

Authority: Item ,
Report (PED19208)
CM:
Ward: 4

Bill No.

CITY OF HAMILTON

BY-LAW NO.

**To Adopt
The Housing for Hamilton
Community Improvement Plan (2019)**

WHEREAS By-law No. 18-300 passed on the 26th day of September 2018, designated the Roxborough Community Improvement Project Area;

WHEREAS Section 28(4) of the *Planning Act* states that 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;

WHEREAS under Section 28(1) of the *Planning Act* “community improvement” means “the planning or replanning, design or redesign, resubdivision, clearance, development or redevelopment, construction, reconstruction and rehabilitation, improvement of energy efficiency, or any of them, of a community improvement project area, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, buildings, structures, works, improvements or facilities, or spaces therefor, as may be appropriate or necessary”;

WHEREAS Section F.1.15 of the Urban Hamilton Official Plan contains provisions relating to community improvement;

WHEREAS Council, by its Planning Committee, held a public meeting on November 5th, 2019 to discuss and receive public input regarding adoption of the Housing for Hamilton Community Improvement Plan, and has taken other required steps, prior to the enactment of this by-law, to adopt a community improvement plan for the Roxborough Community Improvement Project Area, as required by the *Planning Act* and Chapter F – Implementation, Section 1.17.2 of the Urban Hamilton Official Plan; and,

WHEREAS the City has prepared a plan entitled “Housing for Hamilton Community Improvement Plan” attached hereto as Schedule “A” and forming part of this By-law.

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

1. The Housing for Hamilton Community Improvement Plan, attached hereto as Schedule “A” and forming part of this By-law, is hereby adopted as the Community Improvement Plan for the Roxborough Community Improvement Project Area designated by By-law No. 18-300.

PASSED this 13th day of November, 2019.

F. Eisenberger
Mayor

A. Holland
City Clerk

Schedule “A” to By-law No.19-XXX

CITY OF HAMILTON

HOUSING FOR HAMILTON

COMMUNITY IMPROVEMENT PLAN

Healthy and Safe Communities Department
Housing Services Division

November 2019

1.0 INTRODUCTION

Across the Greater Toronto and Hamilton Area (GTHA), affordability of housing and limited opportunities for both rental housing and home ownership have become significant social and land use planning issues which are threatening the ability for municipalities to create and sustain complete communities which are home to all peoples.

Housing affordability is an issue which requires innovative solutions from all levels of governments in collaboration with private sector investment. Although there is no single tool or action which will address affordability, City Council is committed to identifying opportunities to reduce barriers to the creation of a wider range and choice of housing with the tools available to it. This Community Improvement Plan is one such opportunity.

2.0 PURPOSE OF THIS CIP

This Community Improvement Plan is intended to provide incentives which will minimize financial barriers to, and stimulate private sector investment in, the creation of a wider range and choice of housing to meet the needs of Hamilton’s residents. Incentives contained within this CIP are focused towards the development or redevelopment of targeted, under-utilized properties within the Hamilton Urban Area that are suitable for accommodating new mixed-income, mixed-tenure and affordable residential developments.

The expected outcome of this CIP is to provide new housing opportunities for persons with higher social and economic vulnerability; increase housing supply on under-utilized properties, provide new and/or revitalized affordable housing stock and generally support the integration of people from a variety of income groups into healthy, socially cohesive and financially sustainable communities.

3.0 LEGISLATIVE AUTHORITY

The provision of financial incentives or other undertakings by a municipality to facilitate or carry-out community improvement in Ontario are primarily governed by the *Planning Act* and *Municipal Act*. Together these acts identify the tools, and their parameters, which municipalities may authorize and utilize for community improvement.

3.1 Provincial Legislation

Section 28 of the *Planning Act* permits a municipality to establish a Community Improvement Plan (CIP) for the purposes of facilitating the community improvement of an area through the provision of financial incentives or actions which would otherwise be prohibited under Sub-section 106(2) of the *Municipal Act*.

