

**CITY OF THOROLD CIP**  
**Community Improvement Plan**  
**For Downtown Thorold and Thorold Centre**



**CONTINUING SUCCESSES 2016**

February 16, 2016

**The Thorold Community Improvement Plan will consist of the following:**

**Part A - The Preamble and Appendices do not constitute part of the actual Community Improvement Plan but is included for reference.**

**Part B - The Community Improvement Plan consisting of text constitutes the Community Improvement Plan for part of the City of Thorold and Schedule "A" identifies the Community Improvement Project Areas.**

# **The Downtown Thorold and Thorold Centre Community Improvement Plan**

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## **Part A: The Preamble**

### **Introduction:**

Community Improvement is intended to provide for the renewal of areas within the municipality that in the opinion of Council are in need of improvement. The Planning Act provides the enabling legislation, and it is the City of Thorold's intent to use this legislative authority to improve the social, economic, and environmental circumstances of Community Improvement Project Areas through the implementation of Community Improvement Plans (CIP).

In January 2001 the Minister of Municipal Affairs and Housing approved the Community Improvement Plan for the former Gallaher Paper Company site located within the Community Improvement Area of Thorold Centre. This plan expired on December 31, 2011.

On September 13, 2005, the City of Thorold Council approved By-law 93-2005 being a By-law to designate certain lands as a Community Improvement Area. On December 19<sup>th</sup>, 2005 the Ministry of Municipal Affairs and Housing approved the Community Improvement Plan for the Downtown Thorold and Central Area building upon the successes of the former Gallaher Paper Company CIP for a period of 10 years expiring on December 31, 2015.

The City of Thorold 2016 Community Improvement Plan, herein referred to as the 2016 CIP, is an update to the former CIP to ensure there are financial incentives to stimulate and encourage development/redevelopment in two Community Improvement Areas: Downtown Thorold and Thorold Centre. The Ministry of Municipal Affairs and Housing is no longer the approval authority for CIP's as the authority rests with the Municipality.

### **Legislative Authority:**

#### ***Section 28 - The Planning Act and Section 365.1 - Municipal Act, 2001***

Section 106(1) of the *Municipal Act, 2001* prohibits "bonusing" of manufacturing business or other employment or commercial enterprise. However, an exception is made in Section 106(3) of the *Municipal Act, 2001* for municipalities exercising powers under Section 28(6) or (7) of the *Planning Act*. Section 28 of the *Planning Act* allows municipalities with provisions in their official plans relating to community improvement to designate by by-law a "community improvement project area". Once this is done, a municipality may prepare a "community improvement plan" for the community improvement project area.

According to Section 28(1) of the *Planning Act*, a "community improvement area means a municipality or 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."

For the purposes of carrying out a CIP, a municipality may engage in the following activities within the community improvement areas:

- a) acquire, hold, clear, grade or otherwise prepare land for community improvement (28(3));
- b) construct, repair, rehabilitate or improve buildings on land acquired or held by it in conformity with the community improvement plan (28(6));
- c) sell, lease, or otherwise dispose of any land and buildings acquired or held by it in conformity with the community improvement plan (28(6)); and,
- d) make grants or loans to the registered owners, assessed owners, and tenants of land and buildings within the community improvement project area (and their assignees) to pay for the whole or any part of the cost of rehabilitating such lands and buildings in conformity with the community improvement plan (28(7)).

Section 365.1 of the Municipal Act, 2001 provides that, where a Community Improvement Project Area (CIPA) is in place and a CIP is in effect pursuant to Section 28 of the Planning Act, the CIP may also provide a tax cancellation program specific to brownfield remediation. The former CIP allowed Council to pass by-laws providing for the cancellation of all or a portion of the taxes for municipal and school purposes levied on one or more specified eligible properties, on such conditions as the municipality may determine. A by-law may apply to the rehabilitation period for a specified property, the development period for a specified property, or both (365.1(2))

#### **City of Thorold Official Plan:**

On April 21, 2015, Council adopted the new Official Plan. Section E1.7 sets out the location and community improvement policies identifying goals and objectives for community renewal and criteria for establishing CIPA's and CIP's. This Section is attached as Appendix "D".

### **Council Approval:**

The CIP was approved by Council on December 15, 2015 through By-law No. 167-2015.

### **Background:**

The City of Thorold 2016 CIP offers three (3) grant programs. These include the Facade Improvement Grant Program (FIGP), Brownfields Municipal Tax Incentive Program (BMTIP) formerly known as the Brownfields Financial Tax Assistance Program (BFTAP) and Tax Increment-Financing Program (TIFP) formerly known as Tax Increment-Grant Program (TIGP).

The new 2016 CIP replaces the City of Thorold's former 2005 CIP which expires on December 31, 2015.

### **Review of Former CIP:**

The City of Thorold's former CIP was originally adopted in 2005 to establish community improvement policies for the Downtown and Thorold Centre. The plan has been successful as the principles it was based on under the Planning Act and Municipal Act have not changed. Similarly the goals and the objectives of the CIP remain the same. The current plan has stimulated private sector investment for rehabilitation, site remediation and redevelopment.

Over the last 10 years, it has been apparent that the Façade and Brownfield programs have been fairly straight forward to administer. However, the tax increment grant program (TIGP) has been challenging and the administration of this program has been labour intensive. There have been some challenges in respect to what projects should be approved considering the public interest. While the administration of the CIP is labour intensive, the public interest would best be served if certain limitations be implemented, thereby encouraging more substantial projects where assessment values significantly increase.

The success of the City's 2005 CIP has been demonstrated over time with many applications being approved having a very noticeable concentration of successful projects within the Downtown area. Planning staff has undertaken a review of the former CIP and the approved projects to determine their effectiveness and if any modifications are necessary.

### **Considerations for change:**

- Introduce 'sunset' clauses to ensure that projects are implemented in a timely fashion.
- Allow for applications that have not been approved to be carried forward under the new 2016 CIP.
- Allow for phasing of larger developments under the TIFP.
- Allow for the disbursement of TIF payments while certain properties are in tax arrears.

- Allow for disbursement of TIF payments retroactively for 1 year for properties brought out of tax arrears.
- Introduce timing of payments.
- Improve municipal financial sustainability for TIF`s (i.e. Grant calculation using sliding scale for payments; \$250,000.00 Eligible Expenses Minimum)
- Clarification of processing TIF payments after receiving supplemental assessments.
- Introduce requirements to meet policies and Urban Design Guidelines having consideration for Heritage resources.
- Include a transition policy for those applications in process excluding any new applications received in December 2015.
- Define ‘Intensification’ to help applicants understand the intent of the TIFP.
- Define ‘Taxes’ to help applicants understand what portion of the municipal taxes are eligible under the TIFP.

### **New City of Thorold 2016 CIP:**

The new 2016 CIP carries forward two grant programs and one tax cancellation program with certain revisions. The intent of the programs remains the same. The new CIP has eliminated the education tax assistance component of the BMTIP.

### **City of Thorold Community Improvement Plan: Downtown and Thorold Centre**

#### **Purpose:**

This Community Improvement Plan (CIP) establishes a framework for the City's support and implementation of a program to encourage the maintenance, rehabilitation, development and redevelopment of Downtown Thorold and Thorold Centre.

The CIP also provides a framework to guide public sector investment and stimulate private sector investment in this area. The intent is threefold as follows:

#### **1. Brownfields**

The City has a number of properties that have been or may be impacted by former employment or commercial uses and may be contaminated as a result of these former activities. These properties are either vacant, underutilized or abandoned. There are concerns over their environmental liability, the stigma attached to the former use, and/or the financial costs for site rehabilitation.

Certain properties are located within the Thorold Centre area of the City with access to existing infrastructure and services and in close proximity to various transportation networks. Abandoned or vacant brownfield sites represent lost property tax revenue, lost residential development, and lost employment opportunities.

Vacant or abandoned brownfield sites can also present serious health issues related to deteriorating buildings and/or surface debris present on the site.

