

Authority: Item 14, Planning Committee
Report 18-004 (PED18030(a))
CM: March 28, 2018
Ward: 1, 2, 3, 4, 5, 6, 7, 8, 9 10,
11, 12, 13

Bill No. 076

CITY OF HAMILTON

BY-LAW NO. 18-076

To Adopt Amendment No. 1 to the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan

WHEREAS By-law 10-050, passed on the 10th day of March 2010, designated the Environmental Remediation and Site Enhancement (ERASE) 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 10-050, passed on the 10th day of March 2010, adopted and approved the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan, as amended;

AND WHEREAS Council by its Planning Committee held a public meeting on March 20, 2018 to discuss and receive public input regarding an amendment to the Environmental Remediation and Site Enhancement (ERASE) 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 Environmental Remediation and Site Enhancement (ERASE) 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 Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan, consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted and approved.

To Adopt Amendment No.1 to the Environmental Remediation and Site Enhancement
(ERASE) Community Improvement Plan

Page 2 of 17

2. Schedule 'A' to By-law 10-050 is hereby amended as set out in Schedule 1 to this By-law.

PASSED this 28th day of March, 2018.

F. Eisenberger
Mayor

R. Caterini
City Clerk

To Adopt Amendment No.1 to the Environmental Remediation and Site Enhancement
(ERASE) Community Improvement Plan

Page 3 of 17

Amendment No. 1

To the

Environmental Remediation and Site Enhancement (ERASE)
Community Improvement Plan

The following Text and Schedules constitutes Amendment No. 1 to the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan.

Purpose

The purpose of this amendment is to:

- To update the information on the Provincial Policy Statement and Places to Grow: Growth Plan for the Greater Golden Horseshoe;
- Increase the City's contribution to the ERASE Study Grant Program and include as eligible costs the cost of designated substances and hazardous materials surveys for the Older Industrial Area, institutional and designated Heritage sites;
- Amend the Tax Assistance Program to include 'removal/abatement of designated substances and hazardous materials' and 'environmental insurance premiums' as eligible costs;
- Amend the Downtown/West Harbourfront Remediation Loan Program (RLP) to apply only to smaller sites;
- Amend the ERASE Redevelopment Grant Program to Include 'removal/abatement of designated substances and hazardous materials' for the Older Industrial Area, institutional and designated Heritage sites;
- To make clerical and administrative changes to the CIP and the associated financial incentive program descriptions and terms.

Actual Changes

1. That the Title and Header be amended by updating the date of the document to February 2018.
2. That Section 1.1 What are Brownfields?, first paragraph, first sentence be deleted and replaced as follows"
"Brownfields" are defined generally as undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant (Provincial Policy Statement, 2014, pg. 39)."
3. That Section 1.2.2 Environmental Benefits, second paragraph first sentence delete the word "recent" and third paragraph, second sentence delete the word 'recent'.

To Adopt Amendment No.1 to the Environmental Remediation and Site Enhancement
(ERASE) Community Improvement Plan

Page 4 of 17

4. That Section 1.3, Purpose of the CIP, Paragraph three be deleted and replaced as follows:

“In June of 1999, City Council directed that a Community Improvement Plan (CIP) to promote the Brownfield redevelopment of industrial and commercial properties in the City of Hamilton be prepared. The Plan was called the Environmental Remediation and Site Enhancement (Erase) Community Improvement Plan (CIP) and was adopted by City Council in April of 2001 and approved by the Minister of Municipal Affairs and Housing in August of 2001. The Erase CIP applies to the Erase Community Improvement Project Area (2001) generally associated with Hamilton’s older industrial area (see Appendix A). The ERASE CIP was expanded in April of 2005 for the improvement and enhancement of financial assistance programs contained in the ERASE CIP and to expand these programs to the full limits of the urbanized area of the City (see Appendix B). In 2010 the ERASE CIP was further amended adding a Remediation Loan Program (RLP), expansion to the ERG Programs well as increases to the ESG Program. The Erase CIP has been in place for approximately sixteen years and has been successful in providing the financial tools needed to promote the remediation and redevelopment of brownfield sites. The results of the ERASE CIP to date are presented in Section 5.0 on Previous Community Improvement Plans.”

5. That Section 2.4, Provincial Policy Statement (PPS) be deleted and replaced as follows:

“2.4 Provincial Policy Statement (PPS)(2014)

The Provincial Policy Statement (PPS) is issued under Section 3 of the *Planning Act* and is intended to guide municipalities as they make planning decisions. The *Planning Act* requires that municipal decisions in respect of the exercise of any authority that affects a planning matter “shall be consistent with” the PPS.

