

CHATHAM-KENT COMMUNITY IMPROVEMENT PLAN

A Plan to Support the Chatham-Kent Growth Strategy and
2018-2022 Council Term Priorities

MARCH 2020



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Introduction

1.0 Background

For several years, the Municipality has offered a wide range of business development services and programs. Among them are the financial incentives offered through the Downtown and Main Street Areas Community Improvement Plan (DCIP) Commercial Community Improvement Plan (CCIP) and the Employment Community Improvement Plan (ECIP), which have been successfully implemented across the Municipality. These programs have triggered private sector investment resulting in business retention, expansion as well as new business attraction, which have generated new investment, retained existing jobs and created new opportunities.

The DCIP was implemented in 2004, and offers financial incentives for the improvement of private commercial property, including residential conversions, in the downtown and main street areas of: Blenheim, Bothwell, Chatham, Dresden, Erieau, Highgate, Merlin, Morpeth, Ridgetown, Thamesville, Tilbury, Wallaceburg, and Wheatley.

The CCIP was implemented in 2012, and offers financial incentives for the improvement of private commercial property in certain commercial corridors in Blenheim, Chatham, Dresden, Ridgetown, Tilbury and Wallaceburg.

The ECIP was implemented in 2016. It applies more broadly to areas designated and zoned for employment uses and offers incentives that support new investment in existing and new industrial buildings.

From time to time, it is advisable to assess the effectiveness of these plans, respond to emerging trends, and adjust the CIP and implementation strategies accordingly.

As per the *Planning Act*, in late 2018, Council passed By-law 167-2018 designating the entire Municipality of Chatham-Kent as a Community Improvement Project Area respecting economic development and community revitalization in order to initiate a CIP review to better align with the Chatham-Kent Growth Strategy.

Therefore, the new Chatham-Kent CIP is a “Plan to Support the Chatham-Kent Growth Strategy and the 2018-2022 Council Term Priorities” in order to allow market driven investment for targeted needs throughout all of Chatham-Kent (i.e. rental/affordable housing, commercial and employment business growth). It is intended that the new CIP would replace the existing Downtown, Commercial and Employment CIPs. It is proposed to bring forward or enhance the most popular programs from the existing CIPs and introduce new incentives focused on encouraging much needed rental housing and affordable housing in the Municipality.

2.0 CK Plan 2035

CK Plan 2035 is a Community Strategic Plan, which identifies the most important priorities for the community and outlines the objectives and actions necessary to reach the goals. The specific Areas of Strategic Focus are illustrated below along with the 2018-2022 Council Term Priorities, which identify Growth, Environmental Sustainability, Community Wellness and Community Engagement as the main priorities. In order to advance the Growth priority, a Growth Strategy has been developed and the new Chatham-Kent CIP is a “Plan to Support the Chatham-Kent Growth Strategy and the 2018-2022 Council Term Priorities”.



2018-2022 COUNCIL TERM PRIORITIES

CKPLAN2035

AREAS OF STRATEGIC FOCUS



Economic Prosperity

People will fulfill economic opportunities locally according to their skills, abilities and training.



Healthy & Safe Community

Everyone will feel safe, supported and have opportunities to be healthy physically and mentally.



People & Culture

Our population will be thriving, valued and have a vibrant social and cultural diversity.



Environmental Sustainability

Everyone can make sustainable and renewable choices in all aspects of their lives.

As a municipality we are committed to being...

- financially sustainable
- resilient
- open and transparent
- collaborative

GROWTH

Our population and economy is growing.

- ⇒ Grow our population to support economic and labour force needs
- ⇒ Expand infrastructure for growth to support local economic development
- ⇒ Expand infrastructure related to recreational facilities
- ⇒ Improve transportation, public transit and active transportation options
- ⇒ Rationalize current inventory of bridges, roads, parks and buildings in support of new infrastructure investment

ENVIRONMENTAL SUSTAINABILITY

Acting today for a better tomorrow.

- ⇒ Develop a climate change strategy to deal with flooding and erosion issues
- ⇒ Promote growth while protecting the environment
- ⇒ Implement strategies to help everyone become stewards and adapt to a changing climate
- ⇒ Reduce cost and environmental impact of energy use

COMMUNITY WELLNESS

Everyone is safe and able to thrive.

- ⇒ Support an increase in access to mental health and addiction services
- ⇒ Advance a health and equity in all policies approach to prevent and reduce the impacts of poverty
- ⇒ Ensure there is a variety of affordable housing options to meet needs
- ⇒ Ensure that everyone has access to social infrastructure that enables them to participate fully in their community
- ⇒ Expand trails and active transportation to promote physical activity and a healthy lifestyle

COMMUNITY ENGAGEMENT

The voice of the community is reflected in municipal decision-making.

- ⇒ Develop and implement an engagement strategy for the corporation that includes methods to reach vulnerable and/or isolated groups
- ⇒ Build collaborative partnerships to advance the vision of Chatham-Kent
- ⇒ Provide exceptional customer service while fulfilling daily operations

Planning Framework

3.0 Provincial Policy Statement

Section 3 of the *Planning Act* requires that, “decisions affecting planning matters shall be consistent with policy statements issued under the Act”. These policy statements are consolidated in most recent version of the Provincial Policy Statement (the “PPS”) that took effect on April 30, 2014.

The Provincial policy directions aligned with the main purpose of this CIP include:

- Promoting opportunities for economic development and community investment-readiness (Section 1.7.1 a);
- Supporting the long-term economic prosperity by maintaining and enhancing the vitality and viability of downtowns and mainstreets (Section 1.7.1.c);
- Encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes (Section 1.7.1.d);
- Promoting opportunities for intensification and redevelopment taking into account existing building stock, and the availability of suitable existing or planned infrastructure and public service facilities (Section 1.1.3.3);
- Providing for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents of the regional market area (Section 1.4.1);
- Providing an appropriate range of housing types and densities that accommodate current and future users (Section 1.4.1);
- Promoting a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support current and future use of transit and active transportation (Section 1.6.7.4);
- Promoting economic development and competitiveness by encouraging compact, mixed-use development that incorporates compatible employment uses to support livable and resilient communities (Section 1.3.1.c);

4.0 Planning Act

Section 28(2) of the *Planning Act*, R.S.O. 1990, as amended, provides that where there is an Official Plan in effect in a local Municipality that contains provisions relating to community improvement in the Municipality, the council of the Municipality may, by by-law, designate all or any part of an area covered by such an official plan as a community improvement project area.

