

**Authority:** Item 4, Planning Committee  
Report 21-014 (PED21035(a))  
CM: September 29, 2021  
Ward: City Wide

**Bill No. 164**

## **CITY OF HAMILTON**

### **BY-LAW NO. 21-**

#### **To Adopt The Revitalizing Hamilton's Commercial Districts Community Improvement Plan**

**WHEREAS** By-law No. 21-163 passed on the 29<sup>th</sup> day of September 2021, designated the Revitalizing Hamilton's Commercial Districts 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 re-planning, design or redesign, re-subdivision, 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 September 21, 2021 to discuss and receive public input regarding adoption of the Revitalizing Hamilton's Commercial Districts 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 Revitalizing Commercial Districts 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 "Revitalizing Hamilton's Commercial Districts 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. By-law No. 16-126 is repealed.

2. The Revitalizing Hamilton's Commercial Districts 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 Revitalizing Hamilton's Commercial Districts Community Improvement Project Area designated by By-law No. 21-163.

**PASSED** this 29<sup>th</sup> day of September, 2021

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

**Schedule "A" to By-law No. 21-164**

**CITY OF HAMILTON**

**REVITALIZING HAMILTON'S  
COMMERCIAL DISTRICTS  
COMMUNITY IMPROVEMENT PLAN**

**Planning and Economic Development Department  
Economic Development Division**

September 2021

This Plan replaces the Downtown and Community Renewal Community Improvement Plan, originally adopted and approved by Hamilton City Council on May 11, 2016 (By-law 16-126), as amended.

## 1.0 INTRODUCTION

As Hamilton has grown and prospered, so too have the commercial districts that have served as important destinations for Hamiltonians to work, shop, live and play. Overtime, these areas have become an integral part of Hamilton's urban fabric and to this day continue to serve an important role in supporting commerce in the city while also providing opportunities for a range of supporting amenities and uses including residential, institutional and recreational activities.

Today, not all commercial districts exist equally as their success ebbs and flows in response to changing commercial needs and trends. As a result, not all districts have continued to see the same level of investment and success that they once did despite the vital role these areas have in contributing to the overall prosperity of Hamilton and its residents.

This Plan, and the incentive programs it supports, are but one response to address the current and emerging issues facing Hamilton's commercial districts.

## 2.0 PURPOSE OF THIS CIP

This Community Improvement Plan is intended to provide a framework for the provision of financial incentive programs that will support the revitalization of strategic urban commercial districts by minimizing financial barriers to, and stimulating new private sector investment in, the development of under-utilized properties and/or improve the appearance, functionality, marketability, usability and/or safety of existing buildings.

The expected outcome of this CIP is to achieve sustainable investment and growth in commercial districts that will allow these areas to emerge as more socially cohesive, economically prosperous and environmentally sustainable communities.

As an implementation tool, this plan builds upon past community improvement efforts for Hamilton's commercial districts. Programs enabled through this CIP will complement and implement the vision and policies established in related plans and strategies including Provincial planning policies, the City of Hamilton's 2016-2025 Strategic Plan, 2016-2020 Economic Development Action Plan, and its successor, and the Urban Hamilton Official Plan. These and other supporting documents are reviewed in Section 5.0 and provide rationale for the Community Improvement Project Areas described in Section 6.0 as well as the context for this Plan's goals and objectives stated in Section 7.0.

Monitoring of this Plan's implementation is outlined through reporting as noted in Section 9.0. This Plan may be amended from time to time in accordance with Section 10.0.

### 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* (as amended) 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* (as amended). A CIP may be enacted by a municipality, by by-law, provided that:

- The municipalities Official Plan contains provisions relating to community improvement;
- 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; 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.

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

- Acquire, hold, clear, grade or otherwise prepare land for community improvement;
- 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;
- 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;
- 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; 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.

### 3.2 Municipal Authorization

Community improvement policies are contained in Section 1.15 of the Urban Hamilton Official Plan (UHOP) (as amended). 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.”; 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.

#### 4.0 PREVIOUS PLANS, PROGRAMS AND INITIATIVES

This Plan replaces the Downtown and Community Renewal Community Improvement Plan as adopted by By-law 16-126 (as amended) and formerly known through previous iterations as the Downtown Hamilton, Community Downtowns and Business Improvement Areas Community Improvement Plan.

This plan is a continuation of revitalization efforts in Hamilton's commercial districts which has occurred previously through various community improvement plans which were in place prior to the amalgamation of the Hamilton-Wentworth Region with its local area municipalities in 2001. In 2007 the Downtown Hamilton, Community Downtowns and Business Improvement Areas Community Improvement Plan (hereon referred to as the '2007 Plan') was adopted which combined twelve different CIPs into one new plan. Those individual plans and associated project areas were focused on Downtown Hamilton, the community downtowns of Dundas, Stoney Creek and Waterdown, as well as the Business Improvement Areas (BIAs). The 2007 Plan also introduced additional community improvement project areas in the Ancaster Village Core, Binbrook Community Core, and the Locke Street BIA. The 2007 Plan was then amended to extend programs to various commercial corridors within the City. The Plan was subsequently amended in 2014 to include the Mount Hope / Airport Gateway.

The Revitalizing Hamilton's Commercial Districts Community Improvement Plan maintains the intent of past plans and ensures that programs being offered by the City remain relevant to current policy direction including the City's 2016-2025 Strategic Plan, the 2016-2020 Economic Development Action Plan and its successor and the Urban Hamilton Official Plan.

As provided above, the various programs described within Section 8.0 of this Plan may be reviewed and amended from time to time, and new programs added, in accordance with Section 10.0.

In addition to this Plan, there have been other notable strategic initiatives and investments made in the Community Improvement Project Areas (CIPA) where this Plan applies. These initiatives have facilitated the creation of an environment that demonstrate the City's on-going commitment to the revitalization of Hamilton's commercial districts. These initiatives include:

- The partial waiving of development charges in the Downtown Hamilton Community Improvement Project Area (CIPA);
- Development charge reductions for small-scale, non-industrial developments in BIAs and other commercial areas identified as a CIPA under this Plan;
- The introduction of a program to provide rebates on City planning and building application fees in the Barton Street East and Kenilworth Avenue North corridors;



- A comprehensive review of the Downtown Hamilton Secondary Plan to guide development within the City's Urban Growth Centre (UGC);
- Funding commitments by City Council that contributed towards the establishment of the David Braley Health Sciences Centre in Downtown Hamilton as well as various affordable housing projects;
- The approval of the Urban Hamilton Official Plan which provided the foundation for robust direction for development, particularly with respect to infill and intensification in commercial districts and corridors;
- The conversion of one-way streets to two-way streets along with streetscape improvement projects to enhance pedestrian environment and urban street life;
- The undertaking of master plans, design guidelines and studies to support improved public spaces and building design;
- The establishment of the 10-year Downtown Capital Budget Plan to identify priorities improvements to infrastructure and public spaces resulting in capital projects such as the Lister Block revitalization, MacNab Street Transit Terminal development and Gore Park improvements;
- Capital projects in the community downtowns/village cores including Ancaster Square, Dundas Memorial Square, Waterdown Memorial Hall and new parks in Stoney Creek and Binbrook;
- The completion and updating of Commercial Market Analysis and Action Plans for Business Improvement Areas, as well as the design and installation of BIA gateway features;
- The undertaking of the Barton-Kenilworth Commercial Corridors Study;
- The introduction of the Hamilton Downtown Public Art Reserve to promote new public art projects that improve the quality of public spaces and contribute toward an animated street life in Downtown; and
- Future improvements to downtown entertainment facilities including the FirstOntario Centre, FirstOntario Concert Hall and the Hamilton Convention Centre.

## 5.0 SUPPORTING POLICY FRAMEWORK

Existing Provincial and City policy frameworks contain policies that support the purpose and goals and objectives of this CIP as outlined in Sections 2.0 and 7.0 respectively as well as the associated incentive programs described in Section 8.0. The key supporting policies from applicable policy documents are outlined below.