The PPS supports the remediation and redevelopment of brownfield sites. For example, Section 1.7.1 e) of the PPS states that “long-term economic prosperity should be supported by promoting the redevelopment of brownfield sites”. Brownfields are defined in the PPS as “undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant”.

The PPS also supports Smart Growth through urban growth management. For example, Section 1.1.3.3 of the PPS states “planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs”. Therefore, the PPS supports brownfield redevelopment as a way to achieve the goal of promoting intensification and redevelopment. Other policies in the PPS (Sections 1.1.1 a), 1.1.1 h) and 1.6.3) support the management of growth to achieve efficient development and land use patterns which

To Adopt Amendment No.1 to the Environmental Remediation and Site Enhancement
(ERASE) Community Improvement Plan

Page 5 of 17

sustain the financial well-being of the Province and municipalities over the long term. The redevelopment of brownfields has a role to play in this regard.”

6. That Section 2.5 Growth Plan for the Greater Golden Horseshoe be deleted and replaced as follows:

“2.5 Growth Plan for the Greater Golden Horseshoe (2017)

The Growth Plan envisages increasing intensification of the existing built-up area, with a focus on urban growth centres, intensification corridors, major transit station areas, brownfield sites and greyfields. The ERASE Community Improvement Plan would contribute to the increased intensification in the built-up area.

The vision for the GGH is grounded in the following principles that provide the basis for guiding decisions on how land is developed; resources are managed and public dollars invested:

- Achieve complete communities that are designed to support healthy and active living
- Prioritize intensification and higher densities to make efficient use of land and infrastructure and support transit viability.
- Provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource-based sectors.
- Provide for different approaches to manage growth that recognize the diversity of communities in the *GGH*.
- Protect and enhance natural heritage, hydrologic, and landform systems, features, and functions.
- Conserve and promote cultural heritage resources to support the social, economic, and cultural well-being of all communities, including First Nations and Métis communities.
- Integrate climate change considerations into planning and managing growth such as planning for more resilient communities and infrastructure – that are adaptive to the impacts of a changing climate – and moving towards low-carbon communities, with the long-term goal of net-zero communities, by incorporating approaches to reduce greenhouse gas emissions.

Further, providing opportunities for businesses and residences to locate in the Greater Golden Horseshoe is fundamental to using land wisely and ensuring a prosperous economic future.”

7. That following Section 2.6 Regional Municipality of Hamilton-Wentworth Official Plan that one new section be added as follows and the subsequent sections renumbered accordingly:

“2.7 Urban Hamilton Official Plan

The City of Hamilton Urban Official Plan has numerous policies directed towards achieving an efficient, well planned and supportive approach to land use planning. With particular regard to Community Improvement Plan’s Policy 1.15.1 is considered applicable:

To Adopt Amendment No.1 to the Environmental Remediation and Site Enhancement
(ERASE) Community Improvement Plan

Page 6 of 17

Community Improvement shall be carried out through the designation, by Council, of Community Improvement Project Areas and through the preparation and implementation of Community Improvement Plans pursuant to the *Planning Act*. It is the intent of Council that the entire *urban area* or any part of the *urban area* as defined in this Plan, and as subsequently amended, may by by-law be designated as a Community Improvement Project Area.

Policy 1.15.2 sets out the criteria to be used when designating community improvement project areas:

When designating Community Improvement Project Areas, one or more of the following characteristics may be present:

- a) building stock or property in need of rehabilitation;
- b) buildings and *structures* of heritage or architectural significance;
- c) encroachment of incompatible land uses or activities;
- 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;
- e) deteriorated or insufficient *community facilities/services* such as, but not limited to public indoor/outdoor recreational facilities, public open space and public social facilities;
- f) inadequate mix of housing types;
- g) inadequate *affordable* housing;
- h) known or perceived environmental contamination;
- i) deteriorated or insufficient parking facilities;
- j) poor overall visual amenity of the area, including, but not limited to streetscapes and urban design;
- k) existing Business Improvement Areas or potential for inclusion in a Business Improvement Area designation, provided such designation is in conformity with the Niagara Escarpment Plan;
- l) inappropriate road access and traffic circulation;
- m) shortage of land to accommodate building expansion and/or parking and loading facilities;
- n) other barriers to the improvement or redevelopment of underutilized land or buildings; or,
- o) any other environmental, social, or community economic development reasons for designation.

