

COMMUNITY IMPROVEMENT PLANNING HANDBOOK 2008

Ministry of Municipal Affairs and Housing



Important Note to User:

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.

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Produced by the Ministry of Municipal Affairs and Housing
Provincial Planning Policy Branch
777 Bay Street, 14th Floor
Toronto, Ontario M5G 2E5
www.ontario.ca/mah

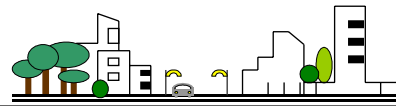
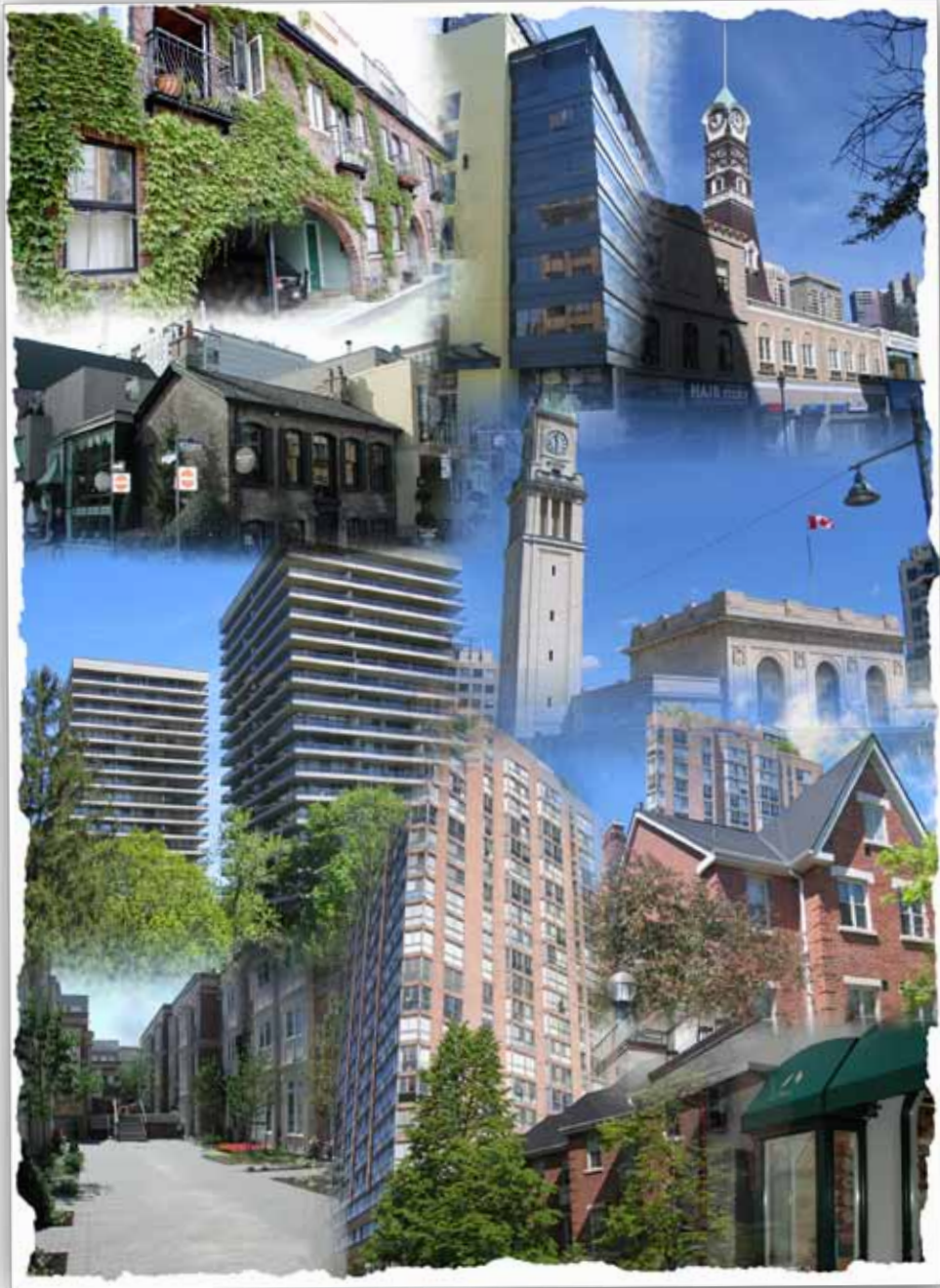


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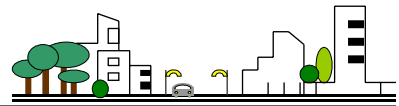
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“Repair and rejuvenation of existing places is the highest form of sprawl containment.”

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



Liveable Communities



Introduction

Ontario's economy continues to be shaped by global economic, environmental and social trends, including: shifts from traditional manufacturing to knowledge and service-based creative economies; climate change and natural resource challenges; and increased cultural diversity at home and with trading partners. Fiscal, economic, demographic and environmental pressures differ from south to north, region to region and municipality to municipality. Common to all Ontario municipalities is the need to build, reinforce or reshape themselves to meet global challenges and residents' future needs in a sustainable community that delivers a high quality of life.

Community improvement planning, one of the many sustainable community planning tools found in the Planning Act, can help municipalities address some of these challenges as it provides a means of planning and financing development activities that effectively use, reuse and restore lands, buildings and infrastructure.

Community improvement planning was popular in the 1970s and 1980s as a means to support and encourage neighbourhood renewal and commercial area improvement. It had become an almost forgotten revitalization tool until growth pressures of the late 1990s led to interest in the development potential of brownfield sites. Publications such as the *2000 Brownfields Showcase I* and *Municipal Readiness for Economic Development* helped increase awareness of how community improvement plans provide for the clean up of former industrial and commercial lands. A companion guide, *Municipal Financial Tools for Planning and Development* profiled a range of financing tools including an explanation of how community improvement plans could use tax-increment-equivalent financing to help developers remediate contaminated properties. The value of community improvement plans was further promoted by the Brownfields Statute Law Amendment Act, 2001, which made changes to various legislation including the Planning Act and Municipal Act, 2001, and by the publication of the *Brownfields Showcase II*.

Municipalities are now using community improvement plans in more innovative ways. Community improvement plans are being developed to address growth management challenges, intensification, energy efficiency, mixed-use and transit/bicycle oriented development, accessibility, and the emerging needs of an aging baby-boom generation. Some municipalities are using community improvement plans as an incentive for encouraging development that meets recognized environmental standards, such as LEED®, while others use them to attract certain kinds of employment uses. Regional community improvement plans can facilitate the development of regional infrastructure, including transportation corridors and affordable housing.

From its original use as a process required for provincial downtown revitalization grants, community improvement planning has become a flexible yet powerful tool for significant rehabilitation, development and land-use change.

