



Hamilton

INFORMATION REPORT

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	February 20, 2019
SUBJECT/REPORT NO:	Temporary Delegated Authority-Financial Incentive Programs Administered by the Urban Renewal Section and Real Estate Transactions (PED18135(a)) (City Wide) (Outstanding Business List Item)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Carlo Gorni (905) 546-2424 Ext. 2755 Ryan McHugh (905) 546-2424 Ext. 2725
SUBMITTED BY:	Glen Norton Director, Economic Development Planning and Economic Development Department
SIGNATURE:	

Discussion of Confidential Appendix “B” to Report PED18135(a) in closed session is subject to the following requirement(s) of the City of Hamilton’s Procedural By-law and the *Ontario Municipal Act, 2001*:

- ◆ Pursuant to Section 8.1, Sub-section (c) of the City's Procedural By-law 18-270, and Section 239(2), Sub-section (c) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to a proposed or pending acquisition or disposition of land for City purposes.

Council Direction:

City Council at its meeting held July 13, 2018 approved the following:

- (a) That, notwithstanding the delegation powers provided as found in the following by-laws:
 - (i) By-law 10-052 enacts a By-law to delegate authority to the General Manager, Planning and Economic Development Department, for certain grants and loans under the Downtown and Community Renewal Community Improvement Plan and the following amendments to it:
 - (1) By-law 11-274 amends By-law 10-052 authorizing the General Manager of the Planning and Economic Development Department to also approve

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grants under the Gore Building Improvement Grant Program and the Commercial Facade Property Improvement Grant Program;

- (2) By-law 14-085 amends By-law 10-052 authorizing the General Manager of the Planning and Economic Development Department to approve grants under the Hamilton Heritage Conservation Grant Program;
- (3) By-law-16-127 amends By-law 10-052 authorizing the General Manager of the Planning and Economic Development Department to approve grants under the Barton/Kenilworth Commercial Corridor Building Improvement Grant Program; and,
- (4) By-law 17-142 amends By-law 10-052 authorizing the General Manager of the Planning and Economic Development Department to approve rebates under the Barton/Kenilworth Planning and Building Fee Rebate Program;

the General Managers of Corporate Services Department, and Planning and Economic Development Department, be authorized to approve loans/grants under the following Financial Incentive Programs administered by the Urban Renewal Section on a temporary basis from October 1, 2018 until the inaugural meeting of the newly elected Council:

- (i) Hamilton Downtown Barton and Kenilworth Multi-Residential Property Investment Program;
- (ii) Hamilton Tax Increment Grant Program;
- (iii) Office Tenancy Assistance Program;
- (iv) Commercial Corridor Housing Loan and Grant Program;
- (v) Hamilton Community Heritage Fund Loan Program;
- (vi) ERASE Redevelopment Grant Program;
- (vii) LEED Grant Program;
- (viii) Downtown Hamilton/West Harbourfront Remediation Loan Program; and,
- (ix) Barton Kenilworth Tax Increment Grant Program;

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- (b) That the City Manager, in cooperation with the General Manager of the Planning and Development Department and the General Manager of Finance and Corporate Services Department, be authorized to approve real estate transactions that have values in excess of existing delegations (\$250 K) on a temporary basis from October 1, 2018, until the inaugural meeting of the newly elected Council, subject to any transaction being in conformity with the City's Portfolio Management Strategy and confirmation of an approved budget by the General Manager of Finance and Corporate Services Department for any acquisition;
- (c) That the City Manager and the City Clerk be appointed as the authorized signing officers for the City of Hamilton for approved real estate transactions that have values more than existing delegations (\$250 K) on a temporary basis from October 1, 2018 until the inaugural meeting of the newly elected Council; and,
- (d) That staff of the Planning and Economic Development Department, Economic Development Division, be directed to report back to the newly elected Council, through the General Issues Committee, in February of 2019 on details of the financial incentives that were approved by the General Managers of the Finance and Corporate Services Department, Planning and Economic Development Department and real estate transactions approved by the City Manager.

Information

Approval of Financial Incentive Programs

The General Managers of the Finance and Corporate Services Department and Planning and Economic Development Department approved one application under the Financial Incentives Programs during their temporary delegated authority as detailed below:

- (i) Hamilton Community Heritage Fund Loan Program
 - (1) 10 Markland Street, Hamilton

On November 21, 2018, the General Managers approved a conditional loan commitment totalling \$50 K for Cristina de Miranda and Paul King, the registered owners of the property at 10 Markland Street, Hamilton, in accordance with the terms and conditions of the Hamilton Community Heritage Fund Loan Program (HCHF).

The property is located within the Durand-Markland Heritage Conservation District and was designated in 1994 under Part V of the *Ontario Heritage Act* by the former City of Hamilton by By-law 94-184.

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The applicant proposes to replace the current cedar shakes with new cedar shakes. This is a historic roofing material. The replacement of the existing cedar shakes roofing with new cedar shakes was reviewed by heritage staff and determined that the proposed works did not require a heritage permit.

The total value of the work proposed is approximately \$59.5 K including HST, based on the lowest quote obtained by the applicants. The maximum loan under the Program is \$50 K.

Loans advanced under the HCHF are repayable over a ten-year period and secured by a second mortgage. Loans of \$15 K or more require a Heritage Conservation Easement Agreement between the property owner and the City.

Appendix "A" to Report PED18135(a) identifies the location of 10 Markland Street, Hamilton.

Approval of Real Estate Transactions

During the identified time period, which began on October 1, 2018 and lasted until the inaugural meeting of the newly elected Council, the City Manager, in cooperation with the General Manager of the Planning and Economic Development Department and the General Manager of Finance and Corporate Services Department was required to exercise the delegated authority outlined within, to approve eight Real Estate transactions.

The nature of these Real Estate transactions and the reasoning as to why the Delegated Authority was required can be summarized as follows:

Type of Transaction	Real Estate Transaction > \$250K	Utilization of Authorized Signing Officer Designation	Total
Land Disposition	2	2	4
Easement Purchase	0	1	1
Lease Agreement	1	1	2
License Agreement	0	1	1
Total	3	5	8

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The first column represents transactions valued over \$250 K, and therefore beyond current staff delegation. The second column represents transactions that fell within existing staff delegation, for which the City Manager and City Clerk were appointed as authorized signing authorities in place of the Mayor.

The details of the real estate transactions are outlined in confidential Appendix "B" to Report PED18135(a)

Appendices and Schedules Attached

Appendix "A"-Location Map

Appendix "B"-Summary of Real Estate Transactions Approved Using Temporary Delegated Authority

RM/CG/sd