

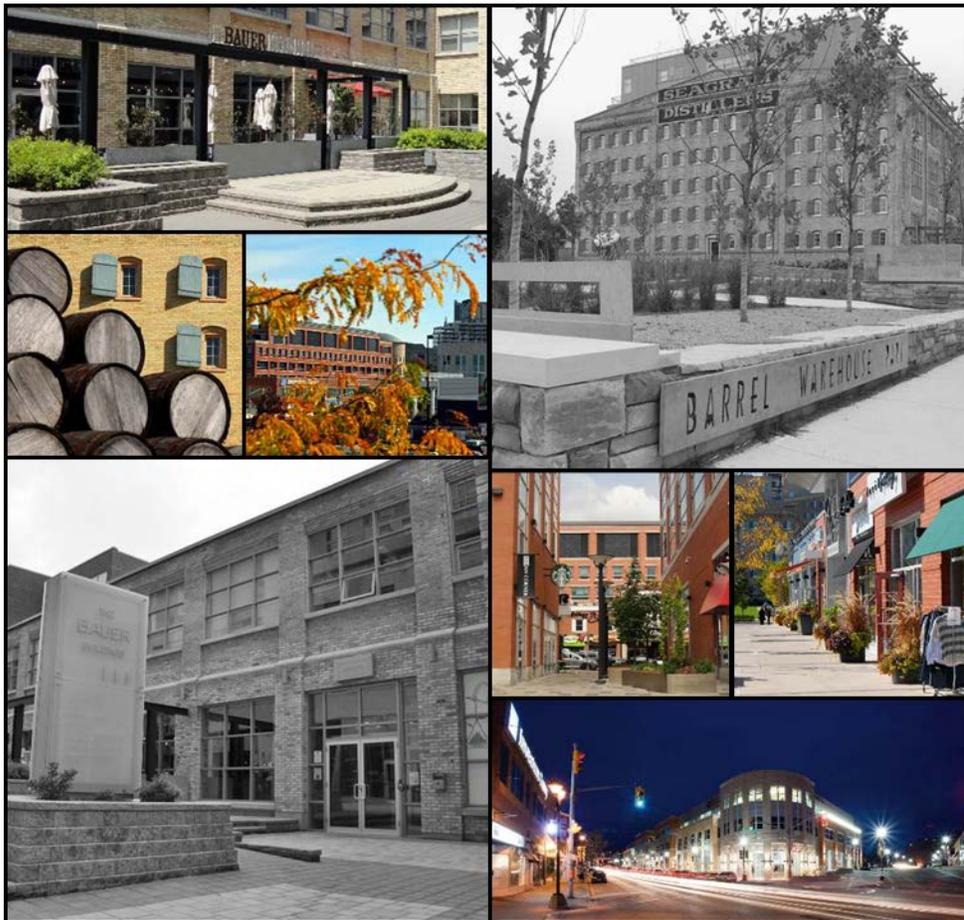
City-Wide Brownfields Community Improvement Plan

CITY OF WATERLOO

City-Wide Brownfields Community Improvement Plan for Implementation of the City of Waterloo and the Region of Waterloo's Joint Tax Increment Grant (TIG) Program



December 2, 2013



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1.0 INTRODUCTION

1.1 Background

The City of Waterloo has a history of industrial, manufacturing, and commercial development. Such development followed the ethics of the day, having little to no knowledge of the long-term implications of their day-to-day business practices. As a result of these historical land uses and practices, a small number of properties may still have forms of environmental contamination that acts as an impediment to redevelopment.

Lands known or suspected to be contaminated, commonly referred to as “brownfields”, are often overlooked as opportunities for redevelopment due to the significant financial costs, timing uncertainties, and liability associated with clean up. For municipalities, this equates to a loss in property tax revenue, inefficiencies in use of existing infrastructure, and greater pressure to expand services to outlying areas. While a number of brownfields within the City of Waterloo have been redeveloped in recent years, there remain an unknown number of properties which are too challenging to rehabilitate and redevelop without additional incentives.

