TO: Chair and Members
   Planning Committee

WARD(S) AFFECTED: WARD 11

COMMITTEE DATE: November 5, 2013

SUBJECT/REPORT NO: Community Improvement Plan and Project Area Amendments for Mount Hope (PED11188(c)) (Ward 11)

SUBMITTED BY: Joe-Anne Priel
   Acting General Manager
   Planning and Economic Development Department

PREPARED BY: Alan Waterfield (905) 546-2424 Ex. 1251
   Hazel Milsome (905) 546-2424 Ex. 2755

SIGNATURE:

RECOMMENDATION

(a) That the Downtown and Community Renewal Community Improvement Project Area By-law be amended to add the Mount Hope Airport Gateway Community Improvement Project Area as set out in the implementing by-law attached as Appendix “A” to Report PED11188(c);

(b) That subject to the approval of Recommendation (a), the Downtown and Community Renewal Community Improvement Plan be amended as set out in the implementing by-law attached as Appendix “B” to Report PED11188(c);

(c) That subject to the approval of Recommendation (b), Appendix “B” to the Downtown and Community Renewal Community Improvement Plan, being the Program Description and Terms of the Hamilton Tax Increment Grant Program, be deleted and replaced respectively with the Program Description and Terms attached as Appendix “C” to Report PED11188(c);
(d) That subject to the approval of Recommendation (b), Appendix “D” to the Downtown and Community Renewal Community Improvement Plan, being the Program Description and Terms of the Commercial Corridor Housing Loan and Grant Program, be deleted and replaced respectively with the Program Description and Terms attached as Appendix “D” to Report PED11188(c);

(e) That subject to the approval of Recommendation (b), Appendix “E” to the Downtown and Community Renewal Community Improvement Plan, being the Program Description and Terms of the Hamilton Heritage Property Grant Program, be deleted and replaced respectively with the Program Description and Terms attached as Appendix “E” to Report PED11188(c);

(f) That subject to the approval of Recommendation (b), Appendix “F” to the Downtown and Community Renewal Community Improvement Plan, being the Program Description and Terms of the Hamilton Downtown Office Tenancy Assistance Program, be deleted and replaced respectively with the Program Description and Terms attached as Appendix “F” to Report PED11188(c);

(g) That subject to the approval of Recommendation (b), Appendix “H” to the Downtown and Community Renewal Community Improvement Plan, being the Program Description and Terms of the Commercial Façade Property Improvement Grant Program, be deleted and replaced respectively with the Program Description and Terms attached as Appendix “G” to Report PED11188(c).

EXECUTIVE SUMMARY

City Council, via the General Issues Committee, directed Urban Renewal staff to prepare amendments to the Downtown and Community Renewal Community Improvement Plan and Project Area to implement community improvement programs and initiatives in the proposed Mount Hope Airport Gateway Community Improvement Project Area. PED11188(c) brings forward the amendments for approval via the Planning Committee in accordance with the Planning Act.

The recommended boundary of the Mount Hope Airport Gateway Community Improvement Project Area is identified in Appendix “A” to Report PED11188(c). The Community Improvement Plan amendment (Appendix “B” to Report PED11188(c)) incorporates the Mount Hope Airport Gateway Community Improvement Project Area into the Plan and provides to it the same suite of programs available to the City’s community downtowns. The following programs could be available to eligible projects:

- Hamilton Tax Increment Grant Program;
- Commercial Corridor Housing Loan and Grant Program (although properties where residential development is not permitted would not be eligible for this program);
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- Hamilton Heritage Property Grant Program;
- Office Tenancy Assistance Program;
- Commercial Façade Property Improvement Grant Program.

The revised program descriptions and terms for the respective programs are provided in Appendices “C” to “G” to Report PED11188(c).

Alternatives for Consideration – Not Applicable

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<tr>
<th>FINANCIAL / STAFFING / LEGAL IMPLICATIONS (for Recommendation(s) only)</th>
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Financial: It is not anticipated that there would be any applications processed prior to 2014 upon approval of the amendments that provide community improvement programs to the Mount Hope/Airport Gateway Community Improvement Project Area. The source of funds for each program is outlined in the financial implications section of Report PED11188(b), attached as Appendix “H” to Report PED11188(c).

Staffing: There will be no additional staffing requirements resulting from Council approval of Report PED11188(c)’s recommendations. Applications to the financial incentive programs offered in the Mount Hope/Airport Gateway Community Improvement Project Area would be processed by the Urban Renewal Section. A future gateway project would be administered by Urban Renewal staff, with timing to be incorporated into future work plans.

Legal: The Planning Act (Section 28) allows municipalities that have provisions in their Official Plan relating to community improvement, such as the City of Hamilton, to designate by by-law a community improvement project area, and then to prepare a Community Improvement Plan for the project area. An amendment to the Community Improvement Plan requires a statutory public meeting with notice requirements in accordance with the Planning Act. Council’s decision regarding the Community Improvement Plan amendment is final if a notice of appeal is not received within 20 days of the notice of decision. The City may then make grants and loans, in conformity with the approved community improvement plan, that would otherwise be prohibited under the Municipal Act (Section 106(1)), to the registered/assessed owners or tenants of land and buildings, or their respective assignees, within the designated project area. As per the Downtown and Community Renewal Community Improvement Plan, approval of all loan or grant program applications is at the absolute discretion of the City and subject to the availability of funds.

HISTORICAL BACKGROUND (Chronology of events)

November 2012: Council directed staff, as per recommendation g) of Report PED11188(a), “to investigate and report back to the General Issues Committee on a
Community Improvement Project Area, and associated program initiatives, for the Mount Hope/Hamilton Airport gateway area at Homestead Drive and Airport Road.”

Spring 2013: The staff investigation included an open public information session with approximately 65 attendees at the Mount Hope Community Hall on April 29, 2013, to discuss how and where community improvement initiatives could be applied in Mount Hope.

August 2013: Report PED11188(b) was presented to the General Issues Committee (GIC) on August 12, 2013. GIC and Council directed Urban Renewal staff to prepare amendments to the Downtown and Community Renewal Community Improvement Plan and Project Area to implement community improvement initiatives in the proposed Mount Hope Airport Gateway Community Improvement Project Area. Such amendments are to be presented to a Public Meeting of the Planning Committee.

September 2013: A similar open public information session was held at the Mount Hope Community Hall on September 10, 2013, to provide opportunity for community review and input to the specific community improvement project area boundary and related initiatives proposed for Mount Hope, prior to the required statutory Public Meeting of the Planning Committee anticipated in November 2013.

POLICY IMPLICATIONS/LEGISLATED REQUIREMENTS

Downtown Hamilton, the community downtowns of Ancaster, Binbrook, Dundas, Stoney Creek and Waterdown, the Business Improvement Areas and other commercial corridors within the City, as well as certain heritage-designated properties, are collectively designated in the Downtown and Community Renewal Community Improvement Project Area By-law. Designation of the Mount Hope Airport Gateway Community Improvement Project Area does not change or affect the official plan land use designation or zoning by-law regulations applicable to any property. It identifies an additional area in which programs and initiatives specified in the Downtown and Community Renewal Community Improvement Plan may be applied, subject to the program terms.

The Downtown and Community Renewal Community Improvement Plan provides the framework for City programs and initiatives in a manner that meets the legislative requirements of the Planning Act and the City’s community improvement policies contained in the Official Plan. The programs facilitate development/redevelopment to help implement existing policy, in targeted locations in need of revitalization, improved public benefits/amenities, and stimulation of private sector investment.
RELEVANT CONSULTATION

Public information sessions were held in April and September 2013 to discuss the community improvement project area and related programs and initiatives proposed for Mount Hope. There were subsequent discussions with several property/business owners eager to participate in financial incentive programs to improve their buildings. The community is also interested in better entrance signage/gateway features to enhance promotion and wayfinding within Mount Hope, as well as better lighting and paving to make the area more appealing to walk through.

Staff also received a request to expand the proposed Mount Hope Airport Gateway Community Improvement Project Area to include properties along the south side of Airport Road between Marion Street and the west limit of the Mount Hope Secondary Plan area. It includes a future commercial block at the north end of the proposed Mountain Gate subdivision lands. This request is addressed in the following section of this Report.

ANALYSIS / RATIONALE FOR RECOMMENDATION

Report PED11188(c) continues to recommend the Mount Hope Airport Gateway Community Improvement Project Area boundary and financial incentive programs as proposed in Report PED11188(b). (PED11188(b) is attached as Appendix "H" to this Report.)

The Mount Hope Airport Gateway Community Improvement Project Area is identified in Appendix “A” to Report PED11188(c). The area’s current characteristics, cultural heritage as the seat of the former Glanford Township, and unique location adjacent to the John C. Munro Hamilton International Airport, make it a fit with the redevelopment objectives of the Downtown and Community Renewal Community Improvement Plan. The area possesses building stock and property in need of rehabilitation; buildings and structures of heritage or architectural significance; deteriorated or insufficient physical infrastructure; and encroachment of incompatible land uses or activities affecting development opportunities. Although the proximity to the Airport provides a high degree of visibility, there are conflicts between existing uses and close Airport operations. Additional detail is provided in the analysis section of Report PED11188(b), attached as Appendix “H” to this Report.

The Mount Hope Airport Gateway Community Improvement Project Area includes a portion of the lands designated District Commercial in the Mount Hope Secondary Plan. The whole of the District commercial designation used as the basis for the study area is not homogeneous with respect to its characteristics and need related to community improvement. The Project Area 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 (former Highway 6), where community improvement programs and initiatives may help to facilitate the transition from residential to other permitted uses for properties abutting the airport; address long standing vacancies and poor building conditions, so that these sites may be more attractive to potential tenants and customers; and, promote infill of vacant lots within that area. These objectives reflect a desire in the community to prioritize the rehabilitation of the more deep-rooted, established area that was impacted by the introduction of the Highway 6 bypass (now Upper James Street) around the Airport Road/Homestead Drive intersection, rather than new development on the periphery.

New development on the periphery includes the future commercial block at the north end of the proposed Mahtingate subdivision lands property at the west limit of the Mount Hope Secondary Plan District Commercial land use designation. This property would represent greenfield development. Its inclusion would be less consistent with other lands contained within the Downtown and Community Renewal Community Improvement Project Area including downtowns, Business Improvement Areas and commercial corridors in existing, established areas of the city. Community improvement plans, programs and initiatives support the planning and financing of development activities that effectively use, reuse and rehabilitate lands, building and infrastructure. They prioritize municipal investment and are intended to stimulate private sector investment, property maintenance and revitalization within the Project Areas.

The Community Improvement Plan amendment (Appendix “B” to Report PED11188(c)) incorporates the Mount Hope Airport Gateway Community Improvement Project Area into the Plan and provides to it the same suite of programs available to the City’s community downtowns. The following programs could be available to eligible projects:

- Hamilton Tax Increment Grant Program;
- Commercial Corridor Housing Loan and Grant Program (although properties where residential development is not permitted would not be eligible for this program);
- Hamilton Heritage Property Grant Program;
- Office Tenancy Assistance Program; and,
- Commercial façade Property Improvement Grant Program.

The revised program descriptions and terms for the respective programs are provided in Appendices “C” to “G” to Report PED11188(c). As per the Downtown and Community Renewal Community Improvement Plan, the program descriptions and terms are adopted by Council resolution and appended to the Plan.
OUR Vision: To be the best place in Canada to raise a child, promote innovation, engage citizens and provide diverse economic opportunities.