As discussed in Section 3.0, properties in the older industrial area and brownfields throughout the urban area of Hamilton exhibit several of these characteristics, including:

- known or perceived environmental contamination;
- building stock or property in need of rehabilitation;
- encroachment of incompatible land uses or activities;
- shortage of land to accommodate building expansion and/or parking and loading facilities; and,

To Adopt Amendment No.1 to the Environmental Remediation and Site Enhancement
(ERASE) Community Improvement Plan

Page 7 of 17

- poor overall visual amenity of the area, including, but not limited to streetscapes and urban design.

With particular regard to the development and redevelopment of brownfield Sites Policy 3.1.5, is applicable:

There are many complex and interconnected reasons for promoting and implementing brownfield *redevelopment*. There are significant and immediate economic, environmental and social benefits from regenerating these "legacy" properties. The City, in addition to other economic development objectives, shall pursue the *redevelopment* of brownfield sites and promote opportunities for employment and *residential intensification by*:

- a) continuing to liaise with other levels of government, agencies, and the private sector to endorse and amend existing legislation, regulations and standards, including the addressing of liability issues for land owners;
- b) undertaking studies to identify priority brownfield sites for *redevelopment*;
- c) providing the necessary financial assistance to developers and landowners to make the *redevelopment* of brownfield sites a viable option; and,
- d) ensure a wide variety of investment opportunities are available throughout the City and provide potential employment users with a range of alternative sites of various size in a variety of locations throughout the City."

The continuous review and improvement of the ERASE CIP will secure this policy intent, providing financial support in order to facilitate efficient development."

8. That Section 2.7 Vision 2020 be deleted and replaced as follows:

"2.8 2016 – 2025 STRATEGIC PLAN

The Strategic Plan 2016-2025 is a detailed strategy intending to secure the vision of making Hamilton the 'best place to raise a child and age successfully'. The strategy's mission is 'To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner."

9. That Section 2.10 Setting Sail be deleted and replaced as follows:

"Setting Sail is the City's long term planning project for Hamilton's West Harbour (see Figure 2 for West Harbour Study Area). The West Harbour Area has witnessed tremendous change in recent years, led by the City's investments in Pier 4 and Bayfront Parks and the creation of the Waterfront Trail. The City of Hamilton and the Hamilton Port Authority (formerly the Hamilton Harbour Commissioners) also reached an

To Adopt Amendment No.1 to the Environmental Remediation and Site Enhancement
(ERASE) Community Improvement Plan

Page 8 of 17

agreement in 2000 on future land use that sees a separation of recreational uses in the West Harbour Area from industrial port uses in the East Harbour Area.

The main objective of the Setting Sail Study is to create a series of integrated plans that will guide investment and development in the West Harbour Area. The Setting Sail Study is broad and includes consideration of land use, transportation, infrastructure and urban design.

One of the specific elements of the Setting Sail Study is a strategy to realize the revitalization and conversion of older industrial areas in the West Harbour to non-industrial uses. In this context, there are a few remaining operational industrial uses in and near the Tiffany Block which is bounded by Bay, Stuart and Barton Streets and the relocation of these few remaining industrial uses to industrial areas outside the West Harbour Area would help facilitate redevelopment of the West Harbour Area for non-industrial uses.”

10. That Section 2.11 Planning For Future Land Use, fourth paragraph first sentence delete the words “will emanate from” and replace with the word “form”.

11. That Section 2.12 Summary of Planning Policies be deleted and replaced as follows:

“The redevelopment and rehabilitation of the older industrial areas in the City of Hamilton is a key theme in the Urban Hamilton Official Plan. The use of financial tools to direct future urban development to curb urban sprawl and increased awareness of the potential for redevelopment and rehabilitation of contaminated brownfield sites are encouraged within the 2016-2025 Strategic Plan.

The Urban Hamilton Official Plan sets out the required framework as per Section 28 of the *Planning Act* for the preparation of a community improvement plan to promote the redevelopment of brownfields in Hamilton’s older industrial areas and throughout the urban area. The designation of the entire Urban Area as the ERASE Community Improvement Project Area and the preparation, adoption and amendment of this ERASE CIP is in conformity with, and supported by, existing planning policies. Through its programs contained herein, this CIP also emphasizes particular land uses in various areas within the Community Improvement Project Area that are in keeping with future planned land uses.”

12. That Section 3.2, Types of Assistance Required, that paragraph four, first sentence be amended by deleting the date “(2001)” and replacing it with “(2010)”.

