



## PLANNING COMMITTEE REPORT

**19-018**

**November 19, 2019**

**9:30 a.m.**

**Council Chambers, Hamilton City Hall  
71 Main Street West**

**Present:** Councillors J. Farr (Chair), C. Collins, B. Johnson (2nd Vice Chair), B. Clark, M. Wilson, J.P. Danko, J. Partridge, M. Pearson

**Absent with Regrets:** Councillor T. Whitehead - Personal

**Also in Attendance:** Councillor L. Ferguson

### **THE PLANNING COMMITTEE PRESENTS REPORT 19-018 AND RESPECTFULLY RECOMMENDS:**

- 1. Administrative Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan (PED19211) (City Wide) (Item 7.1)**
  - (a) That City Initiative CI-19-E – Administrative Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan, to amend policies, schedules and maps, to implement policy and mapping corrections for Volume 1 – Parent Plan, Volume 2 – Secondary Plans, and Volume 3 – Area and Site Specific Policies, be APPROVED on the following basis:
    - (i) That the Draft Urban Hamilton Official Plan Amendment, attached as Appendix “A” to Report PED19211, be adopted by Council.
    - (ii) That the Draft Rural Hamilton Official Plan Amendment, attached as Appendix “B” to Report PED19211, be adopted by Council.
    - (iii) That the proposed Official Plan Amendments are consistent with the Provincial Policy Statement (PPS) 2014 and conform to A Place to Grow (Growth Plan for the Greater Golden Horseshoe, 2019) and the Greenbelt Plan, 2017.



**2. Applications to Amend the Urban Hamilton Official Plan and City of Hamilton Zoning By-law No. 05-200 for Lands Located at 280 Wilson Street East (Ancaster) (PED19217) (Ward 12) (Item 8.2)**

- (a) That Revised Urban Hamilton Official Plan Amendment Application UHOPA-17-022 by 998071 Ontario Inc. (Owner), for an amendment to the Ancaster Wilson Street Secondary Plan to establish a site specific policy to permit a three storey multiple dwelling in conjunction with the existing heritage building on the subject lands, for lands known as 280 Wilson Street East, as shown on Appendix “A” to Planning Committee Report 19-018, be APPROVED on the following basis:
  - (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED19217, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.
  - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2014) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019).
- (b) That Revised Zoning By-law Amendment Application ZAC-17-051, by 998071 Ontario Inc. (Owner), for a further modification from the Mixed Use Medium Density – Pedestrian Focus (C5a, 570) Zone to the Mixed Use Medium Density – Pedestrian Focus (C5a, 643) Zone to permit a three storey (14.3 m) multiple dwelling at the rear of the lands located at 280 Wilson Street East (Ancaster), as shown on Appendix “A” to Report PED19217, be APPROVED on the following basis:
  - (i) That the draft By-law, attached as Appendix “C” to Report PED19217, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.
  - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019), and will comply with the Urban Hamilton Official Plan, upon finalization of Urban Hamilton Official Plan Amendment No. XX.
- (c) That the public submissions received did not affect the decision.

**3. The Housing for Hamilton Community Improvement Plan for the Roxborough Mixed Income/Tenure Demonstration Project (PED19208) (Ward 4) (Item 8.3)**

- (a) That the Housing for Hamilton Community Improvement Plan (2019), attached as Appendix “A” to Planning Committee Report 19-018, be approved;



- (b) That, subject to the approval of recommendation (a), the Housing for Hamilton Community Improvement Plan Implementing By-law, attached as Appendix “B” to Report PED19208, be enacted;
- (c) That, subject to the approval of recommendation (b), the program terms and administrative processes for the Roxborough Access to Homeownership Grant Program, attached as Appendix “B” to Planning Committee Report 19-018, be approved and appended to the Housing for Hamilton Community Improvement Plan;
- (d) That, subject to the approval of recommendation (b), the program terms and administrative processes for the Roxborough Rental Housing Loan Program, attached as Appendix “C” to Planning Committee Report 19-018, be approved and appended to the Housing for Hamilton Community Improvement Plan;
- (e) That the General Manager of Healthy and Safe Communities be authorized to approve applications, and execute agreements, under the Roxborough Access to Homeownership Grant and Roxborough Rental Housing Loan Programs with agreement content satisfactory to the General Manager and in a form satisfactory to the City Solicitor;
- (f) That, subject to the approval of recommendation (c) and (d), parkland dedication requirements for residential townhouses and multi-residential units located within the Roxborough Community Improvement Project Area and which meet the eligibility criteria of the Roxborough Access to Homeownership Grant and/or Roxborough Rental Housing Loan Programs be suspended under Section 12 of the City of Hamilton’s Parkland Dedication By-law for a period of seven years beginning from the date of adoption of the Housing for Hamilton Community Improvement Plan By-Law.
- (g) That there were no public submissions received on this matter.

**4. Building Community Capacity in the Planning Process – Development Applications Policy Evaluation Framework (“Planning 101”) (PED19177) (City Wide) (Item 9.1)**

That Report PED19177 respecting Building Community Capacity in the Planning Process – Development Applications Policy Evaluation Framework (“Planning 101”), be received.



