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The Ministry of Municipal Affairs and Housing has developed this handbook to help municipalities with their community improvement policies and plans. It is intended for use as a guide. Municipalities are responsible for making local decisions, including compliance with any applicable statutes or regulations. For these reasons, the information in this handbook should not be relied upon as a substitute for specialized legal or professional advice in connection with any particular matter. We recommend that municipalities obtain independent legal or professional advice when they develop or evaluate their own planning or incentive-based programs. While every effort has been made to ensure the accuracy of the information in this handbook, the ministry does not accept legal responsibility for the contents of the handbook or for any consequences, including direct or indirect liability, arising from its use.

The user is responsible for any use or application of information contained in this handbook.

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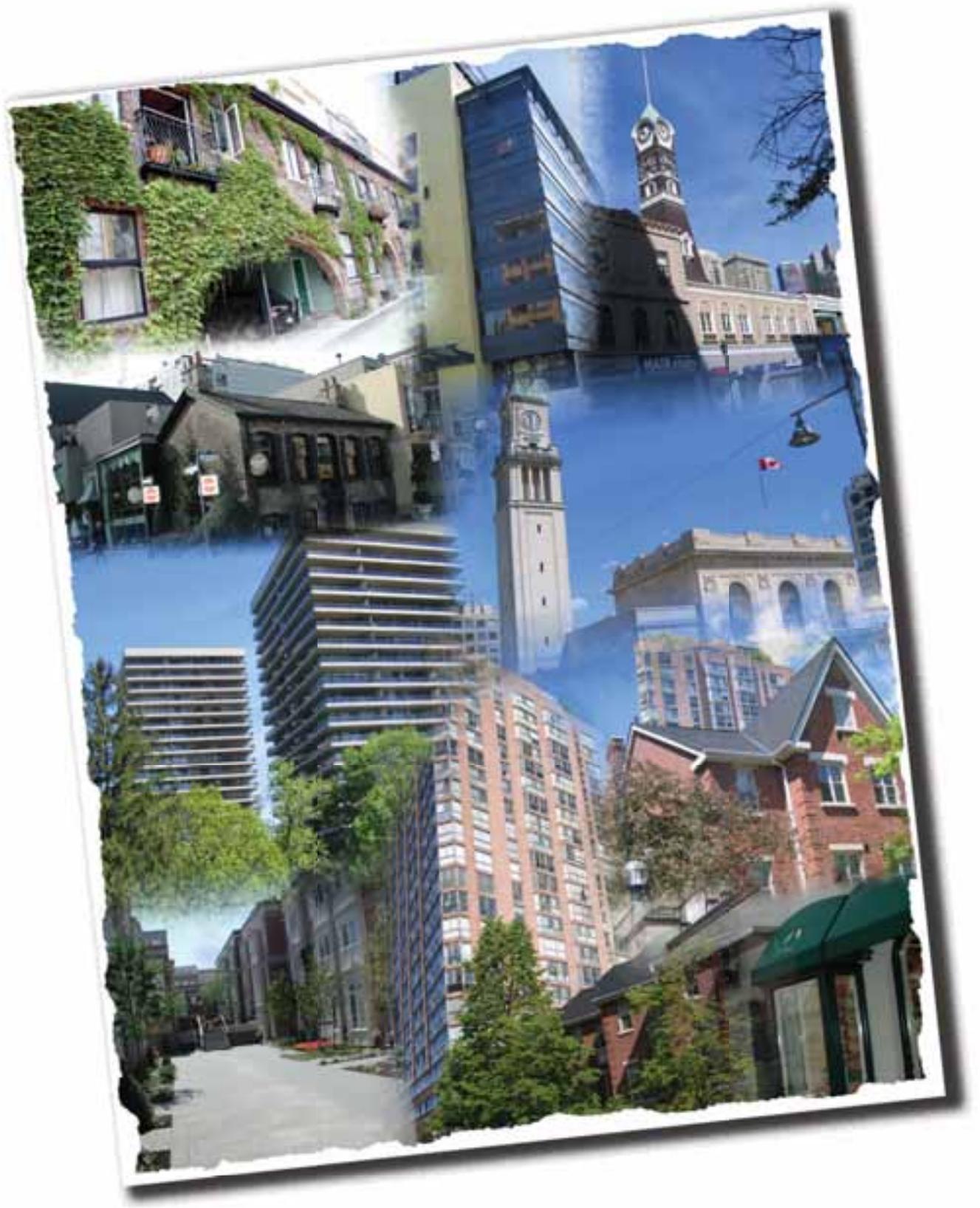
June 2006

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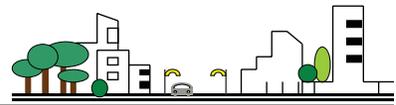
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Liveable Communities



Introduction

Ontario's economy continues to be shaped by global economic trends. Over the past several decades there have been shifts from traditional manufacturing to knowledge, service and creative-based economies. Where manufacturing continues, reinvestment is needed to adapt, retrofit or construct new buildings to make them suitable for employment uses typical to new economies. In other places, municipalities need to move from single industry and resource dependency to a more diversified economic base.

Did You Know...

In 1871, only 20 per cent of Canadians lived in urban areas. By the 1920s, the urban population was surpassing the rural population. Today, about 80 percent of Canada's population is located in urban centres. Ontario has a similar urbanization pattern.

From south to north, Ontario has evolved into an urbanized province composed of small, medium and large centres. Within this context, there is a great deal of diversity in population profiles. Southern Ontario is experiencing relatively high growth pressures and accompanying demands for housing, social and cultural services, improved transportation networks, and other public services. Northern Ontario is experiencing rural to urban migration, outward migration and population stagnation. Faced with these challenges, northern municipalities must find ways to adequately service their population in order to retain and attract residents and business investment.

Fiscal, economic and population-based pressures differ from south to north, region to region and municipality to municipality. Common to all is the need to build, reinforce or reshape their engines of growth to achieve well-planned and economically sound communities over the long term.

From a land use and planning perspective, many believe that more can be done to ensure that development contributes to improving the liveability of communities. Strategies involving car-dependent, single-use, low-density development spreading far from core areas are being reassessed as these patterns of growth and development and their negative impacts are not socially, economically or environmentally sustainable.

To increase the benefits from development, municipalities are using community improvement planning as one means of planning and financing development activities that effectively use, reuse and restore lands, buildings and infrastructure. The objective is to continually invigorate communities through the realization of environmental, social, cultural and economic benefits achieved from more sustainable growth management and development practices. It is this self-rejuvenating foundation that allows municipalities to decide how they wish to position themselves within a fluid and highly competitive global marketplace.

“Repair and rejuvenation of existing places is the highest form of sprawl containment.”

Cities Back From The Edge
R. Gratz and Norman Mintz
Preservation Press, 1998, p. 109

Chapter 1 - A Community Improvement Plan Approach

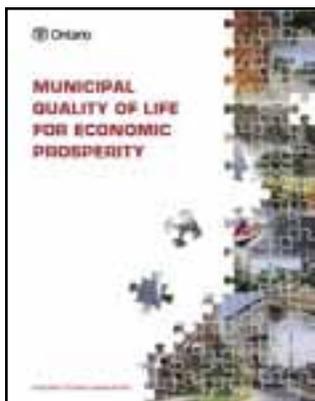
This handbook is intended to inform and assist municipalities and others interested in community improvement planning under section 28 of the *Planning Act*.

Chapter 1 sets out the reasons why municipalities may wish to use the community improvement planning approach and the many ways in which current plans are being applied. Chapter 2 provides the legislative basis for community improvement planning. Chapters 3 and 4 contain a minimum approach to developing and structuring community improvement plans, while Chapter 5 relates to property tax assistance under the Ministry of Finance’s Brownfields Financial Tax Incentive Program.

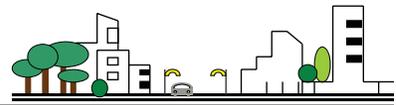
Reasons for Community Improvement Planning

Community improvement planning and activities are shaped by local needs, priorities and circumstances. Municipal council may determine that improvement within a designated community improvement project area may be desirable because of “age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason”, as set out in subsection 28(1) of the *Planning Act*.

