

STAFF**REPORT:****ADMINISTRATION**

REPORT TO: Council
MEETING DATE: February 14, 2011
REPORT NO.: SPS.11.1
SUBJECT: Community Improvement Plan
PREPARED BY: Peter Tollefsen, Director of
Special Projects (Sustainability)

A. Recommendations

THAT Council receive the Staff Report SPS.11.1 "Community Improvement Plan", and;

THAT Council authorize staff to report back with a revised Community Improvement Plan and recommendations for action.

B. Background

A report to Council in May 2007 discussed the merits of downtown revitalization through a Community Improvement Plan for Thornbury, Clarksburg and Craigeith. The Town was able to secure funding through the Federation of Canadian Municipalities, Green Municipal fund and the Ministry of Agriculture, Food and Rural Affairs, Rural Economic Development program. Firm selection took place and RCI Consulting, GSP Group and Enermodal Engineering chosen.

Work commenced in January, 2009. The Work Program is divided into 6 Phases.

Staff updated Council on the Community Improvement Plan (CIP) at the May 26, 2010 meeting with a presentation by Luciano Piccioni, RCI Consulting. He gave a summary of the public realm improvement chart. It is a summary of the design concepts for Craigeith, Thornbury and Clarksburg downtown streetscape improvement suggestions from the Planning, Urban Design and Sustainability Strategy.

A third Public Open House was held Wed. June 2, 2010, 7:00-9:00pm at the L.E.Shore Public Library. The purpose was to present and obtain input on the priorities of the public realm improvement actions, contained in the municipal leadership strategy, and the proposed preliminary incentive programs designed to stimulate private sector building rehabilitation, improvement and new construction in the three commercial areas.

At the June 28, 2010 Council meeting staff were able to obtain some input regarding the priorities of the public realm Improvements and the ranking of the preliminary incentive programs.

The last stage of this project is the preparation of the final Community Improvement Plan (CIP) report. A proposed draft was prepared and staff and the Steering Committee met August 24, 2010 to finalize.

A report to Council August 30, 2010 wrapped up all the work done to date including the Background Report, Interim Report and the Planning, Urban Design and Sustainability Strategy. A hard copy of the CIP was distributed to Council.

Council authorized staff to proceed to a Public Meeting. A Public Meeting was scheduled for December 13, 2010 but was cancelled due to bad weather. A new date has been advertised for February 14, 2011, Monday night at the L.E.Shore Memorial Library. There is an Open House at 6:00pm prior to the Public Meeting.

A presentation at the Public Meeting will be made by Luciano Piccioni, RCI Consulting and Kevin Muir GSP Group, consultants who assisted in the preparation of the CIP.

The purpose of this report is to forward to Council correspondence that has come in from the public and public agencies, which is attached. Staff have received comments from members of Council and the public. Council will not be approving the CIP at the February 14 meeting but may give staff direction in its final preparation. Staff will report back with a revised CIP and recommendations on action at a future meeting.

C. The Blue Mountains' Strategic Plan

By doing a Community Improvement Plan the Town will encourage downtown revitalization that will help with Goal 5: *"Ensure long-term financial sustainability"*.

D. Environmental Impacts

The CIP will create an action plan for downtown revitalization and assist in programs to fix up older buildings thereby helping to improve the environment and contribute to the long term sustainability of the core areas of Town.

E. Budget Impact

Total budget approved (including \$155,000. FCM and OMAFRA funding) is \$183,500. The project is on budget to date.

F. Attached

Attachments :

- From Scott Taylor, Grey County Planning, dated August 27, 2010.
- From Dwayne Evans, planner, Ministry of Municipal Affairs and Housing, dated November 1, 2010.
- From Bill Muns, Broker, dated November 25, 2010.
- From Ian Smyth, Corridor Management Planner, Ministry of Transportation, dated December 13, 2010.
- From Bruce Taylor, dated January 2, 2011.

Respectfully submitted,

Peter Tollefsen, Director of Special Projects (Sustainability)

For more information, please contact:

Peter Tollefsen

ptollefsen@thebluemountains.ca

519 599 3131 ext.247

Peter Tollefsen

From: Taylor, Scott [Scott.Taylor@grey.ca]
Sent: August 27, 2010 5:34 PM
To: Peter Tollefsen
Cc: Wepler, Kevin; Scherzer, Randy
Subject: TOTBM Community Improvement Plan

Hi Peter,

Thank you for giving the County the opportunity to offer input into the Town's CIP process. In going through the document it was evident that the County's earlier comments had been incorporated in the document. It is now clear in the proposed project list where various County departments are to be involved with input. This email should serve as an addendum to the County's July 2, 2010 comments.