### 5.1 Provincial Policy Statement (2020)

The Province of Ontario's 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:

- Support land use patterns which efficiently use land and resources, efficiently use infrastructure and public services, minimize negative impacts to air quality and climate change, support active transportation and are transit-supportive (PPS, Subsection 1.1.3.2)
- Promote opportunities for transit-supportive development and a significant supply and range of housing options through intensification and redevelopment (PPS, Subsection 1.1.3.3);
- Coordinate economic, environmental and social planning considerations to support efficient and resilient communities (PPS, Subsection 1.2.3);
- Provide for an appropriate range and mix of housing options to meet market-based and affordable housing needs for current and future residents (PPS, Subsection 1.4.3);
- Promoting green infrastructure (PPS, Subsection 1.6.2);
- Promoting opportunities for economic development and community investment-readiness (PPS, Subsection 1.7.1 (a));
- Encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce (PPS, Subsection 1.7.1 (b));
- Maintaining and, where possible, enhancing the vitality and viability of downtowns and main streets (PPS Subsection 1.7.1 (c)); and

- Supporting energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions and preparing for the impacts of a changing climate by promoting compact form and a structure of nodes and corridors as well as encouraging transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion (PPS, Subsection 1.8.1 (a) and (e)).

## 5.2 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 planning and managing growth and development within the Greater Golden Horseshoe (GGH), including Hamilton, in a way that supports complete communities, economic prosperity, protects the environment and helps communities achieve a high quality of life (Growth Plan, Section 1.2). To support this objective, the Growth Plan identifies a series of guiding principles which include, among other things, prioritizing intensification and higher density development in strategic growth areas so as to make efficient use of land and infrastructure and support transit viability (Growth Plan, Subsection 1.2.1). These principals are achieved through supporting policies and the establishment of minimum density targets to be achieved within the applicable planning horizon as stated in the Growth Plan.

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

- That, in Hamilton, a minimum of 50 percent of all residential development occurring annually will be within the built-up area (Growth Plan, Subsection 2.2.2 (a));
- Urban Growth Centres will be planned as focal areas for investment, serve as high-density major employment centres and accommodate significant population and employment growth (Growth Plan, Subsection 2.2.3 (1.));
- That:
  - Hamilton’s Urban Growth Centre be planned to achieve by 2031 or earlier a minimum density target of 200 residents and jobs per hectare (Growth Plan, Subsection 2.2.3 (2. b.)); and
  - major transit station areas on priority transit corridors be planned for a minimum density target of 160 residents and jobs combined per hectare when served by light rail transit or bus rapid transit (Growth Plan, Subsection 2.2.4 (3. b.)); and

\*(See Section 5.5 of this CIP for modified and additional supporting density targets as established through the Urban Hamilton Official Plan)

- Development within major transit station areas will be supported to provide a diverse mix of uses, including additional residential units and affordable housing, to support existing and planned transit service levels (Growth Plan, Subsection 2.2.4 (9. a));
- Integrating land use planning and economic development goals and strategies to retain and attract investment and employment (Growth Plan, Subsection 2.2.5 (1. d));
- Retail and office uses will be directed to locations that support active transportation and have existing or planned transit (Growth Plan, Subsection 2.2.5 (3.));
- The retail sector will be supported by promoting compact built form and intensification of retail and service uses and areas and encouraging the integration of those uses with other land uses to support the achievement of complete communities (Growth Plan, Subsection 2.2.5 (15.));
- Support housing choice including affordable ownership housing and rental housing through the achievement of minimum intensification and density targets of the Growth Plan and utilizing available land use planning and financial tools to achieve these targets (Growth Plan, Subsection 2.2.6 a) and b)); and
- To support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes (Growth Plan, Subsection 2.2.6 (3.)).

### 5.3 City of Hamilton 2016-2025 Strategic Plan (2016)

The City of Hamilton's 2016-2025 Strategic Plan (Strategic Plan) establishes a 10-year vision for the City that provides the context within which City services are provided in order to achieve the Plan's stated mission "to provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner". To achieve this, the Strategic Plan establishes seven priorities which were identified through community engagement and resident conversations including those that occurred through the Our Future Hamilton: Communities in Conversation initiative. These priorities are:

- Community Engagement and Participation
- Economic Prosperity and Growth
- Healthy and Safe Communities
- Clean and Green

- Building Environment and Infrastructure
- Culture and Diversity
- Our People and Performance

This CIP contributes towards the achievement of the Strategic Plan's vision for Hamilton as further outlined in Section 9.0 Monitoring, whereby performance measures and monitoring of this CIP and its associated programs are established and linked to the achievement of the Strategic Plan's vision.

#### 5.4 2016-2020 Economic Development Action Plan (2016)

The 2016-2020 Economic Development Action Plan (EDAP) is a city-wide, action-oriented document that identifies areas of focus and key industry sectors that the City will concentrate resources and identify priority actions for. The EDAP identifies nine areas of focus in order to maximize economic benefits to the city and its residents. Of these, this CIP most directly supports the "Commercial Area Revitalization" area of focus which concentrates on the continued revitalization and increased vitality of the city's downtown, community downtowns, BIAs, and other commercial corridors. As part of this focus, the EDAP identifies the continued provision of financial incentives to stimulate development and revitalization in these areas and is the primary focus of this CIP; a focus that will continue as part of the next 2021-2025 EDAP.

#### 5.5 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 growth, land use change and the physical development of the city as it is affected by environmental, social and economic factors. The UHOP includes land use policy that establishes an urban structure based on nodes and corridors accompanied by overlaying land use designations that guide the development and redevelopment of the city including commercial and mixed-use areas. The UHOP also contains the necessary policies to enable the creation of this CIP, in accordance with the *Planning Act*, through Chapter F, Section 1.15 of the UHOP.

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

##### Density Targets:

- Achieving an increased density target for Hamilton's Downtown Urban Growth Centre beyond that required by the Provincial Growth Plan of 250 people and jobs per hectare by 2031 (UHOP, Chapter A, Subsection 2.3.3.1);

- The City's primary intensification areas shall be the Urban Nodes and Urban Corridors (UHOP, Chapter B, Subsection 2.4.1.2); and
- A total of 26,500 residential units are to be accommodated within the built-up area between 2001 and 2031 (UHOP, Chapter A, Subsection 2.3.3.4) with the following general distribution as per UHOP, Chapter B, Subsection 2.4.1.3:
  - 20% of the residential intensification target planned for the Downtown Urban Growth Centre;
  - 40% of the residential intensification target planned for the Urban Nodes and Urban Corridors; and
  - 40% of residential intensification target planned for the Neighbourhoods.

#### Housing:

- Provide for a range of housing types, forms and densities to meet the social, health and well-being requirements of all current and future residents (UHOP, Chapter B, 3.2.1.1);
- Provide housing within complete communities (UHOP, Chapter B, 3.2.1.2)
- Increase the mix of and range of housing types, forms, tenures, densities, affordability levels and housing support throughout the City's urban area (UHOP, Chapter B, 3.2.1.6); and
- The achievement annual housing targets for both ownership and rental housing needs in the community including, market-based and affordable, low- and moderate-income targets as per UHOP, Chapter B, Subsection 3.2.2 and Tables B.3.2.1 and B.3.2.2).

#### **Economy:**

- The City will strengthen its economy by directing business activity to suitable locations (UHOP, Chapter B, Subsection 3.1.1 a)).

#### **Environmental Sustainability/Climate Change**

- The promotion of environmental sustainability through urban design including achieving compact development and resulting built forms and encouraging the use of Leadership in Energy and Environmental Design (LEED) or other environmental building rating tools for all development redevelopment (UHOP, Chapter B, Subsection 3.3.2.8 a) and d)).

In addition, the UHOP contains policies respecting existing, non-complying and non-conforming uses. Specifically, the UHOP contains the following policy:

- It is recognized there are some previously existing land uses that do not presently comply with the goals and objectives set out in this Plan. This Plan, while endeavouring to achieve a high degree of land use compatibility for new development, recognizes there is a degree of diversity in land use for existing areas where time and custom have achieved an acceptable level of tolerance. Many of these uses have been established for a considerable number of years. In some cases, it is recognized such situations exist and they can be continued in the interim. In other cases, there are some existing uses that not only do not comply with the Official Plan or conform to the Zoning By-law, and are incompatible with surrounding land uses (UHOP, Chapter F, Subsection 1.12).

As such, all existing and proposed developments participating in programs and initiatives contained within this Plan shall conform with the policies in the Official Plan and comply with all municipal by-laws and regulation, including applicable Zoning By-laws as per Section 1.15.4 of the UHOP.