The development/redevelopment of brownfield sites is intended to increase the municipal tax base and to revitalize those areas located within the Community Improvement Project Areas containing abandoned or vacant brownfield sites. The development and redevelopment of such sites has the potential effect of encouraging development on surrounding properties in the community. The revitalization of these sites will benefit the community in generating jobs and further expanding the tax base and making it a more desirable and healthy place for people to live and operate businesses.

## **2. The Downtown**

The intent is to enhance the role of Downtown Thorold as a commercial, administrative and cultural centre and to encourage and promote residential development/intensification in and around the downtown. Increasing the residential population within this Community Improvement Project Area creates the demand for more and better services that will benefit everyone who lives, works and visits in this area.

The beautification of Downtown Thorold in terms of facade improvements should be a high priority respecting municipal policies, urban design guidelines and heritage resources. Attractive downtowns are an important asset in creating a destination of choice to attract residents, businesses and visitors.

## **3. Built-Up Areas**

The intent is to encourage and support redevelopment proposals for existing serviced sites or the conversion of existing buildings for residential intensification and/or additional commercial units.

Redevelopment in these areas could involve previously used vacant sites or the conversion of an existing or previously existing building for a more intensive use. Redevelopment and development in the built - up urban areas within the CIP, has the effect of encouraging community renewal and "smart growth" initiatives which promotes intensification and provides a viable alternative to "Greenfield" development.

For the purposes of this CIP, intensification shall mean: the development of a property, at a higher density than currently exists that is not permitted by the zoning by-law and/or when one or more of the zone provisions such as setbacks, frontage or lot coverage provisions are modified to facilitate the construction of the proposed use. For example, if a property is vacant or made vacant and the proposed use is permitted by the zoning by-law, provided a planning application is approved to facilitate a building that does not

comply with one or more of the zone provisions such as setbacks, frontage, or lot coverage or another provision that results in the increase of the development, this shall be considered intensification. Or, if the zoning by-law permits a mixed use development and additional units are proposed that cannot occur without the approval of a planning application, this shall be considered intensification.

Examples of what is not considered intensification including but not limited to the following:

- a) If the zoning permits a density based on land area, the adding of a new form of development that does not exceed the permitted density of the zone, does not qualify as intensification.
- b) The demolition of a single detached dwelling to make room for a semi-detached dwelling already permitted by the zone, does not qualify as intensification.
- c) The development of vacant land unless subject to a BMTIP, shall not qualify as intensification.
- d) The severing or redevelopment of a property with or without modifications to the zoning by-law for low density uses (e.g. Single, Semi or Triplex Dwellings).

Should a proposal be submitted that the above noted examples do not address, the City at its sole discretion shall determine if the proposal meets the intent of the CIP.

**Location:**

The subject lands of the CIP are located in Thorold Centre and Downtown Thorold areas. The lands as shown in Schedule "A" are bounded by St. David's Road to the north, Welland Canal Parkway to the east, Beaverdams Road to the south and Collier Road to the west. The subject lands are comprised of the downtown core and surrounding residential and employment uses.

**Basis:**

The City of Thorold Official Plan was adopted by Council on April 21, 2015. The Official Plan designates the four areas within the municipality for the purposes of community improvement under the provisions of the *Planning Act*, R.S.O. 1990 c.P. 13 as amended. The subject lands are located within the Downtown Community Improvement Area and Thorold Centre Community Improvement Area as shown in Schedule "A". It is Council's wish to encourage development and redevelopment of the subject lands in seeking improved social, economic and cultural vitality to Downtown Thorold and surrounding neighbourhoods.

The utilization and reuse of vacant buildings and historical structures is a definite asset to neighbourhood and downtown revitalization. The development and redevelopment of the subject lands should make use of existing structures and infrastructure to attract

and expand the residential population base and to encourage new businesses to the downtown, strengthening the viability of commercial development and ensuring Downtown Thorold remains the desired focal point of commerce, administration and cultural activity.

The subject lands represent the Thorold Centre Community Improvement Area and Downtown Thorold Community Improvement Area in the Official Plan. These areas consist of the main pedestrian-oriented retail shopping area in the municipality and an important centre for commerce, administration and cultural activities of the City. Policies in the Thorold Official Plan encourage those activities, both public and private, which maintain, rehabilitate and redevelop the existing physical environment to accommodate the social and economic priorities of the City of Thorold.

City Council proposes to establish a new and updated CIP pursuant to the *Planning Act* to facilitate development/redevelopment within Downtown Thorold and the Central Area.

The *Planning Act* allows Council to adopt a by-law to designate all or part of an area identified in the Official Plan as a community improvement project area. On September 13, 2005, the City of Thorold Council approved By-law 93-2005 being a By-law to designate the subject lands as a Community Improvement Area.

An approved CIP gives the municipality the authority to implement a grant and/or loan program and offer other incentives notwithstanding certain statutory limitations in the *Municipal Act, 2001*.

The development/redevelopment of the subject lands is in keeping with Regional and Municipal principles related to Smart Growth and Brownfields redevelopment and is consistent with Provincial policy in this regard.

Smarter Niagara is a direct response to the impact of urban and rural sprawl, and the desire to safeguard agricultural lands and environmentally sensitive areas. Scattered and poorly planned development has a negative impact on a growing community, not only from an economical and environmental perspective, but also from a quality of life perspective.

## **PART B: THE COMMUNITY IMPROVEMENT PLAN**

### **1.0 Community Improvement Project Areas**

The Thorold Centre and Downtown Thorold's Community Improvement Plan includes two Community Improvement Project Areas which are identified within the City of Thorold Official Plan as follows:

- Downtown Thorold
- Thorold Centre

These areas are shown on Schedule "A" to this Community Improvement Plan.

### **2.0 Goals and Objectives**

#### **2.1 Goals**

The goals of this CIP are consistent with and build upon the community improvement goals of the City of 2015 Thorold Official Plan. The CIP establishes a framework to support development and redevelopment of the subject lands identified as a Community Improvement Area in By-law 93-2005.

This CIP allows for the City to offer technical and financial assistance to encourage and support the development and redevelopment of the subject lands in accordance with municipal standards.

The goals of the Community Improvement Project Areas are as follows:

- To encourage the preservation and restoration of buildings with cultural heritage significance;
- To encourage private investment;
- To develop a more attractive, safe and efficient community for existing and future residents;
- To provide for the continued social and economic development of the City of Thorold;
- To provide an environment that is attractive to new investment in the City of Thorold;
- To encourage the ongoing maintenance, rehabilitation, redevelopment, upgrading and improvement of external public and private space;
- To protect and improve the characteristics of the Community Improvement Area that the residents regard as important to their area;
- To urge and assist owners of commercial and residential property to rehabilitate premises where necessary in order to eliminate deterioration and improve community pride in ownership or occupancy;

- Improve the quality of building stock and stimulate pride in ownership and community integrity;
- To eliminate the deficiencies in municipal services and improve community facilities, wherever it is physically feasible, within the city's financial resources and degree of need;
- To strengthen, stabilize and rehabilitate residential, commercial, employment, heritage, recreational, natural and environmental areas;
- To increase assessment growth and community stability by encouraging, supporting and coordinating both public and private involvement in the rehabilitation of properties and facilities;
- To maximize the utilization of the existing urban infrastructure by intensification of land uses;
- To reconcile existing and minimize future land use conflicts;
- To integrate open space and recreational facilities into the urban fabric;
- To set priorities for municipal expenditures in respect to community improvement projects;
- To participate, whenever possible, in Regional, Provincial and Federal funding programs and initiatives intended to facilitate community improvement.