In general, County staff are supportive of the August 2010 draft of the Community Improvement Plan. Staff would offer a few general comments, as well as a few editorial/typographical comments for your consideration below.

General Comments

From a financial perspective the CIP document is clear that it is to be used as a 'tool-kit', and that Town Council may choose to implement any or all of the incentive programs in the document. The County is generally satisfied with how the County's possible financial contributions have been discussed in the CIP. Pages 69 & 82 are both clear that any possible County contributions, or participation, would need to be subject to the approval of County Council. While County staff are generally supportive of the goals and objectives of the CIP, County staff cannot commit to any financial participation in the incentive programs. Once Town Council and staff have chosen which CIP incentive programs are to be implemented, a detailed request could be submitted to County Council at that time.

From a planning perspective, County staff would encourage the Town to consider which official plan amendments need to be made immediately and which amendments can be implemented as part of the Town's upcoming five year review. County staff would also encourage pre-consultation, or early dialogue between the Town and the County on these proposed amendments.

Based on some of the recommendations in the CIP, it may also be worthwhile to begin early consultation with the Ministry of Transportation, particularly with respect to some of the Craighleith improvements. The County would however note that the Town has identified MTO, in the involvement column of the projects chart.

Editorial/Typographical Comments

1. There are a few references in the document to the Beaver Creek. County staff would assume this is meaning to reference the Beaver River?
2. Page 18 – Section 3.4.5.1 – The second last sentence in this paragraph appears to be either missing some words or is incomplete.
3. Page 18 – Section 3.4.5.2 – There would appear to be some conflicting references to the provision of municipal water and sewer services in Clarksburg in this section.
4. Page 19 – Section 3.4.5.6 – In the first paragraph of this section the word 'designated' appears to be missing the final 'd' in the sentence that begins with "A significant intent...."
5. Page 20 – Section 3.5 – in the second paragraph the word 'of' is missing between 'Township' and 'Collingwood Zoning By-law'.
6. Page 24 – Section 3.9 – Perhaps it's worth mentioning the affordable housing study 2010 recently completed by the Town in this section?
7. Page 61 – Section 9.2 – In the first line of the second paragraph, the word 'areas' would appear to be missing after the words 'the three project'.

Please let me know if you have any questions or concerns with any of the above.

Thanks

Scott Taylor, MCIP, RPP
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NOV - 4 2010

November 1, 2010

Mr. Peter Tollefsen
Manager of Special Projects
Town of The Blue Mountains
26 Bridge Street East, P.O. Box 310
Thornbury, ON, N0H 2P0

Dear Mr. Tollefsen,

**Re: Draft Downtown Community Improvement Plan
Town of the Blue Mountains, County of Grey**

Thank you for your circulation of the above-noted matter. It is understood the purpose of the proposed Community Improvement Plan (CIP) is to encourage private sector investment in the revitalization and redevelopment of commercial core areas of Thornbury, Clarksburg and Craigeleith.

As you know and as a result of changes made to Section 28(8) of the *Planning Act* and Section 365.1 of the *Municipal Act*, municipalities are no longer required to submit community improvement plans, or amendments to the Ministry for approval provided community improvement policies exist in the Official Plan. Municipalities are however, still required to pre-consult with the Ministry prior to adoption (as per ss. 28 (5) of the *Planning Act*). Ministry staff have reviewed the proposed Community Improvement Plan and offer the following comments for your consideration.

Section 8.0 Community Improvement Project Area

Figure 5 identifies the Community Improvement Project Area (project area) and it is understood the principles contained in Section 8.0 were used to guide the delineation of this recommended project area. It is also understood the detailed project areas for each commercial core was chosen based on the existence and prevalence of weaknesses and impediments as identified in the SWOT Analysis.

Based on the Ministry's review, the project area for Craigeleith is comprised of three areas and two of these areas/sites are separate and distinct from the larger third area. It is possible these two distinct and separate areas are former gas stations however, based on our review of the draft CIP this remains unclear. That said, the Ministry suggests hand selecting areas/sites to which CIP policies apply involves risk. For example, other property owners may challenge why the policies do not apply to their lands. On this basis, the Ministry suggests the CIP clearly explain the principles applied to delineate these two distinct and separate areas.