- 5. Sign Variance Appeal SV-19-002 for the property known as 1147 Garner Road West, Ancaster, Denied by the Director of Planning and Chief Planner and Appealed by the Owner (PED19195) (Ward 12) (Referred from the October 9<sup>th</sup> Council meeting) (Item 10.1)**
- (a) That the Appeal of Sign Variance Application SV-19-002, by Ancaster Self Storage Inc., Owner, to permit a proposed electronic message display Ground Sign proposing a 100% electronic message display, third party advertising, increased maximum height, decreased minimum setback from property line, and no display of the municipal address to be included, for the property located at 1147 Garner Road West, Ancaster, as shown on Appendix "D" to Planning Committee Report 19-018, be Approved, subject to the following conditions"
    - (i) That advertising for a business not on the property on which the proposed Ground Sign is displayed shall be limited to those companies in which Triman Holdings (Ancaster) Corporation, Urbancore Developments Inc. or Developments have a direct or indirect ownership: Ancaster Self Storage, Dundas Self Storage, Upper James Self Storage, Waterdown Mini Storage, Roxborough Park Development, King@Dundas Development;
    - (ii) That the owner/applicant dedicates a minimum twenty per cent (20%) of the advertising on the proposed Ground Sign to the activities of a charity, a community organization, or the City in accordance with the definitions of Hamilton Sign By-law 10-197, as amended; and,
    - (iii) That a fee will not be charged to the charity or organization receiving the gratis advertising, providing that such charity or organization provides and bears the cost of production and delivery of all materials, digital files, or documents required for the electronic message display.
  - (b) That Report PED19195 respecting Sign Variance Appeal SV-19-002 for the property known as 1147 Garner Road West, Ancaster, Denied by the Director of Planning and Chief Planner and Appealed by the Owner, be received.
- 6. New Site Alteration By-law (PED19201) (City Wide) (Outstanding Business List Item) (Item 10.2)**
- (a) That the draft Site Alteration By-law, as shown on Appendix "A" to Report PED19201 and in a form satisfactory to the City Solicitor, be Approved;



- (b) That the draft Site Alteration By-law attached as Appendix “A” to Report PED19201, be reviewed in eighteen months;
- (c) That the new Site Alteration By-law be identified as complete and removed from the Planning Committee’s Outstanding Business List.

**7. On Street Parking Permits – Wellington Street North (PED19187) (Ward 2) (Outstanding Business List Item) (Item 10.3)**

- (a) That the following changes to on-street parking regulations on Wellington Street North from Barton Street East to Robert Street, attached as Appendix “E” to Planning Committee Report 19-018, be implemented:
  - (i) Remove No Parking restrictions on the west side of Wellington Street North (from Barton Street East to Robert Street);
  - (ii) Add three new parking meters on the west side of Wellington Street North;
  - (iii) Extend the rush hour No Stopping Anytime on the east side of Wellington Street North (Barton Street East to Robert Street) from 4 p.m.-6 p.m. (Monday to Friday) to 2 p.m.-6 p.m. (Monday to Friday);
- (b) That the amendment to the Parking By-Law 01-218, attached as Appendix “B” to Report PED19187, which has been prepared in a form satisfactory to the City Solicitor, be approved;
- (c) That the southbound curb lane on Wellington Street North at Barton Street East be converted from a through-right turn lane into an exclusive right-turn lane, and associated Traffic By-law 01-215 be amended;
- (d) That staff be directed to install a permanent bump-out on the south/west corner of Wellington Street North and Barton Street East to delineate the parking lane, as shown in Appendix “F” attached to Planning Committee Report 19-018, and that the estimated cost of \$15,000 be funded from the Ward 2 Reserve Account (108052);
- (e) That the matter respecting On-Street Parking Permits – Wellington Street North be identified as complete and removed from the Planning Committee Outstanding Business List.

**8. Parking Fee Review (PED19238) (City Wide) (Item 10.4)**

- (a) That Report PED19238 respecting Parking Fee Review, be received.



- (b) That the options of a \$0.25 and \$0.50 increase for on-street metered parking be referred to local Business Improvement Areas for feedback;
- (c) That staff report back to the Planning Committee with additional information related to increasing parking penalties to a level equal to comparator municipalities;
- (d) That staff report back to the Planning Committee with the net budget revenues associated with the increasing parking permit fees by \$5.00 and \$10.00 per month;
- (e) That staff report back to the Planning Committee following consultation with Hamilton schools and school boards regarding issues related to parking and stopping in front of schools; and,
- (f) That staff report back to the Planning Committee with information related to increasing Special Event Rates in line with privately operated lots.

**9. Options to Reduce Vehicle Use in MLE Vehicles (Item 11.1)**

That the Motion respecting Options to Reduce Vehicle Use in MLE Vehicles be referred to the General Issues Committee meeting at which the Climate Crisis report is considered.

**10. Feasibility of Glanbrook Sports Park Being Included in the Binbrook Village Urban Boundary (Item 11.2)**

WHEREAS, Glanbrook has grown exponentially in the past 20 years and the demand for recreation programs has increased significantly;

WHEREAS, Glanbrook residents travel on average 5 km to access recreation programs;

WHEREAS, according to the capital budget, Glanbrook is slated for a recreation centre in 2028;

WHEREAS, Recreation centres require approx. 25 acres (10 hectares);

WHEREAS, the only available land is the "Glanbrook Sports Park" that currently has an arena, baseball and soccer facilities as well as the municipal centre;

WHEREAS, "Glanbrook Sports Park" is approx. 25 acres (10 hectares);

WHEREAS, "Glanbrook Sports Park" is within the Greenbelt and abuts the urban boundary;



WHEREAS, “Glanbrook Sports Park” has a very fragile septic system and well;

WHEREAS, Installation of new infrastructure such as water and sewer is not allowed within Greenbelt lands; and,

WHEREAS, according to Growth Plan for the Greater Golden Horseshoe, the need for a settlement area boundary expansion has been justified in accordance with policy 2.2.8.2 25 acres (10 hectares) can be included in the Binbrook Village urban boundary;

THEREFORE BE IT RESOLVED:

That staff be directed to look at the feasibility of including the lands of the “Glanbrook Sports Park” into the Binbrook Village Urban Boundary.

**FOR INFORMATION:**

**(a) APPROVAL OF AGENDA (Item 2)**

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

**1. DELEGATION REQUESTS (Item 6)**

- 6.1 Anthony Longo respecting 2070 Rymal Road East (For today’s meeting)

**2. PUBLIC HEARINGS/DELEGATIONS (Item 8)**

- 8.2 Staff have a revised recommendation (b) to Report PED19217 as the applicant has satisfied conditions relating to a Holding Provision and it is no longer required.

**3. MOTIONS (Item 11)**

- 11.1 Reduction in MLE Vehicles – Revised Title to read “Options to Reduce Vehicle Use in MLE Vehicles”

The agenda for the November 19, 2019 meeting was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 3)**

None declared.



**(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)**

**(i) November 5, 2019 (Item 4.1)**

The Minutes of the November 5, 2019 meeting were approved, as presented.

