/bedroom type, the affordable housing vacancy rate, and the vacancy rate by neighbourhood. The vacancy rate for units of similar rents should also be considered. A standard vacancy rate does not take into account all the above factors. These strategies have been implemented in Brantford and Burlington (City of Brantford, Planning Department, Personal Communication, 2011; City of Burlington, 2010).
- Take into consideration all gains and losses in the rental stock over the past three years. If there has been little gain, then the conversion should not be approved unless the owner is willing to create replacement units. If there has been much loss, the conversion should also not be approved. Similar strategies have been implemented in Toronto (City of Toronto, n.d.).
- Have a requirement that seventy-five percent of tenants must agree to the conversion before approval can be granted. This strategy has been implemented in Waterloo and Hamilton (City of Waterloo, 2004; City of Hamilton, 2008). Also determine if any tenants would suffer any type of financial or economic hardship as a result of the conversion. If any tenants would suffer undue hardship, the owner of the building must relocate the tenant to a more suitable unit. Examples of municipalities that have implemented this strategy include Brampton and Waterloo (City of Brampton, 2011; City of Waterloo, 2004).
- Amend the tax rates to provide more incentive for rental apartment building ownership than condominium building ownership. A large factor in the popularity of condominium conversions is the tax breaks received by the owner after converting the unit.
- Allow conversions in certain areas of a municipality, for example, in the downtown core areas. This would allow for the revitalization of the downtown core areas and not affect the rental stock as severely if conversions were limited to certain areas. This strategy has been implemented in Brantford (City of Brantford, Planning Department, Personal Communication, 2011).
- Put a cap on the number of condominium conversions in a municipality annually, providing all the pre-determined criteria have been met. This will ensure that there are not a lot of conversions in times when the vacancy rate is healthy.
- Provide incentives for owners and developers to build more rental housing, particularly more affordable housing. Create incentives for owners or developers to use presently vacant buildings for condominium conversions. These strategies are adopted from the City of Cambridge's financial incentives for developing on contaminated sites (City of Cambridge, n.d.).

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