In response to this issue, City of Waterloo Council directed staff to prepare this Community Improvement Plan to enable a City of Waterloo / Region of Waterloo Joint Tax Increment Grant (TIG) Program for the purpose of facilitating the redevelopment of brownfields. The City of Waterloo and Region of Waterloo Joint TIG Program is a financial tool that is designed to offset the costs of remediating brownfield sites through the provision of municipal grants. Based on the current legislative framework, the City of Waterloo / Region of Waterloo joint TIG Program can only be implemented through a Local Municipal Community Improvement Plan (CIP) designed to encourage the rehabilitation of brownfields.

1.2 What is a Remediated Brownfield?

Many municipalities have developed a working definition for the term “brownfield” to assist in the implementation of financial assistance programs. Brownfields have most commonly been defined as sites which are abandoned, vacant, or underused where redevelopment is complicated by real or perceived environmental contamination.

In developing a definition for the City of Waterloo and Region of Waterloo Joint TIG Program, a performance-based definition has been developed to assist in determining site eligibility. Since only brownfield sites that have been remediated and redeveloped would be eligible for a TIG, the term “remediated brownfield” has been defined as follows:

A property which contained environmental contamination either in the ground or buildings due to the operational activities of a previous land use, where the extent of the contamination rendered the property vacant, under-utilized, unsafe, unproductive or abandoned, and for which a Record of Site Condition has been filed.

1.3 Rationale for Brownfield Redevelopment

Brownfield sites pose financial challenges to remediation and redevelopment. In many cases, the cost of remediation effectively deters private sector redevelopment of these brownfield opportunities. Uncertainty forces prospective developers to pay for costly environmental studies and the element of risk makes lenders reluctant to advance capital or causes them to impose higher interest rates on loans. Brownfield redevelopment can also be hampered by higher legal and insurance costs to protect against future liability associated with brownfields. As a result of these challenges, clean-up costs can exceed the value of clean land, thus making a number of brownfield sites unattractive from a market perspective.

These financial barriers to brownfield redevelopment are not unique to the City of Waterloo and Waterloo Region. The Provincial Growth Plan for the Greater Golden Horseshoe (2006), which strives to reduce the outward movement of the urban area through intensification, recognizes that brownfield redevelopment is a cornerstone for implementing the intensification objectives of the Province. The Growth Plan recognizes that brownfields represent prime redevelopment opportunities within the built-up area. Redeveloping these sites effectively makes higher and better use of existing urban land and its supporting infrastructure and services.

Successful brownfield remediation and redevelopment can result in significant public benefits. Brownfields are often centrally located (such as downtowns or other key destinations), and if redeveloped, can revitalize older neighbourhoods by accommodating housing and/or employment. Redeveloping brownfields generates professional and construction jobs as well as additional tax revenue for both the City and Region. Finally, redevelopment and remediation of sites also removes threats to public health and safety while also reducing the risk to groundwater contamination.

1.4 Regional Brownfields Financial Incentives Pilot Program

To address the challenges associated with brownfield revitalization, a Brownfield Financial Incentives Committee comprised of Regional staff was established in spring 2005 in an effort to develop a brownfield programs for Waterloo Region that would augment existing brownfield incentives. The Committee retained the services of Hemson Consulting Ltd. who reviewed incentive programs used by other municipalities. The Committee also consulted with various stakeholders to gain a better understanding of the programs currently in place or in the planning stages. The conclusion from this background research was that the most comprehensive approach to brownfield rehabilitation and redevelopment is the provision of a package of financial incentives under the umbrella of a Community Improvement Plan. At the time of this review, this tool was only available to single-tier municipalities and local municipalities in a two-tier system.

Given the research findings and legislative limitations, the Committee developed a pilot program consisting of four components:

1. Establishment of a grant program to fund up to 50 percent of eligible costs associated with the completion of a Phase 2 Environmental Site Assessment up to a maximum of \$40,000;
2. Expansion of the Regional Development Charges exemptions to provide for development charge waivers up to the total eligible remediation costs associated with the clean up of contaminated sites outside of core areas;
3. Development of a Regional Tax Increment Grant (TIG) Program to help off-set remediation costs of brownfield sites; and
4. Provision of funding for the local municipalities to assist in amending or developing Community Improvement Plans (CIPs) which will provide for the implementation of a Regional TIG Program.