**(d) DELEGATION REQUESTS (Item 6)**

**(i) Anthony Longo respecting 2070 Rymal Road East (For today's meeting) (Added Item 6.1)**

The Delegation Request from Anthony Longo respecting 2070 Rymal Road East, was approved for today's meeting, to be heard at this time.

**(e) PUBLIC HEARINGS/DELEGATIONS (Item 8)**

**(i) Anthony Longo respecting 2070 Rymal Road East (For today's meeting) (Added Item 6.1)**

Anthony Longo addressed the Committee respecting 2070 Rymal Road East and issues associated with the development of a business on the property and City by-law requirements that will add an extra \$80,000 to \$100,000 to the development costs.

The Delegation from Anthony Longo respecting 2070 Rymal Road East, was received.

WHEREAS, Anthony Longo addressed the Planning Committee on November 19, 2019 respecting 2070 Rymal Road East and issues associated with the development of a business on the property and City by-law requirements that will add an extra \$80,000 to \$100,000 to the development costs;

THEREFORE BE IT RESOLVED:

- (a) That staff be directed to explore options to mitigate costs and expenses as a result of this error;
- (b) That staff be directed to review the processes and provide recommended changes to policies to prevent such issues from happening in the future, specifically to high-risk ICI developments; and,
- (c) That staff report back to the Planning Committee in an expedited manner.



(ii) **Angela Riley respecting a Request for a Taxi Stand (Approved at the November 15<sup>th</sup> meeting) (Item 8.1)**

Angela Riley addressed the Committee respecting a Request for a Taxi Stand at Tim Horton's Field.

The Delegation from Angela Riley respecting a Request for a Taxi Stand, was received.

Staff was directed to review the possibility of a taxi stand location around Tim Hortons Field, and to consult with other municipalities about their processes for temporary taxi stands.

(iii) **Applications to Amend the Urban Hamilton Official Plan and City of Hamilton Zoning By-law No. 05-200 for Lands Located at 280 Wilson Street East (Ancaster) (PED19217) (Ward 12) (Item 8.2)**

In accordance with the provisions of the *Planning Act*, Chair Farr advised that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Official Plan Amendment or Zoning By-law Amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal, and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

The public meeting was closed.

Melanie Schneider, Planner II, addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation is available through the Office of the City Clerk and online at [www.hamilton.ca](http://www.hamilton.ca).

The staff presentation, was received.

Brenda Khes, GSP Group Inc., was in attendance and indicated support for the staff report.

The written submissions were received.

Recommendation (b), and the related sections in Appendix "C", to Report PED19217 were **amended** by replacing the wording as follows:

- (b) That Revised Zoning By-law Amendment Application ZAC-17-051, by 998071 Ontario Inc. (Owner), for a further modification from the



Mixed Use Medium Density – Pedestrian Focus (C5a, 570) Zone to the Mixed Use Medium Density – Pedestrian Focus (C5a, 643) Zone to permit a three storey (14.3 m) multiple dwelling at the rear of the lands located at 280 Wilson Street East (Ancaster), as shown on Appendix “A” to Report PED19217, be APPROVED on the following basis:

- i) That the draft By-law, attached as Appendix “C” to Report PED19217, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.
- ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019), and will comply with the Urban Hamilton Official Plan, upon finalization of Urban Hamilton Official Plan Amendment No. XX.

The recommendations in Report PED19217 were **amended** by adding the following sub-section (c):

**(c) *That the public submissions received did not affect the decision.***

For disposition of this matter, refer to Item 2.

**(iv) The Housing for Hamilton Community Improvement Plan for the Roxborough Mixed Income/Tenure Demonstration Project (PED19208) (Ward 4) (Item 8.3)**

In accordance with the provisions of the *Planning Act*, Chair Farr advised that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Community Improvement Plan, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal, and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

The public meeting was closed.

The staff presentation was waived.

The recommendations in Report PED19208 was **amended** by adding the following sub-section (g):



**(g) *That there were no public submissions received on this matter.***

For disposition of this matter, refer to Item 3.

**(f) STAFF PRESENTATIONS (Item 9)**

**(i) Building Community Capacity in the Planning Process – Development Applications Policy Evaluation Framework (“Planning 101”) (PED19177) (City Wide) (Item 9.1)**

Christina Newbold, Manager, Planning and Economic Development, Joanne Hickey-Evans, Manager, Policy Planning and Zoning By-law Reform, and Anita Fabac, Manager of Development Planning, Heritage & Design, addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation is available through the Office of the City Clerk and online at [www.hamilton.ca](http://www.hamilton.ca).

The presentation from Christina Newbold, Joanne Hickey-Evans and Anita Fabac respecting the Building Community Capacity in the Planning Process – Development Applications Policy Evaluation Framework (“Planning 101”), was received.

For disposition of this matter, refer to Item 4.

**(g) DISCUSSION ITEMS (Item 10)**

**(i) Sign Variance Appeal SV-19-002 for the property known as 1147 Garner Road West, Ancaster, Denied by the Director of Planning and Chief Planner and Appealed by the Owner (PED19195) (Ward 12) (Referred from the October 9<sup>th</sup> Council meeting) (Item 10.1)**

Report PED19195 respecting Sign Variance Appeal SV-19-002 for the property known as 1147 Garner Road West, Ancaster, Denied by the Director of Planning and Chief Planner and Appealed by the Owner, was received.

For disposition of this matter, refer to Item 5.

**(ii) New Site Alteration By-law (PED19201) (City Wide) (Item 10.2)**

Carlo Ammendolia, Manager Development Engineering – Construction, addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation is available through the Office of the City Clerk and online at [www.hamilton.ca](http://www.hamilton.ca).



The presentation from Carol Ammendolia, respecting the New Site Alteration By-law, was received.

For disposition of this matter, refer to Item 6.

**(h) PRIVATE AND CONFIDENTIAL (Item 14)**

**(i) Closed Session Minutes – November 5, 2019 (Item 14.1)**

- (a) The Closed Session Minutes of the November 5, 2019 meeting of the Planning Committee were approved, as presented; and,
- (b) The Closed Session Minutes of the November 5, 2019 meeting of the Planning Committee remain confidential.

