



## GENERAL ISSUES COMMITTEE REPORT 18-005

9:30 a.m.

Wednesday, February 21, 2018  
Council Chambers  
Hamilton City Hall  
71 Main Street West

**Present:** Mayor F. Eisenberger, Deputy Mayor T. Jackson (Chair),  
Councillors D. Skelly, C. Collins, S. Merulla, M. Green, J. Farr,  
A. Johnson, M. Pearson, B. Johnson, L. Ferguson, A. VanderBeek, R.  
Pasuta

**Absent with  
Regrets:** Councillors D. Conley, T. Whitehead, J. Partridge – Personal

### THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 18-005 AND RESPECTFULLY RECOMMENDS:

1. **Capital Projects Work-in-Progress Review Sub-Committee, Report 18-001,  
January 29, 2018 (Item 5.1)**

#### **Public Works - Capital Projects Status Report as of September 30, 2017 (FCS17076(a)) (City Wide) (Item 8.1)**

- (a) That the Capital Projects Status Report, Public Works Tax Supported Projects, as of September 30, 2017, attached as Appendix “A” to Report FCS17076(a), be received; and,
- (b) That the Capital Project Status Report, Public Works Rate Supported Projects, as of September 30, 2017, attached as Appendix “B” to Report FCS17076(a), be received.

2. **Concession Street Business Improvement Area (BIA) Revised Board of  
Management (PED14242(f)) (Wards 6 and 7) (Item 5.2)**

That the following individual be appointed to the Concession Street Business Improvement Area (BIA) Board of Management:

- (i) James Knott

**Council – February 28, 2018**

**3. Transit (HSR) Passenger Information Technology (PW18018) (City Wide) (Item 5.3)**

That Report PW18018, respecting the Transit (HSR) Passenger Information Technology, be received.

**4. Vic Djurdjevic, Nikola Tesla Educational Corporation, respecting the 120th Anniversary of Hamilton's "Power Turned On" (Item 6.1)**

- (a) That the presentation, respecting the 120th Anniversary of Hamilton's "Power Turned On", be referred to the Director of Culture & Tourism to assist in the promotion of the event and to offset the costs from within the existing 2018 operating budget; and,
- (b) That the fees for the event being held at the Hamilton Museum of Steam and Technology and the reception at City Hall, by the Nikola Tesla Educational Corporation, respecting the 120th Anniversary of Hamilton's "Power Turned On" be waived.

**5. Amendments to the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan (CIP) (PED18030) (City Wide) (Item 7.1)**

- (a) That Report PED18030, respecting the proposed amendments to the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan (CIP), be received;
- (b) That staff be directed to bring forward to the Planning Committee for a statutory public meeting, in accordance with Section 17 (15) (d) of the *Planning Act*, the following recommended revisions to the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan (CIP);
  - (i) That the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Project Area, as set out in Report PED18030, and that the By-law attached to Report PED18030 to amend the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Project Area as Appendix "A" be enacted;
  - (ii) That the City's maximum contribution as part of the Environmental Remediation and Site Enhancement (ERASE) Study Grant Program be increased from \$25K to \$35K for two studies per property / project be approved;

- (iii) That the Environmental Remediation and Site Enhancement (ERASE) Study Grant Program date, for maximum of two studies per property, be reset to July 1, 2011;
- (iv) That additional administrative requirements regarding submission and enactment of Environmental Remediation and Site Enhancement (ERASE) Study Grant applications, be approved;
- (v) That additional eligible costs be added to the Environmental Remediation and Site Enhancement (ERASE) Study Grant and Redevelopment Grant Program to cover Designated Substances and Hazardous Material Survey and Industrial / Office Reuse Feasibility Study and their removal and abatement in the Older Industrial Area, be approved;
- (vi) That additional eligible costs be added to the Environmental Remediation and Site Enhancement (ERASE) Study Grant and Redevelopment Grant Program to cover Designated Substances and Hazardous Material Survey and their removal and abatement applicable to current / closed Institutional uses as an eligible cost across the Community Improvement Project Area (CIPA), be approved;
- (vii) That additional eligible costs be added to the Environmental Remediation and Site Enhancement (ERASE) Study Grant and Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Program to cover Designated Substances and Hazardous Material Survey and their removal and abatement applicable to designated Heritage Buildings as an eligible cost across the Community Improvement Project Area (CIPA), be approved;
- (viii) That staff be authorized to implement and administer the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Program, including the additional eligible costs, once the amendment has come into force and effect;
- (ix) That the Environmental Remediation and Site Enhancement (ERASE) Tax Assistance Program includes Environmental Insurance Premiums as an eligible cost, be approved;
- (x) That the interest rate for the Downtown Hamilton / West Harbourfront Remediation Loan Program (RLP) be decreased from prime minus 1% to 0% and the loan repayment period be reduced from ten years to five years;
- (xi) That the Community Improvement Plan (CIP) titled Environmental Remediation and Site Enhancement (ERASE) Community

Improvement Plan (October 2017), as amended, and attached as Appendix “B” to Report PED18030 be approved; and,

- (xii) That any changes to the program description and terms be by way of Council resolution.

**6. Business Improvement Area Commercial Property Improvement Grant Program and Commercial Property Improvement Grant Program - Amendment to Program Descriptions and Terms (PED18044) (Wards 1, 2, 3, 4, 6, 7, 8, 9, 11, 12, 13 and 15) (Item 8.1)**

- (a) That Appendix “C” to the Downtown and Community Renewal Community Improvement Plan, being the Program Description and Terms of the Business Improvement Area Commercial Property Improvement Grant Program, be deleted and replaced with the Program Description and Terms attached as Appendix “A” to Report 18-005; and,
- (b) That Appendix “G” to the Downtown and Community Renewal Community Improvement Plan, being the Program Description and Terms of the Commercial Property Improvement Grant Program, be deleted and replaced with the Program Description and Terms, attached as Appendix “B” to Report 18-005.

