



**The Corporation of the City of St. Catharines
CITY COUNCIL AGENDA
Regular, Monday, November 2, 2020
FirstOntario Performing Arts Centre, and Electronic Participation,
6:00 PM**

This meeting of Council will be held both in person and electronically.

This Meeting may be viewed online at www.stcatharines.ca/youtube

Delegations to Council can be made in-person or electronically. Requests must be submitted using the [Delegation Request Form](#). Please visit www.stcatharines.ca/Council for important information on safety protocols and procedures for this meeting.

Public Comments: The public may submit comments regarding agenda matters to the Office of the City Clerk by contacting clerks@stcatharines.ca by Monday, November 2, 2020 before Noon. Comments submitted will be considered as public information and entered into public record.

His Worship Mayor Walter Sendzik takes the Chair and opens the meeting

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- 1. Mayor's Report**
- 2. Adoption of the Agendas**
- 3. Declarations of Interest**
- 4. Adoption of the Minutes (Council and General Committee)**
 - 4.1 Regular Meeting of Council, Minutes of [October 19, 2020](#)
 - 4.2 General Committee, Minutes of [October 19, 2020](#)
 - 4.3 General Committee (Operating and Capital Budgets), Minutes of [October 21, 2020](#)
 - 4.4 General Committee (Operating and Capital Budgets), Minutes of [October 26, 2020](#)
- 5. Resolve into General Committee**

Council will proceed to General Committee Agenda Item 1 - Motion to Move Reports on Consent

6. Public Meetings Pursuant to Planning Act and Public Notice By-Law

- 5 - 67 6.1 Planning and Building Services, Planning Services
Recommendation Report: Application to Amend Zoning By-law 2013-283; Subject Lands: 268 Oakdale Avenue; Owner: 2494551 Ontario Inc.
- 68 - 187 6.2 Planning and Building Services, Planning Services
2020 Community Improvement Plan (2020CIP)
- 188 - 194 6.3 Municipal Works, Operations
Winter Storm Event Temporary On-Street Parking Prohibition
[Addenda]

7. Special Presentations

8. Resolve into General Committee

Council will proceed to General Committee Agenda Item 3 - Discussion Reports

9. Motion Arising from In-Camera Session

10. Motion to Ratify Forthwith Recommendations

11. Motions

- 11.1 **Merritt Trail Enhancements, Updating the Parks Policy Plan (Trails) and the Creation of a Merritt Trail Connectivity Project Task Force and 2029 Welland Canals Project Task Force**

Councillor Littleton will present the following motion:

WHEREAS the First Welland Canal opened for a trial run on Nov. 30, 1829, after five years of construction, which means it will celebrate its 200th anniversary in 2029; and

WHEREAS remnants of the First and Second Welland Canals flow through Merritton and other portions of the city; and

WHEREAS the 2019 Capital Budget outlined that the highest priority locations for the First and Second Welland Canals are located in Merritton – namely Locks 6, 7 and 9 in what is currently referred to as “Canal Valley”; and

WHEREAS further work, including identifying the historical value and mapping the ultimate state of the historical assets of the First and

Second Welland Canals, could be done in cooperation with various City departments and members of the community; and

WHEREAS the City of St. Catharines Council declared a Climate Emergency in 2019; and

WHEREAS the COVID-19 pandemic has highlighted the need to be able to be outdoors in order to exercise and experience the city; and

WHEREAS many people, not just those who are environmentally-conscious, are looking for alternative ways to travel around their city other than in automobiles; and

WHEREAS upgrading our trail system present a unique opportunity to make significant, sustainable improvements in the area for generations to come;

THEREFORE BE IT RESOLVED that council endorse the senior staff recommendation in Report FMS-146-2020, the 2021 Capital Budget, Four Year Forecast and Asset Management Status Update, that the City apply for Investing in Canada Infrastructure Program (ICIP) funding to connect and improve the Merritt Trail, among other listed trails in Report FMS-146-2020; and

BE IT FURTHER RESOLVED that staff be directed to upgrade the Parks Policy Plan (Trails) by November 30, 2021 in order to create an overarching strategy for trail creation, maintenance and connectivity throughout the entire city; and

BE IT FURTHER RESOLVED that staff be directed to prepare terms of reference for a Merritt Trail Connectivity Project Task Force, to include a representative of the cycling community, a representative from the City's Accessibility Advisory Committee, a representative of the Queenston Neighbours or Fitzgerald Neighbours community groups, a representative of the Recreation Master Plan Advisory Committee and a representative from the Transportation Advisory Committee, plus both Merrittton Councillors and one other City Councillor, tasked with finding creative ways of connecting the Merritt Trail through the city and potentially raising funds for trail improvements to be matched by the Parks Legacy Project up to \$50,000; and

BE IT FURTHER RESOLVED that staff be directed to prepare terms of reference for a 2029 Welland Canals Project Task Force, consisting of three residents of St. Catharines, a representative of the Heritage

Advisory Committee, a local community or noted expert on Welland Canals history, a representative from Brock University who has extensive knowledge about the subject, a representative of the City's Public Art Advisory Committee, both Merritton Councillors and two City Councillors, tasked with creating an overall plan on how to better showcase the old First and Second Welland Canals, including both current exposed and buried locks, wayfinding signs, public art, look out points and liaising with other community groups to be identified and which are currently working to attain national historical status for the First Welland Canal.

11.2 Special start time for November 16, 2020 City Council Meeting
Councillor Littleton will present the following motion:

That Council approve a 5:30 p.m. start time for the November 16, 2020 City Council Meeting for the purpose of receiving a report, in-camera from the Assistant City Solicitor II.

12. Call for Notices of Motion

13. Report Requests

14. By-laws

14.1 Reading of By-Laws

15. Agencies, Boards, Committee Reports

15.1 Minutes to Receive:

- Anti-Racism Advisory Committee, meeting of [October 7, 2020](#) (Draft)
- Heritage Advisory Committee, meeting of [October 8, 2020](#) (Draft)
- Recreation Master Plan Advisory Committee, meeting of [September 29, 2020](#) (Draft)

16. Adjournment



Corporate Report City Council

Report from: Planning and Building Services, Planning Services

Report Date: October 23, 2020

Meeting Date: November 2, 2020

Report Number: PBS-151-2020

File No: 20 100310 ZA

Subject: *Planning Act Public Meeting – Recommendation Report*
Application to Amend Zoning By-law 2013-283
Subject Lands: 268 Oakdale Avenue
Owner: 2494551 Ontario Inc.

Strategic Pillars:



Recommendation

Zoning Amendment

That Council approve an amendment to the City of St. Catharines Zoning By-law 2013-283, for the lands described as Part of Lot 3137, Corporation Plan 2 in the City of St. Catharines, municipally known as 268 Oakdale Avenue, as outlined in Appendix 1; and

That the Mayor and City Clerk be authorized to execute the necessary By-law to give effect to Council's decision; and

That the Notice of Decision required by the Planning Act, R.S.O. 1990, c.P. 13, as amended, be processed by staff; and

That upon expiration of the appeal period, staff be directed to forward any appeals to the Local Planning Appeals Tribunal for consideration and final approval; and

That the Clerk be directed to make all necessary notifications; and

Site Plan Approval

Further, that Council direct the site plan process include consideration of the following:

1. The owner undertake additional discussions with Niagara North Condominium No 152, the owner of the abutting lands to the south, being 264 Oakdale Avenue, to investigate options for providing a year round landscape buffer of sufficient height on those lands, in lieu of a landscape buffer being provided along the south property line of 268 Oakdale Avenue, the subject lands.

2. The fencing along the north and south lot lines be subject to upgrades to reflect the sensitivity of the proximity of residential buildings on the adjacent lots (e.g. decorative fencing instead of board on board fencing)
3. The north facing and south facing facades of the building be required to incorporate architectural interest by using a variety of materials, colours, architectural articulation and similar design elements to ensure visual interest.
4. The south facing façade include very limited window openings, if any, to protect the privacy of the abutting condominium to the south. FORTHWITH

Summary

The approval of this application will permit a development of small studio apartment dwelling units under condominium ownership, intended to service a low-income demographic typically not eligible for home ownership. This project offers a unique affordable housing opportunity, outside of standard social housing providers.

Staff are recommending approval of the application, which will permit, subject to conditions, a 3-storey apartment building with 28 residential units. The application is consistent with the Provincial Policy Statement, conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe, and conforms to and does not conflict with the Region of Niagara's Official Plan and the City of St. Catharines Official Plan. Staff are satisfied the special zoning provisions being recommended are acceptable providing certain measures are taken at the site plan stage to address the proximity to abutting buildings.

Relationship to Strategic Plan

Approval of these applications for Official Plan and Zoning By-law Amendment would support the following pillars of the City's Strategic Plan.

Economic Sustainability: The proposed development supports private investment through new construction on vacant and redevelopment lands. Future residents of the proposed development will support transit and local business.

Social Sustainability: The proposed development contributes to the connectivity of people, places and neighbourhoods by providing additional residential units and taking advantage of proximate transportation routes. Future residents will benefit from the local bike lanes, trail systems, and transit.

Report

Proposed Development

The applicant proposes to construct a three-storey condominium residential apartment building containing 28 residential apartment units. The units are very small studio apartments totaling only 27 square metres. Two accessible units are included totaling 33 square metres. The proposed development includes dedicated bike storage within

the building and 18 surface parking spaces including one accessible parking space. A conceptual Site Plan is attached as Appendix 2.

The proponent intends to offer the units for sale at a price point of approximately \$150,000 to \$200,000. As such the units provide a home ownership opportunity for a low-income demographic. The small unit size (27-33 square metres) suggests single to 2-person occupancy only.

Location and Site Description

The lands are known municipally as 268 Oakdale Avenue. They are located on the east side of Oakdale Avenue, between Carson Court and Capner Street. The lot area is 0.167 hectares. The property has 13.19 metres of frontage on Oakdale Avenue. The long narrow configuration of this lot presents development and design challenges. A location map is attached as Appendix 1. Surrounding land uses include:

North: Residential condominium
 East: Garden City Golf Course
 South: Residential condominium
 West: Green space, former Welland Canal valley lands

Planning Policy Context

Provincial planning legislation requires Council's decision on a planning application to be consistent with the Provincial Policy Statement (2014), and must conform to Provincial plans, upper-tier official plans and lower-tier official plans. Accordingly, planning staff have evaluated this Application for Zoning By-law Amendment against the policies of the Provincial Policy Statement, the Provincial Growth Plan for the Greater Golden Horseshoe, the Regional Official Plan, and the Garden City Plan, all of which apply to this application, and staff recommendations have been formulated accordingly.

For Council's reference, the land use planning framework in Ontario, as it relates to this application, is outlined in Appendix 3.

Provincial Policy Statement (2014)

The Provincial Policy Statement, 2014 (the PPS), provides direction on matters of Provincial interest related to land use planning and development. Section 3(5) of the Planning Act stipulates that decisions of Council "shall be consistent" with the PPS.

The subject lands are located within a settlement area under the PPS. Sections of the PPS, which are particularly relevant to the subject proposal, are summarized below.

Settlement Areas

The PPS requires settlement areas to be the focus of growth and development, with land use patterns based on densities and a mix of land uses that efficiently use land, resources, and infrastructure, and which are transit supportive and support active transportation, among other matters. A range of uses and opportunities for intensification and redevelopment are to be provided, with planning authorities having

the ability to identify suitable locations for growth, subject to appropriate development standards. Minimum intensification targets and redevelopment within settlement areas are to be established.

Housing

The Housing policies of the PPS require that planning authorities plan for an appropriate range and mix of housing types and densities to meet the needs of current and future residents. Lands in the municipality shall be suitably zoned with sufficient servicing capacity available to meet a three-year demand of growth through intensification. Planning authorities must permit and facilitate all forms of housing and intensification, subject to appropriate development standards, with densities that efficiently use land and resources, are transit supportive, and support active transportation.

Implementation and Interpretation

The PPS stresses the importance of official plans and zoning by-laws in implementing the policies of the Province. Land use designations and policies of official plans, along with development standards of zoning by-laws, are important tools to protect provincial interests and direct development to suitable areas.

PPS Summary Opinion

Staff are of the opinion that the proposed Zoning By-law Amendment is consistent with the policies of the Provincial Policy Statement in that policies related to intensification, growth, and housing are upheld.

At a density of approximately 167 units per hectare, this transit-supportive proposal will efficiently use existing infrastructure and will contribute to the range of housing options in the city. The subject lands are located along an existing transit route and is located along the Regional Bicycle Network cycling route. The unit type and size are unique and will contribute to a diverse range and mix of housing types within the city.

Provincial Growth Plan for the Greater Golden Horseshoe (2019)

Like the PPS, guiding principles within the Growth Plan stress compact and well-designed development that prioritizes intensification. The Plan supports the achievement of complete communities that “ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards.” Policies ensure that a range and mix of housing options are available including affordable housing. The Growth Plan provides a policy framework that is intended to be achieved within the context of each individual community, while being sensitive to adjacent areas. The City’s Official Plan and Zoning By-law currently implement this existing framework for St. Catharines.

The following provides an overview of the Provincial Growth Plan as it applies more specifically to the subject application for Zoning By-law Amendment.

- Promote compact built form and transit supportive development, a diversity and mix of uses and opportunities, and the efficient use of land, infrastructure and service capacities to support development, redevelopment and growth;
- Foster safe, interactive, active transportation and connected communities;
- Ensure viability for long term development and community investment;
- Maintain, enhance vitality of main streets, and conservation of neighbourhoods;
- Encourage sense of place by promoting well designed built form and cultural planning to conserve features that help define the character, built heritage resources and cultural heritage landscapes of the area;
- Adapt to climate change through compact and nodal development;
- Conserve, promote cultural heritage to support social, economic and cultural well-being;
- Promote high quality built form, attractive / vibrant public realm through site design and urban design standards;
- Support complete communities; and
- Support multi modal transportation, including active transportation and transit.

Growth Plan Summary Opinion

The subject lands are located along a corridor of low to high density residential development. The area is appropriate for intensification and lends itself to a compact built form. The development is located along transit routes and contributes to the diverse mix of uses in the surrounding neighbourhood. The proposed increase in density is an efficient use of a currently underutilized parcel. The development is located along cycling and pedestrian routes, and is expected to foster and encourage safe, active transportation in the city. The development has been configured in a way that is context sensitive and uses a uniquely constrained parcel in a way that does not detract from the surrounding neighbourhood. The development will be held to high design standards, to be applied and enforced through the Site Plan process and Site Plan Agreement. The policies of the Growth Plan are upheld.

Regional Official Plan

The subject lands are within a Settlement Area under the 2014 Provincial Policy Statement (PPS) and the Built Boundary under the 2019 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan). Within the Regional Official Plan (ROP), the subject lands are within the urban area boundary for the City of St. Catharines and are designated Built-Up Area. A full range of uses including residential, commercial, and industrial uses is generally permitted within these areas, subject to the availability of servicing and infrastructure. Provincial and Regional policy states that a minimum of 40% of all annual residential development in the Niagara Region is to be located within the built-up areas. Specifically, residential intensification through a mix of housing types and densities is encouraged in such areas to meet the current and future needs of a diverse population and housing incomes.

The proposed Zoning By-law Amendment will facilitate residential development that makes efficient use of underutilized urban serviced lands, as permitted within the urban area boundary and built-up areas for the City of St. Catharines. The proposed

development is considered intensification and will count towards the City's annual residential intensification targets as set out by the Growth Plan and ROP. Further, the proposed residential form will serve to provide additional housing options to a range of housing incomes for the current and future population. As such, the proposed Zoning By-law Amendment meets the general intent of Provincial and Regional policy with regards to growth management within the urban area boundary and built-up areas for the Niagara Region.

Official Plan (Garden City Plan)

The subject lands are designated as Neighbourhood Residential (Appendix 4) by the City's Official Plan, The Garden City Plan (GCP). The East Planning District further identifies the lands as High Density Residential (Appendix 5).

The High Density Residential designation of the GCP permits triplex, quadruplex, fourplex, townhouse and apartment dwellings at a density generally 85 units per hectare of land or greater. The proposed apartment building is a permitted use within the GCP designation. The proposal has a density of 167 units per hectare. It is in keeping with the density targets of the GCP, and no Official Plan Amendment is required.

