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File: O-8788

Planner: Chuck Parker/Amanda-Brea Watson

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: CITY OF LONDON EXPANSION OF DOWNTOWN COMMUNITY IMPROVEMENT PLAN PROJECT AREA PUBLIC PARTICIPATION MEETING ON NOVEMBER 6, 2017

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions **BE TAKEN** with respect to the application by the City of London relating to the expansion of the existing Downtown Community Improvement Plan project area:

- (a) that the proposed by-law amendment attached as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on November 14, 2017 to amend By-law C.P.–1356-246, being a by-law designating the Downtown Community Improvement Plan Area, passed on November 20, 1995, to identify the additional lands eligible for improvement subject to the policies in the Downtown Community Improvement Plan;
- (b) that the proposed by-law amendment attached as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on November 14, 2017 to amend By-law C.P.1357-249, being a by-law establishing a Downtown Community Improvement Plan, passed on December 4, 1995, to delete a sentence in Section II of the Downtown Community Improvement Plan and replace Figure 1 in the Plan;
- (c) the attached Downtown Community Improvement Plan amendments **BE SUBMITTED** to the Province for review under Section 28 (5) of the Planning Act;
- (d) that the proposed by-law amendment attached as Appendix "C" **BE-INTRODUCED** at the Municipal Council meeting on November 14, 2017 to amend the Official Plan to delete Section 14.2.2 ii) (a) and replace with a new Section and amend Figure 14-1 that will recognize the expansion of the Downtown Community Improvement Plan project area; and,
- (e) that the proposed by-law amendment attached as Appendix "D" **BE INTRODUCED** at a future Council meeting to amend the London Plan Map 8 (Community Improvement Project Areas) in Appendix 1 (Maps) to change the boundary of the Downtown CIP; and that three readings be withheld until such time as The London Plan comes into full force and effect.

it being noted that the map schedules in the Façade Improvement Loan Program and Upgrade to Building Code Loan Program will be modified consistent with the amended boundary through a future by-law amendment at a later date in conjunction with other changes to the Downtown Community Improvement Plan.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

August 22, 2016 PEC - Information Report on Public Engagement process for the Evaluation of Community Improvement Plan Incentives

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February 1, 2016	PEC - Evaluation of Community Improvement Plan Incentives
May 19, 2015	PEC - Development Charges Grant Program for Downtown and Old East Village CIP Areas
April 7, 2015	PEC - Evaluation of Community Improvement Plan Incentives
March 23, 2015	PEC - Fibre Optic Connection Grant Pilot Program for Downtown London
March 2, 2015	PEC - Development Charges Grant Program for Downtown and Old East Village CIP Areas
February 2, 2015	PEC - Development Charges Grant Program for Downtown and Old East Village CIP Areas
August 26, 2013	Strategic Priorities & Policy Committee – Strategic Change in Delivery of Development Charge Exemptions and Incentives Policies.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the recommended Official Plan amendment is to amend the boundary of the Downtown CIP to include “the Richmond Row area” so that the City may provide financial incentive programs to properties within an expanded CIP Area. This action would implement Council’s recent citywide review of financial incentives to support community improvement to provide Façade Improvement Loans and Upgrade to Building Code Loans in the Richmond Row area effective January 1, 2018.

RATIONALE

1. The recommended amendment is consistent with the 2014 Provincial Policy Statement which recognizes the vitality of settlement areas which are critical to the long-term economic prosperity of our communities. This amendment helps to ensure appropriate development standards will be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.
2. The recommended amendment is consistent with Section 28 of the Planning Act which permits a Municipal Council to pass a bylaw for the preparation of, or amendments to, a Community Improvement Plan for a community improvement area.
3. The recommended amendment is consistent with Section 14 of the Official Plan.

BACKGROUND

Downtown Improvement By-laws

On November 20, 1995, Municipal Council passed By-law No. C.P.-1356-234 “A by-law designating the Downtown Community Improvement Area” and subsequently on December 4, 1995 passed By-law No. C.P.-1357-249 “A by-law to adopt the Downtown Community Improvement Plan”.

Section 14.2.2 (*Designation of Community Improvement Project Areas*) of the 1989 Official Plan indicates the eligible commercial areas for community improvement include The Downtown, as defined on Schedule "A" to the 1989 Official Plan- Land Use Map (Figure 1).

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This area was also created to coincide with the boundaries of the Downtown Business Improvement Area (BIA) at that time.



Figure 1 - Excerpt: Schedule "A" to the 1989 Official Plan- Land Use Map (No. 5)

In 2014 the Downtown Business Improvement Area (BIA) undertook a review and consultation process to expand its boundary and on January 1, 2015 a new boundary was established for the BIA. The updated BIA generally includes new properties that are located east of the Thames River and west of Colborne Street from Dufferin Avenue to Oxford Street and south of Oxford Street (Figure 2). The By-law designating the Downtown Community Improvement Plan and related project area has not changed since adoption over 20 years ago. As a result of the 2015 BIA boundary change the Downtown CIP boundary is no longer the same as the Business Improvement Boundary (BIA).