13. That Section 3.2, Types of Assistance Required, that following paragraph five, a new paragraph be added as follows:

“Furthermore, it is considered appropriate to increase the eligibility of the ESG and ERG’s to cover DSHMS in the following circumstances:

- 1) Former institutional buildings;
- 2) Existing Heritage (properties designated under Part IV or V of the Ontario Heritage Act); and,
- 3) Older Industrial Area.

To Adopt Amendment No.1 to the Environmental Remediation and Site Enhancement
(ERASE) Community Improvement Plan

Page 9 of 17

It is considered that this would provide a meaningful response to many issues arising out of adaptively re-using older buildings particularly Heritage properties, whereby demolition options are limited or constrained and redevelopment costs are significantly increased. In reviewing this staff concurred and also identified the opportunity to include former institutional buildings, given the rising number of former schools and similar buildings being considered for redevelopment.”

14. That Section 4.0 Community Improvement Project Area, be amended by deleting the first paragraph and replacing it as follows:

“Based on the enabling policies in the Urban Hamilton Official Plan, the critical needs analysis, and the existence of brownfields throughout the urban area of Hamilton, the boundary of the Hamilton ERASE Community Improvement Project Area (the “Project Area”) is “the area designated as Urban Area in the Urban Hamilton Official Plan, as may be amended from time to time”. The boundary of the ERASE Community Improvement Project Area as shown in Figure 4 is provided for illustrative purposes only to show the Project Area. The ERASE Community Improvement Project Area is properly defined by the above-noted text reference to the Urban Area. Therefore, any expansion or change to the Urban Area, and therefore the Project Area, will be captured by the above-noted text reference and will not require amendment to this Plan.”

15. That Section 4.0 Community Improvement Project Area, be amended by replacing Figure 4 with the updated Figure 4 contained at the end of this document.
16. That Section 5.3 ERASE Community Improvement Plan (CIP) – 2005 be amended by deleting paragraph two, three and four.
17. That following Section 5.3 ERASE Community Improvement Plan (CIP) – 2005 one new section be added as follows and the subsequent sections renumbered accordingly:

“5.4 ERASE Community Improvement Plan (CIP) – 2010

The ERASE CIP (2010) was adopted by City Council March 2010. The ERASE CIP (2010) expanded upon the ERASE CIP (2005) in terms of financial assistance and included the addition of a Remediation Loan Program (RLP) for the West Harbour and Downtown Areas.

Since the ERASE CIP (2001) over 380 Acres of land has been studied; with the City of Hamilton experiencing a total assessment increase due to ERG in excess of \$129,029,379. It has been demonstrated that every \$1 contributed by the City has generated \$11.10 in private sector construction; and that remediation and redevelopment has been approved for approximately 210 Acres of brownfield land with 123 Acres (59% of approved land area) remediated to date”

18. That Section 5.4 Downtown Hamilton Community Improvement Plan (CIP) be amended by deleting the words ‘as amended’ in line 2 and adding:

“and further amended in 2016 by by-law 16-125 and 16-126.”

19. That Section 6.1 be deleted in its entirety and the section renumbered accordingly.

To Adopt Amendment No.1 to the Environmental Remediation and Site Enhancement
(ERASE) Community Improvement Plan

Page 10 of 17

20. That Section 6.2 Notification and Public Participation Procedure be amended by deleting “(April 2005)” from the first line and replacing with “(February 2018)”
21. That Part C ERASE CIP be amended by updating existing photographs.

22. That Part B ERASE CIP Section 7.0 Goals of the ERASE Community Improvement Plan be amended by deleting the first sentence and replacing it with:

“The goals of this Plan are consistent with and build upon the goals in the Urban Hamilton Official Plan.”

23. That Part B ERASE CIP Section 8.0 The ERASE Community Plan (CIP) be amended by deleting “(April 2005)” with “(February 2018)” of the first line.

24. That Part B ERASE CIP Section 8.0 The ERASE Community Plan (CIP) be amended by updating ‘Figure 5 Summary of ERASE CIP Programs’ with the updated information approved through this by-law.

25. That Part B ERASE CIP Section 8.4 Downtown Hamilton / West Harbourfront Remediation Loan Pilot Program (RLP) be amended by deleting the word ‘Pilot’.

26. That Part B ERASE CIP Section 8.5 ERASE Municipal Acquisition and Partnership Program (MAPP) be amended by adding the words “Minister of” before the word “Housing” in the last line.