Section 7.1 of the Garden City Plan outlines general policies to be considered in evaluating development and redevelopment in the city. This application for amendment to the Zoning By-law has been evaluated on the basis of these considerations, as follows:

Garden City Plan Policy (7.1)	Planning Comment
a) Support for safe, accessible and connected active transportation linkages within and between residential neighbourhoods, other activity centres, uses, and the City's public realm and open space network.	<p>This proposal includes accommodation for bicycle parking well above minimum requirements. In addition to the required outdoor bicycle parking, indoor storage for 18 bicycles provides secure and weather protected bike storage</p> <p>The development is also located along a bicycle route with dedicated bicycle lanes, full pedestrian sidewalks, and along a transit route. In this way, this type of infill development in this location supports and facilitates active transportation methods.</p>
b) Opportunities to create or enhance public places, active transportation linkages, facilities and gateways.	<p>This parcel does not provide opportunities to create or enhance these elements of the city, but it does not detract from them. This policy is upheld.</p>

<p>c) Building, site, streetscape and neighbourhood context sensitive design to ensure:</p> <p>i) Integration of compatible building form, scale, massing, height, setbacks, spacing, siting, orientation, facades and architectural materials with adjacent buildings, properties and the surrounding neighbourhood;</p> <p>ii) Adverse impacts on adjacent properties are minimized in regard to grading, drainage, location and design of service utilities and areas, access and circulation, parking, transition in height, privacy, views, vistas, microclimatic conditions, and protection of the natural features, functions and hazards.</p> <p>iii) Possible negative impacts such as noise, odour, and emissions are not excessive in relation to the predominant</p>	<p>These elements have been carefully considered as part of the review process. Staff consider an acceptable balance has been achieved given the narrow configuration of the lot. Site plan approval will require the implementation of certain design parameters to ensure optimal “fit” within the neighbourhood (window placement, architectural details, etc). The spacing of the proposed building is considered appropriate and compatible with the surrounding uses. The building is oriented to the front of the site addressing the street, and the design of each façade has taken adjacent uses into account to mitigate potential compatibility concerns. The building height is similar to surrounding uses, and the building massing suits the narrow site and surrounding context.</p> <p>Grading and drainage details will be addressed through the site plan process. The development must meet City standards for managing all stormwater on site and cause no negative impacts on neighbouring properties. Access and circulation of the site do not impact neighbouring buildings. The transition in height is appropriate. There are no applicable views and vistas relating to this site. Privacy impacts are mitigated with strategic window placement, and potential landscaping. There are no natural features/hazards/functions on this site.</p> <p>The development will not cause any notable increase in noise or odour.</p>
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<p>land use character and function of the area;</p> <p>iv) Adequate and appropriate lot size, shape and configuration, access, on-site facilities and outdoor amenity areas to accommodate use;</p> <p>v) Provision of parking areas that do not dominate the site physically or visually and maximize opportunities for perimeter and internal landscaping.</p>	<p>The existing lot configuration and size is challenging. The proposed design provides adequate access, bicycle and parking facilities, but limited amenity area. With the proximity of the former Welland Canal Valley, an extensive greenspace directly across the street, staff are satisfied amenity space in very close proximity compensates for the minimal amenity space on site. The design uses the constrained space efficiently and appropriately for the proposed use.</p> <p>The proposed parking area is located to the rear of the building and is not visually dominant from a streetscape perspective. It is noted that due to the narrow lot width, opportunities for perimeter landscaping are significantly reduced. The applicant has maximized the landscaping that they are able to provide. Landscaping will be refined through the Site Plan Approval process.</p>
<p>d) The preservation, conservation, enhancement and integration of natural and cultural heritage features, landscapes and identities.</p>	<p>There are no heritage features on the property, nor in close proximity to the property.</p>
<p>e) Opportunities to support and improve connectivity and accessibility to public transit and active transportation, including carpooling and carsharing.</p>	<p>This development takes advantage of the public transit and dedicated cycling lands along Oakdale Avenue. As an alternative to vehicle ownership, the applicant has provided bicycle facilities above and beyond that required by the Zoning By-law, including indoor bike storage.</p>
<p>f) Treatment of existing topographic and vegetative features, and greening and landscaping opportunities.</p>	<p>Greening and landscape opportunities are limited on site when balanced with parking requirements. The limited opportunities for greening are utilized but not significant on the site. The applicant is encouraged to pursue discussions with</p>

	<p>abutting landowners to plant additional landscape material on neighbouring properties to provide additional buffering. The landscaping on site will be addressed through the site plan approval process.</p>
<p>g) The best use of existing resources, infrastructure and service capacity. Development/redevelopment will only be permitted where there is adequate municipal water and wastewater service, waste management, and public service facilities. Compatible and practical on-site renewable water, waste and energy management techniques and design are encouraged, including Low Impact Development (LID) practices.</p>	<p>The applicant has submitted a Functional Servicing Report which has been reviewed and accepted by development engineering staff. There is adequate municipal water and wastewater service, waste management, and public service facilities for this property.</p>
<p>h) Surface parking areas should be minimized, and shared parking areas, standards and access shall be encouraged where compatible, and adequate and appropriate for intended level of service. Parking areas and access should be designed to optimize greening opportunities, and to support reduction of heat islands, sustainable storm water management, limited access points to public roads, and provide for safe and friendly active transportation circulation.</p>	<p>The proposed parking area is located to the rear of the building and is not visually dominant from the street. The site's narrow lot configuration offers limited greening opportunities within or surrounding the parking area. The proximity of greenspace to the east (Garden City Golf Course) and the west (former Welland Canal valley lands) offers greenspace to compensate for the on-site greenspace limitations. The parking area does not compromise the stormwater management on the property. There is substantial green space to the east and west of the property, limiting the contribution of this development to forming a heat island. The access to the road is appropriate and the development supports and encourages active transportation methods.</p>
<p>i) Development will only be permitted where the sustainable transportation system is adequate to accommodate anticipated traffic volumes, generation, circulation and use.</p>	<p>Traffic staff are satisfied that the road network is adequate for expected traffic volumes. Additionally, there is public transportation in proximity, and adjacent bike lanes and sidewalks are adequate for alternative methods of transportation.</p>

j) Land assembly and configuration will not detract from the potential development or redevelopment on adjacent properties or create isolated parcels which may otherwise have future development or redevelopment potential.	No land assembly is occurring for this project.
k) Alternative and innovative lottage patterns are supported provided that compatible street, building and site context sensitive design with adjacent properties and the surrounding neighbourhood can be achieved; and adequate and maintained access to a public road is provided and ensured.	The subject lot is an existing parcel. The development has been designed with the constraints of the narrow parcel taken into account to deliver a compatible and context sensitive design. Adequate access to a public road is available and will be maintained.
l) Direct vehicular access from individual properties to the Welland Canals Parkway is not permitted.	This policy does not apply to this development, as it is not located on or near the Welland Canals Parkway.

Based on the matters outlined above, staff are satisfied that the proposed Zoning By-law Amendment meets the intent of the development/redevelopment policies of the Official Plan. The design will be further refined through Site Plan Control with the Official Plan policies guiding the process. The Site Plan agreement will ensure these policies are upheld.

Zoning By-law

Zoning By-law 2013-283 zones the lands as Medium Density Residential (R3) (Appendix 6). The R3 Zone permits apartment buildings up to a density of 99 units per hectare. The proposed apartment in this application has a density of 167 units per hectare, well above the limit of the R3 zone. As such, the proposal requests rezoning to the High Density Residential (R4) with a new Special Provision (R4-159) to address a number of site-specific zoning provisions including setbacks, lot frontage, landscaped area, landscape buffers and parking.

Proposed Zoning By-law Amendment

The configuration of this site presents several challenges to development. As outlined in Appendix 2, the existing lot is only 13 metres wide and 140 metres deep, presenting a very long narrow lot which dictates a design for an apartment building which will not meet all zoning standards, even under the current R3 zoning. Staff have had multiple discussions with the developer to achieve a “best outcome” scenario given the limited options this site offers. Staff have worked with the developer to balance the impacts of the proposed development on the neighbourhood while still seeking to maximize the development and design potential of the site. The recommended zoning reflects this balance.

The applicant proposes that the property be rezoned from Medium Density Residential (R3) to High Density Residential (R4-159), as shown in Appendix 7, to permit the construction of the proposed 28-unit apartment building. The differences between the R3 and R4 zones, compared to the proposed zoning provisions, are as follows:

	R3 Zone provisions (existing)	Zone (R4) provisions	Proposed Site Specific Zoning Provisions
Density	25 – 99 units per hectare (4-16 units)	85 units per hectare or greater	167 units per hectare (28 units)
Minimum Lot Frontage	30 metres	30 metres	13 metres (existing)
Minimum Interior Side Yard Setback	5 metres	3 metres for portion of building up to 14 metres in height	North side: 1.2 metres South side: 3.0 metres
Landscaped Open Space	30% lot area	40% lot area	19% lot area
Parking	1.25 parking spaces per unit = 35 spaces required including 1 accessible space	1.25 parking spaces per unit = 35 spaces required including 1 accessible space	0.6 parking spaces per unit = 17 spaces proposed including 1 accessible space
Landscape Buffer for a Parking Area with 5 - 20 Spaces	3 metres	3 metres	South: ~0.0 metres North: 0.9 metres East: ~0.0 metres

A Special Provision is requested to address elements of the site design that do not meet a number of R4 zone standards, as follows:

Provision	Required	Requested	Variance
Minimum Lot Frontage	30 Metres metres	13 metres (existing)	17 metres
Minimum Interior Side Yard Setback	3.0 metres	1.2 metres (northerly side yard)	1.8 metres

Minimum Landscaped Open Space	40% of lot area	19% of lot area	21% of lot area
Minimum Number of Parking Spaces	1.25 spaces per unit = 35 parking spaces	0.6 spaces per unit = 17 parking spaces	Up to 18 spaces
Minimum width of Landscaped Buffer along a Parking Lot	3.0 metres	South: ~0.0 metres North: 0.9 metres East: ~0.0 metres	Up to 3.0 metres

In addition to the above, it is considered appropriate to include a height limit within the special provision to ensure that the proposed setbacks apply to the proposed building height at maximum. Additionally, it would be appropriate to require an increase in the minimum bicycle parking required on the site to ensure this measure is included in the development to help offset the impact of the parking reduction. The proposed Special Provision 159 is detailed below and attached (Appendix 8):

Special Provision	Zone	Schedule A	Location	By-law
159	R4		268 Oakdale Avenue	
A residential apartment building is permitted with the following site-specific provisions:				
1.	Maximum Building Height		3 stories up to a maximum of 10 metres	
2.	Minimum Interior Side Yard Setback		1.2 metres along the northerly property line	
3.	Minimum Number of Required Parking Spaces per Unit		0.6 parking spaces per unit	
4.	Minimum Width of Landscape Buffer adjacent to a Parking Area with 20 or fewer spaces		0.0 metres	
5.	Minimum Landscaped Open Space		19% of lot area	
6.	Minimum Number of Bicycle Parking Spaces		Indoor – 18 upright or horizontal spaces with a width of at least 0.3 metres and height/length of at least 1.8 metres Outdoor – 6 standard bicycle spaces	

Density

The current Official Plan designation of the property is High Density Residential, permitting development densities greater than 85 units per hectare. Staff consider a general increase in density from Medium (R3) to High (R4) appropriate for the subject

lands, as it is in keeping with the designation of the lands in the Official Plan. The site-specific provisions are considered below.

Frontage Reduction

The reduction in frontage reflects the existing lot context. There is no opportunity to acquire additional lands to meet the minimum lot frontage since existing residential apartments exist on abutting lands. This is a long-standing existing lot configuration, and compliance with the zoning by-law is not achievable. Staff note that the design of the site has taken the narrow lot frontage into account.

Interior Side Yard Setback Reduction

Again, the narrow configuration of the lot dictates a reduction in yards along the side lot lines. The north interior side yard (1.2 metres) abuts a parking lot and utility building on the adjacent lot being the condominium building at 276 Oakdale Avenue. The reduced setback does not negatively impact the existing residential building to the north, which is located roughly 20 metres from the shared property line. The 1.2 metre setback allows for access between the proposed building and the existing accessory building to the north. Staff consider the 1.2 metre setback to the northerly property line appropriate and compatible in this context. By reducing the northerly side yard, the applicant is able to maximize the amount of space between the proposed building and the much closer adjacent building to the south. Staff are supportive of the reduction in northerly side yard setback.

The southerly side yard is 3.0 m and includes a single lane access to the parking at the rear of the building. This setback is in keeping with the required setback for a building in the R4 zone. There is no specific Special Provision required for this side yard, as it is in keeping with the zoning provisions for the R4 zone. The existing condominium is within only a few metres of the property line, so it is appropriate to provide as much distance as possible along the south property line. To mitigate the proximity of the buildings, the development is proposed to have minimal if any windows along the southerly facing wall. This mitigation measure will be addressed through the site plan process.

With regards to both side yards, staff have discussed with the developer the mitigation measures that may be possible to add architectural interest in the building facades and fencing along these side yards that may serve to compensate for the loss of physical yard space (e.g. variety in surface materials, variation in colours, decorative fencing, etc.). Staff recommend these considerations be specifically addressed as part of the site plan process.

Landscaped Open Space Reduction

The reduction in landscaped open space on this site is 40 % to 19% of the lot area. The proposed design is hampered by the very narrow lot configuration resulting in the inability to meet the required 3.0 metre landscape buffer along the south lot line. Additionally, there is very limited width in which to provide parking, and the applicant is already asking for a parking reduction. There has been no objection from staff regarding the reduction in landscaped open space on the subject property.

The intent of the provision of landscape open space is, in part, to ensure adequate amenity space is provided on site, to accommodate appropriate buffering, and to reduce the amount of paved area. In this instance, the limited landscaped area is maximized to provide streetscape plantings, provide outdoor amenity space, and allow some planting interior to the site to break up the pavement. The reduced landscaped coverage has been leveraged to best suit the development. While the landscape buffers to the north and south are nearly non-existent, there is no functional way to provide sufficient parking on-site with the full landscape buffer requirement, due to the narrow width of the site. Buffering is further discussed later in this report. Overall, staff is supportive of the reduction in landscaped open space.

Parking Reduction

The applicant has requested a reduction in parking from 28 required spaces to 18 spaces., a ratio of 0.6 spaces per unit. The conceptual site plan (Appendix 2) shows 18 standard spaces including 2 designated visitor spaces and 1 accessible space in a surface parking lot located to the rear of the proposed apartment building.

Section 5.4.2 of the Official Plan states that the reduction or elimination of parking requirements may be considered where:

- i) shared parking is possible;
- ii) transit is readily available or where transit facilities are provided;
- iii) bicycle parking and facilities, or community facilities, are provided;
- iv) land, beyond minimum requirements, is dedicated for safe active transportation facilities and connectivity;
- v) land, beyond minimum requirements, is dedicated for greening and landscaping initiatives.

The applicant must demonstrate that reduced vehicular parking standards will not aggravate the parking supply, and not result in unacceptable levels of spill-over parking in adjacent areas to cause negative impact to travel, traffic and parking management.

In terms of the above criteria, there is no shared parking proposed for the development. Transit is available in close proximity to the site. Bicycle parking and interior bicycle storage are provided, above and beyond minimum requirements. Land beyond minimum requirements has not been provided for greening and landscape initiatives, due to the size constraints on for the site. The balance of landscaped area and parking has been carefully considered by staff and the developer. Both landscaped area and parking is requested to be reduced, but a balance has been struck to ensure that both can be provided in an effective manner.

In considering the reduction of the parking, staff also considered the following factors:

- The very small size of the proposed studio apartment units, at 290 sq. metres, suggests single occupancy and a likelihood that residents may not own vehicles.
- The location on a transit route offers a viable alternative to vehicular ownership.

- The dedication of inside bicycle storage at grade offers cycling as an alternative to vehicle ownership.
- The developer has structured the condominium ownership model such that unit ownership does not include ownership of a parking space as an exclusive use to the unit. Parking spaces may be rented by various residents at various points in time and are not exclusive to any given unit in an ownership sense.
- The parking portion of the planning justification report submitted by the applicant suggests the low-income demographic being targeted does not routinely own vehicles.
- The subject lands are located along local bus routes 304/404. These routes provide direct access to downtown and the Pen Center, a regional shopping center. The routes provide access to the Downtown Bus Terminal which provides local, regional, and intercity transit options.

The proposed parking reduction is not expected to cause unacceptable levels of spillover parking in adjacent areas. The development is unlikely to have high car ownership and is located along transit and cycling routes providing convenient alternatives to personal vehicles. The proposed units have very limited floor area, making it unlikely for residents to have visitors over, and not in high numbers. There is on-street parking available in the vicinity along Carson Court to the north and Capner Street to the south, which could assist in accommodating temporary parking needs subject to the posted parking regulations. Since the development is not expected to drive significant visitor traffic to the area, impacts on on-street parking supply are expected to be minimal. The parking reduction is considered appropriate given the small unit size, the location along a transit route and the provision of on-site bike storage. The parking reduction is not expected to result in significant impacts on the surrounding neighbourhood.

Landscape Buffer Reduction Along Parking Area

The proposed reduction in the landscape buffer is along the parking area on three sides. The proposed buffer is 0.9 metres along the north property line, and 0 metres along the south and east lot lines. This loss of landscaping along the south lot line prevents the proposed driveway and parking area from being buffered from the existing condominium building located to the south at 264 Oakdale Avenue. Additionally, there area a number of perimeter trees along the south property line that are shared with abutting properties which would not likely survive after the driveway is constructed at or near property line. These trees are privately owned, and many are located across the shared property line. As such, these trees cannot be removed without the agreement of the shared landowner.

