

City of Brantford

# Downtown Community Improvement Plan

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December 2023

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## Part A Preamble

Part A is provided as background and contextual information in support of the Downtown Community Improvement Plan. This Part does not constitute an operative component of the Downtown Community Improvement Plan (CIP).

### A.1 Community Improvement Plan Legislative and Policy Frameworks

The Province of Ontario has established a legislative framework for the preparation of community improvement plans (CIPs), a tool used to support revitalization of targeted areas through municipally driven programs and/or financial incentive based programs. This legislative framework is supported and implemented by Provincial and City of Brantford policies and plans. Any proposed CIP must conform to both the legislative and policy frameworks.

Similarly, both the Province and the City of Brantford have policies that support redevelopment and revitalization of existing neighbourhoods, and provide direction on infill and intensification, particularly in Brantford's Downtown Urban Growth Centre.

The following subsections outline the various components of the Provincial legislation and policies and the municipal policies as they relate to CIPs and to Downtown revitalization and intensification.

#### A.1.1 Provincial Legislation

The *Planning Act* and the *Municipal Act* provide direction and guidance on the establishment and implementation of CIPs, as follows:

##### **Planning Act**

The *Planning Act* governs how municipalities may plan and regulate the use of land and buildings, with Section 28 outlining the requirements for preparing and implementing Community Improvement Plans (CIPs).

These requirements include that the City's Official Plan must contain policies respecting the application of CIPs, that a Community Improvement Project Area is adopted by Council, and that a Community Improvement Plan is prepared for the designated Community Improvement Project Area.

In instances where a Community Improvement Project Area is in effect but there is no Community Improvement Plan in place, Council may:

- Acquire land within the project area;
- Hold land that has been acquired; and
- Clear, grade or otherwise prepare the land for community improvement activities (Section 28(3)).

When a CIP comes into effect, provided the Plan provides for the acquisition and improvement of land (Section 28(3)), the municipality may construct, repair, rehabilitate or improve buildings on land acquired or held by the municipality in conformity with the policies

of the CIP (Section 28(6)). This enables the municipality to intervene directly and make improvements to property or to build new buildings and facilities.

Under Section 28(7), the municipality may issue grants and loans to property owners and tenants to assist in paying for eligible costs. Eligible costs are broadly defined to include “costs related to environmental site assessment, environmental remediation, development, redevelopment, construction and reconstruction of lands and buildings for rehabilitation purposes or for the provision of energy efficient uses, buildings, structures, works, improvements or facilities” (Section 28(7.1)). Under no circumstance can the amount of a grant or loan exceed the eligible cost of the Community Improvement Plan project (Section 28(7.3)). The municipality may also enter into agreements concerning any issued grants or loans, and register the agreement against the title of the land (Section 28(11)).

Finally, once Council is satisfied that a Community Improvement Plan “has been carried out,” Council may pass a by-law to dissolve the Community Improvement Project Area, which renders any affected CIP non-applicable (Section 28(13)).

### **Municipal Act**

The *Municipal Act* governs many procedures, tools and powers of municipalities. It prohibits municipalities from assisting any manufacturing business or other industrial or commercial enterprise through the granting of bonuses (Section 106(1)). Prohibited actions outlined under Section 106(2) include:

- a) giving or lending any property of the municipality, including money;
- b) guaranteeing borrowing;
- c) leasing or selling any property of the municipality at below fair market value; or
- d) giving a total or partial exemption from any levy, charge or fee.

However, Section 106(3) of the *Municipal Act* also provides an exception to the above where a municipality exercises powers under Section 28(6), (7) or (7.2) of the *Planning Act* (i.e., Community Improvement Plans).

## **A.1.2 Provincial Policies and Plans**

The Province of Ontario provides policy direction to be implemented by local municipalities through Provincial policies and plans. Those relevant to a CIP for Downtown Brantford include:

### **Provincial Policy Statement (2020)**

The Provincial Policy Statement (2020) (PPS), issued under Section 3 of the *Planning Act*, outlines the Province’s position with respect to land use planning and development. Although the PPS does not explicitly reference CIPs, it supports the revitalization and rehabilitation of downtown areas, and recognizes the importance of downtowns and main street areas as a component of long-term economic prosperity (Section 1.7.1 d).

The PPS also generally places a strong emphasis on intensification, describing principles that offer support for this intensification to occur in downtowns. Section 1.1.3.1, for example, requires that settlement areas “shall be the focus of growth and development.” Section 1.1.3.2 elaborates that land use patterns within settlement areas shall be based on densities

and a mix of uses that address several principles, including an efficient use of land and resources, efficient use of infrastructure and public service facilities, and supporting active transportation and transit.