## **2.2 Objectives**

The objectives of the City with respect to this CIP include the following:

- to encourage, support and coordinate both public and private initiatives intended to improve and rehabilitate properties and facilities;
- to improve and maintain the existing building inventory within the downtown core;
- to recognize and maintain the downtown core as the commercial, administrative and cultural centre of the City;
- to encourage the revitalization of the downtown core through improvements to facilities and (re)establishment of residential units;
- to encourage residential development/redevelopment in keeping with "smart growth" principles and urban design guidelines (refer to Appendix 'A' & 'B') such as sustaining a strong economy, building a strong community and promoting a healthy environment including cleanup of "brownfield" sites;;
- to encourage the redevelopment of brownfields;
- to encourage the intensification during the rehabilitation of properties and facilities;
- to encourage and provide for the development of new uses in accordance with the Official Plan and Zoning By-law through better utilization of existing buildings

- as well as new construction;
- to enhance streetscaping, landscaping and to provide for road improvements; to improve and maintain the physical and aesthetic amenities of streetscapes;
  - to improve and maintain an acceptable level of public works, including roadways, sidewalks, drainage and security lighting;
  - to improve and maintain, at an acceptable safe level, water and wastewater systems;
  - to preserve heritage resources of architectural and historical significance and encourage improvement consistent with the history of the building and area;
  - to encourage development/redevelopment which improves the area's importance as a destination for residents and visitors;
  - to provide for the more efficient utilization of the municipal physical infrastructure by infilling or redeveloping vacant or underutilized land while maintaining the compatibility of land uses;
  - to delineate a planned approach to community improvement projects and the expenditure of public and/or private funds;
  - to encourage a linkage between the Merritt Trail and the Welland Canals Parkway;
  - to restore, improve, maintain and expand park, open space, recreational and heritage facilities and amenities;
  - to enhance the attractiveness of the area;
  - to encourage investment in maintaining or improving surrounding properties;
  - to improve and maintain the transportation network to ensure adequate pedestrian and vehicular traffic flow and to improve the quality of and accessibility to transit and parking facilities;
  - to improve the economic climate of the area, to provide for job growth, tourism opportunities and to attract residents and visitors;
  - to encourage the eventual elimination and /or relocation of incompatible land uses, and where this is not possible, to execute mitigation measures;
  - to reduce or eliminate environmental hazards;
  - to encourage positive change within the Community Improvement Project Areas; and
  - to relieve pressure on urban boundaries.

### **3.0 Context of Plan**

The intent of the CIP is to encourage appropriate redevelopment in the Community Improvement Project Areas. To this end the following actions or programs may be implemented by the municipality:

- a) acquire, improve and sell lands to facilitate development;
- b) Facade Improvement Grant Program (FIGP);
- c) Brownfields Municipal Tax Incentive Program (BMTIP);
- d) Tax Increment-Based Financing Program (TIFP).

The following program does not constitute part of the Community Improvement Plan:

- e) Development Charge Waiver/Exemption (must be within CIP area to qualify).  
Note: The DC Waiver/Exemption program does disqualify eligibility for CIP programs.

### **4.0 Plan Parameters/General Provisions**

- The City, according to its sole discretion, will be responsible for interpreting and administering the provisions of this CIP.
- Funding for all programs shall be contingent upon annual municipal budget approvals.
- The total value of the grants provided under this CIP shall not exceed the total value of the rehabilitation work done under eligible program costs and in no instance shall the value of the tax assistance and/or grant exceed the cost of rehabilitating of the lands and buildings.
- Eligible costs recovered under one program shall not be recovered from any other program and shall not include HST.
- The subject property shall not be in a position of tax arrears at the time of disbursement of any grant money unless otherwise permitted under this CIP.
- The proponent shall declare if the proposed property is designated under Part IV or V of the *Ontario Heritage Act* or if an application for designation is in process.
- “Taxes” means the portion of real property taxes assessed on the Lands which are payable to the City and includes any portion of the total real property taxes paid to and collected by the City which are payable to The Regional Municipality of Niagara and authorized by such upper tier government to be included in real property taxes for purposes of calculation of the TIF, but does not include:
  - (i) any portion of the total real property taxes paid to and collected by the City which are payable for educational purposes; and

(ii) any portion of the real property taxes that are attributable to (a) the urban service area levy; (b) a local improvement levy; (c) the hospital levy; (d) levies under the Drainage Act; (e) levies for Business Improvement Area; (f) fees or charges that are levied under the Municipal Act, 2001; and (g) any tax adjustments made under the provisions of Part IX of the Municipal Act, 2001.

#### **4.1 Property Acquisition and Sale**

In order to facilitate development in the Community Improvement Project Areas the municipality may acquire, sell and/or convey lands at an appropriate time. Should the need arise to implement the above, Section 28 (10) of the Planning Act, shall apply.

#### **4.2 Facade Improvement Grant Program (FIGP)**

The FIGP is intended to assist and encourage commercial owners to improve and/or restore building facades only within the Downtown Thorold Area and not the Thorold Centre Area. All applications shall be reviewed and approved by the Façade Committee. Grants will be available equal to 50% of the eligible costs to a maximum of \$15,000.00 per building. This shall be allocated as \$10,000.00 for the main façade and \$5,000.00 for the exterior side and/or rear façade. In no circumstance shall the total grant exceed \$15,000.00.

Council has traditionally approved this program to run for five (5) years at a time. The new 2016 CIP will expire on December 31, 2025. However, Council may choose to continue or cancel funding of the program at any time. Any agreements that had received Council approval will continue to be honoured under the former CIP. The FIGP will be reviewed every five years to ensure that the goals and objectives of the plan continue to be met. The lifespan of the FIGP will not exceed the 10 year lifespan of this 2016 CIP.

To qualify for a facade grant, projects must result in improvements that:

- a) are appropriate for the building and consistent with its current use(s);
- b) preserve the architectural integrity and restore, if possible, the original building facade;
- c) positively contribute to the appearance and vitality of Downtown Thorold;
- d) adhere to municipal policies and urban design guidelines to the satisfaction of the City; and
- e) meet L.A.C.A.C./heritage requirements if building is designated.

This grant is for street-oriented exterior work and the eligible program costs are, but not necessarily limited to:

- i) professional service design fees;
- ii) structural/safety replacement and repair for exterior facade;
- iii) repair/replacement of windows, doors, storefronts, awnings, canopies, eaves, parapets and other architectural details;
- iv) signage (as permitted by the sign by-law), awnings, and lighting on principal facades;
- v) cleaning/painting of facades visible from adjacent streets and public walkways;
- vi) entrance modifications including wheelchair access; and
- vii) such other similar repairs/improvements as may be approved including accessibility features.

#### **4.2.1 Facade Program Administration**

The municipal Council will ensure the review, evaluation and decision on applications under the Facade Grant Program.

As early as possible in the development approvals process, but prior to application for building permit, a property owner may register its intent to participate in the grant program by filing a Facade Grant Program application with the municipality for its consideration. Where an application is approved by municipal Council, the municipality will negotiate a Facade Grant Agreement with the applicant which will specify the terms of the grant, such as the total amount of the grant, the duration of the grant, entitlement to the grant should the property be sold, the owner's obligations should the owner default on the Agreement, and any other requirements specified by the municipality.

All applications submitted for the Facade Grant Agreements shall be reviewed by the municipal Planning and Building Services Department with the assistance of the Heritage Thorold L.A.C.A.C. and the Thorold Business Improvement Area Board of Management. This is known as the Façade Committee.

The Façade Committee will evaluate applications based on but not limited to municipal policies, Urban Design Guidelines and Heritage resources. Should there be multiple applications being considered simultaneously, priority will be given to those proposals that reflect design guidelines and heritage resources. This will also apply if there is limited funding available.

The application may require such documentation as, but not limited to, photos of existing building, need for improvement, design drawings, cost estimates, and heritage designation.

All Facade Grant Agreements must be approved by the Façade Committee and subsequently municipal Council.

Prior to the issuance of grant cheques the municipality will verify that all requirements of the grant program to date have been met. Photos of the façade representing the completed works shall be submitted to the municipality.

Grants will be available upon completion of the work and approval by the municipality.