27. That Part B ERASE CIP Section 8.6 ERASE Marketing and Opportunities Program (MOP) be amended by adding the words “Minister of” before the word “Housing” in the last line.

28. That Part B ERASE CIP Section 10 Program Monitoring and Adjustment be amended by deleting the following words:

“and feedback obtained from applicants and members of the Brownfield Redevelopment Task Force,”.

29. That Part B ERASE CIP Section 11.0 Conclusion be amended by deleting the first sentence of paragraph 2 and replacing with:

“The goals of this Plan are consistent with and build upon the community improvement goals in the Urban Hamilton Official Plan.”

30. That Section 12.0 References add the following reference:

“Urban Hamilton Official Plan – Vibrant, Healthy, Sustainable Hamilton.”

31. That Part C Appendices be amended by updating the existing photographs.

32. That Part C Appendices, Appendix A Section 8.1 ERASE Study Grant Program be amended deleting acronym “(SGP)” and replacing with acronym “(ESG)” and that this be repeated for the remainder of the Appendix.

33. That Part C Appendices, Appendix A Section 8.1.1 Purpose be amended by adding an additional third paragraph that states:

“The Study Grants are considered an important tool to facilitate ERG applications, and to ensure this continues administrative changes will be recommended to require that all ESG’s are accompanied by preliminary development plans and/or letter of intent to develop.”

To Adopt Amendment No.1 to the Environmental Remediation and Site Enhancement
(ERASE) Community Improvement Plan

Page 11 of 17

34. That Part C Appendices, Appendix A Section 8.1.2 Program Description be amended adding “(Since July 1, 2011)” at the end of prefix “b)” and by deleting “\$25,000” number from prefix “c)” and replacing it with “\$35,000”.
35. That Part C Appendices, Appendix A Section 8.1.2 Program Description be amended by deleting paragraph 3 which starts “ The SGP will Commence”, in its entirety.
36. That Part C Appendices, Appendix A Section 8.1.2 Program Description be amended by adding an additional paragraph prior to the final paragraph of the Section – which states:

“For consideration of an ESG proposed on City Owned Lands, the application must be accompanied with an intent to purchase agreement approved by City of Hamilton Real Estate Staff.”

37. That Part C Appendices, Appendix A Section 8.1.2 Program Description be amended by adding at the end of the section:

“It is to be noted that an SGP cannot be used solely for refinancing purposes. Finally, for the purposes of clarity a ‘project’ consists of the redevelopment site. The redevelopment site may include adjacent municipal addresses.”

38. That Part C Appendices, Appendix A Section 8.1.3 Eligibility Requirements be amended by adding at the end of prefix a) “(Program is not retroactive).
39. That Part C Appendices, Appendix A Section 8.1.3 Eligibility Requirements be amended by deleting “\$25,000” figure from prefix i) and replace with figure “\$35,000”.
40. That Part C Appendices, Appendix A Section 8.1.3 Eligibility Requirements be amended by adding “Since July 1, 2011.” at the end of prefix i).
41. That Part C Appendices, Appendix A Section 8.1.3 Eligibility Requirements be amended by adding the following prefix’s:

- l) Eligible costs to cover Designated Substances and Hazardous Material Survey and Industrial/Office Reuse Feasibility Study and their removal and abatement in the Older Industrial Area.
- m) Eligible costs to cover Designated Substances and Hazardous Material Survey and their removal and abatement applicable to current/closed Institutional uses across the CIPA.
- n) Eligible costs to cover Designated Substances and Hazardous Material Survey and their removal and abatement applicable to designated Heritage Buildings (properties designated under Part IV or V of the Ontario Heritage Act) across the CIPA.
- o) All environmental studies must be prepared to meet latest O. Regulation 153/04 standards.
- p) The applicant must provide a phase one ESA for all properties within the redevelopment site.”

42. That Part C Appendices, Appendix A Section 8.1.4 Administration be amended by adding follow on wording from the end of the last sentence in the first paragraph, stating:

“and a letter of intent and preliminary development plans for intended development. It should be noted that two quotes should be provided for the proposed study work.”

To Adopt Amendment No.1 to the Environmental Remediation and Site Enhancement
(ERASE) Community Improvement Plan

43. That Part C Appendices, Appendix A Section 8.1.4 Administration be amended by adding final paragraph which states:

“ESG approval (except Risk Assessments) will be revoked if study work not completed within 2 calendar years from date of initial approval.”