According to Section 28(1) of the *Planning Act*, a “community improvement project area” is defined as “a Municipality or an area within a Municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason”.

Council is of the opinion that the application of the Community Improvement provisions is desirable to support the Areas of Strategic Focus of the CK Plan 2035.

For the purposes of carrying out a Community Improvement Plan, a Municipality may engage in the following within the community improvement project area:

1. Acquire, hold, clear, grade or otherwise prepare land for community improvement;
2. Construct, repair, rehabilitate or improve buildings on land acquired or held by it in conformity with the community improvement plan;
3. Sell, lease, or otherwise dispose of any land and buildings acquired or held by it in conformity with the community improvement plan; and
4. Make grants or loans in conformity with the CIP to the registered owners, assessed owners or assignees to pay for eligible costs.

5.0 Official Plan

The community structure of Chatham-Kent comprises an urban component and a rural component. The urban component includes Primary Urban Centres (Chatham, Wallaceburg, Blenheim, Tilbury, Ridgetown, Wheatley, Dresden), Secondary Urban Centres (Bothwell, Thamesville, Charing Cross, Merlin, Mitchell's Bay, Pain Court), Suburban Residential, Hamlets and Rural Settlement areas. The Rural component includes Agricultural, Estate Residential, Recreational Residential, Recreational, Rural Industrial, Highway Commercial Areas and Aggregate Resource areas.

It is a goal of the Official Plan to guide the majority of growth to occur within the Urban Centre boundaries to ensure that the Municipality develops in a compact, orderly and sustainable manner within its ability to fund and support a full range of uses, infrastructure and social services, which will lead to Chatham-Kent's long-term financial well-being.

The Primary Urban Centres are the focal points where residential, commercial and industrial development will be directed in Chatham-Kent. The majority of new population and employment growth in Chatham-Kent will be directed to the Primary Urban Centres. Some new population and employment growth will also take place in the Secondary Urban Centres, which are served by full municipal services. Growth in Hamlets that are serviced by municipal piped water supply and private sanitary sewage will be through infilling and/or rounding out of the existing development areas.

It is the intent of this CIP to focus incentive programs to encourage development, redevelopment, adaptive reuse or rehabilitation within the Urban Centres and Business Parks and within Hamlets and Rural Industrial Areas to a limited extent.

With regard to housing, it is the objective of Chatham-Kent to:

- Plan for a diverse range of housing choices to ensure that the housing stock can accommodate an aging population, a variety of household types and sizes, a greater diversity of culture and a range of physical and mental disabilities, and that the housing stock can respond to fluctuations in these needs.
- Improve and maintain the existing housing supply.
- Increase the supply of affordable housing.
- Ensure the availability of emergency and transitional housing options for residents.
- Promote an expanding range of housing support services (in urban and rural areas).

- Promote, educate and create awareness of housing needs in Chatham-Kent.

Section 2.8 of the Official Plan contains policies specific to Community Improvement. The Community Improvement provisions of the *Planning Act* give Chatham-Kent a range of tools to proactively stimulate community improvement, rehabilitation and revitalization. In designated Community Improvement Project Areas, the preparation of Community Improvement Plans will provide Chatham-Kent with various powers to promote community improvement. This includes the authority to offer incentives to stimulate or leverage private and/or public sector investment. The main objective is to maintain and promote an attractive, well-maintained and safe living and working environment through community improvement.

6.0 2019 Municipal Comprehensive Review (25-Year Growth Forecasts)

In 2019, the Municipality undertook Phase 1 of a Municipal Comprehensive Review (M.C.R.)¹ in accordance with the requirements of the 2014 Provincial Policy Statement (P.P.S.). The 2014 P.P.S. defines a comprehensive review as an official plan review, which is initiated by a planning authority, or an official plan amendment, which is initiated or adopted by a planning authority. This component of the Municipality's M.C.R. examines future population and employment growth potential and corresponding urban land needs over a long-term planning horizon (up to 25 years).

Although this component of the M.C.R. does not put forward policy considerations or recommendations for an official plan review or amendment, it does consist of the following key background and technical inputs required by the 2014 P.P.S. to inform such recommendations:

- A long-term population, housing, and employment forecast by Primary Urban Centre, Secondary Urban Centre and rural area;
- A review of opportunities to accommodate residential and non-residential development within the built-up area and designated greenfield areas; and
- An assessment of long-term residential, commercial and employment land needs.

The Municipality is comprised of a number of diverse urban and rural settlement areas. Each of these areas has a role to play in accommodating moderate levels of population growth if they are to remain economically sustainable and viable over the long term.

Key findings of this study are provided below with respect to long-term population and employment growth as well as associated urban land requirements:

Population

- After a decade of population decline, Chatham-Kent's population base is estimated to have moderately increased between 2016 and 2018, largely driven by net-migration from other areas in Ontario.
- The Chatham-Kent residential real estate market has shown signs of increasing strength in recent years, as indicated through residential building permit activity over the past several years and home sales related to active residential

¹ Municipal Comprehensive Review, Municipality of Chatham-Kent, Final Report, Watson & Associates Economists Ltd., November 1, 2019

development plans. This suggests that the Municipality will experience positive population growth between 2016 and 2021.