A CIP may be enacted by a municipality, by by-law, provided that:

- The municipalities Official Plan contains provisions relating to community improvement (Planning Act, Subsection 28 (2));
- The CIP identifies the geographic Community Improvement Project Area (CIPA) for which Council is of the opinion it is desirable to improve because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason (Planning Act, Subsection 28(2)) and which includes the provision of affordable housing (Planning Act, Subsection 28 (6)); and
- The total of all grants, loans and/or tax assistance provided with respect to lands or buildings within the CIPA do not exceed the eligible costs as described within the CIP (Planning Act, Subsection 28(7.3)).

Once a CIP has come into effect, a municipality may:

- Acquire, hold, clear, grade or otherwise prepare land for community improvement (Planning Act, Subsection 28(3));
- Construct, repair, rehabilitate or improve buildings on land acquired or held by it in the CIPA in conformity with the CIP, and sell, lease or otherwise dispose of any such buildings and the land appurtenant thereto (Planning Act, Subsection 28(6)(a));
- Sell, lease or otherwise dispose of any land acquired or held by it in the CIPA to any person or governmental authority for use in conformity with the CIP (Planning Act, Subsection 28(6)(b));
- Provide grants and/or loans in conformity with the CIP, to registered owners, assessed owners and tenants of lands and buildings within the CIPA, and to any person to whom such an owner or tenant has assigned the right to receive a grant or loan, to pay for the whole, or any part of the, eligible costs of the CIP (Planning Act, Subsection 28(7)); and
- Provide grants and/or loans for eligible costs identified within the CIP which may include costs related to environmental site assessment, environmental remediation, development, redevelopment, construction and reconstruction of land and buildings for rehabilitation purposes or for the provision of energy efficient uses, buildings, structures, works, improvements or facilities (Planning Act, Subsection 28(7.1)).

3.2 Municipal Authorization

Community improvement policies are contained in Section 1.15 of the Urban Hamilton Official Plan (UHOP). In particular, the UHOP states the following with respect to municipal authorization of CIPs:

- It is the intent of Council through Community Improvement to promote and maintain a high-quality living and working environment throughout the City. Community Improvement shall be accomplished through (1) the upgrading and ongoing maintenance of communities or areas as characterized by obsolete buildings, and/or conflicting land uses and/or inadequate physical infrastructure and community services, and, (2) the establishment of policies and programs to address identified economic, land development and housing supply issues or needs throughout the Urban Area.” (UHOP, Chapter F, Section 1.15); and
- Community Improvement shall be carried out through the designation, by Council, of Community Improvement Project Areas and through the preparation and implementation of Community Improvement Plans pursuant to the Planning Act, R.S.O., 1990 c. P.13. It is the intent of Council that the entire urban area or any part of the urban area as defined in this Plan, and as subsequently amended, may by by-law be designated as a Community Improvement Project Area. (UHOP, Chapter F, Section 1.15.1).

4.0 SUPPORTING POLICY FRAMEWORK

Existing Provincial and City policy frameworks contain policies that support the purpose and goals of this CIP as outlined in Sections 2.0 and 4.0 respectively as well as the associated incentive programs described in Section 7.0. The key policies from applicable policy documents are outlined below.

4.1 Provincial Policy Statement (2014)

The Provincial Policy Statement (PPS) provides policy direction for land use planning and development matters which are of Provincial interest including protecting resources, supporting public health and safety and creating high-quality natural and built environments. The PPS emphasizes the need for strong communities and identifies the need to provide sufficient housing which is affordable, and which will serve a broad range of needs within the community.

This CIP is consistent with the PPS and specifically addresses the following provincial interests identified within the PPS:

- Accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs (PPS, Section 1.1.1 (b));
- Establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate-income households (PPS, Section 1.4.3(a));

- Permitting and facilitating all forms of housing required to meet the social, health and well-being requirements of current and future residents, including those with special needs requirements (PPS, Section 1.4.3 (b));
- Promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed (PPS, Section 1.4.3 (d)); and
- Establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety (PPS, Section 1.4.3 (e)).