44. That Part C Appendices, Appendix B Section 8.2 ERASE Redevelopment Grant Program (RGP) be amended by deleting the acronym “(RGP)” and replace with “(ERG)” and that this be repeated for the remainder of the Appendix.

45. That Part C Appendices, Appendix B Section 8.2.2 Program Description be amended by deleting the word “incremental” from the fourth sentence of the first paragraph and replacing with:

“first full year of newly assessed”

46. That Part C Appendices, Appendix B Section 8.2.2 Program Description be amended by deleting the words “rehabilitating the land and building” and replacing with the following:

“remediation as outlined in the Remedial Action Plan.”

47. That Part C Appendices, Appendix B Section 8.2.2 Program Description be amended by deleting the word “after” from prefix b) and replaced with the words “up to”.

48. That Part C Appendices, Appendix B Section 8.2.2 Program Description be amended by adding the following words to the end of the first sentence of paragraph 9 after the word “project”:

“and receipt of an RSC.”

49. That Part C Appendices, Appendix B Section 8.2.2 Program Description be amended by adding the following paragraph to the end of the section:

“It should be noted that peer reviewed risk assessments are to be permitted in situations where a RSC is not required by the MOECCC (i.e. not moving to a more sensitive land use). Finally, for the purposes of clarity a ‘project’ consists of the redevelopment site. The redevelopment site may include adjacent municipal addresses.”

50. That Part C Appendices, Appendix B Section 8.2.3 Eligibility Requirements be amended by adding the following to the end of prefix a) “(Program is not retroactive);”

51. That Part C Appendices, Appendix B Section 8.2.3 Eligibility Requirements be amended by deleting the existing prefix g) i) and replaced with the following wording:

“i) environmental remediation, i.e., the cost of any action taken to reduce the concentration of contaminants on, in or under the eligible property to permit a record of site condition (RSC) to be filed for the proposed use by a qualified person, including costs of preparing and filing of an RSC and CPU, cost of clean fill, grading and compaction to replace contaminated soils;

To Adopt Amendment No.1 to the Environmental Remediation and Site Enhancement
(ERASE) Community Improvement Plan

Page 13 of 17

52. That Part C Appendices, Appendix B Section 8.2.3 Eligibility Requirements be amended by adding the following prefix's to prefix g):

- "ix) Eligible costs to cover Designated Substances and Hazardous Material Survey and Industrial/Office Reuse Feasibility Study and their removal and abatement in the Older Industrial Area;
- x) Eligible costs to cover Designated Substances and Hazardous Material Survey and their removal and abatement applicable to current/closed Institutional uses across the CIPA;
- xi) Eligible costs to cover Designated Substances and Hazardous Material Survey and their removal and abatement applicable to the rehabilitation and restoration of designated Heritage Buildings (properties designated under Part IV or V of the Ontario Heritage Act) across the CIPA."

53. That Part C Appendices, Appendix B Section 8.2.3 Eligibility Requirements be amended by deleting the following words from prefix h) "total cost of rehabilitating the land and buildings" and replacing with "total approved cost of remediation."

54. That Part C Appendices, Appendix B Section 8.2.3 Eligibility Requirements be amended by adding the following words to the end of prefix l):

"RSC to conform to latest O. regulation 153/04 standards."

55. That Part C Appendix B, Section 8.2.3 Eligibility Requirements be amended by adding a new prefix stating:

- "q) No grant subsidy to be paid out until the project is completed. Alternatively, subject to written approval by the Director of Economic Development, a % of payment may be provided for phased development based on the number of phases complete.

56. That Part C Appendices, Appendix B Section 8.2.3 Eligibility Requirements be amended by adding the following to the final paragraph of the Section:

"80% of the City tax increment will be reimbursed to the property owner in the form of a grant, while the remaining 20% of the tax increment will be dedicated to the ERASE MAPP (See Section 8.5)."

57. That Part C Appendices, Appendix C Section 8.3.2 Program Description be amended by deleting the words "of approximately" from the first sentence of paragraph 3 and replacing with the words "up to".

58. That Part C Appendices, Appendix C Section 8.3.2 Program Description be amended by adding the following to the end of the 5th paragraph "and the Minister of Finance (if applicable)".