- By 2046, the population of the Municipality is forecast to grow to approximately 108,900 from 104,800 in 2016. This represents a moderate annual population growth rate of 0.1%, which is comparably well below the forecast annual average provincial population growth rate of approximately 1.2% during this time period.
- To accommodate this long-term population forecast, the Municipality will require an additional 4,750 households between 2016 and 2046, or approximately 158 new households per year.
- Housing preferences by structure type are anticipated to gradually shift from low-density to medium- and high-density housing forms over the long term. This shift is anticipated to be driven largely by the aging of the Baby Boom population. The aging of the Municipality's population is also anticipated to drive the need for seniors' housing and other housing forms geared to older adults (e.g. assisted living, affordable housing, adult lifestyle housing). Given the diversity of the 55 to 74 and 75+ population age groups, forecast housing demand across the *Municipality* within this broad 55+ demographic group is anticipated to vary considerably.
- The majority of the forecast population and housing growth in the Municipality of is anticipated to be accommodated within the community of Chatham.

Economic Trends and Employment Growth

- The Municipality and the surrounding regional economy were hit particularly hard by structural changes, which occurred in the macro-economy over the past two decades. Most notably, the Municipality's manufacturing sector has experienced significant job losses over the past decade, which was further accelerated by the 2008/2009 global financial crisis between 2006 and 2011. It is important to note, however, that since 2016 the employed labour force base within the Chatham-Kent Census Agglomeration (C.A.) has steadily increased by approximately 1,000 while the unemployment rate has steadily declined to historical lows within the past several decades.
- Recent non-residential building permit activity and post-2016 employment estimates for Chatham-Kent indicate that the Municipality is expected to continue to experience moderate employment growth in the near term across a broad range of employment sectors, including industrial.

- By 2046, the Municipality is forecast to add approximately 3,500 jobs to its existing (2016) employment base of 39,500. Forecast employment growth is anticipated to be well balanced between industrial, commercial and institutional sectors.
- Approximately 67% of forecast employment growth for Chatham-Kent has been allocated to the community of Chatham, including industrial development associated with the Bloomfield Industrial Area.
- Continued demographic and technological change are also anticipated to drive increased demand for work at home employment. Between 2016 and 2046, work at home employment in the Municipality is expected to expand by just under 300 jobs, largely associated with job growth in the knowledge-based and creative economy.

Financial Incentives

7.0 Community Improvement Project Area

According to the *Planning Act*, a “community improvement project area” means a Municipality or an area within a Municipality, the community improvement of which in the opinion of the Council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason. For the purposes of the CIP, the entire Municipality is designated as a Community Improvement Project Area. The areas and/or uses to which specific programs apply are detailed in the Community Improvement Plan Objectives.

8.0 Definitions

Adaptive Reuse: is the process of adapting old buildings or infrastructure by development, redevelopment, rehabilitation and/or construction for the purposes of using them for new eligible uses.

Administration: includes all staff employed by the Corporation of the Municipality of Chatham-Kent.

Affordable Housing Unit: means a Dwelling Unit that meets the definition for Affordable Housing. An Affordable Housing Unit does not include a Secondary Dwelling.

Affordable Housing: means housing accommodations and incidental facilities primarily for persons of low and moderate income that meet the requirements of any program for such purpose as administered by any agency of the Federal or Provincial government or the Municipality of Chatham-Kent.

Affordable Housing Development: means development, redevelopment or adaptive reuse of a property with five (5) or more Dwelling Units all of which are intended for use as rented residential premises where at least 25% of the units are Affordable Housing Units. An Affordable Housing Development may include a retirement home within the meaning of subsection 2 (1) of the *Retirement Homes Act, 2010*, but does not include a long-term care home within the meaning of subsection 2 (1) of the *Long-Term Care Homes Act, 2007*.

Applicant: may include registered owners, assessed owners and tenants of land and buildings within the community improvement project area, and to any other person to whom such an owner or tenant has assigned the right to receive a grant.

Assignee: is a person to whom an owner or tenant has legally assigned the right to receive a grant and/or loan pursuant to this CIP.

Base Rate: is the total amount of municipal taxes payable in the calendar year that Chatham-Kent Council approves the financial incentives for the eligible works.

Council: is the legislative body that governs the business and affairs of The Corporation of The Municipality of Chatham-Kent. It includes the Mayor and Ward Councillors.

Construction: is the erection or physical improvements of the whole or any part of a building or structure for the purpose of development, redevelopment, rehabilitation, retrofit works, and/or adaptive reuse. Construction includes physical improvements related to energy efficiency or accessibility.

Commercial Use: means the use of any land, building or structure for the purpose of buying and selling commodities, or supplying of services as distinguished from Employment Uses, as defined.

Designated Heritage Building: is a building that is designated under Part IV of the Ontario Heritage Act.

Development: is investment that results in the productive use of lands and/or buildings within the Community Improvement Project Area, and includes but is not limited to new building construction or improvements made for the purposes of establishing new residential, commercial, employment or institutional uses, or the expansion of existing buildings to realize more effective use of the land's potential.

Director, Planning Services: is the head of the Planning Services Division within the Community Development Department within the Corporation of The Municipality of Chatham-Kent's organizational hierarchy.

Dwelling Unit: means a connected space for residential purposes, within a building, which includes one or more bedrooms, sanitary facilities, and cooking facilities, all of which are provided for the exclusive use of the occupants thereof and having a private entrance from outside the building or from a common corridor, stairway or elevator.

Eligible Costs: are the costs related to development, redevelopment, rehabilitation and/or adaptive reuse of a building or property in conformity with this CIP, and as further specified under the financial incentive programs described by this CIP.

Eligible Use: is a use that meets the eligibility criteria of one or more of the financial incentive programs described by this CIP.

Eligible Works: includes all development, redevelopment, rehabilitation and/or adaptive reuse of a use that meets the eligibility criteria of one or more of the financial incentive programs described by this CIP.

Employment Uses: means the use of any land, building or structure for the purpose of industrial uses, offices, business support services, call centres, laboratory of scientific research facilities, warehousing, transport terminals, construction and other similar uses. An Employment Use does not include an Agricultural Use.

Major Rental Housing Development: means development, redevelopment or adaptive reuse of a property with fifty (50) or more Dwelling Units all of which are intended for use as rented residential premises. A Major Rental Housing Development may include a retirement home within the meaning of subsection 2 (1) of the *Retirement Homes Act, 2010*, but does not include a long-term care home within the meaning of subsection 2 (1) of the *Long-Term Care Homes Act, 2007*.