**7. Hamilton-Wentworth Catholic District School Board Liaison Committee Report 18-001, January 29, 2018 (Item 8.2)**

**(a) Location of Cannabis Retail Outlets (Item 8.1)**

That the “Declaration from Canadian School Boards regarding the Impact of Cannabis Legalization on Schools”, attached as Appendix “A” to the HWCDSB Liaison Committee Report 18-001, be received.

**(b) West Harbour Growth Accommodation in Schools (Item 8.2)**

That the General Issues Committee be advised that the HWCDSB Liaison Committee has considered the matter respecting West Harbour Growth Accommodation in Schools (as referred from the General Issues Committee at the November 2, 2016 meeting), and both the City and HWCDSB are aware of future needs.

**8. Corporate Strategic Growth Initiatives – Long Term Sustainability (CM16013(b)) (City Wide) (Item 8.3)**

That Report CM16013(b), respecting the Corporate Strategic Growth Initiatives – Long Term Sustainability, be received.

**9. Canadian Country Music Week 2019 (PED18058) (City Wide) (Item 8.4)**

- (a) That staff be directed to secure the 2019 Canadian Country Music Week event and within a project budget of \$850,000;
- (b) That the \$550,000, previously approved by Council to host the 2019 JUNO Awards, be reallocated to support the 2019 Canadian Country Music Week event;
- (c) That staff be directed to secure the balance of \$300,000 from other levels of government and the private sector to support the 2019 Canadian Country Music Week event and, if staff is successful in raising in excess of the project budget, any excess funds be used to reduce the municipal contribution; and,
- (d) That the Mayor and City Clerk be authorized and directed to execute the 2019 Canadian Country Music Association (CCMA) Contract, between the CCMA and the City of Hamilton, together with all necessary ancillary documents, with the content acceptable to the Director of Tourism, Culture and in a form satisfactory to the City Solicitor.

**10. Affordable Housing Site Selection Sub-Committee Report 18-001, February 15, 2018 (Item 8.5)**

**Transfer of City of Hamilton Sites to CityHousing Hamilton for Development (Item 9.1)**

WHEREAS, the City of Hamilton's Strategic Plan recognizes and supports the need for new affordable housing units as one of the City's top priorities;

WHEREAS, the Access to Housing waitlist continues to grow at an alarming rate with an estimated 6,200 families, seniors and individuals currently on the list;

WHEREAS, the City's Housing and Homelessness Action Plan targets an aggressive 50% reduction in the Access to Housing Waitlist by 2023;

WHEREAS, the City's Housing and Homelessness Action Plan emphasizes the need to provide new affordable housing units;

WHEREAS, the rising cost of real estate presents a significant challenge to social housing providers;

WHEREAS, the City of Hamilton has an inventory of properties that could facilitate the construction of new affordable housing units;

WHEREAS, City of Hamilton staff has met with CityHousing staff and Board representatives to discuss opportunities related to utilizing underperforming City of Hamilton parking lots: Park Lot #66 located at 106 Bay Street Northland Park; and, Lot #73 located at 253 King William Street (see attached map), as a means to support the construction of new affordable housing units;

WHEREAS, City of Hamilton staff has also identified an unused portion of 701 Upper Sherman Ave., which interlocks with an existing CityHousing Hamilton Corporation site on Macassa Ave. (see attached map), as a potential City owned site for building new affordable housing units;

WHEREAS, CityHousing Hamilton Corporation has begun a revitalization process that requires the acquisition of land for the rebuilding of 100 units of social housing, following an approved sale of poor performing single and semi-detached housing units, as well as for the possible relocation of residents from the Jamesville social housing community in the West Harbour during its redevelopment; and,

WHEREAS, CityHousing Hamilton Corporation has completed financial modelling for the utilization of the above mentioned three sites as part of its revitalization process;

**THEREFORE BE IT RESOLVED:**

- (a) That the Real Estate Section of the Planning and Economic Development Department be authorized and directed to sell, at nominal price of \$2.00, Car Park Lot #66 (106-104 Bay Street North) to CityHousing Hamilton Corporation on such other terms and conditions deemed appropriate by the General Manager, Planning and Economic Development;
- (b) That the Real Estate Section of the Planning and Economic Development Department be authorized and directed to sell, at nominal price of \$2.00 Car Park Lot #73 (253-257 King William Street) to CityHousing Hamilton Corporation on such other terms and conditions deemed appropriate by the General Manager, Planning and Economic Development;
- (c) That the Real Estate Section of the Planning and Economic Development Department be authorized and directed to sell, at nominal price of \$2.00, the unused portion of 701 Upper Sherman Avenue that interlocks with an existing CityHousing Hamilton Corporation owned site on Macassa Avenue to CityHousing Hamilton Corporation on such other terms and conditions deemed appropriate by the General Manager, Planning and Economic Development;

- (d) That the transfer of Car Park Lot #66, Car Park Lot#73, and the unused portion of 701 Upper Sherman Avenue be subject to any requisite requirements to protect for servicing, utilities and road widenings, as determined by new reference plans to be completed by Geomatics and Corridor Management Section of the Public Works Department;
- (e) That the City Solicitor complete the transfers of Car Park Lot #66, Car Park Lot #73, and the unused portion of 701 Upper Sherman Avenue pursuant to the terms and conditions of the agreement negotiated by the Planning and Economic Development Department and in a form satisfactory to the City Solicitor;
- (f) That the General Manager, Planning and Economic Development be authorized and directed to execute all required documents on behalf of the City of Hamilton to transfer Car Park Lot #66, Car Park Lot #73, and the unused portion of 701 Upper Sherman Avenue, in a form satisfactory to the City Solicitor;
- (g) That \$4,500 be charged to Account No. 500005-22018 (City of Hamilton Payable) and credited to Account No. 45408-3560150200 (Property Purchases and Sales) for Legal and Real Estate fees;
- (h) That all other expenses associated with the transfer of Car Park Lot #66, Car Park Lot #73, and the unused portion of 701 Upper Sherman Avenue be charged to Account No. 500005-220; and,
- (i) That Car Park Lots #66 (106-104 Bay Street North) and #73 (253-257 King William Street) be permitted to continue operations until new development begins.