Section 1.1.3.3 requires planning authorities to identify appropriate locations and promote opportunities for accommodating a significant supply and range of housing options through intensification and redevelopment, taking into account existing building stock and areas with existing and planned infrastructure that can accommodate projected needs. Section 1.1.3.5 directs planning authorities to implement minimum intensification targets, based on those established in Provincial Plans (i.e., A Place to Grow: Growth Plan for the Greater Golden Horseshoe, Office Consolidation 2020).

The PPS also contains policies related to housing, in Section 1.4, including a requirement to maintain the ability accommodate at least a 15-year supply of residential growth through intensification and redevelopment (1.4.1) and to provide for a range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents (1.4.3).

### **A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Office Consolidation 2020)**

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (the “Growth Plan”), outlines a policy framework for managing growth in the Greater Golden Horseshoe and generally encourages the development of complete communities with a mix of land uses, including residential and employment uses, with a compact built form and a vibrant public realm (Section 2.2.1). The Growth Plan also requires municipalities to support housing choice by identifying a diverse range and mix of housing options and densities, including affordable housing, and associated land use planning and financial tools (2.2.6).

As mentioned above, the PPS requires municipalities to establish intensification targets based on the Growth Plan and to “encourage intensification generally throughout the delineated built-up area.” In particular, municipalities within the Growth Plan area, including the City of Brantford, must direct a minimum of 50 percent of all residential development within the delineated built-up area by the time of the next Municipal Comprehensive Review (Section 2.2.2). The City’s current Official Plan is based on the 40 percent target established through the 2006 Growth Plan and still applies. As a result of work completed through the City’s Municipal Comprehensive Review (reflected in the new Council-adopted Official Plan), the Ministry of Municipal Affairs and Housing approved an alternative target for Brantford of 45% until 2031, increasing to 50% after 2031.

Downtown Brantford is further identified in the Growth Plan as an Urban Growth Centre (UGC) – defined as an existing or emerging downtown – to which growth and intensification should be directed. Brantford’s Downtown UGC must achieve a density target of 150 residents and jobs per hectare by 2031 (Section 2.2.3).

## **A.1.3 Municipal Policy**

The City of Brantford Official Plan and the Downtown Master Plan provide policy direction related to Downtown Brantford and the implementation of CIPs, as follows:

## City of Brantford Official Plan

The City of Brantford Official Plan is explicit in its intent to promote the intensification and revitalization of the Downtown Urban Growth Centre. The Official Plan also intends to ensure that a wide range of housing types are available across the City, including affordable housing. Applicable objectives of the Official Plan include to:

- Ensure affordable housing is available to a population with diverse social, physical and economic needs. (6.2.3.1c)
- Encourage intensification of people and jobs in the urban growth centre, within existing neighbourhoods, and along intensification corridors and nodes within the existing built up areas. (6.2.13.1b)
- Encourage the revitalization, redevelopment, reuse and/or conversion of greyfields, underutilized sites, or regeneration areas within which are included any combination of the following: brownfield sites, greyfield sites, underutilized sites, or sites within the City's Urban Growth Centre. (6.2.13.1f)
- Encourage new development and revitalization within the urban growth centre, intensification corridors and other key intensification areas which will result in the long term (beyond 2031) in a dense, more urban condition including active, pedestrian supportive streets that are compatible with, and enhance, adjacent land uses. (6.2.13.1g)
- Promote the revitalization of the City's downtown through a mixture of various commercial, office, residential, cultural, entertainment, educational, institutional and recreational facilities. (6.2.14.1a)

Further, Section 15.3.1 outlines that the Urban Growth Centre is “the major focus area to accommodate a significant share of the City's population and employment growth.”

Section 15.6 deals with Regeneration Areas. Though not a land use designation, Section 15.6.1 describes Regeneration Areas as underutilized lands, which are in need of “renewed investment, redevelopment and/or reuse to achieve their maximum potential,” specifically including the City's Downtown Urban Growth Centre. Section 15.6.3 further recognizes the unique circumstances of the City's Regeneration Areas and requires the development of a unique strategy for each, such as this Downtown Community Improvement Plan. Among the factors to be considered in the development of such a strategy, per Section 15.6.4, is that “the lands have the potential for redevelopment that could increase municipal tax assessment” and the “potential to advance other goals” of the City.

With regards to Community Improvement Plans, Section 16 of the Official Plan contains enabling policies for Community Improvement areas including, in Section 16.1 – General:

“The City shall encourage community improvement through the preservation, rehabilitation, renewal, and redevelopment, where appropriate, of certain areas of the City in order to improve the safety and quality of buildings, structures, and facilities.”

Further, Section 16.2 - Community Improvement Policy Area, establishes that all lands within the built boundary are eligible for inclusion in a CIP and that Council may pass a by-law designating CIP Project Areas and approving CIPs “to establish the detailed objectives and policies concerning the improvement of these specific areas.”