#### **4.2.2 Facade Grant Program General Provisions**

- a) the municipality will receive a copy of all expenditures made by the proponent for the facade improvements. Each of the expenditures must be included as an eligible program cost and meet the eligibility criteria and requirements of this CIP before a grant is approved;
- b) once the above exercise has been completed the municipality will have the right to request the applicant to submit a completed independent audit of these expenditures to ensure that these costs are actual costs, at the expense of the property owner;
- c) all approved property owners or their tenants or assignees in the program will be required to enter into a Facade Grant Agreement with the municipality which will specify the terms of the grant. Written authorization shall be required from the property owner for any agent acting on their behalf, for all components of this Program. All applications and agreements must be approved by municipal Council;
- d) if a building(s) erected on a property participating in this program is demolished before disbursement or at the time of disbursement of any grant money, or any other time specified in the Facade Grant Agreement, may forfeit any monies to be paid out under this Program;
- e) outstanding work orders and/or orders or requests to comply from the other commenting departments and agencies must be satisfactorily addressed prior to grant approval;
- f) if the property is sold, in whole or in part, before or during the disbursement of grant monies, the subsequent owner may be entitled to future remaining grant payments under the original Facade Grant Agreement subject to written consent between the original owner and the subsequent owner. Appropriate wording to this effect shall be included in an agreement;

### **4.3 Brownfields Municipal Tax Incentive Program (BMTIP)**

The municipality, as authorized under section 365.1 of the *Municipal Act, 2001*, shall provide a property tax assistance for eligible properties under the Brownfields Municipal Tax Incentive Program (BMTIP). However, the municipality will not apply to the Minister of Finance to approve property tax assistance for the education portion of the taxes.

Subsection 365.1(4) of the *Municipal Act, 2001* requires a lower-tier municipality that intends to pass a tax assistance by-law to give a copy of the proposed by-law to the upper-tier municipality. Subsection 365.1 (4.1) of the *Municipal Act, 2001*, provides that the upper-tier municipality may, by resolution, agree that the by-law may also provide for the cancellation of all or a portion of the taxes levied for upper-tier purposes, and the by-law so agreed to by the upper-tier municipality and passed by the lower-tier municipality is binding on the upper-tier municipality.

The property tax assistance provides for the exemption of up to 100% of the applicable taxes levied, subject to budget consideration, for the period immediately following the approval of the Property Tax Assistance By-Law and continuing during the Rehabilitation Period and Development Period. The BMTIP applies only to eligible properties. The amount of the tax assistance provided will be determined during the application phase to ensure that the value of all tax assistance and grants do not exceed eligible rehabilitation costs.

The following are conditions which shall be included in a Property Tax Assistance By-law or BMTIP Agreement:

- The tax assistance be suspended for a subject property where a landowner has not paid all of the taxes on a subject property for the previous years in the Rehabilitation and Development Periods, subject to any specific exceptions provided for in the Property Tax Assistance By-Law or in a BMTIP Agreement under the by-law;
- That the tax assistance becomes liable for payment in full, with interest, for all tax assistance during the Rehabilitation and Development periods for the property, where the landowner defaults on any of the conditions as detailed in the Property Tax Assistance By-Law or the BMTIP Agreement requirements as authorized by the *Municipal Act, 2001*;
- That the landowner file with the municipality an annual update on the environmental contamination, the rehabilitation activities, the estimated costs, an estimated duration of the remediation, and other matters that may be required as detailed in the Property Tax Assistance By-law or the BMTIP Agreement;
- The municipal portion of the property tax assistance will terminate at the end of

- the Development Period or such earlier period otherwise stipulated in the municipal Property Tax Assistance By-Law under BMTIP Agreement; and
- A property eligible for tax cancellation under the BMTIP may be considered for tax cancellation for the duration of the rehabilitation period but shall not exceed a maximum of three (3) years.

### **Municipal Portion of Property Tax Assistance**

The municipal portion of the property tax assistance is limited to the Rehabilitation and Development Period of the project. This BMTIP assistance is to be implemented for eligible properties prior to the implementation of the Tax Increment-Financing Program (TIFP). The municipal portion of the property tax assistance will be undertaken in accordance with the provisions of section 365.1 (1) of the *Municipal Act, 2001*. The municipal portion of the property tax assistance may start at the beginning of the Rehabilitation Period and shall run for a period specified by the municipality in a by-law, but shall not extend beyond the Development Period outlined in section 365.1 (1) of the *Municipal Act, 2001*. The purpose of this tax assistance element is to give financial relief to proponents early in the process as rehabilitation and land use planning proposals are being prepared and implemented.

For this section only, the municipality may request the Niagara Region's participation in this Program.

### **4.3.1 Eligibility Criteria and Requirements**

The following is a list of the minimum general and grant specific criteria required to be met in order to qualify for the Brownfields Municipal Tax Incentive Program (BMTIP). The list is not exhaustive and the municipality reserves the right to include other criteria or requirements as deemed necessary on a site specific basis. All applications submitted for the BMTIP shall be reviewed by the municipal Planning and Building Services Department.

#### **4.3.1.1 Eligible Criteria and Requirements for BMTIP**

- a) All proponents of properties within the designated Thorold Community Improvement Project Areas are eligible to apply for a tax assistance, subject to the general criteria and requirements of section 4.3.1.2 and the specific criteria and requirements listed below.
  1. The cost of environmental rehabilitation (100%);
  2. The cost of placing clean fill and grading (100%);
  3. The cost of Phase II Environmental Site Assessment or Site Specific Risk Assessment (100%);
  4. The cost of financing (interest charges) of preparing the studies and undertaking the rehabilitation (100%);

5. The cost of the insurance premium to guarantee the remediation will be completed (100%).
- b) To be eligible for a tax assistance, a property must have had a Phase II Environmental Site Assessment (ESA) completed and as a result of this ESA, the property requires environmental remediation to permit a Record of Site Condition (RSC) to be filed with the environmental site registry.
- c) Tax assistance will only apply during the Rehabilitation Period and the Development Period of the project, in accordance with a Property Tax Assistance By-law under the BMTIP Agreement.

#### **4.3.1.2 General Eligibility Criteria and Requirements**

The following is a list of general eligibility criteria and requirements applicable to all components of the Brownfield Financial Tax Incentive Program:

- a) Unless otherwise directed by Council or if an agreement has been entered into previously, none of the financial programs of the BMTIP will be offered retroactively for rehabilitation or development activities undertaken or costs incurred prior to the approval of this CIP.
- b) Eligible properties must be located within the Community Improvement Project Areas.
- c) Properties eligible for BMTIP must have a Phase II Environmental Site Assessment (ESA) completed and, as a result of this site assessment, the property requires environmental rehabilitation to permit a Record of Site Condition (RSC) to be filed with the environmental site registry. The BMTIP applies only to properties that are contaminated given their historic industrial or commercial practices or uses.
- d) In order to be eligible for any BMTIP tax assistance, eligible properties must not be in tax arrears. Local improvement charges, Drainage Act charges and all other charges of the municipality must be paid throughout the entire period that the BMTIP is in effect.
- e) Outstanding work orders and/or orders or requests to comply from the municipal Planning and Building Services Department, Operations Department or any other municipal department, must be satisfactorily addressed prior to the provision of any BMTIP tax assistance.
- f) Eligible proponents shall include only the property owners of eligible properties, or their assignees. Written authorization shall be required from the property owner for any agent acting on their behalf, for all components of the BMTIP.
- g) The proponent shall submit the appropriate completed application(s) with the appropriate supporting documentation.
- h) The proponent shall submit a development proposal and concept plan for the eligible property.
- i) The proponent shall submit a complete Phase II ESA, Remedial Work Plan or

risk assessment, which shall have been prepared in conformity with the *Environmental Protection Act*, in support of a BMTIP application with respect to the BMTIP components of the Program.

- j) The proponent shall release all environmental information about the eligible site to the municipality.
- k) All proponents participating in the BMTIP shall enter into a BMTIP Agreement with the municipality and upper-tier municipality as applicable, that will specify the terms and conditions of the brownfield, planning and environmental approvals along with the BMTIP tax assistance to be received.

#### **4.4 Tax Increment-Financing Program (TIFP)**

The Tax Increment-Financing Program (TIFP) is intended to provide financial incentives in the form of grants to property owners who undertake appropriate development or redevelopment of properties in the Community Improvement Project Areas that increases property assessment resulting in increased municipal property taxes. This incentive program is meant to stimulate investment by the private sector that would otherwise not take place by providing an eligible property owner with a grant equivalent to a portion of the resultant municipal property tax increases. It is anticipated that the nature of development and redevelopment will be in the form of conversion and/or intensification of underutilized sites for residential, commercial or employment uses. It is also intended that the quality of redevelopment projects will be enhanced as a result of the program.