Chapter 1 - A Community Improvement Plan - The Basics

This handbook, originally published in 2006, is intended to inform and assist municipalities and others interested in community improvement planning under section 28 of the Planning Act. It reflects the legislative changes to land use planning that came into effect in January 2007.

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 and identifies various tools that can be used in conjunction with community improvement plans. Chapters 3 and 4 contain a basic approach to developing and structuring a community improvement plan.

Community Improvement Plan Objectives

Community improvement planning activities are shaped by local needs, priorities and circumstances. Through community improvement plans, municipalities can:

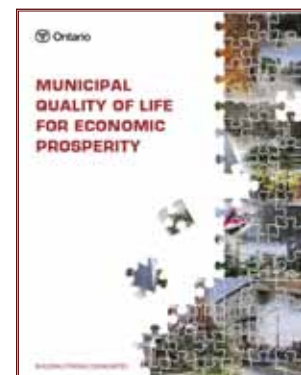
- focus public attention on local priorities and municipal initiatives
- target areas in transition or in need of repair, rehabilitation and redevelopment
- facilitate and encourage community change in a co-ordinated manner
- stimulate private sector investment through municipal incentive-based programs.

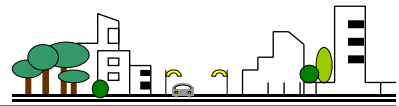
A community improvement approach is a flexible, comprehensive, coordinated and strategic framework for dealing with lands and buildings, which can address many physical, social, economic or environmental matters.

Over the years, community improvement plans have been used for a broad array of priorities aimed at rehabilitating and revitalizing targeted areas. Project areas may range from specific properties and employment areas 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.



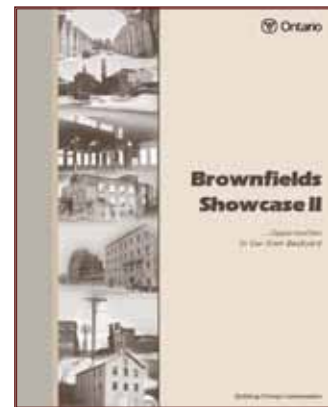


Incentive-Based Programs (grant, loan and property tax assistance)

- brownfields environmental assessment, remediation and redevelopment
- commercial building façade improvements
- downtown/core area and waterfront revitalization
- preservation and adaptive reuse of heritage and industrial buildings
- provision of affordable housing
- property tax assistance for remediation purposes
- project feasibility studies
- space conversion for residential and commercial uses
- structural improvements to buildings (e.g., Building Code upgrades)
- improvement of community energy efficiency
- accessibility enhancements.

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 to become 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
- **tax assistance** under section 365.1 of the Municipal Act, 2001 and section 333 of the City of Toronto Act, 2006.

Who Can Develop Community Improvement Plans?

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

Recent changes to the Planning Act now allow **upper-tier municipalities** to develop community improvement plans for prescribed matters (see chapter 2 for further details) as long as those municipalities are prescribed through regulation. As this is an

optional planning tool, in order to utilize the benefits of the community improvement provisions, an upper-tier municipality should send a council request to the Minister of Municipal Affairs and Housing, asking to be prescribed for community improvement planning purposes.

Who Approves Community Improvement Plans?

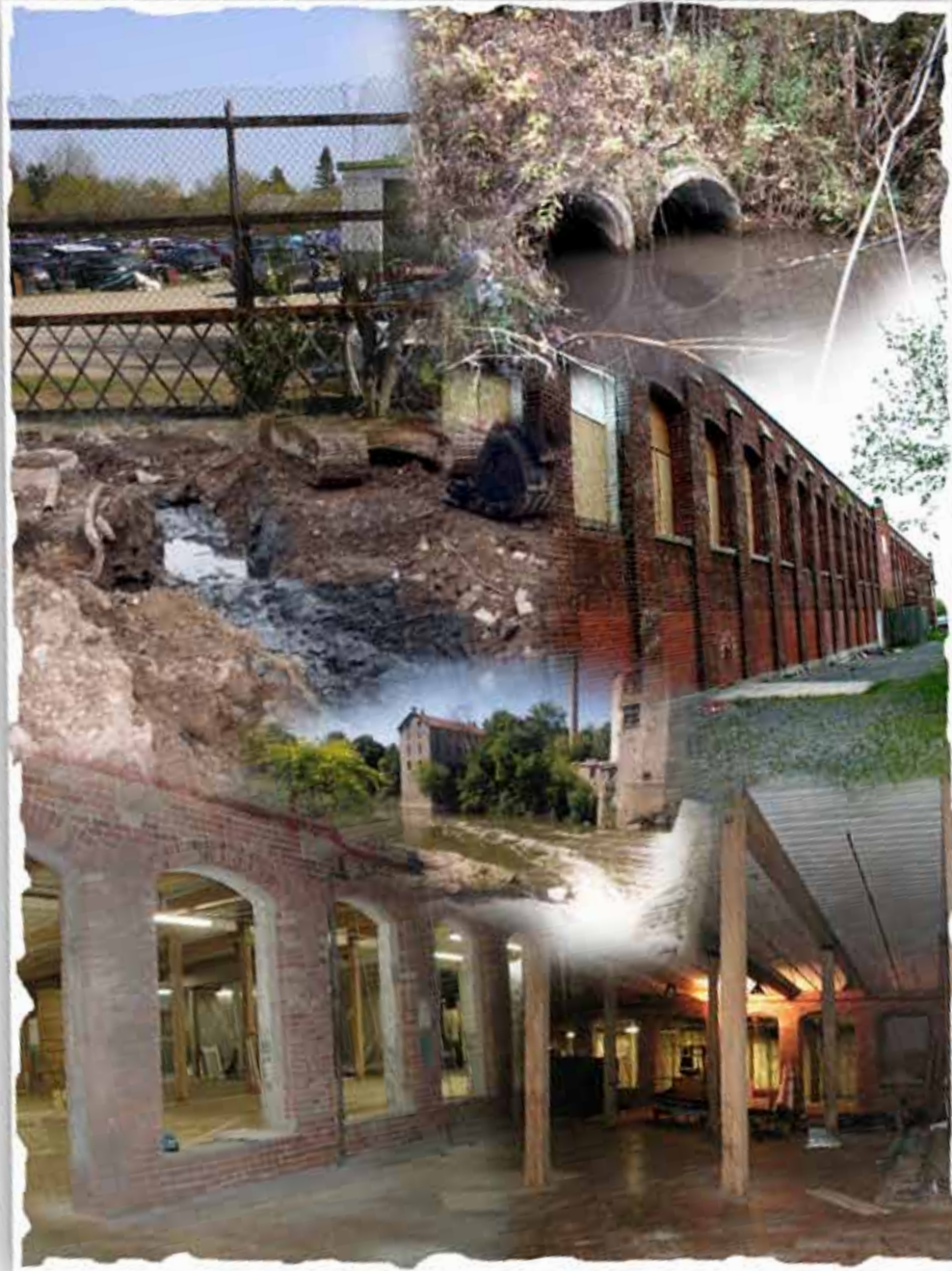
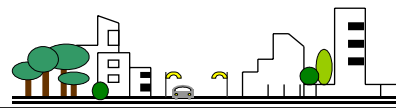
Prior to January 1, 2007, the Minister of Municipal Affairs and Housing was responsible for the approval of community improvement plans containing financial assistance and/or land related programs. Municipal councils can now adopt all of their community improvement plans without the need for formal approval of the minister. Once a municipal council adopts its community improvement plan, notice of its decision must be provided in accordance with the requirements of the Planning Act (including notice to the ministry) and a 20-day appeal period commences. At the end of the appeal period, if there is no appeal to the Ontario Municipal Board, the community improvement plan comes into effect.