Section 16.3, Community Improvement Policy Areas, provides more detailed criteria for the selection of CIP Project Areas including the lands are substantially developed (16.3.1.1), inadequacy of municipal services (16.3.1.2) and constraints to community improvement, such as incompatible land uses (16.3.1.3).

Criteria for residential CIPs are contained in Section 16.3.2:

1. A substantial portion of the residential dwelling units within the area do not meet the City's maintenance and occupancy standards;
2. The area is designated and considered to be stable for long-term residential use; and
3. There are inadequacies in the existing neighbourhood facilities or amenities within the area such as parks, schools and community facilities.

Not all of the criteria need be present for an area to be selected for a CIP Project Area.

Section 16.4 – Implementation outlines the means through which the CIP shall be implemented. Specifically, Section 16.4.1 requires:

1. The preparation of an inventory of the lands within the Community Improvement Policy Area, in order to assist Council in evaluating the requirements for community improvements;
2. The selection of Community Improvement Project Areas by by-law;
3. The preparation and adoption of Community Improvement Plans pursuant to the *Planning Act*;
4. Participation in Federal and Provincial programmes for funding community improvement projects;
5. Encouraging community organizations and individuals to participate in community improvement projects, wherever possible;
6. The establishment of an implementation budget identifying the financial requirements associated with the implementation of the Community Improvement Plan; and
7. Ensuring that the City can satisfy the financial requirements for its share of the costs associated with any community improvement projects.

During the preparation of the Downtown CIP, the policies described above apply, however it is also noted that the City of Brantford is in the process of updating its Official Plan. The updated Official Plan will continue to support revitalization and intensification in the Downtown Urban Growth Centre through the use of a Community Improvement Plan.

### **Downtown Master Plan**

The Downtown Master Plan builds off the policy framework established in the Official Plan, and further refines the vision for the Downtown as a vibrant city centre. To realize this vision, an increase in people living, working, and visiting the Downtown is required. As such, the core objective of the Master Plan is to create the appropriate conditions and physical environment across the Downtown to make it attractive for investment and provide more opportunities for people to live and work.

## **A.2 Previous Downtown Brantford Community Improvement Plan**

In 2002, Council enacted a Downtown Community Improvement Plan which included financial incentive programs designed to encourage commercial and mixed use development in the Downtown. The financial incentive programs in the CIP, including the Downtown Business Performance Grant, Façade Grant, and Design Grant programs, acted in combination with other incentive programs for the Downtown that provide exemptions or reductions from Development Charges, Parkland Dedication requirements, and parking requirements, to encourage redevelopment and property improvements. The Downtown CIP was repealed in 2019 due to a lack of funding to continue the implementation of the Plan, which prompted the City to investigate new and alternative options for a Downtown Community Improvement Plan to continue to support opportunities for growth and revitalization of the Downtown.

## **A.3 Downtown Community Improvement Plan Public Engagement**

On September 21, 2020, the Draft Downtown Community Improvement Plan (September 2020 version) was released for a public and agency commenting period. Notification was provided to all property owners within the Community Improvement Project Area, as well as to the Downtown Brantford Business Improvement Area, the Chamber of Commerce Brantford-Brant, the Brantford Home Builders' Association, the Brantford Regional Real Estate Association, and members of the City's Economic Development and Advisory Committee. A Statutory Public Meeting was held on February 9, 2021, and following direction from Brantford City Council on February 23, 2021, the draft CIP was revised to include options for further incentivizing affordable housing units. On May 13, 2021, the revised Draft Downtown CIP (May 2021 version) was released for a second public and agency commenting period. The September 2020 and May 2021 versions of the Draft Downtown Community Improvement Plan were also circulated to the Ministry of Municipal Affairs and Housing for review and comment, as required by the *Planning Act*.

## **Part B Downtown Community Improvement Plan**

Part B constitutes the Downtown Community Improvement Plan (CIP).

### **B.1 Community Improvement Project Area**

A Community Improvement Project Area is an area of the City defined by by-law, to which the Community Improvement Plan applies. For convenience purposes, the boundary of the Downtown Community Improvement Project Area is attached in Appendix A. Readers should always consult with the City to ensure that they are reviewing the Community Improvement Project Area as designated under the most recent by-law.

A Community Improvement Project Area must be defined and enacted by by-law for the programs, policies and strategies of this CIP to be activated, utilized and implemented. Council may amend the Community Improvement Project Area through the passing of a

new Community Improvement Project Area By-law that would replace the current Community Improvement Project Area By-law.