In order to minimize the cost and financial risk to the municipality, the TIFP will be structured as a "pay-as-you go" grant; i.e. the property owner will be responsible for the entire cost of the redevelopment project, and the municipality may reimburse the property owner for the eligible cost of improvements in the form of an annual grant. Each year, the property owner must first pay all property taxes. The municipality may then provide a grant equivalent to the approved portion of the increase in municipal property taxes resulting from the property improvements. The total amount of an approved incentive provided under this program shall not exceed the cost of rehabilitating the lands and buildings under eligible program costs as detailed in section 4.4.3 h).

Developments that do not have \$250,000.00 of eligible expenses will not qualify under the TIFP. The City is not responsible for any costs incurred with an application should it be deemed not to qualify.

#### **4.4.1 Duration**

The TIFP will commence on or after the date of approval of this Plan by Thorold City Council and run until December 31, 2025, a period of approximately ten (10) years. Unless an application has been in process prior to the approval of this plan and has not been dormant for over 6 months, no retroactivity of the program prior to approval will be permitted. Incentive applications will not be accepted after December 31, 2025, but incentives that have been approved by municipal Council through an agreement, will continue to be paid after December 31, 2025, subject to the availability of funding approved by Council. All grant payments will cease:

- a) when total grant payments provided under this program equal the total value of rehabilitation work done under the eligible program costs (section 4.4.3 h) that resulted in the increased assessed value; or
- b) ten (10) years after the municipal Council approval of the initial agreement related to the project unless Council approves a phasing strategy (section 4.4.1.2); whichever comes first.

##### **4.4.1.1 Transition Policy**

If a TIFP application has been submitted to the City and is deemed to be a complete application by February 29, 2016, the former grant payment of 80% over 10 years of the increase in municipal taxes shall apply. If requisite information has not been submitted in order to deem an application complete by February 29, 2016, then the application shall be considered under the 2016 CIP. New applications received in December 2015 shall not be considered under this transition policy.

##### **4.4.1.2 Phasing**

Larger projects can be very difficult to manage as a whole and should be broken down to manageable portions to allow for proper administration of the TIF program. Lands considered in one phase cannot be included in a subsequent phase. The applicant may negotiate the approval of up to three (3) phases of a project to commence not later than three (3) years per phase after Council approval of the initial agreement. The 'trigger date' for any phase shall not exceed 6 years from the TIF commencement year. The 'trigger date' means the date a phase is deemed to commence. For example, the TIF commencement year is the year the initial agreement is entered into. The applicant may negotiate with the City to consider a trigger date for phase 1 up to 3 years from the TIF commencement year and up to 3 years for the second phase from the phase 1 trigger date. Any additional phases will have been deemed to commence no later than 6 years from the TIF commencement year. If it is a 3 phase project, the applicant could negotiate a 2 year trigger date per phase as this falls within the maximum.

#### **4.4.2 Grant Calculation**

The TIFP may provide a maximum grant of the increase in the municipal portion of municipal property taxes as follows: 80% of the increase in City taxes in Years 1-5, 60% in Years 6 and 7, 40% in Year 8, and 20% in Years 9 and 10. The municipality will direct the equivalent of the remaining percentage of the increased municipality property taxes to support the levy.

The amount of municipal taxes ("base rate") will be determined at the time the TIFP Application is submitted. The increase in the municipal portion of the property taxes (or "municipal tax increment") will be calculated as the difference between the base rate and the amount of municipal property taxes levied as a result of the re-valuation by the Municipal Property Assessment Corporation (MPAC) following project completion. This program does not exempt the Applicant or any other property owner from increase in municipal taxes due to municipal tax rate changes, or relating to Provincial legislation, or from changes in assessment for any other reason. The amount of each payment of the TIF is subject to reduction in the event the City, in its discretion, determines that the Tax Increment subsequently has decreased, and where, in any current or previous taxation year, there is a decrease in the Tax Increment, the TIF will be adjusted accordingly. In the event of an over payment, the City will recover these costs through reductions of future TIFP payments or directly from the applicant in the case where there are no future TIFP payments.

"TIF Commencement Year" means the taxation year of the City which shall commence in the same year as the Agreement is approved by the City's Council.

Where an MPAC assessment is effective part way through the year after project completion, the City shall calculate the actual taxes for the TIF payment. An amendment to the TIF agreement schedule of payments may be made administratively which will reflect the supplemental assessment and need not be approved by Council. Should the assessed value increase over time, the City will not recalculate the TIF payment due to increased assessment.

Properties participating in the incentive program that are cleared or partially cleared of structures after the date of the program start, and left undeveloped prior to participating in the program, shall have as a starting point for the program or base rate equivalent to the amount of municipal property taxes levied as of the day prior to any clearances.

This program does not exempt property owners from increases/decreases in municipal taxes due to municipal tax rate changes, or relating to Provincial legislation, or from changes in assessment for any other reason.

The actual component costs of the work done, as identified under eligible program costs in section 4.4.3 h) will be supplied to the municipality upon completion of the project. Payment of the incentive will be based on the municipality's review and satisfaction with all reports and documentation submitted outlining the full scope and cost of the work completed.

If during the course of the work, the scope of the work changes, or actual costs are greater or lesser than estimated costs, the municipality reserves the right to increase or decrease the total amount of the incentive. The actual incentive amount will be based on the actual increase in the municipal portion of the property taxes calculated on the difference between the base rate and the municipal property taxes based on the new assessed value by the MPAC following project completion.

The municipality may discontinue the TIFP at any time. However, participants in the program prior to its closing will continue to receive the approved incentives as determined through the TIFP Agreement with the municipality. Subject to the applicant's request, payments under the TIFP will be determined once at the end of each year or early into the next year after final tax bills have been issued as discussed in this plan.

#### **4.4.3 Incentive Program General Provisions**

All owners of properties within the Community Improvement Project Areas are eligible to apply for funding under this incentive program, subject to the general program requirements of the TIFP, the availability of funding as approved by Council of the municipality and the following requirements, namely:

- a) applications shall be designed to reflect municipal policies, Urban Design Guidelines and must consider any Heritage resources to qualify under the TIFP. The application will be evaluated based on but not limited to municipal policies, Urban Design and Heritage resources.
- b) none of the financial programs of the TIFP will be offered retroactively for redevelopment activities undertaken or costs incurred prior to the approval of this CIP unless an agreement under the former CIP is in place or unless an application has been in process prior to the approval of this plan and has not been dormant for over 6 months;
- c) any property owner wishing to be considered for a grant under this program must complete and submit an TIFP Application form to the municipality prior to the commencement of any works and prior to any application for building permit and/or demolition permit(s);
- d) as a condition of the grant application, the municipality may require the applicant to submit a Business Plan acceptable to the municipality;
- e) applications for this program must include detailed work plans and cost

- estimates supported by Phase II ESA and/or a risk assessments. Written invoices from contractors and other professionals must be provided for all other eligible works;
- f) the property owner will be responsible for the entire costs of the rehabilitation project. When the project is complete, an incentive will be paid annually following the payment of all taxes by the owner;
  - g) if the redevelopment does not result in residential intensification or increased commercial floor area and an increase in assessment there will be no grant;
  - h) eligible program costs contemplated by e) above include the costs of:
    - i) environmental studies;
    - ii) environmental remediation;
    - iii) removal of debris including processed piping and general improvements for structural safety purposes to meet the minimum requirements of the *Ontario Building Code*;
    - iv) site preparation including construction/improvement of on-site public works, e.g., water services, private sanitary and storm drains and/or private sewers, hydro, gas, and communication services;
    - v) demolition of all buildings and structures, together with removal and disposal of all material and debris;
    - vi) any streetscaping, landscaping, enhancement and any aesthetic beautification as may be required; and
    - vii) actual costs may include all legal fees, consulting fees and financing costs as they relate only to specific eligible costs identified above.
  - i) the municipality will receive a copy of all expenditures made by the proponent for the redevelopment of the proposed site(s). Each of the expenditures must be included as an eligible program cost and meet the eligibility criteria and requirements of this CIP before an incentive is approved;
  - j) once the above exercise has been completed the municipality will have the right to request an independent audit of these expenditures to ensure that these costs are actual costs, at the expense of the property owner;
  - k) all approved property owners in the program will be required to enter into a TIFP Agreement with the municipality which will specify the terms of the incentive. All Applications and Agreements must be approved by municipal Council;
  - l) the subject property shall not be in a position of tax arrears prior to the disbursement of any grant money, but may permit partial disbursement of incentive money within a Phase or property; notwithstanding if a property is in a position of tax arrears. For greater certainty, if a property has been subdivided and one or more of the properties is in tax arrears, payment shall only apply to those properties that have paid the taxes in full. Should the outstanding