59. That Part C Appendices, Appendix C Section 8.3.3 Eligibility Requirements be amended by deleting the existing prefix g) i) and replaced with the following wording:

- "i) environmental remediation, i.e., the cost of any action taken to reduce the concentration of contaminants on, in or under the eligible property to permit a record of site condition (RSC) to be filed for the proposed use by a qualified

To Adopt Amendment No.1 to the Environmental Remediation and Site Enhancement
(ERASE) Community Improvement Plan

Page 14 of 17

person, including costs of preparing and filing of an RSC and CPU, cost of clean fill, grading and compaction to replace contaminated soils;

60. That Part C Appendices, Appendix C Section 8.3.3 Eligibility Requirements be amended by adding an additional eligible program cost to the prefix g) such that it reads:

“v) Environmental Insurance Premiums.”

61. That Part C Appendices, Appendix D Section 8.4 be amended by deleting the word ‘Pilot’.

62. That Part C Appendices, Appendix D Section 8.4.2 Program Description be amended by adding the words “(at applicants cost)” to the end of the 6th paragraph which starts with the words “Actual costs”.

63. That Part C Appendices, Appendix D Section 8.4.2 Program Description be amended by deleting paragraph 16 which starts with the words “Interest on the principal” in its entirety.

64. That Part C Appendices, Appendix D Section 8.4.2 Program Description be amended by deleting paragraph 17 and 18 and replacing with the following:

“That the interest rate for the Loan Program be 0% and the loan repayment period be a maximum 5 years”.

65. That Part C Appendices, Appendix D Section 8.4.2 Program Description be amended by deleting the following words from the end of paragraph 21: “together with interest accrued to date”.

66. That Part C Appendices, Appendix D Section 8.4.3 Eligibility Requirements be amended by deleting any reference to the “remedial work plans” and replacing with the words “remedial action plan”.

67. That Part C Appendices, Appendix D Section 8.4.4 Administration be amended by deleting the words “Downtown and Community” from the first sentence and replaced with the word “Urban”.

68. That Part C Appendices, Appendix D Section 8.4.4 Administration be amended by deleting paragraph 8 which starts “An application fee” and paragraph 11 which start “The program is being” in their entirety.

69. That Part C Appendices, Appendix G Section 9.1 Purpose be amended by adding a new third paragraph that states:

“It is recommended that the Development Charge demolition credit for Older Industrial Area sites with approved ERG applications be extended to 10 years”.

70. That Part C Appendices, Appendix G Section 9.2 Program Description be amended by deleting paragraph 4 which starts “The DCR program” in its entirety.

71. That Part C Appendices, Appendix G Section 9.3 Eligibility Requirements be amended by deleting the superfluous “,” within prefix a) vii) c).

72. That Part C Appendices, Appendix G Section 9.3 Eligibility Requirements be amended by deleting the existing prefix a) i) and replaced with the following wording:

“i) environmental remediation, i.e., the cost of any action taken to reduce the concentration of contaminants on, in or under the eligible property to permit a

To Adopt Amendment No.1 to the Environmental Remediation and Site Enhancement
(ERASE) Community Improvement Plan

Page 15 of 17

record of site condition (RSC) to be filed for the proposed use by a qualified person, including costs of preparing and filing of an RSC and CPU, cost of clean fill, grading and compaction to replace contaminated soils;

73. That Following Appendix I a new “Appendix J” be inserted detailing the ERASE Community Improvement Project Area (2018) and that the subsequent appendices be renumbered accordingly.
74. That current “Appendix J” be amended by adding the following information at the end of the Section:

“Urban Hamilton Official Plan

The City of Hamilton Urban Official Plan has numerous policies directed towards achieving an efficient, well planned and supportive approach to landuse planning. With particular regard to the development and redevelopment of brownfield Sites the following policies, amongst others, are applicable:

Policy 3.1.5 There are many complex and interconnected reasons for promoting and implementing brownfield *redevelopment*. There are significant and immediate economic, environmental and social benefits from regenerating these "legacy" properties. The City, in addition to other economic development objectives, shall pursue the *redevelopment* of brownfield sites and promote opportunities for employment and *residential intensification by*:

- a) continuing to liaise with other levels of government, agencies, and the private sector to endorse and amend existing legislation, regulations and standards, including the addressing of liability issues for land owners;
- b) undertaking studies to identify priority brownfield sites for *redevelopment*;
- c) providing the necessary financial assistance to developers and landowners to make the *redevelopment* of brownfield sites a viable option; and,
- d) ensure a wide variety of investment opportunities are available throughout the City and provide potential employment users with a range of alternative sites of various size in a variety of locations throughout the City.”

- 75) That current “Appendix L” – Downtwon Hamilton Community Improvement Project Area Boundary be amended by adding the latest map of the downtown CIPA.