Section 10.2 Approach

The Ministry notes the first sentence of the third paragraph of Section 10.2 contains the phrase, "the incentive programs in the CIP can be activated by Council". It is important to note that once

the CIP is adopted and approved, all of the incentive programs are in effect. Implementation of the incentive programs requires Council approval. To more accurately reflect the approach of the CIP, the Ministry suggests the word 'activated' be deleted and replaced with 'implemented' in Section 10.2.

Also, the fourth paragraph of Section 10.2 indicates that the Town will seek Grey County's participation in the Town's incentive program as per Section 28(7.2) of the *Planning Act*. Section 28(7.2) of the *Planning Act* states the council of an upper-tier municipality may make grants or loans to the council of a lower-tier municipality only if the official of the municipality making the grant or loan contains provisions relating to the making of such grants or loans.

On March 3, 2009 the County of Grey adopted Official Plan Amendment No. 80 (5 Year Review) and submitted it to the Ministry for approval. As discussed with Grey County Planning staff, Official Plan Amendment No. 80, as adopted, does not contain a provision allowing the County of Grey to make grants or loans to lower-tier municipalities. The County of Grey expressed an interest to modify Official Plan Amendment No. 80 to enable the County of Grey to participate in lower-tier Community Improvement Plans. The Ministry's draft decision on Official Plan Amendment No. 80 contains such a provision however, until such time as a Ministry decision is made, Official Plan Amendment No. 80 and the proposed modifications are not in effect and force. It is anticipated a final decision on Official Plan Amendment No. 80 will be issued shortly.

Further, Table 5 in Section 10.2 contains a summary of the CIP incentive programs. In particular, the Ministry notes this table outlines recommended program durations and priority for implementation. The Ministry also notes the table contains such phrases as "approximately 10 years" and in addition, the CIP does not contain an expiry date. Further, there is a footnote at the bottom of the table which states, "Council may extend the program duration of any or all of the programs beyond what is recommended without amendment to the CIP."

The Ministry recommends the Town establish and incorporate a timeline within the CIP stating how long the CIP will be in effect. The timeline should be sufficient to allow the intent and goals of the CIP to be achieved as well as ensure the financial incentives are being monitored and continue to be the strategic direction of the municipality. Generally speaking, CIP does not exceed 10 years. Similarly, the Ministry recommends the word 'approximately' be removed from the Program Duration column of Table 5 as this may be misleading to potential investors.

Section 10.3 General Program Requirements

In accordance with Section 28 (7.3) of the *Planning Act*, item (t) of Section 10.3 correctly states that the total of all grants and loans for a site-specific property shall not exceed the eligible cost of the improvements to that property under all applicable CIPs. It is also important to note Section 28 (7.3) of the *Planning Act* includes and makes reference to 'tax assistance'. On this basis, the Ministry recommends Section 10.3 be revised by inserting the phrase 'and tax assistance' between the words 'loans' and 'provided' in the second sentence of item (t).

Section 10.7 Residential Intensification Grant/Loan Program

Section 10.7.3 contains the program requirements for the Residential Intensification Grant/Loan Program and more specifically, the Ministry notes subsection (d) outlines the procedure to be followed in the event a property is demolished or sold. The Ministry is pleased to see this provision and recommends this same provision be included in all relevant incentives programs where the possibility of transferability of a grant/loan/tax incentive may become an issue.

Section 10.9 Brownfield Property Tax Assistance Program (TAP)

Based on the Ministry's review, the Brownfield Property Tax Assistance Program is the equivalent of the Brownfield Financial Tax Incentive Program (BFTIP). If that's the case and to avoid confusion, the Ministry recommends all references to 'Brownfield Property Tax Assistance Program' be deleted and replaced with 'Brownfield Financial Tax Incentive Program (BFTIP)'.

Section 12.3 Program Adjustments

Section 12.3 outlines parameters regarding adjustments to the terms and requirements of any of the programs contained in the Community Improvement Plan. In particular, the Ministry notes Section 12.3 states, "Therefore, the Town may periodically review and adjust the terms and requirements of any of the programs contained in this Plan, without amendment to the Plan. Such minor changes will be provided to the Minister of Municipal Affairs and Housing for information purposes only. Increases in funding provided by the financial incentives contained in this CIP, the addition of any new incentive programs to this CIP, or an expansion of the Community Improvement Project Area will require a formal amendment to this Plan in accordance with Section 28 of the *Planning Act*".