Whether the reasons are physical, social, economic or environmental, a community improvement approach is a flexible, comprehensive, co-ordinated and strategic framework for dealing with lands and buildings. Through community improvement plans municipalities can:



- focus public attention on local priorities and municipal initiatives
- target areas in transition or in need of repair, rehabilitation and redevelopment
- facilitate and encourage community change in a co-ordinated manner
- stimulate private sector investment through municipal incentive-based programs



Community Improvement Plan Objectives

Over the years, community improvement plans have been used for a broad array of priorities aimed at rehabilitating and revitalizing targeted areas. Project areas range from specific properties to streets, neighbourhoods and entire communities, while program coverage can span a wide spectrum of municipal objectives including, but not limited to:

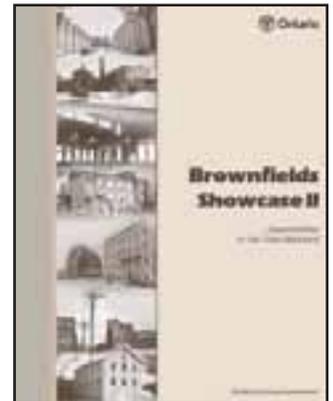
Municipally Driven Programs

- infrastructure works
- municipal property acquisition, land assembly and sale of lands
- municipal facilities construction and rehabilitation
- public space, parks and recreation works
- signage, streetscape and landscaping improvements

Incentive-Based Programs

(grant, loan and property tax assistance)

- preservation and adaptive reuse of heritage and industrial buildings
- brownfields environmental assessment, remediation and redevelopment
- commercial building façade improvements
- downtown/core area and waterfront revitalization
- project feasibility studies
- space conversion for residential and commercial uses
- structural improvements to buildings (e.g., building code upgrades)
- property tax assistance for remediation purposes



Many of these programs support sustainable planning principles relating to more compact land uses, intensification, mixed uses, proximity of residential uses to employment areas, restoration and reuse of vacant or underused buildings, reclamation of contaminated lands, and strategies that integrate and link built form with open spaces.

Common to all these programs is the alteration of the physical landscape of communities so that, in the medium and long term, public benefits can be achieved that result in more socially cohesive, environmentally friendly and economically sound communities. In short, municipalities are finding ways of becoming more sustainable through the use of community improvement plans.

To direct and stimulate private sector investment, incentive-based programs can involve:

- **grants, loans and land** under section 28 of the *Planning Act*, and
- the **Brownfields Financial Tax Incentive Program (BFTIP)** under section 365.1 of the *Municipal Act, 2001*

Who Can Develop Community Improvement Plans?

Single and lower-tier municipalities may designate community improvement project areas by bylaw and develop and adopt community improvement plans, provided their official plans contain related community improvement provisions.

Who Approves Community Improvement Plans?

Where community improvement plans do not include financial assistance or land related programs, municipal council can adopt the plan and provide notice of its decision. After the 20 day appeal period has expired, with no appeal to the Ontario Municipal Board, the plan comes into effect (Appendix A).

Tip

To facilitate your community improvement plan process, contact your local Ministry of Municipal Affairs and Housing **Municipal Services Office** early in the process to obtain

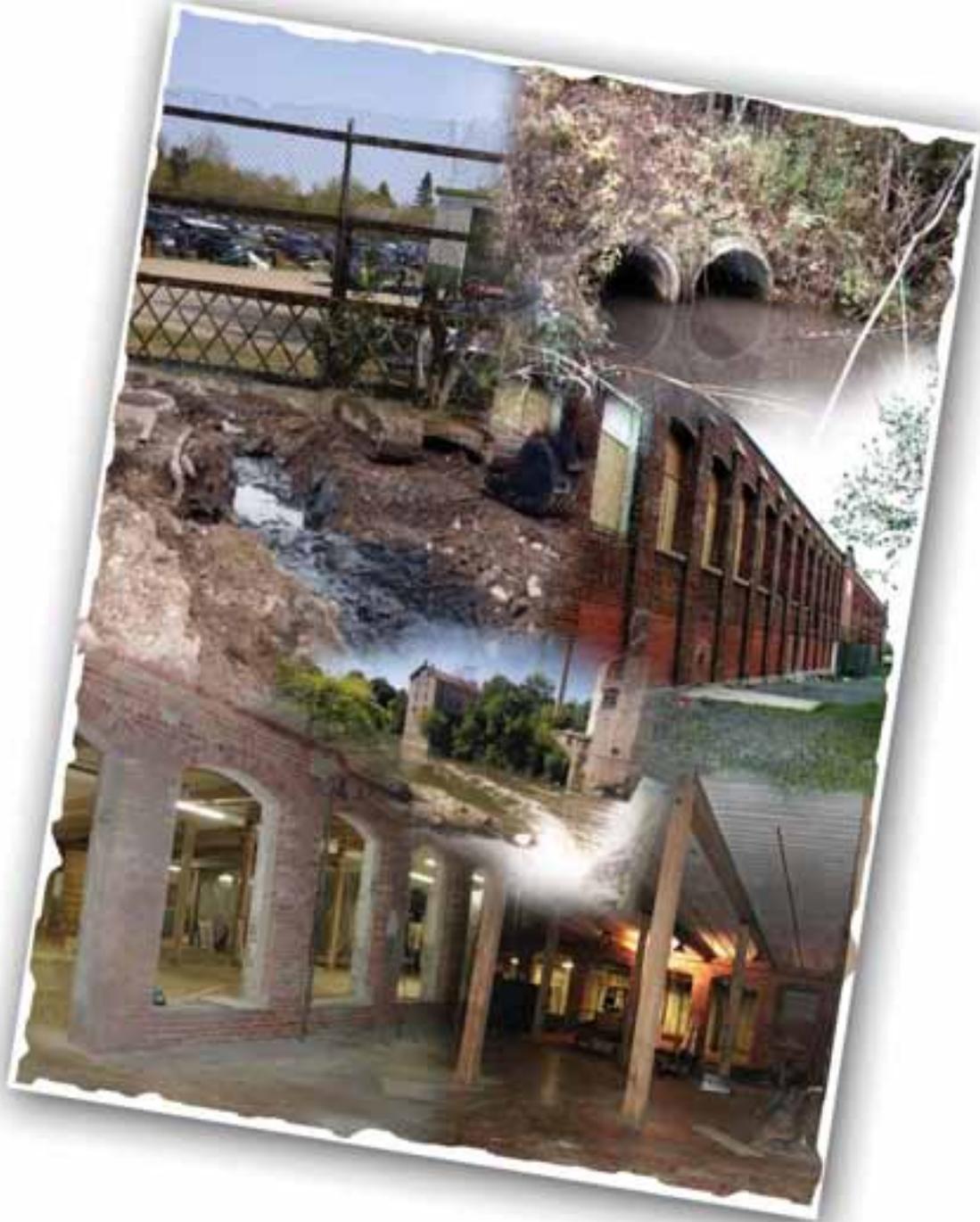
- › a staff contact
- › early advice and information
- › guidance on municipal best practices

Where community improvement plans contain financial assistance or land related programs, approval must be obtained from the Minister of Municipal Affairs and Housing. Once municipal council adopts a community improvement plan, a record is forwarded to the Ministry of Municipal Affairs and Housing within 15 days for review and decision. The Ministry may approve, modify or refuse to approve the adopted plan. Once a decision is made and notice has been given, and after the 20 day appeal period has expired with no appeal to the Ontario Municipal Board, the plan comes into effect (Appendix B).

The Importance of Public Involvement

Public involvement is critical for building consensus and garnering community support. It is particularly important where strategies are being formulated to change physical characteristics and patterns of land use through intensification, increased densities and redevelopment.

In addition to the legislative requirements in subsection 28(4.1) and (4.2) of the *Planning Act*, local municipalities may choose to hold additional public engagements to ensure that proposed changes and actions are reflective of community opinion and goals.



Reclaiming Lands and Buildings

Chapter 2 - The Legislative Context

Community improvement activities are intended to achieve positive change to the existing physical landscape, either through municipally driven or incentive-based programs.

Section 28 of the *Planning Act* and sections 106 and 365.1 of the *Municipal Act, 2001* provide the legislative basis for community improvement planning.



a) Section 28 of the *Planning Act*

The powers available to municipalities for community improvement purposes include:

Tip

For updated versions of Ontario legislation, access the Government of Ontario e-laws web site at www.e-laws.gov.on.ca

- designating by bylaw a specific property, area or entire community as a community improvement project area where the municipality's official plan contains community improvement provisions (ss. 28(2))
- acquiring, holding, clearing, grading or otherwise preparing land for community improvement (ss. 28(3))
- constructing, repairing, rehabilitating or improving buildings on municipal land (clause 28(6)(a))
- selling, leasing or otherwise disposing of municipal land (clause 28(6)(b))
- providing grants or loans to owners, tenants and their assignees (ss. 28(7))
- providing property tax assistance for environmental remediation purposes (ss. 28(7.1) and s. 365.1 of the *Municipal Act, 2001*)

b) Section 365.1 of the *Municipal Act, 2001*

To encourage the clean up of contaminated lands, municipalities may provide property tax assistance to eligible properties to offset all or a portion of remediation costs. Municipalities may cancel or defer the municipal portion of property taxes on eligible properties and upon application to, and with the approval of the Ministry of Finance, the province may match the municipal tax treatment with the education portion of the property tax through its **Brownfields Financial Tax Incentive Program (BFTIP)**.

Tip

For more information on land use, environmental protection and financing, access the government of Ontario's one-window Brownfields web site at www.brownfields.ontario.ca

Chapter 5 of this handbook relates to the eligibility requirements for the BFTIP and recent amendments and clarifications to the program.



c) **Section 106 of the *Municipal Act, 2001***

Section 106 is also known as the “prohibition against bonusing” rule. Municipalities are prohibited from directly or indirectly assisting any manufacturing business or other industrial or commercial enterprises through the granting of bonuses. Prohibited actions include:

- giving or lending money or municipal property
- leasing or selling any municipal property at below fair market value
- guaranteeing borrowing
- giving a total or partial exemption from any levy, charge or fee

Despite this prohibition, and with the approval of the Minister of Municipal Affairs and Housing, exceptions are made when exercising community improvement planning powers that relate to land under subsection 28(6), grants or loans under subsections 28(7) and (7.1), and property tax assistance under subsection 28(7.1) of the *Planning Act* and section 365.1 of the *Municipal Act, 2001*.