Legally non-complying or non-conforming uses and/or properties located within a Revitalizing Hamilton's Commercial Districts CIPA may be eligible for participation in an applicable program under this Plan at the sole and absolute discretion of the City provided the use/building meets the following tests:

1. The proposed development must implement the intent and vision of the Urban Hamilton Official Plan (2013);
2. The Building Division records must validate the last recognized use as per a Zoning Verification stating the proposed use; and
3. Issuance of a Building Permit for the Legal Non-Conforming Use(s) must be qualified by the Building Division.

## 5.6 Secondary Plans

The following secondary plans include all or a portion of specific areas which are the subject of this Plan and identified in the Revitalizing Hamilton's Commercial Districts Community Improvement Project Area By-Law.

### **Downtown Hamilton Secondary Plan**

The Downtown Hamilton Commercial District CIPA encompass lands which are the subject of the Downtown Hamilton Secondary Plan (OPA 102). The secondary plan outlines important goals and policy objectives which directly correlate to this Plan including:

- Reconnecting the Downtown to its neighbourhoods by developing vacant land and parking lots, and by rebalancing Downtown streets as attractive pedestrian places (UHOP Volume 2, Chapter B, 6.1.2 b));

- Recognizing and supporting the creation and continued development of Downtown residential neighbourhoods as key to revitalizing Downtown with residents contributing to the viability of downtown retailers and service providers (UHOP Volume 2, Chapter B, 6.1.2 c));
- Hamilton's legacy of historic buildings and streetscapes are its greatest distinction and worthy of enhanced restoration effort (UHOP Volume 2, Chapter B, 6.1.2 d));
- Shall accommodate a range of economic activities including retail and services that appeal to a broad Regional market and serve residents across the City and within the Downtown as well. (UHOP Volume 2, Chapter B, 6.1.3.2);
- Support Downtown Hamilton's role as the governmental, institutional, entertainment, and cultural centre of the City (UHOP Volume 2, Chapter B, 6.1.3.2 a));
- Promote retail areas geared to the needs of residents in the Downtown and adjacent neighbourhoods (UHOP Volume 2, Chapter B, 6.1.3.2 d));
- Investigate ways to leverage green infrastructure opportunities to improve air quality, absorb stormwater, minimize the urban heat island, and expand biodiversity (UHOP Volume 2, Chapter B, 6.1.3.6 e));
- Provide for a range of housing types, forms, and densities to meet the social, health, and well-being requirements of all current and future residents (UHOP Volume 2, Chapter B, 6.1.3.7 a));
- Increase Downtown's stock of affordable housing of all types (UHOP Volume 2, Chapter B, 6.1.3.7 c));
- The existing residential areas within the Downtown shall be maintained by encouraging the retention and adaptive re-use of existing buildings, including those identified as a built heritage resource through regulations and special programs that support the conversion of existing structures (UHOP, Volume 2, Chapter B, 6.1.5.2);
- All developments shall be encouraged to strive for LEED Gold or higher rating, or an equivalent standard (UHOP Volume 2, Chapter B, 6.1.13.1 h)); and
- Community Improvement Plans for the Downtown Hamilton Secondary Plan area shall align with the vision, principles, and objectives of the Secondary Plan (UHOP Volume 2, Chapter B, 6.1.14.2).



### **West Harbour (Setting Sail) Secondary Plan**

The Downtown Hamilton Commercial District CIPA (between Cannon Street and the rail line) as well as the James Street North Strategic Commercial Corridor CIPA encompass properties which are the subject of the West Harbour (Setting Sail) Secondary Plan. The secondary plan outlines important goals and policy objectives which directly correlate to this Plan including:

- Encourage compatible development on abandoned, vacant and underutilized land (UHOP Volume 2, Chapter B, 6.5.2.2 c));
- Support James Street North as the area's main commercial street (UHOP Volume 2, Chapter B, 6.5.2.2 d));
- Encourage new commercial uses that cater to the local neighbourhood (UHOP Volume 2, Chapter B, 6.5.2.2 e));
- Preserve, restore and/or reuse buildings of historic or architectural significance (UHOP Volume 2, Chapter B, 6.5.2.2 j));
- Community Improvements Plans and other programs and initiatives may be developed to identify, guide, encourage, and track future development in the study area (UHOP Volume 2, Chapter B, 6.5.12.5); and
- The objectives and criteria for all municipal grant and loan programs established under a Community Improvement Plan for West Harbour shall conform to this Secondary Plan (UHOP Volume 2, Chapter B, 6.5.12.7).

### **Ainslie Wood Westdale Secondary Plan**

The Westdale Commercial District CIPA, King Street West Strategic Commercial Corridor CIPA and Main Street West Strategic Commercial Corridor CIPA encompass lands which are the subject of the Ainslie Wood Westdale Secondary Plan. The secondary plan outlines important goals and policy objectives which directly correlate to this Plan including:

- Provide commercial areas, especially along the King Street historic community core and along portions of other major roads. (UHOP Volume 2, Chapter B, Subsection 6.2.4 h));
- Provide for the shopping needs of residents, as well as provide specialty shopping areas for visitors. (UHOP Volume 2, Chapter B, Subsection 6.2.6);
- Enhance appearance and encourage good maintenance of commercial buildings and areas. (UHOP Volume 2, Chapter B, Subsection 6.2.6.1 c)); and
- Financial incentive programs to enhance the appearance of commercial areas shall be provided within the framework of existing planning legislation

for areas designated as Business Improvement Areas (BIAs). The establishment of new BIA areas, or new funding programs, may be considered where these would be appropriate, and in keeping with relevant legislation (UHOP Volume 2, Chapter B, Subsection 6.2.6.2 g)).

### **Ancaster Wilson Street Secondary Plan**

The Ancaster Commercial District CIPA encompasses lands which are the subject of the Ancaster Wilson Street Secondary Plan. The secondary plan outlines important goals and policy objectives which directly correlate to this Plan including:

- Provide a variety of housing opportunities for various demographics, as well as mixed use and commercial areas, which offer employment opportunities and meet the shopping and personal service needs for area residents and visitors (UHOP Volume 2, Chapter B, Subsection 2.8.2);
- Direct a majority of growth and development towards the Community Node (UHOP Volume 2, Chapter B, Subsection 2.8.3);
- Achieving efficient use of buildings and infrastructure (UHOP Volume 2, Chapter B, Subsection 2.8.4 b));
- Provide for commercial opportunities (UHOP Volume 2, Chapter B, Subsection 2.8.4 h));
- Support the destination shopping role of the Ancaster Village Core and Business Improvement Area along Wilson Street, which serves the local community, as well as a wider regional market (UHOP Volume 2, Chapter B, 2.8.5 g)); and
- Encourage adaptive reuse of buildings to maintain the historic and town character (UHOP Volume 2, Chapter B, Subsection 2.8.5 l)).

### **Binbrook Village Secondary Plan**

The Binbrook Commercial District CIPA encompasses lands which are the subject of the Binbrook Village Secondary Plan. The secondary plan outlines important goals and policy objectives which directly correlate to this Plan including:

- Establish the Community Core as the identifiable commercial and service centre of Binbrook Village which serves the needs of Binbrook Village and the surrounding area (UHOP Volume 2, Chapter B, Subsection 5.1.2.5); and
- Make the Community Core a destination by providing a unifying theme which will identify it as a unique and special area in Binbrook Village and ensuring it develops in a coordinated, well designed and aesthetically pleasing manner (UHOP Volume 2, Chapter B, Subsection 5.1.2.6).

### **Old Town (Stoney Creek) Secondary Plan**

The Stoney Creek Commercial District CIPA encompasses lands which are the subject of the Old Town Secondary Plan. The secondary plan outlines important goals and policy objectives which directly correlate to this Plan including:

- All development within the Old Town shall protect and maintain the economic viability of Stoney Creek's downtown and support its revitalization through conversion, infilling and redevelopment. (UHOP Volume 2, Chapter B, Subsection 7.2.1.1).