Municipal Council Direction to Review Incentive Programs

In 2016-2017 Civic Administration undertook a comprehensive city-wide service review of Community Improvement Plans and the existing financial incentive programs offered by the City through these plans.

On February 17, 2016, Council resolved that a service review be undertaken to consider and evaluate all Community Improvement Plans and the financial incentives offered under those CIPs. The resolution identified specific directions for Civic Administration to consider in carrying out the service review.

After an extensive consultation process, planning staff brought forward a report in April 2017 on the Service Review of Community Improvement Plan Incentives. This report recommended a number of changes to the existing programs which could allow the City to find savings for 4-year budget targets and use additional savings for updating maximum loan amounts (increased loan value to reflect current costs) as well as applying programs to new areas.

On May 3, 2017, Council approved the funding to extend the Façade Improvement and Upgrade to Building Code Loan programs to an extended area along Richmond Street effective January 1, 2018. To make this possible, in accordance with the Section 28 of the Planning Act, Council directed that Civic Administration amend the Downtown Community Improvement Plan by expanding the Project Area to include additional properties along Richmond Street.

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In addition to this CIP boundary expansion, planning staff are also working on information guides, to be completed before the end of 2017, which will include updated requirements and program details for the amended incentive programs in the Downtown, Old East Village, SoHo and Industrial Lands CIPs.

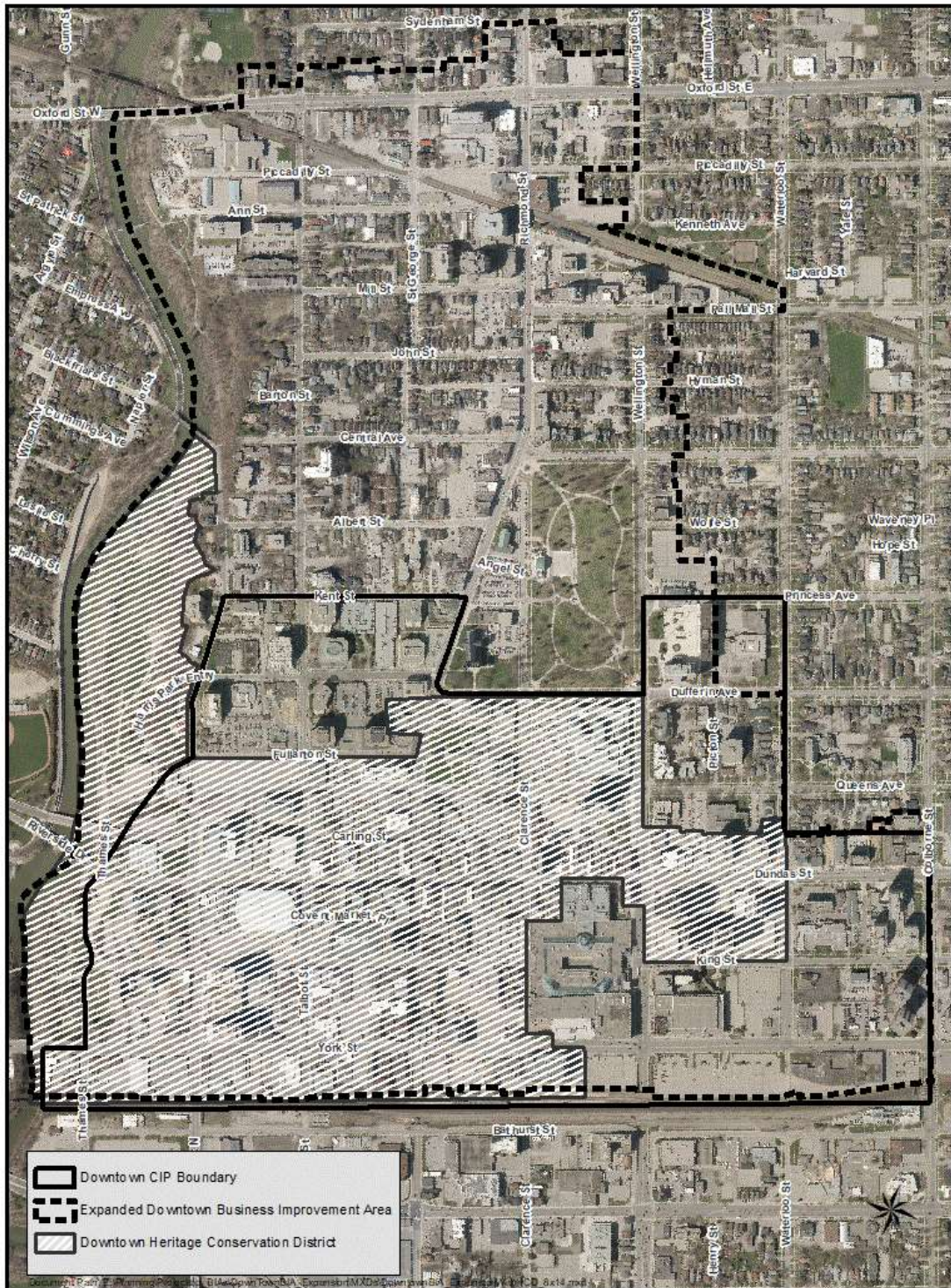
Downtown Community Improvement Plan (CIP)

As recognized in the CIP, Downtown London has been the focus of many studies, and the location of various revitalization and community improvement initiatives. These previous studies have identified the Downtown as the City's "*calling card to the world*", the primary business, office, cultural and administrative centre for the City and the regional centre for Southwestern Ontario.