It is important to note that pre-consultation with the Ministry is required for amendments that: (1) change or expand the geographic area to which financial or land programs outlined in a CIP apply; (2) change the eligibility criteria; (3) add new municipal assistance program(s) involving grants, loans, tax assistance or land; and/or (4) increase the financial incentive being offered within a municipal CIP program, regardless of its significance. Amendments to a CIP are not normally required if a municipality is discontinuing or cancelling a program, or if funding to a program(s) is decreased. Further, if the amendments result in the commitment of additional public dollars or the foregoing of public dollars, then the Ministry suggests that public notice should be given as it is the intent of the approvals process to monitor municipal financial well-being and review the exercise of exceptions to the prohibition clause against bonusing (Municipal Act, Section 106). The Ministry suggests Section 12.3 be revised to accurately reflect when amendments to the CIP are required and when pre-consultation is required.

Appendix J: Brownfields Property Tax Assistance Program (TAP) Administration

Based on the Ministry's review, Step 2 (Application Review and Evaluation) of Appendix J makes reference to the Revitalization Tax Increment Equivalent Grant Program as it refers to a tax increment approach to determining the amount of tax assistance that will be provided under Section 365.1 of the Municipal Act. The Revitalization Tax Increment Equivalent Grant Program is distinct and separate from the Brownfields Financial Tax Incentive Program. On this basis, the Ministry suggests the Town review Step 2 for the Brownfield Financial Tax Incentive Program to ensure it complies with Section 365.1 of the *Municipal Act*.

In addition, the last paragraph of page 143 (Step 4 Payment) makes reference to the Ministry of Finance's matching education tax assistance. As written, this paragraph seems to suggest the Town has authority over the deferral or cancellation of education taxes. As you are aware, the Town has the authority to determine the basis and the amount of municipal tax assistance to be provided however, the amount of matching education tax assistance provided is at the discretion of the Minister of Finance and may or may not be the same or determined on the same basis. Similarly, the education tax assistance provided may also be provided on a schedule that is different than the municipality. For clarity purposes, the Ministry recommends the last paragraph of page 143 be revised to clearly indicate that any matching education tax assistance, if any, is provided by the Ministry of Finance and is at the Ministry's discretion.

Also, at the bottom of Figure J-1 there is a note indicating that the owner may elect to have the by-law passed **after** the RCS has been filed. It is important to note that tax assistance may be provided during the remediation or the redevelopment period however, the tax assistance may not be provided retroactively. Further, the Ministry suggests this statement should be revised to also indicate that council may elect to pass the by-law at the request and with agreement from the property owner, after the RSC has been filed.

Heritage

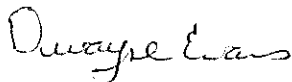
The Ministry notes Section 2.3 outlines the Town's legislative authority under the *Ontario Heritage Act* however, this does not appear to have filtered throughout the draft CIP. The Town is encouraged to consider how significant built heritage resources and/or cultural heritage landscapes will be conserved through the CIP (Section 2.6 of the PPS).

Finally and as a reminder, the financial incentive programs contained in the CIP do not come into effect until the CIP has been adopted by Council and the appeal period has lapsed (Section 28(5) of the *Planning Act*).

Thank you for the opportunity to review and comment on the proposed community improvement plan. The Ministry respectfully requests to be notified of the Town's decision.

If you have any questions or comments, please telephone me at (519) 873-4695.

Sincerely,



Dwayne Evans
Planner, MSO-Western

c.c Janice Hensel, Senior Municipal Advisor, MAH (London)
Luanne Phair, Local Government Advisor, MAH (London)
Scott, Taylor, Senior Planner, County of Grey (Owen Sound)

Peter Tollefsen

From: Bill Muns [billmuns@sympatico.ca]
Sent: November 25, 2010 11:17 AM
To: Peter Tollefsen
Subject: CIP

Hi Peter,

I just received the notice of the Public Meeting regarding the Community Improvement Plan and took a quick look at the draft document posted on the TBM web site.

My only concern that has a major impact on the business areas of Clarksburg and Thornbury is the volume and speed of traffic along Bruce Street at all times of the day. With further development in the area I am sure that this volume will increase as time goes on. As you know, I live on Bruce Street and have noticed a considerable change over the past couple of years. Even if there was some way of diverting the truck traffic it would be a major step forward. There are many semi's that use the road as a major artery and roar through the quaint business areas of Clarksburg and Thornbury in each case coming down the hill into the congestion, air braking and usually speeding. Try a coffee outside Ashanti on the sidewalk and experience it firsthand.

Anyway Peter, that's my gripe and feel that it would be a major improvement if at least the truck traffic could be diverted from Marsh & Bruce streets. It would be great if this could be incorporated into your plan.