### **Mount Hope Secondary Plan**

The Mount Hope / Airport Gateway CIPA encompasses a portion of lands which are the subject of the Mount Hope Secondary Plan. The secondary plan outlines important goals and policy objectives which directly correlate to this Plan including:

- Lands with District Commercial designation shall be encouraged to be redeveloped for District Commercial uses. (UHOP Volume 2, Chapter B, Subsection 5.4.4.1 c)); and
- The District Commercial designation adjacent to Airport Road West and Homestead Drive enjoys a high degree of visibility and provides a gateway to the John C. Munro International Airport. To ensure this area develops in a coordinated, well-designed and aesthetically-pleasing manner with adequate infrastructure and amenities, and to provide funding eligibility, the City shall investigate the designation of these lands as a Community Improvement Project Area (UHOP Volume 2, Chapter B, Subsection 5.4.4.1 f)).

### **5.7 Barton/Kenilworth Commercial Corridors Study**

On September 10, 2014, Council approved the final recommendations of the Barton-Kenilworth Commercial Corridors Study. The Study identified priority actions with respect to financial incentives available in these areas in order to further facilitate the revitalization of the Barton Street East and Kenilworth Avenue North corridors. Details of the programs which apply to these corridors and which address these actions can be found in Section 8.0 of this Plan.

## 6.0 COMMUNITY IMPROVEMENT PROJECT AREA

This section describes the urban commercial districts which contain sites that are in transition, under-utilized and/or in need of repair, rehabilitation and redevelopment and thus intended to be the subject of one or more programs and/or initiatives established under this Plan. The specific geographic boundaries for each Community Improvement Project Area (CIPA) described below is further delineated within the companion Revitalizing Hamilton's Commercial Districts CIPA By-law (CIPA By-law) and should be referenced alongside this Plan.

Notwithstanding any area described below or further delineated within the companion CIPA By-law, a property which is partially located within a geographic CIPA boundary, shall be deemed to be either wholly, partially or not at all located within the CIPA at the sole discretion of the City based on considerations that may include, but may not be limited to, the relative proportion of the property located within the CIPA boundary versus that located outside the CIPA boundary and/or the planned use of existing/planned buildings and their ability to meet the purpose and goals of this CIP and any potentially applicable programs.

### 6.1 Downtown Hamilton

The strength and vitality of Hamilton's downtown is a clear signal of the strength and vitality of the city as a whole. Downtown Hamilton has been influenced by broad economic, social and physical change over the years and continues to represent an important area where municipal investment, planning and resources have been continually dedicated to support its revitalization.

The Downtown Hamilton Commercial District CIPA includes the historic core of the City of Hamilton and surrounding areas which have been the traditional centre of commercial and cultural activity, institutional uses and government for the broader city. Included within the Downtown Hamilton Commercial District CIPA are the following notable areas:

- The Downtown Hamilton Urban Growth Centre (UGC), as recognized in the Urban Hamilton Official Plan, which is the City's pre-eminent node for commercial and office development that will also accommodate a large and diverse population, major cultural facilities and entertainment uses, and function as a major transit hub. The Downtown Hamilton UGC includes properties within and abutting the area bounded by Cannon Street, Victoria Avenue, Hunter Street and Queen Street, and also includes the properties fronting onto James Street North to the CN railway and south to Charlton Avenue. This area serves as a central hub of the City's transit system via the MacNab Transit Terminal, the Hunter Street GO Transit station, as well as the new West Harbour GO Station. Key civic features within this area include Gore Park, City Hall, the Central Public Library, Hamilton Farmers Market, the Art Gallery of Hamilton, Theatre Aquarius, First Ontario Place,

First Ontario Concert Hall, as well as key commercial destinations including Jackson Square / City Centre, James Street and Hess Village;

- The Downtown Hamilton BIA, International Village BIA, King West BIA and Main West Esplanade BIA; and
- Specific properties which are the subject of a Master Agreement with the City where the redevelopment or intensification of which will support the advancement of improvements to the City's First Ontario Centre, First Ontario Concert Hall and the Hamilton Convention Centre.

Although this Plan's programs have supported notable improvements to numerous properties over the years, there continues to be a need to support the on-going revitalization of Downtown Hamilton through financial incentives due to the continued presence of a significant existing building stock in need of improvement and presence of underutilized properties which if improved/redeveloped, could further expedite the achievement of stated long-term objectives for Downtown.

## 6.2 Community Downtowns/Village Cores and Business Improvement Areas

Hamilton is a city of many communities. In addition to Downtown Hamilton, it features a variety of commercial districts and civic centres reflective of the past development and history of the former Hamilton-Wentworth Region. They include the Community Downtown/Village Core areas of the former municipalities of Ancaster, Dundas, Flamborough (Waterdown), Glanbrook (Binbrook) and Stoney Creek as well as the commercial corridors between them. Certain parts of these areas have established Business Improvement Areas (BIAs) to co-ordinate promotion and beautification. To varying degrees, the Community Downtowns/Village Cores and BIAs face many of the same issues as Downtown Hamilton that can be addressed through community improvement, such as the conservation / adaptive reuse of existing buildings, including heritage buildings, making better use of underutilized land and buildings through infill and redevelopment, and increasing the number of residents to support local business in mixed-use, multi-modal environments.

Each Community Downtown/Village Core, comprising Ancaster, Binbrook, Dundas, Stoney Creek and Waterdown as well as all current BIAs located outside of a Community Downtown/Village Core are identified as a CIPA for the purposes of this Plan as follows:

### **Community Downtowns/Village Cores:**

- The Ancaster Commercial District CIPA designated as "Community Node" in the Urban Hamilton Official Plan (Schedule E, Urban Structure) and includes the Ancaster BIA;

- The Binbrook Commercial District CIPA designated as “Neighbourhoods” in the Urban Hamilton Official Plan (Schedule E, Urban Structure) and “Mixed Use Medium Density” and “Mixed Use Medium Density – Pedestrian Focus” in the Binbrook Village Secondary Plan (Land Use Plan Map B.5.1-1);
- The Dundas Commercial District CIPA designated as “Community Node” in the Urban Hamilton Official Plan (Schedule E, Urban Structure) and includes the Dundas BIA;
- The Stoney Creek Commercial District CIPA designated as “Community Node” in the Urban Hamilton Official Plan (Schedule E, Urban Structure) and includes the Stoney Creek BIA; and
- The Waterdown Commercial District CIPA designated as “Community Node” in the Urban Hamilton Official Plan (Schedule E, Urban Structure), a portion of the area designated as “Mixed Use Medium Density” in the West Waterdown Secondary Plan (Land Use Plan Map B.4.1-1) and includes the Waterdown BIA.

**Commercial districts with a BIA located outside of a Community Downtown/Village Core or Strategic Commercial Corridor CIPA:**

- The Barton Village Commercial District CIPA containing the Barton Village BIA (to the east of the Downtown Hamilton Commercial District CIPA);
- The Concession Street Commercial District CIPA containing the Concession Street BIA;
- The Locke Street Commercial District CIPA containing the Locke Street BIA;
- The Ottawa Street Commercial District CIPA containing the Ottawa Street BIA; and
- The Westdale Commercial District CIPA containing the Westdale BIA.

**6.3 Mount Hope/Airport Gateway**

The Mount Hope/Airport Gateway CIPA is focused on the existing and historic built up commercial and mixed-use area of Mount Hope at the intersection of Airport Road and Homestead Drive and north to Upper James Street. The area possesses building stock and properties that are in need of rehabilitation, have heritage or architectural significance; are deteriorated or contain insufficient physical infrastructure or which are the subject of encroachment from incompatible land uses or activities affecting development opportunities. Community improvement programs and initiatives may help facilitate the transition of properties from residential to other permitted uses, address long standing vacancies and poor building conditions and promote infill development of vacant

lots. The Mount Hope/Airport Gateway CIPA includes a portion of the lands designated District Commercial in the Mount Hope Secondary Plan (Land Use Plan Map B.5.4-1).

#### 6.4 Strategic Commercial Corridors

Throughout Hamilton's urban area are strategic commercial corridors with "main street" characteristics or significantly under-utilized commercial or mixed use properties that, while not located within a downtown area or organized as part of a BIA, nonetheless exhibit similar characteristics and face similar challenges as those outlined in 7.1 and 7.2. These corridors generally have a mix of land uses predominantly characterized by ground-floor commercial uses, in buildings situated close to the street on relatively small properties. The identified areas are primarily located within the lower, inner City, but also include targeted corridors above the Escarpment which contain underutilized commercial properties. These properties contain opportunities for infill or redevelopment that would utilize existing infrastructure and would be located in close proximity to transit.