The Planning Act still requires that a municipality consult with the ministry on the preparation of a community improvement plan (s. 28(5.1)). It is important to contact your local Ministry of Municipal Affairs and Housing Municipal Services Office early in your community improvement plan process to obtain a staff contact, early advice and information, and guidance on municipal best practices. Ministry contact information can be found at the end of this handbook. Further details on the process can be found in Chapter 3 and Appendix A.

The Importance of Public Involvement

The Planning Act requires that public meetings be held before a community improvement plan can be considered by council for adoption. Public involvement can help build consensus and community support. By involving the public and key participants at the start of a community improvement initiative, problems and conflicts can be more effectively addressed and solutions can be incorporated that reflect different concerns. In addition to the public meetings required under the Planning Act, municipalities often choose to hold additional public forums to ensure that proposed actions reflect community goals.

Public engagement can ensure “buy-in” of strategies to change physical characteristics and land use patterns through more intensified land uses, increased building densities, redevelopment and infill. Public engagement can be particularly significant as an accountability mechanism, ensuring public knowledge of the policy rationale for offering municipal financial assistance or incentives to private land-owners. The public must be aware that rehabilitation or redevelopment would not occur without the financial assistance, and the community would not gain the social, economic and environmental benefits. Public engagement and transparency is a cornerstone of a successful community improvement plan.



Reclaiming Lands and Buildings

Chapter 2 - The Legislative Context

Community improvement activities are intended to address municipal or regional planning objectives in a certain defined area through municipally-driven and/or incentive-based programs. Section 28 of the Planning Act, sections 106 and 365.1 of the Municipal Act, 2001 and sections 82 and 333 of the City of Toronto Act, 2006 provide the primary legislative framework for community improvement planning.

Changes to the Planning Act, effective January 1st, 2007, provided Ontario's municipalities with additional planning tools and clearer rules to better manage growth and development in their communities. A summary of the powers available to municipalities and highlights of the key changes as they relate to community improvement plans are provided in the following sections.

Tip:

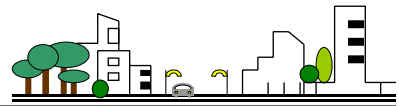
To access Ontario legislation and regulations, go to the Government of Ontario e-laws web site at

www.e-laws.gov.on.ca

Section 28 of the Planning Act – Community Improvement Planning

Powers available to municipalities for community improvement purposes include:

- 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 (s. 28(2)).
- Acquiring, holding, clearing, grading or otherwise preparing land for community improvement (s. 28(3)).
- Constructing, repairing, rehabilitating or improving buildings on municipal land (s. 28(6)(a)).
- Selling, leasing or otherwise disposing of municipal land (s. (28(6)(b)).
- Providing grants or loans to owners, tenants and their assignees within the community improvement area to pay the whole or any part of identified eligible costs (ss. 28(7) and (7.1)).
- Providing property tax assistance for environmental remediation purposes (s. 28(7.3) by reference to s. 365.1 of the Municipal Act, 2001 and s. 333 of the City of Toronto Act, 2006).



Highlights of Changes to the Planning Act, effective January 2007, include:

- Clarifying that the definition of ‘community improvement’ includes “construction” (s. 28(1)).
- Expanding the definition of ‘community improvement’ to include improvement of energy efficiency (s. 28(1)).
- Clarifying that the definition of ‘community improvement’ includes the provision of “affordable housing” (s. 28(1.1)).
- Identifying the scope of eligible costs for which municipalities can provide community improvement grants and loans (formerly known as rehabilitation costs) to include:
 - » environmental site assessment
 - » environmental remediation
 - » development, redevelopment, construction and reconstruction of lands and building for rehabilitative purposes
 - » the provision of energy efficient uses, buildings, structures, works and improvements or facilities (s. 28(7.1)).
- Registering related grant or loan agreements on the title of the subject land (s. 28(11)).
- Providing for municipally adopted community improvement plans to come into effect once notice has been given and the 20 day appeal period has passed with no appeals (s. 28(5)).
- Requiring municipalities to preconsult with the Minister of Municipal Affairs and Housing as the approval authority (ss. 17(15)(a) and 28(5)).
- Allowing prescribed upper-tier municipalities to prepare community improvement plans to deal with one or more of the following matters (ss. 28(2), 28(4.0.1) and Ontario Regulation 550/06):
 - » ***infrastructure*** that is within the upper-tier municipality’s jurisdiction



**Infrastructure as defined by
O. Reg. 550/06
Prescribed Matters — Upper-Tier
Community Improvement Plans**

Physical structures and associated facilities that form the foundation of development, including:

- communications systems
- electric power systems, oil and gas pipelines, alternative energy systems and renewable energy systems
- transportation corridors and facilities
- waste management systems, and
- water works, wastewater works, stormwater works and associated facilities.

-
- » land and buildings within and adjacent to existing or planned transportation corridors that have the potential to provide a focus for higher density, mixed-use development and redevelopment
 - » affordable housing.
- Providing upper and lower-tier municipalities with the ability to participate in each other's grants or loan programs provided there are related official plan policies in the municipality making the grants or loans (s. 28(7.2)).

Section 106 of the Municipal Act, 2001 and Section 82 of the City of Toronto Act, 2006 – Rule Against Bonusing

The municipal practice of providing financial or other similar assistance to businesses is often called bonusing. Under the rule against bonusing, with certain exceptions, municipalities are prohibited from directly or indirectly assisting any manufacturing business or other industrial or commercial enterprises through the granting of certain financial incentives. 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.

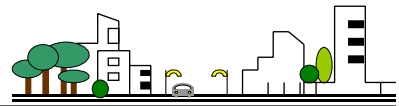
There are exceptions to the rule against bonusing. For example, to carry out a community improvement plan, municipalities, despite the general prohibition against bonusing, can consider assistance to businesses in the form of:

- making improvements to buildings on municipal land and selling or leasing the land to businesses (see s. 28(6) of the Planning Act)
- leasing or selling municipal land to businesses (also see s. 28(6) of the Planning Act)
- making grants or loans to businesses (see ss. 28(7) to (7.3) of the Planning Act)
- providing property tax cancellations to businesses (see s. 365.1 of the Municipal Act, 2001 and s. 333 of the City of Toronto Act, 2006).