Staff are supportive of a 0.0 metre landscape buffer reduction. Additional measures will be required as part of the site plan process to compensate for this reduction including but not limited to, minimal windows on the south façade of the building, architectural articulation of the building to provide visual interest, decorative fencing etc.

The owner of 268 Oakdale Avenue has approached the condominium corporation on the south side to discuss the option of providing a landscape buffer along the common lot line but located on the abutting lot rather than the subject lands. Those discussions have not been productive to date. However, should Council approve this application, it is staff's recommendation that the owner be directed to pursue those discussions further to achieve an improved outcome for the existing condominium on the abutting lands to the south. The existing condo corporation may have an elevated interest in those discussions if this application is approved by Council. Additionally, fencing along the property lines will be a requirement of Site Plan to further buffer the parking lot from neighbouring properties, as appropriate.

Site Plan Control

An Application for Site Plan Approval will be required should the requested amendment to the Zoning By-law be approved. Site Plan Control is the City's primary tool for implementing City standards and urban design guidelines; it regulates the placement of buildings, architectural elevations, access, parking, site servicing, grading, drainage, lighting, landscaping, fencing, storage of waste and other details of site design. Appendix 2 provides the proposed conceptual site design.

An additional public Open House relating to the detailed design of the site will be hosted by City staff as part of the site plan process. Through that forum, Planning Services staff and the Applicant will present the refined designs to the public for information purposes. Site plan approval includes the registration of a site plan agreement against the title of the lands that will be legally binding upon the existing and future property owners. The Applicant will be required to post securities to ensure the terms of the agreement are carried out.

Affordable Housing

While Council considers affordable housing a priority concern for the City, and the City's Official Plan recognizes the need to provide for affordable housing, actual mechanisms to require and sustain an affordable housing supply in the city, as per the definition in the Provincial Policy Statement 2014, are not currently in place. As such, at this time, applicants are *encouraged* to provide affordable housing, however it is not required. The proposed development is intended as an affordable housing development. The owner has been in discussions with Niagara Regional Housing to determine what price point and demographic should be targeted to meet affordable housing criteria. Appendix 10 indicates the annual household salary range and the projected annual housing costs that make this project an affordable housing project.

In addition, the developer has advised that an agreement had been formed with Niagara Regional Housing. They will be taking 10 people off the Housing List and providing down payment grants to cover the down payment and closing costs.

As a private initiative, outside of the traditional providers of low-income housing, the City has no means of ensuring the longevity of these units as affordable housing. However, it should be noted that the small unit type proposed would likely meet a low-medium

income bracket and offers an opportunity for housing that may not be readily available on the open market.

Council should be aware that although condominium tenure is intended for this project, there is no guarantee that the units will be owner occupied. It is not unusual for condominium units to become investment properties for rental purposes. Additional availability of residential ownership units and / or rental units in the ownership / rental market serves to increase the inventory of residential accommodation, thereby increasing the availability of dwelling units. In the event that the 28 units proposed by the Applicant do not ultimately meet the definition of affordable under the PPS, by increasing the inventory of available dwelling units, pressure is exerted in the marketplace for pricing to be more competitive.

Circulation of Applications

The applications were circulated to all relevant departments and agencies in accordance with the Planning Act. No department or agency has objected to the proposed Official Plan and Zoning By-law Amendment. The feedback that has been received largely relates to site plan approval, a further planning approval which must be obtained should this application be approved by Council.

Region of Niagara

The Region has no objection to the Zoning By-law Amendment. The Region notes that prior to Site Plan Approval, the applicant must submit a Stage 1 Archaeological Assessment prepared by a licensed archaeologist, and a Noise Feasibility Study prepared by a qualified acoustical consultant in accordance with the Ministry of Environment, Conservation and Parks guidelines (NPC-300) is required to ensure the proposed development has regard for and conforms to Provincial and Regional policy requirements.

Parks, Recreation and Culture Services (PRCS)

Given that the submitted site plan does not meet minimum landscaping requirements established in the zoning by-law, the detailed landscaping plan should ensure planting is maximized where it can be provided. Tree's along the property lines must be identified in the future application for Site Plan, and tree protection measures, fencing, landscaping (including boulevard re-instatements) and cash in lieu of parkland dedication will be required through the Site Plan Agreement. Should existing trees along the southerly property line be removed, they should be replaced on the subject or adjacent property with native species that will provide further buffering and contribute to the city tree canopy.

Development Section of Planning and Building Services

Development staff have no objection to the application for Zoning By-law Amendment. The submitted Functional Servicing Report has adequately demonstrated that servicing capacity is currently sufficient to accommodate the proposed number of units. Detailed drainage design and servicing drawings will be required through the Site Plan process.

Traffic

No objections to the proposed Zoning By-law Amendment. A traffic impact study is not required since the surrounding road network has capacity to accommodate the proposed development.

Urban Design

No objections to the proposed Zoning By-law Amendment. The requested setback reductions are considered to be appropriate from an urban design perspective. Design details will need to be addressed through the site plan submission including the accommodation of waste management and utilities, internal walkways and architectural details and the detailed elevations.

Public Consultation

A digital public open house was hosted by Planning and Building Services over the Zoom platform on July 16, 2020. The purpose of the open house was to present the applicant's proposed Zoning By-law Amendment and conceptual site plan and afford an opportunity for attendees to ask questions and provide comments before staff recommendations are presented to Council for consideration. The applicant and planning consultant were in attendance. Four (4) members of the public attended. Written correspondence was received from 23 individuals, including one Open House participant. Following the Open House, follow-up submissions were made by five of the 23 members of the public who made written submissions. These submissions are included in Appendix 9 of this report. Concerns raised at the Open House are summarized below, with corresponding staff responses.

Single Lane Driveway

Comments: The single lane driveway is not going to function well. With only one way in/out, how will people turn around? How will snow removal work? How will delivery vehicles and moving vehicles use the site? How will emergency services access the site? Vehicles will have to wait for the lane to be clear and could back up onto Oakdale Avenue causing traffic problems.

Response: The applicant has designed the site with a single lane entrance/exit lane along the proposed building. To mitigate the impact of the single lane, they have demonstrated on the Conceptual Site Plan (Appendix 2) that a layby can be provided in front of the building, allowing vehicles to wait until the single lane driveway is clear. Additionally, a turnaround area is provided interior to the site to ensure that vehicles who enter the site can pull into a space and turn around on the narrow site even if all parking spaces are full. The applicant has indicated that snow removal will be cleared and transported off-site since there is no snow storage area is available on site. Any

delivery or rideshare vehicles will be able to use the provided turnaround. Through the Site Plan process, directional signage will be required to assist with access, parking and turnaround functions to ensure the unique site functions smoothly. The site is able to meet the Fire Route requirements based on the Building Code, and neither Fire Services nor Traffic staff have any objection to the single lane driveway.

Existing Trees

Comments: The existing trees between 264 Oakdale and the subject property are mature and should be retained. The development is likely to have them removed.

Response: The arborist report, submitted as part of the application, has identified a number of trees located on the property line. These trees are jointly owned and will need to be removed as a result of the driveway and parking area construction. The onus is on the developer to negotiate with the abutting owner regarding the removal of these trees. The developer is not able to obtain site plan approval nor a building permit until all boundary trees have been lawfully removed, where required.

Traffic Impact on Oakdale Avenue

Comments: The new development will cause an increase in traffic on Oakdale Avenue. This section of Oakdale Avenue has visibility and speed concerns already, and this development will worsen these issues.

Response: The proposed development will bring a maximum of 18 regular vehicles to the area based on the number of parking spaces. The property will have one access, so only one vehicle will be able to enter the roadway at a time which is of minimal impact to the traffic on the road. There are no concerns from the City's Traffic staff with regards to the visibility, nor the capacity of Oakdale Avenue. Speeding vehicles are an issue that must be addressed by enforcement rather than development design, in this case. This development will not increase the speed of travel along Oakdale Avenue. Overall, staff have no concerns with the impact of the proposed development on traffic flow or traffic levels on Oakdale Avenue.

Parking Adequacy

Comments: The provided parking is insufficient for the number of proposed units. Overflow parking will affect the neighbouring condos.

Response: The parking has been discussed in the Zoning section of this report. The number of spaces is considered adequate in this instance due to the small size of the units, low vehicle ownership, proximity to transit, and available active transportation network. On street parking is available on local streets in the vicinity.

Proximity to Southern Condominium

Comments:

The proximity of the proposed building to the existing condominium to the south (264 Oakdale Avenue) will reduce the privacy of the existing residents and result in a loss of

views. The proximity of the proposed driveway to 264 Oakdale Avenue will cause noise, light and odour that impact the existing residents.

Response:

Views cannot be protected over private lands in favour of an abutting landowner. The proposed building is set back 3 metres from the property line which is in keeping with the target R4 zoning for a building of the proposed height. The privacy concerns are mitigated by providing windows mainly on the north side of the building so that overlook concerns are reduced. A privacy fence will mitigate the impact of the proximity of the driveway to the abutting building to the south. Staff encourage ongoing discussion between the owner and the condo corporation to the south to pursue additional landscaping on the lands to the south to mitigate impacts, should Council approve this application.

Loss of Green Space

Comments: Development of this land will result in a loss of green space in the city. The City should be striving for more rather than less green space.

Response: The development is proposed on a parcel of land that, while currently vacant, is designated for residential development. The City does not identify this parcel as green space, natural areas, or as a park. The development of this parcel does not constitute the loss of City green space. The City policies do not encourage the land to remain vacant nor be formally used as green space.

Construction Impacts

Comments: The construction of the proposed building in proximity to adjacent buildings will cause nuisance and property damage. Residents will be negatively impacted by the construction noise, vibration etc.

Response: Construction is short term nuisance, which must be carried out in accordance with the City's standards. The timing of construction along with mitigation measures for noise, vibration etc. will be managed through the building permit and inspection process. Staff have no unique concerns with the construction of the proposed development.

Residential Noise and Nuisance

Comments: The residents of the new development will cause noise and nuisance for existing residents. The development will bring an increase in trespassing, vandalism and use of dumpsters on adjacent properties.

Response: There is no expectation or reason that the proposed development will bring an overabundance of noise or nuisance. Residents will be held to the same standards as existing residents and must abide by the noise by-laws, waste disposal regulations and vandalism and trespassing laws.

Drainage

Comments: The property at 268 Oakdale Avenue has drainage issues and ponding at times. Development and paving of the site will worsen the water issues onsite and cause problems for neighbouring properties.

Response: Grading and drainage details will be addressed through the site plan process. The development must meet City standards for managing all stormwater on site and cause no negative impacts on neighbouring properties.

Accessibility

Comments: The building should be accessible on all levels. Any tenant could require accessibility accommodations at any point. Elevators should be provided.

Response: The building meets the accessibility requirements of the building code for its building type. No elevators are required for this development.

Public Notice

In accordance with established procedures, notice for the public meeting has been circulated.

Second Planning Opinion Advisory

Should Council consider not supporting the Staff Recommendation, Council is advised to defer its decision until such time as a second planning opinion from an outside consultant can be obtained. In the event the second planning opinion is supported by Council, and Council makes a decision based on that second planning opinion, and if and when the matter should be heard before the Local Planning Appeals Tribunal, then the planner who has provided the second opinion shall be retained for the purpose of a hearing.

Financial Implications

There are no direct costs to the City should these applications be approved. The developer is responsible for all costs related to the proposed development.

Conclusion

In summary, staff are recommending approval of the proposed Zoning By-law Amendment, subject to the recommendations set out in this report. The Amendment would facilitate the efficient and appropriate use of vacant lands within the urban area with access to existing infrastructure, services, and transit. The proposed apartment units will contribute to the City's intensification targets and to the range of available housing in the community.

This Application for Zoning By-law Amendment has regard for matters of provincial interest, is consistent with the Provincial Policy Statement, conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe, and conforms to and does not conflict with both the Region of Niagara's Official Plan and the City of St. Catharines Official Plan, subject to the staff recommendations herein.

Notification

It is in order to advise Kahlin Holmes, Better Neighbourhoods Inc., 190A Ontario Street, St. Catharines, ON L2R 5K9, the owner's agent.

Prepared by

Charlotte McEwan
Planner I

Submitted by

Judy Pihach, MCIP, RPP
Manager, Planning Services

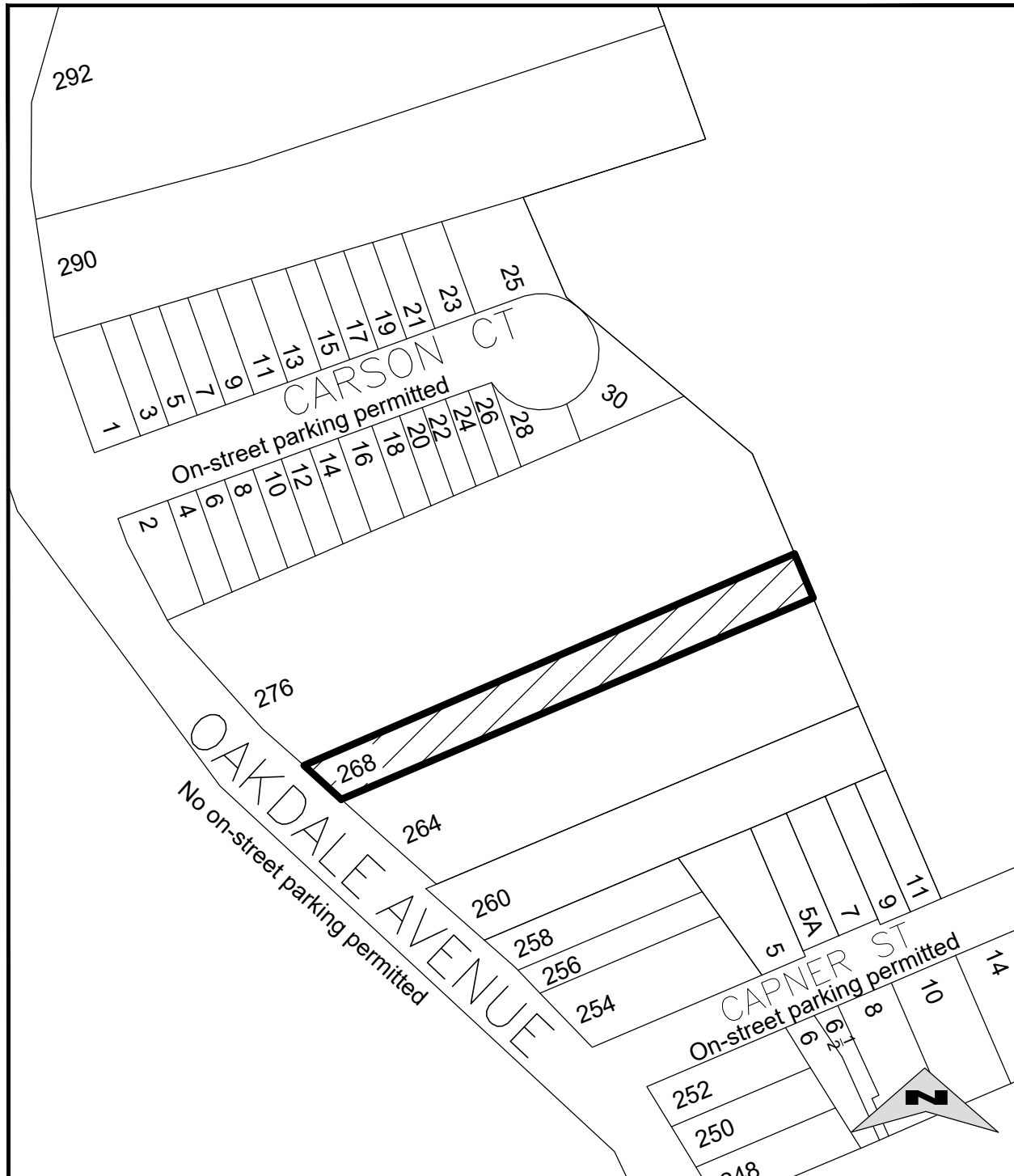
Approved by

Tami Kitay, MPA, MCIP, RPP
Director, Planning and Building Services

Appendices:

- Appendix 1 – Location Map
- Appendix 2 – Conceptual Site Plan
- Appendix 3 – Planning policy framework
- Appendix 4 – Garden City Plan Schedule D1
- Appendix 5 – Garden City Plan Schedule E10
- Appendix 6 – Existing Zoning Designation
- Appendix 7 – Proposed Zoning Designation
- Appendix 8 – Special Provision 159
- Appendix 9 – Open House Public Input: Written Submissions
- Appendix 10 – Affordable Housing Statistics