**11. Funding to Complete the Renovations and Accessibility Features at the Hamilton Public Library - Locke Branch (Item 9.2)**

- (a) That \$30,000, to be funded through 2018 Ward 1 area rating fund be provided to the Hamilton Public Library to complete the renovations and accessibility features at the Locke Branch; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, respecting the funding to complete the renovations and accessibility features at the Hamilton Public Library - Locke Branch, with such terms and conditions in a form satisfactory to the City Solicitor.

**12. Legal Services Staffing (LS18011) (City Wide) (Item 12.2)**

- (a) That the City Solicitor be authorized and directed to extend the current temporary contracts, for the positions shown below, beyond the completed

24 months, with no impact to the levy, as the positions are currently funded through the 2018 Legal Services operating budget:

- (i) Two (2) Solicitors – to be extended from August 2018 to project completion;
  - (ii) One (1) Law Clerk – to be extended from August 2018 to project completion; and,
  - (iii) One (1) Legal Assistant – to be extended from August 2018 to project completion; and,
- (b) That Report LS18011, respecting Legal Services Staffing, remain confidential until approved by Council.

**13. Hamilton Street Railway TransCab Service (HUR18004) (City Wide) (Item 12.3)**

That Report HUR18004, respecting the Hamilton Street Railway TransCab Service, be referred to the February 28, 2018 meeting of Council for consideration.

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 1)**

The Committee Clerk advised of the following changes to the agenda:

**1. DELEGATION REQUESTS (Item 4)**

- 4.3 Barry Conway, CUPE Local 5167, respecting Report CM18003/PW18010 – Stadium Event Booking Function (Pilot) (For March 21, 2018)
- 4.4 Anthony Marco, Hamilton District Labour Council, respecting Report CM18003/PW18010 – Stadium Event Booking Function (Pilot) (For March 21, 2018)
- 4.5 Mary Love, Council of Canadians, Hamilton Chapter, to Appear before Committee on March 21<sup>st</sup>, International Day for the Elimination of Racial Discrimination, to ask City Council to take a Formal Stand Indicating its Intention to Deny the Use of City Parks and Public Places to Hate Groups (For March 21, 2018)



**2. DELEGATIONS (Item 6)**

- 6.1 Vic Djurdjevic, Nikola Tesla Educational Corporation, respecting the 120th Anniversary of Hamilton's "Power Turned On" (no copy)

Although the delegate had previously requested to be moved to the March 21, 2018 General Issues Committee agenda, Mr. Djurdjevic has since requested to appear on February 21<sup>st</sup> instead.

**3. DISCUSSION ITEMS (Item 8)**

- 8.5 Affordable Housing Site Selection Sub-Committee Report 18-001, February 15, 2018

**4. PRIVATE & CONFIDENTIAL (Item 12)**

- 12.2 Legal Services Staffing (LS18011) (City Wide)

Pursuant to Section 8.1, Sub-sections (b) and (d) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (b) and (d) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City employees; and, labour relations or employee negotiations.

- 12.3 Hamilton Street Railway TransCab Service (HUR18004) (City Wide)

Pursuant to Section 8.1, Sub-section (d) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (d) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to labour relations or employee negotiations.

The agenda for the February 21, 2018 General Issues Committee meeting was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 2)**

Councillor Ferguson asked staff if Item 12.3, Report HUR18004, respecting Hamilton Street Railway TransCab Service involved the taxi industry to determine whether or not he may have a conflict. Staff advised that the matter was not related to the taxi industry.

**(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)**

**(i) February 7, 2018 (Item 3.1)**

The Minutes of the February 7, 2018 General Issues Committee meeting were approved, as presented.

**(d) DELEGATION REQUESTS (Item 4)**

**(i) Ken Stone, Community Coalition Against Racism, to Appear before Committee on March 21<sup>st</sup>, International Day for the Elimination of Racial Discrimination, to ask City Council to take a Formal Stand Indicating its Intention to Deny the Use of City Parks and Public Places to Hate Groups (For the March 21<sup>st</sup> GIC) (Item 4.1)**

The delegation request, submitted by Ken Stone, Community Coalition Against Racism, to appear before Committee on March 21<sup>st</sup>, International Day for the Elimination of Racial Discrimination, to ask City Council to take a formal stand indicating its intention to deny the use of City parks and public places to hate groups, was approved to appear before the General Issues Committee on March 21, 2018.

**(ii) Evelyn Myrie, Afro Canadian Caribbean, to Appear before Committee on March 21<sup>st</sup>, International Day for the Elimination of Racial Discrimination, to ask City Council to take a Formal Stand Indicating its Intention to Deny the Use of City Parks and Public Places to Hate Groups (For the March 21<sup>st</sup> GIC) (Item 4.2)**

The delegation request, submitted by Evelyn Myrie, Afro Canadian Caribbean, to appear before Committee on March 21<sup>st</sup>, International Day for the Elimination of Racial Discrimination, to ask City Council to take a formal stand indicating its intention to deny the use of City parks and public places to hate groups, was approved to appear before the General Issues Committee on March 21, 2018.

**(iii) Barry Conway, CUPE Local 5167, respecting Report CM18003/PW18010) – Stadium Event Booking Function (Pilot) (For March 21, 2018) (Item 4.3)**

The delegation request, submitted by Barry Conway, CUPE Local 5167, respecting Report CM18003/PW18010 – Stadium Event Booking Function, was approved to appear before the General Issues Committee on March 21, 2018.

- (iv) Anthony Marco, Hamilton District Labour Council, respecting Report CM18003/PW18010 – Stadium Event Booking Function (Pilot) (For March 21, 2018) (Item 4.4)**

The delegation request, submitted by Anthony Marco, Hamilton District Labour Council, respecting Report CM18003/PW18010 – Stadium Event Booking Function (Pilot), was approved to appear before the General Issues Committee on March 21, 2018.