In February, 2013 Regional Council took action to:

- a) Approve a sustainable, long term funding model for the financing of the Regional portion of Tax Increment Grant approvals based on the funding the grant from the incremental tax revenue following remediation and redevelopment;
- b) Approve the allocation of \$250,000 from the 2013 Regional Smart Growth Initiative Capital Budget to provide additional funding for the Phase II Environmental Site Assessment program;
- c) Delegate authority for Phase II Environmental Site Assessment grant approvals to the Chief Financial Officer and the Commissioner of Planning, Housing and Community Services, or their respective designates, jointly and;
- d) Direct staff to continue reviewing the Brownfield Financial Incentive Program and report back in the latter part of 2013 with recommendations for program refinements that further align the program with Regional priorities, in consultation with the Area Municipalities.

1.5 City of Waterloo / Region of Waterloo Joint Tax Increment Grant Program

In March, 2013, City of Waterloo Council directed staff to prepare this Community Improvement Plan to enable a City of Waterloo / Region of Waterloo Joint Tax Increment Grant (TIG) Program for the purpose of facilitating the redevelopment of brownfields. The TIG program is intended to expedite investment in brownfields by providing the development industry with a small level of cost certainty regarding some or all of the remediation costs.

1.6 City of Waterloo Brownfield Coordinator

In March, 2013, City of Waterloo Council recognized the need for staff resources to be directed to the brownfields portfolio by identifying a Brownfield Coordinator. As it relates to the City of Waterloo / Region of Waterloo Joint TIG Program, this staff person will have the following responsibilities:

- Act as the first point of contact for inquiries regarding the TIG Program;
- Receive and review applications for financial assistance under the TIG Program;

- Provide complete applications to the Region of Waterloo for their TIG Program review process;
- Prepare reports for City Council consideration regarding complete applications under the TIG Program; and,
- Assist with formal legal agreements required to implement Council approval of complete TIG program applications.

See www.waterloo.ca/brownfields for more information, including a staff contact within Economic Development that will act as the Brownfield Coordinator.

2.0 LEGISLATIVE AND PLANNING AUTHORITY

2.1 Provincial Policy Statement (PPS) 2005

In 2005, the Province of Ontario issued the new Provincial Policy Statement (PPS) with the intent to guide municipalities in making planning decisions that facilitate wise growth management. Under Section 3 of the *Planning Act*, all municipal decisions regarding planning matters “shall be consistent with” applicable Provincial policy, thereby requiring municipal plans and policies, including community improvement plans, to be consistent with policies and statements such as the PPS.

The PPS defines brownfields as “Undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict, or vacant.” Section 1.1.3.3 supports intensification and redevelopment by stating “Planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.” As well, other sections, such as Sections 1.1.1 a), 1.1.1 g), and 1.6.2, speak to promoting efficient development and land use patterns which sustain the long-term well-being of the Province and municipalities, ensuring necessary infrastructure and public service facilities will be available to meet current and projected needs, and optimizing use of existing infrastructure and public service facilities. The redevelopment of brownfield sites will assist in achieving these goals.

The PPS also supports brownfield redevelopment in Section 1.7.1 c), which states “Long-term economic prosperity should be supported by promoting the redevelopment of brownfield sites.” Finally, Section 3.2.2 speaks to the proper remediation of brownfield sites prior to any development or reuse in stating “Contaminated sites shall be remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects (as defined in the EPA).”

2.2 Growth Plan for the Greater Golden Horseshoe

The Growth Plan for the Greater Golden Horseshoe (the Growth Plan) was created under the Places to Grow Act, 2005 as a Provincial initiative to manage growth in an effort to promote economic prosperity across the Greater Golden Horseshoe (GGH). It provides a policy framework that aims towards directing growth to built-up areas, requiring municipalities to develop intensification targets, promoting transit-supportive densities and efficient transportation networks, preserving employment lands and natural resources, planning community infrastructure, and ensuring adequate water and waste water services are available to support growth. The Growth Plan also identifies Uptown Waterloo as an urban growth centre, which should be planned to achieve a density of 200 residents and jobs combined per hectare by the year 2031. Brownfield redevelopment will greatly assist in meeting this density target, as many of the City’s brownfields are located in the Uptown.