These corridors are collectively identified as the Strategic Commercial Corridors CIPA and generally includes properties fronting on the following streets:

- Barton Street East between Sherman Avenue and Walter Avenue;
- Dundurn Street South from Aberdeen Avenue to the southerly CNR right-of-way;
- James Street North from Strachan Street to just north of Burlington Street;
- Kenilworth Avenue North between Main Street and Barton Street;
- King Street East between Main Street at the Delta and Wentworth Street;
- King Street West between Highway 403 and the Westdale BIA;
- Main Street East between Wentworth Street and Rosewood Road;
- Main Street West between Highway 403 and Osler Drive, also including abutting properties designated 'Mixed Use' on the Ainslie Wood Westdale Secondary Plan Land Use Plan;
- Parkdale Avenue North and South between Queenston Road and Barton Street;
- Queenston Road between the Queenston Traffic Circle and Reid Avenue;
- Upper James Street between Duff Street and Richwill Road (for the westerly side of Upper James Street and a portion of the east side);

- Upper Wellington Street from just south of Brucedale Avenue to just north of Inverness Avenue;
- York Boulevard between the Downtown Hamilton Community Improvement Project Area and Dundurn Street on the south side or Inchbury Street on the north side; and
- Cannon Street East between Emerald Street North and Smith Avenue and the south side of Cannon Street East between Smith Avenue and Wentworth Street North.

## 6.5 Other Areas

Notwithstanding the geographic descriptions described in Sections 6.1 through 6.5 or the geographic boundaries contained within the companion CIPA By-law, the following shall also apply:

- A property which is not located within a defined CIPA, but which is:
  - adjacent to an eligible CIPA property; and
  - is forming part of a comprehensive development with an adjacent eligible CIPA property

may be considered to form part of the same CIPA and eligible for the same applicable incentive programs as the abutting eligible CIPA property except where the eligible CIPA property has been explicitly identified for inclusion in a CIPA to support an objective within the purpose of this Plan as per the policies of the Urban Hamilton Official Plan, an applicable Secondary Plan or other Council approved policy.

The determination of properties forming part of a comprehensive development shall be at the discretion of the City and will include consideration of physical elements which are required for the satisfactory functionality of both properties (such as parking facilities, points of vehicular access and egress etc.).

- Properties containing buildings designated under Part IV or Part V of the *Ontario Heritage Act* and located within the City of Hamilton municipal boundary, may be eligible for one or more programs established under this Plan where it is identified that a program may apply to such properties in Section 8.0 of this Plan.



## 7.0 Goals and Objectives

With consideration to the purpose of this Plan as outlined in Section 2.0, and the cited Provincial and City plans and policies detailed in Section 3.0, the goals of this Plan are to ensure Hamilton's urban commercial districts are:

- Safe, clean, socially, economically and environmentally healthy areas where people want to work, shop, live and play;
- Contain a viable population of residents, jobs and visitors that support demand for local businesses and services in these areas;
- Continuing to grow in a manner that supports the achievement of applicable density and residential unit targets;
- Efficiently utilizing existing infrastructure;
- Places with opportunities to provide a range of housing options, in terms of affordability and tenure, that help meet the needs of current and future residents and support a strong and diverse local workforce;
- Places of investment that add value and increase assessment and property tax generation;
- A focus for improvements and redevelopment which, in addition to supporting the revitalization of the area, address current and future City priorities including, but not limited to, environmental sustainability, housing affordability and tenure options and attraction of office uses and developments; and
- Supported in terms of maintaining and enhancing the unique attributes and roles of commercial districts within the city.

To help realize those goals, the following objectives have been identified for this Plan and its associated incentive programs:

- Increase and improve the supply of residential units and commercial business;
- Facilitate intensification and infill of appropriate and compatible redevelopment of underutilized buildings and properties;
- Improve the accessibility, functionality and marketability of urban commercial districts, including the rehabilitation, maintenance and adaptive re-use of existing buildings including cultural heritage resources;
- Improve the aesthetics of private properties to create an attractive public realm;
- Support the presence of commercial uses that create vibrant and active commercial streets;

- Facilitate the development of urban commercial districts as mixed-use areas that will encourage walking, cycling and transit use;
- Support residential developments that will support existing and future recreational and cultural amenities;
- Identify and address economic barriers and/or restrictions to development and investment opportunities;
- Provide loans, grants and other economic incentives to stimulate private property improvement and/or redevelopment; and
- Focus the co-ordination of municipal expenditures and planning and development activity.

## 8.0 Incentive Programs and Other Initiatives

This CIP contains incentive programs which are intended to be applied within a targeted Community Improvement Plan Area based on the specific needs, priorities and context of that area. Notwithstanding the above, some programs may be applicable across more than one CIPA contained within the Revitalizing Hamilton Community Improvement Project Area By-law. Each program described in this section will identify the intended CIPA(s) within which each program is intended to apply. Detailed program descriptions for each program described in this section are adopted by City Council resolution and contained as appendices to this Plan for reference. The applicable program descriptions shall be those that were approved by City Council and in effect on the date an application under any program in this section was approved by City Council or their designate.

Notwithstanding any program descriptions approved by City Council, applications under any program authorized under this Plan can be rejected by City Council for any reason. Such a decision can take into account matters not set forth in the applicable program descriptions and are within City Council's sole, absolute and unfettered discretion.

Decisions and reasons for the City's accepting or rejecting an application shall not act as a precedent for any other application.

Programs described in this section address a variety of themes which support the broader revitalization of commercial districts including supporting housing creation and supply, promoting property improvement/redevelopment, business sector development and other municipal actions and strategies.

### 8.1 Commercial District Housing Opportunities Program

The Commercial District Housing Opportunities (CDHO) Program is intended to provide financial assistance in the form of a low-interest loan and grant to promote the improvement or development of dwelling units that will create new/improved housing opportunities and support robust local commercial district populations that add vibrancy and support demand for local commercial businesses/services. Activities supported by this program include:

- Converting existing non-residential spaces into dwelling units where permitted in accordance with the applicable City zoning by-law;
- \*Undertaking renovations to existing dwelling units;
- Creation of new dwelling units, including accessory Dwelling Units, via building additions or new detached accessory buildings. Including laneway housing; and/or
- Creation of new dwelling units through development of vacant land, surface parking lots or redevelopment of existing buildings.

\* Any portion of a project involving renovations to rental residential units shall only be eligible under this Program in accordance with specific eligibility criteria provided through the Program Description contained in Appendix A.

This Program will apply within the Ancaster, Barton Village, Binbrook, Concession Street, Downtown Hamilton, Dundas, Locke Street, Ottawa Street, Stoney Creek, Waterdown and Westdale Commercial District CIPAs, the Strategic Commercial Corridor CIPAs and those properties within the municipal boundary designated under Part IV or Part V of the *Ontario Heritage Act* as collectively defined through the Revitalizing Hamilton's Commercial Districts Community Improvement Project Area By-law .

This Program's description including but not limited to: program terms, eligibility criteria, maximum loan amount, loan repayment requirements and administrative procedures, as adopted by City Council resolution, are contained in Appendix A

## 8.2 Downtown and Barton/Kenilworth Housing Opportunities Program

The Downtown and Barton/Kenilworth Housing Opportunities (DBKHO) Program is intended to provide financial assistance in the form of a low-interest loan to promote the development of multiple dwelling units that will create new housing opportunities and support robust local commercial district populations that add vibrancy and support demand for local commercial businesses/services. Activities supported by this program include:

- The creation of at least 10 new dwelling units through the development of a multiple dwelling on vacant land, surface parking areas or the redevelopment of existing buildings;
- A building addition containing at least 10 new dwelling units; and/or
- The conversion of existing non-residential space into housing consisting of at least 10 new dwelling units.

The maximum loan, applicable interest rates and basis for providing a loan are contained in the program description, as adopted by City Council resolution. City Council may modify such matters without amendment to this Plan.

