

Authority: Item 13, Economic Development
and Planning Committee
Report:10-005 (PED08169(a))
CM: March 10, 2010

Bill No. 048

CITY OF HAMILTON

BY-LAW NO. 10-048

To Adopt:

Amendment No. 1
to the
Hamilton LEEDING the Way Community Improvement Plan

WHEREAS By-law 08-213, passed on the 10th day of September 10, 2008, designated the Hamilton LEEDING the Way Community Improvement Project Area;

AND WHEREAS Section 28 of the *Planning Act* entitled Community Improvement states that where a by-law has been passed to designate a community improvement project area, the Council may provide for the preparation of a plan suitable for adoption as a community improvement plan for the community improvement project area;

AND WHEREAS By-law 08-214, passed on the 10th day of September, 2008, adopted and approved the Hamilton LEEDING the Way Community Improvement Plan;

AND WHEREAS Council by its Economic Development and Planning Committee held a public meeting on March 2, 2010 to discuss and receive public input regarding an amendment to the Hamilton LEEDING the Way 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;

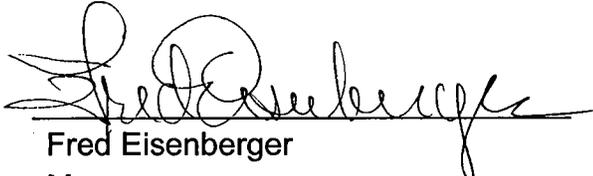
AND WHEREAS the City has prepared an amendment to the Hamilton LEEDING the Way Community Improvement Plan, attached hereto as Schedule 1 and forming part of this By-law;

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

1. Amendment No. 1 to the Hamilton LEEDING the Way Community Improvement Plan, consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted and approved.

- Schedule 'A' to By-law 08-214 is hereby amended as set out in Schedule 1 to this By-law.

PASSED this 10th day of March, 2010



Fred Eisenberger
Mayor



Kevin C. Christenson
City Clerk

Schedule 1 to By-law 10-048

Amendment No. 1

to the

**Hamilton LEEDING the Way
Community Improvement Plan**

The following text and Schedules constitutes Amendment No. 1 to the Hamilton LEEDING the Way Community Improvement Plan.

Purpose

The purpose of this amendment is to:

- Expanding the program to include mixed use and multi-unit residential development and redevelopments; and
- To make clerical and administrative changes to the CIP and the associated financial incentive program descriptions and terms.

Actual Changes

That the Hamilton LEEDING the Way Community Improvement Plan be amended as follows:

1. That Section 1.3, Purpose of the CIP, fourth paragraph be deleted and replaced as follows:

" The purpose of the Hamilton LEEDING the Way Community Improvement Plan (CIP) is to provide information and incentives for the improvement and enhancement of existing and future industrial, commercial, mixed use and multi-unit residential (as defined in Part 3 (Group C) of the National Building Code) developments within the urban area of the City of Hamilton. This plan was designed to improve economic, environmental and social conditions across the City."
2. That Section 2.2, Section 28 - Planning Act, second paragraph, second sentence be amended by deleting the words "business parks and industrial areas" and replacing them with the words "entire urban area".
3. That Section 2.3, Regional Municipality of Hamilton-Wentworth Official Plan, fourth paragraph, first sentence, be amended by deleting the words "Some Properties in the Business Parks and on Brownfields exhibit several of these characteristics, including:" and replacing them with the words "A number of properties in the urban area exhibit several of these characteristics, including:"

4. That Section 2.5, Growth Plan for the Greater Golden Horseshoe, third paragraph, first sentence, by adding the word "and residences following the words " opportunities for businesses".
5. That Section 3.0, LEEDing the Way Community Improvement Project Area be deleted and replaced as follows:

"3.0, LEEDing the Way Community Improvement Project Area

The Hamilton LEEDING the Way Community Improvement Plan (CIP) applies to the lands within the areas identified as the Hamilton LEEDING the Way Community Improvement Project Area (CIPA) as designated by by-law which may be subsequently amended from time to time. The CIPA applies to the City's urban area.

The Hamilton ERASE CIP was approved by City Council in 2001 and subsequently amended in 2005. The ERASE CIPA applies to the entire "Urban Area" of the City of Hamilton. Obviously there is overlap of the two CIPAs as both have the same project area.

The Hamilton ERASE CIP provides financial assistance to registered owners, assessed owners, and tenants to assist with the costs of assessing and remediating brownfield sites throughout the urban area of the City.

The City also has a Downtown Hamilton, Community Downtowns and Business Improvement Area CIP. The area of the CIPA for the Downtown Hamilton, Community Downtowns and Business Improvement Area also overlaps the Hamilton LEEDING the Way CIP."

6. That Section 4.0, Goals of the Hamilton LEEDING the Way CIP be amended by adding subsection i) as follows:
"i) to promote and encourage infill development."
7. That Section 6.8, Municipal Land Disposition be renumbered to "6.3, Municipal Land Disposition" to address an administrative error, and that the subsequent sections be renumbered accordingly.
8. That Section 7.0, Program Monitoring and Adjustment, first paragraph, first sentence be amended by deleting the words "Industrial Parks and Airport Division" and replacing them with "Economic Development and Real Estate Division".
9. That Section 9.0, Conclusion, first paragraph be amended deleting the last word of the paragraph "buildings" and replacing it with ", mixed use and multi-unit residential buildings".

Implementation

The provisions of Section 6A of the former Hamilton-Wentworth Official Plan and Section 28 of the Planning Act give effect to this amendment.

This amendment constitutes Schedule 1 to By-law No. 10-048 passed on the 10th day of March, 2010.