**(i) ADJOURNMENT (Item 15)**

There being no further business, the Planning Committee was adjourned at 2:53 p.m.

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Councillor Jason Farr  
Chair, Planning Committee

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Lisa Chamberlain  
Legislative Coordinator  
Office of the City Clerk



# Housing for Hamilton Community Improvement Plan

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HEALTHY AND SAFE COMMUNITIES DEPARTMENT

CITY OF HAMILTON

NOVEMBER 2019



Hamilton



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## 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)).



### 3.1 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); and
- 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 CityHousing 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 (RAHGP)

#### 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 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 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.

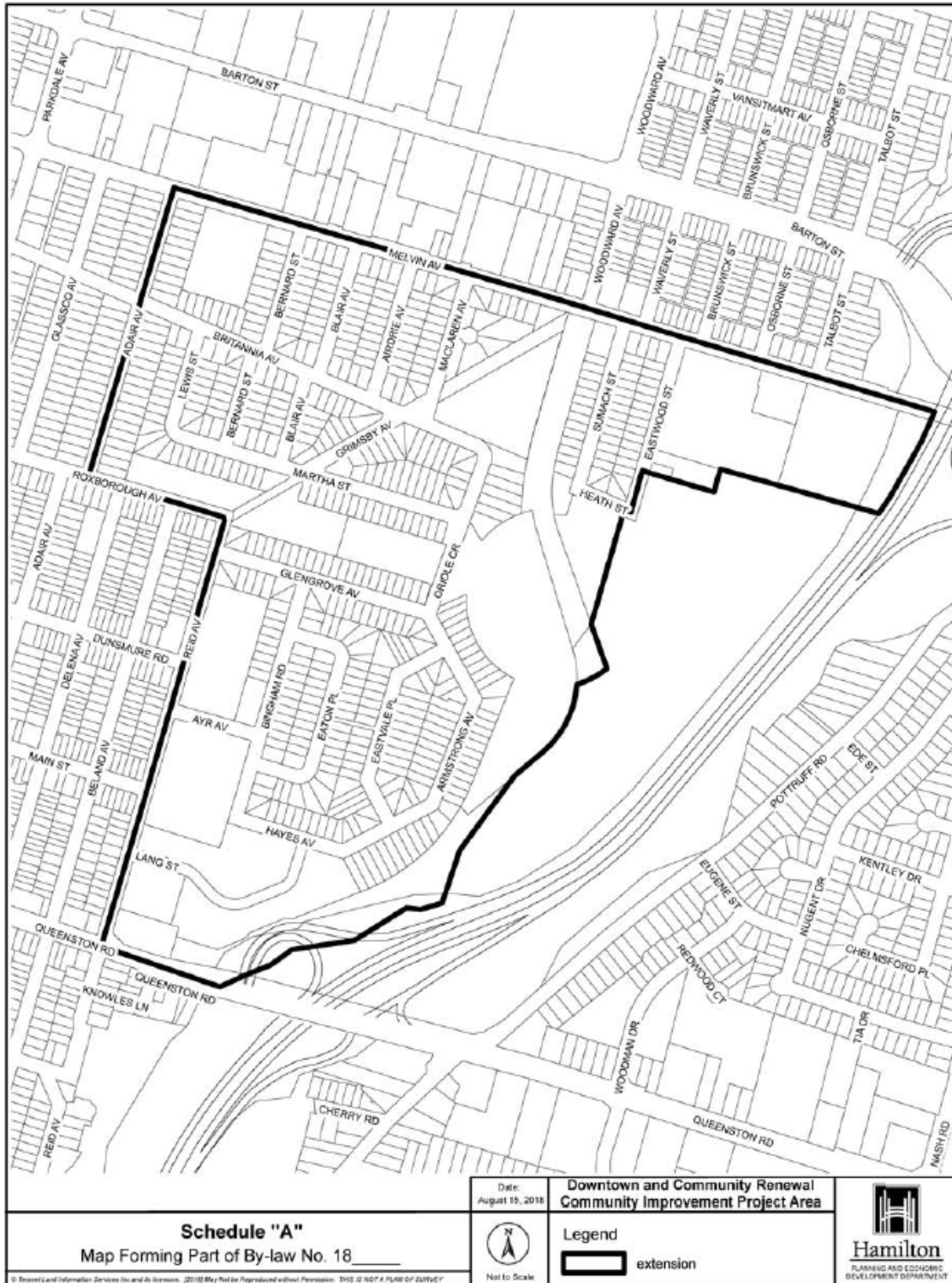
## 9.3 Transitional Matters

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.



## FIGURES

Figure 1 – Roxborough Community Improvement Project Area Boundary





## A. ROXBOROUGH ACCESS TO HOMEOWNERSHIP GRANT PROGRAM (RAHGP)



### A.1 PROGRAM DESCRIPTION

The Roxborough Access to Homeownership Grant Program (RAHGP) is available to property owners (or their assignees) within the Roxborough Community Improvement Project Area (CIPA). Applicants who provide homeownership units which meet the eligibility criteria of the program will be eligible for a grant equal to the value of the municipal Development Charges owed for the unit(s). Note that Educational Development Charges are not part of the scope of this program.

This program may be used in conjunction with the federal/provincial down payment assistance programs in order to provide deeper affordability opportunities.

Grants provided under this program shall be provided to the applicant who is the Owner registered on title who has constructed or cause to have constructed the unit.

Grants provided under this program shall not exceed the value of the municipal Development Charges owed for the below-market homeownership unit(s) at the time of Building Permit for said unit(s).

Grants under this program will be paid on a per unit basis at such time as:

- The requirements under Section 1 and 2 of A.2 have been fulfilled to the satisfaction of the General Manager of Healthy and Safe Communities; and
- At issuance of Building Permit for the Eligible Unit(s).

An assignment of a grant or application under this program may only be permitted by the General Manager of Healthy and Safe Communities in their sole direction and on such reasonable terms and conditions as the General Manager deems appropriate.

