



*Owen Sound*

**COMMUNITY IMPROVEMENT PLAN**  
**STRUCTURAL/FACADE IMPROVEMENTS AND**  
**REDEVELOPMENT OF VACANT SITES DOWNTOWN**  
**REDEVELOPMENT OF CONTAMINATED SITES**  
**IN THE HARBOUR AREA**  
**OWEN SOUND**

**July 14, 2001**

*Revised for Ministry Dec. 18<sup>th</sup>*

**Further revised January 21, 2005**

**Approved by Ministry of Municipal Affairs and Housing**

**October 31, 2005**

**(last date of appeal – November 24, 2005)**

Version Revised as per Public Meeting, Provincial Comments  
And Adopted by City Council

**CONSTITUTIONAL STATEMENT**

**PART A – THE PREAMBLE** does not constitute part of the Community Improvement Plan.

**PART B – THE COMMUNITY IMPROVEMENT PLAN** consisting of text and Schedule “A” constitutes the Community Improvement Plan for the City Of Owen Sound.

Schedule “B” is attached for reference only and is not part of this Community Improvement Plan

## **PART A: THE PREAMBLE**

### Purpose:

This Community Improvement Plan establishes a framework for the City's support and implementation of a program to encourage development in the downtown and harbour areas, in addition to the existing structural and façade improvement program already implemented for the downtown.

### Location:

The lands subject of the plan are described as follows and shown on the attached map:

- The City's downtown or Central Business District (CBD)
- The City's inner harbour area
- The City's outer harbour area being the area defined in the Official Plan as the Bayshore Secondary Plan Area (including the West Harbour Planning Area).

### Basis:

The City has approved as a working document the Owen Sound Harbour and Downtown Master Plan and Strategy to create a positive direction and climate for further investment and redevelopment in the downtown. The Master Plan and Strategy identifies key economic and design initiatives for the harbour and downtown. The City has invested significantly in downtown infrastructure over the last two years including quality urban design features to enhance the look and image in the downtown. The Plan and Strategy provides a framework for long term investment in the area to achieve desired economic and design initiatives.

The Plan and Strategy also identifies the need to encourage infill developments throughout the downtown and harbour area with appropriate areas for parking, open space for public access. The Plan and Strategy support the use of incentives to encourage redevelopment of the harbour and downtown areas given these areas are critical focal points in the City.

The Plan and Strategy encourages residential intensification in the downtown to support existing and future business development opportunities. These policies are being supported in the City's Official Plan.

Provincial Policy statements state the long-term economic prosperity shall be supported by maintaining the well being of downtowns and mainstreets, and contaminated sites will be restored as necessary prior to any activity on the site such that there will be no adverse effect on human health, the environment and normal use of property and business activity.

To proceed with proposed redevelopment on several former industrial sites along the harbour and near the downtown costly soil remediation is required to comply with Provincial guidelines. These developments would result in significant investment in the downtown and harbour to the benefit of the entire community. The developments would provide for commercial and residential development complimentary to existing open space and public developments in the area including major trails system and the renovated Harry Lumley Bayshore Community Centre, a regional entertainment facility.

The City has a successful façade and structural improvement program that encourages maintenance of downtown building stock and allows for improvements sensitive to the character and workmanship associated with many older buildings.

The City's Economic Development Strategy encourages initiatives that promote the downtown as a specialized business area and cultural centre of the City. The City's Official Plan identifies the downtown as a focal point for commercial, social and cultural activities of the City and a major shopping district in the area.

The City's Economic Development Strategy also encourages business opportunities that take advantage of the waterfront and trails. The Official Plan recognizes the harbour and waterfront as an important commercial and recreational area where uses associated with shipping are to be permitted along with tourist related development including restaurants, hotels and other similar uses.

The CBD, Inner Harbour and Bayshore areas are all identified as Community Improvement Policy Areas in the Official Plan. Policies for these areas provide for community improvements that promote rehabilitation of existing buildings and structures, replace inappropriate uses with more compatible uses, upgrade municipal hard and soft services and reduce land use conflicts.

The Ontario Planning Act allows Council to adopt a by-law to designate all or part of an area identified in the Official Plan as a Community Improvement Project Area. Where such a by-law is adopted Council can adopt a Community Improvement Plan pursuant to the Planning Act requirements. This plan gives the municipality the authority to offer development incentives notwithstanding certain statutory limitations in the Municipal Act.