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ALTERNATIVES FOR CONSIDERATION
(include Financial, Staffing, Legal and Policy Implications and pros and cons for each alternative)

Not applicable – Report PED11188(c) recommendations implement Council approved direction.

ALIGNMENT TO THE 2012 – 2015 STRATEGIC PLAN:

Strategic Priority #1
A Prosperous & Healthy Community

WE enhance our image, economy and well-being by demonstrating that Hamilton is a great place to live, work, play and learn.

Strategic Objective

1.1 Continue to grow the non-residential tax base.
1.2 Continue to prioritize capital infrastructure projects to support managed growth and optimize community benefit.
1.6 Enhance Overall Sustainability (financial, economic, social and environmental).

APPENDICES / SCHEDULES

Appendix “A”: Amendment to the Downtown and Community Renewal Community Improvement Project Area By-law

Appendix “B”: Amendment to the Downtown and Community Renewal Community Improvement Plan

Appendix “C”: Revised Program Description and Terms of the Hamilton Tax Increment Grant Program

Appendix “D”: Revised Program Description and Terms of the Commercial Corridor Housing Loan and Grant Program

Appendix “E”: Revised Program Description and Terms of the Hamilton Heritage Property Grant Program

Appendix “F”: Revised Program Description and Terms of the Hamilton Downtown Office Tenancy Assistance Program
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Appendix “G”: Revised Program Description and Terms of the Commercial Facade Property Improvement Grant Program

Appendix “H”: Report PED11188(b) Proposed Mount Hope/Airport Gateway Community Improvement Initiatives and Project Area

HM/AW: dkm
CITY OF HAMILTON

BY-LAW NO. 13-____

To Amend By-law 11-272 as amended respecting the Downtown and Community Renewal Community Improvement Project Area (Mount Hope Airport Gateway CIPA)

WHEREAS Section 28 of the Planning Act entitled Community Improvement provides in sub-section (2):

"Where there is an official plan in effect in a local municipality or in a prescribed upper-tier municipality that contains provisions relating to community improvement in the municipality, the council may, by by-law, designate the whole or any part of an area covered by such an official plan as a community improvement project area";

AND WHEREAS the Planning Act defines a "community improvement project area" as "an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason";

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

AND WHEREAS By-law 11-272 as amended identifies various areas of the City of Hamilton, including the Downtown Hamilton Community Improvement Project Area, Ancaster Village Community Improvement Project Area, Binbrook Community Improvement Project Area, Dundas Community Improvement Project Area, Downtown Stoney Creek Community Improvement Project Area, Waterdown Community Improvement Project Area, Barton Village Community Improvement Project Area, Concession Street Community Improvement Project Area, Locke Street Community Improvement Project Area, Ottawa Street Community Improvement Project Area, Westdale Community Improvement Project Area, Commercial Corridors Community Improvement Project Area, and certain properties designated under Part IV or V of the Ontario Heritage Act, and designates collectively said areas as the "Downtown and Community Renewal Community Improvement Project Area";
AND WHEREAS attached hereto and forming part of this by-law as Appendix “A”, is a map identifying the Mount Hope Airport Gateway Community Improvement Project Area dated September 30, 2013;

AND WHEREAS the Council of the City of Hamilton considers it appropriate to designate the Mount Hope Airport Gateway Community Improvement Project Area as a "community improvement project area";

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

1. The geographical portions of the City of Hamilton as shown on Appendix “A” and forming part of this by-law, and defined as the Mount Hope Airport Gateway Community Improvement Project Area, are hereby designated as part of the Downtown and Community Renewal Community Improvement Project Area”.

2. By-law 11-272 as amended is hereby amended by adding Appendix “A” hereto to Schedule “A” thereof.

PASSED this 13th day of November, 2013

________________________________  _________ _______________________
R. Bratina      R. Caterini
Mayor        City Clerk
CITY OF HAMILTON

BY-LAW NO. 13-___

To Amend By-law 11-273 as amended, respecting the Downtown and Community Renewal Community Improvement Plan

WHEREAS Section 28 of the Planning Act entitled Community Improvement states 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;

AND WHEREAS By-law 11-272 as amended, passed on the 16th day of November 2011, designated the Downtown and Community Renewal Community Improvement Project Area;

AND WHEREAS By-law 13-___, passed on the 13th day of November 2013, designated the Mount Hope Airport Gateway Community Improvement Project Area and added it to the collective Downtown and Community Renewal Community Improvement Project Area (By-law 11-272 as amended);

AND WHEREAS By-law 11-273 as amended, passed on the 16th day of November 2011 adopted and approved the Downtown and Community Renewal Community Improvement Plan;

AND WHEREAS Council, by its Planning Committee, held a public meeting on November 5, 2013, to discuss and receive public input regarding an amendment to the Downtown and Community Renewal Community Improvement Plan, and has taken other steps required to amend the Plan, prior to the enactment of this By-law, as required by the Planning Act;

AND WHEREAS the City has prepared an amendment to the Downtown and Community Renewal Community Improvement Plan, attached hereto as Schedule 1 and forming part of this By-law;
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 3 to the Downtown and Community Renewal Community Improvement Plan, consisting of Schedule 1 hereto annexed and forming part of this By-law, is hereby adopted and approved.

2. Schedule 'A' to By-law 11-273 is amended as set out in Schedule 1 to this By-law.

PASSED this 13th day of November, 2013

________________________________________________________________________
R. Bratina R. Caterini
Mayor City Clerk
The following text constitutes Amendment No. 3 to the Downtown and Community Renewal Community Improvement Plan.

Purpose

To incorporate the Mount Hope Airport Gateway Community Improvement Project Area into the Downtown and Community Renewal Community Improvement Plan.

Location

The lands affected by the amendment are contained within the Mount Hope Airport Gateway Community Improvement Project Area, as designated in the Downtown and Community Renewal Community Improvement Project Area By-law (By-law 11-272 as amended by By-law 13-__).

Basis

The amendment is consistent with the goals and objectives of the Downtown and Community Renewal Community Improvement Plan.

Actual Changes

1. Insert the following new Section 6.5 after Section 6.4:

“6.5 Mount Hope Airport Gateway

The Mount Hope Airport Gateway Community Improvement Project Area includes a portion of the lands designated District Commercial in the Mount Hope Secondary Plan, as identified in the Downtown and Community Renewal Community Improvement Project Area By-law. The area’s current characteristics, cultural heritage as the seat of the former Glanford Township, and unique location adjacent to the John C. Munro Hamilton International Airport, make it a fit with the redevelopment objectives of this Plan. The area possesses building stock and property in need of rehabilitation; buildings and structures of heritage or architectural significance; deteriorated or insufficient physical infrastructure; and encroachment of incompatible land uses or activities affecting development opportunities. Although the proximity to the Airport provides a high degree of visibility, there are conflicts between existing uses and close Airport operations.”
The Mount Hope Airport Gateway Community Improvement Project Area 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 (former Highway 6), where community improvement programs and initiatives may help to facilitate the transition from residential to other permitted uses for properties abutting the airport, address long standing vacancies and poor building conditions, and promote infill of vacant lots within that area.

2. In Section 8.1.2, first paragraph, after the words “Business Improvement Areas (BIAs),” add “Mount Hope Airport Gateway,“.

3. In Section 8.1.4, first paragraph, after the words “Business Improvement Areas (BIAs),” add “Mount Hope Airport Gateway,“.

4. In Section 8.1.5, second paragraph, third sentence, after the words “Business Improvement Area,” add “Mount Hope Airport Gateway,“.

5. In Section 8.1.6, first paragraph, after the words “Business Improvement Areas (BIAs),” add “Mount Hope Airport Gateway,“.

6. In Section 8.1.8, first paragraph, after the words “Business Improvement Areas (BIAs),” add “Mount Hope Airport Gateway,“.

Implementation

The provisions of Section F.1.15 of the Urban Hamilton Official Plan and Section 28 of the Planning Act give effect to this amendment.

This amendment constitutes Schedule 1 to By-law No.13-____ passed on the 13th day of November, 2013.
HAMILTON TAX INCREMENT GRANT PROGRAM

PROGRAM DESCRIPTION

The intent of the Hamilton Tax Increment Grant Program (the “Program”) is to provide an economic catalyst for developing, redeveloping or renovating residential/commercial lands and buildings located within Downtown Hamilton, Community Downtowns, Business Improvement Areas (BIAs), Mount Hope Airport Gateway, and the commercial corridors along Barton Street, east of the Barton Village BIA, and along Kenilworth Avenue North as identified in the Downtown and Community Renewal Community Improvement Project Area.

This Program authorizes for each approved grant application, a five year grant, the amount of which is subject to Council approval, in an amount not exceeding the increase in municipal realty taxes. The increase in municipal realty taxes (City portion only) will be based on either the year in which the building permit that initiated the development/redevelopment was issued or, for properties where the proposed development/redevelopment does not require a building permit, the year in which City Council approved the grant amount, and, the first year in which the property is reassessed. The grant shall be an amount which does not exceed 100% of the municipal realty tax increase during the first year, 80% in year 2, 60% in year 3, 40% in year 4, and 20% in year 5. For purposes of determining the eligible amount of the increase in municipal realty taxes, special charges including B.I.A. levies shall be excluded from the calculation. The grant would reduce the effect of an increase in municipal realty taxes attributable to the differential between the pre-renovation assessment and the post-renovation assessment.

1. Before any grant is provided to the applicant for a property for which a satisfactory grant application has been received and approved, realty taxes are required to have been paid as billed each year and, the property shall be in compliance with the program’s requirements and conditions. If an appeal is filed with the Municipal Property Assessment Corporation, the applicant will be entitled to no more than 75% of the yearly grant. Upon final settlement of the appeal, necessary adjustments to the amount of the yearly grant will be made.
2. The first-year of the grant is payable at the end of the first year of reassessment, post completion, of the redevelopment/development (if reassessment occurs May 1 the grant will be paid by April 30 of the following year).

3. For commercial projects, the first year of the grant is payable at the end of the first year of reassessment, post completion, of the redevelopment/development regardless of the number of commercial units occupied (if reassessment occurs May 1 the grant will be paid by April 30 of the following year).

4. For residential condominium projects, the first-year grant is payable by the end of the calendar year in which 75% of the residential condominium units within the project are fully assessed, and is calculated on a rateable per unit basis.

5. The grants may be received by an owner in conjunction with any other available municipal program in support of redevelopment/development, including the municipality’s loan and heritage programs. The approved grants are not assignable by the owner to anyone, except to the initial purchaser of any condominium unit or to the City of Hamilton. The total of each property’s five years of approved grants shall not exceed the costs of the property’s development/redevelopment.

6. A limited assignment of the grant under the terms of the Program may be made from a registered or assessed owner of the property to the initial purchaser of each new condominium unit. The assignment of the grant shall not apply to any subsequent re-sale of any such unit. The assigned grant shall be restricted to the balance of the five (5) year term running from the re-assessment date following the date of the registration of the condominium. The first-year grant is payable at the end of the calendar year in which 75% of the condominium units within the project are fully assessed, and is calculated on a rateable per unit basis. In addition to the one-time $710 application fee, a one time administration fee of $370 per unit shall be deducted from the initial grant payment. Fees will be authorized through a by-law passed by City Council. The rate of the fees may be changed from time to time as approved by City Council.