Successful applicants shall be required to enter into an agreement with the City with such terms consistent with the terms and conditions of this program and such additional reasonable terms and conditions that the General Manager of Healthy and Safe Communities deems appropriate in their sole discretion.



Realty taxes must be paid at the time of application approval and prior to grant payment for the project property.

Construction of Eligible Units shall commence no later than five-years following the date of approval of an application under this program. The five-year period may be extended by the General Manager of Healthy and Safe Communities in their sole direction and on such reasonable terms and conditions as the General Manager deems appropriate.

The Housing Services Division will periodically review the terms and the duration of the Program and make appropriate revisions as per the direction of City Council.

All costs associated with the development and the requirements of this program are to be borne by the applicant including construction, design, development charges, administration fees, appraisals, inspections, legal and registration fees.

## **A.2 ELIGIBILITY CRITERIA**

1. Applicants to the RAHGP must meet the goals of the Housing for Hamilton Community Improvement Plan (HHCIP) as identified in Section 6.o.
2. An applicant will be eligible for a grant under this program for each unit (“Eligible Unit”) which meets the following requirements:
  - a) The unit is located within the Roxborough Community Improvement Project Area (CIPA) as identified in Section 7.o of the Housing for Hamilton Community Improvement Plan (HHCIP);
  - b) Townhouse units (all forms) shall have a sale price not to exceed \$420,000 with an overall median price for all townhouse Eligible Units forming part of a development of \$400,000 which prices are to be indexed annually based on the annual percentage change in the median price of new construction homes in the Hamilton Census Metropolitan Area (CMA) as stated by the Realtors Association of Hamilton-Burlington.
  - c) For all other Eligible Units additional price and income thresholds will be determined on an individual project basis to reflect the specific form and size of additional units. Final determination of eligibility shall be at the sole discretion of the General Manager of Healthy and Safe Communities.
  - d) The applicant provides to the City, at the time of Building Permit, an undertaking that confirms the applicant shall execute purchase agreements containing signed declarations between the eligible purchaser and the seller of the Eligible Unit



acknowledging the following conditions associated with the Eligible Unit being purchased:

- i. that the purchaser(s) have a combined average gross household income equal to or less than \$120,000 (indexed each year from 2019 to inflation rate) based on each purchaser(s) Notice of Assessments from the previous two tax years as issued by the Canada Revenue Agency;
  - ii. that the Eligible Unit will be the purchaser(s) principal residence and the purchaser shall not own any other residential property unless prior approval is received from the General Manager of Healthy and Safe Communities;
  - iii. that the purchaser(s) is not a corporation, business or entity;
  - iv. that in the event that the purchaser(s) sells the Eligible Unit within one year of becoming the registered owner, and the unit is sold at a value exceeding that for which it was initially purchased, the purchaser may be required to repay to the City the lesser of the increased value received for the Eligible Units or an amount equal to the municipal Development Charges and Cash-in-Lieu of Parkland Dedication fees which would otherwise have been required for the Eligible Unit at the time of Building Permit as determined by the City; and,
  - v. that the purchaser(s) agree to provide to the City any documentation required by the City to confirm the eligibility of the purchaser with respect to the above requirements and acknowledge that in the event of any clear contravention of the above criteria, the purchaser may be required to repay to the City an amount equal to the municipal Development Charges and Cash-in-Lieu of Parkland Dedication fees which would otherwise have been required for the Eligible Unit at the time of Building Permit as determined by the City; and,
- e) Notwithstanding Subsection 2. b), c) and d), a maximum of 107 units may be eligible under this program provided that purchase price does not exceed \$420,000 to be indexed annually based on the annual percentage change in the median price of new construction homes in the Hamilton Census Metropolitan Area (CMA) as stated by the Realtors Association of Hamilton-Burlington. Such units shall be permitted under this program until such time as the City’s Development Charge By-Law contains in force and effect provision(s) which permit existing CityHousing Hamilton residential units to be eligible for demolition credits;
- f) To be eligible under this program, an applicant must commit to providing:



- i. a minimum of 150 townhouse units (all forms) forming part of the Eligible Units within a development which meet the requirements contained in Section 2. a), b) d) e) and i) and,
- ii. a minimum 200 eligible rental units as determined eligible under the Roxborough Rental Housing Loan Program (RRHLP).

Such a commitment will be in a form satisfactory to the General Manager of Healthy and Safe Communities prior to an application being approved under this program; and,

- g) The registered property owner/applicant at the time of application shall be the same registered owner of an Eligible Unit at the time of transfer to the first Eligible Purchaser;
- h) All Eligible Units for which a grant is provided under this program shall meet the following development requirements:
  - i. constitute a Dwelling Unit as defined by City of Hamilton Zoning By-Law 05-200; and,
  - ii. generally have the same exterior building materials, design elements and scale as market units being provided within the same development; and,
- i) All Eligible Townhouse Units for which a grant is provided under this program shall meet the following development requirements:
  - i. constitute a Dwelling Unit as defined by City of Hamilton Zoning By-Law 05-200;
  - ii. be in the form of a townhouse (all forms), and without limiting the generality of the foregoing, shall not be eligible under this program if provided in the form of a Single Detached Dwelling, Duplex, Semi-detached Dwelling or as an Accessory Dwelling Unit;
  - iii. consist of two (2) storeys above grade;
  - iv. contain a minimum of two (2) bedrooms; and,
  - v. generally have the same exterior building materials, design elements and scale as market townhouses being provided within the same development; and,



- j) Eligible Unit(s) shall conform to the City’s Official Plan, Zoning By-Laws(s), Site Plan approval and any other applicable and approved municipal policies or guidelines (e.g. urban design guidelines); and,
- k) Any outstanding work orders, property violations or tax arrears on the project property shall be rectified prior to an approval being issued under this program and prior to a grant being provided.