The purpose of this Community Improvement Plan has been to provide the context for a coordinated municipal effort to improve the physical, economic and social health of the Downtown. The initiatives are intended to stimulate private investment through targeted public investment. The focus of these initiatives and CIP is to foster an environment that will increase the supply of residential units within the Downtown to ensure a viable Downtown population, to improve the existing building stock, some of which is now located in an approved Heritage Conservation District, and to encourage the provision of unique or specialized attractions and public facilities.

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Figure 2 - Downtown Boundaries



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SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

No comments were received from any other City of London Services Areas or from Agencies who were included in the circulation of the Notice of Application.

PUBLIC LIAISON:	On July 13, 2017, Notice of Application and Information Meeting were sent to 2,404 property owners located within the Downtown Business Improvement Area. Notice of Application was also published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on the same date. Downtown London BIA staff also sent out an email informing their contacts of the Application and Information Meeting.	10 replies were received
Nature of Liaison: To amend the boundary of the Downtown CIP to include the Richmond Row area. Expansion of the Downtown CIP boundary (CIP project area) is being considered so that the City may provide financial incentive programs to properties within an expanded CIP Area. This action would implement Council’s recent citywide review of financial incentives to support community improvement to provide Façade Improvement Loans and Upgrade to Building Code Loans in the Richmond Row area effective January 1, 2018.		
Responses: Most replies were seeking clarification on the project. The general public wanted to know some general information on Community Improvement Plans (CIP) or why the Official Plan would need to be amended to change the Downtown CIP area to offer financial incentive programs along Richmond Row. Some did not know their properties are currently within the Business Improvement Area (BIA). There is also some confusion between CIP’s and BIA’s. A number of responses came from property owners within Heritage Conservation Districts who are concerned the proposed amendment to the Downtown CIP will negatively impact the development of properties in the downtown core and those across from Victoria Park.		

PUBLIC INFORMATION MEETING

As part of the CIP Project Area boundary expansion, the City of London, in partnership with Downtown London, held an information meeting on August 1, 2017 from 8.30-11.30 a.m. at the St. Peter’s Auditorium (506 Richmond Street). This open house meeting included 3 short presentations (9.a.m, 10.a.m and 11.a.m) given by staff as well as a mapping exercise which allowed participants to provide input on the properties that should be included in the expanded project area.

In total there were eight (8) participants, the majority being owners of properties and/or businesses along Richmond Street. The small crowd allowed staff from the City and BIA to converse with property owners, learn about the perceived definition and needs of “Richmond Row”.

Based on information gathered at the open house, a map was created to show the proposed expanded CIP Area along Richmond Street. Following the open house, the presentation and map were posted on the City’s website and this information was shared by email with all those who had commented on the application and attended the information meeting.

Planning staff requested comments on the proposed boundary by August 15, 2017, however staff received no additional comments.

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ANALYSIS

The intent of the amendment to change the existing boundary of the Downtown Community Improvement Plan (CIP) project area, which was previously approved by Council on December 4, 1995, in order to implement Council's May 3, 2017 direction to offer financial incentive programs in a broader area along Richmond Row.

Section 28 of the Planning Act gives the City permission to create Community Improvement Plans (CIP) which permits the City to offer financial incentives to private property owners, thereby complying with Section of the *Municipal Act* which would otherwise prohibit that ability.

The Downtown Community Improvement Plan (CIP) was created with specific goals and objectives. The goals of the CIP were drawn from, and (at the time of adoption) consistent with, the Goals for Downtown London as stated in the City's Official Plan and Strategic Plan.

The objectives of the CIP are to;

- a. Promote the long-term stability and viability of the Downtown;
- b. Encourage coordination of municipal expenditures and planning and development activity;
- c. Stimulate private property maintenance and reinvestment activity;
- d. Enhance the visual quality of the Downtown through the recognition and protection of heritage buildings;
- e. Upgrade physical services and social and recreational facilities; and
- f. Provide for streetscaping, servicing and building rehabilitation and improvement to enhance the Downtown, and encourage complementary revitalization or redevelopment through private investment.

To implement the recommended boundary change, the existing Official Plan (Council approved June 19, 1989), the London Plan (Ministry approved December 28, 2016) and the Downtown Community Improvement Plan (Council approved December 4, 1995) need to be changed.

The existing Official Plan needs to be amended to revise Section 14.2.2 ii) (a) to delete reference to Schedule "A" Land Use in the Official Plan. The existing Downtown CIP boundary was consistent with the existing Official Plan Downtown boundary but adding Richmond Row will change that consistency. Both the existing Official Plan and proposed London Plan boundaries will be different than the Downtown Business Improvement Area (BIA) and proposed Downtown Community Improvement Plan (CIP) boundary.