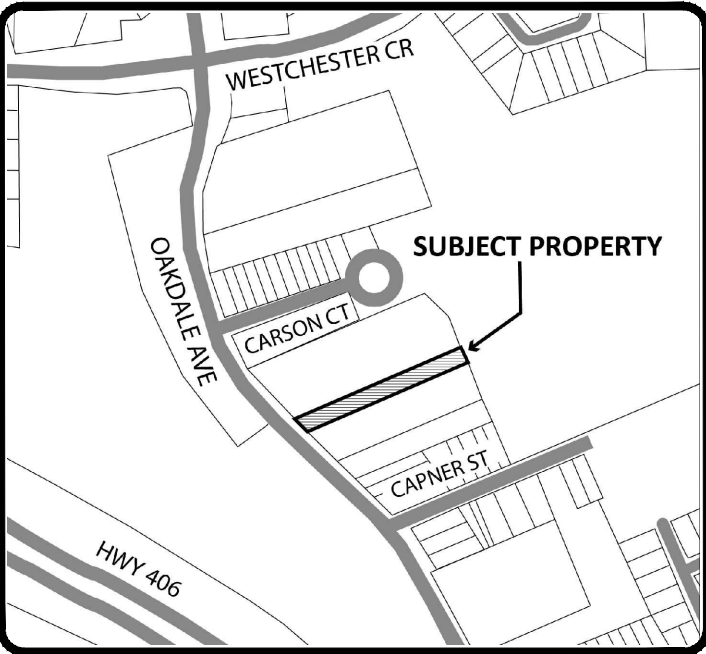
Location Map



Subject Lands

268 Oakdale Avenue

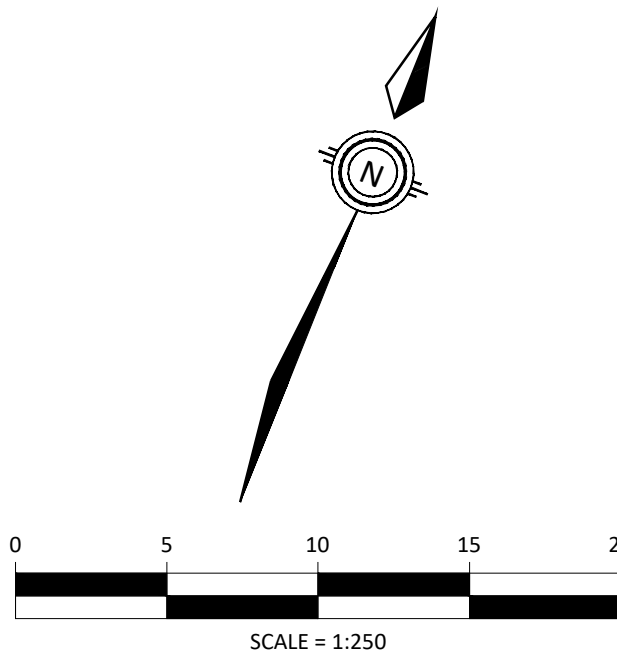
File: 20 100310 ZA



KEY MAP - NOT TO SCALE

Note: Nearest Street parking is located on Capner Street to the south and Carson Court to the north, not visible on the site plan.

SITE STATISTICS		
BARRIER FREE UNITS	4	-
STANDARD UNITS	24	-
TOTAL # OF UNITS	28	-
DENSITY	167 u/ha	-
# OF PARKING STALLS	189	-
DWELLING GFA	921 m ²	
COMMON GFA	236 m ²	
BUILDING COVERAGE	480 m ²	29 %
PAVEMENT COVERAGE	879 m ²	52 %
LANDSCAPED COVERAGE	314 m ²	19 %
TOTAL AREA	1673 m ²	100%



190A Ontario Street, Ontario L2R 5K3
Office: 905.684.8585 betterneighbourhoods.ca

PROJECT TITLE:

268 OAKDALE AVE.
St. Catharines, Ontario

DRAWING TITLE:

SITE PLAN
(ALTERNATE 3)

DATE OF ISSUE:

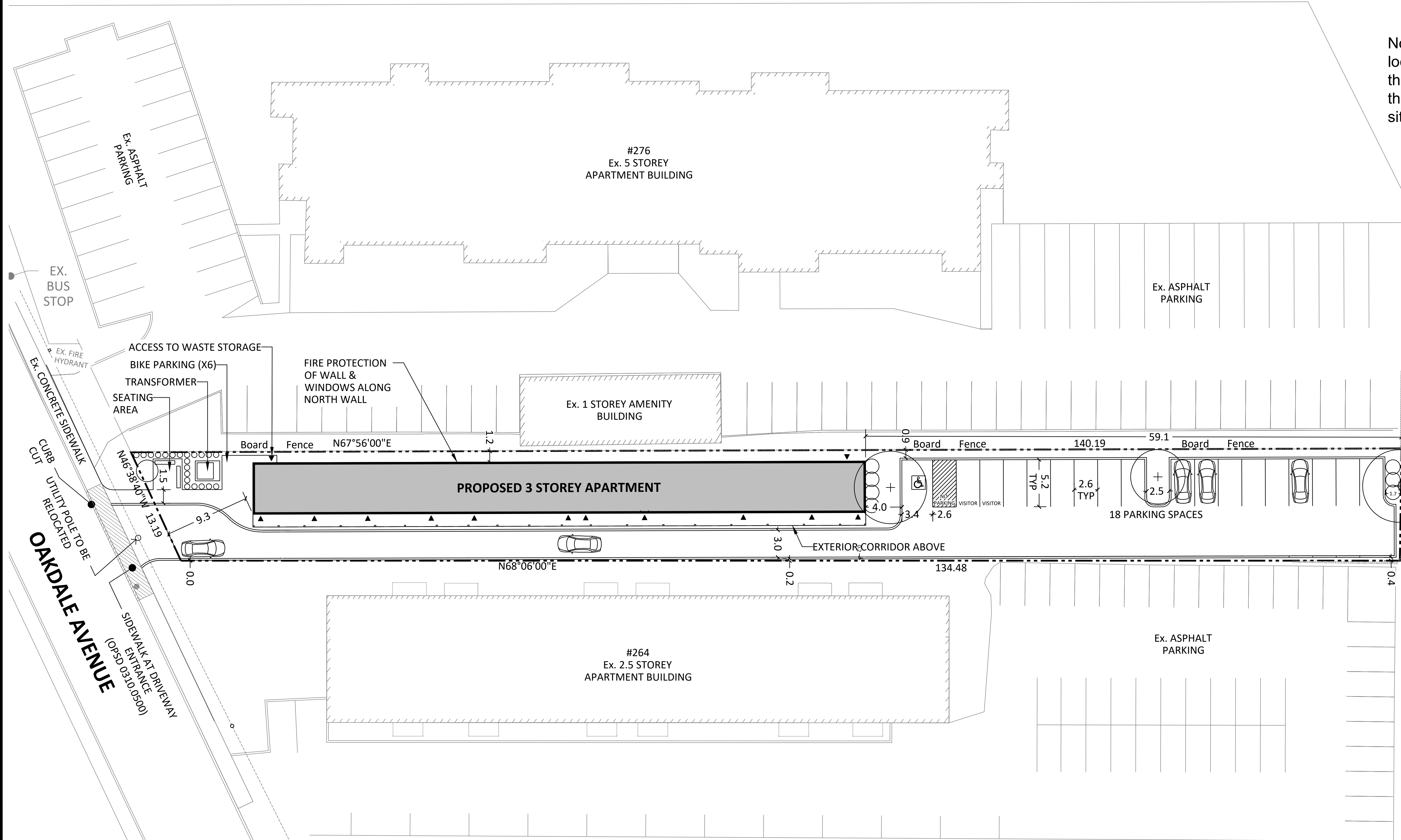
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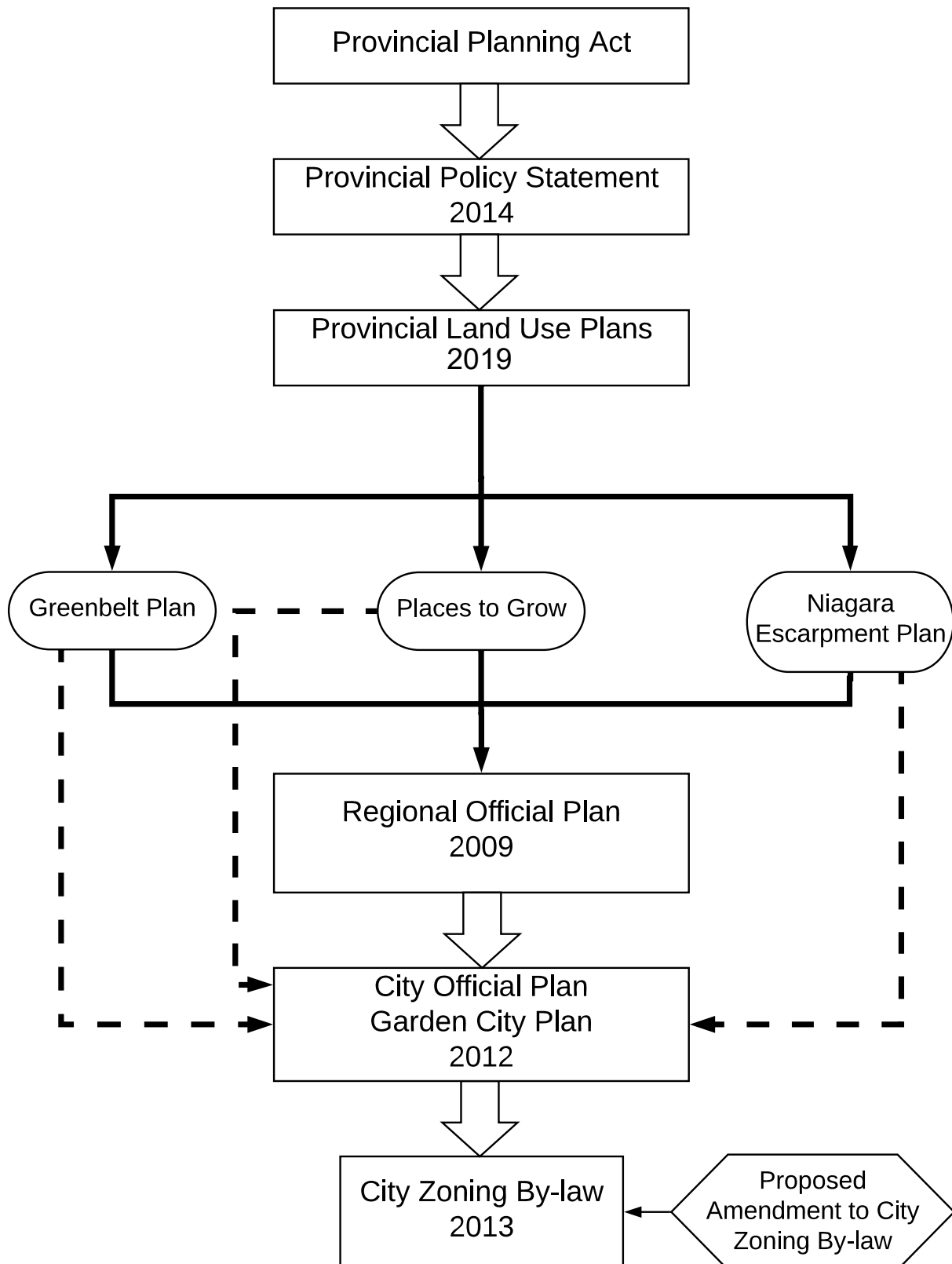
0322 SP1

REV. NO:

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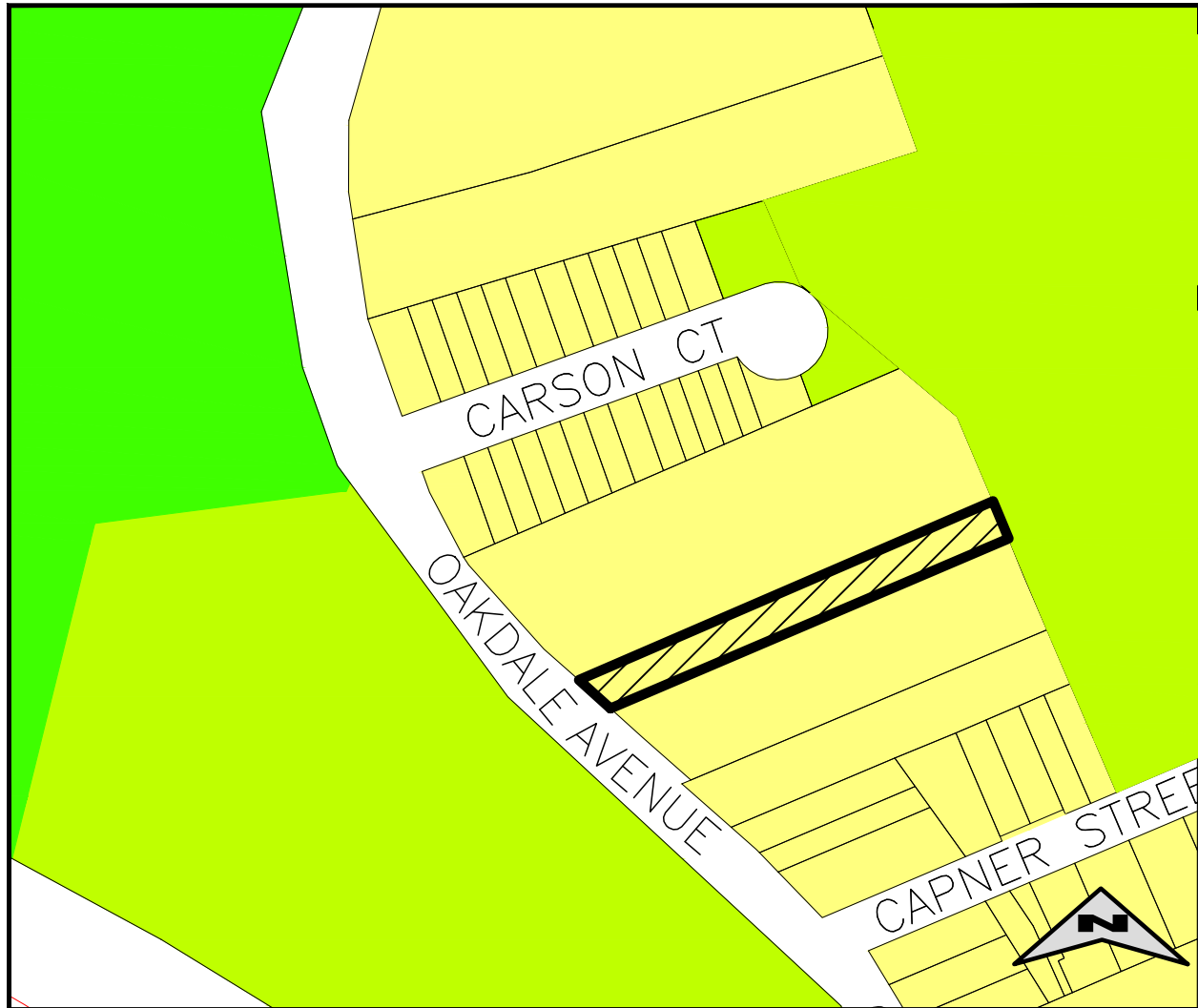



Ontario Land Use Planning Framework






Existing Land Use Designation

(The Garden City Plan - General Land Use Plan, Schedule D1)



 Subject Lands
268 Oakdale Avenue

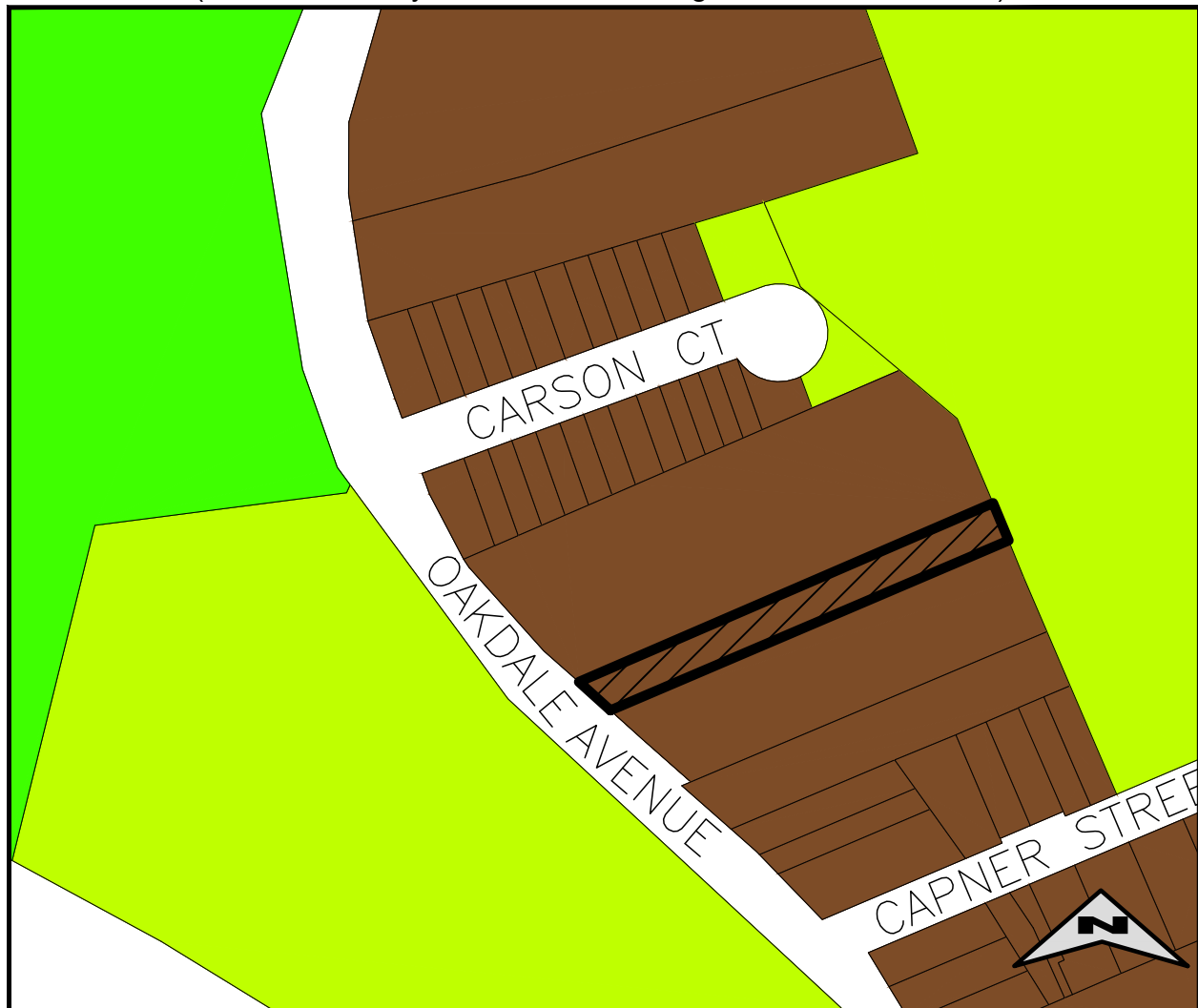
Land Use Designations


-  Neighbourhood Residential
-  Natural Areas
-  Parkland & Open Space

File:20 100310 ZA




Existing Land Use Designation

(The Garden City Plan - East Planning District, Schedule E9)