- property taxes be paid in full no later than the first Monday of November the following year, the City may consider paying the TIF retroactively for the previous year;
- m) if a building(s) erected on a property participating in this program is demolished or ceases to exist before the grant period expires, the remainder of the monies to be paid out under the incentive shall be forfeited and any previous monies paid out may be forfeited and repayable to the City;
  - n) proposed developments will conform to all legislation and regulations, and Ministry of the Environment guidelines and approvals;
  - o) outstanding work orders and/or orders or requests to comply from the other commenting departments and agencies must be satisfactorily addressed prior to grant approval;
  - p) if the property is sold, in whole or in part, before the original grant period lapses, the subsequent owner may be entitled to future remaining grant payments under the original TIFP Agreement subject to written consent between the original owner and the subsequent owner. Appropriate wording to this effect shall be included in an agreement;
  - q) prior to any monies being paid by the City, the applicant shall submit a spreadsheet listing all paid invoices, proof of payment for each invoice, a copy of the invoice, a copy of the paid invoice and any other documentation that clearly identifies that the projects eligible expenses under the TIFP are actual costs and payment of the eligible expenses has occurred. The City may require the applicant to prepare an audited statement which documents and proves payment of all eligible expenses under the TIFP.
  - r) if the applicant does not submit to the Municipality the items required under 4.4.3 q) above, to confirm actual eligible costs within one (1) year of project completion, the municipality may terminate the TIFP agreement and no TIF payments shall be provided.

#### **4.4.4 Program Administration**

The municipal Council will ensure the review, evaluation and decisions on applications under the TIFP meet the intent of the CIP.

As early as possible in the development approvals process, but prior to application for demolition permit and/or building permit, a property owner may register its intent to participate in the grant program by filing a TIFP application with the municipality for its consideration. The application must contain all the requisite information including an MPAC assessment of the future assessed value of the lands which presumes project completion and all project estimates of eligible expenses related to the project. Where an application is approved by municipal Council, the municipality will negotiate a TIFP Agreement with the applicant which will specify the terms of the

incentive, such as the total amount of the incentive, the duration of the incentive, entitlement to the incentive should the property be sold, the owner's obligations should the owner default on the Agreement, and any other requirements specified by the municipality. All TIFP Agreements must be approved by municipal Council.

Prior to the issuance of incentive cheques the municipality will verify that all requirements of the incentive program to date have been met.

### **5.0 Implementation**

The programs which may be established under this CIP will be implemented over ten years unless otherwise stated. It is intended that plan implementation may commence with approval of this plan by the Thorold City Council.

### **6.0 Future Intentions**

The municipality may consider property acquisitions, investment and involvement in public/private partnerships to cleanup, develop or redevelop properties in other areas of the municipality. Future programs may be funded by the municipality as a result of redevelopment of the subject lands and other monies as allocated by Council. The municipality may make funds available to develop or redevelop properties that it already owns, purchase and develop or redevelop key strategic parcels, or participate in public/private partnerships to cleanup and redevelop publicly or privately held land in other areas designated in the future.

Council will conduct periodic reviews of the programs and municipal activities relating to community improvement to determine their effectiveness.

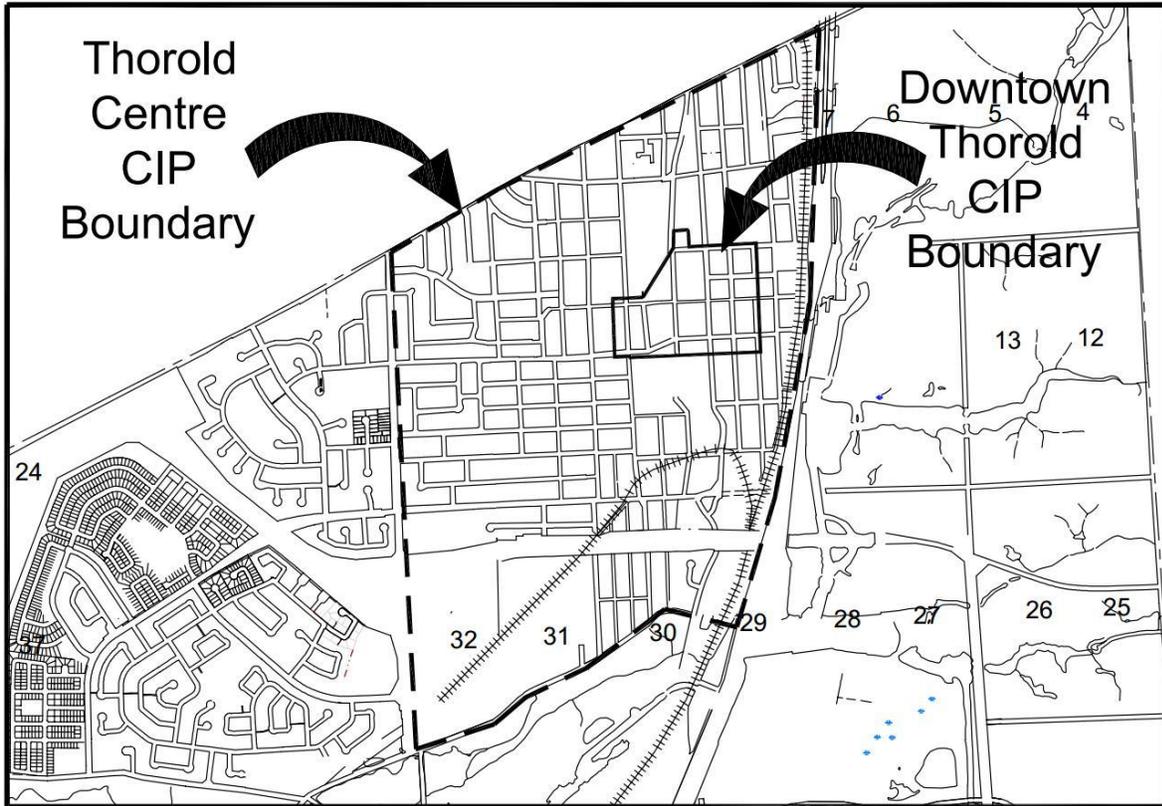
### **7.0 Amendments to the Program**

Based on the reviews noted above, the municipality may adjust the terms of the programs, or discontinue any of the programs in this Plan, without amendment to this plan.

Any new programs or changes to programs that results in increased value of incentives or a change to a Community Improvement Project Area boundary will require an amendment to the Plan and approval by the Thorold City Council along with a request to the upper-tier municipality.

Planning and Building Services Department will monitor the participation in the TIFP and report annually to Council regarding Program performance. Based on the information obtained through this process, the City may periodically review and adjust the terms and requirements of the Program, or discontinue any of the components described in this CIP, without amendment to the CIP.