- (v) Mary Love, Council of Canadians, Hamilton Chapter, to Appear before Committee on March 21<sup>st</sup>, International Day for the Elimination of Racial Discrimination, to ask City Council to take a Formal Stand Indicating its Intention to Deny the Use of City Parks and Public Places to Hate Groups (For March 21, 2018) (Item 4.5)**

The delegation request, submitted by Mary Love, Council of Canadians, Hamilton Chapter, to appear before Committee on March 21<sup>st</sup>, International Day for the Elimination of Racial Discrimination, to ask City Council to take a formal stand indicating its intention to deny the use of City parks and public places to hate groups, was approved to appear before the General Issues Committee on March 21, 2018.

**(e) CONSENT ITEMS (Item 5)**

- (i) Hamilton-Wentworth Catholic District School Board Liaison Committee Minutes 17-001, June 29, 2017 (Item 5.4)**

The Hamilton-Wentworth Catholic District School Board Liaison Committee Minutes 17-001, June 29, 2017, were received.

**(f) PUBLIC HEARINGS / DELEGATIONS (Item 6)**

- (i) Vic Djurdjevic, Nikola Tesla Educational Corporation, respecting the 120th Anniversary of Hamilton's "Power Turned On" (Item 6.1)**

Vic Djurdjevic, Nikola Tesla Educational Corporation, addressed Committee respecting the 120th Anniversary of Hamilton's "Power Turned On".

The presentation provided by Vic Djurdjevic, Nikola Tesla Educational Corporation, respecting the 120th Anniversary of Hamilton's "Power Turned On", was received.

A copy of the presentation is available on the City's website at [www.hamilton.ca](http://www.hamilton.ca) or through the Office of the City Clerk.

For disposition of this matter, please refer to Item 4.

**(g) PRESENTATIONS (Item 7)**

**(i) Amendments to the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan (CIP) (PED18030) (City Wide) (Item 7.1)**

Edward John, Senior Project Manager, Urban Renewal Section, addressed Committee and provided a PowerPoint respecting Report PED18030, Amendments to the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan (CIP).

The presentation, respecting Report PED18030 – Amendments to the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan (CIP), was received.

A copy of the presentation is available on the City's website at [www.hamilton.ca](http://www.hamilton.ca) or through the Office of the City Clerk.

For disposition of the above matter, please refer to Item 5.

**(h) MOTIONS (Item 9)**

**(i) Inventory of Brownfield Lands (Item 9.1)**

That staff be directed to report back with an inventory of the brownfields areas, over the past ten years, factoring in the Province backstopping the clean-up of the Stelco lands.

**(i) NOTICES OF MOTION (Item 10)**

**(i) Funding to Complete the Renovations and Accessibility Features at the Hamilton Public Library - Locke Branch (Item 10.1)**

Councillor A. Johnson introduced a Notice of Motion respecting funding to complete the renovations and accessibility features the Hamilton Public Library – Locke Branch.

The Rules of Order were waived to allow for the introduction of a Motion respecting funding to complete the renovations and accessibility features at Hamilton Public Library – Locke Branch.

For disposition of this matter, please refer to Item 11.

**(j) GENERAL INFORMATION / OTHER BUSINESS (Item 11)**

**(i) Amendments to the Outstanding Business List (Item 11.1)**

The following Items were considered complete and removed from the General Issues Committee's Outstanding Business List:

- (i) Expression of Interest for a Professional Soccer League at the City's Tim Horton's Field (No longer required by the Councillor)
- (ii) State of the City Comparative Study – Amalgamation to Now (Addressed at the January 19, 2018 GIC Budget meeting, Report CM18001)
- (iii) Corporate Strategic Growth Initiatives – Long Term Sustainability  
(Addressed on today's agenda as Item 5.2 – Report CM16013(b))

**(k) PRIVATE & CONFIDENTIAL (Item 12)**

As Committee determined that discussion of Items 12.1, 12.2 and 12.3 was not required in Closed Session; those items were addressed in Open Session, as follows:

**(i) February 7, 2018 – Closed Session Minutes (Item 12.1)**

- (a) The Closed Session Minutes of the February 7, 2018 General Issues Committee meeting, were approved; and,
- (b) The Closed Session Minutes of the February 7, 2018 General Issues Committee meeting shall remain confidential.

**(ii) Legal Services Staffing (LS18011) (City Wide) (Item 12.2)**

For disposition of this matter, please refer to Item 12.

**(iii) Hamilton Street Railway TransCab Service (HUR18004) (City Wide) (Item 12.3)**

For disposition of this matter, please refer to Item 13.

**(I) ADJOURNMENT (Item 9)**

There being no further business, the General Issues Committee adjourned at 11:01 a.m.

Respectfully submitted,

T Jackson, Deputy Mayor  
Chair, General Issues Committee

Stephanie Paparella  
Legislative Coordinator  
Office of the City Clerk



Planning and Economic Development Department

Urban Renewal Section

71 Main Street West, 7th Floor

Hamilton, Ontario L8P 4Y5

Phone: (905) 546-2424 Ext. 2755

Fax: (905) 546-2693

## **BUSINESS IMPROVEMENT AREA COMMERCIAL PROPERTY IMPROVEMENT GRANT PROGRAM**

### **PROGRAM DESCRIPTION**

The Business Improvement Area Commercial Property Improvement Grant Program is intended to provide financial assistance for commercial property owners / authorized tenants within active\* City-wide Business Improvement Areas as identified within the Downtown and Community Renewal Community Improvement Project Area By-law. The Program aims to improve upon the appearance of commercial properties, support commercial property / business owners with limited rehabilitation of interior space and assist in creating a barrier free and accessible environment. It is understood that smaller scale commercial activities contribute greatly to the economic vitality and health of the commercial sector within the City of Hamilton. This Program seeks to build upon these successes, resulting in long lasting physical improvements to the assets of commercial property owners / authorized tenants, to assist business development within the commercial areas as defined by the Business Improvement Areas, and to broadly improve commerce within the entire City.