7. For applicants who choose not to assign the grant to the initial purchasers of each condominium unit, the grant will be earned by the applicant if they have met all terms and conditions of the Program including payment of taxes until the development has past Final Building Inspection by Building Services. The annual grant to the applicant will be pro-rated if an appeal has been filed with the Municipal Property Assessment Corporation by any of the condominium unit owners. The grant for condominium units that are under appeal will not be released until the appeals are settled through the Assessment Review Board. The first year grant is payable during the calendar year in which 75% of the condominium units within the project are fully assessed, and is calculated on a rateable per unit basis.
8. An applicant and any assignees, can assign the grant to the City of Hamilton as payment of their loan under the Hamilton Downtown/West Harbourfront Remediation Loan Program.

9. The applicant will be required to enter into an Agreement with the City of Hamilton that sets out the conditions of the annual grant.

10. Redevelopment/development will commence no longer than 2 years following City Council’s approval of the grant or the grant will be cancelled. The 2 year period may be extended by City Council at its absolute discretion.

11. In the event of the sale, conveyance, transfer or entering into of any agreement of sale or transfer of the title of the Property, the City shall have absolute discretion in ceasing any further grant payments.

12. Change of Corporate Control:

Where the Owner is a corporation the Owner covenants and agrees that in the event that:

a) the Owner fails to supply the City, in a form satisfactory to the City such information relating to the ownership of its shares as the City may from time to time require; or

b) without the written consent of the City first had and obtained:

   i) the Owner issues or redeems any of its shares or transfers any of its shares;

   ii) there is a sale or sales of the shares of the Owner which result in the transfer of the legal or beneficial interest of any of the shares of the Owner; or,

   iii) the Owner amalgamates, merges or consolidates with any other corporation.

and the result of any of the foregoing is a change in the effective control of the majority of the voting shares of the Owner, or the requested information is not provided, then future grant payments under the Program shall cease at the absolute discretion of the City.

13. Approval of the grant application is at the absolute discretion of the City and subject to the availability of funds.
14. Without limiting the discretion as set out in paragraph 13 herein, the City Council, whether or not an Applicant satisfies the requirements of the Program, may reject any application received from an applicant where, in the opinion of Council, the commercial relationship between the City and the Applicant has been impaired by, but not limited to, the applicant being involved in litigation with the City. Applicants are individuals; corporate entities and individuals behind the corporation (Officers/Directors/Shareholders).

15. Without limiting the discretion as set out in paragraph 13 herein, City Council, whether or not an Applicant satisfies the requirements of the Program, may reject any application received from an applicant where there are property tax arrears owed on the subject property or other properties owned by the Applicant within the City of Hamilton.

16. Improvements commenced prior to submitting an application are ineligible. Improvements commenced after submitting an application but prior to application approval do so at the applicant’s risk.

GRANT CRITERIA

Projects that include developing, redeveloping or renovating residential/commercial lands and buildings within Downtown Hamilton, Community Towns, Business Improvement Areas (BIAs), Mount Hope Airport Gateway, and the commercial corridors along Barton Street, east of the Barton Village BIA, and along Kenilworth Avenue North as identified in the Downtown and Community Renewal Community Improvement Project Area are eligible under the Program.

Approval of the application and estimated grant amount is subject to City Council approval. Such application shall be submitted and only received if it is prior to the owner’s commencement of improvements/rehabilitation to their property and shall include plans, estimates, contracts and other details as may be required to satisfy the City as to the cost of the project and as to the conformity of the project with the objectives of the Downtown and Community Renewal Community Improvement Plan.

Such project is also required to be in compliance with the City’s Official Plan policies, other by-laws and policies, including but not limited to zoning, site plan approval, design guidelines, heritage matters including preservation of historical buildings. The compliance of each application with the criteria of this Program and the estimated amount of the Property’s grants (within the permitted terms of this Program) is at the discretion of and subject to Council approval.

All parking lots and vacant sites are eligible. Properties upon which commercial, residential or industrial buildings are cleared and demolished are eligible with the exception of designated heritage buildings.
This program shall not apply to an existing or proposed Adult Entertainment Parlour, Body Rub Establishment, Correction Facility, Corrections Residence, Emergency Shelter, Lodging House or Residential Care Facility as defined in the Zoning By-law.
COMMERCIAL CORRIDOR HOUSING LOAN AND GRANT PROGRAM

PROGRAM DESCRIPTION

The Commercial Corridor Housing Loan and Grant Program (the “Program”) is designed to stimulate residential development within Downtown Hamilton, Hamilton’s Community Downtowns, active and dormant Business Improvement Areas, Mount Hope Airport Gateway, and “main street” corridors, as identified in the Downtown and Community Renewal Community Improvement Project Area By-law.

The Program is intended to provide financial assistance for converting existing built commercial space into residential units, renovations to existing residential units or construction of new units via building additions. The Program is also intended to provide assistance for the costs of creating new residential units on vacant land.

Acting as a lender, the City provides financial support for the Program and ensures that development arising from the Program is consistent with the principles and design themes contained within the Downtown and Community Renewal Community Improvement Plan, the applicable Official Plan and Zoning By-law, and the provisions of relevant Urban Design Plans.

PROGRAM TERMS

Note: A Pre-Application Form must be completed and forwarded to the Urban Renewal Section prior to completing a final application form. The Pre-Application Form is required in order that staff can review property details and determine appropriate next steps.

1. Subject to meeting all other Program terms, the Commercial Corridor Housing Loan and Grant Program is available to property owners within:
   a) the Downtown Hamilton Community Improvement Project Area;
   b) the City of Hamilton’s Community Downtowns;
   c) the active and dormant Business Improvement Areas;
   d) the Mount Hope Airport Gateway; and,
   e) the “main street” corridors as identified in the Downtown and Community Renewal Community Improvement Project Area By-law.

2. The maximum loan amount is $15,000 per dwelling unit to a maximum of $600,000 per property (40 units). A dwelling unit is a room or suite of rooms used...
or intended to be used by one or more persons living together as one household, in which cooking and sanitary facilities are provided for the exclusive use of the household, and to which an independent entrance is provided from outside the building or from a common interior hallway, vestibule or stairway. A minimum of 50% of the loan per unit must be spent on developing/renovating the unit. The remaining 50% can cover the cost of common elements of the property e.g. roofing, HVAC, central air conditioning, fire escapes, foundations, furnaces, entranceways or other improvements deemed eligible by the General Manager of the Planning and Economic Development Department.

3. In addition to the loan, the Program has a grant portion of $5,000 per application allocated to professional fees only. The grant portion is paid upon presentation of paid receipts to the City's satisfaction. Professional fees will include: architects; lawyers; engineers; surveyors’ fees, title insurance, etc. Eligible fees will be at the absolute discretion of the City.

4. The Program does not apply to single-detached dwelling units or “individual” street townhouse dwelling units.

5. The Program will not fund improvements including roofing, electrical, fascia, eavestrough, in isolation of internal work on dwelling units.

6. Approval of the loan application is at the absolute discretion of the General Manager of the Planning and Economic Development Department (for loans/grants to a maximum of $200,000) and, City Council for loans/grants above $200,000 and, subject to the availability of funds.

7. The maximum Loan term is five (5) years and six (6) months (subject to prior termination on default) from the date of the final advance exclusive of holdback. No extension or renewal shall be granted.

8. The Loan interest rate will be at 0% interest for the first five (5) years. For the last six (6) months of the Loan, interest shall be payable on the principal outstanding at the then prevailing rate established by Council for interest on tax arrears, such interest to be calculated and payable monthly, not in advance.

9. The Loan will be registered as a second mortgage upon the lands to be developed (the “Property”) upon first advance of funds. In addition, the Applicant will enter into a Loan Agreement which includes (but is not limited to) the terms and conditions of this program description.

10. Interest on arrears will be 15% per annum or such tax arrears interest rate as may be established by Council from time to time.

11. Principal is repayable in annual amounts of ten percent (10%), in 12 equal monthly payments, of the original loan amount. Payments will commence one year following the final advance, exclusive of any required holdback. The balance outstanding will be paid by a balloon payment at the end of the five (5) year and
six (6) month term. Monthly principal payments will continue during the last six (6) months of the repayment term with interest calculated and payable monthly, not in advance, if not paid earlier.

12. The loan may be prepaid at any time without notice, bonus or penalty.

13. The City may request such security as may be required to secure a commercial loan, including the following: loan agreement; and/or promissory note; and/or personal property security; and/or personal guarantees; and/or lien on the property to be improved; and/or collateral mortgage charge registered on the property to be improved; and/or letter of credit in lieu of a second mortgage charge on the property (subject to City’s minimum equity requirements); and/or such other security which may be appropriate or available in the circumstance. The City will request net worth statements or variations thereof as the City may determine.

14. The City’s funding will be advanced in 3 stages, upon completion of 60%, 80% and substantial completion of the project. Upon proof satisfactory to the City that the proposed development is 60% complete based upon the value of the construction and that equity and/or financing required to that stage of completion has been injected into the development, then the approved City funds will be made available and released proportionately based upon the approved source of funds (equity/financing/City funds). The calculation of the proportion to be advanced will reflect that the first 60% of funding is from non-City sources. Advances will be made in conjunction with financing advances or after proof of equity injections.

15. Applicants shall have no less than 25% equity based upon the appraised value of the property offered as security, including cost of improvements being financed. The City at its discretion will determine whether an appraisal is required or whether it will accept a drive-by appraisal, tax assessment or other proof of value, depending on the amount of the Loan and the extent of construction or renovation.

16. The City may request personal guarantees, and/or such other security which may be appropriate or available in the circumstances.

17. An application fee of $270 must accompany the final application. An administration fee of $260 per unit is charged to the borrower. The administration fees will be paid out of the first advance of funds that flow from the City of Hamilton. The fee amount may be changed from time to time as approved by City Council.

18. Realty taxes must be paid as billed throughout the development process.

19. Advances are made by the City, upon proof satisfactory to the City confirming the value of the work completed.
20. All costs associated with the conversion or renovations are to be borne by the applicant including construction, design, administration fees, appraisals, inspections, legal and registration fees. The City retains the right to assess the reasonableness of costs and which costs are eligible under the terms of the Program.

21. In the event of the sale, conveyance, transfer or entering into of any agreement of sale or transfer of the title of the Property then at the option of the City all monies secured by the mortgage to the City shall forthwith become due and payable. The City shall have absolute discretion in requiring repayment of the loan secured by the mortgage.

22. Change of Corporate Control:

Where the Owner is a corporation the Owner covenants and agrees that in the event that:

a) the Owner fails to supply the City, in a form satisfactory to the City such information relating to the ownership of its shares as the City may from time to time require; or,

b) without the written consent of the City first had and obtained:

   i) the Owner issues or redeems any of its shares or transfers any of its shares;
   ii) there is a sale or sales of the shares of the Owner which result in the transfer of the legal or beneficial interest of any of the shares of the Owner; or
   iii) the Owner amalgamates, merges or consolidates with any other corporation.

and the result of any of the foregoing is a change in the effective control of the majority of the voting shares of the Owner, or the requested information is not provided, then all monies secured by the mortgage together with accrued interest thereon shall forthwith become due and payable at the option of the City and the City’s powers of sale hereby given and all other remedies for enforcement shall be exercisable.

23. If the development is a condominium, the repayment regime is as follows: upon sale of individual condominium units, the City will be repaid $18,750 per unit, until the loan is paid in full. For units that remain outstanding, repayment terms for those units will be addressed in the Loan Agreement.