4.2 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (“Growth Plan”) provides a policy framework for implementing the Province’s vision for managing long-term growth within the Greater Golden Horseshoe (GGH), including Hamilton, while supporting economic prosperity, protecting the environment and helping communities to achieve a high quality of life. The Growth Plan envisions the GGH as an area with an increasing amount and variety of housing that is sufficient to reflect market demands and the needs of local communities in terms of income and household sizes.

This CIP is consistent with the Growth Plan and specifically addresses the following principles and policies as identified within the Growth Plan:

- Support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households (Growth Plan, Section 1.2.1);
- Provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes (Growth Plan, Section 2.2.1 (4)(c));
- Support housing choice through the achievement of the minimum intensification and density targets of the Growth Plan and identifying a diverse range and mix of housing options and densities, including second units and affordable housing to meet projected needs of current and future residents (Growth Plan, Section 2.2.6 (1)(a)(i));
- Identifying mechanisms, including the use of land use planning and financial tools, to support housing choice (Growth Plan, Subsection 2.2.6 (1)(b));

- Supporting the achievement of complete communities by planning to diversify overall housing stock across a municipality (Growth Plan, Subsection 2.2.6 (2)(d); and
- Supporting the achievement of complete communities by municipalities through the use of available tools to require multi-unit residential developments to incorporate a mix of unit sizes that accommodate a diverse range of household sizes and incomes (Growth Plan, Subsection 2.2.6 (3)).

4.3 Urban Hamilton Official Plan (2013)

The Urban Hamilton Official Plan (UHOP) is the City’s long-term policy framework which establishes the City’s vision for the future in terms of managing land use change and the physical development of the city as it is affected by environmental, social and economic factors. The development of new mixed-income, mixed-tenure developments that increase the supply of affordable housing addresses the social and economic challenges facing the City.

This CIP is consistent with the UHOP and specifically addresses the following goals and policies of the Plan:

Goals

- Increase Hamilton’s stock of affordable housing of all types, particularly in areas of the City with low levels of affordable housing (UHOP, Chapter B, Section 3.2.1.3); and
- Increase Hamilton’s stock of housing for those whose needs are inadequately met by existing housing forms or tenure, affordability or support options (UHOP, Chapter B, Section 3.2.1.4).

Policies

- Many households in Hamilton cannot obtain housing that is affordable or appropriate to their needs. Households and individuals may be at risk of homelessness because of economic and/or personal circumstances where a level of support is required to live independently. Hamilton’s aging and diversifying population has new and unique housing needs that cannot solely be met through current housing options. The City recognizes the importance of affordable housing and housing with supports in meeting the housing needs of those without the resources to participate in the private housing market (UHOP, Chapter B, Section 3.2.3);
- Where appropriate, assistance shall be provided, whether by the City and/or senior governments, to encourage the development of affordable housing, with priority given to projects in areas of the City that are lacking in affordable housing. City assistance may include selling or leasing of surplus City land or financial assistance (UHOP, Chapter B, Section 3.2.3.2); and

- Investment in new affordable housing shall be encouraged by a coordinated effort from all levels of government through implementation of a range of strategies, including effective taxation, regulatory and administrative policies and incentives (UHOP, Chapter B, Section 3.2.3.6).

4.4 Housing and Homelessness Action Plan (2013)

The City’s 10-year Housing and Homelessness Action Plan (HHAP) is a strategic implementation plan to address affordable housing and homelessness in Hamilton. The development of the Action Plan was informed by extensive community engagement and a comprehensive needs analysis which provided the basis for the development of a framework to inform decisions about housing resource allocation in the city. This framework includes a series of fundamental strategies which are designed to address the supply, affordability and quality of Hamilton’s affordable housing stock.