Tax increment equivalent financing is one example of a financial incentive now being utilized by municipalities based on the grants and loans provisions under s. 28 of the Planning Act. By calculating a grant or loan on the higher property tax that is generated from development (the tax increment), municipalities

What is a Tax Increment Equivalent Grant (TIEG)?

A TIEG is a grant equal to the full amount, or a portion of the amount of the estimated property tax increase after the property is redeveloped. The increase in taxes, or the tax increment may be, for example, calculated by subtracting the municipal portion of the property taxes prior to reassessment from the municipal portion of the property taxes after reassessment.



may offer eligible developers financing incentives with the aim of putting lands and buildings, which might not otherwise be developed, back into productive use. Limits may apply to tax increment equivalent financing. For example, the amount of community improvement plan related grants and loans generally could not exceed the relevant rehabilitation costs for lands and buildings (see s. 28(7.3) of the Planning Act).

Other Development-Related Programs

Brownfields Financial Tax Incentive Program

For more information

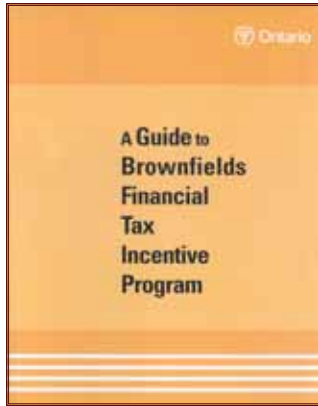
on brownfields-related land use, environmental protection and financing, access the government of Ontario's one-window Brownfields web site at: www.ontario.ca/brownfields

Through a community improvement plan, municipalities can offer financial incentives within a designated community improvement area to encourage revitalization. Specifically, these incentives can be an effective tool to promote the environmental cleanup and rehabilitation of vacant or underused lands, usually referred to as brownfields, which may be contaminated from their former use. Incentives may also contribute to economic prosperity by serving as a catalyst for community revitalization, stimulating private sector investment, increasing property values and supporting industry and jobs.

The **Brownfields Financial Tax Incentive Program** (BFTIP) is a financing tool established under section 365.1 of the Municipal Act, 2001 and section 333 of the City of Toronto Act, 2006 that allows municipalities to provide municipal property tax assistance to landowners working to bring brownfields back into productive use. In addition, municipalities offering property tax assistance can apply to the province for the matching education property tax assistance to increase the amount of assistance available. To access the program, municipalities submit, on behalf of a property owner, a site specific BFTIP application proposing to take advantage of matching educational property tax assistance for provincial approval.

How does the program work?

The BFTIP can be a revenue-neutral incentive tool. For example, a municipality receiving no taxes on an abandoned site may choose to cancel 100% of the municipal portion of the property taxes due on the property for a period of time after it is rehabilitated and applying for 100% matching education property tax under the BFTIP. Alternatively, if clean-up of an industrial property is expected to lead to higher land values (such as through residential or mixed land developments), a municipality may consider cancelling 80% of the taxes for a period of time and applying under BFTIP for the matching 80% of the education property tax. Also, municipalities have a choice to defer or cancel future taxes (the program does not provide direct payments) for a redeveloped property.



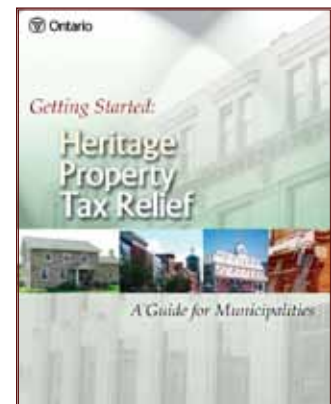
Eligible costs under the BFTIP are those related to the remediation of a site. Moreover, to be eligible for BFTIP, a property must be within a community improvement project area and there must be a need for remediation, as demonstrated in a Phase Two environmental site assessment.

BFTIP is a program of the Ministry of Finance, administered by the Ministry of Municipal Affairs and Housing. To learn more about BFTIP or to submit an application, contact your nearest Municipal Services Office.

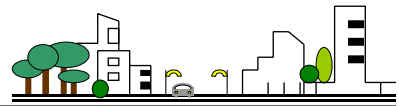
Heritage Property Tax Relief

Section 365.2 of the Municipal Act, 2001 and Section 334 of the City of Toronto Act, 2006

The **Heritage Property Tax Relief (HPTR)** program, which is often used in conjunction with community improvement plans, is established under section 365.2 of the Municipal Act, 2001, and section 334 of the City of Toronto Act, 2006. The program may encourage good stewardship, maintenance and conservation of locally designated heritage properties. Municipalities may pass a bylaw to establish a local HPTR program to provide tax relief (10 to 40 per cent) to owners of eligible heritage properties, subject to 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 HPTR program contribute to it by funding their portion of the tax relief.



For further information, please refer to *Getting Started: Heritage Property Tax Relief - A Guide for Municipalities* which can be accessed on the Ministry of Culture's website at www.ontario.ca/culture.



Other Land Use Planning Tools

In addition to the changes made to the community improvement planning provisions in the Planning Act, a number of other changes were made to the Act (effective January 2007) to support the redevelopment of more compact, well-designed and energy efficient communities. In conjunction with community improvement planning, these tools can be used to facilitate sustainable development goals and further support successful revitalization in a community improvement area. The new and expanded planning tools include municipal authority to:

Zoning

- Establish minimum and maximum height and density standards in their zoning bylaws in order to ensure that land and infrastructure is used more effectively (s. 34(3)).
- Establish official plan policies and zoning bylaw provisions that permit second suites in detached, semi-detached and row houses as-of-right in residential areas. Second unit official plan policies cannot be appealed to the Ontario Municipal Board, except if the policies are adopted as part of a municipal 5-year official plan review process (ss. 17(24.1), 17(36.1), and 34(19.1)).

Site Plan Control

- Consider the external design of buildings, including character, scale, appearance and design features, including sustainable design features, provided there are official plan and bylaw policies in effect. This means that the quality and characteristics of a proposed development can be taken into consideration to ensure positive contributions are made to the external physical appearance of buildings and their surrounding areas (s. 41(4)2(d)).
- Secure off-site sustainable streetscape improvements such as landscaping, permeable paving materials, street furniture, curb ramps and bicycle parking facilities (s. 41(4)2(e)).
- Secure facilities designed to have regard for accessibility to support and promote universal access for persons with disabilities (s. 41(4)2(f)).

Parkland Dedication

- Decrease the amount of cash-in-lieu for park purposes in redevelopment scenarios, where no land is available to be conveyed, if sustainable design elements are incorporated into a development proposal (e.g., water conserving landscaping and permeable surfaces). To utilize this tool, municipal official plans are required to

contain policies related to the sustainable criteria to be met and the reduction of payments (ss. 42(6.2) and (6.3)).