2.3 Bill 51

The *Planning and Conservation Land Statute Law Amendment Act, 2006*, (Bill 51), which came into force and effect on January 1, 2007, introduced numerous amendments to the *Planning Act* that provide additional tools for the implementation of provincial policies and give further support to sustainable development, intensification, and brownfield redevelopment. Under the Act, the Region of Waterloo now has the ability to participate in local municipal CIPs through the provision of grants or loans to stimulate private sector development activities (e.g. brownfield redevelopment) through financing programs.

2.4 Planning Act and Municipal Act

Until recently, the ability to provide financial incentives for brownfield redevelopment within the Region of Waterloo has been limited to programs developed and implemented by local municipalities through CIPs. Under Subsections 106 (1) and (2) of the *Municipal Act*, municipalities are prohibited from directly or indirectly assisting any manufacturing business or other industrial or commercial enterprise through the granting of bonuses. Prohibited actions include:

- i. giving or lending money or municipal property;
- ii. guaranteeing borrowing;
- iii. leasing or selling any municipal property at below fair market value; and
- iv. giving a total or partial exemption from any levy, charge or fee.

However, Section 106(3) of the *Municipal Act, 2001* provides an exception to this bonusing rule for municipalities exercising powers under the provisions of Section 28(6) or (7) of the *Planning Act* or Section 365.1 of the *Municipal Act, 2001*. Section 28 of the *Planning Act* allows municipalities with provisions in their official plans relating to community improvement to designate by by-law a “community improvement project area” and prepare and adopt a community improvement plan for the community improvement project area. Once the CIP is approved by the Province, the municipality may exercise authority under Section 28(6) or (7) of the *Planning Act* or Section 365.1 of the *Municipal Act, 2001*, in order that the exception provided for in Section 106(3) of the *Municipal Act, 2001* will apply.

The *Planning Act* provides the statutory framework for the development of CIPs in the Province of Ontario. Section 28 of the Act permits council to designate by by-law the whole or any part of an area covered by such an official plan as a “community improvement project area” where there is an official plan in effect that contains such provisions. Under the provisions of the 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.

Specific provisions in Section 28 of the Act provide that for the purpose of carrying out a CIP, municipalities may acquire, hold and sell land; and construct, repair, rehabilitate and dispose of buildings thereon. They may also provide grants or loans to registered owners, assessed owners and tenants of lands and buildings within the community improvement project area, and any person to whom such an owner or tenant has assigned the right to receive a grant or loan, to pay for the whole or for any part of the cost of rehabilitating such lands and buildings in conformity with the community improvement plan.

2.5 Regional Official Policies Plan

According to Section 28(7.2) of the *Planning Act*, the Region may provide a grant or loan to the council of a lower-tier municipality for the purpose of carrying out a CIP if there are provisions in the Region’s Official Plan relating to the making of such grants or loans. On this basis, the Region amended the Regional Official Policies Plan (ROPP) in April 2007 to incorporate the following policy to implement the Region’s TIG program through the participation in local CIPs:

Policy 8.2.8 – The Region may make grants or loans or provide for other financial assistance as Regional Council deems appropriate for the purposes of carrying out such programs as described in an area municipal Community Improvement Plan.

In June 2003, the Region of Waterloo approved the Regional Growth Management Strategy (RGMS), a long-term planning framework that defines where, when, and how future populations and employment will occur in the Region. Developed in consultation with community partners and stakeholders, the RGMS seeks to accommodate growth yet protect those features unique to the Region.

One of the objectives of the RGMS is to achieve more efficient use of land and infrastructure through reurbanization. By promoting balanced growth, including more compact and transit-supportive development in the existing urban areas, the Region, the local municipalities, and the development industry are expected to reap a number of social, environmental, and

economic benefits. The RGMS includes the preparation of a brownfield redevelopment strategy, intended to complement and build on local municipal, provincial, and federal initiatives to facilitate contaminated site clean-up.

2.6 Region of Waterloo Official Plan

The Regional Official Plan was approved on December 22, 2010, and subsequently appealed, in its entirety to the Ontario Municipal Board, with the Board hearing ongoing. The Region Official Plan provides the framework for growth in Waterloo Region up to the year 2029.