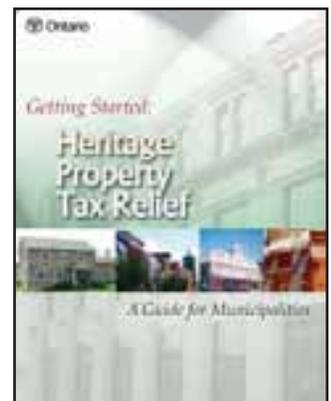
Adding To Your Tool Box

Section 365.2 of the *Municipal Act, 2001*

Heritage Property Relief Program

To encourage good stewardship, maintenance and conservation of locally designated heritage properties, municipalities may pass a bylaw to establish a local **Heritage Property Tax Relief (HPTTR)** program to provide tax relief (10 to 40 per cent) to owners of eligible heritage properties, subject to an agreement to protect the heritage features of their property. The province shares in the cost of the program by funding the education portion of the property tax relief. Municipalities that adopt the HPTTR program contribute to the program by funding their portion of the tax relief.

For further information see www.culture.gov.on.ca: **Getting Started: Heritage Property Tax Relief, A Guide for Municipalities**



Chapter 3 - A Community Improvement Plan Process

Each municipality has different policies and programs that relate to their history, size, location, population characteristics, financial resources and economic base. Within the context of diverse local needs and opportunities, there are some basic steps that can be followed when developing community improvement plans.

When developing your community improvement plan, consideration should also be given to how the plan is to be structured. Chapter 4 - A Community Improvement Plan Structure - addresses this important component because a well organized and clearly written plan facilitates:

- internal and external understanding and support for community improvement activities and programs
- private sector understanding and participation in incentive-based programs
- program implementation, marketing and monitoring

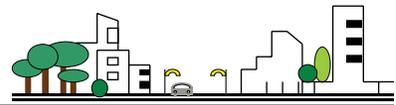
Understanding, support, participation and sound implementation of programs can, in turn, positively affect the public benefit goals articulated in a community improvement plan.



Reuse, Restore, Rebuild

A Three Stage Process:

The following three stage process is intended to guide municipalities through the development of a community improvement plan. The steps within each stage should be adjusted to suit municipal goals and needs. In some instances steps can be combined. In other instances, such as public consultation and reporting, steps may need to be repeated as work progresses and builds upon information previously collected.



STAGE 1

BUILDING YOUR PLAN FOUNDATION ...

- 1a. Identify community needs** based on the *Planning Act* definition of “community improvement” and “community improvement project area”.

Call your local Ministry of Municipal Affairs and Housing Municipal Services Office for a staff contact and for advice and assistance.

- 1b. Build community support** through stakeholder input and feedback. A typical strategy includes:

- identifying matters for consideration
- determining input and feedback methods (e.g., workshops, open houses, design charettes, community meetings, steering committees, task forces, etc.)
- identifying stakeholders to engage in the process (e.g., ratepayers, community and business groups, municipal staff, political representatives, consultants, business representatives, financial institutions, etc.)

- 1c. Report to council** for authorization and direction to prepare a community improvement plan. Basic information includes:

- identified problems
- the reasons why the problems need resolving
- outcomes (public benefits) sought based on the resolution of problems
- a description of the community improvement plan study process
- the proposed boundary of the community improvement project area
- criteria used for project area selection
- the proposed approach (whether work is to be done by municipal staff or by consultants)
- the proposed administration of the study, including departments responsible for preparing the community improvement plan
- a request for authorization to proceed with a Request for Proposal if a consultant is proposed
- project timelines, resources needed and financial/budget implications

STAGE 2

PREPARING YOUR PLAN ...

2a. Analyse and gather data on the physical, economic, social and environmental characteristics of the study area to:

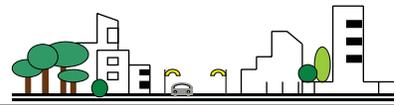
- identify key opportunities and challenges
- consider how these opportunities and challenges can be addressed
- assess the appropriate timing for creating a community improvement plan (e.g., What is the state of the marketplace? How does community improvement planning fit into it?)

2b. Conduct background analysis of planning, land use and other policies and strategies applicable to the study area. This may include a review of relevant documents such as:

- official plan policies
- secondary plans
- zoning bylaws
- community improvement plans in effect
- contaminated lands (brownfields) redevelopment strategies
- environmental studies
- façade and design studies
- heritage conservation district studies and plans
- industrial, commercial and heritage property inventories
- industrial/employment strategies
- neighbourhood revitalization strategies
- servicing strategies
- transportation strategies

Review your official plan to:

- ensure it contains appropriate enabling provisions, including:
 - › the legislative authority for community improvement planning and programs
 - › guiding principles for goals to be achieved (e.g., improving the physical appearance and environmental condition of the community, fostering community pride, attracting business investment and residents, and increasing public transit usage)
 - › specific goals (updated infrastructure, streetscape and open space improvements, contaminated properties clean up and redevelopment, and increasing the affordable housing stock)
 - › enabling policies and criteria for the designation of community improvement project areas
 - › actions that can be taken to implement the community improvement policies in the official plan (e.g., land acquisition and assembly, site plan control for quality and compatibility of development, and financial assistance to stimulate development)



- determine if policies need updating or if new policy direction is needed. Policies should be detailed enough to provide direction yet flexible enough to allow municipalities to broadly plan for community improvement in ways that meet their stated needs. These policies should be in place prior to designating a community improvement project area and adopting a community improvement plan.

2c. Report back to council with recommendations for designating a community improvement project area based on findings. If supported, council may direct staff to prepare a bylaw.

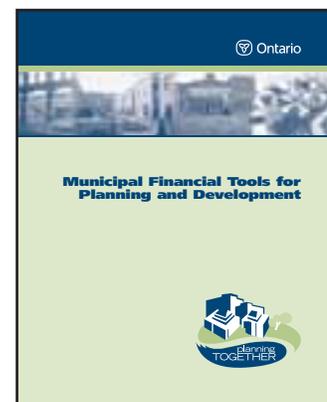
Council must pass the bylaw designating the community improvement project area prior to adopting the community improvement plan.

2d. Draft municipal actions, programs and implementation policies that address identified problems and goals. Using the information gathered from previous steps, develop:

- the rationale for needs
- the goals of the community improvement plan
- a description of project area characteristics
- a description of planning policies applicable to the project area
- a description of community improvement strategies and actions, including:
 - › incentive-based programs
 - › marketing strategies
 - › monitoring policies

2e. Develop detailed implementation policies for each incentive-based program. Building on information gathered, program details may include:

- program goals
- program duration
- eligibility criteria
- terms of incentive
- application requirements
- compliance requirements
- written agreement requirements
- program administration information



Tailor eligibility criteria for each program. Despite program differences, there are common criteria that municipalities incorporate into their programs that include, but are not limited to:

- who may apply for an incentive
- the number of applications permitted (i.e., per year, per property)
- business plan requirements
- eligible rehabilitation costs
- the maximum amount of financial assistance to be made available
- a municipal option for the independent audit of submitted costs at the applicant's expense
- a requirement that property taxes are in good standing
- requirements for supporting documentation (e.g., work plan, budget for remediation or copy of a filed Record of Site Condition acknowledged by the Ministry of the Environment)
- municipal recourse where the terms of the incentive are not met
- conformity requirements with relevant legislation, policies, regulations and any outstanding work orders
- grant or loan agreement requirements

Other Incentive-Based Programs

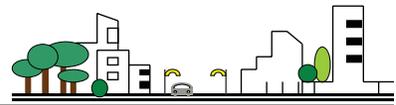
In addition to programs dealing with lands, grants, loans and property tax assistance, municipalities may offer other incentive-based programs such as heritage grants under the *Ontario Heritage Act*, reducing or cancelling fees for planning applications under the *Planning Act*, heritage property tax relief under the *Municipal Act, 2001*, or exempting all or part of a development charge under the *Development Charges Act, 1997*.

If these programs are included in community improvement plans, they should be set out as a separate policy section with the following suggested wording added:

These programs are not section 28 *Planning Act* programs requiring provincial approval, but are intended to augment and support the programs contained in this community improvement plan. The legislative authority for these programs is based on....

