

Bill No. 029

CITY OF HAMILTON

BY-LAW NO. 13-029

**To Amend By-law 11-273 respecting the
Downtown and Community Renewal Community Improvement Plan**

WHEREAS Section 28 of the Planning Act entitled Community Improvement states where a by-law has been passed to designate a community improvement project area, the Council may provide for the preparation of a plan suitable for adoption as a community improvement plan for the community improvement project area;

AND WHEREAS By-law 11-272 as amended, passed on the 16th day of November 2011, designated the Downtown and Community Renewal Community Improvement Project Area;

AND WHEREAS By-law 11-273, passed on the 16th day of November 2011 adopted and approved the Downtown and Community Renewal Community Improvement Plan;

AND WHEREAS Council, by its Planning Committee, held a public meeting on February 5, 2013 to discuss and receive public input regarding an amendment to the Downtown and Community Renewal Community Improvement Plan, and has taken other steps required to amend the Plan, prior to the enactment of this by-law, as required by the Planning Act;

AND WHEREAS the City has prepared an amendment to the Downtown and Community Renewal Community Improvement Plan, attached hereto as Schedule 1 and forming part of this By-law;

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

1. Amendment No. 1 to the Downtown and Community Renewal Community Improvement Plan, consisting of Schedule 1 hereto annexed and forming part of this by-law, is hereby adopted and approved.
2. Schedule 'A' to By-law 11-273 is amended as set out in Schedule 1 to this By-law.

PASSED this 13th day of February, 2013

R. Bratina
Mayor

R. Caterini
City Clerk

Schedule 1 to By-law 13-029

Amendment No. 1 to the Downtown and Community Renewal Community Improvement Plan

The following text constitutes Amendment No. 1 to the Downtown and Community Renewal Community Improvement Plan.

Purpose

- To account for an expansion to the Downtown Hamilton Community Improvement Project Area.
- To rename the Hamilton Downtown Property Improvement Grant Program as the Hamilton Tax Increment Grant Program, and expand the areas in which the program applies.
- To increase the maximum loan amount available under the Commercial Corridor Housing Loan and Grant Program.
- To increase the maximum grant available to projects of \$40,000 or less under the Hamilton Heritage Property Grant Program, from a maximum grant of \$10,000 to \$20,000.
- To expand the areas in which the Hamilton Heritage Property Grant Program, Office Tenancy Assistance Program and Commercial Façade Property Improvement Grant Program apply.

Location

The lands affected by the amendment are contained within the Downtown and Community Renewal Community Improvement Project Area, designated by Bylaw 11-272 as amended.

Basis

The amendment is consistent with the goals and objectives of the Downtown and Community Renewal Community Improvement Plan.

Actual Changes

1. In Section 6.1, first bullet point, delete “as well as properties along and west of Victoria Avenue to Wellington Street between Barton Street and Cannon Street;” and replace with “as well as properties to the north of Cannon Street, east of Wellington Street, south of the CN railway, and west of the alleyway that runs parallel between Victoria Avenue and East Avenue, excepting the General hospital block and including all of the former Royal Oak Dairy lands on both sides of the alleyway;”

2. In Section 8.1.2:
 - a) Delete the section heading “8.1.2 Hamilton Downtown Property Improvement Grant Program” and replace with “8.1.2 Hamilton Tax Increment Grant Program (formerly the Hamilton Downtown Property Improvement Grant Program)”;
 - b) Delete other references to the “Hamilton Downtown Property Improvement Grant Program” and replace with “Hamilton Tax Increment Grant Program”;
 - c) In the first paragraph, delete “located within the Downtown Hamilton Community Improvement Project Area.” and replace with “located within Downtown Hamilton, the community downtowns, active and dormant Business Improvement Areas (BIAs), and the commercial corridors along Barton Street east of the Barton Village BIA and along Kenilworth Avenue North, as identified in the Downtown and Community Renewal Community Improvement Project Area.”
3. In Section 8.1.3, add “BIA” before all references to the “Commercial Property Improvement Grant Program”.
4. In Section 8.1.4, third paragraph, delete the first sentence “The maximum loan amount is \$10,000 per dwelling unit to a maximum of \$200,000 per property.” and replace with “The maximum loan amount is \$15,000 per dwelling unit to a maximum of \$600,000 per property.”
5. In Section 8.1.5:
 - a) In the second paragraph, third sentence, after the words “Downtown Hamilton Community Improvement Project Area,” add “or one of the community downtown community improvement project areas,”
 - b) In the third paragraph, delete the first sentence “The grant will be based on 25% of the total cost of regeneration of the property to a maximum of \$150,000 for eligible work under the program.” and replace with “For projects valued at \$40,000 or less, the grant will be based on 50% of the total project cost to a maximum grant of \$20,000 for eligible work under the program. For projects valued over \$40,000, the grant will include \$20,000 (i.e. 50% of \$40,000), plus an additional grant based on 25% of the total project cost over \$40,000, to a maximum additional grant of \$130,000. In total, no more than \$150,000 will be granted for eligible work under the program.”

6. In Section 8.1.6:
 - a) Delete references to the “Hamilton Downtown Office Tenancy Assistance Program” and replace with “Office Tenancy Assistance Program”;
 - b) In the first paragraph, first sentence, delete “located within the Downtown Hamilton Community Improvement Project Area.” and replace with “located within Downtown Hamilton, the community downtowns, active and dormant Business Improvement Areas (BIAs), and the commercial corridors along Barton Street east of the Barton Village BIA and along Kenilworth Avenue North, as identified in the Downtown and Community Renewal Community Improvement Project Area.”;
 - c) In the first paragraph, second sentence, delete “Downtown office stock.” and replace with “office buildings in downtowns and other commercial areas.”;
 - d) In the first paragraph, third sentence, delete the first instance of the word “Downtown”;
 - e) In the first paragraph, third sentence, delete “existing Downtown businesses to expand in the Downtown.” and replace with “existing office uses to expand.”;
 - f) In the fourth paragraph, delete “the Downtown Core.” and replace with “Downtown Hamilton.”

7. In Section 8.1.8:
 - a) Delete the section heading “8.1.8 Hamilton Downtown Commercial Façade Property Improvement Grant Program” and replace with “8.1.8 Commercial Façade Property Improvement Grant Program”;
 - b) In the first paragraph, delete “properties in the Downtown Hamilton Community Improvement Project Area and along the commercial corridors along Main Street West and King Street West leading to the Downtown from Highway 403.” and replace with “properties in Downtown Hamilton, the community downtowns, dormant Business Improvement Areas (BIAs), and the commercial corridors along Barton Street east of the Barton Village BIA and along Kenilworth Avenue North, as identified in the Downtown and Community Renewal Community Improvement Project Area.”

Implementation

The provisions of Section 6A of the Hamilton-Wentworth Official Plan and Section 28 of the Planning Act give effect to this amendment.

This amendment constitutes Schedule 1 to By-law No.13-029 passed on the 13th day of February, 2013.