Modifications to the Community Improvement Project Area could occur due to a number of circumstances including, but not limited to:

- A desire by Council to focus the Community Improvement Plan on a smaller area, to concentrate revitalization activities and their benefits, and/or to focus limited implementation resources; or
- To reflect a change in the boundary of Brantford's Urban Growth Centre by the Province.

Council may dissolve the Community Improvement Project Area by by-law should it determine that the objectives of the Plan have been achieved. Dissolving the Community Improvement Project Area will render the Plan inoperable.

## **B.2 Vision and Goals**

The following subsections provide both a general vision for the Downtown Urban Growth Centre in Brantford as well as the goals of the Community Improvement Plan, against which the City and revitalization proponents can benchmark the beneficial impact of proposed projects.

### **B.2.1 The Vision for Brantford's Downtown Urban Growth Centre**

As the heart of the City, the Downtown Urban Growth Centre is a primary destination for residents, students, tourists, and businesses. The Downtown is surrounded by residential lands, bordered by the Grand River to the west, and includes the City's Downtown Transit Terminal servicing Brantford Transit and GO Transit Buses, as well as the Brantford Train Station.

Rich in heritage, the Downtown is intended to include a broad range of built forms and land uses that contribute to a sustainable and complete community. The area has a balanced mix of government and social services, post-secondary institutions, shopping, offices, housing options, entertainment, and cultural activities. As an Urban Growth Centre, Downtown Brantford has the potential to accommodate significant growth through an intensified built form.

### **B.2.2 CIP Goals for Downtown Revitalization and Intensification**

To support this long-term vision for the Downtown Urban Growth Centre, the primary goal of the Downtown CIP is to facilitate the transformation of properties in the Downtown into intensified residential and mixed use developments. These transformative projects will replace vacant and underutilized sites and buildings in the Downtown with large scale residential and mixed use developments that will provide for a variety of types and tenures of residential units, including affordable housing. These sites will play a new role in the Downtown, supporting existing or new commercial and institutional uses with new residents and employees, and contributing to a complete community in the heart of the City that

includes easy access to a range of amenities in a walkable and transit supportive environment.

As individual projects are completed with the assistance of the CIP, the opportunities available to the private sector through revitalization and intensification in the Downtown will be clear, and this will help to catalyze additional revitalization projects and investment. These revitalization initiatives in the Downtown will work towards achieving a number of Downtown and City-wide objectives, including assisting the City in achieving Provincial intensification targets for the Downtown Urban Growth Centre and built-up area, creating new forms and tenures of housing including affordable units, supporting existing commercial and institutional uses, promoting walkability and transit mobility, limiting the need for new infrastructure while supporting residential and mixed use intensification, and diversifying the City's revenue base, all while helping create a vibrant Downtown.

### **B.3 Property Tax Increment-Based Grant**

The following section describes the Property Tax Increment-Based Grant program offered through the Downtown Community Improvement Plan. This program, summarized in Table 1, supports the intensification and revitalization of Downtown Brantford by facilitating private redevelopment initiatives and provides an enhanced incentive for projects that also create affordable housing units. This program is a key tool to stimulate reinvestment and intensification in Brantford's Downtown and achieves the vision and goals described in Section B.2 of this CIP and in the City of Brantford Official Plan.

**Table 1 - Summary of Property Tax-Increment Based Grant Program**

<b>Program</b>	<b>Purpose</b>	<b>Eligibility</b>	<b>Maximum Grant</b>
<b>Property Tax Increment- Based Grant</b>	To promote large scale redevelopment projects that will result in an increase in the assessed value of properties and that include the creation of residential units, as either standalone residential developments or mixed use developments, where these uses are contemplated by the Official Plan.	Properties within the Downtown Community Improvement Project Area may be eligible at the discretion of City Council, subject to the eligibility criteria in Section B.3.	The grant is equivalent to up to 80% of the increase in municipal property taxes resulting from the revitalization project in post- redevelopment years 1 to 5, 60% in years 6 and 7, 40% in year 8, and 20% in years 9 and 10. Depending on the provision of affordable housing units, the grant may be enhanced up to 100% of the increase in municipal property taxes in post-redevelopment years 1 to 10, as outlined in Table 2 in Section B.3.

**Program Purpose and Objective**

The purpose of the Property Tax Increment-Based Grant is to promote large scale redevelopment projects that create residential units and that will result in an increase in the assessed value of these properties. This program intends to incentivize infill and redevelopment of standalone residential buildings and mixed use buildings where these uses are contemplated by the Official Plan or where there is an approved Official Plan Amendment.

The primary objective of the Property Tax Increment-Based Grant is to promote major redevelopment and reinvestment that will take significant steps towards achieving the City’s intensification objectives for the Downtown Urban Growth Centre and the vision of the CIP. Another objective is to encourage the provision of affordable housing units.