Chapter 10 of the Regional Official Plan contains the Region's Community Improvement Plan policies. Section 10.B.6 specifies that for the purposes of promoting a sustainable and livable community, the Region may support community improvement through the designation of Community Improvement Project Areas and the adoption of Regional Community Improvement Plans in relation to the following:

- (a) affordable housing;
- (b) infrastructure that is within the Region's jurisdiction;
- (c) land and buildings within and adjacent to Existing or Planned Transit Corridors that have the potential to provide for higher density reurbanization;
- (d) other matters as the Province may prescribe in accordance with the *Planning Act*.

Section 10.B.7 of the Regional Official Plan also notes that the Region may provide grants, loans or other assistance under its own CIPs and that the corporate boundaries of the Region of Waterloo constitute the boundaries of the Community Improvement Project Area under the *Planning Act*.

Finally, Section 10.B.8 of the Regional Official Plan notes that the Region may provide grants, loans or other assistance as Regional Council deems appropriate for the purposes of carrying out programs as described in Area Municipal Community Improvement Plans.

2.7 City of Waterloo Official Plan (2012)

The policies in Section 12.3.2 of the City of Waterloo Official Plan (2012) provide a local planning framework for the formulation, adoption, and implementation of CIPs. These policies set out the rationale and goals for community improvement and how they will be accomplished. This includes the criteria to be considered when designating a community improvement project area and the range of actions that Council may initiate to implement CIPs. Depending on the purpose for which it is designated, a community improvement project area may be the entire municipality or any part thereof. The full text of Section 12.3.2 of the City of Waterloo Official Plan is contained in Appendix A.

3.0 COMMUNITY IMPROVEMENT PLAN

3.1 Purpose

The purpose of the Brownfields Community Improvement Plan is to facilitate implementation of the City of Waterloo and Region of Waterloo's Joint Tax Increment Grant (TIG) Program. The TIG will provide financial incentive to encourage private sector investment to remediate, rehabilitate, and redevelop brownfield properties throughout the City of Waterloo.

3.2 Community Improvement Project Area

The Brownfields Community Improvement Plan applies to the City of Waterloo Brownfields Community Improvement Project Area in the City of Waterloo. This Project Area comprises all lands within the City of Waterloo.

3.3 Goals

The goals of the Brownfields Community Improvement Plan are consistent with Provincial legislation and the strategic direction of the Region of Waterloo. This Plan also supports and promotes brownfield redevelopment goals of the City of Waterloo Official Plan.

The goals of the Community Improvement Plan are as follows:

- Stimulate and leverage private and public sector investment to promote the remediation, rehabilitation, adaptive re-use, and overall improvement of brownfield sites throughout the municipality;
- Reduce outward expansion and make better use of existing infrastructure by encouraging the redevelopment of underutilized and vacant sites;
- Increase tax assessment and property tax revenues;
- Improve the physical and visual quality of the municipality;
- Improve environmental health and public safety in areas within which brownfields are located;
- Retain and increase employment opportunities;
- Increase community awareness of the economic, environmental, and social benefits of brownfield redevelopment; and,
- Utilize municipal resources to demonstrate leadership in the remediation, rehabilitation, adaptive re-use, and overall improvement of brownfield sites throughout the municipality.

4.0 CITY OF WATERLOO AND REGION OF WATERLOO JOINT TAX INCREMENT GRANT PROGRAM

4.1 Program Description

The City of Waterloo / Region of Waterloo Joint Tax Increment Grant (TIG) Program provides financial assistance to private sector developers to offset the costs of remediating brownfield sites. A TIG is a grant equal to the full amount, or a portion of the amount, that municipal property taxes (City and Regional) increase after a property is reassessed. Calculation of the tax increment will occur only after the property has been reassessed by the Municipal Property Assessment Corporation (MPAC). The TIG will commence in the first year following remediation, redevelopment of the property, and reassessment from MPAC. The tax increment does not include assessment increases/decreases in municipal taxes due to a general tax rate increase/decrease, or a change for any other reason and the TIG does not exempt property owners from regional or municipal taxes owing prior to, during, and after the remediation and redevelopment is completed. The total amount of the TIG shall not exceed the value of total eligible costs net of any other government financial assistance received by the owner/applicant for remediation.