In addition the Province has initiated the SmartGrowth program, which includes proposed legislation intended to allow for more effective processing of development on contaminated lands. This Community Improvement Plan is intended to reflect, implement and enhance this pending Provincial initiative.

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

### **1.0 Applicability:**

- a) **The Community Improvement Plan dated December 6, 1999 and approved by the Ministry of Municipal Affairs January 10, 2000 as a stand alone document shall continue to apply to the Central Business District of the City as identified in the City's Official Plan and illustrated generally in Schedule "A" to this plan.**
- b) **The provisions of this Community Improvement Plan dated July 14, 2001 shall apply to the Central Business District and portions of the Bayshore Planning Area (including the West Harbour Planning Area) as identified in the City's Official Plan and generally identified as the "Harbour Areas" illustrated generally in Schedule "A" to this plan**

### **2.0 Goals and Objectives:**

This Community Improvement Plan encourages property owners and developers in the downtown and harbour to pursue a range of incentives in support of development projects:

- The existing structural and façade improvement program as provided for under a stand alone Community Improvement Plan dated December 6, 1999 and approved by the Ministry of Municipal Affairs attached for reference purposes only as Schedule "B" to this plan.
- A tax incentive program for vacant lots within the Central Business District of the City as identified in Schedule "A" to this plan and contaminated sites within Central Business District and Harbour Areas identified in Schedule "A" to this plan
- Development Charge refund for certain residential developments within Central Business District and Harbour Areas identified in Schedule "A" to this plan

The plan allows for the City to offer technical and financial assistance to encourage completion of such projects in accordance with municipal and provincial standards. Use of these incentives is intended to support long-term economic prosperity and investment in the downtown and harbour area.

The program of incentives is intended to accomplish the following objectives:

- Improve and maintain the existing building inventory in the downtown using the existing structural and facade improvement program approved under Community Improvement Plan dated December 6, 1999 and approved by the Ministry of Municipal Affairs January 10, 2000 as a stand alone document.
- Encourage redevelopment of abandoned industrial sites within the harbour and downtown area to land uses compatible with surrounding properties, policies in the Official Plan and requirements of the Zoning By-law.
- Improve environmental quality of the land and water in downtown and harbour area to minimize impacts on human health and aquatic ecosystems in accordance with Provincial guidelines and policies
- Promote infilling development opportunities for abandoned industrial lands that support, compliment and encourage economic and business opportunities in the area of recreation, tourism, and commerce consistent with the character of the area.
- Provide opportunity for investment in the downtown and harbour that improves the economic climate of the area and increases its importance as a destination for residents and visitors, while maintaining and enhancing existing commercial shipping opportunities in the area.

### **3.0 Plan Parameters:**

This Community Improvement Plan will assist in rehabilitating existing buildings and structures in the downtown, eliminate former incompatible industrial land uses, encourage the clean-up of contaminated sites and allow for appropriate residential and commercial intensification.

Where buildings that are considered to be of historic or heritage value are removed or demolished on a property within the area identified in Schedule "A" to this plan, City Council at its sole discretion may determine that part or all of the programs provided for in this plan shall not apply to the redevelopment of that same property.

The Community Improvement Plan is consistent with Provincial policy, guidelines, and legislation including the SmartGrowth initiative, proposed Brownfield's legislation, the Brownfields Showcase and Municipal and Financial Tools for Planning and Development, Ministry of Municipal Affairs and Housing (Summer 2000), and implements the City's Official Plan, Harbour and Downtown Master Plan and Design Strategy, and zoning by-law.

The Community Improvement Plan encourages:

- Improvements to building facades and structures in accordance with the City's design guidelines using the existing structural and facade improvement program of the City approved under Community Improvement Plan dated December 6, 1999 and approved by the Ministry of Municipal Affairs January 10, 2000 as a stand alone document; and
- Redevelopment and infill on vacant lands, abandoned industrial sites subject of historical contamination and existing buildings in accordance with existing policies and requirements of the City.

The following programs may be implemented by the City to accomplish the above:

- a) Existing structural and facade improvement program as provided for in Community Improvement Plan dated December 6, 1999 approved by the Ministry of Municipal Affairs on January 10, 2000.
- b) Providing a grant over a maximum ten year period calculated on the basis of the increase in the municipal portion of taxes resulting from redevelopment of a vacant site in the downtown or redevelopment of an abandoned industrial site in the downtown or harbour area where clean up and site remediation is required consistent with the Guidelines for the Use of Contaminated Sites in Ontario. Such grant towards the increase in municipal portion of taxes for a redeveloped industrial site where site remediation has occurred not to exceed the cost of site remediation including applicable studies.
- c) Providing for a grant calculated on the basis of the required development charge for residential redevelopments and/or conversion of an existing building where there is no net increase in service demand from the previous to proposed use in the harbour and downtown area.