This CIP is consistent with the HHAP and specifically addresses the following strategies of the Plan:

- Explore the potential for new incentive and funding programs and expand and promote more broadly existing City incentive programs to increase the supply of affordable housing (e.g., capital grants/loans, tax deferrals, waived development and other charges, etc.) (HHAP, Strategy 1.2);
- Explore the feasibility/further promote opportunities that exist in the Urban Hamilton Official Plan for density bonusing and use of Community Improvement Plans to offer other incentives for affordable housing (HHAP, Strategy 1.5);
- Encourage mixed housing and mixed income development in all urban neighbourhoods by increasing opportunities for rental, social and affordable housing in areas that currently offer limited opportunities (HHAP, Strategy 2.1(a));
- Encourage mixed housing and mixed income development in all urban neighbourhoods by exploring opportunities for social housing communities to redevelop to include a mix of new housing options (HHAP, Strategy 2.1(c));
- Increase homeownership opportunities for renters, including social housing tenants (HHAP, Strategy 2.3);
- Explore options that ensure social housing applicants and tenants have as much choice as possible (HHAP, Strategy 2.8); and
- Increase the number of rental units that meet the needs of the larger families (HHAP, Strategy 4.6).

5.0 COMMUNITY IMPROVEMENT PROJECT AREA

This Community Improvement Plan is intended to apply in targeted areas of the Hamilton Urban Area which contain sites that are in transition, under-utilized and/or in need of repair, rehabilitation and redevelopment and where there is opportunity for the provision of mixed income, mixed tenure and affordable housing to be provided.

The following Community Improvement Project Areas (CIPA) are the subject of this CIP:

5.1 Roxborough

The Roxborough CIPA is an area located within the McQueston Neighbourhood in East Hamilton the detailed boundaries of which are identified in Figure 1 to this CIP. The area consists of the former Roxborough Park School as well as other existing residential properties including a townhouse complex owned and operated by CityHousing Hamilton.

The Roxborough CIPA was identified for its potential to accommodate a new mixed income, mixed tenure and affordable housing demonstration project based on the following attributes within the CIPA:

- The area contains a former school site which provides opportunities for new residential development within the existing neighbourhood;
- The area contains an existing townhouse complex owned and operated by CityHousing Hamilton which has been identified as being at the end of its intended life and in need of significant capital for repairs.
- The area is located within the McQueston Neighbourhood which was the subject of a study by the Social Planning and Research Council (SPRC, 2012)) which found that the social and economic vulnerability of this neighbourhood’s population is more significant than other neighbourhoods in the City, particularly with respect to young families and the elderly.
- The area is serviced by a variety of significant modes of transportation including but not limited to, the Red Hill Parkway, the Confederation GO Station at Queen Elizabeth Way (QEW) and Centennial Parkway and is in proximity to a future stop on the planned Light Rail Transit (LRT) route.

The Roxborough CIPA was approved by City Council in 2018 via report PED16236(b) and designated by By-law No 18-300.

The following incentive programs contained in Section 7.0 of this CIP are applicable within the Roxborough CIPA:

- Roxborough Access to Homeownership Grant Program (RAHGP)
- Roxborough Rental Housing Loan Program (RRHLP)

6.0 GOALS OF THIS CIP

The goals and objectives of this CIP are to foster developments which are consistent with Provincial and City policy frameworks as detailed in Section 3.0 and which build upon these policies by achieving the following specifically:

- Result in a net increase in the number of affordable and market housing provided;
- Create a spectrum of affordable housing options, including households with incomes below the 40th income percentile (i.e. deeper affordability);
- Maintain or exceed current service level standards for City Housing Hamilton where developments include a property currently or formerly owned and operated by City Housing Hamilton;
- Create a mix of housing based on tenure including rental and ownership options;
- Achieve a high quality of urban design and deliver significant environmental improvements including through such means as, for example, Passive Housing standards;
- Developments must achieve a mix of unit sizes and bedrooms to ensure a range of housing needs are met within the community, including for larger households;
- Provide enhanced accessibility standards;
- Ensure affordability of housing is maintained over the long-term; and
- Explore opportunities for the inclusion of community support services through co-ordination with housing services and other external agencies.

7.0 INCENTIVE PROGRAMS

This CIP contains incentive programs which are intended to be applied within a specific, targeted Community Improvement Plan Area based on the specific needs and context of that area. Notwithstanding the above, some programs may be applicable across more than one CIPA. CIPA's which are the subject of an incentive program are identified within the purpose statement of each program below as well within the description of each CIPA contained in Section 4.0.