Applicants who are approved for a TIG would be required to enter into a legal agreement with the City of Waterloo and the Region of Waterloo. The legal agreement will set out the terms and conditions of payment, obligations of the municipalities and property owner(s), and the defaults and remedies.

For sites of exceptional size or complexity, or for those that involve very lengthy remediation, the terms of the TIG may, at the discretion of City and/or Regional Council, be set on a case by case basis.

4.2 Eligibility Requirements

To be eligible for the TIG Program, all of the following criteria must be met:

1. The property must meet the definition of a “remediated brownfield”;
2. The property must be located within the designated Community Improvement Project Area;
3. The applicant must be the registered owner of the site or the approved assignee of the owner and must demonstrate clear title and responsibility for the land at the time the TIG is approved by City Council;
4. The applicant/owner cannot be responsible for causing the on-site contamination that requires remediation;
5. The remediation and redevelopment undertaken must result in a minimum increased property reassessment value of \$100,000;

6. The Phase I and Phase II Environmental Site Assessments must be completed by a “Qualified Person” as defined by Ontario Regulations 153/04 before a TIG application can be submitted;
7. Redevelopment plans must meet all approved policy and must comply, to the extent required by Council and its delegate(s), with applicable design guidelines.
8. The property must not be in tax arrears; and
9. Applications for the TIG Program must be made prior to the issuance of a building permit(s) for redevelopment.

4.3 Eligible Costs

Eligible brownfield remediation costs shall include:

1. Phase I Environmental Site Assessments;
2. Phase II Environmental Site Assessments (excluding any portion already funded by the Region of Waterloo under its Phase II ESA Grant Program);
3. Indirect Remediation Costs to a maximum of 10% of eligible brownfield remediation costs. Such indirect costs can include planning fees, legal costs, financing costs associated with remediation, insurance premiums, assessment estimates, and the preparation of Record of Site Condition;
4. Environmental remediation work identified in a remediation work plan, excluding work completed prior to 12 months of filing of an application. Remediation work would include, but is not limited to:
 - a) Remedial work plans;
 - b) Risk assessments;
 - c) Environmental Rehabilitation;
 - d) Disposal of contaminated soil;
 - e) Placing of clean fill and grading; and
 - f) Building demolition related to remediation.

The applicant must provide estimates, prepared by qualified professionals, of the cost of rehabilitating the property to permit the filing of a Record of Site Condition, the cost of complying with any certificate of property use issued under the Environmental Protection Act, and the cost of any proposed building conversion or rehabilitation proposal, all of which must be prepared by a qualified professional. The City and the Region reserves the right to independently audit the actual costs at the expense of the property owner.

Note that TIGs are not intended to cover redevelopment costs.

4.4 Duration of TIG Program

Applications for funding assistance through the City of Waterloo and Region of Waterloo Joint TIG will be accepted until September 30, 2018. The TIG Program will commence on or after the approval of this CIP.

While a sunset clause of September 30, 2018 has been identified, the City and/or Region may discontinue the TIG Program at any time without an amendment to this Plan. Any participants in the program whose application has been approved by the Councils of both the City and the Region prior to its cancellation, will continue to receive the grant payments as approved by City and Regional Council, where applicable.

Year 1 of each successful TIG application will be defined as the first calendar year that the incremental portion of taxes are reimbursed to the applicant, after the project is completed (i.e. after the property has been reassessed by MPAC).