 Subject Lands
268 Oakdale Avenue

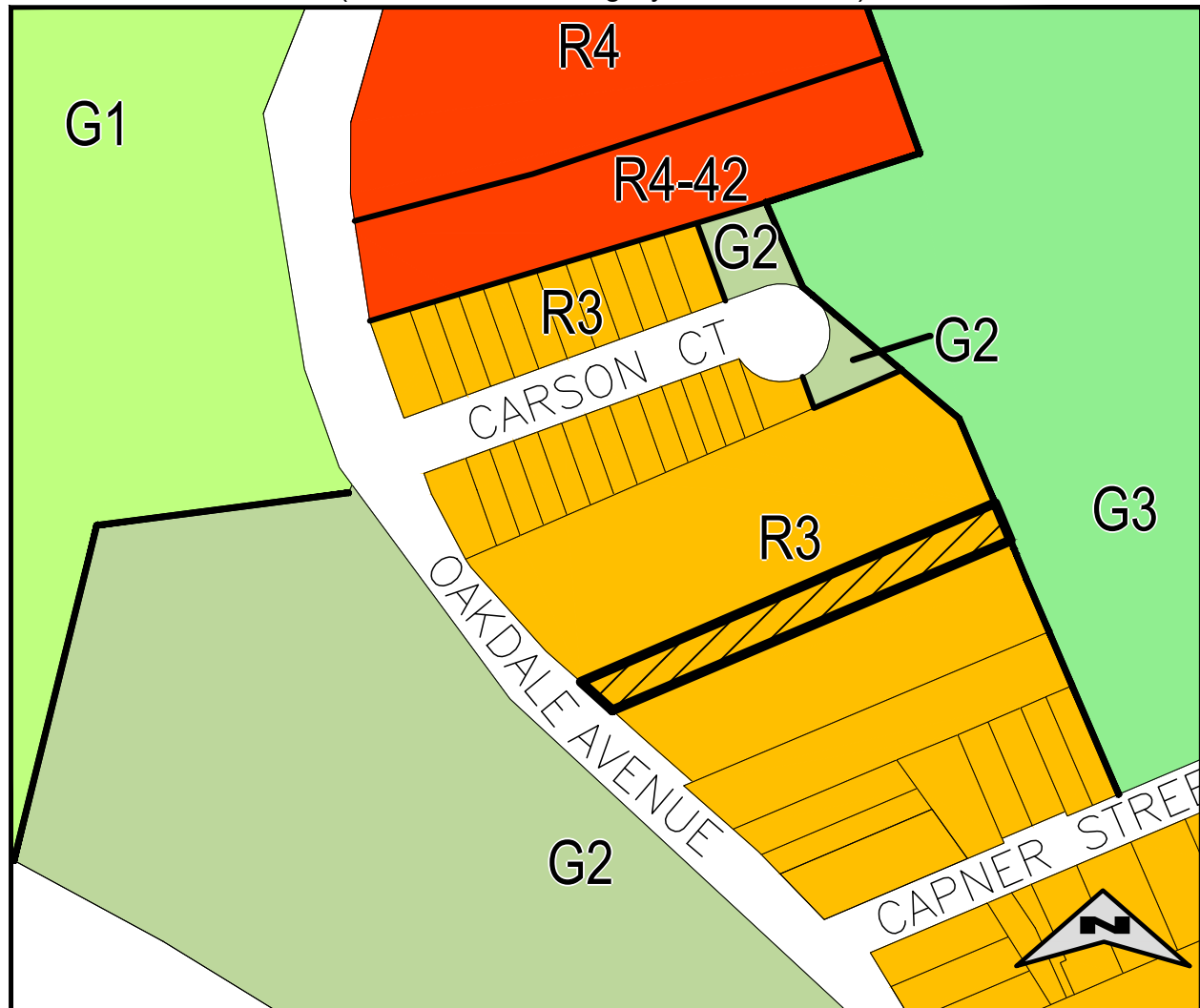
Land Use Designations


-  High Density Residential
-  Parkland & Open Space
-  Natural Areas

File: 20 100310 ZA

Existing Zoning

(Schedule A - Zoning By-law 2013-283)



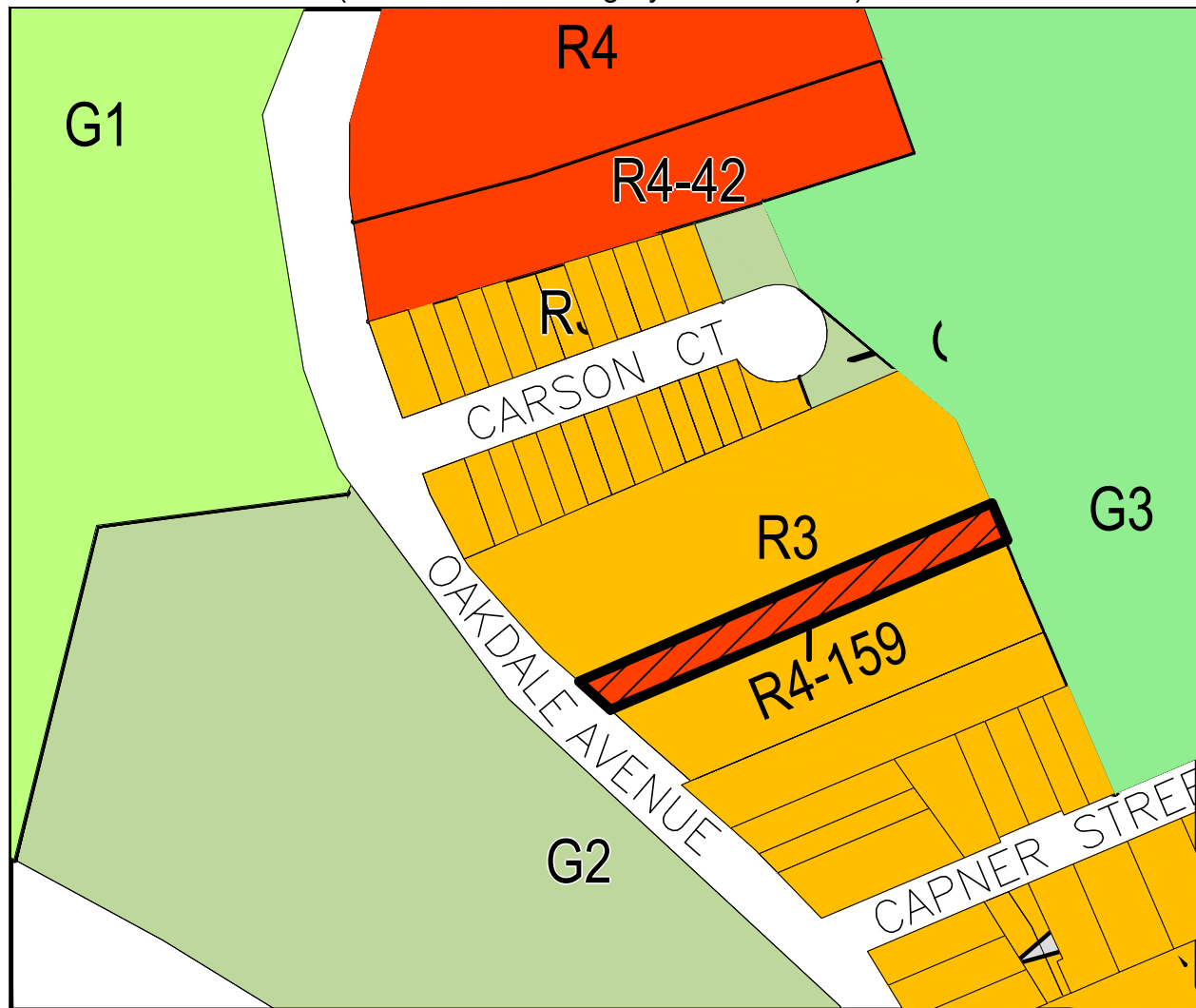
 Subject Lands
268 Oakdale Avenue

Zones

-  R3 Medium Density Residential
-  R4 High Density Residential
-  G1 Conservation / Natural Area
-  G2 Minor Green Space
-  G3 Major Green Space

File: 20 100310 ZA

Proposed Amendment to Zoning By-Law 2013-283 (Schedule A - Zoning By-law 2013-283)



 Subject Lands

268 Oakdale Avenue - Lands to be re-zoned from
Medium Density Residential to High Density Residential with
Special Provision No.159

Zones

-  Medium Density Residential
-  High Density Residential
-  Conservation / Natural Area
-  Minor Green Space
-  Major Green Space

File: 20 100310 ZA

Special Provision	Zone	Schedule A	Location	By-law
159	R4		268 Oakdale Avenue	
A residential apartment building is permitted with the following site-specific provisions:				
1.	Maximum Building Height		3 stories up to a maximum of 10 metres	
2.	Minimum Interior Side Yard Setback		1.2 metres along the northerly property line	
3.	Minimum Number of Required Parking Spaces per Unit		0.6 parking spaces per unit	
4.	Minimum Width of Landscape Buffer adjacent to a Parking Area with 20 or fewer spaces		0.0 metres	
5.	Minimum Landscaped Open Space		19% of lot area	
6.	Minimum Number of Bicycle Parking Spaces		Indoor – 18 upright or horizontal spaces with a width of at least 0.3 metres and height/length of at least 1.8 metres Outdoor – 6 standard bicycle spaces	

Blair, Kerri - July 7, 2020

Hello,

I am a resident of 264 Oakdale Avenue and would like to express my appeal to the proposed development of 268 Oakdale Ave. I may not be able to attend the public meeting due to work obligations. Please consider my appeal to this proposed development.

The proposed development requires a zoning change and several bylaw amendments. This piece of property simply cannot safely accommodate the proposed development and number of units. I am concerned that my property will incur potential environmental impacts, such as flooding. I fear that the land development will increase the flooding potential by adding a building, paving a parking/laneway and removing the greenspace. The land of 268 Oakdale Ave is often flooded in the winter and spring months. I am concerned for the troubles the vehicle traffic will cause on Oakdale Ave considering the land only offers one lane for vehicles and insufficient number of parking spots to number of units. I am concerned my property value will decrease and privacy will be lost due to the close proximity of the two buildings.

I strongly oppose the development at 268 Oakdale Ave. I hope the city can stick to the current zoning and bylaws and not approve this development from happening. Let's work towards keeping our green space in the garden city.

Please confirm that you have received my appeal.

Thank you,

Kerri Blair

Resident of 107-264 Oakdale Ave.

Bouzanne, Keith - June 29, 2020

Dear Charlotte:

My name is Keith Bouzanne, and I live at 264 Oakdale Avenue, Unit 308. I'm a 75-year-old retiree, and have been here for about 11 years and I do not relish the idea of spending the rest of my retirement coping with a student residence which I think this proposal is going to be. I have been told by Mr. Toth that these studio apartments are for seniors that are downsizing and for young couples just starting out. I know many seniors, and not one lives in a studio apartment and young couples wouldn't waste their money on such an investment, especially with not enough parking for 28 units. No, these will be sold and rented to students.

I am not familiar with how this meeting is being held, but hopefully my voice will be heard through this email. I have a 25-year-old Manitoba maple in front of my balcony which is among 4 or 5 mature trees straddling the property line. I am sure there must be by-laws covering the removal of mature trees. I realize because of COVID-19, that everything has been on pause for a number of months. I hope that Councils desire to get back to work and get these plans rubber stamped by cutting corners is NOT going to happen. Needless to say the amount of traffic in such a small area will be nothing short of a nightmare. I certainly hope that the City has done a feasibility study in regards to this.

If this is passed in it's present form, then there is something very very wrong with City politics in St Catharines.

Respectfully,

Keith Bouzanne

Butts, Shirley - June 18, 2020

I do not agree with any of the proposals for 168 Oakdale. We need the frontage so we can see to get out of our driveway. We need to see the sidewalk to drive out. They built a tiny house on the lot and did not care about where they parked and blocked us from seeing to get out on the road or having a proper view to see if anyone is on the sidewalk. We have a man on a chair vehicle who uses this part of the sidewalk and they blocked the sidewalk so he could not use the sidewalk. So the frontage they propose will not work. I don't feel it will work to take over more space against the fence at 276 Oakdale. They are not planning on enough spaces for the amount of units for parking. They are proposing a one lane driveway to come off Oakdale which has blind spots on Oakdale so if someone is coming out from behind the building backing out onto Oakdale could cause a bad accident. Changing from 30% to 22% is not a good thing to do. So the 30 meters to 13 frontage is really bad. All the curves on the road will just cause accidents. This land is marsh land and sinks a lot. I am afraid they won't grade it properly so the water won't run onto 276 Oakdale. There is already a problem with that. Especially the parking for a person's spot where it turns to ice in their spot in the winter. Someone could get hurt just getting in and out of their vehicle there. So can I do this on a page with lines for people to sign that oppose to all this too. Then I could take a picture and send it with all the names or is there anyway I can take it to the city hall before a certain date. Thanks so much Shirley Butts

Cruz, Sharlene – July 10, 2020

Dear Charlotte,

I live in 264 Oakdale Ave, St. Catharines, ON L2P 2K4, Canada and I heard about city's proposal about approving condominium at 268 Oakdale.

I also heard about with the limited space for driveway and parking, that will be so crowded with out proper space between the buildings. There will less green space and space. The street parkings will be crowded and will lead more traffic situation being curvy road with less road space for parking on the street.

I hope the city takes sll these factors into consideration not approve or change the zone by law just to accommodate for more tax dollars.

Imagine how much accident it will cause not having much visibility on the curvy road when people start parking in the streets.

The building being so close to each other leaves no privacy to everybody living on both buildings.

Please hear our concerns and think this through.

Thank you for your time,
Sharlene C.

DePlanche, Susan – July 8, 2020

Charlotte McEwan
Planning Services
City of St. Catharines
Dear Ms. McEwan:
Re: File #20 100310 ZA

I am writing about the application for zoning by-law amendment for the lands located at 268 Oakdale Avenue.

I want to express my grave concerns about this application. The proposed development seems grossly over-sized for this small piece of property, especially for a multi-unit building. All the proposed zoning amendments severely limit any reasonable space between this proposed building, the condo building where I live at 276 Oakdale Avenue and the condo building at 264 Oakdale Avenue.

- Density:

- The current zoning is for 4-16 units on that size of property – changing the zoning to allow for 28 units on such a small property is overcrowding that small space.
- The proposed size of each apartment unit will not be conducive to housing for couples or families, which likely means more single and potentially transient residents who won't have any pride of ownership in their units or the property, and by extension the adjoining properties at 276 and 264.

- Lot frontage:

- Changing this to less than half the current requirement is unreasonable.

- Interior Side Yard Setback:

- Changing this to less than half encroaches on the privacy enjoyed by those living on either side (276 and 264).

- Landscaped Open Space:

- Reducing this from 30% to 22% - which makes any open space almost non-existent.