\*An active BIA is not considered dormant as defined by the Dormant Business Improvement Area Status Procedure as approved by City Council at its meeting held November 11, 2009.

### **PROGRAM TERMS**

1. Commercial property owners / authorized tenants are eligible for a maximum grant per property during a five-year period (i.e. multiple applications or one application could be submitted however the sum of the grant amounts approved will be no more than the maximum amount allowed for each property). Exceptions may be made at the sole discretion of the General Manager of Planning and Economic Development if:
  - i) a new tenant / owner is occupying the property and applies for new signage; or
  - ii) *the property has been damaged due to fire, vandalism or a natural*

*disaster such as a flood, earthquake or hurricane.*

*Eligible items under the Program when a property has been damaged for one of the aforementioned reasons shall be capital costs only as follows:*

*Façade Improvements: windows, doors, storefronts, awnings, signage, surveillance cameras or other items deemed eligible at the sole discretion of the General Manager of Planning and Economic Development.*

*Limited Interior Improvements: barrier-free washrooms or commercial kitchen cooking exhaust / ventilation systems (the grant will be no more than 50% of the maximum grant per property for interior improvements).*

*Fees: Architectural, engineering, lawyer's, BCIN designer, building permit, sign permit, site plan application, road occupancy permit, street occupancy permit and encroachment agreement application fees are eligible up to 100% of the cost to a maximum of \$3,000 per application as part of the total grant awarded for completed construction.*

*Ineligible items shall be: business interruption expenses, equipment, sewer/drain repair and other items deemed ineligible at the sole discretion of the General Manager of Planning and Economic Development.*

*Assisting commercial property owners / authorized tenants to repair property damage due to fire, vandalism or a natural disaster such as a flood, earthquake or hurricane will help mitigate some of the capital improvements costs involved during the recovery phase. The grant is not intended to replace property insurance claims, rather, it is to assist a property owner / authorized tenant with eligible costs under the CPIG that are not covered by their insurer due to the deductible amount or due to limits set by their insurance policy.*

*In recognition that a property owner / authorized tenant may have work completed within hours or days of the damage to the property for safety reasons or in order to prevent further damage to the property i.e. replacement of broken windows, an exception to the requirement that applications be submitted prior to works commencing will be allowed only in the instance when a property has been damaged due to fire, vandalism or a natural disaster such as a flood, earthquake or hurricane. If the work has commenced or has been completed, applications must be submitted within seven days of the date the damage to the property occurred. Completed works must meet the requirements of the City of Hamilton By-law 07-170 being a by-law to license and regulate various businesses dictating when a contractor must be licensed with the City of Hamilton to complete works i.e. a contractor must hold a valid Building Repair license*



*with the City of Hamilton to replace a window with a window frame however if the glazing only is being replaced the contractor is not required to be licensed with the City of Hamilton. All quotes / invoices submitted with the application will be reviewed by a Building Inspector to ensure the cost is at the industry standard.*

*All grants are subject to the availability of funding.*

*Where funding is requested for property that has been damaged due to fire, vandalism or a natural disaster such as a flood, earthquake or hurricane earthquake or hurricane, each applicant shall provide the following documentation to support the application:*

- a) Evidence of property insurance coverage for the subject property in force as of the date of the damage. Evidence shall be provided by way of a copy of the Declaration Page of the property insurance policy or a Certificate of Insurance. Evidence shall include the following information: subject property address, deductible amount.*
  - b) Copy of Proof of Loss (or other proof of settlement) from the applicant's Insurer, along with supporting damage estimate / invoices to support their application.*
  - c) At the City's discretion, a police report may also be required.*
2. Buildings that have a linear foot street frontage greater than twenty-five feet (25'), grants will be paid on a matching basis of \$400 per linear foot of street frontage up to a maximum of \$20,000 for eligible work under the Program.
  3. Buildings that have a linear foot street frontage of 25 feet or less, grant amounts will be paid on a matching basis to a maximum of \$10,000 for eligible work under the Program.
  4. As a further incentive for corner properties the City will increase the maximum grant amount to \$25,000, on a similar matching basis for eligible work under the Program to recognize the importance of flankage facades. The grant amount will be determined by the measurement of the street frontage and the measurement of the corner / exposed wall multiplied by \$400 per linear foot.
  5. Commercial properties are to be identified by municipal address to identify multiple and separate commercial units with separate ground floor street entrances.

6. Commercial uses must be in conformity with applicable policy documents of the City including but not limited to Official Plans, the provisions of the applicable Zoning By-law and any other applicable City by-laws.
7. Performance measures are to be applied to the payment of grants.
8. Eligibility requirements for the Program relating to the work to be funded will be specifically identified. Two separate cost estimates for the work are to be provided. Please note a contractor licensed with the City of Hamilton may be required to undertake the work. For more information on work that requires a licensed contractor please refer to the Application Form or contact Building Department at (905) 546-2424 Ext. 2720.

An owner who is proposing to undertake the work and not hire a contractor may present an estimate based on material only.

Grants will be calculated based upon lowest cost estimate.

In the case where the applicant is the owner of a contracting company and wishes to utilize their company to undertake the improvements on their property, one (1) cost estimate from an arms-length contractor will also be required.

A Building Inspector will review all estimates provided for the purpose of ensuring competitiveness.

9. Restoration / conservation of heritage features on commercial properties designated under the *Ontario Heritage Act* are not eligible under this grant program, however, improvements other than those on heritage features are eligible subject to the approval of a City heritage permit. Urban Renewal staff will work closely with Development Planning staff on all applications received that are designated under the *Ontario Heritage Act*.
10. Relative to the proposed improvements, a building inspector will perform an initial and final inspection / investigation to confirm compliance with various Acts, Regulations and City Bylaws including the Ontario Building Code, Property Standards By-Law, Trade Licencing By-Law, Sign By-law etc.
11. Approval of the grant is at the sole discretion of the General Manager of Planning and Economic Development and subject to the availability of funds.
12. Proposed improvements to be completed within one year to be eligible for payment. A one year extension can be authorized by the Manager of

Urban Renewal if an applicant has extenuating circumstances which would warrant an extension.