Major Employment Project: is a development, redevelopment or adaptive reuse of property that represents an investment of at least \$5 million of eligible costs.

Mixed Use Commercial/Residential Building: means a building containing on the ground or first floor a non-residential use permitted in the zone and a dwelling unit(s) or a small or large rental dwelling unit above the non-residential use or behind the non-residential use. However, the residential use on the ground or first floor may not be more than 50% of the gross floor area.

MPAC: is the Municipal Property Assessment Corporation established by the Ontario Property Assessment Corporation Act, 1997.

Municipality: means the Corporation of the Municipality of Chatham-Kent.

Municipal Taxes: is the Municipality of Chatham-Kent (i.e. the municipal) portion of property taxes payable and does not include Educational portion payable to the Province.

Reassessment: is a change in assessed value or a change in the tax class, as determined MPAC, that results in an increase in property taxes.

Redevelopment: is development of a property or properties that have been previously developed, or for the expansion, rehabilitation or adaptive reuse of an existing building. This can include the acquisition and wholesale changeover in the use of a large site or several smaller neighbouring sites, and may involve some land assembly or demolition activity.

Rehabilitation: is the returning of an existing building and/or land to a useful state by adaptive reuse, development, redevelopment and/or construction.

Renovation: Making changes and repairs that improve the overall condition of the existing building and its functionality for its intended use.

Retrofit Works: are improvements and/or upgrades to a building's infrastructure to improve energy efficiency and performance (i.e. to reduce utility and/or maintenance costs) and/or work that is done for the sole purpose of complying with the Ontario Building Code.

Secondary Dwelling: means a dwelling unit that is ancillary to a single detached dwelling, a semi-detached dwelling unit, or a row house dwelling unit and is located within one of the three foregoing dwelling types or within a building ancillary to one of the three foregoing dwelling types.

Site Servicing: means off-site infrastructure, including water services, sanitary sewers, stormwater management facilities, electrical and gas utilities.

Site Works: means on-site infrastructure, including water services, sanitary sewers and stormwater management facilities, parking areas, lighting, landscaping, and structures ancillary to the main use.

Tax Increment: is the difference between the base rate at the time of Chatham-Kent Council's approval of financial incentives for the project and the municipal taxes after the completion of the approved eligible works, occupancy and reassessment by MPAC. The tax increment will be calculated on an annual basis and will include increases and decreases resulting from tax rate changes and reassessments.

Underutilized: is property or space in a building that is currently not being used to its full potential, often it is accessory to but not essential to the operations of the primary use.

9.0 Community Improvement Plan Objectives

The objectives of the CIP are an expression of the intended outcomes resulting from the implementation of this CIP. Objectives are a way to guide decisions and will be used as guideposts to demonstrate how individual development proposals result in a public benefit (i.e. meeting one or more objectives). Additionally, the clearly stated objectives have been used to provide direction for the development and implementation of the specific policies, incentives and municipal actions contained in this CIP.

Generally speaking, the goals and objectives of the ECIP, DCIP and CCIP are carried forward:

- To stimulate development activity in the region that increases investment in existing and new industrial buildings/employment uses and employment growth.
- To provide incentives through planning policy in strategic areas that support new investment in existing and new industrial buildings and to assist the build-out and occupancy levels in areas where large groupings of industrial land exist.
- To assist the redevelopment of properties within existing industrial park areas which may be more marketable for different and higher-order employment uses.
- To continue to focus investment in the Downtown and Mainstreet Areas for beatification, revitalization of retailing, expansion of residential choices in the downtowns and (re)development of vacant and underutilized lands.
- To continue to invest in the commercial areas outside of downtowns areas.

In addition to the above, the CIP also focuses on financial incentives to support housing in the **Municipality**. The **Municipality** is experiencing a shortage of affordable housing options, but also a general shortage of a variety of housing options, in particular rental housing, where the vacancy rate has been under 3% for the past few years.² The low vacancy rate creates additional challenges in finding suitable rental housing, and to add to the challenges, new additions to the primary rental housing stock have been extremely limited over the past 26 years. As previously noted, housing preferences by structure type are anticipated to gradually shift from low-density to medium- and high-density housing forms over the long term. As illustrated in Figure 1, the goal of the CIP is to encourage more options to address several types of housing along the Housing Continuum.

² Source: Canada Mortgage and Housing Corporation (CMHC), vacancy rates, apartment structures of six units and over, privately initiated in urban centres of 50,000 and over

Figure 1³

THE HOUSING CONTINUUM



The CIP is intended to complement the various initiatives and legislative changes introduced to date by the Province through the *Housing Supply Action Plan*. Specifically, the CIP would offer financial incentives for the following:

- **Major Rental Housing Developments**
- **Affordable Housing Developments**
- **Secondary Dwellings**

³ Source: Canada Mortgage and Housing Corporation (CMHC), *About Affordable Housing in Canada*, Published: March 31, 2018

In order to achieve the goals and objectives of the CIP, the following Financial Incentive Programs may be offered as follows:

1. Property Tax Increment Equivalent Program

Applicable to **commercial uses, employment uses, mixed use commercial/residential buildings, major rental housing developments and affordable housing developments** in:

- Primary Urban Centres identified in the Official Plan
- Secondary Urban Centres identified in the Official Plan
- Hamlets identified in the Official Plan
- Other Business Parks or Rural Industrial areas identified in the Official Plan

2. Building & Planning Fee Rebate Program

Applicable to **commercial uses, employment uses, mixed use commercial/residential buildings and affordable housing developments** in:

- Primary Urban Centres identified in the Official Plan
- Secondary Urban Centres identified in the Official Plan
- Hamlets identified in the Official Plan
- Other Business Parks or Rural Industrial areas identified in the Official Plan

3. Development Charge Partial Exemption Program

Applicable to **major rental housing developments and affordable housing developments** in:

- Primary Urban Centres identified in the Official Plan
- Secondary Urban Centres identified in the Official Plan
- Hamlets identified in the Official Plan

4. Façade Improvement Program

Applicable to **commercial uses** and **mixed use commercial/residential buildings** in:

- Primary Urban Centres identified in the Official Plan
- Secondary Urban Centres identified in the Official Plan
- Hamlets identified in the Official Plan

5. Residential Conversion and Affordable Housing Grant Program

Applicable to **mixed use commercial/residential buildings, affordable housing developments** and **secondary dwellings** in:

- Primary Urban Centres identified in the Official Plan
- Secondary Urban Centres identified in the Official Plan
- Hamlets identified in the Official Plan
- Areas where Secondary Dwellings are permitted in the Zoning By-law

10.0 General Incentive Program Requirements

The general and program specific requirements are not necessarily exhaustive and the **Municipality** reserves the right to include other requirements and conditions as deemed necessary on an application specific basis. All of the financial incentive programs contained in this CIP are subject to the following general requirements in addition to the individual requirements specified under each program.