- Parking:

- The proposed development has a driveway that is only wide enough for ONE car:
 - How can there be room for someone leaving the parking lot when someone else is driving in?
 - How does any type of oversized delivery vehicle pull in to make deliveries without blocking the driveway and entrance to the building?
 - How does the waste management truck get in and turn around to get back out?
 - How can any vehicle larger than a car enter the parking lot and turn around to get back out?
 - How does any type of emergency vehicle get in without blocking the driveway and entrance?
- With 28 units, but only 20 parking spaces, where will any visitors park? Since there is no on-street parking on this part of Oakdale, most likely they will try to park in the visitor spots here at 276 Oakdale Avenue, which could then force our condo board to require a parking enforcement officer.

- Landscape Buffer:

- to change the landscape buffer from 3 metres to 0 on the south side and .9 on the north side is just unacceptable to those living on either side.

In addition, I know that this piece of property has poor drainage and is swampy throughout the year. With a building and a parking lot on the property, the water will likely drain into the parking lots of 276 and 264, causing ice and slippery conditions in the winter, and damage to the asphalt.

In my opinion, this little piece of land cannot sustain the size and scope of the proposed development and therefore I strongly urge the City to deny this rezoning application.

Sincerely,
Susan DePlanché
Unit 410-276 Oakdale Avenue

Foley, Dana – July 14, 2020

Dear Charlotte McEwan:

I am expressing my deepest concern for the proposal to change the zoning for 268 Oakdale Avenue from a R3 zone to a R4 zone and to build an apartment in this small space. As I studied the proposed building the following concerns surfaced:

1. The landscape open space is tight as it exists now. The existing condo home owners will lose the little green space that they have which is a vital mental health component to all humanity. To look out your window and suddenly see another wall in place of the green space and the view you have purchased is undeniable upsetting. We must remember that we live here in St. Catharines which is well known as the Garden City.
2. The existing landscape buffer of R3 is a small space for St. Catharines residents. Building this new apartment would only infringe on the existing residential condos.
3. The density of population is far too high for this area if it goes into R4 zoning.
4. The planned driveway appears to be a single drive or a very tight drive that would not allow emergency vehicles and resident vehicles to pass safely. I am also concerned for traffic moving through this drive directly alongside condo balconies and windows at any time day and night. The existing residents do not deserve this disturbance.
5. There is inadequate parking planned for the new residence and no guest parking which will entice people to use the neighbouring parking lots illegally. Parking lots that are already crowded with the existing residents. I have also noticed that there is no street parking near or on Oakdale Avenue. Looking and reading closely to the proposed plan there are only 20 parking spaces and 28 units. The 0.7 parking allowance is inadequate for St. Catharines residents as most people work in areas that are not accessible by the bussing services of St. Catharines.
6. The lot frontage and side yard setbacks are far too close to the existing condos for St. Catharines. Trees should have to be planted in place of squeezing in an apartment.

In summarizing I want to say I strongly oppose to this building plan and trust that the Planning and Building Service department of St. Catharines will put the existing residents health and well-being a priority and not allow this development to take place in our beautiful Garden City; St. Catharines.

Sincerely
Dana Foley
24 Jefferson Dr.
St. Catharines On

Goldstein, Marcia – July 9, 2020

To: Planning and Building Services Department
Re: Objections to proposed bylaw amendment for 268 Oakdale Avenue
File #20 100310 ZA

To Whom It May Concern:

I live at 276 Oakdale Avenue and object to the proposed building of a 28-unit, 3-storey building in the tiny space between our property and the building at 264 Oakdale. These are some of my objections:

- Units will be very small and yet may house more than 1 person, e.g., students and families, and occupants may be noisy.
- There won't be enough parking places so people may attempt to park on our property or the auto repair shop's property.
- Is there really room for a trash or delivery truck to maneuver without having to back out onto Oakdale Avenue (which carries a lot of fast-moving traffic).
- Only a one-way driveway, so what is an oncoming vehicle supposed to do?
- This piece of land is currently a swamp most of the year - so where is it proposed that the water will drain off? I'm afraid we will see run-off water on our property (which causes ice in the winter).
- This will be very unpleasant for the occupants at 264 Oakdale, who will have a building extremely close to their own building cutting off light and possibly losing privacy by having windows close to theirs

I hope the change to the bylaw is rejected because this is not a good idea to cram a building into a very small space and have lots of people added to an already busy neighborhood.

Marcia Goldstein
303-276 Oakdale Avenue

Hollingshead, Kevin and Nikki – July 5, 2020

Hello,

My wife and I live at 276 Oakdale Ave., next to the proposed building site. I have several concerns regarding this proposal. We are not in favour of this development for these reasons;

- aesthetically, it will be an eyesore, cramming a building into less than half the current zoned frontage and no buffers around the building.

- it will be crowding the existing building at 264 Oakdale, removing the view of trees and sunlight for all the tenants on the facing side.

- it will be crowding our parking lot and amenity building, leaving no room for snow removal and possible damage to the existing fence.

- it will add to traffic issues as it is located on the bend in the road, it can be difficult now to exit our driveway and this building will make that worse.

- it will mean the killing of a number of trees and animal nests on the property.

- the parking spaces are completely inadequate for the number of units, less than one space per apartment(8 units with no parking space)! I see no room for guest parking at all. Where are these people going to park? I suspect they will encroach into our parking lot, or at 264's property.

- it is ridiculous to try to cram such a building into such a small space, it is nothing more than a cash grab by the land owner and the City(tax base and development fees). It should be no higher than 1 or maybe 2 stories and even that is troublesome due to no buffer space between both neighbouring properties.

- I am a shift worker, so the noise of construction during the day will be a big problem for me as I try to sleep during the day(we face this property).

- there are no pros and several cons to this proposal from the views of both neighbours and I can see no valid reason to allow the zoning to be significantly amended as needed to cram this monstrosity into such a small space. I see nothing but problems and friction if this is allowed to proceed.

Respectfully,

Kevin and Nikki Hollingshead

Lacroix, Benji – July 6, 2020

my name is Benoît Lacroix from unit 207-264 Oakdale avenue<and i object to this project as it would an environmental disaster to have that many units being built in an area where a project would develop for the purpose of tax recipient. this project is not in the the best interest of the city not the neighbouring existing condos

Leimeter, Maggie – July 7, 2020

My name is Margaret Leimeter and I live at 264 Oakdale Avenue #206.

The proposed apartment building at 268 Oakdale will destroy our property, create excessive noise from student partying and traffic will be chaotic.

I'm retired and enjoy sitting out on my balcony reading and feeding birds and other small animals, as well as looking at our old 25 year old maple tree.

We have a quiet building, and the people that live here enjoy this. The proposed building would infringe on our privacy, as well as fumes from cars, people trespassing on our property and using our dumpster illegally. There is also an increased risk of vandalism. Needless to say, the proposed 3 storey building will be an eyesore for current owners of 264 Oakdale Ave, as we will be staring at a brick wall. Also, there will apparently be 22 parking spaces for 28 units.

Also, another unwanted effect will be a drop in our property values, and an overall negative situation from the high turnover rate from renters who do not value a neighbourhood they will only live in temporarily. This has been seen and well publicized in local media in regards to Brock students living in residential neighbourhoods

Councillors that look out for Drew Toth, and want to change bylaws and that isn't right. We pay property taxes too and should have a say in this potential disaster. If this gets passed, I will no longer vote in Municipal elections, because my vote will count for nothing.

Thank you,

Maggie Leimeter

Mellecke, Daniel – March 12, 2020

Dear Charlotte McEwan:

I would like to comment on the proposed building on 268 Oakdale for the Open House on Wednesday March 18, 2020. There are a number of issues that seem to impact this proposed project; Density, Landscape Buffer, Frontage, Side Setback, Greenspace, Parking.

Parking – parking and traffic patterns are an issue. The proposal has less than a parking spot per unit and there is no street parking on Oakdale. Our building has parking issues and they will be exacerbated if this is not corrected to the 1.25 per unit as per Garden City by-laws. Please ask the Garden City employee who erected the “Open House” notice on 268 Oakdale, “where did you park in order put up the notice?” The answer is 264 Oakdale, of course. See attached photo.

Greenspace – Garden City has a 30% requirement to have greenspace. I think that is why we can refer to ourselves as the Garden City. Without the adequate parking [less than 1 per unit] there is still way too little greenspace. How can we call St. Catharines the Garden City if this proposal is approved?

Side Setback – in this proposal the setback impinges on both neighbors. Again, a by-law infringement. Residents from the proposed building standing on the exterior corridor will only have 7 meters [23 ft] to look into my unit and 5.5 meters [18 ft] into my balcony.

Frontage – less than half the required frontage and that issue speaks to the greenspace and setbacks, if there was enough than perhaps the other by-laws would comply.

Landscape Buffer – there is essentially 0 landscape buffer between 264 and 268 Oakdale under this proposal. The other side [276 Oakdale] is well below the required by-law.

Density – the proposed density is double what is required under the current by-laws.

With all the proposed by-law changes it should be an obvious non-starter. This development needs a proper sized lot. A 12.2-meter-wide lot is not suitable in view of the various issues stated above. As well, the driveway being only a single lane wide for the entirety of the proposed building, prevents passing until a delivery is completed [even if it has to be walked up to the third floor two or three times]. This would be a very evident problem in case of a fire as the Fire Department recommends 10 meters, not the proposed 5 meters [and this allows for two-way traffic]. There are 4 trees along the property line that will not survive the proposed project that currently provide shade and cooling in the summer. There are proposed 4 handicap units with only 2 parking spots available. I would think that this could cause some more parking problems. These and perhaps other issues that I have not articulated at this time all vote against this project.

Your Garden City Resident
Daniel Mellecke
202 – 264 Oakdale

Mellecke, Liz – March 11, 2020

I am a resident of 264 Oakdale Avenue and the Notice of the Open House brings forth many questions about the applications for by-law changes concerning the proposed building of a multilevel condominium unit at 268 Oakdale Avenue.

When there are one or two suggested minor changes people can often work with them. But when there are many major variances, one has to wonder why a project of this magnitude is even being considered viable on a lot this small.

On the "St Catharines, The Garden City" web page on By-laws it states: "By-laws set standards for matters affecting private land owners, public health and safety."

The number of variances that go against the order of our city's rules of by-laws seem to be unreasonable on a small property as they would infringe on the neighbours safe living and for the safety of the people in the proposed building.

There is a reason there are predetermined sizes for the frontage and setbacks of lots for all sizes of buildings that are being proposed to be built in our city. These rules keep the neighbours at a safe distance in states of emergency, like a fire, where the building's proximity could affect neighbouring properties.

As the neighbour's amenity building is a workshop area I would be concerned for the proximity of the two buildings and the spread of fire.

The fact that fire trucks would not be able to get onto the property to fight a fire because the laneway is too small would of course cause an issue as well for fire safety of the neighbouring buildings. The proposed laneway is wide enough for one car to pass, how would a firetruck get into the property?

With the fact the laneway is not very wide, how does waste collection happen if there is no room for the truck to enter the property? Where is the waste collection site on the property?

As the driveway is currently proposed it would be on the property line with 264 Oakdale, would snow from snow removal be pushed into the windows of our basement units and thus cause water damage? With the building filling up so much of the property there is no-where for the snow to be pushed aside.

The lack of sun from the close proximity of the proposed building would create an issue with mould and mildew on our north facing side of our building. This would cause our property to deteriorate quickly and cause us more expense in having to renovate our windows more often from the mould and mildew. I am assuming this would also affect our neighbour's fence and its upkeep and its amenity building which would be within a few feet of the proposed building.

As we are "The Garden City" part of the beauty and the desire of living in this city is how there are bylaws to protect a certain percentage of our properties to be a green space. This proposed site increases the greenhouse effect on our city, with too much pavement and cement on the proposed building site and not enough greenspace.

The proposed building is limiting accessibility for people and though they are trying to have the lower level available for wheelchairs, what about visitors who have friends and family on the second or third floor who are unable to visit because there isn't an elevator? It isn't just about the people living in the building but for all.

Not having the required number of parking spaces on their property is also an issue as Oakdale Avenue near Westchester does not have street parking. If they restrict people from having cars and then have a lesser number of guest parking spaces, where will the visitors go? They will intrude on the neighbour's properties because they think it is convenient and won't matter for the short visit.

As the City of St Catharines has recently changed the flow of Oakdale Avenue with changes in the road design, I have to wonder how traffic will be backed up as the request for higher density creates more traffic on the street. Oakdale used to have a turn lane into the properties near Westchester but then when the upgrades on the road happened we lost the center turn lanes and got bicycle lanes on both sides of the road instead. This has already created dangerous driving practices on this street. With another high density condo proposed here the traffic will just get worse.

The size of this property is the same size as our driveway at 264 Oakdale and we have just enough room for two cars to pass and a car to park along the laneway. Come see the size of the property and imagine how it would actually fit in the space they are suggesting. I am sure I am not thinking of all the issues that could rise on such a large building being put on such a small space.

Thank you for allowing me to send my concerns on the proposed building.

Elizabeth Mellecke
202-264 Oakdale Ave
St Catharines, ON

Milligan, Doreen – July 14, 2020

Hi Charlotte,

Since I dropped the ball for the Zoom event, please accept my written concerns regarding Mr. Toth's development request for 268 Oakdale Ave.

I am on the Condo Board and have spoken with most residents in our building (next door) at 264 Oakdale Ave. There are many concerns and disbelief that the City would allow Mr. Toth's current plan for 268 Oakdale!

We already are squeezed by the garage to the south whose building is so close to our driveway that there is no room for fencing! The explosion from the garage about 16 years ago sent brick and mortar flying across our double driveway to hit our building! I was off work that day and missed it by an hour or so—it makes me quite anxious to think I could have been hit walking to get my mail! Therefore, to think that Mr. Toth's project could be squeezing us from the north side as well is unthinkable!

I recognize that Mr. Toth has every right to develop his land but the important issue is what he wants to build. And that is a structure that does not fit on his land within the bylaws the City of St. Catharines put in place to protect the land, infrastructure and foremost ALL residents in the immediate area.

I know that variances are sometimes allowed but in Mr. Toth's case, he does not meet any of the standards in place regarding density, green space, buffer areas respecting his neighbours, parking requirements and I question what would happen in case of emergency if a fire truck was needed at his building (single lane way). He is requesting very significant amendments to these bylaws that would negatively impact our building, our living enjoyment and property values.

There is no parking on Oakdale Ave; the closest side street would be Capner—but as I understand, there are at least a couple of houses that rent out to at least half dozen students who have to park on the street. This is a big issue as Mr Toth, in addition to not meeting parking standard, does not have a wide enough driveway to allow traffic past any stopped vehicle. So, I suspect his residents/visitors will be spreading onto our property. He also wants to take down the trees between our properties and this is not acceptable

As property owners, residents and tax payers of the area, we are requesting that the City abide by their own bylaws and deny Mr. Toth's project for the multi-dwelling, three-story building that does not fit on his property. As drawings don't always reflect a "real" picture, I will send you a couple of photos that may help you see how Mr. Toth is trying to squeeze in a building that is way too big for the land he owns. We pay our taxes to the City and live at 264 Oakdale Ave—please let us live knowing you can uphold your own bylaws for all!

Thank you for your assistance,

Regards, Doreen Milligan, 264 Oakdale Ave, Unit 211 St.Catharines

Morrison, Kelly – March 10, 2020

Good day,

This email is to appeal the decision of Council for Corporation of the city of St. Catharines regarding the Zoning By-Law Amendment for lands located at 268 Oakdale Avenue.

Appeals are based on the following, but not limited, to the major concerns projected with the architectural design of the proposed residential build at 268 Oakdale Ave.;

1. Compliance to the Ontario Building Code-Fire Department access to building.
 - a. access for fire department equipment.
2. Compliance to the Ontario Building Code-Access to parking area
3. Compromising the integrity of building 264 Oakdale Avenue
 - a. Weakening of earth surrounding pre-existing foundations to 264 Oakdale Ave, drilling/digging vibrations which can fracture foundation walls to pre-existing structure.

As a resident of 264 Oakdale Avenue there are additional concerns such as, noise, CO2 emissions coming into windows or the building overall, property damages considering the confined area this structure is be erected, trespassing on private property (which has already occurred).

The present zoning by-laws are in place for good reason and this builder is looking to increase a permit limit by just shy of double the density. This structure will impose danger not only to surrounding neighbours during the construction phase but as well to the residence whom take ownership if the project is permitted.

I would hope these above concerns are investigated thoroughly and if this project is permitted, there is a building inspector on site periodically.

Thank you,

Kelly Morrison
264 Oakdale Avenue

Mosquite, Emmy – July 11, 2020

SUBJECT: NIGHTMARE on OAKDALE AVENUE

Dear Ms. McEwan:

I am the owner of, and resident at, 264 Oakdale Ave., Unit 305, St. Catharines, Ontario, L2P 2K4.

I am writing regarding Mr. Drew Toth's Application to Amend the Zoning By-law at 268 Oakdale Avenue and my opposition to the proposed by-law amendment.