In addition, *Figure 14.1* (Areas Eligible for Community Improvement) needs to be amended to show the new boundary of the Downtown CIP area.

Similar to the above, Map 8 (Community Improvement Project Areas) of the London Plan also needs to be amended to show the new boundary of the Downtown CIP area.

Section II (Area of Application) and Figure 1 of the existing Downtown Community Improvement Plan identifies the current boundaries of the CIP and needs to be changed to add the additional lands along Richmond Row, being properties clustered along Richmond Street from the current north boundary of the Downtown CIP up to Sydenham Street.

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Future Additional Changes

At present, only the boundary change is being recommended. As part of a future separate project staff will be undertaking a comprehensive review and update of the Downtown CIP to address goals, objectives, update statistics and add measures and indicators of success.

CONCLUSION

The recommended expanded Downtown Community Improvement Plan (CIP) project area is intended to change the existing boundary of the Downtown Community Improvement Plan (CIP) project area, which was previously approved by Council on December 4, 1995, in order to offer financial incentive programs in a broader area along Richmond Row.

The recommended amendment also satisfies the goals, objectives and intent of the Downtown London Community Improvement Plan Council approved in 1995.

SUBMITTED BY:
JIM YANCHULA, MCIP, RPP MANAGER, URBAN REGENERATION
RECOMMENDED BY:
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER

October 11, 2017
CP/jy

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File: O-8788

Planner: Chuck Parker/Amanda-Brea Watson

Responses to Public Liaison Letter and Publication in “The Londoner”

<u>Telephone</u>	<u>Written</u>
	Larry Crossan 629 Wellington Street, London ON N6A 3R8
	c/o Craig Linton Norquay Talbot Properties 100 Wellington Street, Suite 301 London ON N6B 2K6
	Daniel Walker 570 Wellington Street London, ON N6A 3R3
	David L. Nuttall DLN GROUP INC. 703-500 Talbot Street London Ontario N6A 2S3
	Sean Eden YORK Developments 303 Richmond St. Suite 201 London ON N6B 2H8
	Krys Fraser 380 King St. #1101 London ON L6B 3L6
	Danya Walker 570 Wellington Road London ON N6A 3R3
	Hilary and Burton Moon 485 Dufferin Avenue London ON N6B 2A1
	Hazel Elmslie 63 Arcadia Crescent, London ON N5W 1P5
	Anna Maria Valastro 133 John Street, London ON N6A 1N7

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Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2017

By-law No. C.P.-1356 ()

A by-law to amend By-law C.P.-1356-246, being a by-law to designate the Downtown Community Improvement Plan project area.

WHEREAS subsection 28(4) of the *Planning Act*, enables the Council of a municipality corporation to adopt community improvement plans within designated areas;

AND WHEREAS the Council of The Corporation of the City of London has by By-law No. C.P – 1356-234 designated a community improvement area identified as the “Downtown London Community Improvement Area”, passed on November 20, 1995;

AND WHEREAS subsection 28(5) of the *Planning Act*, enables the Council of a municipality corporation to amend adopted community improvement plans;

AND WHEREAS the proposed Downtown Community Improvement Area as amended in Appendix “B” is in conformity with the Official Plan;

NOW THEREFORE The Municipal Council of The Corporation of the City of London enacts as follows:

1. Appendix A of By-law C.P.-1356-234 is hereby repealed and replaced with a new Appendix “A” attached as Figure 1.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act*, R.S.O. 1990, c.P.13.

PASSED in Open Council on November 14, 2017.