24. The proposed development must conform to the relevant Official Plan and Zoning By-law and such other approved municipal policies as are applicable, e.g. urban design guidelines/built form guidelines.
25. The proposed development must conform to an Urban Design Plan where same is in effect. The applicant must demonstrate to staff that the Urban Design Plan is being implemented.

26. The City of Hamilton will require specific insurance terms to be met to protect the City’s interest.

27. Redevelopment/development will commence no longer than one-year following the date the loan is approved by the General Manager of the Planning and Economic Development Department or City Council, or the loan/grant will be cancelled. The one-year period may be extended at the absolute discretion of the General Manager of the Planning and Economic Development Department or City Council whichever is appropriate.

28. The deadline for 60% completion of the proposed redevelopment/development will be subject to a date established through consultation with the applicant and approved by the General Manager of the Planning and Economic Development Department or City Council.

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

30. The Commercial Corridor Housing Loan and Grant may be received by an owner in conjunction with any other available City programs (excluding the Hamilton Downtown Multi-Residential Property Investment Program) in support of the redevelopment/development of the property.

31. Without limiting the discretion as set out in paragraph 6 herein, City Council, whether or not an Applicant satisfies the requirements of the Program, may reject any application received from an applicant where, in the opinion of Council, the commercial relationship between the City and the Applicant has been impaired by, but not limited to, the applicant being involved in litigation with the City. Applicants are individuals; corporate entities and individuals behind the corporation (Officers/Directors/Shareholders).

32. Without limiting the discretion as set out in paragraph 6 herein, City Council whether or not an Applicant satisfies the requirements of the Program, may reject any application received from an applicant where there are property tax arrears owed on the subject property or on other properties owned by the Applicant within the City of Hamilton.

33. Works commenced prior to submitting an application are ineligible. Works commenced after submitting an application but prior to application approval do so at the applicant’s risk.
HAMILTON HERITAGE PROPERTY GRANT PROGRAM

PROGRAM DESCRIPTION

The Hamilton Heritage Property Grant Program (HHPGP) is intended to provide financial assistance in the form of a grant for structural/stability work required to conserve and restore heritage features of properties; the conservation and restoration of heritage features of properties; and for heritage studies/reports/assessments for properties that are designated under Parts IV or V of the Ontario Heritage Act. Eligible properties must be located within: Downtown Hamilton; a Community Downtown; an active* Business Improvement Area within the City of Hamilton; the Mount Hope Airport Gateway; or, be designated under Parts IV or V of the Ontario Heritage Act and located within the lower city between Highway 403 and the Red Hill Valley Parkway and used for commercial, institutional or multi-residential purposes.

The objective of the Program is to assist in developing and re-using heritage properties. City Council values heritage properties as important to the urban revitalization and regeneration. Conservation and restorative initiatives must be consistent with the policies, principles and design themes contained within the Downtown Hamilton Secondary Plan, relevant Urban Design Guidelines, regulations contained within applicable Zoning By-laws as well as any other applicable City Council approved policies/regulations.

*An active B.I.A. is not considered dormant as defined in the Dormant Business Improvement Area Status Procedure as approved by City Council at its meeting held November 11, 2009.

PROGRAM TERMS

1. The applicant must be the property owner of a historically designated property or, any person whom the owner of such property has assigned the right to receive the grant, to be eligible to apply for the program.

2. Grants will be based on municipal addresses, identifying multiple and separate units with ground floor street frontages and entranceways and will be up to a
maximum of $150,000 \ (not \ including \ $20,000 \ for \ heritage \ reports/studies/assessments) \ per \ municipal \ address \ for \ eligible \ work.

3. The grant is contingent on properties being designated under Parts IV or V of the Ontario Heritage Act.

4. An application fee of $330 is to accompany the application. The rate of the fee may be changed from time to time as approved by City Council.

5. The grant is conditional upon a Heritage Permit; or easement approval; or other City approval, being issued for the heritage component.

6. The grant is conditional upon all planning and building code approvals required for structural/stability works.

7. Improvements commenced prior to submitting an application are ineligible. Improvements commenced after submitting an application but prior to application approval do so at the applicant’s risk.

8. The Urban Renewal Section reserves the right to recommend works that are integral to the preservation of the building required to preserve/conserve the heritage features.

9. Proposed work is to be completed within two calendar years of the date of approval of the General Manager of the Planning and Economic Development Department to be eligible for payment. A one year extension can be authorized by the Manager of Urban Renewal.

10. Payment will be made by the City upon proof by an architect or engineer confirming the value of the work completed and the compliance with all applicable regulations/legislation or, upon proof satisfactory to the City confirming the value of the work completed.

11. Realty taxes must be paid current and in good standing.

12. Notwithstanding the above, upon completion of the improvements on condominium properties, the Urban Renewal Section will set a deadline to the condominium corporation as to when all taxes on the property are to have been paid as billed and, if on that date 100% of the taxes are not paid, the grant will be advanced proportionately based upon the percentage of paid taxes. The remainder of the grant will be cancelled.

13. For projects valued at $40,000 or less, the grant will be based on 50% of the total project cost to a maximum grant of $20,000 for eligible work under the program. For projects valued over $40,000, the grant will include $20,000 (i.e. 50% of $40,000), plus an additional grant based on 25% of the total project cost over
$40,000, to a maximum additional grant of $130,000. In total, no more than $150,000 will be granted for eligible work under the program.

14. Work completed must comply with estimates, and work proposed and identified within the application unless previously approved by the Urban Renewal Section.

15. At the sole discretion of the Manager of Urban Renewal, partial payments for works completed can be processed consistent with the payment process described above.

16. At the sole discretion of the Manager of Urban Renewal, the grant cheque can be made jointly payable to the applicant and the contractor if such a request has been received from the applicant.

17. The grant is not transferable upon sale of the property.

18. The heritage grants may be received by an owner in conjunction with any other City heritage program available including the Community Heritage Trust Program. Funding under these programs will not fund the same work and will be contingent on total financing under all heritage programs not exceeding 50% of the total cost of the restoration/conservation work.

19. The heritage grant may also be received by an owner in conjunction with any other available City program in support of the redevelopment/development of the property including the City’s Hamilton Downtown Multi Residential Property Investment Program; the Hamilton Tax Increment Grant Program, the Commercial Corridor Housing Loan and Grant Program and the Business Improvement Area Commercial Property Improvement Grant Program. Funding under these programs will not fund the same work.

20. Approval of the grant application is at the absolute discretion of the City and subject to the availability of funds.

21. Without limiting the discretion as set out in paragraph 19 herein, City Council, whether or not an Applicant satisfies the requirements of the Program, may reject any application received from an applicant where, in the opinion of Council, the commercial relationship between the City and the Applicant has been impaired by, but not limited to, the applicant being involved in litigation with the City. Applicants are individuals; corporate entities and individuals behind the corporation (Officers/Directors/Shareholders).

22. Without limiting the discretion as set out in paragraph 19 herein, City Council, whether or not an Applicant satisfies the requirements of the Program, may reject any application received from an applicant where there are property tax arrears owed on the subject property or on other properties owned by the Applicant within the City of Hamilton.
23. A successful applicant will enter into an agreement with the City containing the terms and conditions (but not limited to) set out in the program description.

**Heritage Related Reports/Assessments/Studies Component:**

- The heritage related reports/assessments/studies component provides an additional grant that will fund 100% of the cost of the document(s) to a maximum of $20,000 per application.

- The applicant shall retain a qualified consultant to complete the heritage related reports/assessments/studies, who is acceptable to the City (Urban Renewal Section and Development Planning Heritage and Design Section).

- The final document is to meet the satisfaction of the City (Urban Renewal Section and Development Planning Heritage and Design Section).

- Copies of the final document shall be provided to the City (Urban Renewal Section and Development Planning Heritage and Design Section) and may be used as the basis for future work on the property by a future owner should the ownership of the property change.

**Eligible structural/stability work:**

- Work necessary to restore the building to structural soundness e.g., the correction of serious structural faults that threaten the building's survival; stabilization works to retain portions of the property; underpinning of building structures; repair/new roofs.

**Eligible conservation work:**

- Any work that conserves or enhances elements specified in the *Reasons for Designation, the Statement of Cultural Heritage Value of Interest or, a description of the Heritage Attributes* accompanying the designating by-law under the *Ontario Heritage Act* ("OHA").

- The conservation of significant architectural features is eligible. This may include the conservation or restoration of: doors, windows, verandahs, cupolas, chimneys, bargeboard or other decorative trim, parapets, cornices, hood mouldings and any other features important to the overall composition of the structure as specified in the *Reasons for Designation, the Statement of Cultural Heritage Value of Interest or, a description of the Heritage Attributes* accompanying the designating by-law under the OHA.

- The conservation of fences and outbuildings if specifically referred to in *Reasons for Designation, the Statement of Cultural Heritage Value of Interest or, a description of the Heritage Attributes* accompanying the designating by-law under the OHA.
The conservation or renewal of original siding and roofing materials including repair and replacement where necessary of wood clapboard or board-and-batten, repair and repointing of masonry buildings, stucco repair, repair or replacement of original roofing materials (slate, wood shingles, tile, etc.). Eligible work also includes removal of a modern material (synthetic siding, asphalt shingles, etc.) and replacement with documented original materials.

The reconstruction of former and significant architectural features for which the appearance can be clearly determined from documentary sources (photographs, drawings, etc.) is eligible.

The reconstruction of store fronts which have been altered or replaced. The documentation should be in the form of historic photographs or drawings clearly showing the feature(s) to be reconstructed.

Cleaning of masonry buildings may be eligible if it is necessary for the building’s preservation. Under no circumstances will grants be paid for any form of abrasive cleaning, (e.g., sandblasting or sodablasting) or high-pressure water cleaning. Heritage Staff approval is required as to cleaning method to be employed before work is undertaken.

Exterior painting in documented original colours. Colours must be documented for the individual building or be proved to have been a common contemporary colour in the area. Painting of unpainted masonry is not eligible.

Non-eligible works:

The following works, including repair, maintenance, reconstruction or improvements to the following are ineligible for grant assistance:

- Short-term, routine maintenance. This includes minor repairs (such as repairing a broken step or a broken window); repair of non-original siding or roofing materials (aluminum siding, asphalt shingles, etc.)

- Landscaping

- Work on modern additions

- Work on sheds or outbuildings not specifically referred to in the Reasons for Designation, the Statement of Cultural Heritage Value of Interest or, a description of the Heritage Attributes

- Installation of modern doors and windows unless replicas of the original

- Installation of new storm or screen doors and windows

- Chimney repairs other than restoration of a significant chimney
• Repair of eaves trough unless its nature is such that it is significant to the heritage of the structure

• Repairs to or renewal of modern materials

• Painting previously unpainted masonry

• Interior Work (unless required to stabilize/preserve the property e.g. furnaces)

• Abrasive cleaning (e.g. sandblasting or sodablasting) or high-pressure water cleaning
OFFICE TENANCY ASSISTANCE PROGRAM

PROGRAM DESCRIPTION:

The Office Tenancy Assistance Program (the “Program”) provides financial assistance to either building owners or tenants for eligible leasehold improvements to office buildings located within Downtown Hamilton, Community Downtowns, Business Improvement Areas (BIAs), Mount Hope Airport Gateway, and the commercial corridors along Barton Street, east of the Barton Village BIA and along Kenilworth Avenue North as identified in the Downtown and Community Renewal Community Improvement Project Area. The intent of the Program is to facilitate the increased attractiveness and marketability of the office stock and reduce the office vacancy rate by attracting new office tenants and owner-occupied office uses from outside the City, and to assist existing businesses to expand.

