

Authority: Item 12, Economic Development
and Planning Committee
Report: 10-005 (PED10039)
CM: March 10, 2010

Bill No. 052

CITY OF HAMILTON

BY-LAW NO. 10-052

To enact a by-law to delegate authority to the General Manager, Planning and Economic Development for certain grants and loans under the Downtown and Community Renewal Community Improvement Plan

WHEREAS subsection 28(2) of the *Planning Act*, R.S.O. 1990, c. P.13, provides that Council may, by by-law designate the whole or any part of an area covered by an Official Plan as a community improvement project area;

AND WHEREAS By-law 07-061 as amended identifies various areas of the City of Hamilton, including the Downtown Hamilton Community Improvement Project Area, Downtown Dundas Community Improvement Project Area, Downtown Stoney Creek Community Improvement Project Area, Waterdown Community Improvement Project Area, Binbrook Community Improvement Project Area, Ancaster Village Core Community Improvement Project Area, Barton Village Community Improvement Project Area, Concession Street Community Improvement Project Area, Locke Street Community Improvement Project Area, Main Street Esplanade Community Improvement Project Area, Ottawa Street Community Improvement Project Area, Westdale Village Community Improvement Project Area and the Main Street Corridors Community Improvement Project Area, and designates collectively said areas as the "Downtown and Community Renewal Community Improvement Project Area".

AND WHEREAS Section 28 of the *Planning Act*, R.S.O., 1990, c. P.13 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 07-062 as amended adopted the Downtown and Community Renewal Community Improvement Plan as the Community Improvement Plan for the Downtown and Community Renewal Community Improvement Project Area;

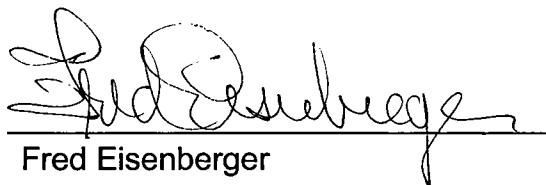
AND WHEREAS under subsection 28(7) of the *Planning Act*, R.S.O. 1990, c. P.13, Council may make grants or loans, in conformity with the community improvement plan, to registered owners, assessed owners and tenants of lands and buildings within the community improvement area, and to any person to whom such an owner or tenant has assigned the right to receive a grant or loan, to pay for the whole or any part of the eligible costs of the community improvement plan;

AND WHEREAS under sections 9 and 10 of the *Municipal Act, 2001*, S.O. 2001, c. 25, in accordance with section 23.1 of the *Municipal Act, 2001*, the powers of a municipality under that or any other Act may be delegated to a person or body subject to the restrictions set in sections 23.2 to 23.5, inclusive of the *Municipal Act, 2001*;

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

1. In this By-law:
 - “Community Improvement Plan” means the Downtown and Community Renewal Community Improvement Plan.
 - “Council” means the Council of the City of Hamilton;
 - “General Manager” means the General Manager of Planning and Economic Development, and in the case of a change of name of the title of this position, this shall apply to any successor title change;
2. Subject to section 3, Council delegates to the General Manager of Planning and Economic Development power to approve grants or loans, which was given to Council under subsection 28(7) of the *Planning Act*, under the following financial incentive programs created under the Community Improvement Plan:
 - (a) Commercial Property Improvement Grant Program
 - (b) Hamilton Heritage Property Grant Program
 - (c) Main Street Housing Loan and Grant Program
3. For the purposes of section 2, the power of the General Manager to approve grants or loans shall be limited to a maximum of \$200,000 per loan or grant.
4. The General Manager is authorized to undertake all acts necessary to carry out the delegated power under Section 2, including the authority to sign any required documents.
5. This By-law may be cited as the “A By-law to delegate authority to the General Manager of Planning and Economic Development for financial incentive programs”.
6. This By-law comes into force on the date of its passing.

PASSED this 10th day of March, 2010.



Fred Eisenberger
Mayor



Kevin C. Christenson
City Clerk