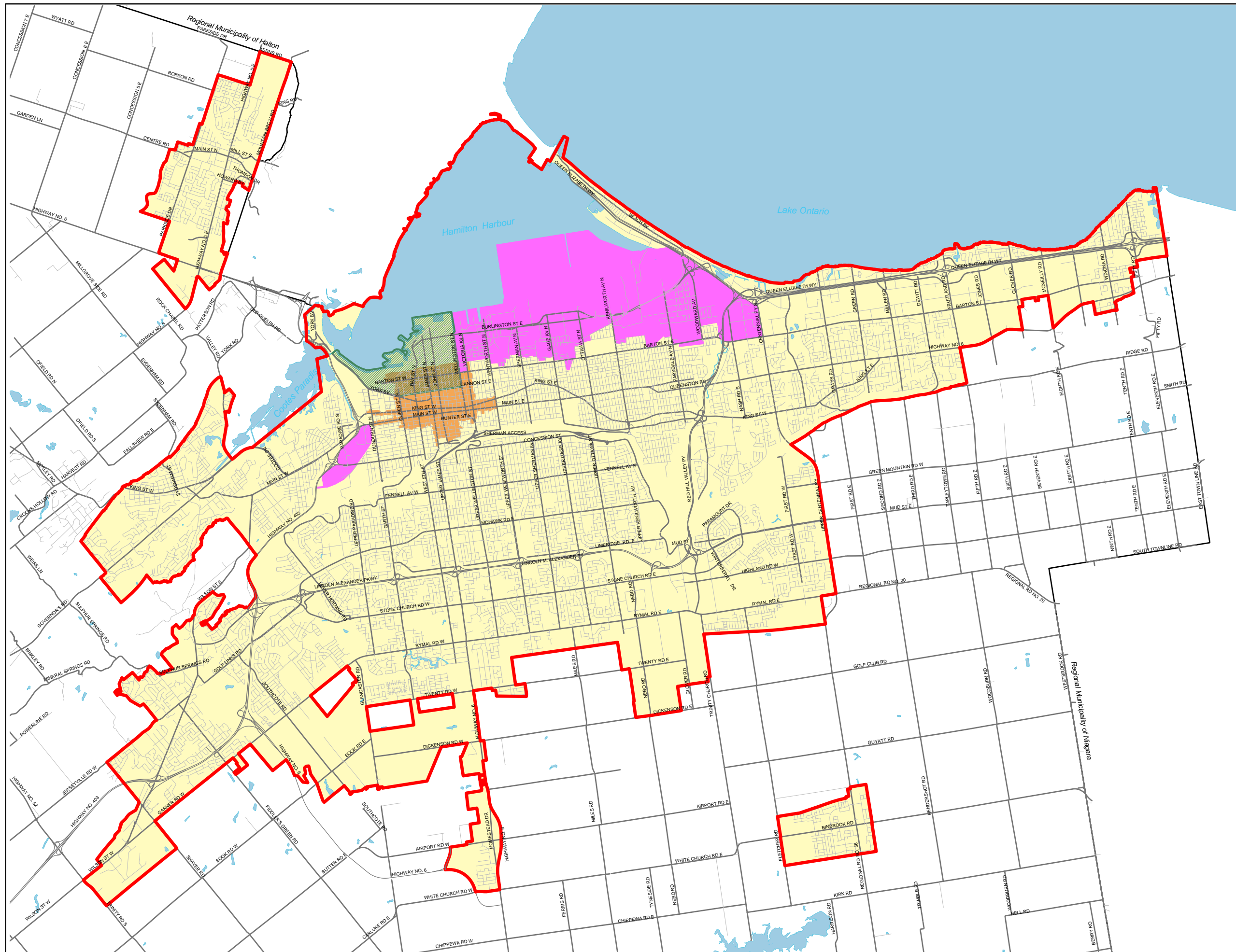
To Adopt Amendment No.1 to the Environmental Remediation and Site Enhancement
(ERASE) Community Improvement Plan

Page 16 of 17

Schedules



2018 ERASE CIP Map

To Adopt Amendment No.1 to the Environmental Remediation and Site Enhancement
(ERASE) Community Improvement Plan



- Legend**
- Community Improvement Project Area
 - Area 1 - Rest of Urban Area
 - Area 2 - Older Industrial Area
 - Area 3 - West Harbour Area
 - Area 4 - Downtown Community Improvement Plan Area

Erase Community Improvement Project Area

Date: February 2018	
 Not To Scale	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT © Teranet and Information Services Inc. and its licensors. [2010] May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY.	