Acting as a lender, the City provides financial support for the Program in the form of a low interest loan. Development arising from the Program must be consistent with the Downtown and Community Renewal Community Improvement Plan and other policies and regulations as may be applicable, such as the Downtown Hamilton Secondary Plan, the Zoning By-law, Urban Design Guidelines, and building permit requirements.

ELIGIBILITY REQUIREMENTS

1. Buildings must be located within Downtown Hamilton, Community Downtowns, Business Improvement Areas (BIAs), Mount Hope Airport Gateway or, the commercial corridors along Barton Street, east of the Barton Village BIA and along Kenilworth Avenue North as identified in the Downtown and Community Renewal Community Improvement Project Area.

2. Either owners of eligible buildings, or tenants within eligible buildings, may apply to the Program.

3. Leasehold improvements made for a tenant establishing a new office location in the City of Hamilton are eligible for the Program. Each application must involve leasehold improvements by a minimum of 1,000 square feet of gross leaseable office space. The minimum square foot requirement may be subdivided within a larger building.
4. Leasehold improvements made for a tenant expanding/relocating from a location already within the City of Hamilton must be increasing their current leasehold area by a minimum of 1,000 square feet of gross leaseable office space to be eligible for the Program. For the purpose of calculating the loan amount, the total eligible leasehold improvement costs will account for the expansion area only.

5. Eligible leasehold improvements include leasehold improvements required by the tenant in order to lease the space, but that will become the property of the landlord upon termination of the lease. They include alterations or improvements to the building that cannot be removed upon termination of the lease because they are attached to or form part of the leased premises. They may include:
   - alterations to a building such as interior walls, ceilings and doors;
   - paint, wallpaper, window coverings and flooring;
   - phone and data cabling;
   - fixed lighting, HVAC, electrical or plumbing upgrades.

Ineligible leasehold improvements would include items that can be moved or taken out of the building, such as mobile partitions, furniture and equipment, appliances, pictures, signs, and carpeting/rugs that are not attached to the floor. Capital improvements to a property are not eligible e.g. additions, roofing.

6. For the purpose of this Program, eligible leasehold improvements are to be made to space within eligible buildings that is devoted to office uses, where permitted by the zoning by-law, in which management, clerical, administrative, consulting, advisory, training or teaching services are offered or performed, including call centres and educational establishments. Other uses may include commercial school, communications establishment, financial establishment, medical office, and medical clinic (excluding methadone clinics), where permitted by the zoning by-law. City Council at its sole discretion may deem other uses eligible for the program that are not listed above.

Leasehold improvements to space within eligible buildings that is devoted to more commercially-oriented uses are ineligible, such as retail, restaurant, personal services, commercial entertainment, commercial recreation, hotel, conference or convention centre uses.

7. The improvements made to buildings shall be in accordance with the Ontario Building Code and in compliance with all applicable City by-laws, official plans, zoning regulations, design guidelines and site plan approvals.

8. Improvements commenced prior to submitting an application are ineligible. Improvements commenced after submitting an application but prior to application approval do so at the applicant’s risk.
9. Prior to a loan being approved, property taxes are required to be paid in full as billed.

10. Approval of the loan application is at the absolute discretion of the City and subject to the availability of funds.

11. Without limiting the discretion as set out in paragraph 10 herein, the City Council, whether or not an applicant satisfies the requirements of the Program, may reject any application received from an applicant where, in the opinion of Council, the commercial relationship between City and the applicant has been impaired by, but not limited to, the applicant being involved in litigation with the City. Applicants are individuals; or, corporate entities and individuals behind the corporation (e.g. Officers/Directors/ Shareholders).

12. Without limiting the discretion as set out in paragraph 10 herein, City Council, whether or not an Applicant satisfies the requirements of the Program, may reject any application received from an applicant where there are property tax arrears owed on the subject property or on other properties owned by the Applicant within the City of Hamilton.

TERMS OF THE PROGRAM

13. The maximum loan amount will not exceed $450,000 per application.

14. The loan amount will be based on the lesser of either a) or b):

   a)  90% of invoiced eligible leasehold improvement costs;
   b)  i) in the case of applications by an owner or tenant involving a lease, the square foot area multiplied by the appropriate $ amount based on the term of the lease, as indicated in the table below;

<table>
<thead>
<tr>
<th>Term of Lease</th>
<th>$ amount</th>
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<tbody>
<tr>
<td>12 to 35 months</td>
<td>$10</td>
</tr>
<tr>
<td>36 to 47 months</td>
<td>$15</td>
</tr>
<tr>
<td>48 to 59 months</td>
<td>$20</td>
</tr>
<tr>
<td>60 months or longer</td>
<td>$25</td>
</tr>
</tbody>
</table>

   The lease must be for a minimum of one year.

   ii) in the case of applications by an owner not involving a lease (i.e. owner-occupied office space), the square foot area multiplied by $25.

15. City Council at its sole discretion has the option, at the time of initially approving a loan commitment, of providing a grant or forgivable loan versus a loan when an applicant is a not-for-profit publicly-funded educational establishment establishing
its presence in the Downtown Hamilton. Approval of a grant would be contingent on an appropriate funding source being identified as part of the approval process.

16. The annual interest rate on the loan will be 1% below the prime rate as established by the Royal Bank of Canada. Such rate shall be established at the time the first instalment of the loan is advanced by the City, and reset annually on the anniversary date of the first advance.

17. The maximum loan term is the term of the lease and shall not exceed five (5) years (subject to prior termination on default) from the date of the final loan advance. In the case of applications for owner-occupied office space, the maximum loan term shall not exceed five (5) years (subject to prior termination on default) from the date of the final loan advance.

18. All applicants will submit a completed Program application form, financial statements, a business plan in a format acceptable to the City in its absolute discretion, and any other documentation or evidence the City may require to evaluate the loan application.

19. All applicants receiving approval for a City loan under this Program shall be required to enter into a Loan Agreement with the City with provisions including but not limited to the terms and conditions set out herein, and execute a General Security Agreement.

20. Loans are conditional upon the City being provided with a copy of the executed lease, in a format acceptable to the City in its absolute discretion. This Program term does not apply in the case of applications for owner-occupied office space.

21. The loan under this Program, once approved, may be advanced in up to three (3) stages, upon completion of 50%, 75% and 100% completion of the improvements, based on 90% of the actual eligible leasehold improvement costs incurred as evidenced by copies of paid invoices.

22. Prior to each loan advance, realty taxes are required to be paid in full as billed.

23. Prior to the final advance, final inspection will be completed for all building permits required in relation to the leasehold improvements.

24. Loan repayments will commence one (1) month following the final advance and no later than four (4) months following the first advance. The four (4) month period may be extended by the City in its absolute discretion in cases where an applicant submits a work schedule in a format acceptable to the City. The work schedule must be submitted no later than the time of the first advance (i.e. 50% complete) and demonstrate that a longer period is required to complete the balance of the leasehold improvements.
25. Loan repayments will be a blend of interest and principal based on the term of the loan and the interest rate set at the first advance. Payments will be adjusted annually at the time the interest rate is reset (i.e. the anniversary date of the first advance).

26. Interest on arrears will be such tax arrears interest rate as may be established by Council from time to time.

27. If the applicant is the owner, in the event of the sale, conveyance, transfer or entering into of any agreement of sale or transfer of the title of the property by the owner, the City shall have absolute discretion to request the full repayment of any outstanding loan under this Program together with the interest accrued to date.

28. In cases where the applicant is a corporation, the applicant covenants and agrees that in the event that there is a change in the effective control of the majority of the voting shares of the corporation, the City shall have absolute discretion to request the full repayment of any outstanding loan under this Program together with the interest accrued to date.

29. If the applicant is a tenant, in the event that the tenant vacates the office space prior to the end of the loan term (i.e. the end term of the lease or five (5) years from the date of the final loan advance, whichever is less), the City shall have absolute discretion to request the full repayment of any outstanding loan under this Program together with the interest accrued to date.

30. An Office Tenancy Assistance Program loan may be received by an applicant in conjunction with other available City incentive programs in support of the redevelopment/development of the property.

31. Approval of the loan application is at the absolute discretion of the City and subject to the availability of funds.

32. An application fee of $430 must accompany the application. All fees will be authorized through a user-fee by-law passed by City Council, and may be changed from time to time as approved by City Council.
COMMERCIAL FAÇADE PROPERTY IMPROVEMENT GRANT PROGRAM

PROGRAM DESCRIPTION

The Commercial Façade Property Improvement Grant Program (the “Program”) is intended to provide financial assistance for commercial property owners/authorized tenants within Downtown Hamilton, Community Downtowns, Mount Hope Airport Gateway, and the commercial corridors along Barton Street, east of the Barton Village BIA, and along Kenilworth Avenue North as identified in the Downtown and Community Renewal Community Improvement Project Area. The Program aims to improve upon the physical appearance of properties within the areas, achieve quality façade improvements and, encourage investment in the area. Spurring the preservation, revitalization and reinvestment of commercial properties within these areas will assist in creating a welcoming environment for people to live, work, play and learn.

Applications under the Program will be accepted to the end of December 2014 in Downtown Hamilton and April 1, 2016 in all other eligible areas (subject to the availability of funding). Improvements funded under the Program must be completed no later than August 1, 2015 in Downtown Hamilton and December 31, 2016 in all other eligible areas.

PROGRAM TERMS

1. Commercial property owners and tenants authorized in writing by the owner, are eligible to apply for a grant under the Program once each calendar year.

2. Commercial properties are to be identified by municipal address to identify multiple and separate commercial units with ground floor street frontages.

3. Commercial uses must be in conformity with: all policy documents of the City including but not limited to official plans; the provisions of the Zoning By-laws; and any other City by-laws.

4. Performance measures are to be applied to the payment of grants.

5. Eligibility requirements for the Program relating to the work to be funded will be specifically identified. Two (2) separate cost estimates of the work are to be
provided by a licensed contractor other than the owner. An owner may present an estimate but is required to have at least two prepared by contractors. The grant will be calculated based upon lowest cost estimate, and is not to address cost increases or over runs. In the case where the applicant is the owner of a contracting company and wishes to utilize the company to undertake the improvements, one (1) cost estimate will be required. A Building Inspector will review all estimates provided for the purpose of ensuring competitiveness.

6. Maximum grant amount will be paid on a matching basis (50%-50%) to a maximum of $10,000 per property for eligible work under the Program. As a further incentive for corner properties, the City will increase the maximum grant amount to $12,500 on a similar matching basis for eligible work under the Program to recognize the importance of flankage facades.

7. Restoration/conservation of heritage features on commercial properties designated under the Ontario Heritage Act are not eligible under this grant program however, improvements other than those on heritage features are eligible subject to the approval of a City heritage permit. Urban Renewal staff will work closely with Community Planning and Design staff on all applications received that are designated under the Ontario Heritage Act.

8. A building inspector will perform initial inspection relative to the façade which is intended to be improved, and subsequent final inspection to assure compliance with the Ontario Building Code.

9. Approval of the grant is at the sole discretion of the General Manager of the Planning and Economic Development Department and subject to the availability of funds.