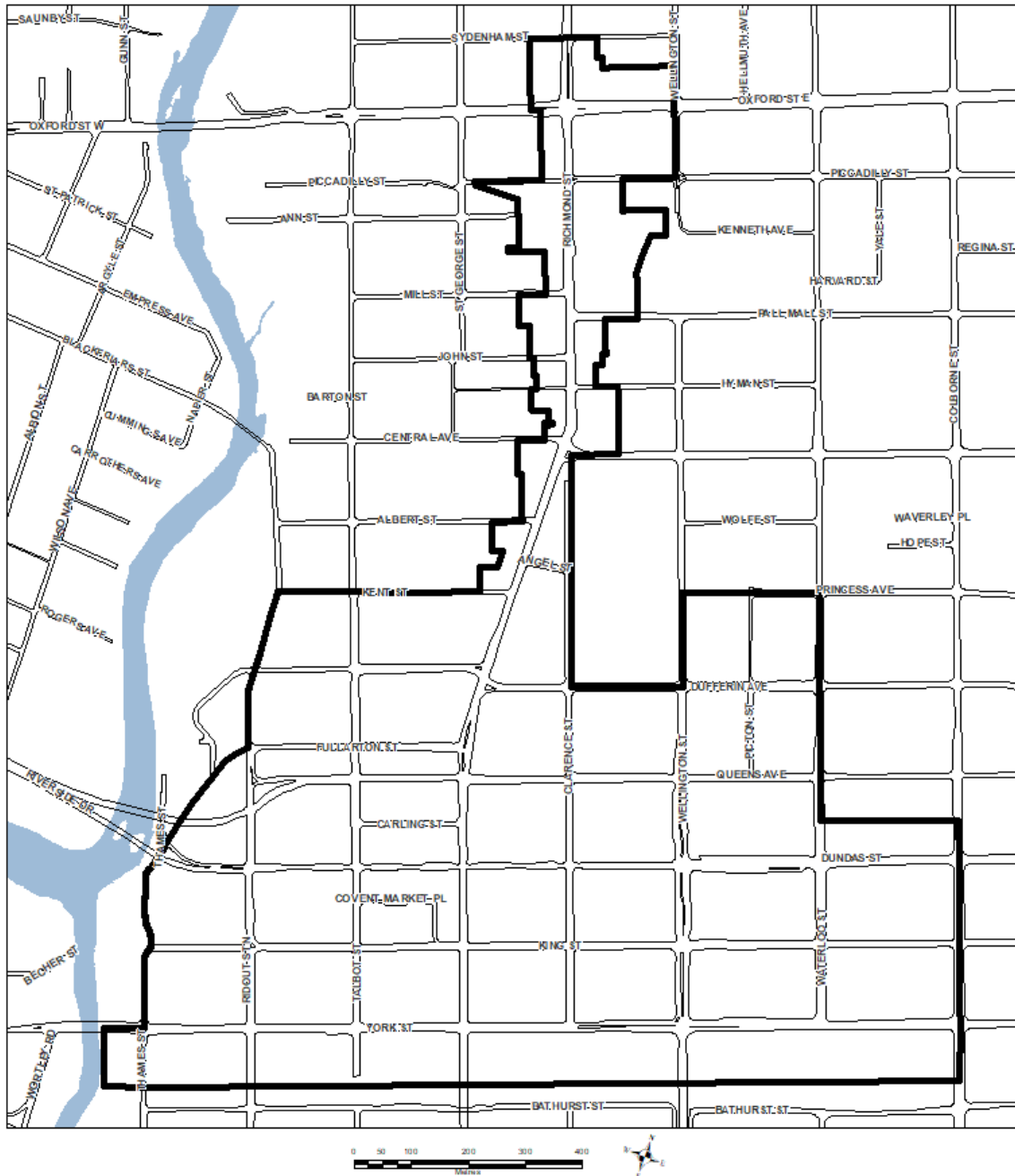
Matt Brown
Mayor

Catharine Saunders
City Clerk

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Figure 1

THE DOWNTOWN COMMUNITY IMPROVEMENT AREA



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File: O-8788

Planner: Chuck Parker/Amanda-Brea Watson

Appendix "B"

Bill No. (number to be inserted by Clerk's Office)
2017

By-law No. C.P.-1357 ()

A by-law to amend By-law C.P.-1357-249, being a by-law to establish the Downtown Community Improvement Plan project area.

WHEREAS subsection 28(4) of the *Planning Act*, enables the Council of a municipality corporation to adopt community improvement plans within designated areas;

AND WHEREAS the Council of The Corporation of the City of London has by By-law No. C.P – 1356-234 designated a community improvement area identified as the “Downtown London Community Improvement Area”, passed on November 20, 1995;

AND WHEREAS subsection 28(5) of the *Planning Act*, enables the Council of a municipality corporation to amend adopted community improvement plans;

AND WHEREAS the proposed Downtown Community Improvement Area as amended in Appendix “C” is in conformity with the Official Plan;

NOW THEREFORE The Municipal Council of The Corporation of the City of London enacts as follows:

1. Figure 1, The Downtown Community Improvement Area, to the Downtown Community Improvement Plan for the City of London Planning Area is deleted and replaced by a new Figure 1 amended by adding lands along Richmond Row north of the existing boundary in the City of London as indicated on “Schedule 1” attached hereto.
2. Section II, Area of Application, of the Downtown Community Improvement Plan for the City of London is amended by deleting the second sentence which states “*This is the area designated “Downtown Area” on Schedule “A” of the Official Plan for the City of London*”.
3. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act*, R.S.O. 1990, c.P.13.

PASSED in Open Council on November 14, 2017.