As I understand the proposed amendment, the proposed structure / condo at 268 Oakdale with 28 units would allow a single lane driveway for owners to enter the property. There is no parking allowed on Oakdale. There are currently 3 driveways on Oakdale: a driveway at 276 Oakdale for 65 condo units, a driveway at 264 Oakdale for 36 condo units, and a driveway for the garage located at 260 Oakdale. The driveways for 276 Oakdale and 264 Oakdale are extremely busy, allowing for the flow of traffic throughout the day and evening hours for the residents of the building. The driveway for the garage at 260 Oakdale is also very busy with multiple cars entering that business property non-stop.

Adding a 4th driveway for the proposed condo by Mr. Toth at 268 Oakdale would make the traffic on Oakdale impossible to maneuver and possibly dangerous, and for this reason I am opposed to the by-law amendment.

I can be reached by email at emosquite@gmail.com.

Regards,

Ms. Emmylou Mosquite

Prochazka, Jiri – July 7, 2020

Charlotte McEwan
The Planning and
Building Services Department

Re: Objection to proposed zoning

Dear Ms McEwan

I am writing to express my Strong opposition to Zoning By-laws Amendment for lands located at 268 Oakdale Avenue. I am resident and owner of condominium unit #310 in building on 264 Oakdale Ave adjoining the mentioned lands. This development needs to many changes to existing By-laws and potentially lower the property values of the existing community. All residents I talk to completely opposed development of 3 storey apartment building of this size.

Shouldn't City By-laws also protect value of tax paying citizens properties?

I don't understand demand for this drastic changes to existing rules.

Size of proposed building is well over existing zoning density and will have devastating effect to residents of 264 Oakdale Ave.

Parking Is also big issue. With only proposed 20 spaces for 28 units is insane. There is not extra parking in the area.

It seems to me there is only one way drive to parking that will cause traffic and safety problems. Not to long ago middle turning lane was change to bike lanes on both side of the Oakdale Ave. Going in and from property 268 could create traffic jams.

One more note: This Online Open House is way to go at this time but take in consideration many older people are not able or don't know how to participate.

I am one of them. (age 76)

Thank you for your service and hopefully for support in our objection.

Sincerely Jiri Prochazka

Ptasinski, Jen – July 11, 2020

To whom it may concern,

I am writing you to express my concerns about the potential development at 268 Oakdale Ave. While I understand development of this property is inevitable, I believe that the current plan requires too many amendments to the Zoning Codes for the area, and that the plan does not fit in with the existing community.

I understand that we are in a housing crisis and see the need for high density housing. However, I believe that this property is not the optimal place for a high-density condominium, nor is it a good solution for affordable housing. The current zoning is for medium density units, and the surrounding buildings fit this description. By allowing the zoning amendment, we open our quiet and green neighbourhood up to future high-density developments. What is to stop other properties in the area from being bought and turned into high density buildings as well. I saw this happen frequently when I lived in Calgary, and two neighbouring houses would be bought by developers and torn down and turned into a modern high rise multi dwelling building, which towered over the other homes in the area.

The building intended for this property, as planned, does not fit into the neighbourhood. The Planning Act (1990) states that the “site is within the urban boundary and will integrate with the surrounding built environment”. The description given by Better Neighbourhoods Inc. of the proposed building is “visually striking”, with exterior cladding incorporating a combination of materials, including aluminum, fibre, cement panels, and wood. This is a modern building, being squeezed between two classic brick condominium buildings, in a neighbourhood with modest single-family dwellings, and does not fit that plan. This building is designed to stand out, when it should be attempting to fit into the neighbourhood.

The Planning Act (1990) also calls for “the adequate provision of a full range of housing, including affordable housing”. I question the actual affordability of the intended units. While advertised for people who are trying to break into the market, these units are expensive when you look at the price per square foot. A nationwide survey done by Century 21 (*Century 21 Price Per Square Foot Survey 2018*) shows that the most expensive homes in the country have an average of \$717/square foot, and the cheapest have an average cost of \$149/square foot. Assuming a 300 square foot micro condo space, 268 Oakdale is closer to the more expensive prices, at \$500 per square foot. They quote prices ‘starting’ at \$150,000. This is the base cost, with additional costs for parking spaces, and storage fees. Condo fees will also be applied, bringing the monthly fee up. How affordable will these micro units actually be, and will they be worth the price?

If the argument for higher density housing is to provide an affordable option for new homeowners, how can we ensure that it is both affordable and that new homeowners are the ones buying. These micro units may not be attractive to many people because of the lack of space and storage, and definitely are not a valid option for families. They will however be attractive to investors. What prevents investors from buying units just to rent them, or put them on AirBnB, eliminating the intended use of an affordable way into the market? How can it be ensured that this building does not become a motel? The average hotel room is 325 square feet. Can you picture yourself living permanently in a space smaller than a hotel room? I would like you to consider the quality of life you would have in such a space, particularly in the Covid era where you are asked to stay home, and parks may be closed. People moving

to the Niagara Region are now looking to get away from the GTA, not find a Toronto style of living in a different area.

The Provincial Policy Statement (2014) looks to promote new developments that are “accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons).” This building lacks the amenities required for seniors who are downsizing. The plans have stairs to the upper levels located on the outside of the building. With no elevator, and outdoor stairs, the winter months will be dangerous for individuals on the upper floors.

The Planning Justification provided by Better Neighbourhoods states that the development at 268 Oakdale “will increase density while having minimal impact on surrounding neighbourhood”. The impact on our neighbourhood will not be minimal. There will be an increase in traffic to the area, as well as traffic on the driveway directly outside our condo building. The building will be higher than ours, and completely block off our North side. The construction will be disruptive with such a large building on a very small space. Already, our property has been infringed upon by the developers who could not get construction equipment onto the property without crossing ours.

The Garden City Plan (2014) prioritizes Greening as part of new growth and development. This proposal is asking for a change from the existing zoning (R3) requiring 30% of the property to be landscaped open space, to 22%. This minimizes the green space (which will definitely be required by those living in micro spaces). St. Catharines is called the Garden City; do we not want to keep as much green space as possible? The proposal does not just call for a decrease in greenspace, but also a reduction from 1.25 parking spots per unit (as zoned), to 0.7 spots per unit. This is a concern for the community, as it does not allow for even 1 parking spot per unit, or visitor parking. There is not street parking on Oakdale Ave, and the nearest streets are either private or used by its residents for parking. This is going to cause visitors and potentially residents of 268 Oakdale to look for parking in inappropriate places (other condos, garages, stores) in the area. Our condo building has adequate parking for our units, and we find that we have troubles with our limited visitor parking. How much of a premium will buyers at 268 pay for a parking spot? This is not Toronto, and while it would be nice to have everyone be able to use public transit, that is not a valid option for many in this region. People live and work in different cities.

I also have concerns about the one lane driveway proposed by this development, with regards to snow removal. If a plow goes up the driveway, they will be pushing snow onto our property at 264. There is no clearance for them to ensure the snow stays on their property. Our first floor is halfway underground, with ground level windows, which will inevitably be covered when snow is plowed on to our property after a large storm. There is no space for them to move and store snow in the parking area. Will they be paying to have the snow removed, and will this increase their condo fees? The current zoning requires a landscape buffer for a parking area with 5-20 spaces of 3 metres. This parking area has 0 metres on the south side (adjacent to our property), and 0.9 metres on the North Side. This is not enough space to ensure that a) cars can safely back up and turn around, and b) snow can safely be removed and stored.

The proposed development is also asking for rezoning regarding the required lot frontage, from 30 metres, to 13 metres. This is less than half the existing zoning requirement. This is not a small adjustment, but a large variance from the standard. The property is too narrow to adequately accommodate the proposed building, and does not adhere to the requirements for buffers, setbacks,

and greenspace. I am concerned that should there be an emergency there is not enough width for emergency vehicles to reach the back of the building. Should a firetruck or ambulance need to reach the back of the building, where will they park? Again, allowing for these amendments and rezoning this property is opening the way for future developers to ignore these requirements and build on properties that are too narrow for the building, and not allow for any space between neighbours.

In conclusion, I question whether this is the appropriate location for such a development. The rezoning required takes away from the neighbourhood, overcrowds too many people onto too little land, and changes the face of our community. Do we really want to increase our housing availability by cramming people into small spaces with limited outdoor space? Or do we want to plan better housing, with adequate living and green space. There must be a happy medium when considering quality vs. quantity. Please consider the quality of life people will have living in small spaces. Map out a 300sq foot area in your living room, and see if you could fit a kitchen, bathroom, and bed area in that space and feel comfortable. Let us focus not just on affordable housing, but affordable housing that is functional for families and improves quality of life. Is it appropriate to pack people into micro units on a small property, surrounded by medium density buildings because it is already zoned for medium density, or is there a better solution? For example, there are many unused buildings in the area that could be repurposed (such as GSH developments repurposing of a church, or the old SNAP office building being turned into condos). Could this property be used for medium density housing that fits in with the neighbourhood instead of changes it? There are many options available, and I feel that the current plan is not in the best interest of the community.

This is Niagara, not Toronto, and while the solutions of small living spaces are necessary in a large city, we are a city that while growing, still has that small town feel. Is that something we are willing to lose?

Sincerely,

Jen Ptasinski

Owner at 264 Oakdale Ave.

Rat, Zofia – July 9, 2020

Hi Charlotte McEwan,

I am the owner of 2 condominiums in 264 Oakdale Avenue, units 303 and 304.

I bought the first unit in 2005 and since then it's been a lovely neighbourhood to live in.

I am writing to formally oppose Drew Toth's application to amend the zoning by-law at 268 Oakdale Avenue.

In the past, we have signed a few petitions to stop similar projects and have always won.

In my opinion, his proposal is laughable.

Proposing a single-lane driveway for the owners of the proposed 28 small units is dangerous and irresponsible, it would no-doubt introduce a traffic hazard with an increased risk of multiple collisions.

The fact that there is no parking allowed anywhere on the actual avenue of Oakdale Avenue coupled with the very close proximity of 3 driveways already, namely 276 Oakdale Avenue with parking for 65 units, 264 Oakdale Avenue with parking for 36 units and the car garage at 260 Oakdale Avenue which, by its nature, has multiple cars entering that business property non-stop.

This new project will also obstruct the views of the north-facing units in 264 Oakdale Avenue, having the prospective neighbours from each side staring into each other's lives.

It's a tiny piece of land and I must insist that this ridiculous application fails to go any further.

Please email me back to confirm that you've successfully received this.

Sincerely,
Zofia Rat

Snejdar, Laurretta – July 1, 2020

Dear Charlotte:

Please note that the petition of 4 signed pages, by residents of 264 Oakdale Avenue, will be sent separately to you by mail.

While Mr. Drew Toth has neatly included all the required variances into the Application to Amend the Zoning By-law, please consider the following items.

1. The lot at 268 Oakdale Ave. is still 40 feet wide. It was 40 feet wide in 1994 when the single family home on that lot was demolished and when the former owner's son submitted plans to build a 24 apartment building which was approved in December of 1994 and then denied in 1994 because of parking limitations.
2. Because all the variances required to build Mr. Toth's proposed 28 unit apartment are included into the proposed Amendment to the Zoning Application, this proposed change must be scrutinized more closely. He is requesting 268 Oakdale Ave. be changed to Maximum Density R4 as opposed to the adjacent properties of 264 and 276 Oakdale Avenue. Both OakBreeze Condominiums at 264 and Fairways Condos at 276 Oakdale are zoned Medium Density at R3 level yet **both these adjacent properties have more than double the width of Mr. Toth's 40 foot wide lot at 268 Oakdale.** With a R4 Density on a 40 foot lot, the proposed structure would be encroaching and infringing on the rights of the 100 condo owners to have free and clear access to property standards as provided to all property owners.
3. While Mr. Toth has provided for holding bays at the front of his property for cars entering his property, his driveway is still only a single lane driveway. There is absolutely no parking or idling on Oakdale Avenue, and Mr Toth is hoping the holding bays in front will be sufficient for the owners of 28 units. In addition, he has only provided 20 parking spaces for the 28 units. Throughout the past eight months he and his workers have consistently parked on the property at 264 Oakdale Avenue while there is no visitor parking at 264 Oakdale as the previous owner, Megna Realty, sold all available extra parking spots leaving none for visitors. In addition, the close proximity of the driveways at 276 Oakdale (65 condos), 264 Oakdale (36 condos), the garage at 260 Oakdale and 28 apartments at 268 will certainly cause traffic problems on Oakdale Ave.
4. Finally, I totally agree that there should be an Amendment to the Zoning for the lot at 268 Oakdale Ave. This is a 40 foot wide lot and should be zoned to a lower density such as R2 rather than increased to Maximum Density R4.

I understand the City's need for tax dollars. Yet declaring lot 268 Oakdale Ave. R4 Maximum Density on a 40 foot wide lot is absurd especially considering the two adjacent lots are R3

Medium Density on lots more than double in width. That lot has sat empty for 26 years. The City should reduce the Density to R2 and a high end duplex or four plex would provide the City with needed tax dollars without the hassles of traffic on Oakdale and denying the 100 condo owners on either side of that lot of their rights to property standard clearances and space between the buildings and driveway.

Thank you for accepting my concerns in this letter.

Sincerely ,

Lauretta Snejdar
Unit 102, 264 Oakdale Avenue,
St. Catharines, Ontario,
L2P 2K4

Stopher, Al – July 6, 2020

Hi Charlotte,

My name is Al Stopher, I'm just contacting you on behalf of my elderly mother who resides at 276 Oakdale. I just wanted to comment on our absolute opposition to this insane, ridiculous proposal for the development at 268 Oakdale, I can't for 1 minute believe that this outrageous project would ever be given a green light by the city. I'm pro development in our city, but this seriously encroaches on both properties, and really can't be positive for any of these good people that live there, I'm sure the city planners will do the right thing and turn down this proposal.

Thank you for your time

Zhang, Jessie – July 11, 2020

To Whom is concerned,

There is an apartment building on 268 Oakdale Ave, St.Catharines. As residents who are living in 264 Oakdale Ave, we nearly can feel that will affect the public traffic and the living quality of many people on Oakdale Ave by some problems if the apartment building is building in 268 Oakdale Ave.

First of all, the numbers of parking spot for the apartments are less than the numbers of units they are building up. We know the building is to be designed to have 28 Units. However, there are less than 28 parking spots for the people who are going to live there that we can see on the letter from City of St.Catharines. It is simple math, if each unit needs one parking spot, which means that require they need to have at least 28 parking spots to satisfy the needs of people who are living there to park, and there are no extra parking spots for visitors. Besides, what if they need additional parking spots for one unit? As we know, the stress of parking on Oakdale Ave is really high already; there is no public parking on Oakdale Ave.

Secondly, there is high pressure of traffic on Oakdale Ave where is located the center of the city. The density of population is higher than other area. There are different types of house located on Oakdale Ave. For instant, townhouses, individual houses, couple condominium, and apartments. Therefore, the pressure of traffic is really stressfully already.

Last but not least, the property on 268 Oakdale Ave is designed to have Single-lane driveway, and there is limited space for the second car get into the driveway if one car is coming from opposite way simultaneously. Therefore, the probability of traffic is blocked for the city is increased. Furthermore, the space between Single-lane driveway and the building on 264 Oakdale Ave is way too close. That means it will affect their health, family, and living quality of the residents who are living in that side of building by the noise.

To sum up, the disadvantages affect not only people who live on Oakdale Ave but also the city. We love this city, and also we would like to live in the environment which is safe, comfortable, and understandable.

Sincerely,

264 Oakdale, Unit 201

Dear Charlotte

On Thursday July 17 I took the time to listen in on the zoom meeting regarding the proposal for Oakdale Avenue.

Thank you for submitting my last email of my concerns to the planning staff and presenting them to council.

I am still opposed to changing the zoning for 268 Oakdale avenue from an R3 to a R4 zone.

The landscape open space is tight as it exists now. The existing condo home owners will lose the little green space they have which is a vital mental health component to all humanity. To look out your window and see another wall in place of the green space and view you have purchased is undeniable upsetting. If the City of St. Catharines begins infilling and crowding spaces what will be built in our own backyards.

I understand that these 300 sq foot rooms are lived in in urban cities and overpopulation cities. Is that what St. Catharines is to become?

I also question how an affordable living apartment plan suddenly became a 300 sq foot condo with a price tag of \$150000 and up. This is no longer affordable living to low income residents looking for a start in the market.

Please send me the planning committee reports and a notice of the public meeting.

Sincerely
Dana Foley

I am really concerned about the Disabilities Act being upheld as we had a friend who had a leg amputated and she could not visit us because of the half flight of stairs in our building. I do not think any new multi unit building should discriminate those with disabilities by not having access to all floors.

My Mother could not walk up the half flight of stairs either.

If Mr Toth was a “good neighbour” he would think more of others than his bottom line of \$500/sqft

Thank you

Liz Mellecke

Hi Charlotte,

Thank you for posting my pics! I followed the live stream today... just wondering why Mr. Toth did not address the actual issues listed on the open house notice, ie non-existent buffer zones and lot frontage; didn't know condo dwellings were allowed to cart their garbage to the road for curb side pickup—we are not allowed to do that!; lack of green space... etc. Bottom line is that his building is too big for the lot at 268 Oakdale Ave. And might I add, it is not affordable housing if you look at the cost per square footage!! His need for amendments versus variances confirms this! And as condo owners and tax payers, we shouldn't have to live with his “too big building” next door. I will be forced out and as a retiree, this is supposed to be my end of life home!