### **A.3 APPLICATION CRITERIA**

1. Applications shall be submitted to the Housing Services Division prior to payment of any Development Charges or the issuance of a Building Permit for Eligible Units which are the subject of an application under this program.
2. An approval under this program shall not preclude eligibility of the property for any other loans or grants available under a municipal program or Community Improvement Plan, where applicable.
3. Applications to this program are subject to the approval of the General Manager of Healthy and Safe Communities in their sole discretion.
4. Approval of an application under this program is subject to the availability of funds.

The General Manager of Healthy and Safe Communities may reject any application received from an applicant where, in the opinion of the GM, 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.

The General Manager of Healthy and Safe Communities may reject any application received from an applicant, whether or not an applicant satisfies the requirements of the Program, where property tax arrears are owed on the subject property or on other properties owned by the applicant within the City of Hamilton.

The General Manager of Healthy and Safe Communities, whether or not an applicant satisfies the requirements of the Program, may reject any application received from an applicant where there is credible information that an applicant has been involved recently or repeatedly in illegal activity supporting the conclusion that he or she will not conduct himself or herself with honesty and integrity in undertaking the activity, operation or business for which the loan/grant is sought. For corporate applicants, it will be the corporation and the principals of the corporation whose illegal activity will be considered.



#### **A.4 ADMINISTRATION**

Applicants to the RAHGP will complete and submit an application to the Housing Services Division prior to obtaining a Building Permit.

The grant will be provided on a per unit basis at the time of Building Permit issuance for Eligible Unit(s) provided that the applicable eligibility requirements and program terms as contained in A.2 have been met to the satisfaction of the General Manager of Healthy and Safe Communities.

The applicant provides to the City, at or before the time of Building Permit application, an undertaking that confirms the applicant shall execute purchase agreements containing signed declarations between the eligible purchaser and the seller of the Eligible Unit acknowledging the conditions associated with the Eligible Unit being purchased as contained in A.2, Subsection 2. d).

The applicant will provide a proposed sale price list for the phase of development containing the Eligible Units which are the subject of this program at the time of Building Permit application to confirm compliance with unit price maximum and median price requirements.

Grants under this program will be paid on a per unit basis at such time as:

- the requirements under Section 1 and 2 of A.2 have been fulfilled to the satisfaction of the General Manager of Healthy and Safe Communities; and
- at issuance of Building Permit for the Eligible Unit(s).

An assignment of a grant or application under this program may only be permitted by the General Manager of Healthy and Safe Communities in their sole direction and on such terms and conditions as the General Manager deems appropriate.

Realty taxes must be paid at the time of application approval and prior to grant payment for the project property.

The City reserves the right to require the submission of any additional documentation or enter into any additional agreements as deemed necessary by the City to ensure the goals and purpose of the HHCIP and RAHGP are met. This requirement shall include the submission of any documentation provided by a purchaser of an Eligible Unit to the applicant required to demonstrating compliance with the criteria outlined in A.2, Subsection 2. d).

The Housing Services Division is responsible for retaining the following documents for a minimum period of seven (7) years beyond the life of the program:

- Signed application package, including all required accompanying documentation;
- Letter of approval to proponent from City of Hamilton;
- All invoices and internal journals for all eligible expenditures; and
- Records of all payments and defaults.



## B. ROXBOROUGH RENTAL HOUSING LOAN PROGRAM (RRHLP)



### B.1 PROGRAM DESCRIPTION

The Roxborough Rental Housing Loan Program (RRHLP) is available to property owners (or their assignees) who create residential rental buildings within the Roxborough Community Improvement Project Area (CIPA) which meet specific affordability parameters.

Buildings which meet the Eligibility Criteria in Section B.2 will be eligible for a forgivable loan equal to the value of municipal Development Charges owed. Note the value of Educational Development Charges are not part of the scope of this program.

A loan provided under this program will be forgiven on a pro-rated basis in a minimum amount equal to 1/10<sup>th</sup> the value of the principal loan plus interest (or other fraction as required dependent on the term of the loan). Loan forgiveness will occur on the annual anniversary date on which occupancy was granted by the City for the last eligible unit contained within an Eligible Building and where the following conditions of forgiveness have been met to the satisfaction of the General Manager of Healthy and Safe Communities:

- a) Rents for eligible units do not exceed 175% of the Average Market Rent (AMR) for the Hamilton Census Metropolitan Area, as stated by Canadian Mortgage and Housing Corporation (CMHC) (see Section B.5 for additional supporting information);
- b) Rents for eligible units are maintained at the level identified in a) above for a period of no less than 10 years from the date building occupancy is granted by the City; and
- c) The applicant is in compliance with the loan agreement and all the terms and conditions of this program.

A loan provided under this program will bear interest at 15% per annum with both interest and principal being forgiven in accordance with above.

Where the conditions of forgiveness contained above have not been met for all eligible units which were the subject of a forgivable loan under this program and located within an Eligible Building (a “Default”) and such Default is not cured within 30 days’ written notice from the City of such default, then the entire portion of the loan for which forgiveness has not previously been granted shall become immediately payable to the City in monthly payments for the balance of the term of the loan with an interest rate of 15% per annum, or such other interest rate as may



be established by City Council from time to time, with interest accrued and accruing from the date the last eligible unit in the Eligible Building(s) which are the subject of an approved application under this program being approved for occupancy by the City. If a Default is cured within 30 days' written notice from the City of such Default, then a payment shall become immediately payable to the City in an amount equal to 15% interest per annum on the entire portion of the loan for which forgiveness has not previously been granted applicable, calculated during the number of days between the written notice from the City or a date on which the City can demonstrate that conditions of forgiveness began to not be met, and the curing of such default.

In order to receive a forgivable loan pursuant to this program, successful applicants shall be required to enter into an agreement with the City with such terms consistent with the terms and conditions of this program including without limitation the maintenance of rents in accordance with a), b) and c) above and such additional terms and conditions that the General Manager of Healthy and Safe Communities deems appropriate in their sole discretion and secured by a mortgage and such other security as the General Manager of Healthy and Safe Communities deems appropriate in their sole discretion.

Where an application is approved under this program, a forgivable loan will be provided to the registered property owner of the property on which the Eligible Building is located pursuant to the conditions and requirements of this program.