2f. Develop marketing policies to promote the uptake of your programs. Political leadership and municipal staff expertise and support are key components for the promotion and success of these programs. Methods vary but some frequently used approaches include:

- website information
- brochures/pamphlets
- information dissemination at conferences and workshops
- real estate marketing forums
- advertising in trade magazines and local newspapers



- updated land inventory information
- partnerships with community groups, local business associations and other levels of government
- a community liaison to raise public awareness

2g. Develop criteria to measure and monitor the effectiveness of your land or financial assistance programs. Measurable criteria relating to program goals may involve increases or decreases. For example:

Increases In

- employment (full and part time)
- heritage property conservation
- housing units (including affordable housing) in transit-served areas
- property tax revenues through land use intensification
- parks and other community facilities
- retail uses in core areas
- public transit accessibility and ridership
- contaminated land clean up
- air and water quality
- mixed use (re)development

Decreases In

- neighbourhood crime rate
- commercial and industrial vacancy rates
- retail and commercial bankruptcies
- municipal costs for extension of water, sewer and road services
- number of people on affordable housing waiting lists
- youth out-migration from northern communities
- unemployment within targeted groups (e.g., skilled immigrants and youth)
- daily car trips to meet basic needs

2h. Further stakeholder input may be desirable at this point. In addition, the *Planning Act* requires that the appropriate approval authority be consulted in the preparation of the plan (clause 17(15)(a)).

2i. Develop an Action Plan for the allocation of resources and development of administrative practices and procedures necessary to implement your programs. This detailed workplan should show a breakdown of tasks that includes:

- researching other municipalities for best operational practices
- required staff resources and department responsibilities
- requirements for communicating goals and objectives to assigned staff
- staff training requirements
- resources needed to develop program guidance/procedural material including:

-
- › creation of forms (e.g., program applications) and agreements
 - › screening, reviewing and approval of applications
 - › system for issuing financial assistance payments
 - › marketing approaches
 - › program monitoring procedures
 - › system for regular assessment of service delivery
 - › internal reporting requirements
- requirements for legal advice
 - cost estimates for establishing each program
 - timing for each task

Report your Action Plan to council, including any funding requirements. Identify resource or operational constraints that might inhibit the effective establishment of your programs.

- 2j. Finalize the draft community improvement plan and circulate** it to the appropriate Ministry of Municipal Affairs and Housing Municipal Services Office, and any other interested persons or organizations. Once comments are received from the circulation process, revise the draft plan where appropriate.
- 2k. Schedule and hold a formal public meeting** no earlier than 20 days after the requirements for giving public notice have been completed.
- 2l. Finalize the community improvement plan and forward it to council for adoption** by bylaw, after making necessary revisions based on public input.

Specify funding requirements for council's consideration. Provide all necessary information such as amount, duration, purpose, etc. and request funding commitment for each program. Include any funding requirements associated with the Action Plan in step 2i.

Ideally, funding commitments should be made at the same time or immediately after adoption of the community improvement plan.

- 2m. Forward the adopted community improvement plan within 15 days to the Minister of Municipal Affairs and Housing for a decision.** The Minister may approve, modify or refuse to approve the plan, where programs relating to land, grants, loans and tax assistance are involved.

Once a decision is made and notice is given, and if there are no appeals within 20 days, the decision of the Minister is final.



STAGE 3

IMPLEMENTING YOUR PLAN ...

3a. Put your Action Plan into place including:

- **establishing marketing programs** to raise interest in and stimulate uptake of each program. This is an opportunity for municipal councillors and staff to:
 - › create partnerships within the community, including the business and development sectors
 - › network through workshops and conferences
 - › be an “ambassador” for your community improvement programs
 - › raise community awareness for municipal improvement priorities
 - › identify community-based “champion(s)” to support and promote your programs
- **conducting ongoing screening, reviewing and approval** of applications for financial assistance based on detailed eligibility criteria established in Step 2e. Enter into agreements where required.
- **administering agreements and issuing** financial assistance payments.

3b. Periodically monitor each program based on established performance criteria to determine, among other things:

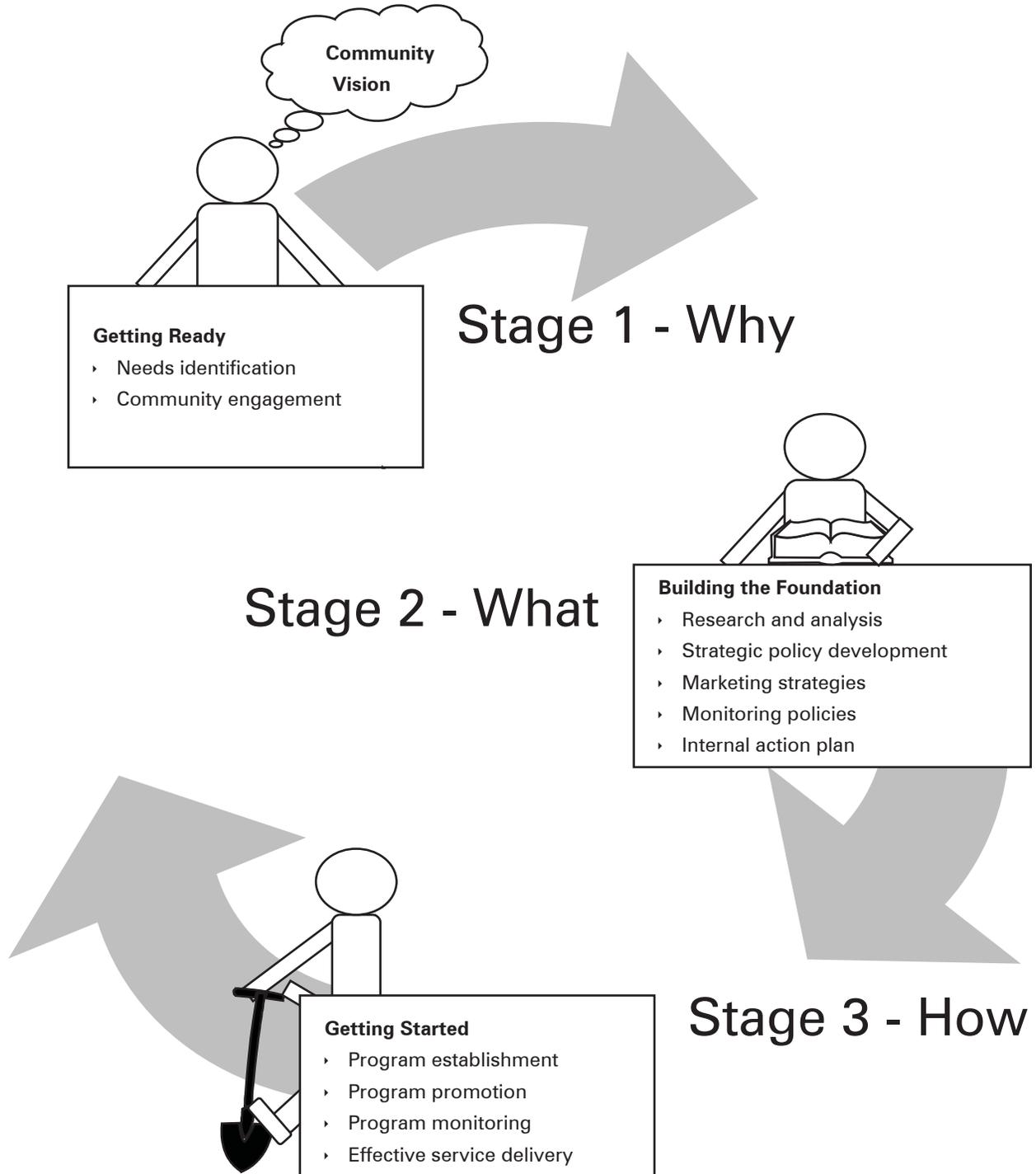
- whether established targets for program uptake are being met
- if desired outcomes for the community are being achieved
- if program participants are completing their commitments
- the full benefits and costs of each program

3c. Periodically monitor service delivery of each program to determine, among other things, if:

- service delivery is satisfactory
- delivery methods need adjustment
- further staff training is required
- other municipal best practices can be adopted

3d. Make adjustments based on information gained through monitoring. Changes may relate to policies, programs, administration or funding.

At a Glance...