1. Application for any of the incentive programs contained in the CIP can be made only for properties within the Community Improvement Project Area.
2. Projects that have received a conditional site plan approval (by Council or delegated authority, as applicable) or a building permit (where no site plan approval required) prior to March 2, 2020 are not eligible for financial incentives under this CIP.
3. Site plan approval, if applicable, is a mandatory application requirement.
4. If the **applicant** is not the owner of the property, the **applicant** must provide written consent from the owner of the property on the application. The property owner may also be required to be a party to any agreements for the financial incentive programs.
5. **Applicants** approved for the programs contained in the CIP will be required to complete the **eligible works** and have the property reassessed by **MPAC** within specified timeframes.
6. The **applicant** must address all outstanding work orders and/or other fees from the **Municipality** (including tax arrears) against the subject property to the satisfaction of the **Municipality** prior to the grant being paid, or be addressed as part of the proposed work.
7. Any **applicant** that is purchasing municipally owned property as part of the proposal must enter into a written agreement with the **Municipality** stating that they will keep and maintain the land, building and the use in conformity with the Community Improvement Plan. The agreement will also include the specific details (amount, duration, performance expectations, legal remedies, etc.) of the incentive programs that will be made available to development. The agreement entered into will be registered against the land to which it applies and the **Municipality** will enforce the provisions of the agreement against any party to the agreement and all subsequent owners or tenants.

11.0 General Incentive Program Provisions

All projects that are approved for financial incentives are subject to the following terms and conditions, in addition to the individual provisions specified under each program.

1. **Council** is the sole approval authority for all applications submitted under the financial incentive programs included in this CIP. **Council** may delegate to either a Committee of the **Council** or to an appointed officer of the **Municipality** by position occupied by the **Council's** authority to approve financial incentive applications subject to the requirements of the individual financial incentive programs.
2. As a condition of approval of an application for any of the financial incentive programs contained within this CIP, the **applicant** must enter into an agreement with the **Municipality**. The agreement will be registered against the land to which it applies and will specify the terms, duration and default provisions of the grant.
3. Approved grants being received through one or more of the financial incentive programs contained within this CIP can be transferred to the new owners of the property or other assignee at the sole discretion of the **Municipality** subject to the new owner entering into an agreement (where applicable) with the **Municipality**, that fulfills the requirements of the original agreement, plus any new requirements.
4. All proposed works approved under the incentive programs and associated improvements to buildings and/or land shall conform to all provincial laws, municipal by-laws, policies, procedures, standards and guidelines, including applicable Official Plan and zoning requirements and approvals.
5. The **applicant** will be required to submit a complete application to the **Municipality** describing in detail the work that is planned. This may include reports, floor plans, conceptual site plans, business plans, estimates, contracts and other details as may be required to satisfy the **Municipality** with respect to conformity of the project with the CIP. The application must be submitted to the **Municipality** prior to **Council's** approval of financial incentives for the project.
6. All studies, drawings, reports and/or materials submitted to and/or requested by the **Municipality** to support a financial incentive program application shall be prepared by qualified professionals to the satisfaction of the **Municipality**. The individual financial incentive programs may have specific requirements for information, as well as outline the specific professional qualifications necessary to complete the prescribed work.

7. The total of the grants made in respect of improvements to buildings and/or lands shall not exceed the **eligible costs** as further specified under the financial incentive programs described by this CIP.
8. The **Municipality** may undertake an audit of work done and **eligible costs** if it is deemed necessary, at the expense of the **applicant**.
9. Municipal staff, officials, and/or agents of the **Municipality** may inspect any property that is the subject of an application for any of the financial incentive programs offered by the **Municipality**.
10. The **Municipality** is not responsible for any costs incurred by an **applicant** in relation to any of the programs, including without limitation, costs incurred in anticipation of a grant.
11. The total of all grants provided in respect of the particular lands and buildings of an **applicant** under the programs contained in the CIP shall not exceed **eligible costs** with respect to these lands and buildings.
12. Grants will not apply to any portion of the personal property, inventory or land purchase value of the project.
13. The entirety of an approved **development**, including **eligible works** under the incentive programs will constitute a project. Grants will be provided based on the completion of the project as set out in the agreement.
14. The financial incentive programs approved by **Council** will take effect as of the date of **Council** adoption and will not be applied retroactively to any work that has taken place prior to the adoption of the CIP.
15. Approval of financial incentive program applications will not be applied retroactively to any work that has taken place prior to the **Council's** or delegate's approval to participate in an incentive program. However, **Council** or its delegate may at its discretion approve including **eligible costs** incurred between the time that the **Municipality** receives a complete application for a financial incentive program(s) and the date of the final approval to participate in the program. The applicant assumes all of the risks associated with beginning the **eligible works** prior to final approval, including the potential for denial of a financial incentive program application.
16. **Council** at its discretion may at any time discontinue a program; however, any participants in the program prior to its discontinuance will continue to receive grants as approved for their property in accordance with the agreement signed with the **Municipality**.