10. Proposed improvements to be completed within one year to be eligible for payment. A one year extension can be authorized by the Manager of Urban Renewal.

11. Work completed must be consistent with estimates, and work proposed and identified within the application unless previously discussed and approved by the Urban Renewal Section.

12. The Applicant shall provide to the City’s Urban Renewal Section copies of paid invoices for all work undertaken on the property for which the grant is applicable. This documentation is to be provided prior to the final inspection.

13. A City Building Inspector’s final inspection report confirming all works have been carried out satisfactorily will be provided prior to release of any grant monies.

14. At the sole discretion of the Manager of Urban Renewal, partial payments for works completed can be processed consistent with the payment process described above.
15. At the sole discretion of the Manager of Urban Renewal, the grant cheque can be made jointly payable to the applicant and the contractor if such a request has been received from the applicant.

16. An application fee of $205 is payable upon submission of application. The fee will be authorized through a by-law passed by City Council. The rate of the fee may be changed from time to time as approved by City Council.

17. The grant may also be received by an owner in conjunction with any other available City program in support of the redevelopment/development of the property with the exception of the BIA Commercial Property Improvement Grant Program available within Business Improvement Areas.

18. Without limiting the discretion as set out in paragraph 9 herein, City Council, whether or not an Applicant satisfies the requirements of the Program, may reject any application received from an applicant where, in the opinion of Council, the commercial relationship between the City and the Applicant has been impaired by, but not limited to, the applicant being involved in litigation with the City. Applicants are individuals; corporate entities and individuals behind the corporation (Officers/Directors/Shareholders).

19. Without limiting the discretion as set out in paragraph 9 herein, City Council, whether or not an Applicant satisfies the requirements of the Program, may reject any application received from an applicant where there are property tax arrears owed on the subject property or on other properties owned by the Applicant within the City of Hamilton.

20. Improvements commenced prior to submitting an application are ineligible. Improvements commenced after submitting an application but prior to application approval do so at the applicant’s risk.

21. A successful applicant will enter into an agreement with the City containing the terms and conditions (but not limited to) set out in the program description.

ELIGIBILITY REQUIREMENTS

- Property owners and authorized tenants are eligible;

- Property taxes must be paid current;

- The proposed to be pre-inspected by the City Building Inspector;
- Commercial properties must be located within Downtown Hamilton, Community Downtowns, Mount Hope Airport Gateway or, the commercial corridors along Barton Street, east of the Barton Village BIA, and along Kenilworth Avenue North as identified in the Downtown and Community Renewal Community Improvement Project Area;
Existing use must be in conformity with: the City Zoning By-laws, other applicable planning controls; all City policies including but not limited to official plans; and all City by-laws.

ELIGIBLE IMPROVEMENTS

- Replacement or repairing of storefronts;
- Improvements and or upgrades to windows, doors, cornices and parapets;
- Addition of new lighting and upgrading of existing fixtures, on exterior of the façade;
- Awning replacements and/or additions;
- Brick repairs and/or pointing;
- Painting and façade treatments;
- Installation or improvement of signage;
- Paving of parking lots;
- Outdoor furniture;
- Permanent landscape features such as flagstone and natural stones/rocks, statuary, irrigation, containers;
- Fencing;
- Front-yard decks/patios or side-yard decks/patios that abut a street;
- Architectural, engineering or design fees may be eligible up to $750 as part of the total grant awarded for completed construction.

In-Eligible:

- Trees, shrubbery, perennials, annuals, soil, mulch, grass;
- Roofing (apart from mansard roofs above the eligible frontage);
- Sandblasting.
TO: Mayor and Members  
General Issues Committee

WARD(S) AFFECTED: WARD 11

COMMITTEE DATE: August 12, 2013

SUBJECT/REPORT NO:
Proposed Mount Hope/Airport Gateway Community Improvement Initiatives and Project Area (PED11118(b)) (Ward 11)

SUBMITTED BY:
Tim McCabe
General Manager
Planning and Economic Development
Department

PREPARED BY:
Alan Waterfield (905) 546-2424 Ext. 1251
Hazel Milsome (905) 546-2424 Ext. 2755

That Urban Renewal staff be directed to prepare amendments to the Downtown and Community Renewal Community Improvement Plan and Project Area to implement community improvement initiatives as outlined in Report PED11118(b) in the Mount Hope/Airport Gateway area as delineated on Appendix “C” to Report PED11118(b). Further, that such amendments be prepared for presentation to a Public Meeting of the Planning Committee.

EXECUTIVE SUMMARY

Official Plan policy directs that the commercial area in Mount Hope village, adjacent to the John C. Munro Hamilton International Airport, be investigated as a potential community improvement project area. Report PED11118(b) proposes a community improvement project area boundary (see Appendix “C” to Report PED11118(b)) and corresponding community improvement programs and initiatives for the Mount Hope/Airport Gateway area.
SUBJECT: Proposed Mount Hope/Airport Gateway Community Improvement Initiatives and Project Area PED11118(b) (Ward 11) - Page 2 of 13

It is recommended that the introduction of community improvement in Mount Hope village be undertaken via amendments to the existing Downtown and Community Renewal Community Improvement Project Area (By-law 11-272 as amended) and the Downtown and Community Renewal Community Improvement Plan (By-law 11-273 as amended). Following approval of Report PED11118(b)'s recommendation, the amendments would be brought forward to a statutory public meeting at Planning Committee for approval in accordance with the Planning Act.

As outlined in Report PED11118(b), Mount Hope village's current situation, unique location adjacent to the Airport, and cultural heritage as the seat of the former Glanford Township, make it a fit with the redevelopment goals and objectives of the Community Improvement Plan. The area possesses several of the characteristics that warrant designation as a CIPA, including building stock or property in need of rehabilitation; buildings and structures of heritage or architectural significance; encroachment of incompatible land uses or activities affecting development opportunities; and deteriorated or insufficient physical infrastructure. Residential growth in the village of Mount Hope is limited due to the presence of the Airport, which affects the local market that would support development in the commercial area, in contrast to other growth areas in the City such as Binbrook, Waterdown and Fruitland-Winona.

It is proposed that the same suite of programs available to the City's community downtowns through the Community Improvement Plan be extended to the Mount Hope/Airport Gateway CIPA. The following programs could be available to eligible projects:

- Hamilton Tax Increment Grant Program;
- Office Tenancy Assistance Program;
- Hamilton Heritage Property Grant Program;
- Commercial Façade Property Improvement Grant Program; and,
- Commercial Corridor Housing Loan and Grant Program (although properties where residential development is not permitted would not be eligible for this program).

Designation as a community improvement project area does not change or affect the official plan land use designation or zoning by-law regulations applicable to any property. It identifies an area in which programs and initiatives specified in a community improvement plan may be applied that help to implement existing policy.

Other Urban Renewal initiatives in community downtowns and BIAs include the design and construction of gateway features to enhance such areas. Such a project would be added to the future Urban Renewal work plan to select sites and prepare design concepts in consultation with the community.

Alternatives for Consideration – See Page 13
FINANCIAL / STAFFING / LEGAL IMPLICATIONS (for Recommendation(s) only)

Financial: It is not anticipated that there would be any applications processed prior to 2014 upon approval of the following community improvement programs within the Mount Hope/Airport Gateway community improvement project area.

Hamilton Tax Increment Grant Program:
This program is self-funded from increased taxes paid by the Project's property owner. Due to the improvements to the property, the value of the property increases which increases the tax revenue. The City collects the increase in taxes and provides grants, based on the increase in the Municipal portion only, attributable to the redevelopment of a property. Based on a five year program, the City starts to recognize 20% of the increase in revenue after the first year of the program, increasing incrementally by 20%, with 100% achieved in year five.

Commercial Property Façade Improvement Grant Program:
City Council, at its meeting held December 12, 2012, approved funding for the Commercial Property Façade Improvement Grant Program from the following WIP accounts: Project ID# 3620553100 in the amount of $75,000; and, Project ID# 8200903900 in the amount of $250,000. These funds will be sufficient to expand the program to Mount Hope in 2014.

Hamilton Heritage Property Grant Program:
City Council, at its meeting held December 12, 2012, approved funding in the amount of $200,000 from the Downtown Block for the Hamilton Heritage Property Grant Program. These funds, together with funds contained in an Urban Renewal Reserve Account #102048 for administration of the program, are sufficient to fund applications anticipated in 2013 and possibly 2014. At the present time there are no buildings designated under the Ontario Heritage Act in Mount Hope. However, staff is currently reviewing potential 2014 capital projects and will determine whether to recommend funding through the 2014 Downtown Block towards the Hamilton Heritage Property Grant Program.

Office Tenancy Assistance Program:
The cost to the City for the Office Tenancy Assistance Program is the interest cost. There are sufficient monies to expand the program to Mount Hope to fund the program in 2014 contained in Project ID# 8200903900 and 8201003001.

Commercial Corridor Housing Loan and Grant Program:
The cost to fund the loan component of the Commercial Corridor Housing Loan and Grant Program is the interest cost to the City. City Council approved an enhancement of $5,000 for interest costs at its meeting held April 4, 2013, bringing the total amount in Urban Renewal's Operating Budget for the interest cost of the Program to $26,470. The interest cost to deliver the Program is anticipated to increase in future years, however, based on anticipated timing of the final approval of expanding the program to Mount...
Hope (anticipated to come into effect the beginning of 2014) and, the fact that interest is not charged until monies flow to an applicant (monies do not flow until a project is 60% complete at which time 60% is advanced), the funding available in Urban Renewal’s Operating Budget should be sufficient for the delivery of the program in 2014.

The grant component of the Commercial Corridor Housing Loan and Grant Program is funded from Urban Renewal’s Operating Budget. City Council approved an enhancement of $10,000 for the grant component at its meeting held April 4, 2013, bringing the total amount in Urban Renewal’s Operating Budget for the grant component to $35,000. Again, the cost of the grant component is anticipated to increase in future years, however, based on the anticipated timing of the final approval of expanding the Program to Mount Hope, together with the fact that the grant portion of the program is not advanced until projects are 60% complete, funding available in Urban Renewal’s Operating Budget should be sufficient for the delivery of the Program in 2014.

Staff will continue to monitor the take-up of the Commercial Corridor Housing Loan and Grant Program during 2013 and, if warranted, a request for additional monies will be forwarded for consideration during the 2014 Operating Budget process.

Staffing: There will be no additional staffing requirements resulting from Council approval of Report PED11118(b)’s recommendations. Urban Renewal staff will prepare the amendments to the Downtown and Community Renewal Community Improvement Plan and associated Project Area by-law and manage the approval process. Applications to the financial incentive programs that would be offered in the Mount Hope/Airport Gateway Community Improvement Project Area, following final approval of the amendments, would be processed by the Urban Renewal Section.

Legal: An amendment to the Downtown and Community Renewal Community Improvement Plan will require a statutory public meeting with notice provided in accordance with the Planning Act and the City’s public participation and notification policies contained in the Official Plan. The amendment to the Project Area by-law will also be brought forward to the meeting at Planning Committee.