4.5 Program Administration

1. All Joint Tax Increment Grant (TIG) applications shall be submitted to Waterloo's Brownfield Coordinator prior to the issuance of the applicant's first building permit. While TIG applications can be submitted at any point prior to or during remediation, the cost of any work undertaken more than 12 months prior to a TIG application is not eligible for a TIG. TIG applicants are encouraged to consult with City staff prior to submitting the application.
2. TIG applications shall include Phase I and Phase II Environmental Site Assessments and estimates for the eligible remediation costs, to be completed by a "Qualified Person" as defined by Ontario Regulation 153/04; a project description and redevelopment plans; a Remedial Work Plan and/or Risk Assessment which includes a work plan and cost estimate completed by a "Qualified Person" of the action to be taken to address the contamination; and any other details as may be required to satisfy the City of Waterloo and Region of Waterloo with respect to eligible costs and conformity of the project with the Community Improvement Plan. The City of Waterloo and Region of Waterloo reserve the right to obtain an independent third party to review the proposed costs, at the expense of the applicant.
3. The City of Waterloo's Brownfield Coordinator will review the application. Once deemed to be complete, the application is date stamped to establish the cost eligibility date.
4. The application is reviewed for eligibility by the City of Waterloo in consultation with the Region of Waterloo. If the TIG Program eligibility requirements are met, the Brownfields Coordinator, in consultation with the City's Finance Division and the Region of Waterloo, will determine the estimated annual TIG amount and payment schedule.
5. City of Waterloo and Region of Waterloo Councils will consider recommendation reports submitted by their respective staff to approve or refuse their portion of the grant.
6. All successful TIG applicants will enter into a formal legal agreement with the City of Waterloo and the Region of Waterloo. The Agreement will specify the terms and conditions of payment, obligations of the property owner(s), and default and remedy specifications. If the applicant does not comply with all conditions of the TIG Program Agreement and other relevant municipal requirements, all financial incentives, assistance and grant provided will be repaid to the City of Waterloo and Region of Waterloo, with interest, when demanded by the City of Waterloo and Region of Waterloo.
7. Upon completion of the site remediation, the applicant files for a Record of Site Condition with the Ministry of the Environment. The applicant will provide a copy of the Ministry's acknowledgement and Record of Site Condition to the Region of Waterloo.
8. The applicant will provide invoices of all eligible costs in relation to site remediation to the City Brownfield Coordinator, which will be forwarded to the Region of Waterloo by City staff.
9. Once the development is complete and the property has been reassessed by MPAC, the applicant will be issued a new tax notice based on the post-improved assessment value. The applicant will submit the reassessed tax notice to the City Brownfield Coordinator, which will be forwarded to the Region of Waterloo by City staff.
10. The actual annual and total TIG payments are established by the City of Waterloo and Region of Waterloo, and the formal legal Agreement is modified accordingly.
11. After the property owner has paid the taxes in full for one (1) full year, the City of Waterloo will confirm that the property is not in tax arrears and that all other requirements of the TIG Program Agreement and Community Improvement Plan have been met.
12. The City of Waterloo issues the first annual payment of the TIG to the property owner. The owner continues to pay property taxes for the site at its post-construction assessment value. Annual TIG payments continue until the end of the 10th year or until all eligible costs are reimbursed, whichever occurs first.

4.6 Monitoring

The City of Waterloo and Region of Waterloo Joint TIG Program will be evaluated from time to time by City and Regional Council. The purpose of the monitoring is to determine the effectiveness of the TIG Program in relation to the goals of the CIP, identify Program modifications as required, and assist City and Regional Councils in determining continuation of the TIG Program. Specifically, the City will provide Council with a program status report every 2 years. This program status report will include discussion on:

- The nature and extent of projects for which applications have been made;
- The value of City/Regional TIG contributions and the corresponding private sector investment; and,
- Non-financial benefits resulting from the program.

Monitoring the CIP may lead to revisions to the City of Waterloo and Region of Waterloo Joint TIG Program through Amendment to the Plan. Changes to the program will be provided to the Minister of Municipal Affairs and Housing for information purposes only.

APPENDIX A – Excerpts from City of Waterloo Official Plan (2012)

12.3.2 Community Improvement Plans

Under Section 28 of the Planning Act, Council may by By-Law designate part of, or the entire City, as a Community Improvement Project Area. It is the intent of Council to utilize Community Improvement Plans to promote and focus public and private sector investment into maintenance, rehabilitation, and redevelopment activities that improve the living and working conditions in the City.

- (1) The goals of community improvement are to:
 - (a) Preserve, redevelop and rehabilitate the built environment, including residential, commercial, industrial, and *mixed-use* areas;
 - (b) To make efficient use of existing *community uses* and other amenities; (c) To ensure private and public community improvement activities are coordinated;
 - (c) To address existing land use conflicts, and minimize or mitigate future land use conflicts;
 - (d) To assist the City in identifying priorities for municipal expenditure regarding community improvement projects; and,
 - (e) To participate, wherever possible, in Federal and/or Provincial programs that facilitate community improvement.