13. Work completed must be consistent with estimates, and work proposed and identified within the application unless previously discussed and approved by the Urban Renewal Section.
14. At the sole discretion of the Manager of Urban Renewal, partial payments for works completed can be processed consistent with the payment process described above.
15. At the sole discretion of the Manager of Urban Renewal, the grant cheque can be made jointly payable to the applicant and the contractor if such a request has been received from the applicant.
16. An application fee of \$406.80 for grants greater than \$12,500, \$259.90 for grants less than or equal to \$12,500 but greater than \$5,000, and \$96.05 for grants \$5,000 or less, must be submitted at the time of application. The fee will be authorized through a by-law passed by City Council. The rate of the fee may be changed from time to time as approved by City Council.
17. Approval of the grant application is at the absolute discretion of the City and subject to the availability of funds.
18. Without limiting the discretion as set out in paragraph 17 herein, the City, Council, may reject any application received from an applicant, whether or not an Applicant satisfies the requirements of the Program, where, in the opinion of Council, the commercial relationship between the City and the Applicant has been impaired by, but not limited to, the applicant being involved in litigation with the City. Applicants shall include but not be limited to the following: the Applicant identified on the application form and if a corporation any person or entity with an interest in the corporation as determined by the City in its sole, absolute and unfettered discretion.
19. Without limiting the discretion as set out in paragraph 17 herein, the City Council, whether or not an Applicant satisfies the requirements of the Program, may reject any application received from an applicant where there are property tax arrears owed on the subject property or on other properties owned by the Applicant within the City of Hamilton.
20. Works commenced prior to submitting an application are ineligible for funding under the Program. Works commenced after submitting an application but prior to approval of an application may be eligible for funding under the Program and eligibility will be determined by the GM in his sole, absolute and unfettered discretion. An applicant shall assume the

risk of paying for work commenced after an application has been submitted but prior to approval.

21. A successful applicant will enter into an agreement with the City containing the terms and conditions (but not limited to) set out in the program description.

22. *The grant shall exclude any damage that is caused by the property owner or occupant (i.e. a tenant) of that property. For example, costs incurred*

*because of self-inflicted damage such as vandalism or arson would not be covered by this Program.*

*A refund of any grant under this Program to the City of Hamilton would be required if it is determined after the grant has been paid that the damage was caused by the property owner and/or the tenant(s) of the property.*

23. *The grant cannot be used to pay the costs resulting from any damage or vandalism where those costs are also reimbursed to the tenant or owner because such costs are covered under any insurance policy. A refund of any grant under this Program to the City of Hamilton would be required if it is determined after the grant has been paid that such a reimbursement has been received.*

## **ARTS COMPONENT:**

An additional matching grant to a maximum of \$10,000 may be available for artfully designed façade improvements or art pieces placed on private property that can be viewed by the public.

The applicant will provide an adequate brief and rendering of the proposed art piece.

A jury will be established and may comprise a selection of the following: Urban Renewal Section, urban designer, Business Improvement Area member. The Director of Culture or representative will be on the jury.

The selection jury will review, evaluate and approve all proposed art projects.

The jury will reserve the right to deem what is eligible for funding under the arts component.

Note: Murals must be appropriate for public display; must not fall under the definition of a “sign”; and, must not be subject to royalty rights.

### **ELIGIBILITY REQUIREMENTS**

---

- Property owners and authorized tenants are eligible;
- Property taxes must be paid current;
- The proposed work to be pre-inspected by the City Building Inspector;
- The improvements shall be in accordance with Property Standards and the Ontario Building Code and in compliance with all applicable City by-laws, official plans, zoning regulations, design guidelines and site plan approvals;
- Commercial properties must be located within one of the City’s active Business Improvement Areas and be within the corresponding Community Improvement Project Area; and,
- Existing use must be in conformity with the applicable Zoning By-law regulations, and other relevant planning controls.

### **ELIGIBLE IMPROVEMENTS**

---

#### **Exterior Improvements:**

- Replacement or repairing of storefronts;
- Improvements / replacement to doors, cornices, parapets, soffit, fascia;
- Addition of new lighting and upgrading of existing fixtures, on exterior of the façade and within the storefront area normally associated with the display area;
- Awning replacements and / or additions;
- Brick repairs and / or pointing;
- Painting and façade treatments;
- Installation or improvement of signage (Signage must comply with Sign By-law 10-197);
- Barrier free entrance to property (ramps, doors and automatic door openers);
- Permanent landscape features only such as flagstone and natural stones / rocks, statuary, irrigation, containers ;
- Permanent Fencing;
- Front-yard decks / patios or side yard decks / patios that abut a street; and,
- Surveillance cameras affixed to the exterior of the property (must comply to the Fortification By-law 10-122).

**Interior Improvements:**

**Note: The maximum grant for interior improvements is 50% of the maximum grant per property**

- Barrier-free washrooms;
- Ramps to access barrier-free washrooms;
- Interior signage to meet *Accessibility for Ontarians with Disabilities Act* (AODA) requirements;
- Commercial kitchen cooking exhaust / ventilation systems;
- Sprinkler systems; and,
- Widening of doors to meet AODA requirements.

**Fees:**

- Architectural, engineering, lawyer’s, BCIN designer, building permit, site plan application, road occupancy permit, street occupancy permit and encroachment agreement application fees may be eligible for up to 100% of the cost to a maximum of \$3,000 per application as part of the total grant awarded for completed construction.

Other improvements deemed health, safety and accessible issues eligible at the sole discretion of the General Manager of Planning and Economic Development.

**In-Eligible:** (this list is not intended to be exclusive)

- Trees, shrubbery, perennials, annuals, soil, mulch, grass;
- Roofing (apart from mansard roofs above the eligible frontage);
- Sandblasting;
- Paving of parking lots;
- Interior furniture, display cases, equipment;
- Outdoor patio furniture; and,
- Tools.