HISTORICAL BACKGROUND (Chronology of events)

In November 2012, Council directed staff, as per recommendation g) of Report PED11118(a), “to investigate and report back to the General Issues Committee on a Community Improvement Project Area, and associated program initiatives, for the Mount Hope/Hamilton Airport gateway area at Homestead Drive and Airport Road.” Report PED11118(a) involved the expansion of community improvement initiatives available in the community downtowns in Ancaster, Binbrook (Glanbrook), Dundas, Stoney Creek and Waterdown (Flamborough). Through consultations in 2012, the existing conditions and related need for community improvement initiatives in the Mount Hope commercial area were also raised by the Glanbrook Chamber of Commerce and
Ward 11 Councillor. Policy in the Mount Hope Secondary Plan stating that the City shall investigate designating the District Commercial area in Mount Hope as a community improvement project area was also referenced as rationale for conducting this work, and provided the basis for the study area encompassing the District Commercial land use designation (see Appendix “B” to Report PED11118(b)).

POLICY IMPLICATIONS/LEGISLATED REQUIREMENTS

The Planning Act (Section 28) allows municipalities that have provisions in their Official Plan relating to community improvement, as does the City of Hamilton, to designate by by-law a community improvement project area, and then to prepare a community improvement plan for the project area. A municipality may then make grants and loans, in conformity with the approved community improvement plan, that would otherwise be prohibited under the Municipal Act (Section 106(1)), to the registered/assessed owners or tenants of land and buildings, or their respective assignees, within the designated project area.

Designation as a community improvement project area does not change or affect the official plan land use designation or zoning by-law regulations applicable to any property. It identifies an area in which programs and initiatives specified in a community improvement plan may be applied that help to implement existing policy. Community improvement policy contained in the Official Plan states that all development participating in programs and initiatives contained within community improvement plans shall conform to Official Plan policies and shall comply with all municipal codes and regulations of the City (Hamilton-Wentworth Official Plan Section D.6A.5; Urban Hamilton Official Plan Vol. 1, Section F.1.15.4).

It is recommended that the introduction of community improvement initiatives to the Mount Hope commercial area be undertaken via amendments to the existing Downtown and Community Renewal Community Improvement Project Area (By-law 11-272 as amended) and the Downtown and Community Renewal Community Improvement Plan (By-law 11-273 as amended).

The Downtown and Community Renewal Community Improvement Plan provides the framework for City programs and initiatives in a manner that meets the legislative requirements of the Planning Act and the City’s community improvement policies in the Official Plan. The Downtown and Community Renewal Community Improvement Plan contains an approval and amendment process, and outlines Official Plan criteria for establishing community improvement project areas, referenced in more detail in the analysis/rationale section of this Report.

The programs and initiatives are intended to stimulate private sector investment and redevelopment, and to focus municipal action and investment that promotes and enhances various community improvement project areas. Downtown Hamilton, the

OUR Vision: To be the best place in Canada to raise a child, promote innovation, engage citizens and provide diverse economic opportunities.
OUR Mission: WE provide quality public service that contribute to a healthy, safe and prosperous community, in a sustainable manner.
OUR Values: Accountability, Cost Consciousness, Equity, Excellence, Honesty, Innovation, Leadership, Respect and Teamwork
community downtowns of Ancaster, Binbrook, Dundas, Stoney Creek and Waterdown, the Business Improvement Areas and other commercial corridors within the City, as well as certain heritage-designated properties, are collectively designated in the Downtown and Community Renewal Community Improvement Project Area By-law.

RELEVANT CONSULTATION

The existing conditions and related need for community improvement initiatives in the Mount Hope commercial area were discussed at meetings with the Glanbrook Chamber of Commerce in June and September 2012. Following the Council direction to investigate and report back on this matter, an open public information session with approximately 65 attendees was held at the Mount Hope Community Hall on April 29, 2013, to discuss how and where community improvement initiatives could be applied in Mount Hope. The community input received is referenced in the following analysis/rationale section of this Report.

Following approval of Report PED11118(b), additional consultation will be undertaken to provide opportunity for community review and input to the specific community improvement project area boundary and related initiatives now proposed for Mount Hope at another open public information session, prior to the required statutory public meeting at Planning Committee.

ANALYSIS / RATIONALE FOR RECOMMENDATION

Official Plan policy directs that the Mount Hope commercial area be investigated as a potential community improvement project area, in the Township of Glanbrook Official Plan (OP) currently in effect, and the Urban Hamilton Official Plan pending resolution of Ontario Municipal Board appeals unrelated to this matter. The Township of Glanbrook OP describes the area to investigate as the land designated General Commercial within the Mount Hope Urban Settlement Area (shown in Appendix "A" to Report PED11118(b)). The Glanbrook OP policy (Section B.2.3.11.2(c)(xi)) has been carried forward to the Urban Hamilton Official Plan, in the Mount Hope Secondary Plan (i.e. the Mount Hope Urban Settlement Area or “the village”) which applies the District Commercial designation to the same General Commercial lands. As per the Urban Hamilton Official Plan (UHOP Vol. 2, Section B.5.4.4.1(f)), the policy states:

"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
In addition to identifying a study area to investigate, the policy referenced above indicates the village’s unique significance due to its proximity to the Hamilton John C. Munro International Airport and exposure to visitors to the City.

Current Situation

The village of Mount Hope is situated immediately to the southeast of the Airport property, within the Urban Boundary. It is also bound by Upper James Street (i.e. the former Highway 6) to the east, Whitechurch Road to the south, and the current Highway 6 to the west, leading to Highway 403. While the historic centre of the community has existed for over a century at the crossroads of Airport Road and Homestead Drive, the population has grown rapidly over the past decade, including a 54% increase from 1,300 residents in 2006 to 2,000 in 2011. Although the population has been increasing in the residential neighbourhood in the south end, growth has been stagnant in the commercial area in the north end of the study area along Airport Road and Homestead Drive.

A mix of land uses is currently situated in the study area, also identified in Appendix “C” to Report PED11118(b), where the prevalent land use designation is commercial (i.e. General Commercial (Glanbrook OP)/District Commercial (UHOP)):

- A limited amount of commercial and community uses are present, such as The Store Variety and Convenience, post office, Kinderseeds child care centre, the office of Dr. Lalli (general practitioner) and the Glanford Curling Club. The 447 Wing, a charter member of the Royal Canadian Air Force Association, provides a banquet hall and restaurant open not only to veterans but also the public and, as heard through the public consultation, helps bring people to Mount Hope. A three unit commercial building has just recently been leased to an ice cream shop, photography studio (by appointment only) and pet food store, with a residential unit in behind. Automotive uses include Dan’s Car Sales (used), auto and motorcycle repair shops, and gas station service at M&M Automotive and Towing. The Super 8 Motel, Bobbie’s Bar & Grill and a home based hair salon are located at the north end of the Village, and the Homestead House Bed and Breakfast is to the south. Other commercial establishments are more business-oriented than retail, such as Admiral Data Systems/Cash Register Co., ASRJ Communications (direct to home satellite service) and Larry Armes Mount Hope Machine. Harley’s Electrical Services/Aggressor Automation and Holtrop Steel and Iron Works are industrial uses permitted via site specific policies in the Official Plans and recognized in the implementing zoning by-law.
Vacant buildings include the former bank at the southwest corner of the crossroads (most recently the Mount Hope Credit Union Branch of McMaster Savings and Credit Union), the former Homestead Kitchen restaurant, and a few houses in disrepair. Some of the commercial buildings do not have visible signage, which makes them appear vacant. There is a vacant commercial unit at the rear of the post office.

There are approximately 95 single detached dwellings located within the study area fronting on Airport Road or Homestead Drive.

In addition, a few sites in the study area are designated:

- Institutional: (e.g. Mount Hope United Church and the Public Library/Community Hall); or,

- Park (i.e. Mount Hope (Gord Oakes) Community Park, which includes the Mount Hope Lions Community Youth Centre and meeting space for the 779 Black Knight Air Cadets, also indicative of the area's proximity to the Airport).

Further, the Canadian Warplane Heritage Museum is located on Airport Road just west of the Mount Hope urban area. Mount Hope Public School and Hamilton Fire Station No. 19 are also adjacent to the study area.

Land Use Designations, Growth Opportunities and Constraints

Existing and future commercial uses within the General Commercial/District Commercial designation are intended to serve existing and future residents of the Mount Hope Urban Settlement Area/Secondary Plan area as well as the surrounding rural area, the Hamilton Airport and the Airport Industrial-Business Park (Glanbrook OP Sections B.2.1.24.2(c), B.2.3.11.1(c)(i); UHOP Vol. 2, Section B.5.4.4.1(a)). The range of uses permitted is listed below; however, no new residential uses are permitted north of Airport Road:

Glanbrook OP, Section B.2.3.11.2(c):
(i) "The general commercial uses permitted shall be for retail and service commercial, personal and business services, recreational and entertainment facilities, restaurants, taverns, hotels and motels. Cultural, community and institutional uses may also be permitted provided these uses do not interfere or conflict with the satisfactory development and operation of the General Commercial area for the predominant general commercial uses."
(ii) "New residential uses are permitted on lands designated General Commercial provided the residential component is designed as part of a commercial development. ... Notwithstanding this policy, no new residential uses shall be
permitted on the lands adjacent to Homestead Drive north of Airport Road West nor on the north side of Airport Road West."

Urban Hamilton Official Plan:
- The Urban Hamilton Official Plan’s District Commercial designation (applied to those same lands designated General Commercial in the Glanbrook OP) permits the following uses (UHOP Vol. 1, Section E.4.7.2):
  a) commercial uses including retail stores, personal services, financial establishments, live work units, restaurants, including gas bars, car washes and service stations;
  b) offices provided they are above the first storey;
  c) residential uses provided they are located above the first storey of a mixed use building; and
  d) accessory uses."

- Vehicle dealerships, garden centres as a primary use, and a single use over 10,000 square metres in floor area, are prohibited in the District Commercial designation, as per UHOP Vol. 1, Section E.4.7.3.

- In addition to the District Commercial uses noted above (in UHOP Vol. 1, Section E.4.7.2(a-d)), the Mount Hope Secondary Plan also permits (at UHOP Vol. 3, Section B.5.4.4), the same uses listed earlier as per Glanbrook OP Section B.2.3.11.2(c)(i).

- UHOP policy (Vol. 1, Section C.4.8 and Vol. 3, Section B.5.4.9) also prohibits all new development of residential and other sensitive land uses, including infill development and redevelopment at or above the 30 noise exposure forecast (NEF) contour, which covers all of the study area north of Airport Road.

Both official plans recognize that "the redevelopment of the existing residential lots for commercial uses will occur over a relatively lengthy period of time." (Glanbrook OP Section B.2.3.11.2(c)(v); UHOP Vol. 3, Section B.5.4.4(c)).

Residential growth in the village of Mount Hope is limited due to the presence of the Airport, which affects the local market that would support development in the commercial area, in contrast to other growth areas in the City such as Binbrook, Waterdown and Fruitland-Winona. Even with an additional 2,400 people residing in the residential area to the south of the commercial area on Airport Road and Homestead Drive, a future local population of 4,400 would remain relatively small, which makes it more challenging to attract retail-oriented commercial establishments. The population increase is based on the number of new dwelling units now under construction or proposed that will build out most of the remaining residential lands in Mount Hope village, and an average number of persons per private household of 3.3, as per the
2011 census for the Mount Hope population centre. Pending and proposed residential and commercial development in Mount Hope village includes:

- Approximately 625 dwelling units under consideration in the Mountaingate subdivision south of Airport Road and east of Highway 6, along the western edge of the Mount Hope Secondary Plan area. The rural cross section of Airport Road West would be urbanized as part of the conditions of development which will improve the appearance of the approach to the village from the Airport;

- 65 townhouse units now under construction at Hampton Brook Way and Whitechurch Road;

- 12 dwelling units at the south end of Homestead Drive;

- 13 townhouse units at the rear of the 447 Wing property;

- A three-storey, mixed use building with six ground floor commercial units and 12 residential units is proposed on Homestead Drive and Longview Drive; and,

- A two-storey medical office/clinic is proposed on Homestead Drive, north of Airport Road.