This Program will apply within the Barton Village and Downtown Hamilton Commercial District CIPAs, the Barton Street East Strategic Commercial Corridor CIPA (east of the Barton Village Commercial District CIPA) and the Kenilworth Avenue North Strategic Commercial Corridor CIPA as collectively defined through the Revitalizing Hamilton's Commercial Districts Community Improvement Project Area By-law.

**In accordance with Council direction at its June 23, 2021 meeting, as part of the next scheduled review of the RHCD CIP, anticipated to commence in**

**2025, staff will present for a future Council's consideration a recommendation that the Downtown and Barton/Kenilworth Housing Opportunities Program cease to be made available within the Downtown Hamilton CIPA taking into consideration progress/timing of the Hamilton Light Rail Transit (LRT) Project.**

This Program's description including but not limited to: program terms, eligibility criteria, maximum loan amount, loan repayment requirements and administrative procedures, as adopted by City Council resolution, are contained in Appendix B.

### 8.3 Revitalizing Hamilton Tax Increment Grant Program

The Revitalizing Hamilton Tax Increment Grant (RHTIG) Program is intended to provide a grant to incentivize property owners within strategic commercial districts to develop, redevelop or otherwise improve properties and/or buildings (including designated heritage buildings) in a manner that will support the broader revitalization of the commercial district as well as generate new municipal property tax revenue through increased property assessments.

As a tax increment-based program, Grants are provided relative to the actual increase in municipal property taxes that are generated as a result of an improvement/ development undertaken on a property. Grants are provided over a maximum term of four annual payments and subject to City Council approval. The pre-development municipal property taxes used for determining the actual municipal property tax increment are those from either the year in which the building permit that initiated the improvement/development was issued or, for projects that do not require a building permit, the year in which City Council approved the Program application. Each annual payment is to be provided based on the municipal property tax increment generated in each of the four years.

Grants under the program may be provided through one of two streams in response to how the project addresses specific City priorities. Projects will be identified as either a Revitalization Project or an Enhanced Revitalization Project. Revitalization Projects are defined as the undertaking of improvements/developments that will generate an increase in municipal taxes while Enhanced Revitalization Projects are defined as the undertaking of improvements/developments that will generate an increase in municipal taxes and which meet one or more of the following requirements in support of City priorities:

- The improvement/development will receive certification for the achievement of environmental sustainability standards from an eligible organization/program and/or will be connected to (or be designed to allow for future connection to) a district energy system. Eligible environmental sustainability certifications as well as building standards to allow for future district energy connections required to be provided shall be established

through the Program Description contained in Appendix C as amended from time to time; and/or

- The improvement/development has been approved for financial assistance under a Canada Mortgage and Housing Corporation (CMHC), provincial or City program for the purposes of creating residential rental housing that address housing affordability within the city.

The maximum grant amount prescribed for Revitalization Projects and Enhanced Revitalization Projects are identified in Table 1.

**Table 1 – Prescribed Maximum Grant as a Percentage of Actual Municipal Tax Increment**

Year of Grant	Maximum annual Grant amount as a percentage of actual municipal tax increment generated	
	Revitalization Projects	Enhanced Revitalization Projects
1	100%	100%
2	75%	100%
3	50%	100%
4	25%	100%

Any portion of a project involving renovations to rental residential units shall only be eligible under this Program in accordance with specific eligibility criteria provided through the Program Description contained in Appendix C.

This Program will apply within the Ancaster, Barton Village, Binbrook, Concession Street, Downtown Hamilton, Dundas, Locke Street, Ottawa Street, Stoney Creek, Waterdown and Westdale Commercial District CIPAs, the Mount Hope/Airport Gateway CIPA and those properties within the municipal boundary designated under Part IV or Part V of the *Ontario Heritage Act* as collectively defined through the Revitalizing Hamilton's Commercial Districts Community Improvement Project Area By-law.

**In accordance with Council direction at its June 23, 2021 meeting, as part of the next scheduled review of the RHCD CIP, anticipated to commence in 2025, staff will present for a future Council's consideration a recommendation that the Revitalizing Hamilton Tax Increment Grant Program cease to be made available within the Downtown Hamilton CIPA taking into consideration progress/timing of the Hamilton Light Rail Transit (LRT) Project.**

This Program's description including but not limited to: program terms, eligibility criteria, ability to assign the grant, grant calculation and administrative procedures, as adopted by City Council resolution, are contained in Appendix C.

#### 8.4 Barton/Kenilworth Tax Increment Grant Program

The Barton/Kenilworth Tax Increment Grant (BKTIG) Program is intended to provide a grant to incentivize property owners located along the Barton Street East and Kenilworth Avenue North commercial corridors to develop, redevelop or otherwise improve properties and/or buildings (including designated heritage buildings) in a manner that will support the broader revitalization of these districts as well as generate new municipal property tax revenue through increased property assessments.

As a tax increment-based program, Grants are provided relative to the actual increase in municipal property taxes that are generated as a result of an improvement/ development undertaken on a property. Grants are provided over a maximum term of nine annual payments and subject to City Council approval. The pre-development municipal property taxes used for determining the actual municipal property tax increment are those from either the year in which the building permit that initiated the improvement/development was issued or, for projects that do not require a building permit, the year in which City Council approved the Program application. Each annual payment is to be provided based on the municipal property tax increment generated in each of the nine years. The maximum annual Grant prescribed under this program is identified in Table 2.

**Table 2 – Prescribed Maximum Grant as a Percentage of Actual Municipal Tax Increment**

Year of Grant	Maximum annual Grant amount as a percentage of actual municipal tax increment generated
1	100%
2	100%
3	100%
4	100%
5	100%
6	80%

7	60%
8	40%
9	20%

Any portion of a project involving renovations to rental residential units shall only be eligible under this Program in accordance with specific eligibility criteria provided through the Program Description contained in Appendix D.

This Program will apply within the Barton Village Commercial District CIPA, the Barton Street East and Kenilworth Avenue North Strategic Commercial Corridor CIPAs and properties within the Downtown Hamilton Commercial District CIPA which front on Barton Street East between James Street North and Victoria Avenue North as collectively defined through the Revitalizing Hamilton's Commercial Districts Community Improvement Project Area By-law.

This Program's description including but not limited to: program terms, eligibility criteria, ability to assign the grant, grant calculation and administrative procedures, as adopted by City Council resolution, are contained in Appendix D.

#### 8.5 Commercial District Revitalization Grant Program

The Commercial District Revitalization Grant (CDRG) Program is intended to provide grants that will support long-lasting and predominantly exterior physical improvements to the appearance, accessibility and environmental sustainability of commercial or mixed use commercial properties located within strategic commercial districts, including Business Improvement Areas (BIA), whose visibility and long-term success contributes to Hamilton's image for both residents and visitors. Activities supported by this program include:

- Exterior building façade improvements;
- Exterior/interior improvements that achieve *Accessibility for Ontarians with Disabilities Act (AODA)* standards;
- Exterior building/property improvements which improve appearance or functionality including those that enhance environmental sustainability of the building/property; and
- Limited interior mechanical/ventilation improvements for restaurant uses.

This Program is not intended to provide support for temporary or non-permanently affixed improvements such as, but not limited to, indoor/outdoor furniture. Additional details regarding ineligible costs/improvements are provided within the Program's description contained in Appendix E.



This Program will apply to commercial units on properties zoned to permit commercial uses which are located within the Ancaster, Barton Village, Binbrook, Concession Street, Downtown Hamilton, Dundas, Locke Street, Ottawa Street, Stoney Creek, Waterdown and Westdale Commercial District CIPAs, the Mount Hope/Airport Gateway CIPA and the Strategic Commercial Corridor CIPAs as collectively defined through the Revitalizing Hamilton's Commercial Districts Community Improvement Project Area By-law.

This Program's description including but not limited to: program terms, eligibility criteria, ability to assign the grant, grant calculation and administrative procedures, as adopted by City Council resolution, are contained in Appendix E.

#### 8.6 Barton/Kenilworth Revitalization Grant Program

The Barton/Kenilworth Revitalization Grant (BKRG) Program is intended to support the development of properties as well as the maintenance, functionality, viability, accessibility and aesthetics of existing commercial, mixed use commercial, multi-residential or institutional use buildings within the Barton Street East and Kenilworth Avenue North commercial corridors which were the subject of the Barton and Kenilworth Commercial Corridors Study.

