

Authority: Item 4, Planning Committee
Report 23-009 (PED23076(a))
CM: June 7, 2023
Ward: City Wide
Bill No. 108

**CITY OF HAMILTON
BY-LAW NO. 23-108**

To Enact a By-law to Delegate Authority to the General Manager Planning and Economic Development and Manager of Commercial Districts and Small Business for Certain Grants and Loans under the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan (2023)

WHEREAS Subsection 28(2) of the *Planning Act*, as amended, provides that City 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;

WHEREAS By-law 23-106, as amended, identifies areas of the City of Hamilton as a community improvement project area designated as the 'Environmental Remediation and Site Enhancement (ERASE) Community Improvement Project Area (2023)';

WHEREAS Subsection 28(4) of the *Planning Act*, as amended, provides that where a by-law has been passed to designate a community improvement project area, City Council may provide for the preparation of a plan suitable for adoption as a community improvement plan for the community improvement project area;

WHEREAS By-law 23-107, as amended, adopted the 'Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan (2023)' for the 'Environmental Remediation and Site Enhancement (ERASE) Community Improvement Project Area (2023)';

WHEREAS Subsection 28(7) of the *Planning Act*, as amended, provides that City 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 project 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 permitted under the community improvement plan;

WHEREAS Sections 9 and 10 of the *Municipal Act*, as amended, and in accordance with Section 23.1 of the *Municipal Act*, as amended, the powers of a municipality under that or any other Act may be delegated to a person or body subject to the restrictions established in Sections 23.2 through 23.5, inclusive of the *Municipal Act*, as amended;

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

1. In this By-law:

"City Council" means the Council of the City of Hamilton

"ERASE CIP" means Environmental Remediation and Site Enhancement Community Improvement Plan (2023) adopted by By-law 23-107.

“General Manager” means the General Manager of Planning and Economic Development, and in the case of a change in title of this position, shall include any successor position title; and,

“Manager” means the Manager of Commercial Districts and Small Business of the Economic Development Division, Planning and Economic Development Department, and in the case of a change in title of this position, shall include any successor position title.

2. Subject to Section 4 herein, the General Manager is delegated the authority to approve grants/loans and undertake all acts necessary to carry out the delegated authority including entering into and executing any required agreements and executing any required documents, under the following financial assistance programs established under the ‘ERASE CIP’:
 - (a) ERASE Commercial Districts Remediation Loan Program; and,
 - (b) ERASE Affordable Housing Grant Program.
3. Subject to Section 5 herein the Manager is delegated the authority to approve grants and undertake all acts necessary to carry out the delegated authority including entering into and executing any required agreements and executing any required documents under the following financial assistance programs established under the ‘ERASE CIP’:
 - (a) ERASE Study Grant Program.
4. For the purposes of Section 2 herein, the powers of the General Manager to approve grants/loans shall be limited to a maximum of \$200,000 per grant/loan;
5. For the purposes of Section 3 herein, the powers of the Manager to approve grants shall be limited to a maximum of \$40,000 per grant;
6. This By-law may be cited as “A By-law to Delegate Authority to the Planning and Economic Development Department to Issue Approvals for Loans/Grants Under Certain ERASE Financial Assistance Programs”; and,
8. This By-law comes into effect on the date that By-law 23-107 being the By-law to adopt the ‘Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan (2023)’ comes into effect.

PASSED this 7th day of June, 2023.

A. Horwath
Mayor

A. Holland
City Clerk