Land Division

- Consider the extent to which a subdivision proposal encourages the supply, efficiency and conservation of energy and promotes a layout that facilitates the production and supply of alternative energy systems (such as district heating/cooling systems) (ss. 51(24)(l) and 53(12)).
- Require the inclusion of pedestrian and bicycle pathways and public transit ways in subdivision proposals to promote connectivity and encourage more sustainable forms of transportation (ss. 51(25)(b) and 53(12)).

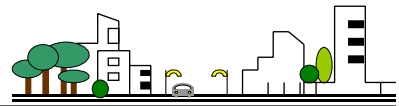
Development Permit System (DPS) – Ontario Regulation 608/06

- Establish a development permit system.

The DPS is a flexible land use planning system that combines the zoning, site plan and minor variance processes into one application and approval process. This optional system promotes development by providing for faster timelines, eliminating potential duplication, incorporating flexibility for uses and development standards, and providing a “one-stop” planning service. Through the ability to impose conditions for issuing a development permit, the DPS also provides a mechanism for municipalities to enhance environmental protection, ensure that negative impacts of development are mitigated, and facilitate community building, brownfields redevelopment and sustainable development. Ontario Regulation 608/06 establishes the scope and sets minimum requirements for use of the DPS. For more information on the DPS, please refer to the *Development Permit System: A Handbook for Municipal Implementation* which can be accessed on the Ministry of Municipal Affairs and Housing website.



Although community improvement planning and the development permit system can be used independently of each other, local municipalities may choose to utilize the benefits of both for the same area. Both tools together can facilitate or help achieve similar goals of rehabilitating and revitalizing targeted areas.



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, a municipality should consider how the plan is to be structured. Chapter 4 - A Community Improvement Plan Structure - addresses this 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 a guide which reflects common municipal practices in developing a community improvement plan. Municipalities are responsible for their decisions about community improvement plans, and the steps within each stage should be adjusted to suit municipal goals and needs. In some instances, a municipality may decide to combine or modify steps. In other instances, such as public consultation and reporting, steps may be repeated as work progresses and builds upon information previously collected.

Stage 1

Building Your Plan's Foundation ...

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

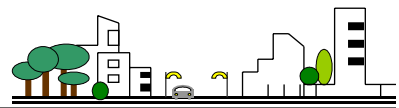
Call your local Ministry of Municipal Affairs and Housing Municipal Services Office for a staff contact and for advice and assistance.

- 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:

- provincial plan policies
- official plan policies
- secondary plans
- zoning bylaws
- community improvement plans in effect
- contaminated lands (brownfields) redevelopment strategies
- environmental studies
- sustainable development strategies (e.g. water conservation)
- façade and design studies
- downtown market analysis studies
- downtown revitalization action plans
- accessibility plans
- heritage conservation district studies and plans
- industrial, commercial and heritage property inventories
- industrial/employment strategies
- master plans for wastewater / stormwater servicing
- environmental assessment reports
- neighbourhood revitalization strategies
- servicing strategies
- transportation strategies
- community energy plans
- affordable housing strategies.

Review your official plan to:

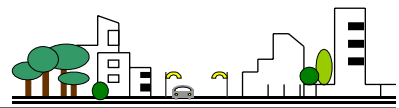
- determine if it contains necessary or appropriate provisions, such as:
 - » reference to the legislative authority for community improvement planning and programs (note: the scope of matters for which upper-tier municipalities may establish community improvement plans is prescribed by O. Reg. 550/06 - refer to Chapter 2 for further details)
 - » guiding principles for goals to be achieved (e.g., promoting sustainability, improving the physical appearance and environmental condition of the community, fostering community pride, attracting business investment and residents, ensuring the efficient use of resources 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 identification and designation of community improvement project areas
 - » policies and criteria for determining individual property eligibility within a project area
 - » actions that could be taken to implement the community improvement policies in the official plan. For example:
 - land acquisition and assembly, site plan control that helps ensure quality and compatibility of development and financial assistance to stimulate development
 - » policies that allow financial participation in grant and/or loan programs between upper and lower-tier municipalities, where participation is contemplated
- determine if official plan 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 through a bylaw 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. Note: 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.

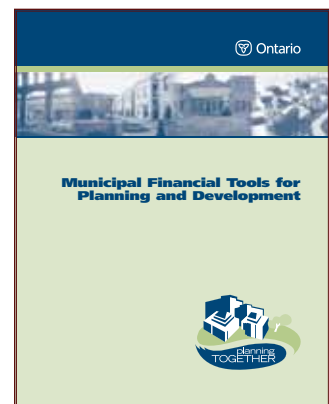
Tailor eligibility criteria for each program. Despite program differences, there are common criteria that municipalities incorporate into their programs that include, but are not limited to:

- 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:

- reducing or cancelling fees for planning applications under the Planning Act;
- Brownfields Financial Tax Incentive Program under the Municipal Act, 2001, or the City of Toronto Act, 2006;
- tax increment equivalent financing;
- heritage grants under the Ontario Heritage Act;



-
- Heritage Property Tax Relief (HPTR) under the Municipal Act, 2001, or the City of Toronto Act, 2006 and/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 but are intended to augment and support the programs contained in this community improvement plan. The legislative authority for these programs is based on....

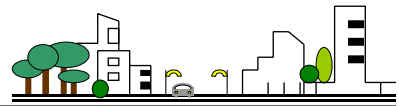
2f. Develop marketing policies to promote the uptake of your programs. Political leadership and municipal staff expertise and support are key components for the promotion and success of these programs. Methods vary, but some frequently used approaches include:

- 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
- resource efficient development (including energy, land water)
- retail uses in core areas
- public transit accessibility and ridership
- contaminated land clean up
- air and water quality
- mixed use (re)development
- properties accessible to people with disabilities.



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
- water and energy consumption.

2h. Further stakeholder input may be desirable at this point. In addition, the Planning Act requires that the Ministry of Municipal Affairs and Housing be consulted in the preparation of the plan in advance of the public meeting (ss. 17(15)(a) and 28(5)), even though community improvement plans no longer require the approval of the Minister of Municipal Affairs and Housing.

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. As part of the notice requirements for a public meeting on a community improvement plan, a municipality is required to include statements on who may appeal (s. 17(24) of the Planning Act) and any restrictions on who may be added as a party to an appeal before the Ontario Municipal Board (s.17(44.1)).
- 2l. Finalize the community improvement plan and forward it to council for adoption** by bylaw, after making any necessary revisions based on public input.

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

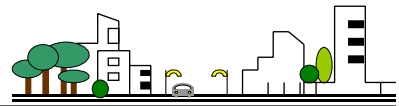
Ideally, funding commitments should be made at the same time or immediately after adoption of the community improvement plan.

- 2m. Finalization of Plan.** Once a decision is made and notice is given (in accordance with the requirements under the Planning Act), and if there are no appeals within 20 days, the decision 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.