17. If the **applicant** is in default of any of the general or program specific requirements, or any other requirements of the **Municipality**, the **Municipality** may delay, reduce or cancel the approved grant, and any grant amount paid will be recovered by the **Municipality**.
18. If a building that was erected or improved with a program grant is demolished prior to the expiry of the grant period, the grant is terminated and will be recovered by the **Municipality**.
19. The **Municipality** has the right to perform annual inspections to ensure compliance with the agreement and adjust the incentive levels to reflect the current situation in relation to the agreement signed with the **Municipality**.
20. Grants will be paid in accordance with the specific requirements and payment terms of each individual financial incentive program offered by this Community Improvement Plan.
21. Unless otherwise stated, the financial incentive programs described in this CIP are designed to be funded by a budget established for the purposes of implementing the financial incentive programs according to the payment conditions and schedule outlined for each program, and subject to the availability of funding as approved by **Council**.
22. The Property Tax Increment Grant Program described in this CIP is designed to be funded by the tax increment generated by the **development, redevelopment, adaptive reuse or rehabilitation** according to the payment schedule outlined for the program.
23. **Council**, at its sole discretion, may evaluate an incentive application and decide on a case-by-case basis to adjust the level of the incentives (not to exceed the **eligible costs**), provide for an alternative payment schedule, and/or identify and use alternative sources of funding to pay the grants. **Council** will prepare additional implementation criteria and/or policies to assist with determining when one or more of these options may be necessary and/or desirable. **Council** modified incentives must comply with the eligibility criteria of the individual incentive program.
24. Financial incentives are available for the **eligible costs** of the **development, redevelopment, adaptive reuse or rehabilitation** of a building and/or property, and are not based on occupancy or changes in occupancy.
25. For grants, the **applicant** must sign an “Acknowledgement and Agreement” form at the time that the grant is approved.

12.0 Property Tax Increment Equivalent Program

Description

The Property Tax Increment Equivalent Program is intended to provide economic incentive for the **development, redevelopment, adaptive reuse or rehabilitation** of properties in the CIP areas. Specifically, the purpose is to provide an incentive to reduce the tax increase that can result when a property is developed, redeveloped or rehabilitated. This may provide assistance in securing project financing and is anticipated to increase the assessment base in the **Municipality**.

Program Details

Applicants are eligible to apply for funding under this program, subject to meeting the General Incentive Program Requirements and the following:

1. **Commercial uses, employment uses, mixed use commercial/residential buildings, major rental housing developments and affordable housing developments**, where the development, redevelopment and rehabilitation project results in an increase in the assessed value and taxes on the property.
2. For **commercial uses** there must be a minimum of \$250,000 in **eligible costs** and the grant calculation and payment schedule is as follows:

Year of Grant	Increment Tax Rebate	Taxes Payable
1 to 5	60%	Base Rate

3. For **mixed use commercial/residential buildings** there must be a minimum of \$250,000 in **eligible costs** and the grant calculation and payment schedule is as follows:

Year of Grant	Increment Tax Rebate	Taxes Payable
1 to 5	60%	Base Rate

4. For **employment uses** there must be a minimum of \$250,000 in **eligible costs** and the grant calculation and payment schedule is as follows:

Year of Grant	Increment Tax Rebate	Taxes Payable
1 to 5	60%	Base Rate

For a **major employment project**, **Council** may approve an additional five years based on the following grant calculation and payment schedule:

Year of Grant	Increment Tax Rebate	Taxes Payable
6 to 10	60%	Base Rate

5. For **major rental housing developments** or **affordable housing developments** the grant calculation and payment schedule is as follows:

Year of Grant	Increment Tax Rebate	Taxes Payable
1 to 10	60%	Base Rate

6. For the period from April 1, 2020, to March 31, 2022, the increment tax rebate above for all categories shall be 100% and thereafter return to the rates shown in Items 2-4.
7. The amount of the grant will be determined based upon the incremental increase in the **municipal taxes** that results from the work being completed and the project being assessed by **MPAC**.
8. The grant will only be payable if completion of the approved **development**, and all **eligible works** as set out in the agreement, occurs within two (2) years of the date the grant is approved, unless otherwise approved by **Council**.
9. The amount of the grant will be recalculated every year based on the **tax increment** for that particular year.
10. The **applicant** will be required to pay the full amount of property taxes owning each year of the program's applicability and will receive a Property Tax Increment Equivalent Grant for the amount of the municipal **tax increment** after the final tax bills for each year have been collected, provided all other eligibility criteria and conditions are to be met. Grants will not be applied as tax credits. If the tax bill is not paid in full, the **Municipality** may cancel all future grants and collect past grants made as part of this program.
11. In the case of an assessment appeal, the **Municipality** reserves the right to withhold any forthcoming payments pending final disposition of the appeal. If necessary, the grant will be adjusted and paid once a decision regarding the appeal is rendered.
12. The program does not exempt property owners from an increase in **municipal taxes** due to a general tax rate increase or a change in assessment for any other reason after the **eligible work** has been completed.

The Property Tax Increment Equivalent Program may be passed on to subsequent owners, including individual **dwelling unit** owners, for the amount and time left in the original grant payback period with **Council's** approval. Subsequent owners will be required to enter into an agreement with the **Municipality** that outlines the details of the remaining grant amount, eligibility and financial obligations.

Eligible Costs

The Property Tax Increment Equivalent Grant is only available for **eligible costs** specified below:

1. Any portion of the **eligible costs** that were not reimbursed through another financial incentive program under this CIP or another CIP in effect.
2. **Development** as defined under this CIP.
3. Feasibility studies and support studies required to fulfil any requirements of making a complete planning application or building permit applications.
4. Constructing/upgrading of any off-site improvements required to fulfil any condition of a development / planning approval.

Recommend Budget

Like other tax incentive programs, there is no direct 'cost' to the **Municipality**. The properties and/or buildings sit underutilized today and make a tax contribution that reflects their depressed value. Without any incentive to invest, the situation may not change. While the **Municipality** forgoes the tax increases of newly **developed, redeveloped, reused** or **rehabilitated** property in the short term, the investment should spawn economic activity; create much needed housing; create a revitalized building stock and neighbourhoods that will eventually contribute a higher level of taxation.