## **Property Tax Increment-Based Grant Eligibility Criteria**

To be considered eligible for the Property Tax Increment-Based Grant, all proposed properties and projects shall be in accordance with the following eligibility criteria:

### **1. Located in the Community Improvement Project Area**

The subject property shall be located within the current Downtown Community Improvement Project Area, as confirmed by the City. For convenience purposes, the Downtown Community Improvement Project Area is attached to this CIP as Appendix A.

### **2. Project must increase assessed value of property and create residential units**

Proposed projects must represent large scale redevelopment, at the discretion of the City, that will result in an increase in the assessed value of a subject property and that include the creation of residential units, as either standalone residential developments or mixed use developments, as defined in this Plan.

### **3. Grants provided through one of three streams**

Grants under the program will be provided through one of three streams applicable to the type of proposed project:

- Revitalization Project – a redevelopment that results in an increase in the assessed value of a subject property and that includes the creation of residential units;
- Affordable Housing Revitalization Project – Tier 1 – a Revitalization Project that includes a minimum of 20% of Affordable Housing rental units, as defined in this Plan, which have a rent charge for each unit size which is equal to or less than 80% of the most recently released Canada Mortgage and Housing Corporation (CMHC) average market rent (AMR) for the City of Brantford and County of Brant for that unit size, or 80% of an alternate average market rent approved by the Ministry of Municipal Affairs and Housing. The Affordable Housing rental units must be governed by a Municipal Housing Facilities Agreement with the City of Brantford, to ensure the units continue to be maintained as affordable for a minimum of 20 years, and must be participating in a federal and/or provincial housing program; or
- Affordable Housing Revitalization Project – Tier 2 – a Revitalization Project that includes:
  - a minimum of 10% of Affordable Housing rental units, as defined in this Plan, which have a rent charge for each unit size which is equal to or less than 80% of the most recently released CMHC AMR for the City of Brantford and County of Brant for that unit size, or 80% of an alternate average market rent approved by the Ministry of Municipal Affairs and Housing; and
  - a minimum of 10% of Affordable Housing rental units, as defined in this Plan, which have a rent charge for each unit size which is equal to or less than 60% of the CMHC AMR for the City of Brantford and County of Brant for that unit size, or 60% of an alternate average market rent approved by the Ministry of Municipal Affairs and Housing.

The Affordable Housing rental units must be governed by a Municipal Housing Facilities Agreement with the City of Brantford, to ensure the units continue to be maintained as affordable for a minimum of 20 years, and must be participating in a federal and/or provincial housing program.

#### **4. Consistency with the Plan's intent**

Proposed projects shall generally contribute to and be consistent with achieving the vision and goals of this Community Improvement Plan, as outlined in Section B.2, in the opinion of the City.

#### **5. Eligible costs**

Costs that may be counted towards the calculation of a potential grant value include relevant costs related to redevelopment of a property for intensified standalone residential uses or mixed uses (as defined in this Plan) including demolition, substantial alteration of an existing building/structure or site, site preparation/planning and construction. This includes costs for:

- materials;
- labour; and
- fees related to the professional services that are necessary for the applicant to prepare and submit a complete grant application (e.g., an architect, engineer or land use planner), up to a maximum of 15% of the total eligible costs.

#### **6. Total eligible costs less than \$10,000 will not be eligible**

The City will not accept, process or approve an application where the total eligible costs are less than \$10,000

#### **7. Maximum grant**

The Property Tax Increment-Based Grant shall be calculated from the increase in municipal property taxes resulting from the improvement project. The grant does not include any portion of the Business Improvement Area (BIA) levy. The amount of the grant shall be calculated in the first year post-redevelopment based on the current (pre- redevelopment) tax assessment, and the payment schedule shall be outlined in the Financial Incentive Program Agreement. The program will expire in accordance with the terms of the Financial Incentive Program Agreement, which shall be at the sole discretion of the City. The maximum grant value for Revitalization Projects, Affordable Housing Revitalization Projects – Tier 1, and Affordable Housing Revitalization Projects – Tier 2 is identified in Table 2. The maximum grant value shall not exceed eligible costs.

Table 2 - Maximum grant value based on project type

Revitalization Projects	Affordable Housing Revitalization Projects – Tier 1	Affordable Housing Revitalization Projects – Tier 2
The grant is equivalent to up to 80% of the increase in municipal property taxes in years 1 to 5, 60% in years 6 And 7, 40% in year 8, and 20% in years 9 and 10.	The grant is equivalent to up to 90% of the increase in municipal property taxes in years 1 to 5, 70% in years 6 And 7, 50% in year 8, and 30% in years 9 and 10.	The grant is equivalent to up to 100% of the increase in municipal property taxes in years 1 to 10.