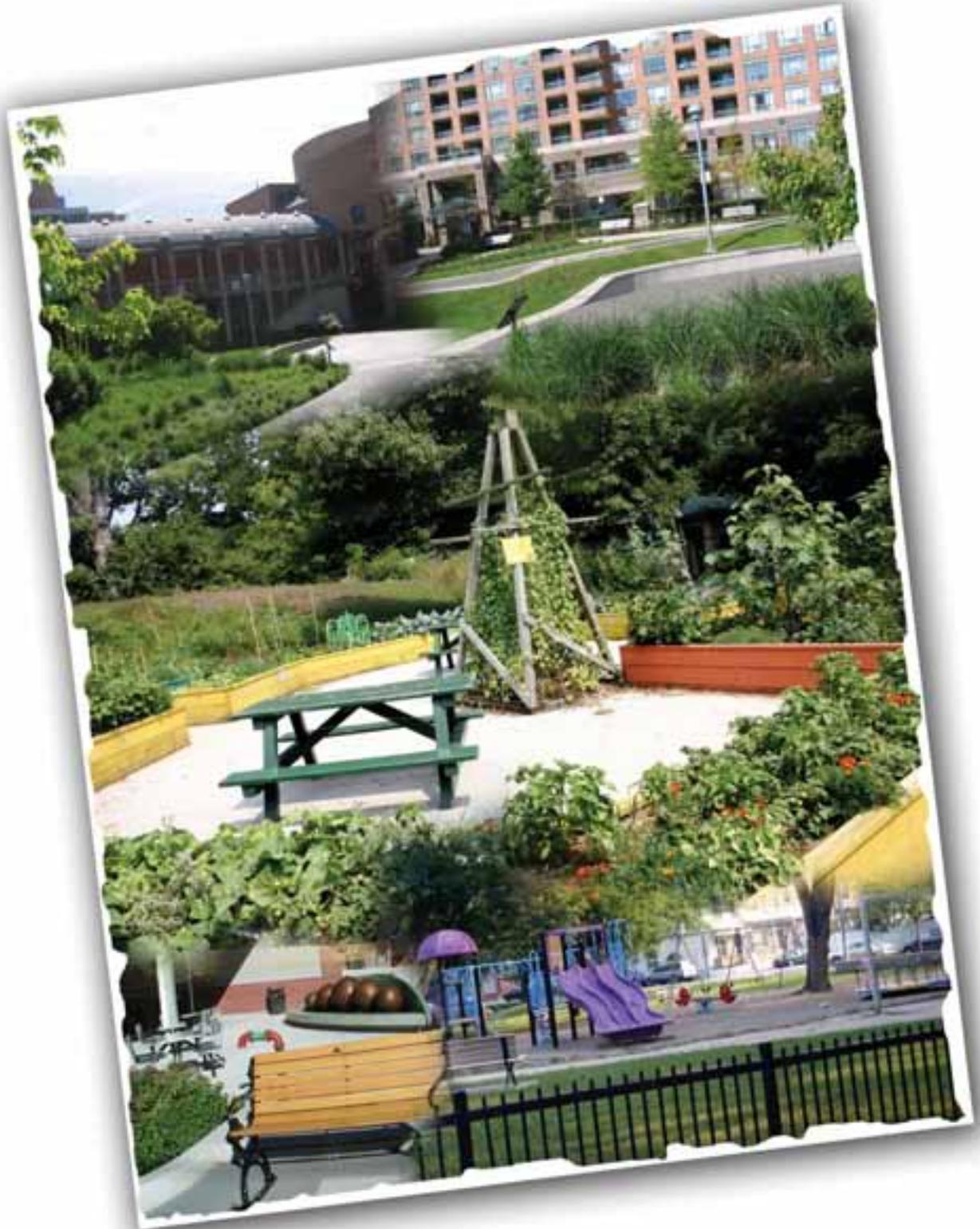
A Municipal Checklist

A checklist may help determine whether key elements in a community improvement planning process have been considered. Each item relates to an important aspect in this handbook.

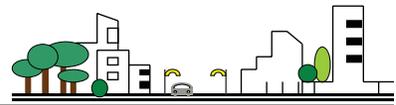
Municipalities may wish to develop their own checklist to reflect areas that they consider to be the most important.

Checklist

		Yes	No	Take Action
1	Do you have internal and external support for community improvement planning?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Is your needs analysis sufficient to determine your community opportunities, challenges and priorities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Have you developed a comprehensive and inclusive consultation strategy?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Are your programs adequately informed by the needs analysis and citizen/stakeholder input?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	Have you addressed any resource or operational constraints that would inhibit the effective establishment and delivery of each program?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6	Do you have a municipal “ambassador” or community-based “champion” to support and market your programs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	Are you monitoring your programs to ensure that community benefit goals are being met and that the benefits outweigh the costs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8	Are changes needed to the policies, programs, administrative practices or funding commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

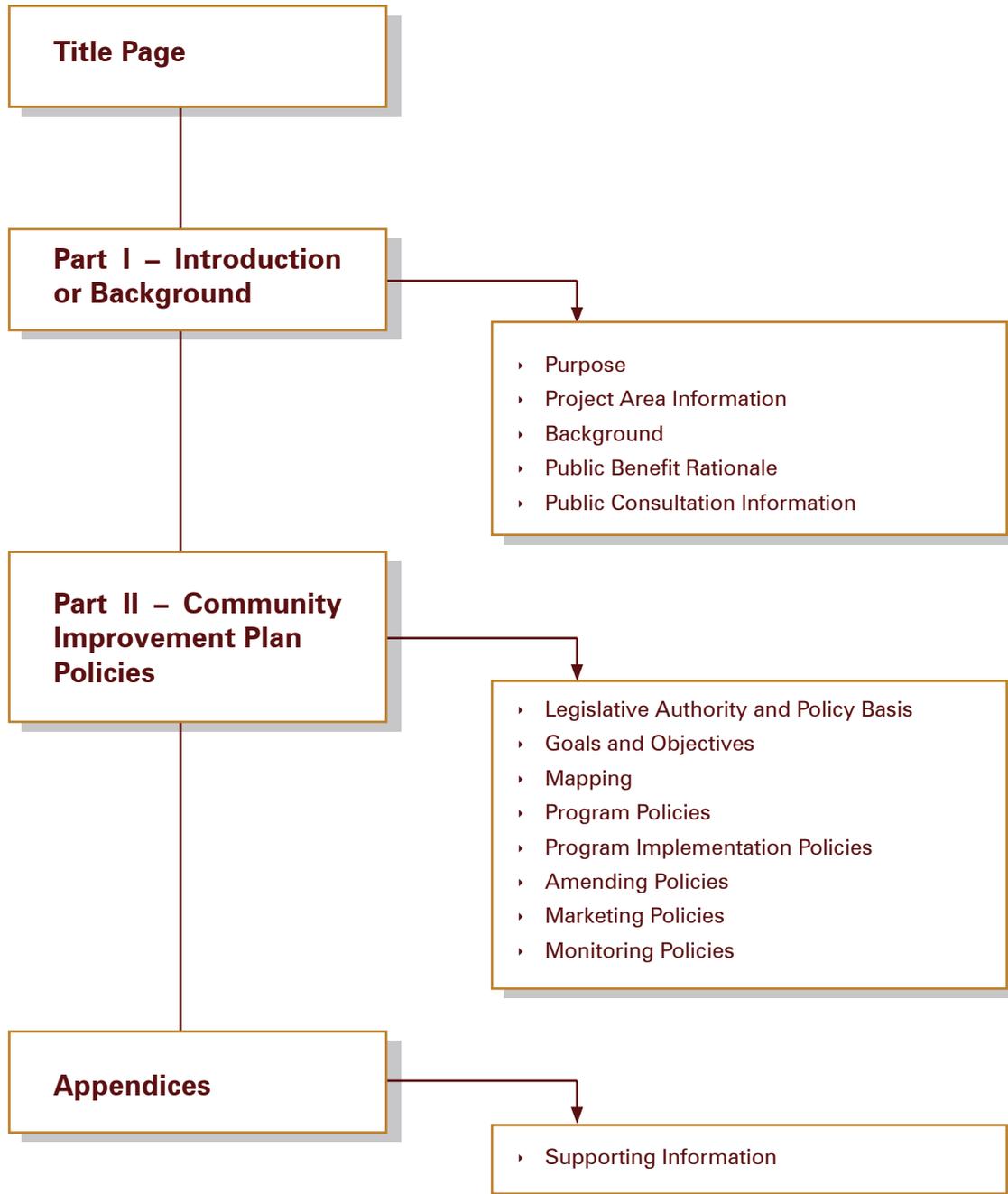


Greening Your Communities



Chapter 4 - A Community Improvement Plan Structure

The following suggests a basic layout for your community improvement plan. Adjustments should be made to accommodate and reflect municipal priorities.



TITLE PAGE

For information purposes and easy reference, title page information should include:

- the community improvement plan title
- a description of the community improvement plan (e.g., Core Area Revitalization Strategy)
- the name of the municipality
- the date of the community improvement plan
- the enacted bylaw number, including date passed



PART I – INTRODUCTION OR BACKGROUND

Set the stage for the policies set out in Part II by addressing the **what**, **where** and **why** of a proposed community improvement plan. Basic information may include:

- the purpose for community improvement planning (community vision)
- a description of the community improvement project area, reasons for choosing the area or boundary and designating bylaw information
- a description of relevant official plan policies
- an identification of needs (social, environmental, economic, physical) linked to community improvement goals
- the public benefit rationale
- a description of previous community improvement initiatives where relevant
- a summary of the public/stakeholder input process

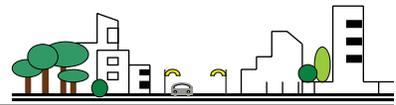
PART II – COMMUNITY IMPROVEMENT PLAN POLICIES

These policies direct, co-ordinate and manage future improvement activities to be encouraged or undertaken within the identified community improvement project area. Minimum information includes:

Legislative Authority and Policy Basis

Provide the legislative information relating to community improvement planning under section 28 of the *Planning Act*, including:

- the community improvement plan process
- reasons for community improvement actions in relation to subsection 28(1)
- the powers that a municipality can exercise
- a summary of official plan policies related to community improvement planning (a copy of the policies may be included as an appendix).