Note: If your plan uses the BFTIP, the Province needs to approve the BFTIP bylaw. These should be sent to your local Ministry of Municipal Affairs and Housing Municipal Services Office.

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...



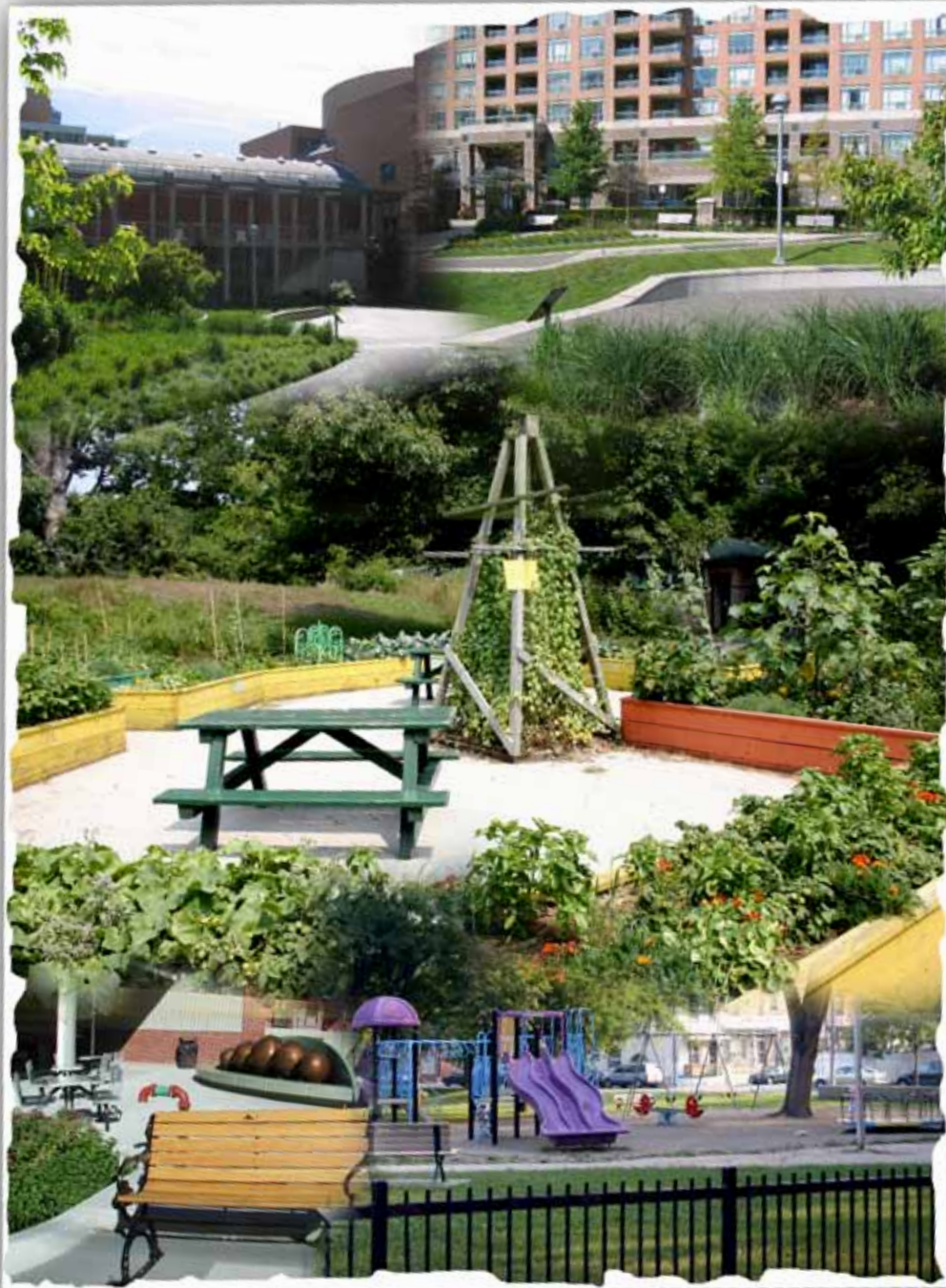
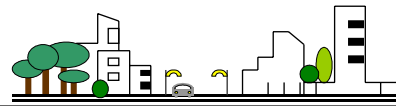
A Municipal Checklist

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

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

Checklist

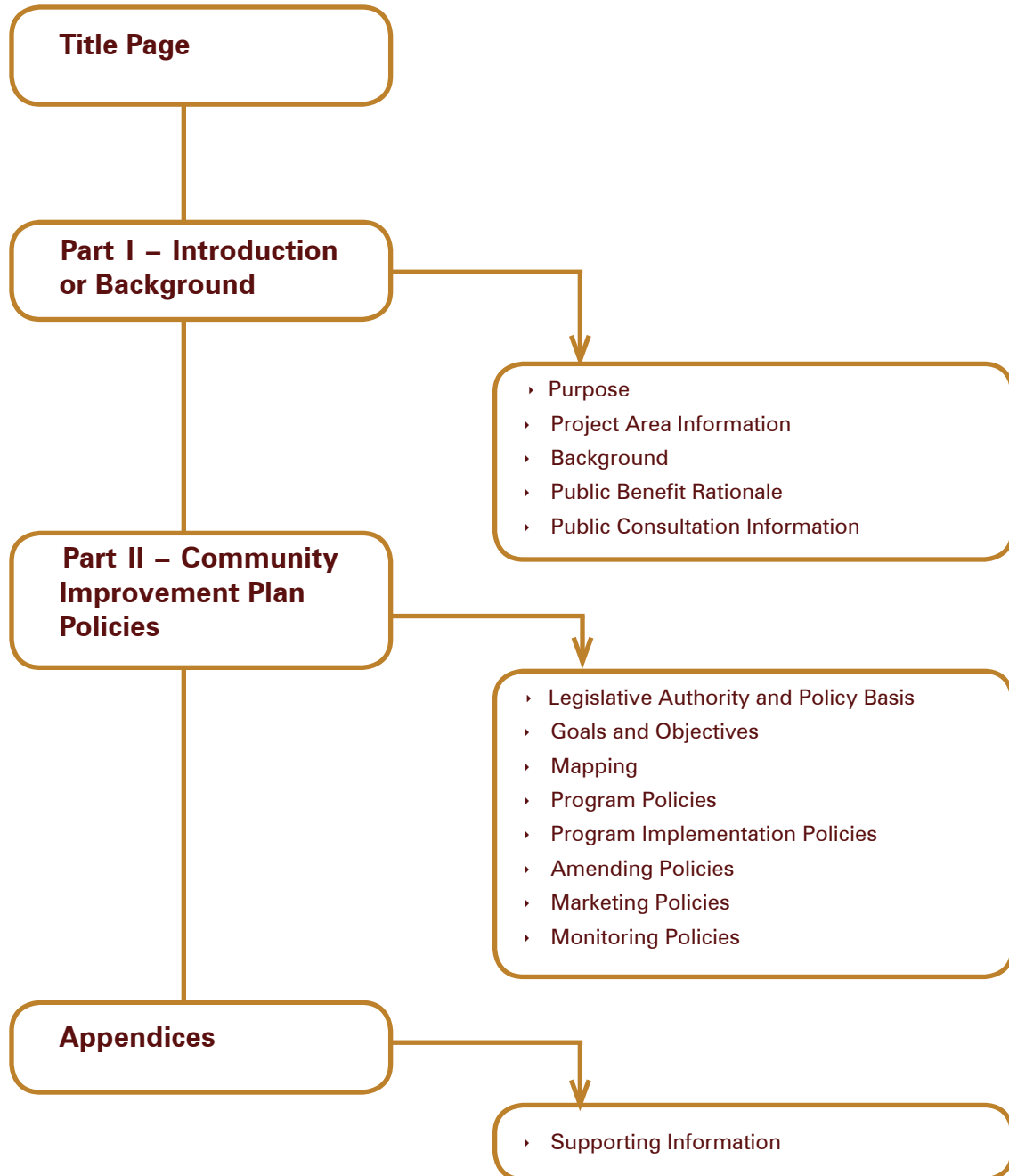
		Yes	No	Take Action
1	Do you have internal and external support for community improvement planning?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Is your needs analysis sufficient to determine your community opportunities, challenges and priorities?	<input type="checkbox"/>	<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	Have there been discussions between upper and lower-tier municipalities regarding the participation in each other's programs to facilitate achievement of common goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	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"/>
8	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"/>
9	Are changes needed to the policies, programs, administrative practices or funding commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