**8. Grant payment**

The duration and payment of the grant shall be set out in the Financial Incentive Program Agreement on a case-by-case basis, at the sole discretion of the City and in accordance with the Maximum Grant policies noted above. This grant will only be paid upon full payment of taxes.

**9. No municipal arrears**

The subject property shall not have any municipal fee, development charges or property tax arrears at the time of application and throughout the duration of the grant commitment.

**10. Eligible types of applicants**

Only the owner of the subject property shall be permitted to apply for a Property Tax Increment-Based Grant.

**11. Non-transferrable**

The Financial Incentive Program Agreement and related grant is non-transferrable.

**12. Consistency with Urban Design Guidelines**

Proposed projects shall be consistent with the Urban Design Manual and any other urban design guidelines that the City may develop or adopt.

**13. Compliance with Official Plan, Zoning, etc.**

Existing and proposed land uses, buildings and structures shall be in conformity with the Official Plan, Zoning By-law, and any other applicable municipal by-laws. Any proposed works shall also be subject to any required Building Permit, or other required permits or approvals from other approval authorities.

Notwithstanding this requirement, it is recognized that this Plan contemplates grants for projects that may require planning or building approvals, meaning that the proposed works may not fully comply with the current applicable requirements. In these cases, and at the City’s sole discretion, the applicant shall be required to meet or formally pre- consult with the City in advance of submitting an application for a grant. The City may accept an application for the Property Tax Increment-Based Grant prior to the completion of any planning or

building approvals. However, the City shall only approve an application for a grant when any applicable planning approvals required to implement the proposed redevelopment are finalized, inclusive of any applicable appeal period (e.g., official plan amendment, zoning by-law amendment, minor variance, etc.).

#### **14. Completed works to be consistent with the approved application**

Where a project has been approved for grant funding, the completed works shall be consistent with the stated description and supporting materials as included in the grant application and as approved by the City. This requirement and project description shall be set forth in the Financial Incentive Program Agreement. Supporting materials required by the City may include:

- drawings/elevations/plans/sketches/renderings of the planned improvements to compare against before and after photographs;
- multiple itemized quotes from contractors/suppliers to compare against the final invoice from the selected contractor/supplier;
- proof of payment of contractors/suppliers;
- occupancy permits; or
- any other information needed to confirm completion of the project in accordance with the approved application and the Financial Incentive Program Agreement.

The City will also undertake a site visit to confirm compliance with this requirement. Where the completed works are not consistent with the stated description, the applicant may be considered to have defaulted on the requirements of the agreement, and the City, at its sole discretion, may opt not to remit payment for the grant in accordance with the terms of the Financial Incentive Program Agreement.

#### **15. Eligibility where there is a history of CIP funding**

The City shall only accept an application for financial incentives under this Plan where there is no history of funding from this Plan or from another CIP. However, a site that has previously received funding from the Brownfield Sites Community Improvement Plan or the former Downtown Community Improvement Plan may be eligible for funding under this CIP provided there is no duplication of eligible costs. Should it be determined that a site subject to an application under the Downtown CIP is ultimately determined to be a brownfield site, if funding is sought for remediation expenses, an application under the Brownfield Sites CIP will be required. Remediation expenses are not eligible for reimbursement under the Downtown CIP, and in no case shall eligible costs be counted more than once in any application.

#### **16. Disclosure of other potential funding sources**

As part of completing an application form, the applicant shall disclose any other funding that may be received in relation to the project, whether not the funding is part of the CIP. Where the project is subject to other funding sources, including funding from the Provincial or Federal governments, the City shall have sole discretion to reduce the value of the grant.

### **17. Eligibility where improvement works have been initiated prior to approval**

Improvement works should be initiated after approval of a grant application and execution of the Financial Incentive Program Agreement. However, at the City's sole discretion, improvement works that have been initiated prior to the approval of an application and/or the execution of the Financial Incentive Program Agreement may be considered eligible and these expenses may be included in the calculation of the maximum grant. Projects that have received Final Site Plan Approval as of February 23, 2021 and/or projects completed in their entirety prior to approval of a grant application are not eligible for the grant program.

### **18. Government not eligible**

No government or government agency shall be eligible to apply for any grant under this Plan. The intent of this plan is to focus incentives on private property owners.