Where other non-community improvement-based programs are to be included, the legislated authority for the programs may be summarized in this part of the community improvement plan.

Goals and Objectives

Community goals and objectives guide improvement activities. The goals should connect to your overall community improvement vision, while the objectives clarify how the goals will be achieved. For example:

Goal: Improve the physical environment of the downtown core

Objectives:

- focus redevelopment, infill and mixed use opportunities in the core area
- maintain and improve public space and pedestrian linkages
- traffic calming through alternative design standards for roads
- create housing opportunities through grant or loan programs
- improve the appearance of historic commercial buildings through façade improvement loan programs
- stimulate private sector clean up and redevelopment of contaminated lands through grant programs



Mapping and/or Description

The structure of the community improvement plan determines the appropriate place for mapping and/or descriptions of the community improvement project area. Some municipalities provide this information in Part I, some in Part II and some in the Appendices. Where relevant, other mapping/location data may be included for public information, such as:

- existing land uses
- existing land use designations
- zoning bylaw map excerpts
- land ownership
- previous community improvement initiatives
- environmentally sensitive areas

Program Policies

Program policies reflect the vision, goals and objectives of the community improvement plan. Whether programs relate to municipal improvement activities or incentive-based programs, a clear connection to the plan's vision, goals and objectives is important. Minimum information includes:

- program context
- program parameters

Well written program policies help potential applicants understand municipal requirements which, in turn, can support the uptake of available programs.

Program Implementation Policies

Implementation policies such as screening and evaluating applications and grant or loan agreement requirements may be combined with program policies or addressed separately.

Clarity of rules and procedures will make the programs more accessible to potential program applicants, and facilitate effective program delivery by municipal staff.

Amending Policies

State the circumstances under which the community improvement plan requires formal amendment. Generally, changes to your plan involving boundary adjustments, criteria for the project area, incentive increases, or new funding programs, will require formal amendment. Contact your local Ministry of Municipal Affairs and Housing Municipal Services Office if advice is needed.

Marketing Policies

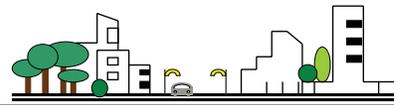
The uptake of programs depends on using a variety of methods to raise awareness among your target audiences. An effective marketing strategy that includes ambassadors or champions can help municipalities realize their community goals. Potential leaders and partners could include:

Municipal "Ambassadors"

- municipal councillors
- appointed staff members

Community "Champions"

- business organizations
- development sector representatives
- community groups
- non-profit organizations



Monitoring of Programs

Determining whether program outcomes meet expectations is critical for the fiscal and economic well being of municipalities. Clearly specified measures (e.g., increase in municipal property tax revenues as a result of intensification) are easier to gauge than general goals (e.g., economic development of the community).

APPENDICES

Relevant supporting information is usually attached as appendices. Examples include:

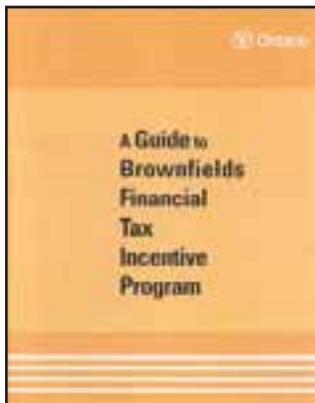
- background studies and analysis
- relevant staff reports
- information on previous or overlapping plans in the project area
- a record of stakeholder involvement
- excerpts of municipal policies, official plans, bylaws and any other relevant documentation
- mapping and/or descriptions of the community improvement project area

Chapter 5 - Brownfields Financial Tax Incentive Program

The **Brownfields Financial Tax Incentive Program** (BFTIP) is a financing tool established under the authority of section 365.1 of the *Municipal Act, 2001* that allows municipalities to provide municipal property tax assistance to landowners as an incentive for environmental rehabilitation. The Minister of Finance can also approve matching education property tax assistance for eligible properties under this program, in recognition that cleaning up contaminated properties has both environmental and economic benefits.

Eligibility Requirements for the BFTIP

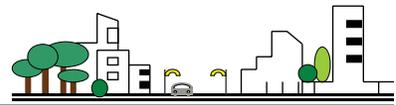
To be eligible, a property must have undergone a phase II environmental site assessment, and:



- must be in a designated community improvement project area covered by a provincially approved community improvement plan containing tax assistance provisions
- as of the date of the site assessment, does not meet the standards of the *Environmental Protection Act* to permit a Record of Site Condition to be filed in the Ministry of the Environment's Brownfields Environmental Site Registry

Consultation with Ministry of Finance Staff

In preparing a community improvement plan or BFTIP bylaw, municipalities should consult with Ministry of Finance staff for suggested wording to ensure that these documents accurately reflect current BFTIP policy. Prior consultation will help to avoid delay in ministerial approval once a municipality has adopted its community improvement plan.



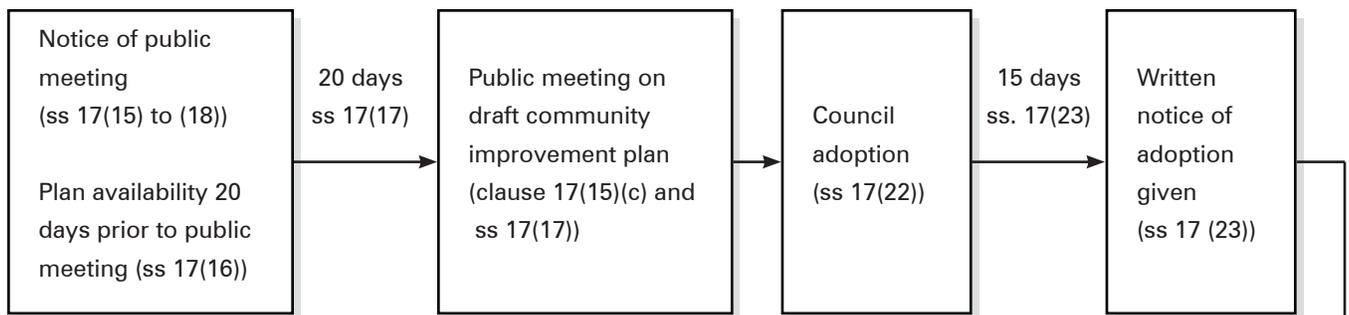
Recent amendments and clarifications to the BFTIP

- The definition of “rehabilitation period” now provides that the starting time begins when a municipal bylaw has been passed to cancel all or a portion of taxes for municipal and school purposes levied on one or more specified eligible properties (ss. 365.1(1) and (2)).
- The “rehabilitation period” begins on the date that the bylaw providing tax assistance is passed and cannot be applied retroactively (i.e., for a period before passing the bylaw) (ss. 365.1(1)).
- The definition of “tax assistance” provides for the cancellation or deferral of taxes in accordance with a bylaw that has been passed by a local municipality to cancel all or a portion of taxes for municipal and school purposes levied on one or more specified eligible properties (ss. 365.1(1)).
- Only one bylaw providing for tax assistance is needed for the rehabilitation and the development period (ss. 365.1(2)).
- Municipalities may provide for tax assistance during either the rehabilitation period or the development period, or both (ss. 365.1(2)).

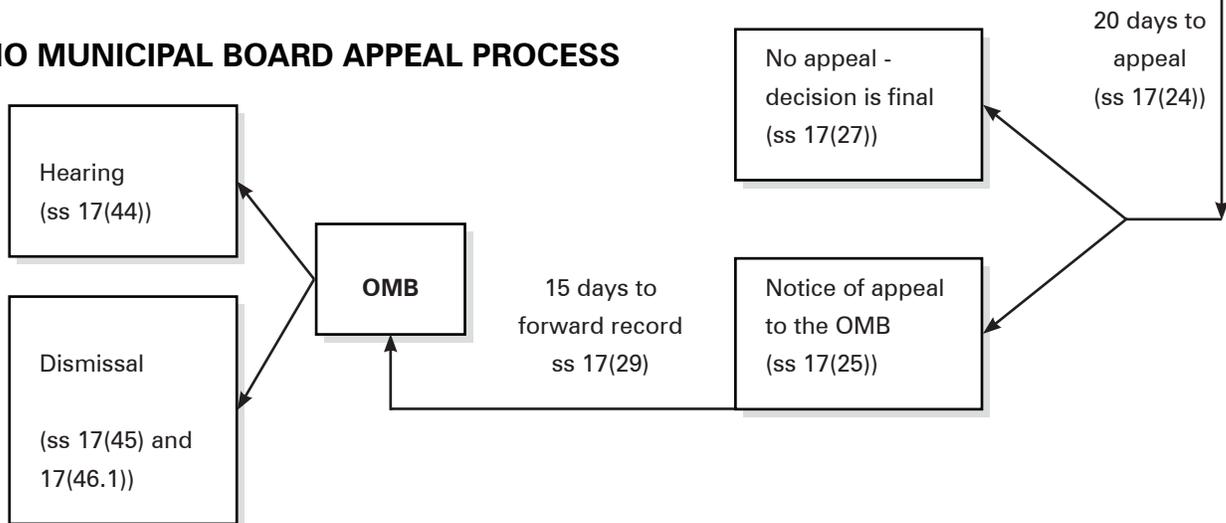
Appendix A

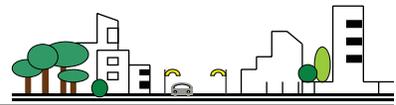
Public Notice Process (no incentive-based programs)