An additional constraint to future commercial development of the commercial lands north of Airport Road is the limited vehicular access between Homestead Drive and Upper James Street. Homestead Drive can be accessed directly only from southbound traffic on Upper James Street; the north end of Homestead Drive is otherwise a cul-de-sac. Good signage is required to direct motorists to the commercial establishments located there from Airport Road.

Criteria for Establishing a Community Improvement Project Area

Official Plan community improvement policy, also referenced in the Downtown and Community Renewal Community Improvement Plan, states that all or part of the City’s Urban Area may be designated as a community improvement project area (CIPA). It provides a list of characteristics, one of which may be present when designating community improvement project areas. Mount Hope is in the Urban Area, and possesses several of those characteristics that warrant designation as a CIPA, in particular those noted below:

a) building stock or property in need of rehabilitation;
There are building and property conditions in Mount Hope that could benefit from rehabilitation, as evident in some of the photos provided in Appendix “D” to Report PED11118(b).
b) buildings and structures of heritage or architectural significance;
While there are no properties designated under the Ontario Heritage Act within the study area, the city-owned property now home to the Mount Hope branch of the Hamilton Public Library and the Glanford Community Hall is listed on the Register of Property of Cultural Heritage Interest. The present day library was the town hall of the former Township of Glanford, and continued on as the administrative offices for the Township of Glanbrook upon the merger of Glanford and Binbrook townships in 1974. The office later moved to leased commercial space in Mount Hope, prior to the current Municipal Service Centre adjacent to the Glanbrook Arena on Binbrook Road near the geographic centre of Glanbrook. Other study area property listed in the City’s Inventory of Buildings of Architectural and/or Historical Interest includes six homes: 9089 and 9142 Airport Road, and 3201, 3260, 3266 and 3272 Homestead Drive, the latter being the Homestead House Bed and Breakfast. The Mount Hope United Church is located at 3076 Homestead Drive.

c) encroachment of incompatible land uses or activities;
Proximity to the growing John C. Munro Hamilton International Airport affects development opportunities in the Mount Hope area due to conflicts between airport operations and sensitive land uses. Some of the residential development in Mount Hope preceded development of the Airport, which opened in 1940 as a Royal Canadian Air Force (RCAF) Station for British Commonwealth training for World War 2. It transferred to civil aviation in 1963 and now operates as a 24/7 cargo and passenger facility. A new cargo hangar with cross docking facilities for aircraft and trucks is to be developed on the Airport property accessed via East Cargo Road, behind the homes on the north side of Airport Road West in the Mount Hope village.

d) deteriorated or insufficient physical infrastructure such as, but not limited to, sanitary and storm sewers and water mains, public transit, roads/streets, curbs, sidewalks, street lighting and utilities;
There are conditions in Mount Hope that could benefit from rehabilitation, as evident in some of the photos provided in Appendix "D" to Report PED11118(b). Residents identified a need for improved lighting, sidewalks and paving.

Proposed Mount Hope/Airport Gateway CIPA Boundary, Programs and Initiatives
It is recommended that a Mount Hope/Airport Gateway Community Improvement Project Area be established through an amendment to the existing Downtown and Community Renewal Community Improvement Project Area (By-law 11-272 as amended). The Project Area by-law identifies a number of areas in which various programs contained in the companion Downtown and Community Renewal Community Improvement Plan apply. The amendment would add a new map to the Project Area by-law that delineates the boundary of the Mount Hope/Airport Gateway Community Improvement Project Area. The Plan would also be amended to account for the new
area and introduce programs within it. The Project Area by-law currently includes the
downtowns of each of the six former municipalities in the City (i.e. Downtown Hamilton,
the community downtowns in Ancaster, Binbrook (Glanbrook), Dundas, Stoney Creek
and Waterdown (Flamborough); all designated Business Improvement Areas (BIAs);
other commercial corridors and certain heritage-designated property. While not one of
the six former municipal downtowns in the City of Hamilton – the Glanbrook OP refers to
Binbrook as the major community in the former Township – Mount Hope village's
current situation, unique location adjacent to the Airport, and cultural heritage as the
seat of the former Glanford Township established in 1841, make it a fit with the
redevelopment goals and objectives of the Community Improvement Plan.

The proposed Mount Hope/Airport Gateway Community Improvement Project Area
boundary is illustrated in Appendix “C” to this Report. Its delineation within the study
area is focused where the issues are more acute, on the existing commercial buildings
and visible routes for travellers along Airport Road and Homestead Drive and Upper
James Street north into Hamilton. It captures the area north of Airport Road that is to
transition away from existing residential uses that are not otherwise permitted there,
including the homes that are dealing with growing Airport operations expansion directly
behind their backyards. Designation may facilitate conversions permitted but
recognized as a long term process in the Official Plan. The boundary excludes
properties to the south of Airport Road where more stable residential uses are not under
the same degree of pressure as the residential properties on the north side.

It is proposed that the same suite of programs available to the community downtowns
through the Community Improvement Plan be extended to the Mount Hope/Airport
Gateway CIPA. The following programs could be available where applicable:

- Hamilton Tax Increment Grant Program;
- Office Tenancy Assistance Program;
- Hamilton Heritage Property Grant Program;
- Commercial Façade Property Improvement Grant Program; and
- Commercial Corridor Housing Loan and Grant Program (although properties where
  residential development is not permitted would not be eligible for this program).

Other initiatives in community downtowns and BIAs include the design and construction
of gateways features to enhance such areas. Such a project would be added to the
future Urban Renewal work plan to select sites and prepare design concepts in
consultation with the community. An aviation theme was favoured by many in
attendance at the open public information session. The desire for better entrance
signage/gateway features to enhance promotion and wayfinding within Mount Hope, as
well as better lighting and paving to make the area more appealing to walk through,
were expressed by the community.
ALTERNATIVES FOR CONSIDERATION
(include Financial, Staffing, Legal and Policy Implications and pros and cons for each alternative)

An alternative community improvement project area boundary could include more property by taking in the full District Commercial land use designation, aligning with the study area boundary.

Municipal capital projects such as gateway features, wayfinding and streetscape improvements can be implemented without establishing a Community Improvement Project Area; however, designation signals that the area is a priority for such elements. This approach would not provide incentives for private sector development.

ALIGNMENT TO THE 2012 – 2015 STRATEGIC PLAN:

Strategic Priority #1
A Prosperous & Healthy Community

WE enhance our image, economy and well-being by demonstrating that Hamilton is a great place to live, work, play and learn.

Strategic Objective
1.1 Continue to grow the non-residential tax base.
1.2 Continue to prioritize capital infrastructure projects to support managed growth and optimize community benefit.
1.6 Enhance Overall Sustainability (financial, economic, social and environmental).

APPENDICES / SCHEDULES

Appendix “A” - Mount Hope Urban Settlement Area, Land Use Plan, Schedule C to the Township of Glanbrook Official Plan

Appendix “B” - Mount Hope Secondary Plan, Land Use Plan, Map B.5.4-1 of the Urban Hamilton Official Plan, including the study area boundary

Appendix “C” - current uses and proposed Mount Hope/Airport Gateway Community Improvement Project Area boundary

Appendix “D” - Photos dated May 30 2013

AW/HM:dkm
Legend

Residential Designations
- Low Density Residential 1
- Low Density Residential 2
- Low Density Residential 3
- Low Density Residential 4

Parks and Open Space Designations
- Neighborhood Park
- Community Park
- General Open Space
- Natural Open Space

Other Designations
- District Commercial
- Institutional
- ES Elementary School
- SES Separate Elementary School
- Utility
- SWM Storm Water Management

Other Features
- Area of Site Specific Policy
- Proposed Roads
- Secondary Plan Boundary

Urban Hamilton Official Plan
Mount Hope
Secondary Plan
Land Use Plan
Map B.5-4-1

- Study Area Boundary for Mount Hope/Airport Gateway
- Community Improvement Initiatives
<table>
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<tr>
<th>#</th>
<th>Businesses/Institutions</th>
<th>Proposed Community Improvement Project Area</th>
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<tr>
<td>1</td>
<td>Bobbie's Bar and Grill</td>
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<td>2</td>
<td>Super 8 Motel</td>
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<td>3</td>
<td>Vacant House</td>
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<td>RunwayHair Salon</td>
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<td>D&amp;N Contracting</td>
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<td>6</td>
<td>Public Library, Community Hall</td>
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<td>7</td>
<td>779 Black Knight Air Cadets</td>
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<td>8</td>
<td>Mount Hope Lions Community Youth Centre</td>
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<td>Post Office, Dr. Lalli</td>
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<td>Mount Hope United Church</td>
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<td>11</td>
<td>Larry Armes Mount Hope Machine</td>
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<td>12</td>
<td>Glanford Curling Club</td>
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<td>Homestead Automotive</td>
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<td>Admiral Data Systems</td>
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<td>The Cash Register Co.</td>
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<td>ASRJ Communications Inc.</td>
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<td>17</td>
<td>The Store Variety and Convenience Shop</td>
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<td>18</td>
<td>Vacant (former Homestead Kitchen)</td>
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<td>19</td>
<td>Dog Gone Raw (Pet Food Store), Homestead Ice Cream, tdf Photography</td>
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<tr>
<td>20</td>
<td>Dan's Auto Sales</td>
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<td>21</td>
<td>Auto Repair Shop</td>
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<td>22</td>
<td>Vacant Bank</td>
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<td>23</td>
<td>Kinderseeds</td>
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<td>Harley's Electrical Services Ltd.</td>
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<td>Royal Canadian Air Force Assoc.</td>
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<td>Riders Choice Tire and Lube</td>
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<td>27</td>
<td>Holtrop Steel and Iron Works</td>
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<td>28</td>
<td>M+M Automotive and Towing Gas</td>
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<td>Homestead House B&amp;B</td>
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<td>30</td>
<td>447 Wing Hall/Restaurant</td>
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<td>Holtrop Steel and Iron Works</td>
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<td>Holtrop Steel and Iron Works</td>
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Mount Hope Photos Dated May 30, 2013

Homestead Drive looking north across Airport Road

Auto Repair at northeast corner of Homestead Drive and Airport Road
Homestead Drive (Dog Gone Raw, Homestead Ice Cream, tdf Photography, Auto Repair)

Larry Armes Mount Hope Machine, Homestead Drive
Mount Hope United Church, Homestead Drive

Mount Hope Library and Community Hall, Homestead Drive
Homestead Drive, north approaching Upper James Street

Bobbie's Bar & Grill, Homestead Drive
Homestead Drive, looking south toward Airport Road, vacant residential at right

The Store Variety and Convenience, Homestead Drive
447 Wing, with vacant bank in background at right, Homestead Drive

Holtrop Steel and Iron Works, Homestead Drive at Longview Drive
M&M Automotive and Towing, Homestead Drive

Dan's Auto Sales, Airport Road
Kindersseeds Child Care, Airport Road

ASJR Communications Inc., Airport Road