Detailed program descriptions, eligibility criteria and program administration matters are provided for each program in the applicable appendix to this CIP.

7.1 Roxborough Access to Homeownership Grant Program (RHAGP)

7.1.1 Purpose

The Roxborough Access to Homeownership Grant Program (RAHGP) is intended to provide grants equivalent to the value of municipal Development

Charges for below-market homeownership units created within the Roxborough Community Improvement Plan Area (CIPA). Grants provided under this program are intended to support the provision of homeownership units at below-market prices to enable create greater access to homeownership within the City and contribute to the broader spectrum of housing options within the Roxborough CIPA specifically.

7.2 Roxborough Rental Housing Loan Program (RRHLP)

7.2.1 Purpose

The Roxborough Rental Housing Loan Program (RRHLP) is intended to provide forgivable loans equivalent to the value of municipal Development Charges required for rental units created within the Roxborough Community Improvement Plan Area (CIPA). Forgivable loans provided under this program are intended to support the creation of new residential rental units which will meet a specific rent threshold in the City and which will contribute to the broader spectrum of housing options within the Roxborough CIPA specifically.

8.0 ADMINISTRATION AND MONITORING

This Community Improvement Plan, and the programs contained therein, will be administered by the Housing Services Division of the Healthy and Safe Communities Department.

The Housing Services Division will monitor the use of incentive programs contained within this CIP and their effectiveness in terms of metrics which correspond to the stated purpose and goals of this CIP as contained in Sections 2.0 and 7.0 respectively. This monitoring will be on an individual project and aggregate basis and the subject of an annual report to City Council.

9.0 AMENDMENTS AND TRANSITIONAL MATTERS

This Community Improvement Plan (CIP) will be reviewed from time to time to ensure that it is adequately reflecting existing City policies and priorities, Provincial policies and community needs. Community and applicant feedback regarding this CIP and its associated incentive programs may also lead to amendments and / or minor revisions to the detailed incentive program descriptions, eligibility criteria and program administration terms contained in the Appendices to this CIP.

9.1 Formal Amendments

A formal amendment to this CIP is required in the following instances:

- To introduce any new financial incentive programs, to be added to Section 7.0;
- To increase the amount of financial assistance that may be provided to registered owners, assessed owners, tenants and to any person to whom such an owner or tenant has assigned the right to receive a grant or loan; or
- To add, extend, remove or otherwise change the Community Improvement Project Area's which are the subject of this CIP as contained in Section 5.0.

Formal amendments will require approval by City Council and shall be undertaken in accordance with Section 28 of the *Planning Act* and the City's Public Participation and Notification Policies contained in Chapter F – Implementation, Section 1.17.2 of the Urban Hamilton Official Plan. As per the Urban Hamilton Official Plan, notification of the required public meeting for Community Improvement Plan amendments shall be given at least 17 days prior to the date of the meeting. The notice shall be given in accordance with the applicable requirements of the *Planning Act* regulations. Council decisions shall take place no sooner than a minimum of 17 days from the time the first notification is given. Proposed amendments will be circulated to the Ministry of Municipal Affairs and Housing prior to approval for consultation purposes. In addition, the City may undertake other communication methods to provide information and seek input, such as public information open houses, workshops, public meetings, the City's web site and direct or electronic mail outs and surveys.

9.2 Other Amendments

City Council has adopted, by resolution, detailed implementation measures to allow for the efficient administration of each incentive program. These administrative procedures are contained in the detailed program descriptions and terms contained as an appendix to this CIP. Changes to this appendix will be adopted by City Council by resolution. In addition, City Council may discontinue any of the programs contained in this Plan, without amendment to this Plan. Formal amendments, including public meetings under the *Planning Act*, shall not be required for minor administrative amendments to this Plan such as format changes, typographical errors, grammatical errors and policy number changes.

9.3 Transitional Matters

Program applications will be processed under the terms of the program in effect at the time the application was submitted. When program terms are revised, applications submitted and approved under the former terms of the program will be processed under the former terms unless the City receives a formal cancellation of the application.

Figure 1 – Roxborough Community Improvement Project Area Boundary