MUNICIPAL PROCESS



ONTARIO MUNICIPAL BOARD APPEAL PROCESS

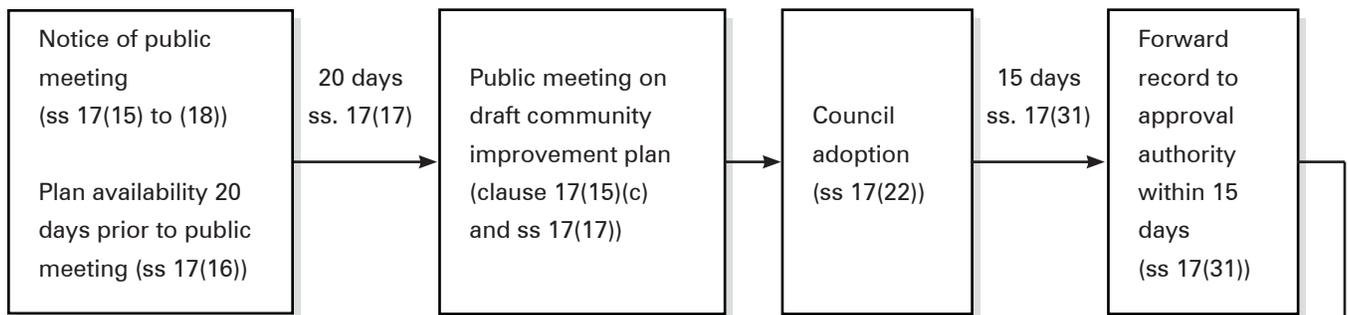




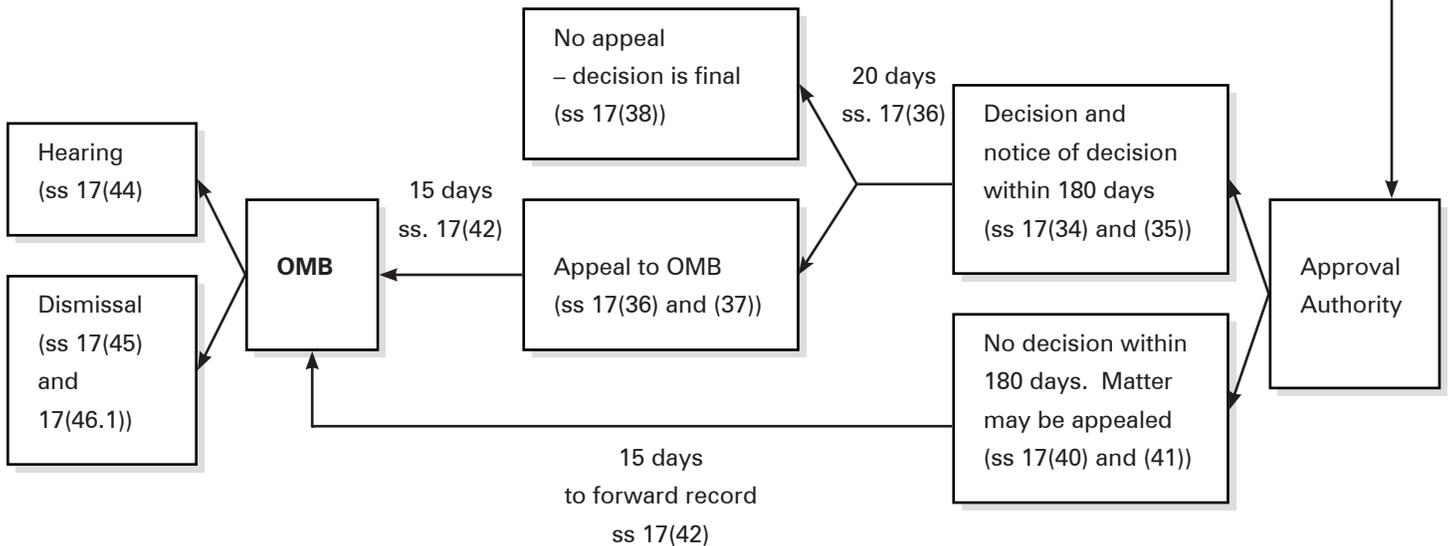
Appendix B

Public Notice Process (incentive-based programs)

MUNICIPAL PROCESS



ONTARIO MUNICIPAL BOARD APPEAL PROCESS



Appendix C

Proposed Amendments to the *Planning Act*

Bill 51, the proposed Planning and Conservation Land Statute Law Amendment Act, 2006 received **second reading** on April 26, 2006. The proposed amendments would provide municipalities with enhanced planning and financial tools to create or reshape their physical environments by allowing for more intensified, compact and energy efficient physical forms, transit and pedestrian friendly neighbourhoods, mixed land uses, and review and approval of exterior building design.

Proposed Section 28 Amendments

- The definition of “community improvement” would include “construction” and “improvement of energy efficiency” (ss. 28(1)). These additions would allow municipalities to include new building construction and energy efficient development as “eligible costs” under grant and loan programs (ss. 28(7.1)).
- Prescribed upper-tier municipalities would be able to establish community improvement plans for matters set out in regulation. This change would provide upper-tier municipalities with the flexibility to plan for community improvement on an intra-regional basis (ss. 28(2) and 28(4.0.1)).
- Where a community improvement plan contains grant, loan or property tax assistance programs, public notice of adoption would be required to be provided within 15 days after council adopts the plan (ss. 28(4.1)).
- “Eligible costs” (formerly known as rehabilitation costs) for which municipalities can provide community improvement grants and loans would include (ss. 28(7) and 28(7.1)):
 - › environmental site assessment
 - › environmental remediation
 - › development, redevelopment, construction and reconstruction of lands and buildings for rehabilitation purposes
 - › energy efficient uses, buildings, structures, works, improvements or facilities
- Upper-tier and lower-tier municipalities would be able to participate in each other’s grant or loan programs provided they have the appropriate official plan policies in place (ss. 28(7.2)).
- Community improvement grant or loan agreements could be registered against the land to which the grant or loan applies (ss. 28(11)).



Proposed *Planning Act* Amendments

Highlights:

In the preparation of a community improvement plan, council would be required to ensure that:

- the appropriate approval authority is consulted and provided with an opportunity to review all supporting information and material and any other prescribed information and material, even if the plan is exempt from approval (clause 17(15)(a)).
- at least one open house is held for the purpose of giving the public an opportunity to review and ask questions about the proposed plan, no later than seven days before the public meeting (clause 17(15)(d) and ss. 17(17)).

To retain and exercise appeal rights:

- a person who is not a public body would be required to make oral submission at a public meeting or written submissions to the council (ss. 17(24.1), 17(36.1) and ss. 17(44.1)).

To support provincial and municipal goals for intensification, redevelopment, increased affordable housing, energy efficiency and improved building design, municipalities would be able to:

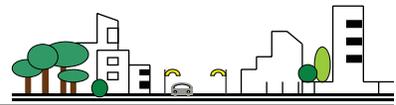
- allow second unit suites in residential dwellings where related official plan policies are in place. There is no appeal of municipal second unit policies (ss. 1(1), 17(24.2) and 17(36.2)).
- apply site plan control to exterior building design where related official plan policies and site plan control bylaws are in place (ss. 41(4)).
- reduce payment in lieu of land for park purposes where
 - › no land is available to be conveyed in redevelopment situations
 - › related official plan policies are in place for payment reduction
 - › sustainability criteria relating to the value of the reduced payment are met (ss. 42(6.2))
- consider the extent to which the design of a plan of subdivision optimizes energy supply and conservation (ss. 51(24)).

Appendix D

Grant or Loan Agreement Provisions

The following information consists of some basic grant or loan agreement provisions that are used by municipalities. Responsibility for local decisions, including statutory compliance, rests with the municipality. Municipalities should obtain independent legal advice when they evaluate or develop agreements.