Matt Brown
Mayor

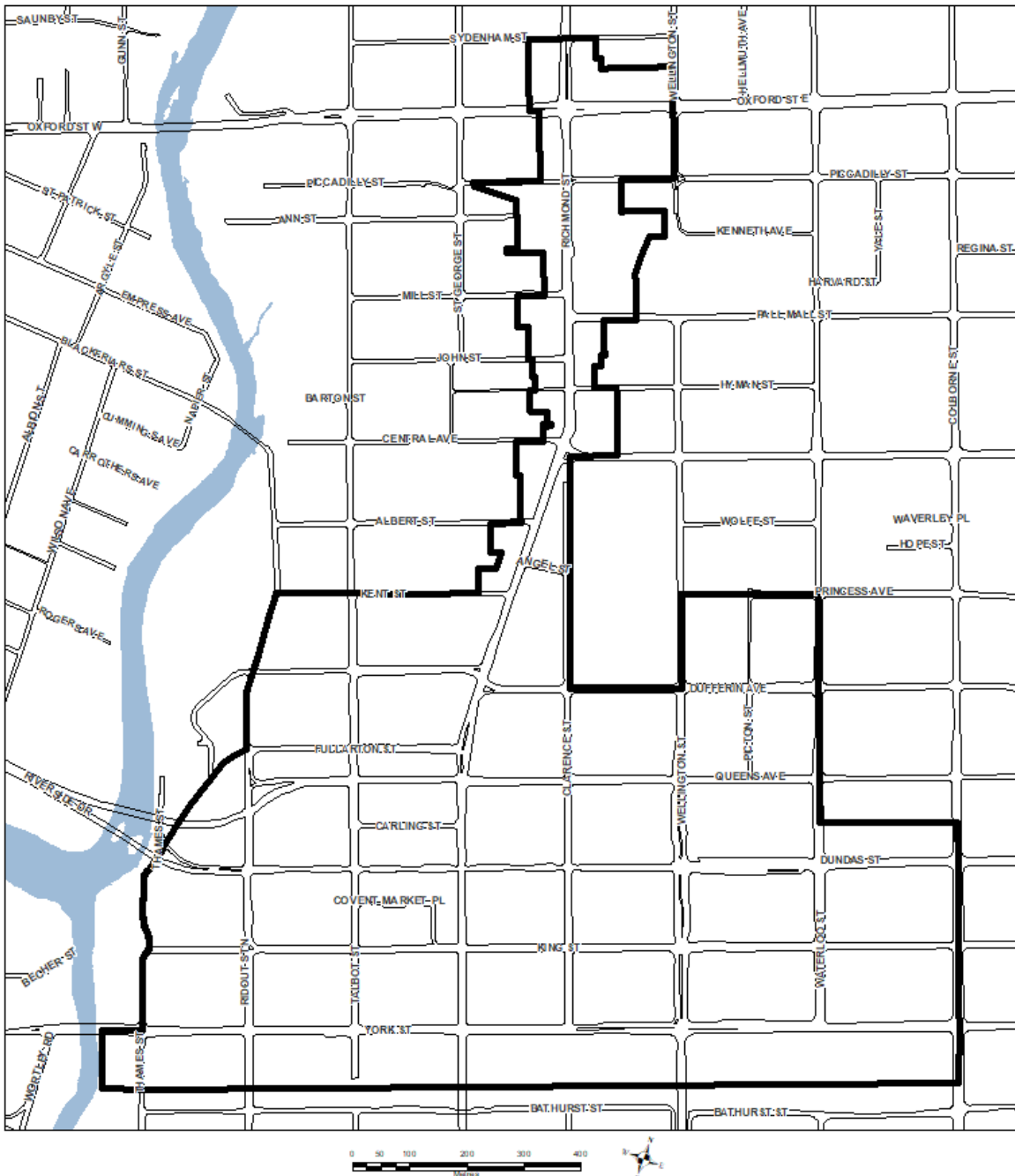
Catharine Saunders
City Clerk

First Reading – November 14, 2017
Second Reading – November 14, 2017
Third Reading – November 14, 2017

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Figure 1

THE DOWNTOWN COMMUNITY IMPROVEMENT AREA



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File: O-8788

Planner: Chuck Parker/Amanda-Brea Watson

Appendix "C"

Bill No. (number to be inserted by Clerk's Office)
2017

By-law No. C.P.-1284-

A by-law to amend the Official Plan for the City of London, 1989 relating to the expansion of the Downtown Community Improvement Plan project area.

The Municipal Council of The Corporation of the City of London enacts as follows:

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on November 14, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – November 14, 2017
Second Reading – November 14, 2017
Third Reading – November 14, 2017

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File: O-8788

Planner: Chuck Parker/Amanda-Brea Watson

AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To delete a policy in Section 14.2.2 ii) (a) of the Official Plan for the City of London and replace with a new revised Section that will recognize the expansion of the Downtown Community Improvement Plan project area; and,
2. To amend Figure 14-1 that will recognize the expansion of the Downtown Community Improvement Plan project area.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located within in the boundaries of the Downtown Official Plan designation and the Downtown Business Improvement Area in the City of London.

C. BASIS OF THE AMENDMENT

The recommended expanded Downtown Community Improvement Plan (CIP) project area is intended to change the boundary of the Downtown Community Improvement Plan (CIP) project area, which was previously approved by Council on December 4, 1995, to include properties within the boundary of the Downtown Business Improvement Area (BIA) which was revised by Council on December 18, 2014, in order to offer incentives over a broader area along Richmond Street.

The recommended amendment also satisfies the goals, objectives and intent of the Downtown London Community Improvement Plan Council approved in 1995.

D. THE AMENDMENT

The Official Plan for the City of London is hereby amended as follows:

1. Figure 14-1, Areas Eligible for Community Improvement, to the Official Plan for the City of London Planning Area is amended by adding lands along Richmond Street north of the existing boundary in the City of London, as indicated on "Schedule 1" attached hereto.
2. Section 14.2.2 ii) a) (Designation of Community Improvement Project Areas – Commercial) of the Official Plan for the City of London is deleted and replaced with the following:
 - (a) The Downtown Business Improvement Area (BIA).