Planning and Economic Development Department  
Urban Renewal Section  
71 Main Street West, 7th Floor  
Hamilton, Ontario L8P 4Y5  
Phone: (905) 546-2424 Ext. 2755  
Fax: (905) 546-2693

## COMMERCIAL PROPERTY IMPROVEMENT GRANT PROGRAM

### PROGRAM DESCRIPTION

The Commercial Property Improvement Grant Program (CPIGP) is intended to provide financial assistance for commercial property owners/authorized tenants within Downtown Hamilton, Community Downtowns, the Mount Hope/Airport Gateway and the commercial corridors as identified in the Downtown and Community Renewal Community Improvement Project Area. The Program aims to improve upon the physical appearance of properties within the areas, achieve quality façade improvements, support commercial property/business owners with limited rehabilitation of interior space and assist in creating a barrier-free and accessible environment. Spurring the preservation, revitalization and reinvestment of commercial properties within these areas will assist in creating a welcoming environment for people to live, work, play and learn.

### PROGRAM TERMS

1. Commercial property owners / authorized tenants are eligible for a maximum grant per property during a five-year period (i.e. multiple applications or one application could be submitted however the sum of the grant amounts approved will be no more than the maximum amount allowed for each property). Exceptions may be made at the sole discretion of the General Manager of Planning and Economic Development if:
  - i) a new tenant / owner is occupying the property and applies for new signage; or
  - ii) *the property has been damaged due to fire, vandalism or a natural disaster such as a flood, earthquake or hurricane.*

*Eligible items under the Program when a property has been damaged for one of the aforementioned reasons shall be capital costs only as follows:*

*Façade Improvements: windows, doors, storefronts, awnings, signage, surveillance cameras or other items deemed eligible at the sole discretion of the General Manager of Planning and Economic Development.*

*Limited Interior Improvements: barrier-free washrooms or commercial kitchen cooking exhaust / ventilation systems (the grant will be no more than 50% of the maximum grant per property for interior improvements).*

*Fees: Architectural, engineering, lawyer's, BCIN designer, building permit, site plan application, road occupancy permit, street occupancy permit and encroachment agreement application fees are eligible up to 100% of the cost to a maximum of \$3,000 per application as part of the total grant awarded for completed construction.*

*Ineligible items shall be: business interruption expenses, equipment, sewer/drain repair and other items deemed ineligible at the sole discretion of the General Manager of Planning and Economic Development.*

*Assisting commercial property owners / authorized tenants to repair property damage due to fire, vandalism or a natural disaster such as a flood, earthquake or hurricane will help mitigate some of the capital improvements costs involved during the recovery phase. The grant is not intended to replace property insurance claims, rather, it is to assist a property owner / authorized tenant with eligible costs under the CPIG that are not covered by their insurer due to the deductible amount or due to limits set by their insurance policy.*

*In recognition that a property owner / authorized tenant may have work completed within hours or days of the damage to the property for safety reasons or in order to prevent further damage to the property i.e. replacement of broken windows, an exception to the requirement that applications be submitted prior to works commencing will be allowed only in the instance when a property has been damaged due to fire, vandalism or a natural disaster such as a flood, earthquake or hurricane. If the work has commenced or has been completed, applications must be submitted within seven days of the date the damage to the property occurred. Completed works must meet the requirements of the City of Hamilton By-law 07-170 being a by-law to license and regulate various businesses dictating when a contractor must be licensed with the City of Hamilton to complete works i.e. a contractor must hold a valid Building Repair license with the City of Hamilton to replace a window with a window frame however if the glazing only is being replaced the contractor is not required to be licensed with the City of Hamilton. All quotes / invoices submitted with the application will be reviewed by a Building Inspector to ensure the cost is at the industry standard.*



*All grants are subject to the availability of funding.*

*Where funding is requested for property that has been damaged due to fire, vandalism or a natural disaster such as a flood, earthquake or hurricane earthquake or hurricane, each applicant shall provide the following documentation to support the application:*

- a) Evidence of property insurance coverage for the subject property in force as of the date of the damage. Evidence shall be provided by way of a copy of the Declaration Page of the property insurance policy or a Certificate of Insurance. Evidence shall include the following information: subject property address, deductible amount.*
  - b) Copy of Proof of Loss (or other proof of settlement) from the applicant's Insurer, along with supporting damage estimate / invoices to support their application.*
  - c) At the City's discretion, a police report may also be required.*
2. Maximum grant amount will be paid on a matching basis (50%-50%) to a maximum of \$10,000 per property for eligible work under the Program. As a further incentive for corner properties, the City will increase the maximum grant amount to \$12,500 on a similar matching basis for eligible work under the Program to recognize the importance of flankage facades.
  3. Commercial property owners and tenants authorized in writing by the owner, are eligible to apply for a grant under the Program.
  4. Commercial properties are to be identified by municipal address to identify multiple and separate commercial units with separate ground floor street entrances.
  5. Commercial uses must be in conformity with: all policy documents of the City including but not limited to official plans; the provisions of the Zoning By-laws; and any other City by-laws.
  6. Performance measures are to be applied to the payment of grants.
  7. Eligibility requirements for the Program relating to the work to be funded will be specifically identified. Two separate cost estimates for the work are to be provided. Please note a contractor licensed with the City of Hamilton may be required to undertake the work. For more information on work that requires a licensed contractor please refer to the Application Form or contact Building Department at (905) 546-2424 Ext. 2720.

An owner may present an estimate based on material only.

In the case where the applicant is the owner of a contracting company and wishes to utilize their company to undertake the improvements, one cost estimate from an arms-length contractor will also be required.

Grants will be calculated based upon lowest cost estimate.

A Building Inspector will review all estimates provided for the purpose of ensuring competitiveness.