13.0 Building & Planning Fee Rebate Program

Description

The Building & Planning Fee Rebate Program is to provide assistance for the **development, redevelopment, adaptive reuse or rehabilitation** of properties via a reduction in applicable planning and building permit fees. Reduced planning and building permit fees may, in concert with other program support, help encourage development efforts by reducing initial regulatory costs.

Program Details

1. Grant equivalent of up to a maximum of 100% of Planning Application Fees and up to \$20,000 of Building Permit Fees levied by the **Municipality** for **commercial uses, employment uses, mixed use commercial/residential buildings** that represents an investment of at least \$250,000 of **eligible costs** and **affordable housing developments**.
2. The Planning Application Fees Grant only covers those planning application fees levied by the **Municipality**. It does not cover fees associated with the completion of required studies for planning approvals, legal costs, or Local Planning Appeal Tribunal-related activities.
3. No maximum dollar amount on Building Permit Fees for **affordable housing developments**.
4. The **applicant** pays for all planning and development/building permit costs as required and at the times required.
5. Application for this program will be considered retroactively for projects approved under other programs in this CIP.
6. The grant will only be payable if completion of the approved **development**, and all **eligible works** as set out in the agreement, occurs within two (2) years of the date the grant is approved, unless otherwise approved by **Council**.

Eligible Costs

Eligible costs include those fees set out in a municipal by-law and levied by the **Municipality** to for applications made in respect of Planning Applications and Building Permits.

Recommended Budget

Foregone income to the **Municipality** and any other overhead costs related to reviewing and processing the application. The foregone departmental revenue for the Planning Services Division and the Building Development Services Division should be funded by the CIP Reserve Fund.

14.0 Development Charges Partial Exemption Program

Description

Development Charges (DCs) are fees collected by municipalities to help pay for the cost of infrastructure that comes with growth such as water, sewers, roads, transit, community centres, fire and police services. The **Municipality** currently only has DCs for water and wastewater services, which is administered by the Chatham-Kent Public Utilities Commission (CKPUC). Industrial development projects are currently exempt from paying DCs.

The Development Charge Partial Exemption Program is to promote new **major rental housing developments** and new **affordable housing developments** within the Community Improvement Project Area by increasing the financial feasibility of eligible investments. This program would effectively provide a partial exemption on local DCs administered by the CKPUC for **eligible works**.

Program Details

1. Provision for up to a 50% exemption of DCs levied by the CKPUC for new **major rental housing developments** and new **affordable housing developments**.
2. The **applicant** of the property submits a completed application at the time of Site Plan submission. The application must include information with the exact number and type of dwelling units, timeline and commitment to proceed to a building permit.
3. Approval of the DC exemptions would be delegated to a Senior Leadership Team comprised of the General Manager, Community Development, General Manager, CKPUC and General Manager/Chief Financial Officer. The **Director, Planning Services** (or delegate) provides a summary of the application to the Senior Leadership Team for approval.
4. A letter is provided to the applicant confirming eligibility is met and providing an estimate of the DC partial exemption.
5. At the time of Building Permit issuance, the payable DC amount is adjusted accordingly.
6. The program will run for the period from April 1, 2020, to March 31, 2022 or until such time that, a new DC Background Study and DC By-law is approved by Council.

Recommended Budget

Foregone income to the CKPUC and administrative costs related to processing applications.

15.0 Façade Improvement Program

Description

The Façade Improvement Program is intended to encourage the redesign, renovation or restoration of facades of buildings containing a **commercial use** and **mixed use commercial/residential buildings**, by providing a financial incentive to offset some of the costs associated with the improvement of commercial facades.

Program Details

1. The Façade Improvement Program will consist of a grant program, whereby **applicants** will be eligible to receive a grant for 50% of the **eligible costs** of the facade improvements to a maximum amount described in the chart below:

Cumulative length of eligible works	Maximum Grant Amount
0 - 50 ft.	\$ 7,500
50 - 100 ft.	\$ 15,000
100 - 150 ft.	\$ 22,500
150 + ft.	\$ 30,000

2. If improvements include restoration of the façade of a **designated heritage building**, the maximum grant amount increases by 50%. If improvements include restoration of a **designated heritage building**, a report from a qualified heritage professional must be submitted.
3. The grant will only be payable if completion of the approved **development**, and all **eligible works** as set out in the agreement, occurs within one (1) year of the date the grant is approved.

Eligible Costs

The Façade Improvement Grant is only available for **eligible costs** specified below:

1. Repair or replacement of a street-facing building façade, including doors and windows.
2. Side and/or waterfront façade improvements are eligible if the public view of the façade is significant.
3. Exterior and entrance modifications to provide barrier free accessibility in accordance with the *Accessibility for Ontarians with Disabilities Act* (AODA).

4. Repair or repointing of façade masonry and brickwork and other architectural details.
5. New or upgraded lighting fixtures on exterior façade and in entrance areas.
6. Architectural design fees required to make an application under the Façade Improvement Program.
7. Notwithstanding any other part of this section, works that conserve or enhance elements specific in a by-law under *the Ontario Heritage Act* with respect to the property.
8. **Eligible costs** shall not include:
 - a. Façade painting;
 - b. Façade cleaning;
 - c. Promotional signage.

Recommended Budget

Cost of the Façade grant should be funded by the CIP Reserve Fund.

16.0 Residential Conversion and Affordable Housing Grant Program

Description

The Residential Conversion and Affordable Housing Grant Program is applicable to various for the **development, redevelopment, adaptive reuse or rehabilitation** of properties in the CIP areas. Specifically, the purpose is to provide an incentive to the creation of new or rehabilitated dwelling unit(s) in a **mixed use commercial/residential building** or the creation of new **affordable housing units** or **secondary dwellings**.

Program Details

Applicants are eligible to apply for funding under this program, subject to meeting the General Incentive Program Requirements and the following:

1. For new **affordable housing developments** and **secondary dwellings**, where permitted in the Zoning By-law are created, **applicants** will be eligible to receive a grant of \$2,500 for each **affordable housing unit**, up to 20 **dwelling units**, to a maximum grant of \$50,000.
2. Where new or rehabilitated **dwelling unit(s)** or a small or large rental dwelling unit above or behind the non-residential use in a **mixed use commercial/residential building**, where permitted in the Zoning By-law are created, **applicants** will be eligible to receive a grant of \$7,500 for each dwelling unit, up to eight **dwelling units**, to a maximum grant of \$60,000.
3. The **Municipality** will pay the grant to the property owner within 20 working days of successful completion of the approved work.