This Program is not intended to provide support for temporary or non-permanently affixed improvements such as, but not limited to, indoor/outdoor furniture. Additional details regarding ineligible costs/improvements are provided within the Program's description contained in Appendix F.

Any portion of a project involving renovations to rental residential units shall only be eligible under this Program in accordance with specific eligibility criteria provided through the Program Description contained in Appendix F.

This Program will apply within the Barton Village Commercial District CIPA, the Barton Street East and Kenilworth Avenue North Strategic Commercial Corridor CIPAs and properties within the Downtown Hamilton Commercial District CIPA which front on Barton Street East between James Street North and Victoria Avenue North as collectively defined through the Revitalizing Hamilton's Commercial Districts Community Improvement Project Area By-law.

This Program's description including but not limited to: program terms, eligibility criteria, ability to assign the grant, grant calculation and administrative procedures, as adopted by City Council resolution, are contained in Appendix F.

#### 8.7 Gore Building Improvement Grant Program

The Gore Building Improvement Grant (CBIG) Program supports the maintenance, attractiveness, functionality and viability of the historic building stock that front into Gore Park in Downtown Hamilton known as the "Gore". Grants provided under this program are intended to support improvements to existing properties that will

allow buildings to meet present-day by-laws with respect to property standards and signage requirements as well as improve building accessibility.

This Program will apply within the Downtown Hamilton Commercial District CIPA on properties which front on King Street East between James Street North and Catharine Street North as defined through the Revitalizing Hamilton's Commercial Districts Community Improvement Project Area By-law.

This Program's description including but not limited to: program terms, eligibility criteria, ability to assign the grant, grant calculation and administrative procedures, as adopted by City Council resolution, are contained in Appendix G.

#### 8.8 Start-up and Office Tenant Attraction Program

The Start-up and Office Tenant Attraction (SOTA) Program is intended to provide a low-interest loan and/or forgivable loan that will facilitate the undertaking of eligible leasehold improvements, as described in the Program Description attached as Appendix H. to office space by property owners or authorized tenants in order to support the creation of new office space and improve the marketability and attractiveness of existing office space. This Program will serve as a tool to reduce office vacancy rates in Downtown Hamilton and other eligible commercial areas and serve as a means of attracting new and expanding office uses and businesses to Hamilton.

In addition to supporting general office tenancy, this Program will also serve as a means of attracting both start-up/business incubators and individual start-up businesses who are emerging from regional, national and international start-up/business incubators seeking to establish their first permanent office location.

City Council, in its sole and absolute discretion at the time of initially approving a loan commitment, and subject to the availability of funds, may:

- Provide that the maximum Loan amount can be greater than \$450,000.00; and/or
- Make a portion of the Loan to be provided forgivable in an amount equal to 10% of the total loan commitment approved and utilized by the applicant, to a maximum of \$25,000.00, or such other amount at the discretion of City Council, where:
  - the applicant is an Educational Establishment establishing a presence within the Downtown Hamilton Commercial District CIPA; or
  - the applicant is a start-up.

This Program will apply within the Ancaster, Barton Village, Binbrook, Concession Street, Downtown Hamilton, Dundas, Locke Street, Ottawa Street, Stoney Creek,

Waterdown and Westdale Commercial District CIPAs, the Mount Hope/Airport Gateway CIPA and the Barton Street East and Kenilworth Avenue North Strategic Commercial Corridor CIPAs as collectively defined through the Revitalizing Hamilton's Commercial Districts Community Improvement Project Area By-law.

This Program's description including but not limited to: program terms, eligibility criteria, ability to assign the grant, grant calculation, maximum loan amount, loan repayment requirements and administrative procedures, as adopted by City Council resolution, are contained in Appendix H.

#### 8.9 Commercial Vacancy Assistance Program

The Commercial Vacancy Assistance (CVA) Program is intended as a temporary program that is a direct response to minimize potential commercial vacancies arising during, and/or in the immediate recovery from, the COVID-19 pandemic and its impact on the local, provincial and national economy.

This Program will provide financial assistance in the form of a grant to new permanent or 'pop-up' commercial tenants of a presently vacant at, or below grade, commercial space so as to make permanent interior improvements for the purposes of improving the attractiveness and usability of the space for the intended commercial use. To be eligible, the intended commercial use must be accessible to the public/customers and may include, but not be limited to, retail uses, artists studios/galleries containing a retail component and/or dine-in or take-out restaurants but shall not include office uses, medical clinics, financial institutions, any residential use or any vehicle-oriented commercial service uses.

This Program is not intended to provide support for temporary or non-permanently affixed improvements such as, but not limited to, indoor/outdoor furniture. Additional details regarding ineligible costs/improvements are provided within the Program's description contained in Appendix I.

This Program will cease two years from the date this Plan is adopted by City Council unless an extension is provided by City Council via resolution. Such an extension shall not require an amendment to this Plan.

This Program will apply to commercial units on properties zoned to permit commercial uses within the Ancaster, Barton Village, Binbrook, Concession Street, Downtown Hamilton, Dundas, Locke Street, Ottawa Street, Stoney Creek, Waterdown and Westdale Commercial District CIPAs, the Mount Hope/Airport Gateway CIPA and the Strategic Commercial Corridor CIPAs as collectively defined through the Revitalizing Hamilton's Commercial Districts Community Improvement Project Area By-law.

This Program's description including but not limited to: program terms, eligibility criteria, ability to assign the grant, grant calculation and administrative procedures, as adopted by City Council resolution, are contained in Appendix I.

#### 8.10 Barton/Kenilworth Planning and Building Fees Rebate Program

The Barton/Kenilworth Planning and Building Fees Rebate (BKPBFRR) Program is intended to provide grants that will serve as a rebate of specific Planning and Building application fees for approved development-related applications which will support the redevelopment of under-utilized properties as well as further facilitate the undertaking of works that will improve the maintenance, functionality, viability, accessibility and aesthetics of existing commercial, mixed use commercial, multi-residential or institutional use buildings within the Barton Street East and Kenilworth Avenue North commercial corridors which were the subject of the Barton and Kenilworth Commercial Corridors Study.

The specific Planning and Building applications which are to be the subject of a grant/rebate under this Program are identified within the Program Description contained in Appendix J.

This Program will apply within the Barton Village Commercial District CIPA, the Barton Street East and Kenilworth Avenue North Strategic Commercial Corridor CIPAs and properties within the Downtown Hamilton Commercial District CIPA which front on Barton Street East between James Street North and Victoria Avenue North as collectively defined through the Revitalizing Hamilton's Commercial Districts Community Improvement Project Area By-law.

This Program's description including but not limited to: program terms, eligibility criteria and administrative procedures, as adopted by City Council resolution, are contained in Appendix J.

#### 8.11 Downtown Entertainment Precinct Advancement Program

The Downtown Entertainment Precinct Advancement (DEPA) Program (the Program) is intended to provide a grant to incentivize the development, redevelopment or improvement of specific under-utilized properties within Downtown Hamilton which are also the subject of a Master Agreement with City respecting the advancement of improvements to the City's First Ontario Centre, First Ontario Concert Hall and the Hamilton Convention Centre.

As a tax increment-based program, Grants are provided relative to the actual increase in municipal property taxes that are generated as a result of an improvement/development undertaken on a property. Grants are provided over a maximum term of 30 annual payments and subject to City Council approval. The pre-development municipal property taxes used for determining the actual municipal property tax increment are those from the year in which the building permit that initiated the improvement/development was issued. Each annual payment is to be provided based on the municipal property tax increment generated in each of the 30 years. The maximum annual Grant prescribed under this program is identified in the following Table 3:

**Table 3 – Prescribed Maximum Grant  
as a Percentage of Actual Municipal  
Tax Increment**

Year of Grant	Maximum annual Grant amount as a percentage of actual municipal tax increment generated
1	100%
2	80%
3	60%
4	40%
5	20%
6-22 (inclusive)	39%
23-30 (inclusive)	35%

This Program applies to specific properties within the Downtown Hamilton Commercial District CIPA which are the subject of a Master Agreement entered into with the City respecting the advancement of improvements to the City's First Ontario Centre, First Ontario Concert Hall and the Hamilton Convention Centre. These properties are municipally identified as follows and further geographically defined within the Revitalizing Hamilton's Commercial Districts Community Improvement Project Area By-law:

- 14 Vine Street;
- 12 & 28 York Boulevard; and
- 191 York Boulevard.