8. Restoration/conservation of heritage features on commercial properties designated under the *Ontario Heritage Act* are not eligible under this grant program, however, improvements other than those on heritage features are eligible subject to the approval of a City heritage permit. Urban Renewal staff will work closely with Development Planning staff on all applications received that are designated under the *Ontario Heritage Act*.
9. Relative to the proposed improvements, a building inspector will perform an initial and final inspection/investigation to confirm compliance with various Acts, Regulations and City By-laws, but not limited to including the Ontario Building Code, Property Standards By-Law, Trade Licencing By-Law and Sign By-law.
10. Approval of the grant is at the sole discretion of the General Manager of Planning and Economic Development Department and subject to the availability of funds.
11. Proposed improvements to be completed within one year to be eligible for payment. A one-year extension can be authorized by the Manager of Urban Renewal if an applicant has extenuating circumstances which would warrant an extension.
12. Work completed must be consistent with estimates, and work proposed and identified within the application unless previously discussed and approved by the Urban Renewal Section.
13. The Applicant shall provide to the City’s Urban Renewal Section copies of paid invoices for all work undertaken on the property for which the grant is applicable. This documentation is to be provided prior to the final inspection.
14. A City Building Inspector’s final inspection report confirming all works have been carried out satisfactorily must be provided prior to release of any grant monies.
15. At the sole discretion of the Manager of Urban Renewal, partial payments for works completed can be processed consistent with the payment process described above.

16. At the sole discretion of the Manager of Urban Renewal, the grant cheque can be made jointly payable to the applicant and the contractor if such a request has been received from the applicant.
17. An application fee of \$259.90 is payable upon submission of application for grants greater than \$5,000 or \$96.05 for grants \$5,000 or less. The fee will be authorized through a by-law passed by City Council. The rate of the fee may be changed from time to time as approved by City Council.
18. The grant may also be received by an owner in conjunction with any other available City program in support of the redevelopment/development of the property with the exception of the BIA Commercial Property Improvement Grant Program available within Business Improvement Areas.
19. Without limiting the discretion as set out in paragraph 10 herein, City Council, whether or not an Applicant satisfies the requirements of the Program, may reject any application received from an applicant where, in the opinion of Council, the commercial relationship between the City and the Applicant has been impaired by, but not limited to, the applicant being involved in litigation with the City. Applicants shall include but not be limited to the following: the Applicant identified on the application form and if a corporation any person or entity with an interest in the corporation as determined by the City in its sole, absolute and unfettered discretion.
20. Without limiting the discretion as set out in paragraph 10 herein, City Council, whether or not an Applicant satisfies the requirements of the Program, may reject any application received from an applicant where there are property tax arrears owed on the subject property or on other properties owned by the Applicant within the City of Hamilton.
21. Works commenced prior to submitting an application are ineligible for funding under the Program. Works commenced after submitting an application but prior to approval of an application may be eligible for funding under the Program and eligibility will be determined by the GM in his sole, absolute and unfettered discretion. An applicant shall assume the risk of paying for work commenced after an application has been submitted but prior to approval.
22. A successful applicant will enter into an agreement with the City containing the terms and conditions (but not limited to) set out in the program description.
23. *The grant shall exclude any damage that is caused by the property owner or occupant (i.e. a tenant) of that property. For example, costs incurred because of self-inflicted damage such as vandalism or arson would not be*

*covered by this Program.*

*A refund of any grant under this Program to the City of Hamilton would be required if it is determined after the grant has been paid that the damage was caused by the property owner and/or the tenant(s) of the property.*

24. *The grant cannot be used to pay the costs resulting from any damage or vandalism where those costs are also reimbursed to the tenant or owner because such costs are covered under any insurance policy. A refund of any grant under this Program to the City of Hamilton would be required if it is determined after the grant has been paid that such a reimbursement has been received.*

#### **ELIGIBILITY REQUIREMENTS**

---

- Property owners and authorized tenants are eligible;
- Property taxes must be paid current;
- Pre-inspection by the City Building Inspector;
- Commercial properties must be located within Downtown Hamilton, Community Downtowns, the Mount Hope/Airport Gateway or, a commercial corridor as identified in the Downtown and Community Renewal Community Improvement Project Area By-law; and,
- The improvements shall be in accordance with Property Standards and the Ontario Building Code and in compliance with all applicable City by-laws, official plans, zoning regulations, design guidelines and site plan approvals.

#### **ELIGIBLE IMPROVEMENTS**

---

- Replacement or repairing of storefronts;
- Improvements and or upgrades to windows, doors, cornices and parapets;
- Barrier-free entrances to property (ramps, doors and automatic door openers);
- Addition of new lighting and upgrading of existing fixtures, on exterior of the façade;
- Awning replacements and/or additions;
- Brick repairs and/or pointing;
- Painting and façade treatments;
- Installation or improvement of signage (signage must comply to Sign By-law 10-197, as amended or replaced);
- Paving of parking lots;

- Permanent landscape features such as flagstone and natural stones/rocks, statuary, irrigation, containers;
- Fencing;
- Front-yard decks/patios or side-yard decks/patios that abut a street; and,
- Surveillance cameras affixed to the exterior of the property (must comply to the Fortification By-law 10-122).

**ELIGIBLE INTERIOR IMPROVEMENTS:**

**Note: The maximum grant for interior improvements is \$5 K**

- Barrier-free washrooms;
- Ramps to access barrier-free washrooms;
- Widening of doors to meet *Accessibility for Ontarians with Disabilities Act(AODA)* requirements;
- Interior signage to meet *AODA* requirements;
- Commercial kitchen cooking exhaust/ventilation systems; and,
- Sprinkler systems.

**Fees:**

- Architectural, engineering, lawyer's, BCIN designer, building permit, site plan application, road occupancy permit, street occupancy permit and encroachment agreement application fees may be eligible for up to 100% of the cost to a maximum of \$3,000 per application as part of the total grant awarded for completed construction.

Other improvements deemed health, safety and accessible issues eligible at the sole discretion of the General Manager of Planning and Economic Development.

**IN-ELIGIBLE IMPROVEMENTS:**

- Trees, shrubbery, perennials, annuals, soil, mulch, grass;
- Roofing (apart from mansard roofs above the eligible frontage);
- Sandblasting;
- Interior furniture, display cases equipment;
- Outdoor patio furniture; and,
- Tools.