A forgivable loan provided under this program shall not exceed the value of the municipal Development Charges owed for eligible unit(s) in an Eligible Building(s) which are the subject of an approved application under this program.

The maximum forgivable loan amount shall not include the value of municipal Development Charges which are owed for uses other than the eligible units contained within the Eligible Building(s) which are the subject of an approved application under this program.

A forgivable loan under this program will be provided at issuance of a Building Permit for all eligible unit(s) in the Eligible Building(s) which are the subject of an approved application and in a value equal to the municipal Development Charges owed for the eligible unit(s) which were the subject of the Building Permit.

A forgivable loan provided under this program will have a term of 10 years beginning from the date on which occupancy was granted by the City for the last eligible unit contained within an Eligible Building.

A forgivable loan provided under this program shall be secured by a mortgage upon the lands/property to be developed, prior to the first advance of funds and, in a position no less than 2<sup>nd</sup> priority unless otherwise permitted by the General Manager of Healthy and Safe



Communities in their sole discretion. The mortgage shall not be discharged until the loan is paid or forgiven. In addition, the General Manager of Healthy and Safe Communities may require such additional securities in their sole direction which may include the following: loan agreement; and / or promissory note; and / or personal property security; and / or personal guarantees; and / or corporate guarantees; and / or lien on the property to be developed; and / or such other security which may be appropriate or available in the circumstance.

The loan plus accrued interest (if any) be prepaid at any time without notice, bonus or penalty.

The assignment of an application under this program may only be permitted by the General Manager of Healthy and Safe Communities in their sole discretion and on such terms and conditions as the General Manager deems appropriate.

All costs associated with the development and the requirements of this program are to be borne by the applicant including construction, design, development charges, administration fees, appraisals, inspections, legal and registration fees.

Realty taxes must be paid as billed throughout the development process and must not be in arrears at the annual anniversary date of forgiveness.

Development shall commence no later than five-years following the date of approval of an application under this program. The five-year period may be extended by the General Manager of Healthy and Safe Communities in their sole direction and on such terms and conditions as the General Manager deems appropriate.

The City of Hamilton may require specific insurance terms to be met to protect the City's interest as it determines in its sole discretion.

Disposition of a property containing eligible residential rental unit(s) which are the subject of a forgivable loan under this program shall not be permitted except where:

- a) the City is provided written notice of the sale including the name of the purchaser and closing date of the purchase; and
- b) the transfer of ownership includes the assignment of any remaining loan under this program to the purchaser subject to the approval of the General Manager of Healthy and Safe Communities in their sole discretion and on such terms and conditions as the General Manager deems appropriate.

The Housing Services Division will periodically review the terms and the duration of the Program and make appropriate revisions as per the direction of City Council.



## **B.2 ELIGIBILITY CRITERIA**

1. Applicants to the RRHLP must meet the goals of the Housing for Hamilton Community Improvement Plan (HHCIP) as identified in Section 6.o.
2. An applicant will be eligible for a forgivable loan under this program where eligible units meet the following requirements:

- a) The eligible units are located within the Roxborough Community Improvement Project Area (CIPA) as identified in Section 7.o of the Housing for Hamilton Community Improvement Plan (HHCIP);
- b) Rents do not exceed 175% of the Average Market Rent (AMI) for the Hamilton Census Metropolitan Area, as stated by Canadian Mortgage and Housing Corporation (CMHC) (see Section B.5 for additional supporting information);

For clarity, an applicant shall have no obligation to reduce rent in the event of an AMR decrease and the rent payable under a residential lease that met the eligibility requirements at the timing of aligning with a tenant.

- c) Rents compliant with the parameters contained in b) above for a period of no less than 10 years from the date building occupancy is granted by the City;
- d) The applicant is in compliance with the loan agreement and all the terms and conditions of this program;
- e) The eligible units are contained within a building in which no non-eligible units are located (“Eligible Building”);
- f) The eligible units constitute a Dwelling Unit as defined by City of Hamilton Zoning By-law 05-200;
- g) The eligible units are not in the form of Single Detached Dwelling, Duplex, Semi-detached Dwelling, any form of Townhouse or Accessory Dwelling Unit;
- h) Eligible Building(s) conform to the City’s Official Plan, Zoning By-Laws(s), Site Plan approval and any other applicable and approved municipal policy or guidelines (e.g. urban design guidelines); and
- i) Any outstanding work orders, property violations or tax arrears on properties containing an Eligible Building are rectified prior to an approval being issued under this program and prior to a loan being provided.



### **B.3 APPLICATION CRITERIA**

1. Applications shall be submitted to the Housing Services Division prior to payment of any Development Charges or the issuance of a Building Permit for an Eligible Building which is the subject of an application under this program.
2. An approval under this program shall not preclude eligibility of the property for any other loans or grants available under a municipal program or Community Improvement Plan, where applicable.
3. Applications to this program are subject to the approval of the General Manager of Healthy and Safe Communities in their sole discretion.
4. Approval of an application under this program is subject to the availability of funds.

The General Manager of Healthy and Safe Communities may reject any application received from an applicant where, in the opinion of the GM, 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.

The General Manager of Healthy and Safe Communities may reject any application received from an applicant, whether or not an applicant satisfies the requirements of the Program, where property tax arrears are owed on the subject property or on other properties owned by the applicant within the City of Hamilton.

The General Manager of Healthy and Safe Communities, whether or not an applicant satisfies the requirements of the Program, may reject any application received from an applicant where there is credible information that an applicant has been involved recently or repeatedly in illegal activity supporting the conclusion that he or she will not conduct himself or herself with honesty and integrity in undertaking the activity, operation or business for which the loan/grant is sought. For corporate applicants, it will be the corporation and the principals of the corporation whose illegal activity will be considered.

### **B.4 ADMINISTRATION**

Applicants to the RRHLP will complete and submit an application to the Housing Services Division prior to obtaining a Building Permit.

A forgivable loan will be provided at the time of payment of applicable municipal Development Charges to the City and successful issuance of a Building Permit in accordance with the terms



and conditions of this program. Agreements securing the loan will be signed with the City in advance of Building Permit issuance and provision of the loan.