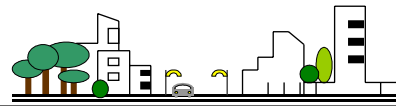


Greening Your Communities

Chapter 4 - A Community Improvement Plan Structure

The following is basic layout used by some municipalities for their community improvement plans. Municipalities should consider adjustments to accommodate and reflect local priorities.





Title Page

For information purposes and easy reference, title page information may 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. Basic information may include:

Planning Act Matters and Related Information

Provide information relating to community improvement plans that may be necessary or desirable under the Planning Act, such as:

- the community improvement plan process
- reasons for community improvement actions in relation to s. 28(1)
- the powers that a municipality can exercise (Note: upper-tier matters are prescribed in O. Reg. 550/06)
- a summary of approved 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, statutory references for the programs may be identified and summarized in this part of the community improvement plan.

Goals and Objectives

Community goals and objectives guide improvement activities. Generally, the goals 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

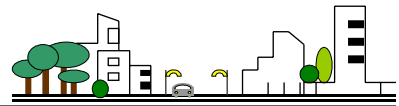
Objectives:

- 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.
- Increase affordable 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.
- Enhance energy supply and conservation through grant or loan programs.
- Promote streetscape improvements such as benches and bicycle parking facilities.
- Require built form that is accessible to everyone including senior citizens and persons with disabilities.
- Improve efficiency and sustainability of regional wastewater works/ stormwater works through the area.
- Facilitate or encourage the redevelopment of lands and buildings to achieve densities that support transit use through grant or loan 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 official plan land use designations
- existing land uses
- existing land use designations
- zoning bylaw map excerpts
- land ownership
- previous / existing 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. Clarity is also important for grants and loan programs between upper and lower-tier municipalities.

Amending Policies

A community improvement plan may reference the fact that amendments may be needed in the future, common reasons being boundary adjustments, criteria changes, incentive increases or new funding programs. Amendments are subject to the provisions of the Planning Act with respect to notice and public involvement. Also, community improvement plans often contain an interpretation section to provide direction on where certain matters such as numerical figures may be interpreted as approximate rather than definitive.

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.

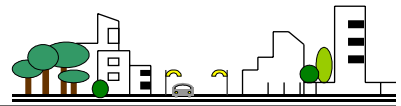
Monitoring of Programs

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 from intensification) may be easier to gauge than general goals (e.g., economic development of the community).

Appendices

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

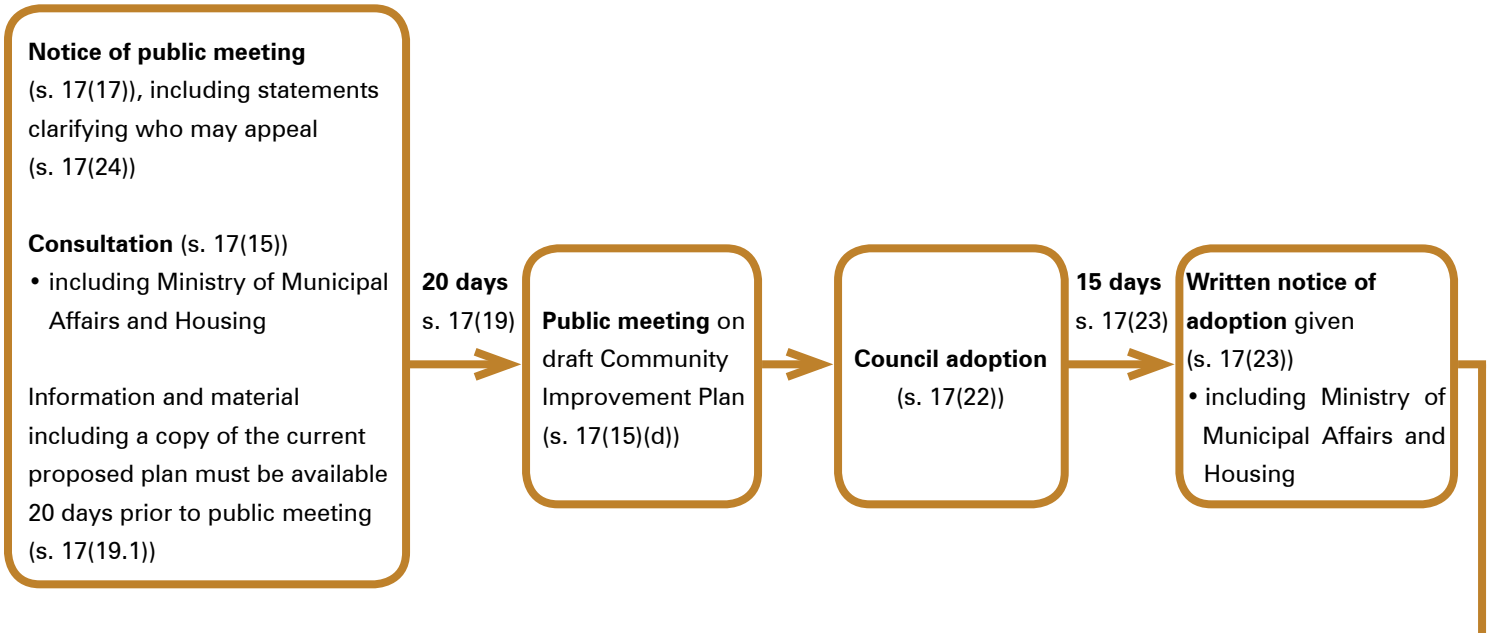
- background studies and analysis
- relevant staff reports
- information on previous or overlapping plans in the project area
- a record of stakeholder involvement
- excerpts of municipal policies, official plans, bylaws and any other relevant documentation
- mapping and/or descriptions of the community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