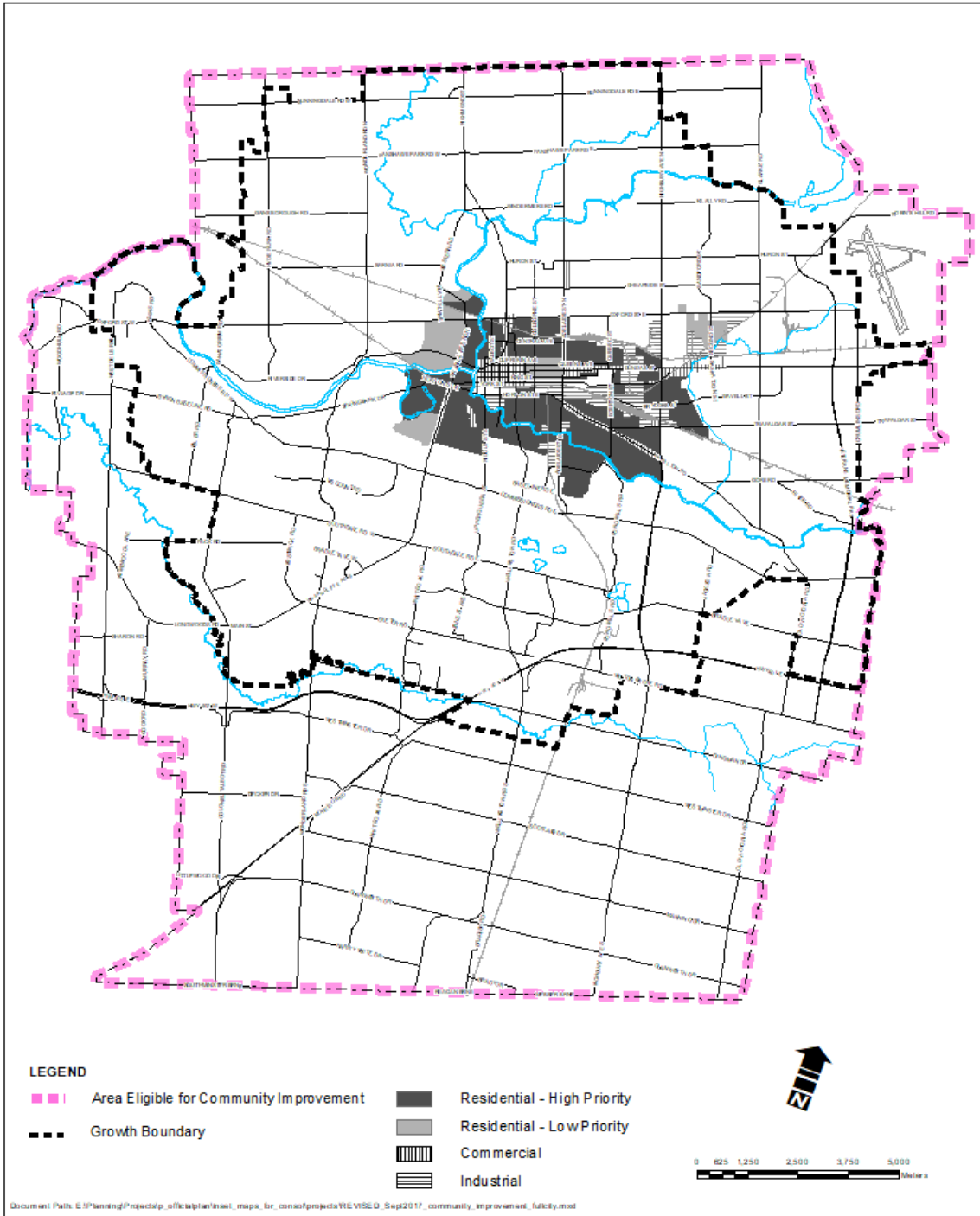
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Schedule 1

FIGURE 14-1

AMENDMENT NO.

AREA ELIGIBLE FOR COMMUNITY IMPROVEMENT



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File: O-8788

Planner: Chuck Parker/Amanda-Brea Watson

Appendix "D"

Bill No. (number to be inserted by Clerk's Office)
2017

By-law No. C.P.-

A by-law to amend The London Plan for the City of London, 2016 relating to expansion of the Downtown Community Improvement Plan project area.

The Municipal Council of The Corporation of the City of London enacts as follows:

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on .

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading –
Second Reading –
Third Reading –

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File: O-8788

Planner: Chuck Parker/Amanda-Brea Watson

AMENDMENT NO.

to the

THE OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To amend Map 8 (Community Improvement Project Areas) in Appendix 1 (Maps) to change the boundary of the Downtown CIP.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located within the boundaries of the Downtown Place Type in the London Plan and the Downtown Business Improvement Area in the City of London.