- (2) Community Improvement Plans may be prepared and adopted to achieve one or more of the following objectives:
 - (a) Encouraging private sector renovation, repair, rehabilitation, redevelopment or other improvement of lands and/or building, including environmental remediation, development, redevelopment, construction and reconstruction of lands and buildings for rehabilitation purposes, or for the provision of energy efficient uses, buildings, structures, works, improvements or facilities;
 - (b) Improving or upgrading *community uses*;
 - (c) Encouraging or facilitating *intensification* or transit-oriented development;
 - (d) Preserving and enhancing the Uptown Waterloo Urban Growth Centre as a major focal point and destination for investment in institutional and region-wide public services, regional-serving land uses and activities such as recreational, social, cultural, entertainment, office, tourism, and significant employment uses;
 - (e) Maintaining and improving the transportation network and associated transportation *infrastructure*, including the *active transportation* network, and provide sufficient parking facilities, particularly within the Uptown Waterloo Urban Growth Centre;
 - (f) Facilitating improvements to the built form or streetscape;
 - (g) Eliminating, mitigating or relocating incompatible land uses; and,
 - (h) Improving environmental, social, cultural, economic development, or safety conditions.

- (3) For an area to be designated as a Community Improvement Project Area, it must satisfy one or preferably more than one of the following criteria:
 - (a) Building stock or property in need of rehabilitation or redevelopment;
 - (b) Opportunities exist to realize energy efficiency improvements or expand housing opportunities through redevelopment or conversion of residential lands and/or buildings;
 - (c) Known or perceived contamination of land or buildings;
 - (d) The presence of incompatible land uses or activities, including non- conforming uses, that disrupt the land use and/or lifestyle of the citizens of the area due to factors such as noise, odour, vibration, parking, loading, and traffic circulation;
 - (e) Deterioration or deficient *community infrastructure*, such as, but not limited to, road, sanitary and storm sewers, water mains, curbs and sidewalks, community facilities, open spaces, parks, streetscapes, and utilities;
 - (f) The presence of *cultural heritage resources* which would benefit from enhancement;
 - (g) Opportunities exist to facilitate *intensification* or support transit- oriented development within the *Built Boundary*;
 - (h) Deteriorated or insufficient parking facilities, road access or traffic circulation;
 - (i) Built form and/or streetscapes being incoherent or detracting from a neighbourhood; and

- (j) Other significant environmental, social or community economic development reasons for community improvement.
- (4) The City may create Community Improvement Plans to address the goals and objectives in policies 12.3.2 (1) and 12.3.2(2), and may include any of the following actions within defined Community Improvement Project Areas:
- (a) Strategically use public monies to repair or upgrade *community infrastructure*;
 - (b) Utilize public monies to fund grants and/or loans to owners of land and their assignees for the purposes of carrying out the Community Improvement Plan, including rehabilitation of contaminated properties;
 - (c) Municipal acquisition, and subsequent clearance, rehabilitation, redevelopment or sale/lease or otherwise dispose of land and buildings;
 - (d) Support of the *conservation of cultural heritage resources* through authorities provided in the Ontario Heritage Act, and the use of funding programs under that Act; and,
 - (e) Participation in senior level government programs that provide assistance to municipalities and/or private landowners for the purpose of community improvement, including application for financial assistance from such senior government programs.
- (5) The phasing of community improvements shall be prioritized according to:
- (a) The ability for the City to fund community improvement projects;
 - (b) The availability of senior level government programs that provide assistance for community improvement; and,
 - (c) The alignment of required capital expenditures to undertake community improvement with departmental priorities and associated capital budgets.
 - (d) In developing Community Improvement Plans, Council will ensure that the public is involved in the planning process.
 - (e) In accordance with the Planning Act, for furthering the community improvement goals and objectives and under such terms as Council considers appropriate, the City of Waterloo may provide grants or loans to the Regional Municipality of Waterloo for carrying out a Regional community improvement plan that has come into effect.