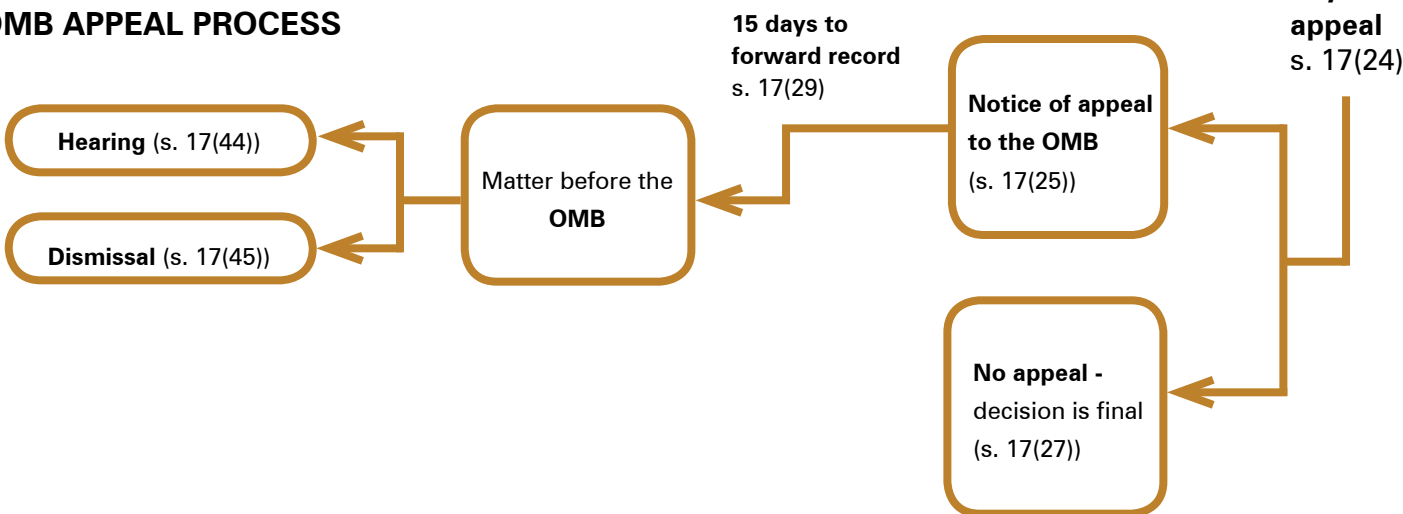
Appendix A

Public Notice Process

MUNICIPAL PROCESS



OMB APPEAL PROCESS



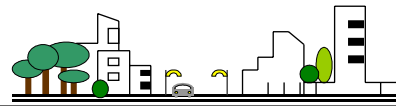
Appendix B

Grant or Loan Agreement Provisions

The following lists provide some information on the basic kinds of grant or loan agreement terms or provisions that may be used by municipalities. Municipalities are responsible for their decisions about their agreements. The provisions used and their content may vary according to local factors. The development and evaluation of agreements is an example of a matter, like others in the handbook, for which municipalities often seek independent legal advice.

Note: An agreement concerning a grant or loan program may be registered against the land to which it applies (s. 28(11) of the Planning Act).

- 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 the 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

For More Information

Ministry of Municipal Affairs and Housing

Website: www.ontario.ca/mah

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, ON M5G 2E5
(416) 585-6226 or Toll Free: 1-800-668-0230

Western (London)

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

East (Kingston)

8 Estate Lane, Rockwood House
Kingston, ON K7M 9A8
(613) 545-2100 or Toll Free: 1-800-267-9438

Northeast (Sudbury)

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

Northwest (Thunder Bay)

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

Ministry of the Environment

Website: www.ontario.ca/moe

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

Southwestern (London)

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

Eastern (Kingston)

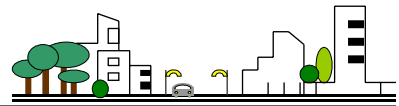
(613) 549-4000 or
Toll free: 1-800-267-0974

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

Website: www.ontario.ca/culture

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

General Inquiry: 1-866-454-0049 or
(416) 212-0644

E-mail: General_Info@mcl.gov.on.ca

Central (Toronto)

180 Dundas Street West, Suite 502
Toronto, ON M7A 2R9
Phone: (416) 314-6044
Fax: (416) 314-2024
Toll free: 1-877-395-4105

West (Kitchener)

30 Duke Street West, 4th Floor, Suite 405
Kitchener, ON N2H 3W5
Phone: (519) 578-3600
Fax: (519) 578-1632
Toll free: 1-800-265-2189

East (Ottawa)

347 Preston Street, 4th Floor
Ottawa, ON K1S 3J4
Phone: (613) 742-3360
Fax: (613) 742-5300
Toll free: 1-800-267-9340

North (Thunder Bay)

435 James Street South, Suite 334
Thunder Bay, ON P7E 6S7
Phone: (807) 475-1683
Fax: (807) 475-1297
Toll free: 1-800-465-6861

Ministry of Agriculture, Food and Rural Affairs

Website: www.ontario.ca/omafra

For rural economic development information, contact the local office of the Rural Community Development Branch of the Economic Development Division:

WEST REGION

Economic Development Teams

Guelph

1 Stone Road West
Guelph, ON N1G 4Y2
Phone: (519) 826-4042
Fax: (519) 826-4336

Blenheim

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

Owen Sound

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

Woodstock

Unit B, 401 Lakeview Drive
Woodstock, ON N4T 1W2
Phone: (519) 537-2656
Fax: (519) 539-5351

Continued on the next page

**Ministry of Agriculture, Food and
Rural Affairs**

Website: www.ontario.ca/omafra

EAST REGION

Economic Development Teams

Belleville

284B Wallbridge Loyalist Rd.

P.O. Box 610

Belleville, ON K8N 5B3

Phone: (613) 962-2655

Fax: (613) 961-7998

Maxville

72 Mechanic Street West

P.O. Box 410

Maxville, ON K0C 1T0

Phone: (613) 527-2290

Fax: (613) 527-2569

Lindsay

322 Kent St. West

Lindsay, ON K9V 4T7

Phone: (705) 324-5715

Fax: (705) 324-1638

Smiths Falls

91 Cornelia Street West

Smiths Falls, ON K7A 5L3

Phone: (613) 283-7002 ext. 112

Fax: (613) 283-7005

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