

CITY OF HAMILTON

BY-LAW NO. 26-XXX

A By-Law to Authorize the Imposition of a Special Charge under the Better Homes Hamilton Pilot Program in Accordance with Ontario Regulation 586/06 on the following properties in the City of Hamilton (Batch 2):

00375026800; 04031250670; 04028551020; 04028505440;
01006200340; 04028751130; 03023403550; 03020505790;
03021257020; 08108103867 (the "benefitting properties").

File: PED26078

WHEREAS at its meeting of November 22, 2023, Council for the City of Hamilton adopted "Better Homes Hamilton" BY-LAW NO. 23-216, being a by-law to authorize the undertaking of climate change mitigation and adaptation works on private residential property as local improvements under the Better Homes Hamilton - Home Energy Retrofit Program, in accordance with section 36.1 of O. Reg. 586/06 - Local Improvement Charges - Priority Lien Status, ("O. Reg. 586/06");

AND WHEREAS the owner(s) of the benefitting properties and the City of Hamilton (the "City") have entered into a Property Owner Agreement (the "POA") pursuant to section 36.2 of O. Reg. 586/06 for the City to undertake work as a local improvement (the "Work") on the benefitting property and to raise the cost of the Work (the "Cost") by imposing a special charge on the benefitting properties;

AND WHEREAS the City Clerk has certified the POA pursuant to section 36.4(2) of O. Reg. 586/06;

AND WHEREAS the Work has been completed;

AND WHEREAS a local improvement roll was prepared in accordance with section 36.10 of O. Reg. 586/06, setting out the Cost of the Work, the proposed special charges to be imposed on the benefitting properties, when the special charges are to be paid, and the lifetime of the Work;

AND WHEREAS the City has given notice of the proposed local improvement roll to the owner(s) of the benefitting properties pursuant to subsection 36.11(1) of O. Reg. 586/06;

AND WHEREAS the City Treasurer has certified the proposed local improvement roll in accordance with subsection 36.11(2) of the O. Reg. 586/06;

AND WHEREAS section 36.14 of O. Reg. 586/06 provides that after the Treasurer has certified the local improvement roll, the City shall by by-law provide that the amount specially charged on the property set out in the roll shall be sufficient to raise the property's share of the Cost by a number of equal annual payments and that a special charge shall be imposed in each year on the property equal to the amount of the payment payable in that year.

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

1. The provisions of section 36.14 of O. Reg. 586/06 apply to the benefitting property as a result of the completion of the Work pursuant to the POA.
2. The amounts specially charged on the property as set out in the certified local improvement roll attached as Schedule "A" to this By-Law (the "Special Charge") is sufficient to raise the property's share of the Cost within the specified number of annual payments and shall be imposed on and collected annually by adding the annual amount payable as set out in Schedule "A" to this By-Law (the "Annual Payment") to the tax roll of the property.
3. The Annual Payments as set out in the certified local improvement roll attached as Schedule "A" do not extend beyond the lifetime of the Work.
4. The amount of each payment made in respect of the Special Charge shall be entered in the local improvement roll by the Treasurer.
5. This By-Law shall come into force and take effect on the date of its passing and shall be deemed repealed on the date on which the Treasurer certifies that the Special Charge has been paid in full.

PASSED this 22 day of April, 2026

Andrea Horwath
Mayor

Matthew Trennum
City Clerk

Schedule A