## **B.4 Downtown Façade & Safety Improvement Grant**

The following section describes the Downtown Façade & Safety Improvement Grant program offered through the Downtown Community Improvement Plan. This program, summarized in Table 1, supports the rehabilitation and improvement of existing commercial or mixed use properties within Downtown Brantford. This grant intends to support the ongoing use of properties within the Downtown Urban Growth Centre by improving their aesthetic appeal, site functionality and enhancing the sense of security. This program will be used as a tool to stimulate reinvestment in Brantford's Downtown and achieve the vision and goals described in Section B.2 of this CIP and in the City of Brantford Official Plan. More specifically, this program is intended to support the improvement of:

- Commercial façades that front upon a public right of way;
- Private properties' frontages along the public right-of-way including hard landscaping, such as permanent planters, and site amenities available for public or private use. These improvements will create a more attractive streetscape, improve pedestrian comfort, and provide new amenities to add vitality and interest, but will not extend into the municipal right-of-way; and
- Pedestrian connectivity into or through sites where the existing built form caters primarily to automobiles to enhance walkability and barrier-free access to, from, and between existing uses and destinations.

**Table 3 - Summary Downtown Façade & Safety Improvement Grant Program**

<b>Program</b>	<b>Purpose</b>	<b>Eligibility</b>	<b>Maximum Grant</b>
Downtown Façade & Safety Improvement Grant	To support the rehabilitation and enhancement of existing commercial and mixed-use properties and improve the aesthetics, appeal, functionality, and safety.	Properties must be located within the Downtown Community Improvement Project Area, and have existing commercial or mixed use buildings with commercial uses at grade.	The maximum grant is \$15,000 or 50% of the total eligible costs, whichever is less.

**Program Purpose and Objective**

The purpose of the Downtown Façade & Safety Improvement Grant is to encourage property owners to complete façade and safety improvements that will improve the aesthetics and appeal of Downtown properties and enhance the feeling of safety and security for residents and people working or visiting Downtown. This program intends to provide owners with grants to complete eligible projects.

The primary objective of the Downtown Façade & Safety Improvement Grant is to promote the revitalization of the downtown and to increase the safety of the area.

**Downtown Façade & Safety Improvement Grant Eligibility Criteria**

To be considered eligible for the Downtown Façade & Safety Improvement Grant, all proposed projects shall be in accordance with the following eligibility criteria:

**1. Located in the Community Improvement Project Area**

The subject property shall be located within the current Downtown Community Improvement Project Area, as confirmed by the City. For convenience purposes, the Downtown Community Improvement Project Area is attached to this Plan as **Appendix A**.

**2. Consistency with the Plan’s intent**

Proposed projects shall generally contribute to and be consistent with achieving the vision and goals of this Community Improvement Plan, as outlined in Section B.2, in the opinion of the City.

**3. Eligible Costs**

Costs that may be counted towards the calculation of a potential grant value include relevant costs related to permanent façade and safety improvements. Non-eligible costs would include the operation, general maintenance, and life cycle costs, non-permanent installations, construction costs, administration costs, and expenses that occurred before grant approval.

#### **4. Total eligible costs less than \$10,000 will not be eligible**

The City will not accept, process, or approve an application where the total eligible costs are less than \$10,000.

#### **5. Maximum Grant**

The maximum grant for the Downtown Façade & Safety Improvement Grant is \$15,000 or 50% of the total eligible costs, whichever is less. Only the portions of the façade and hard landscaping that is subject to the improvements and that faces a public right-of-way will be included in the calculation of maximum grant value. The breakdown of the grant elements will be at the discretion of the City based on project needs. An example of a maximum \$15,000 grant breakdown is \$7,500 for façade, \$5,000 for landscaping, and \$2,500 for connectivity improvement projects.

#### **6. Grant Payment**

The grant shall be paid as a one-time amount upon completion of construction, to the satisfaction of the City.

#### **7. No Municipal arrears**

The subject property shall not have any municipal fee, development charges, or property tax arrears at the time of application and throughout the duration of the grant commitment.

#### **8. Eligible types of applicants**

Eligible applicants shall include owners and tenants. Where a tenant is an applicant, the owner shall provide written consent.

#### **9. Non-transferrable**

The related grant is non-transferable.

#### **10. Project must represent an improvement**

Proposed projects must represent an improvement over existing conditions, and not simply represent a typical lifecycle replacement of materials, paving, or structures. Maintenance-related works and repairs are not eligible. The works must represent a positive change over the existing conditions, subject to the sole discretion of the City. The Urban Design Manual and any other urban design guidelines that the City may develop or adopt will be used to inform the design and determination of whether the proposed project represents an improvement over the existing condition. Additionally, where an existing property is in a good state of repair, the City shall have the discretion to refuse an application that does not result in a significant enhancement to the property. Proposed projects shall be consistent with the Urban Design Manual and any other urban design guidelines that the City may develop or adopt.