C. BASIS OF THE AMENDMENT

The recommended expanded Downtown Community Improvement Plan (CIP) project area is intended to change the boundary of the Downtown Community Improvement Plan (CIP) project area, which was previously approved by Council on December 4, 1995, to include properties within the boundary of the Downtown Business Improvement Area (BIA) which was revised by Council on December 18, 2014, in order to offer incentives over a broader area along Richmond Street.

The recommended amendment also satisfies the goals, objectives and intent of the Downtown London Community Improvement Plan Council approved in 1995.

D. THE AMENDMENT

The Official Plan for the City of London is hereby amended as follows:

The London Plan is hereby amended as follows:

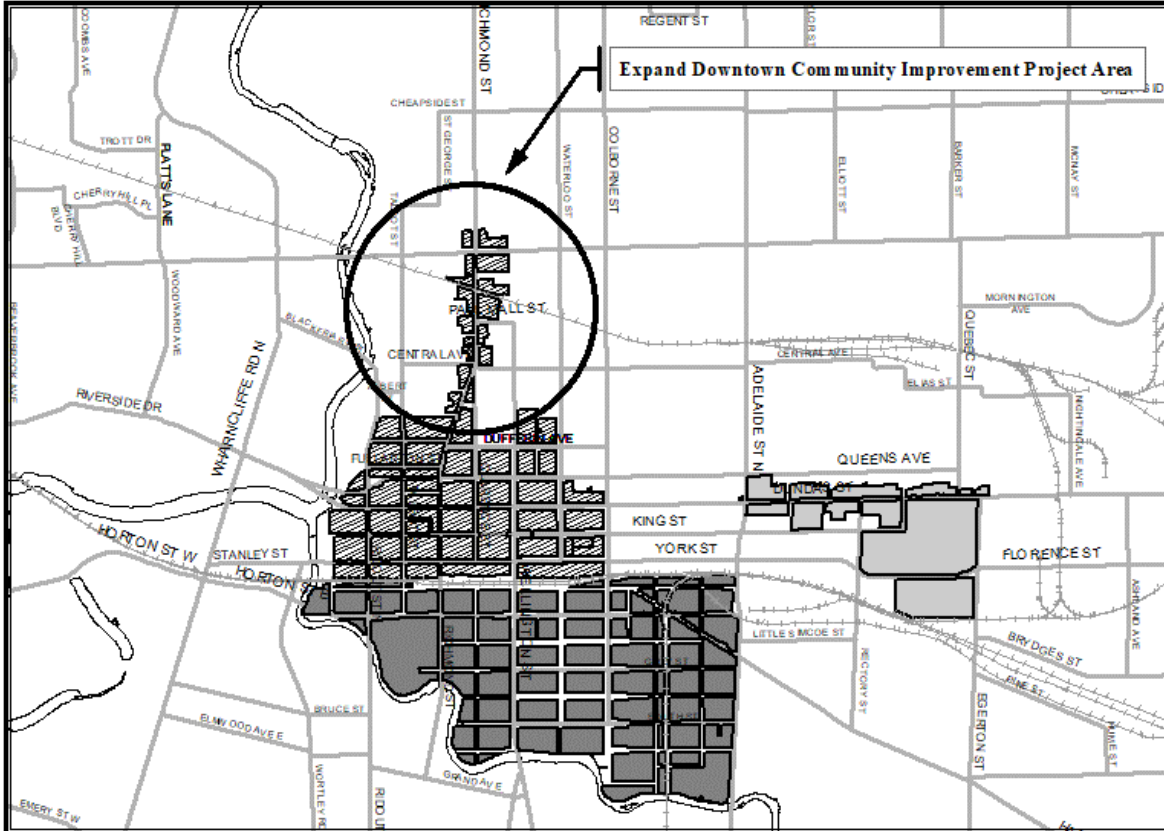
1. Map 8 – Community Improvement Project Areas, in Appendix 1 (Maps) to The London Plan for the City of London Planning Area is amended by changing the northern boundary of the Downtown CIP on “Schedule 1” attached hereto

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AMENDMENT NO:



LEGEND	BASE MAP FEATURES
Airport Community Improvement Project Area	Streets (See Map 3)
Downtown Community Improvement Project Area	Railways
Old East Village Community Improvement Project Area	Urban Growth Boundary
SoHo Community Improvement Project Area	Water Courses/Ponds

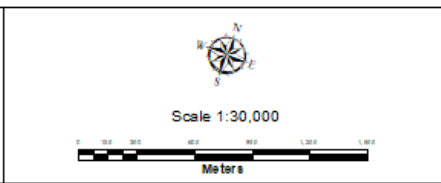
NOTE: The Brownfields CIP, Heritage CIP, and Industrial CIP Project Areas include all lands within the municipal boundary

This is an excerpt from the Planning Division's working consolidation of Map 8 - Community Improvement Project Areas of the London Plan, with added notations.

**SCHEDULE 1
TO
THE LONDON PLAN**

AMENDMENT NO. _____

PREPARED BY: Planning Services



FILE NUMBER: O-8788

PLANNER: CP

TECHNICIAN: MB

DATE: 10/5/2017

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