**SCHEDULE 'A'**  
**COMMUNITY IMPROVEMENT PROJECT AREAS**



**Schedule 'A'**

## APPENDIX 'A'

### SMART GROWTH PRINCIPLES

1. Create a **mix of land uses** - a mix of jobs, stores and homes make life more convenient
2. Promote **compact built form** - this contributes to a sense of community as neighbours get to know each other, not just cars
3. Offer a **range of housing** opportunities and choices - not everyone wants or needs the same thing
4. Produce **walkable neighbourhoods** and communities - gets people out of cars and reduces gridlock
5. Foster **attractive communities** and a sense of place - each community has unique features worth preserving
6. **Preserve farmland and natural resources** - people understand and appreciate their connection to nature and the land
7. **Direct development** into existing communities - take advantage of existing community assets
8. Provide a variety of **transportation choices** - people need another way to get where they're going
9. Make development predictable and **cost effective** - obstacles to implementing Smart Growth should be removed, and
10. Encourage community **stakeholders collaboration** - plans developed with strong community involvement tend to get implemented

## **APPENDIX 'B'**

### **URBAN DESIGN GUIDELINES**

The following are urban design guidelines extracted in part from the Regional Niagara April 2005 Model Urban Design Guidelines. The following Guidelines are structured using the Region's Smart Growth Principles followed by the respective implications:

#### **1. Create a mix of land uses**

- interfaces between potentially incompatible densities and land uses are addressed;
- low rise, single use neighbourhoods are balanced by a mix of single and multiple housing forms;
- mixed land uses provide greater live-work opportunities, minimize commuting and promoting neighbourhoods as complete 'villages' in close proximity to local services, schools, parks and public transit;
- a mixture of building forms and types contributes to a more vital, attractive neighbourhood character.

#### **2. Compact building design**

- compact built form is accommodated within a range of development types including low rise, mid and higher rise built form;
- housing and commercial buildings can occupy smaller lots, reducing land and servicing requirements;
- innovative design solutions make use of odd shaped lots or less desirable sites such as greyfield and brownfield sites;
- higher density buildings can be placed in close proximity to parks and institutional buildings, e.g. schools, recreational centres;
- higher density building forms may require large amounts of parking that should be well designed and environmentally sustainable.

#### **3. Create a range of housing opportunities and choices;**

- different housing forms are designed with appropriate massing and height transitions to reduce shadow, microclimate and privacy impacts;
- townhouses and apartments are designed as attractive, high quality buildings;
- garages are designed to minimize their presence in the overall built form;
- mixed-use buildings can include retail at grade with offices and/or apartments above;
- second suites, including apartments above garages provide additional housing options.

#### **4. Create walkable neighbourhoods**

- all roads are designed to support transit and pedestrian activity through villages, towns and city neighbourhoods;
- all streetscape design including new and retrofit conditions accommodate sidewalks on at least one side of the street, as a minimum, and regularly spaced street trees;
- buildings have minimum, regularly spaced setbacks to aid in the comfort and safety of the streetscape realm;
- streetscape design includes access to dedicated off or on-road cycling lanes and trail connections where appropriate;
- primary intersections in mixed use and commercial areas include pedestrian walkways and crosswalks marked with feature paving.

#### **5. Foster distinctive, attractive communities with a strong sense of place**

- streetscape and building design are developed as the primary framework of the public realm;
- heritage preservation and architectural guidelines address detailed recommendations for the preservation and extension of valuable existing building fabric;
- opportunities for infill and conversion respect the original community fabric;
- opportunities to provide visual and physical connections to parks and natural features are a priority in the design of the community framework.

#### **6. Preserve open space, farmland, natural beauty, and critical environmental areas**

- new development is designed to maximize land use efficiency in order to reduce the need to develop farmland;
- interfaces between developed areas and farmland or open space are designed to maintain views and access, but minimize infringement on sensitive areas;
- opportunities to integrate sustainable design in order to minimize energy consumption and environmental impact are actively pursued.

#### **7. Direct development towards existing communities**

- concerns regarding infilling in existing built areas are addressed through guidelines and secondary plans;

- guidelines assist in assuring that new buildings fit in the existing fabric and contribute to the creation of walkable, visual attractive vibrant neighbourhoods;
- the infilling and redevelopment of greyfields is specifically addressed.

## **8 Provide a variety of transportation choices**

- road cross-section and block patterns are designed to accommodate existing and future transit services;
- all guidelines that assist in the creation of walkable neighbourhoods can also contribute to enhancing the viability of transit by making trips to and from stops more comfortable and convenient;
- multi-use trails, paths and storage facilities are implemented to encourage cycling.

## **9 Make development decisions predictable, fair and cost effective**

- design guidelines are clear and objective;
- guidelines specifically address alternative designs that result in long-term cost savings for municipalities and private landowners.

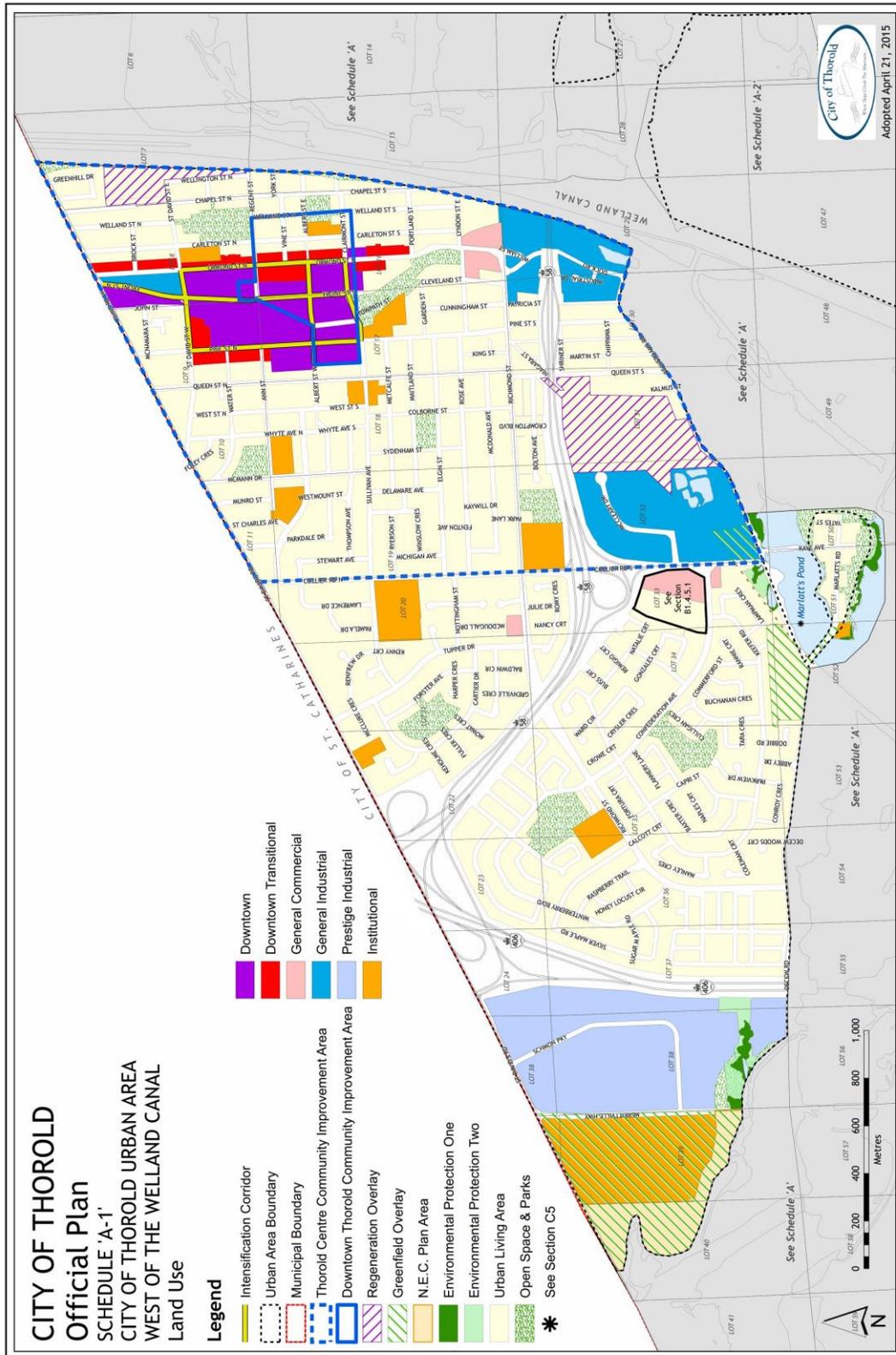
## **10 Encourage community and stakeholder collaboration in development decisions**

- guideline documents evolve over time through experience and feedback from community stakeholders;
- community workshops are held at the level of the neighbourhood or site, for example in the creation of the secondary plans.