#### **11. Compliance with Official Plan, Zoning, etc.**

Existing and proposed land uses, buildings and structures shall be in conformity with the Official Plan, Zoning By-law, and any other applicable municipal by-laws. Any proposed works shall also be subject to any required Building Permit, or other required permits or approvals from other approval authorities. Notwithstanding this requirement, it is recognized

that this Plan contemplates grants for projects that may require planning or building approvals, meaning that the proposed works may not fully comply with the current applicable requirements. In these cases, and at the City's sole discretion, the applicant shall be required to meet or formally pre-consult with the City in advance of submitting an application for a grant. The City may accept an application for incentives prior to the completion of any planning or building approvals. However, the City shall only approve an application for a financial incentive when any applicable planning approvals are finalized, inclusive of any applicable appeal period.

## **12. Completed works to be consistent with the approved application**

Where a project has been approved for grant funding, the completed works shall be consistent with the stated description and supporting materials as included in the grant application and as approved by the City. Supporting materials required by the City may include:

- drawings/elevations/plans/sketches/renderings of the planned improvements to compare against before and after photographs;
- multiple itemized quotes from contractors/suppliers to compare against the final invoice from the selected contractor/supplier;
- proof of payment of contractors/suppliers;
- occupancy permits; or
- any other information needed to confirm the completion of the project in accordance with the approved application.

The City will also undertake a site visit to confirm compliance with this requirement. Where the completed works are not consistent with the stated description, the applicant may be considered to have defaulted on the requirements of the agreement, and the City, at its sole discretion, may opt not to remit payment for the grant.

## **13. Eligibility where there is a history of CIP funding**

A site that has previously received funding from the Brownfield Sites Community Improvement Plan or the former Downtown Community Improvement Plan may be eligible for funding under this CIP provided there is no duplication of eligible costs.

## **14. No duplication of eligible costs**

In no case shall eligible costs be counted more than once in any application, including where the applicant has applied for multiple grant programs.

## **15. Disclosure of other potential funding sources**

As part of completing an application form, the applicant shall disclose any other funding that may be received in relation to the project, whether or not the funding is part of the CIP. Where the project is subject to other funding sources, including funding from the Provincial or Federal governments, the City shall have sole discretion to reduce the value of the grant.

#### **16. Eligibility where improvement works have been initiated prior to approval**

Improvement works should be initiated after approval of a grant application. However, at the City's sole discretion, improvement works that have been initiated prior to the approval of an application may be considered eligible and these expenses may be included in the calculation of the maximum grant. Projects completed prior to the approval of a grant application are not eligible for the grant program.

#### **17. Grants subject to funding availability**

Availability of grants is subject to funding availability. Applicants should confirm the current availability of funding with the City prior to making an application.

#### **18. Government not eligible**

No government or government agency shall be eligible to apply for any grant under this program. This program intends to provide incentives for private property owners.

# Appendix A – Downtown Community Improvement Project Area



## Appendix B – Glossary of Terms

The following definitions are provided to assist in the interpretation of this Plan. The City shall have the sole discretion in interpreting the provisions and meaning of words used in this Plan.

**Affordable Housing** shall have the same meaning as defined in the City of Brantford's Municipal Housing Facilities By-law 162-2003, as amended, or any successor thereto. For greater clarity, Affordable Housing rental units shall be governed by a Municipal Housing Facility Agreement.

**Applicant** means a property owner or agent acting on behalf of a property owner who has applied for or is intending to apply for a grant program outlined in this Plan.

**Commercial use** shall have the same meaning as defined in the City of Brantford's Comprehensive Zoning By-law 160-90, as amended, or any successor thereto.

**Community Improvement Plan (CIP)** means this Plan, as adopted in accordance with Section 28(4) of the *Planning Act*.

**Community Improvement Project Area (CIPA)** means the currently designated Downtown Community Improvement Project Area, as adopted by a by-law of Council in accordance with Section 28(2) of the *Planning Act*. For convenience purposes, the CIPA is attached to this Plan as Appendix A.

**Crime Prevention Through Environmental Design (CPTED)** is based on the theory and belief that the propose design and effective use of the built environment can lead to a reduction in the incidence of fear of crime, and an improvement in the quality of life (Source: cptedcanada.com).

**Eligible costs** mean the costs that may be counted towards the calculation of a potential Property Tax Increment-Based Grant value, as listed under Section B.3.

**Financial Incentive Program Agreement** means an agreement executed between the City and an applicant, to outline the terms and conditions for payment of an approved grant, and prepared in accordance with the policies of this Plan.

**Mixed use** shall have the same meaning as defined in the City of Brantford's Comprehensive Zoning By-law 160-90, as amended, or any successor thereto, but shall not include a building or buildings which contain only a mixture of residential use and commercial parking.

**Municipal Housing Facility Agreement** shall have the same meaning as defined in the City of Brantford's Municipal Housing Facilities By-law 162-2003, as amended, or any successor thereto.

**Residential use** shall have the same meaning as defined in the City of Brantford's Comprehensive Zoning By-law 160-90, as amended, or any successor thereto.