For further clarity, the above properties comprise part of the Downtown Hamilton Commercial District CIPA and may be eligible for any other applicable incentive program intended to apply to properties within the Downtown Hamilton Commercial District CIPA except that no more than one tax increment-based program shall be approved per project.

This Program's description including but not limited to: program terms, eligibility criteria, ability to assign the grant, grant calculation and administrative procedures, as adopted by City Council resolution, are contained in Appendix K.

## 8.12 Other Strategies

The following programs and initiatives are not subject to this Plan but are intended to be acted upon in tandem with the financial incentive programs contained in this Plan in order to meet the City's goals and objectives for the Plan's Community Improvement Project Areas.

### 8.12.1 Co-operation / Participation with Private Sector Entities

The City of Hamilton may participate financially or otherwise with private sector entities for the objective of furthering the goals and objectives of this Plan. For example, the City may enter into agreements with private developers where appropriate to achieve a desired public good such as the development and operation of a parking structure within Downtown Hamilton.

### 8.12.2 Capital Improvements

The City of Hamilton may undertake capital improvements in order to enhance the attractiveness of the pedestrian environment along streets and public spaces within areas identified in Section 6.0 of this Plan. These improvements may include but are not limited to expanding the Urban Braille system, providing street furniture, street lighting and pole upgrades, and wayfinding signage, among other public realm improvements. The entrances to the downtown areas and BIAs will be identified by appropriately designed and located gateway features.

### 8.12.3 Housing Affordability

The need for low to moderate and affordable housing is of paramount importance in many North American cities. This issue is at the forefront in many communities, including the City of Hamilton. The concerns of homelessness and gentrification are often tied to how we address the housing needs throughout the City. The need to address these concerns is reflective of the current housing market, and the potential for displacement as a result of the demand of housing in Hamilton.

To assist in addressing this, the Economic Development and Housing Services Division staff have been working collaboratively to ensure incentive programs under this CIP and City actions are addressing matters of gentrification and housing affordability.

In 2019 amendments were introduced to incentive programs authorized under the then titled Downtown and Community Renewal Community Improvement Plan which were intended to ensure City incentives were not being used to undertake renovations or redevelopment of residential units in such a way that would result in the illegal eviction of tenants and/or result

in tenants being subject to increases in rents beyond that permitted on an annual basis by the Province of Ontario. These amendments also included new notification procedures to tenants of buildings which were the subject of an application to an applicable City incentive program and to provide information and resources to ensure tenants were aware of their rights under Provincial legislation. It is the intention that those amendment introduced in 2019 be maintained within the applicable program descriptions contained as appendices to this Plan.

In addition, this CIP further highlights housing affordability as a priority through the introduction of an enhanced project classification under the Revitalizing Hamilton Tax Increment Grant Program to further incentive the creation of new housing that will support a mix and range of housing affordability options within applicable commercial districts.

Economic Development Division and Housing Services Division staff will continue to work collaboratively to identify additional opportunities for the use of Community Improvement Plans, financial incentives and other tools available to the City to further address housing affordability in Hamilton.

#### 8.12.4 Arts and Culture

Downtown Hamilton is seen as the arts and cultural centre of the City, and numerous cultural events are also held within the various community downtowns and commercial districts. The City will continue to encourage cultural and recreational activities as well as festivals and other events in these areas. The City may partner with arts and culture groups to promote and support such events through initiatives such as services in kind.

The City's Public Art Master Plan identifies and prioritizes potential sites and opportunities for new public art projects, including locations within this Community Improvement Plan's Project Areas. The Public Art Master Plan also recommends the use of partnerships with the other public institutions, local cultural organizations and the private sector to facilitate the development of public art. To this end, community improvement initiatives such as the arts component of the applicable Programs under this Plan will promote partnerships with the private sector for the purpose of implementing exterior art works on privately owned land accessible to the public.

To increase the opportunity of public art, the Economic Development Division has also established the Hamilton Downtown Public Art Reserve. Public art projects funded from this reserve will be focused within the Downtown Hamilton CIPA to improve the quality of public space, animate street life and contribute to the evolving image of Downtown Hamilton as a place for the arts and cultural innovation.

### 8.12.5 Marketing and Promotion

In accordance with the Economic Development Division's Marketing Plan, the City of Hamilton may promote and advertise or contribute to the promotion or advertisement of programs, initiatives and events in Downtown Hamilton, the Community Downtown/Village Cores and various commercial districts for the purpose of achieving the goals and objectives of this Plan.

### 8.12.6 Neighbourhood Action Strategy

The Neighbourhood Action Strategy approved by Council in 2011 takes a holistic approach to neighbourhood planning and how best to maximize investments and deliver services in areas exhibiting poor health, social and economic outcomes. Neighbourhood / community strategies may address issues such as access and equity, access to housing and services, health inequalities, property maintenance, environmental issues, community appearance, economic stability, and crime. Such issues are often complex and require a multi-agency and community-based approach for their resolution. The core elements are:

1. Enhancing community development work;
2. Developing resident-led Neighbourhood Plans;
3. Increasing investments in neighbourhoods; and
4. Building new partnerships to support healthy neighbourhoods.

As part of the integrated team of City and community staff and resources, Economic Development Division staff will work with the Neighbourhood Action Strategy Office to ensure that existing and future opportunities related to community improvement are considered where appropriate.



## 9.0 MONITORING

Monitoring the Plan's implementation is undertaken through the City's performance measurement reporting and annual reports prepared by the Economic Development Division within the Planning and Economic Development Department.

Performance measures will be based on the objectives and desired outcomes as identified in this Plan, key activities set out in the Department's business plan and the City's 2016-2025 Strategic Plan. Performance measures which may be evaluated include, but may not be limited to:

- Increasing the overall number of residential units and local resident population in commercial districts;
- Improving non-residential assessment ratio;
- Increasing the number of housing units accessible to low and moderate-income households;
- Increasing the number of new businesses;
- Increasing taxable assessment growth in commercial districts;
- Decreasing the vacancy rates for commercial spaces;
- Supporting the achievement of Provincial and City population and employment growth targets;
- Decreasing office vacancy rates in the Downtown Hamilton Urban Growth Centre; and
- Increasing alternative transportation usage in including transit, walking and cycling.

## 10.0 AMENDMENTS AND TRANSITIONAL MATTERS

This Plan 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 contained in the Appendices to this Plan.

### 10.1 Formal Amendments

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

- To introduce new financial incentive programs;
- 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 except where the maximum amount of assistance is not referenced in Section 8.0 or the conditions under which increased assistance under a program may be provided is already established within this same section; or
- To add, extend, remove or otherwise change the Community Improvement Project Area's which are the subject of this CIP.

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. 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.

### 10.2 Other Amendments

Detailed program descriptions providing for the efficient administration of each incentive program will be adopted, through resolution, by City Council. The program descriptions shall include, but not be limited to, program terms, eligibility criteria, maximum grant amounts, grant calculations, assignability, maximum loan amounts, repayment requirements and detailed administrative procedures terms and will form appendices to this CIP. Changes to the appendices will be adopted by City Council through 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 updates or amendments to program descriptions attached to this Plan as appendices. Minor administrative amendments to this Plan such as format

changes, typographical errors, grammatical errors and policy number changes shall not require a formal amendment.

### 10.3 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 subject to and processed under the revised terms.

## 11.0 APPENDICES

The following appendices are provided under separate cover.

- Appendix A Commercial District Housing Opportunities Program Description
- Appendix B Downtown and Barton/Kenilworth Housing Opportunities Program Description
- Appendix C Revitalizing Hamilton Tax Increment Grant Program Description
- Appendix D Barton/Kenilworth Tax Increment Grant Program Description
- Appendix E Commercial District Revitalization Grant Program Description
- Appendix F Barton/Kenilworth Revitalization Grant Program Description
- Appendix G Gore Building Improvement Grant Program Description
- Appendix H Start-up & Office Tenant Attraction Program Description
- Appendix I Commercial Vacancy Assistance Program Description
- Appendix J Barton/Kenilworth Planning and Building Fees Rebate Program Description
- Appendix K Downtown Entertainment Precinct Advancement Program Description