### **NOTE:**

For complete details please refer to the April 2005 Niagara Regional Model Urban Design Guidelines available at the Niagara Region.

# APPENDIX 'C' LAND USE MAP



## **APPENDIX ‘D’ OFFICIAL PLAN POLICIES**

### **E1.7 COMMUNITY IMPROVEMENT**

The following policies are intended to provide a basis and mechanism for Council or Council to utilize the provisions of Section 28 of the Planning Act to encourage the development, redevelopment, revitalization and renewal of specific areas in the City.

Council may undertake Community Improvement Plans (CIP) in order to implement the policies of this Plan as municipal finances and other sources of funding permit. Wherever possible Council will seek funding from senior government sources and other partnerships to assist in community improvement programs after clarifying what components of improvement plans will be eligible for Community Improvement grants and loans as prescribed by Section 28(7) and Section 32 of the Planning Act. Through a Community Improvement Plan the municipality may also register agreements relating to grants and loans issued to fulfil CIP objectives.

#### **E1.7.1 Definition and Identification**

- a) Community improvement is generally defined as encompassing all those activities, both public and private, which maintain, rehabilitate and redevelop the existing physical environment to accommodate the social and economic priorities of the City of Thorold, within the context of the requirements of the Planning Act.
- b) Community improvement project areas are designated in compliance with the provisions of the Planning Act and are intended to identify areas in which Community Improvement Plans may be undertaken.
- c) The following areas are designated as community improvement project areas.
  - The Thorold Urban Areas as shown in Schedules A1, A2, and A3; and,
  - The Rural Settlement Area as shown on Schedule A4.

Specific Community Improvement Areas may be defined by by-law and Community Improvement Plans may be prepared for all or a portion of the defined areas.

#### **E1.7.2 Community Improvement Goals**

Individual CIP's will contain goals specific to the improvement area, but in a general sense, the following goals will apply:

- a) To encourage the preservation and restoration of buildings with cultural heritage significance;
- b) To encourage private investment;

- c) To develop a more attractive, safe and efficient community for existing and future residents;
- d) To provide for the continued social and economic development of the City of Thorold;
- e) To provide an environment that is attractive to new investment in the City of Thorold; and,
- f) To encourage the ongoing maintenance, rehabilitation, redevelopment, upgrading and improvement of external public and private space.

### **E1.7.3 Criteria for Delineating Community Improvement Project Areas**

Areas identified as Community Improvement Project Areas shall be determined according to the following criteria:

- a) Areas that show deficiencies in public services including:
  - i) Deficiencies in sewer and water services;
  - ii) Deficiencies in storm drainage;
  - iii) Deficiencies in roads, sidewalks, street-lighting, and fire hydrants;
  - iv) Desired streetscape improvements – boulevard conditions;
  - v) Streetscape definition; and,
  - vi) Impediments to pedestrian movement.
- b) Areas that are deficient in social or recreational services including:
  - i) Lack of recreational facilities, including parks, open space and public facilities, playgrounds;
  - ii) Under-utilized public recreational facilities;
  - iii) Architectural or historical significance of sites/areas;
  - iv) Lack of a range of housing types; and,
  - v) Opportunities for identifying a character of the community.
- c) Contaminated lands or brownfields which remain undeveloped but which could provide significant opportunity for infill and intensification;
- d) Areas that may be characterized as inefficient or underutilized from an urban development perspective and may be suited to intensification or redevelopment in accordance with the policies of this Plan;
- e) Land, building and structures which possess barriers to accessibility and active forms of transportation;

- f) Areas that exhibit any of the following features:
  - i) Presence of conflicting/encroaching land use;
  - ii) General aesthetics of the use/area;
  - iii) Availability and suitability of parking facilities;
  - iv) Under utilization of land, blocks; and,
  - v) Building condition; need for upgrading to meet current standards – availability of land and areas for reasonable expansion of uses in the area.

#### **E1.7.4 Potential Incentives and Implementation Methods**

##### **E1.7.4.1 Participation in Government or Agency Funding Programs**

There are many programs which have been established by upper levels of Government which can assist in achieving the City's Community Improvement goals. These include grant or loan programs, geared both to the private and public sectors. Where recommended through a CIP process, Council supports the use of local grant or loan programs to support CIP objectives, provided such funding is available.

While some programs are tailored to specific types of improvements, others are of general application or apply to a specific type of use. While these programs generally reflect the Provincial or Federal Governments' perception of priorities, they can still be used to the advantage of the City when its priorities match those of the program.

##### **E1.7.4.2 Use of Full Range of Legislative Authority**

The Municipality may be able to take advantage of powers given to it through a multitude of Provincial statutes. The full use of the Planning Act, Municipal Act, Heritage Act, Ontario Water Resources Act, and many others can all be used to further the City's objectives.

##### **E1.7.4.3 Acquisition**

In designated Community Improvement Areas, the City may acquire, assemble, clear and dispose of lands for purposes which conform to the intent of the Community Improvement Plan. This is a very powerful tool which permits the City to become involved and assist in encouraging redevelopment where private investment may not initially have been interested. This tool is also beneficial in acquiring lands that are incompatible with surrounding land uses, and that may be better located elsewhere in the community.

#### **E1.7.4.4 Capital Budgets**

The ten-year capital budget allows the City to forecast its needs and priorities over a ten year period. This provides an opportunity to co-ordinate projects and to allocate funds to projects that can provide for optimum improvement of the Community. It provides as well the opportunity for more efficient use of public funds in the urban environment.

#### **E1.7.4.5 Modification of Zoning Regulations**

In particular areas, zoning provisions can be used to develop a character, to encourage private infill development that would add to the tax base of the community while protecting and improving the existing development. Temporary Use By-laws, provisions for Holding By-laws and bonusing provisions can all be used to achieve stated objectives.

#### **E1.7.4.6 Site Plan Control/Development Permits**

Site plan control and/or Development Permits can be an effective tool in encouraging and requiring private development to meet certain municipal objectives (e.g. streetscape improvements, better property access, naturalization, etc.).

#### **E1.7.4.7 Community Groups**

Working with community groups may provide a variety of means of expanding and maintaining a range of public facilities, such as affordable housing or housing geared to seniors.

#### **E1.7.4.8 Heritage Committee**

The local Heritage Committee can play an active role in defining a character in which redevelopment activities occur. With the advice of the Committee, Council may identify sites and areas that may be redeveloped with a particular emphasis on heritage preservation in the Community.

### **E1.7.5 The Gateway Economic Centre Community Improvement Plan (GCIP)**

#### **E1.7.5.1 Authority and Lands Subject to the GCIP**

The Growth Plan for the Greater Golden Horseshoe identified the Gateway Economic Centre in Niagara Region as a Provincially significant corridor of employment land and transportation infrastructure focussed on Highway 406 and the Welland Canal. In light of this Provincial designation, the Region adopted Regional Policy Plan Amendment RPPA 1-2012. The purpose of this Amendment is to establish community improvement policies to encourage investment focussed on employment lands. The GCIP applies to all designated employment lands in the City of Thorold.

### **E1.7.5.2 Incentive Programs**

The following incentive programs have been established in conjunction with the GCIP:

- a) Tax Increment-Financing Program; and,
- b) Development Charge Grant Program.

The City may at its discretion, establish a site-specific CIP for an employment area within the Gateway CIP area, for the purpose of establishing grant or incentive programs.

### **E1.7.5.3 Administration**

The City of Thorold will partner with the Region to administer the GCIP in accordance with RPPA 1-2012 and its related program requirements. Where funding and/or resources are available, the City will support and promote the GCIP through strategic investment in infrastructure as well as marketing monitoring and stakeholder consultation.