City Council at its sole discretion shall determine whether one or more of the programs provided for in part a, b or c above shall apply to any one property, but in no case shall the total cost of the incentives provided for in the program exceed the total of the municipal portion of the taxes or the amount of development charge to be paid for any property.

#### **3.1 The Existing Facade and Structural Improvement Program (part a)**

This program is effective pursuant to an existing Community Improvement Plan applying to the downtown area of the City only as identified in the plan dated December 6, 1999 approved by the Ministry of Municipal Affairs on January 10,

2000 and identified generally in Schedule “B” to this plan.

3.2 The Tax Incentive Program for Vacant Downtown and Former Industrial Sites in the Downtown and Harbour (part b)

Under this component, owners would indicate their interest in the tax incentive program at the building permit stage. If approved by Council, a commitment agreement would be executed confirming participation in the program.

The difference between the municipal portion of taxes prior to approved work being completed, and the municipal portion of the taxes after completion of the approved work would be calculated. The difference in the amount of increase would be pro-rated over 10 years such that only 10% of the increase is paid in year 1, 20% in year 2, 30% in year 3, 40% in year 4 and 50% in year 5, 60% in year 6, 70% in year 7, 80% in year 8, 90% in year 9 and 100% in year 10. An annual grant would be paid by the City equal to the pro-rated amount of the difference in the municipal portion of taxes to be paid over the ten-year period.

The total amount of the municipal tax eligible under this program shall not exceed the cost of site remediation and environmental clean-up including the cost of relevant studies and approvals.

The project is technically self-financing in that redevelopment resulting in increased assessment will translate into more tax. Accounting practices would be established by Financial Services Department to monitor, report and reconcile these on-going incentives and include the appropriate figures in the annual budget.

3.3 Grant Program to Refund Development Charges Paid for Redevelopment of Existing Buildings for Residential Purposes (part c)

To encourage residential development within the downtown and harbour, the City may provide a grant equal to the amount of development charge paid under the City’s by-law for certain residential developments where there is no net increase in service demand. The City will determine the impact of the residential development on water, sanitary sewage or storm sewer service capacities and determine whether the grant equal to the development charge paid would apply.

This program primarily applies to residential redevelopment of existing buildings in the downtown and harbour area. The program may also apply where buildings have been recently removed or demolished and it can be demonstrated that the residential development proposed does not result in a net increase in service demand based on calculations by the City.

Where a net increase in service demand applies to some services and not to others the City may prorate the amount of grant based on the development charge formula in the City’s development charges by-law.

The total amount of the grant for development charges under this program shall not exceed the total amount of development charges paid for a project eligible under this program.

**4.0 Implementation:**

The programs established under the Community Improvement Plan will be implemented over five years, but City Council may elect to extend the program for an additional term where Council deems it appropriate or necessary to do so. It is intended that plan

implementation commence August 1, 2001 and end January 31, 2010 except where Council extends plan implementation in accordance with the City's official plan.

City Council shall only allow participation in one tax incentive program for one property such that any approved grants equal to the pro-rated increase in the amount of municipal portion of taxes to be paid are not cumulative.

City Council shall prepare and adopt a set of guidelines and procedures to establish the specifics of how the plan components will operate. The guidelines will address such issues as the nature of improvement projects that will be approved, the application and approval procedures, requirements for legal agreements, and in the case of competing projects (where applicable) how decisions will be made as to which project receives priority approval.

City Council at its sole discretion shall determine those properties eligible for the program based on, among other matters, the level of site contamination (if applicable), the condition of existing buildings on site (if applicable), the level of City participation in the project (if any) and other relevant considerations.

At the time City Council establishes its annual budget, Council will determine the maximum contribution to be made available to the various programs under this Community Improvement Plan for the current year.

Council will conduct periodic reviews of the programs being implemented under this Community Improvement Plan to determine their effectiveness and to determine whether funding levels should be increased or decreased, or whether modifications to the programs should be made.

City Council shall ensure the program operates in accordance with any applicable Provincial legislation, the Provincial SmartGrowth initiative and any other applicable Provincial Policy.