Eligible Costs

The Residential Conversion and Affordable Housing Grant is only available for **eligible costs** specified below:

1. **Development** of new and/or rehabilitated residential units that are in compliance with the Ontario Building Code, Property Standards By-law and the Fire Code.
2. Improvements for barrier-free accessibility.
3. Upgrading of on-site infrastructure, including water services, sanitary sewers and stormwater management facilities.

17.0 Other Community Improvement Plan Actions

Purpose

In addition to the financial incentive programs outlined in this CIP, the *Planning Act* also permits the **Municipality** to undertake the following community improvement activities:

- a) acquire, hold, clear, grade or otherwise prepare land for community improvement;
- b) construct, repair, rehabilitate or improve buildings on land acquired or held by it in conformity with the community improvement plan; and,
- c) sell, lease, or otherwise dispose of any land and buildings acquired or held by it in conformity with the community improvement plan.

Property Acquisition

The **Municipality** may facilitate the assembly of land within the Community Improvement Project Area in conformity with the Community Improvement Plan. Additionally, the **Municipality** may acquire, hold, clear, grade or otherwise prepare the land for community improvement as defined by this CIP. The principal reason for acquisition is to improve and secure the economic well-being of Chatham-Kent's primary urban centres, secondary urban centres and hamlets by asserting an elevated level of control over the acquisition and consolidation of sites suitable for facilitating new development or redevelopment, providing much-needed amenities and services, or that further the objectives of this CIP. The **Municipality** may also choose to construct, repair, rehabilitate or improve buildings on land acquired or held by it to further the objectives of this CIP.

Property Disposition

The **Municipality** may dispose of municipally owned land or buildings within the Community Improvement Project Area in conformity with the Community Improvement Plan. Additionally, the **Municipality** may sell, lease, or otherwise dispose of any land and buildings acquired or held by it provided the end use of the property and/or buildings remains in conformity with this CIP. The **Municipality** may choose to dispose of municipally owned property or buildings at less than market value in order to facilitate the **development, redevelopment, adaptive reuse or rehabilitation** of the property and/or buildings.

Municipally owned property that is disposed of for the purpose of meeting one or more of the objectives of this CIP, whether at market value or less, is subject to the following requirements:

1. All disposition of municipal land must be done in compliance with the **Municipality's** "Disposition of Real Property" By-law, unless the property is deemed to be a **major rental housing development, major employment project or affordable housing development**, as defined in this CIP, which can be disposed of using one or more of the following methods:
 - Direct offer of purchase and sale;
 - Request for Proposals;
 - Expression of Interests;
 - Land exchange(s); or
 - Any other method deemed to be appropriate by **Council**.
2. **Council** will determine the percentage below market value, if any, that the **Municipality** will sell the property for based on the benefit to the public generated by the project, as determined by **Council**.
3. The actual percentage below market value will be determined by **Council**. The amount below market value plus all other incentives under this, or any other approved, CIP cannot exceed the total **eligible costs**.
4. As required by the *Planning Act* the purchaser of **Municipality** owned property will be required to enter into a written agreement with the **Municipality** stating that they will keep and maintain the land, building and the use in conformity with the Community Improvement Plan. The agreement entered into above will be registered against the land to which it applies and the **Municipality** will enforce the provisions of the agreement against any party to the agreement and, subject to the provisions of the *Registry Act* and the *Land Titles Act*, against any and all subsequent owners or tenants of the land.
5. Projects are also required to be in compliance with the **Municipality's** other by-laws and policies, including zoning and building regulations.

Land Development Corporation

In accordance with Section 203(1) of the *Municipal Act*, the **Municipality** may establish a land development corporation for the sole purpose of providing one or more economic development services including "the acquisition, development and disposal of sites in the **Municipality** for residential, industrial, commercial and institutional uses."

18.0 Monitoring and Administration

Monitoring

The performance and impact of the various incentive programs will be monitored to ensure that the purpose and objectives of this CIP are successfully being met. The collection and analysis of information is intended to monitor:

- Funds dispersed through the CIP incentive programs by program type to determine which programs are being most frequently;
- The economic impact associated with projects taking advantage of the CIP incentive programs in order to determine the ratio of private sector investment being leveraged by public sector investment;
- The feedback from users of the incentive programs, so that adjustments can be made to the incentive programs over time as it is deemed necessary.

The following program-specific information will be collected on an ongoing basis:

- Number of applications by program type;
- Number of building facades improved and value of building facade improvements;
- Number of buildings or properties improved;
- Value of building/property improvements;
- Number of new rental housing units, affordable housing units and secondary units created and location of new residential units created;
- Increase in assessment value of the building/property; and
- Estimated and actual amount of grants provided.

Administration

Administration will report on the progress on implementation and the monitoring results of the incentive programs to **Council** on an annual basis. A comprehensive analysis will be presented to **Council** at the five year anniversary of the CIP coming into effect. This analysis will be accompanied by recommendations relating to the following matters (at a minimum):

- Continuation or repeal of the entire CIP;
- Discontinuation or addition of programs contained within the CIP; and,
- Minor adjustments to the program details, terms or requirements of programs contained within the CIP.

Minor revisions to the CIP, including the adjustment of terms and requirements of any of the programs, changing the boundaries of any of the targeted program boundaries (within the existing boundary of the CIP Project Area) , or discontinuation of any of the programs contained in the CIP, may be undertaken without amendment to the CIP. Such minor changes or discontinuation of programs will be provided to the Minister of Municipal Affairs and Housing for information purposes only. The addition of any new programs, significant changes to eligibility criteria, changes to the CIP Project Area boundaries, or changes to the CIP that would substantially increase funding provided by existing financial incentives will require a formal amendment to the CIP in accordance with Section 28 of the *Planning Act*.