Amongst other conditions, the loan agreement will require that rents for eligible units will be maintained over the term of the loan within the parameters established under this program.

In order to receive a forgivable loan pursuant to this program, successful applicants shall be required to enter into an agreement with the City with such terms consistent with the terms and conditions of this program including, without limitation, the maintenance of rents in accordance with program requirements and such additional terms and conditions that the General Manager of Healthy and Safe Communities deems appropriate in their sole discretion and secured by a mortgage and such other security as the General Manager of Healthy and Safe Communities deems appropriate in their sole discretion.

The registered property owner must provide an annual statement and information package to the City, in a form and content satisfactory to the General Manager of Healthy and Safe Communities in their sole discretion, confirming that the rent for each eligible unit for the reporting year were maintained within the City’s affordability parameters as provided for under this program. Rents may increase annually in accordance with market prices as long as they continue to meet the City’s defined affordability parameters.

If at any point during the 10-year affordability period the City determines that the rent for any eligible unit(s) is or was no longer within the defined affordability parameters established under this program, the applicant fails to meet program criteria or the applicant does not comply with the Loan Agreement, the loan will become payable to the City, plus interest, in accordance with the requirements of this program.

A loan provided under this program will be forgiven on a pro-rated basis in a minimum amount equal to 1/10th the value of the principal loan plus interest (or other fraction as required dependent on the term of the loan). Loan forgiveness will occur on the annual anniversary date on which occupancy was granted by the City for the last eligible unit contained within an Eligible Building and where the conditions of forgiveness established under this program have been met to the satisfaction of the General Manager of Healthy and Safe Communities.



## B.5 SUPPORTING TECHNICAL INFORMATION

For the purposes of this program, 175% of Average Market Rent for rental units in 2019 within the Hamilton Census Metropolitan Area, as stated by the Canadian Mortgage and Housing Corporation, shall be:

Unit Size	175% AMR
Bachelor	\$1,337
1 Bedroom	\$1,617
2 Bedroom	\$1,904
3+ Bedroom	\$2,401

\*to be indexed annually



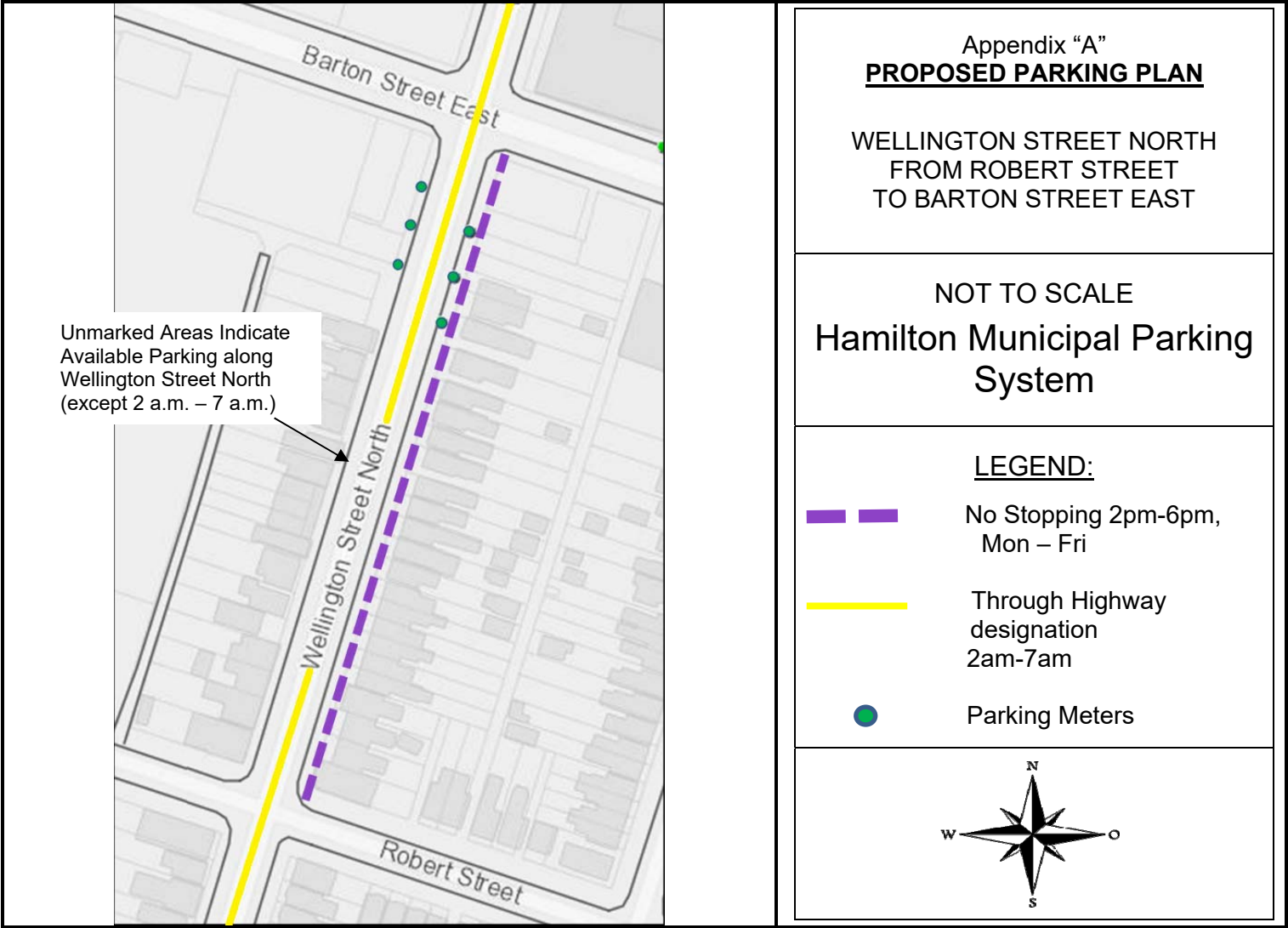


Planner/Technician:  
SR/VS





PROPOSED PARKING PLAN





PROPOSED LANE DESIGNATION AND BUMP-OUT