Regards, Bill

Bill Muns

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December 13, 2010

by email (cgiles@thebluemountains.ca) & mail

Town of The Blue Mountains
P.O. Box 310
26 Bridge Street East
Thornbury, Ontario
N0H 2P0

Attn: Corrina Giles, Clerk

RE: Town of The Blue Mountains
Proposed Community Improvement Plan (CIP)
Thornbury, Clarksburg and Craigleith
County of Grey
Town of The Blue Mountains – Highway 26

The ministry is in receipt of the above noted CIP. While MTO has an interest in the downtown area of Thornbury from the perspective of the Connecting Link Agreement with the municipality, our main interest is within Craigleith.

Highway 26 through Craigleith is a controlled access highway. Any proposed new commercial development or upgrade of residential uses to commercial uses would have to comply with the ministry's requirements for such uses.

Highway 26 through Craigleith is constructed as a rural cross section. Any proposal to alter the highway to an urban cross section would require the endorsement of MTO. While we appreciate the concept of community improvement through Craigleith it should be remembered that Highway 26 is a provincial highway and is not intended to be Craigleith's "Main Street".

If this CIP is adopted by Council the MTO will have to be involved in any plans that would impact Highway 26 through Craigleith and, to a lesser degree, within the Thornbury connecting link.

We would appreciate receiving a copy of your Council's decision on this CIP for our records. Should you have any questions, please contact our office.

A handwritten signature in black ink, appearing to read "Ian Smyth".

Ian Smyth
Corridor Management Planner
Corridor Management Section
West Region, London

January 2, 2011

To: Peter Tollefsen

From: Bruce Taylor

Re: Feedback on CIP

Hi Peter, I'm a little tardy in getting this feedback to you. Not sure if you will be rescheduling an open house in that you got snowed out on Dec 13th.

I have re-read the CIP and offer the following thoughts.

- 1) First and foremost residents hear about these proposed major changes and then hear about the cost, but for the most part the information is inaccurate and skewed as the information has been received by word of mouth. The CIP is well laid out and easily readable for someone conversant with the town planning discipline, but a real struggle for a lay person. (the PUDS is a separate study and a lay person might not understand it is the meat and potatoes of the CIP and the basis for a new and improved OP) As TBM moves forward with the CIP, communication is the key.
- 2) Thornbury: As stated in the Study, town core is great, but the approaches both end of 26 are a problem. Cost of burying the electoral wire like Collingwood did is preferred but very expensive, so buffering with street trees as suggested is a easy fix. Proper sidewalks from The Orchard to Elgin St should be a priority. Even summer walking of eh road is uncomfortable. Some of the other suggestions in the CIP are already underway. The old Town hall needs to go with the planned park focus tying the areas together
- 3) Clarksburg: The 150 yr anniversary has had the locals spruce up the village. Sewers are needed before the village can realize it s true potential. Once again some reno's are underway with the village slowly upgrading its facades.
- 4) Craighleith: Once the Terrasan development comes to fruition, the whole character of the area will change into what the study suggests.
- 5) All areas: Streetscaping is critical; the look and feel of what Collingwood has done is awesome. The change in material at cross walks emphasises pedestrian use.
- 6) Incentive Programmes: refer to pages 35 and 36; focus on 2) Tax Increment based grant, 3) Building improvement grant loans, 4) Residential conversion/intensification grant/loan, 7) Planning and building permit fee grant/rebate. A lot of work needs to be done to pick and choose what other

municipalities have done and what would work best for TBM. Once again as I noted above, residents get vocal when they have to pay, so communication is important.

- 7) Big picture: OK so you have a CIP Interim Report and design detail as found in PUDS, what is the format to prioritize the implementation? TBM has a lot of other studies and I would like to see a report on how the CIP integrates compliments and/or becomes part of the TBM strategic plan with the new OP review underway, Housing Study, Integrated Community Sustainability Plan (ICSP), Economic Development Strategy, Red Hot and Blue. Likewise each and every other study needs to integrate, compliment and/or become part The Big Picture!
- 8) The PUDS certainly covers a lot of what can be found in the other studies and has gone beyond the following mandate:

"that will promote and guide sustainable economic revitalization of the Town's three commercial areas...[which] will combine economic development, planning and urban design tools into an innovative plan that is custom designed to address the key barriers to economic development and revitalization in the Town's commercial areas."

The PUDS is a great paper to be used for the new OP development.

- 9) The 10 year visions found on pages 46 and 47 are really an executive summary of what we should be looking at achieving through all the studies and their processes.