- Property information, including:
 - municipal address
 - assessment roll number
 - legal description
 - name of registered owner
- Owner/Applicant information, including:
 - name
 - mailing address
 - telephone number
 - facsimile number
 - e-mail address
- Project compliance requirements with the community improvement plan, section 365.1 of the *Municipal Act, 2001*, section 28 of the *Planning Act* and any other requirements specified in the agreement (e.g., work orders, building permits, orders to comply)
- Where the owner/applicant is a corporation, supporting documentation that the corporation:
 - is incorporated and in good standing
 - has the authority to enter into an agreement
 - is not subject to any action, suit or claim affecting its financial capacity
- Eligible costs covered by the relevant grant or loan program
- Exclusion of costs covered by other funding sources, where applicable
- Estimated amount of grant or loan
- Timing and duration of financial assistance payments
- Interest rate of loan and repayment schedule



- Documentation requirements from owner/applicant relating to:
 - eligible cost estimates
 - studies (e.g., design studies, environmental studies)
 - business planning
 - any other required documentation
- Independent third party review and audit of all estimated and actual costs, where required
- Non-retroactivity provision, where applicable (i.e., financial assistance begins with municipal approval and execution of an agreement)
- Construction covenants, including (re)development commencement and completion dates and penalty for non-fulfillment of obligations
- Maintenance requirements for buildings and improvements that are subject to a grant or loan (e.g., cancellation or reduction of assistance)
- Requirement for proof of actual costs on completion of eligible works, and municipal discretion to lower or increase coverage based on actual costs
- Payment options where there is a change in ownership (e.g., original owner/applicant retains financial assistance or may assign it to the new owner)
- Protocol governing communications between the owner/applicant and the municipality, including notification procedures where there is a change in ownership of the subject property
- Municipal inspection requirements to ensure activities subject to the grant or loan are in conformity with municipal approvals and terms of the agreement
- Specification of conditions of default, including:
 - use of grant or loan for non-permitted uses or ineligible costs
 - failure to pay taxes
 - non-compliance with bylaws or any other requirement of the agreement
 - corporate bankruptcy
- Municipal recourse in the event of default

Appendix E

Provincial Community Improvement Plan Approval Submission Form



Ontario

Form to be Forwarded to the Minister of Municipal Affairs and Housing
For Approval of an Adopted Community Improvement Plan or Plan Amendment

Note to Municipalities and Planning Boards

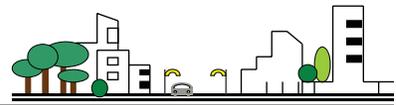
This form is to be used by local municipalities for the approval of an adopted community improvement plan or plan amendment as the Ministry of Municipal Affairs and Housing is the approval authority. In this form, the term "subject land" means the land which is the subject of the proposed community improvement plan or plan amendment.

For Help call the appropriate regional office of the Ministry's Municipal Services Office as listed below:

Central Region (Toronto) (416) 585-6226 or Toll free: 1-800-668-0230	Eastern Region (Kingston) (613) 548-4304 or Toll free: 1-800-267-9438	Southwestern Region (London) (519)873-4020 or Toll free: 1-800-265-4736	Northeastern Region (Sudbury) (705) 564-0120 or Toll free: 1-800-461-1193	Northwestern Region (Thunder Bay) (807) 475-1651 or Toll free: 1-800-465-5027
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YOUR CHECKLIST FOR SUBMISSION OF THE FORM:

Have you remembered to attach:	YES
2 certified copies of the by-law adopting the proposed community improvement plan (CIP) or plan amendment including all portions of the plan or amendment?	<input type="checkbox"/>
A certified copy of the CIP section or policies of the official plan?	<input type="checkbox"/>
A certified copy of the by-law designating the subject area as a community improvement project area?	<input type="checkbox"/>
An affidavit or sworn declaration concerning the requirements for giving of notice and the holding of a public meeting and the requirements for giving notice of adoption?	<input type="checkbox"/>
A copy of any planning report considered by council or the planning board?	<input type="checkbox"/>
A copy of the minutes of the public meeting, if any?	<input type="checkbox"/>
The original or copy of all written submissions and comments and when they were received?	<input type="checkbox"/>
A list (in the form of an affidavit or sworn declaration) of all persons and public bodies that made oral submissions at the public meeting?	<input type="checkbox"/>
A list of any outstanding objectors and their addresses?	<input type="checkbox"/>



**Form to be Forwarded to the Minister of Municipal Affairs and Housing
For Approval of an Adopted Community Improvement Plan or Plan Amendment**

Forward to the appropriate Municipal Services Office of the Ministry of Municipal Affairs and Housing:

Central Region 777 Bay St 2 nd Floor Toronto ON M5G 2E5	Eastern Region Rockwood House 8 Estate Lane Kingston ON K7M 9A8	Southwestern Region 2 nd Floor 659 Exeter Rd London ON N6E 1L3	Northeastern Region Suite 401 159 Cedar St Sudbury ON P3E 6A5	Northwestern Region Suite 223 435 James St S Thunder Bay ON P7E 6S7
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1. General Information

Municipality		Name of the CIP		Adopting By-law No.	
MMAH Preconsultation No.	Date Request Submitted to Council	Date of Public Meeting	Date of Adoption		

2. Contact Information

Name of Municipal or Planning Board Staff Contact & e-mail address	Telephone No.	Fax No.
Name of other staff if appropriate & e-mail address	Telephone No.	Fax No.
Name of other staff if appropriate & e-mail address	Telephone No.	Fax No.

3. Status of Other Applications Under the Planning Act

Are there any other applications under the **Planning Act**, including applications before the Ontario Municipal Board, for approval of an official plan amendment, a zoning by-law amendment, Minister's zoning order amendment, a plan of subdivision that includes the subject land:

Yes (if known, complete below) No Unknown

Name of the Approval Authority considering the application (e.g. Ministry of Municipal Affairs and Housing, Upper Tier)	Type of Application and File No.
---	----------------------------------

Legal description of the land that is the subject of the application

Purpose of the application and the effect on the proposed community improvement plan or plan amendment

Current status of the application (e.g. in process, appealed)

For More Information

Ministry of Municipal Affairs and Housing

Web site: www.mah.gov.on.ca

Municipal Services Offices

For information and assistance, contact one of the Ministry of Municipal Affairs and Housing's five Municipal Services Offices or visit the Ontario Regional Area Municipal Portal: www.mah.gov.on.ca/OnRamp

Central (Toronto)

777 Bay Street, 2nd Floor
Toronto M5G 2E5
(416) 585-6226 or 1-800-668-0230

Southwest (London)

659 Exeter Road, 2nd floor
London N6E 1L3
(519) 873-4020 or 1-800-265-4736

East (Kingston)

8 Estate Lane, Rockwood House
Kingston K7M 9A8
(613) 548-4304 or 1-800-267-9438

Northeast (Sudbury)

159 Cedar Street, Suite 401
Sudbury P3E 6A5
(705) 564-0120 or 1-800-461-1193

Northwest (Thunder Bay)

435 James Street South, Suite 223
Thunder Bay P7E 6S7
(807) 475-1651 or 1-800-465-5027

Ministry of Finance

Web site: www.fin.gov.on.ca

For information on the **Brownfields Financial Tax Incentive Program**, contact:

BFTIP Coordinator at (416) 326-2601
Toronto

Ministry of the Environment

Web site: www.ene.gov.on.ca

For clean up of contaminated site information and assistance, contact your local regional office

Air, Pesticides, Environmental Assessment and Planning Section Supervisor

Technical Support Section

Central (Toronto)

(416) 326-6700 or
Toll free: 1-800-810-8048

Southwest (London)

(519) 873-5000 or
Toll free: 1-800-265-7672

Eastern (Kingston)

(613) 549-4000 or
Toll free: 1-800-267-0974

West Central (Hamilton)

(905) 521-7640 or
Toll free: 1-800-668-4557

Northern (Thunder Bay)

(807) 475-1205 or
Toll free: 1-800-875-7772
(807 and 705 area codes)

Ministry of Culture

Web site: www.culture.gov.on.ca

For information on Heritage Property Tax Relief, Ontario Heritage Tool Kit, heritage grants, heritage property inventories and heritage conservation districts, contact:

General Inquiry: 1-866-454-0049 or
(416) 212-0644
E-mail: General_Info@mcl.gov.on.ca

Ministry of Agriculture, Food and Rural Affairs

Web site: www.omafra.gov.on.ca

For rural economic development information,
contact the local office of the Rural Development Division

WEST REGION

**Economic
Development Teams**

GUELPH

1 Stone Road W., Guelph N1G 4Y2
(519) 826-4093 Fax: (519) 826-4328

BLLENHEIM

245 Marlborough St. North, Blenheim N0P 1A0
(519) 676-9850 Fax: (519) 676-9732

OWEN SOUND

173 8th Street East, Owen Sound N4K 1K9
(519) 371-4717 Fax: (519) 371-1373

WOODSTOCK

595236 Highway 59 North, PO Box 666, Woodstock N4S 7Z5
(519) 537-2656 Fax: (519) 539-5351

EAST REGION

**Economic
Development Teams**

BELLEVILLE

284B Wallbridge Loyalist Rd., PO Box 610, Belleville K8N 5B3
(613) 962-2655 Fax: (613) 961-7998

MAXVILLE

72 Mechanic Street West, P.O. Box 410, Maxville K0C 1T0
(613) 764-0497 Fax: (613) 527-2569

LINDSAY

322 Kent St. West, Lindsay K9V 4T7
(705) 324-5715 Fax: (705) 324-1638

SMITHS FALLS

91 Cornelia Street West, Smiths Falls K7A 5L3
(613) 283-7002 ext. 112 Fax: (613) 283-7005

Produced by the Ministry of Municipal Affairs and Housing,
Provincial Planning and Environmental Services Branch

ISBN 1-4249-1580-5 (Print)

ISBN 1-4249-1581-3 (HTML)

ISBN 1-4249-1582-1 (PDF)

1M-06/06

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