I hope the City makes the right decision and denies this project at 268 Oakdale. It is meant to accommodate a single/duplex dwelling. Instead, Mr. Toth is showing his true colours in that he is in it for the money!!

Regards,
Doreen Milligan

To whom it may concern,

I am writing this letter in response to the Open House held for 268 Oakdale Avenue. I was disappointed in Drew Toth's presentation, as he did not speak to concerns about his requested amendments, he more spent time trying to sell the idea of the building to those who are not interested in buying.

The amendments requested are too large to ignore, and if allowed will forever have an affect on the community of St. Catharines, as other developers will use this as an example of what they can get away with. Why have rules if they are so easily broken, and to such a large extent. These are not minor variations. We need to make the building fit the bylaws, not the other way around.

I am going to specifically address some of the points made by Drew Toth and Better Homes Inc. during their presentations.

1) It was alluded to that if given permission to build, the surrounding properties would have to allow them access to their properties for construction purposes. Is this true? Would 264 Oakdale be required to let him drive across our property? Would 276 Oakdale be forced to have their fence removed? These are major inconveniences to the current owners, and would allow construction debris to destroy our property.

If was also alluded to that once the building is complete, fencing between properties would be required. Is this true? What are the laws regarding fencing between condo buildings? Who would have to pay for the fencing?

2) Mr. Burr made a point about how great it was that they were able to find a use for an 'orphaned' property. I understand that the property needs to be used, my problem is with how it is being used. If the property has been unused because it is too small, what is the wisdom of packing a high density development on it? Again, we need to find an appropriate use of the property, not jam as many units as possible onto it.

3) Drew Toth gave a list of cities that have successfully developed micro-condo properties. All of them were large cities, the smallest of which was Montreal, with a population nearly 10 times the size of the entire Niagara Region. We are not Toronto, or Chicago, or even Montreal. What works for those cities will not work here. People moving to the Niagara area are looking to move away from large city living. When researching the micro condos available in Montreal I discovered that all of them were in downtown neighbourhoods, with restaurants and shopping an easy walk away (frequently located on the ground level of the building). These buildings also had amenities like rooftop patios. There were no buildings that were solely micro-units, but were mixed density, with a mix of micro units, and 1-3 bedroom units. Let's not pretend that Niagara has the same housing needs as a large city, and find housing solutions that address the needs of the residents of St. Catharines.

4) One of the amendments being asked for is a reduction of the required greenspace. Living in a 300 square foot space, people are going to need a place to go to get a breath of fresh air. In this neighbourhood, while we seemingly have access to parks and trails right across the road, there is a question of safety when accessing those parks. Both the Centennial Gardens and the Merritt

Trail have problems related to the cities homeless population. Members of our condo building have plots in the community garden there and were advised to avoid going there at certain times of the day. People are uncomfortable walking through the park by themselves in the evening. People living in the proposed building are going to need a safe space to go to escape the walls of their small units, and the neighbourhood does not adequately provide this.

5) Drew Toth highlighted his experience as a social worker and concern for affordable housing for low income individuals. Let us not pretend that low income individuals are going to be able to afford this housing, or that it would meet their needs. \$150,000 for a 300 square foot space is closer to the most expensive properties per square foot in Canada than the cheapest. There are luxury condos currently for sale in this neighbourhood for less cost per square foot. It is not fair to present these units as affordable considering the cost.

Thank you for considering the opinions of the community when making your decision regarding this property. I look forward to getting answers to the questions as to how this development, should it go through, will realistically affect its neighbours. I hope the next public meeting regarding this will offer an opportunity for a question and answer period, so that we can actually get the answers we want from Mr. Toth. I am looking for an actual justification for the amendments, and why they should be allowed for this building, not just an advertisement for his building.

Jen Ptasinski



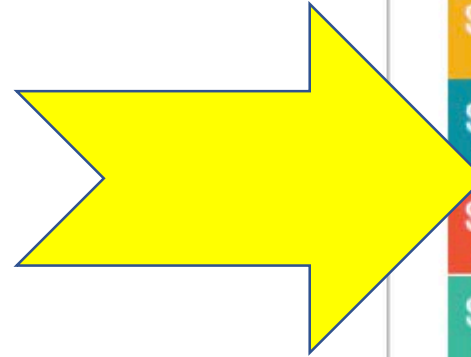
Our Target




20,002
SINGLE OR ROOMMATE
households in core need

 **Suitable Housing:**
Bachelor or 1 bedroom

84%



HOUSEHOLD INCOME FOR HOUSING AFFORDABILITY:

INCOME LEVEL	* MAXIMUM AFFORDABLE HOUSING COST (MONTHLY)	NUMBER OF HOUSEHOLDS IN CORE NEED
LESS THAN \$19,399	\$484	8,557
\$19,400 - 29,499	\$737	7,545
\$29,500 - 39,799	\$995	6,295
\$39,800 - 52,699	\$1,317	1,429
\$52,700 - 68,399	\$1,710	4
\$68,400 - 84,399	\$2,107	0

* Maximum affordable housing cost is 30% of total gross income.

The Numbers – Monthly

\$148 Condo Fee

\$141 Property Taxes

\$50 Hydro

\$50 Insurance

\$577 monthly mortgage 5% down 30 year amortization

TOTAL MONTHLY HOUSING COST = \$966

****numbers based on a sale price of \$150,000.00 and average fees****



The result owing at the cost or cheaper then renting. Get into the market and build your net worth.



Corporate Report City Council

Report from: Planning and Building Services, Planning Services

Report Date: October 15, 2020 **Meeting Date:** November 2, 2020

Report Number: PBS-154-2020 **File:** 60.32.99

Subject: 2020 Community Improvement Plan (2020CIP)

Strategic Pillar:



Recommendation

That Council authorize a by-law to adopt the 2020 Community Improvement Plan (2020CIP), in its entirety, attached as Appendix 1; and

That Council approve the funding plan for CIP tax incentives, as outlined in Appendix 5; and

That By-law 2004-277 'A By-law to authorize delegation of certain matters to staff' be amended to delegate authority to the Chief Administrative Officer, the Director of Financial Management Services and the Director of Planning and Building Services to approve applications and execute agreements under the Tax Increment Finance Program and the Brownfield Tax Increment Finance Program; and

That By-law 2004-277 'A By-law to authorize delegation of certain matters to staff' be amended to delegate authority to the Director of Planning and Building Services to approve applications under the Accessory Dwelling Unit Program; and

That Council provide approval in the 2021 Operating Budget to fund the Community Renewal Coordinator position (\$91,398.57) from the CIP reserve; and

That Council approve \$60,000 in the 2021 Operating Budget to fund the Façade Improvement Program and the Accessory Dwelling Unit Program; and

That an Affordable Housing Reserve be created, and all budgeted funds for future rescinded CIP approvals be directed to the Reserve; and

Further, that the City Solicitor be directed to prepare the necessary by-laws.
FORTHWITH

Summary

The City has had a Community Improvement Plan in place since 2004 and has since then committed approximately \$20.75 million towards investing in community renewal projects, which in turn, has increased the municipal tax assessment base.

Staff, as directed by Council on March 18, 2019, have completed a review of the 2015CIP, with an emphasis on the following four focus areas:

- Affordable Housing
- Remediation of contaminated lands (brownfield lands)
- Heritage conservation and restoration
- Mixed Use development

This report addresses the review process, the proposed 2020CIP and its associated programs, administration, implementation and financial implications.

Relationship to Strategic Plan

The recommendations of this report support the following goals of the City's Strategic Plan:

Economic Prosperity:

- Urban regeneration.
- An affordable city for all.

Social Well-Being:

- Strive for the highest quality of life for all citizens.
- Connect people, places and neighborhoods.

Environmental Stewardship:

- Responsible, future-ready, community planning.

Cultural Renaissance:

- Place a greater focus on heritage preservation.

Background

Provincial legislation enables municipalities to adopt a Community Improvement Plan (CIP). A CIP allows the City to offer financial incentive programs to the private sector intended to stimulate investment in projects that support local community renewal objectives and strategies. The incentives help offset a portion of project costs related to redevelopment, remediation and rehabilitation. In turn, completed projects enhance the value of the site, the neighbourhood and the municipal property tax assessment base.

The City has had a CIP in place since 2004 (2004CIP) which was reviewed and revised in 2015 (2015CIP). The City's entire urban area is designated as a Community Improvement Plan Area and the following six priority neighbourhoods for community renewal have been established:

- Downtown
- Queenston
- Hartzel Road / Merritton
- Oakdale – Moffatt
- Western Hill
- Ontario / Carlton Node

Since 2004, the City has approved 98 CIP applications with a commitment of approximately \$20.75 million. Once all projects are completed as approved, they will represent the generation of approximately 2100 new residential dwelling units, 280 permanent new jobs and an estimated increase in property tax assessment of approximately \$396 million.

On March 18, 2019, Council directed staff to pause and review the 2015CIP through the following motion:

STAFF RECOMMENDATION 3 AND 4

3. That Council direct PBS to complete a review of the 2015CIP by Q1 of 2020; and
4. Further, that a hold be placed on future CIP applications pending 2015CIP review, whereby only CIP applications satisfying complete application requirements and that are submitted to the municipality prior to June 1, 2019 will be accepted prior to the completion of the 2015CIP review. FORTHWITH

A project team comprised of staff members from various departments was formed to undertake the review and draft a revised plan that better aligns with the 2019 Strategic Plan and the City's Official Plan, considers long term sustainability and maximizes value to the municipality. The proposed 2020CIP is attached as Appendix 1.

Staff had initially targeted a public meeting for this matter to be before Council in Q2 of 2020 but a shift in priorities and urgency of projects throughout the corporation was triggered by the COVID-19 pandemic.

Report Review Process

The CIP review involved a comprehensive analysis of the 2015CIP and evaluation towards the preparation of a new CIP. The review process is outlined below:

- Background research
- Public Information Session #1
- Stakeholder Consultation
- Public Information Session #2
- Council Workshop
- Ministry of Municipal Affairs and House (MMAH) and Niagara Region review
- Proposed 2020CIP

**Background
Research**
Public Information
Session #1Stakeholder
ConsultationPublic
Information
Session #2Council
WorkshopMinistry
MMAH &
Region
reviewProposed
2020CIP

The background research included analysis of best practices and incentive types in CIPs from 20 Ontario municipalities in addition to municipalities in Alberta, British Columbia, and the United States. The results of the review are summarized below. Detailed information gathered through the research is attached as Appendix 2.

Staff found that the City remains a leader in Ontario in the area of CIPs with an established suite of programs that has been leveraged as a model for other municipalities. The majority of municipalities reviewed offer both tax-assistance programs and grants.

Affordable Housing:

There is an increasing trend among municipalities to address affordable housing through a CIP. This can be done through existing programs (such as the Tax Increment Finance Program), rather than through the creation of an individual program specifically focused on affordability.

Municipalities tend to use the provincial definition for affordable housing when structuring their programs, as follows:

The least expensive of:

1. a unit for which the rent does not exceed 30 per cent of gross annual household income for low and moderate income households; or
2. a unit for which the rent is at or below the average market rent of a unit in the regional market area.

Remediation:

Virtually all municipalities offer a program that directly addresses brownfield remediation in the form of long-term tax assistance. Very few of these programs allow for retroactive costs to be eligible or for stacking of incentive programs.

Heritage incentives:

Nearly half of the municipalities surveyed incorporate heritage into their CIP. This is generally done through existing programs. Of the municipalities that do offer a heritage component in their CIP, the majority require a Part IV (individual property designation) or Part V (heritage conservation district designation) under the Ontario Heritage Act (OHA), or require the property to be listed in the Municipal Heritage Register to qualify.

Façade Improvement grants:

The majority of municipalities limit façade improvement grants to designated areas within the municipality, but offer greater grant amounts to applicants that address a wider range of physical characteristics. Few municipalities include residential properties within the scope of the façade improvement program.

Background Research	Public Information Session #1	Stakeholder Consultation	Public Information Session #2	Council Workshop	Ministry MMAH & Region review	Proposed 2020CIP
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The City hosted a public information session on September 18, 2019, where staff introduced the review process, presented the areas identified for improvement and potential Plan amendment and requested feedback. Affordable housing and lack of certainty in the CIP approval process were the two main themes of the comments received from those in attendance. All feedback that was received through the public and stakeholder consultation process is summarized in Appendix 3.

The information and opportunities identified throughout the Background Research, and the feedback provided at Public Information Session #1 helped inform the first draft of the 2020CIP. The intent of the first draft was to lay a foundation to indicate the direction that the proposed new CIP was headed and to be subjected to further rounds of adjustments based on additional consultation and research.

Background Research	Public Information Session #1	Stakeholder Consultation	Public Information Session #2	Council Workshop	Ministry MMAH & Region review	Proposed 2020CIP
---------------------	-------------------------------	---------------------------------	-------------------------------	------------------	-------------------------------	------------------

After the first draft of the 2020CIP was completed, staff met with key stakeholders for review and feedback, including the Niagara Region, Niagara Regional Housing, non-profit housing providers and members of the development community. The intent of these meetings was to ensure feedback had been captured correctly, and to receive commentary on the proposed new programs and revisions to the existing CIP as presented in the first draft of the 2020CIP. The key input from meetings with these stakeholders is outlined below:

- Niagara Regional Housing and non-profit housing providers felt the City was taking positive strides towards addressing affordable housing, and generally agreed with the definition of affordable housing that staff were presenting. It was noted that a municipal contribution of any kind is incredibly useful in securing additional funding through programs such as those that Canada Mortgage and Housing Corporation (CMHC) offers.
- The development community generally felt that the first draft did well to address concerns and opportunities expressed during the public consultation to date. Additionally, positive feedback was received regarding the streamlining of several programs and the scoring/evaluation criteria changes.
- The Region of Niagara did not express any concerns and noted that they are currently reviewing their grants and incentives.

Background Research	Public Information Session #1	Stakeholder Consultation	Public Information Session #2	Council Workshop	Ministry MMAH & Region review	Proposed 2020CIP
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Staff held Public Information Session #2 on December 12, 2019 to present and receive input on the first draft of the 2020CIP. Comments and concerns from the previous public consultation and stakeholder sessions were captured and addressed before proceeding further. The draft of the 2020CIP was generally well-received, with particular support for the proposed delegated approval proposal, and a more robust and transparent project scoring system and criteria.

Background Research	Public Information Session #1	Stakeholder Consultation	Public Information Session #2	Council Workshop	Ministry MMAH & Region review	Proposed 2020CIP
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On January 15, 2020, staff hosted a Council Workshop for City and Regional Council members, focusing on the proposed changes between the 2015CIP and the draft 2020CIP. The workshop also included an in-depth explanation of how each program and incentive is structured, evaluated, calculated and approved. The purpose of the workshop was to engage and inform Council prior to the final draft 2020CIP being formally presented for Council consideration and to allow for an opportunity to ask questions, voice concerns, and engage directly with staff regarding how and why certain decisions were made. Council was also presented with an opportunity to submit any final comments or concerns to staff directly regarding the 2020CIP.

Detailed comments and feedback received during public, stakeholder, and Council consultation are outlined in Appendix 3.

Background Research	Public Information Session #1	Stakeholder Consultation	Public Information Session #2	Council Workshop	Ministry MMAH & Region review	2020CIP
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Although not an approval authority for a CIP, the Planning Act requires that the Ministry of Municipal Affairs and Housing (MMAH) be circulated any proposed new CIP for review and comment. Upon review, the MMAH had no concerns, and noted the proposed 2020CIP meets the objectives of the province's Housing Supply Action Plan, helps address the need for more rental housing in Niagara, promotes intensification, redevelopment, and remediation, is consistent with the Provincial Policy Statement, 2014 and as amended in 2020, and supports the land use planning framework established in the City's Official Plan. Only very minor edits and corrections were suggested by the Ministry. The Ministry's comments are attached as Appendix 3.

The draft 2020CIP was also circulated to the Region of Niagara for review. The Region noted that they are currently conducting their own incentive program review. As such, they would continue to support applications in the 2020CIP under the parameters of the 2015CIP. New grants and incentives and additional tax rebate percentages in the 2020CIP that are beyond that established in the 2015CIP would not be matched at this time.

The Region suggested an even greater weight be assigned to sustainability and green building design in the 2020CIP new scoring criteria. Other minor edits and corrections were suggested. The Region's comments are attached as Appendix 3.

Background
ResearchPublic Information
Session #1Stakeholder
ConsultationPublic Information
Session #2Council
WorkshopMinistry MMAH
& Region review**Proposed
2020CIP**

The proposed, the 2020CIP contains five financial incentive programs, including three tax-assistance programs:

- Tax Increment Finance Program (TIF) **amended*
- Brownfield Tax Increment Finance Program (BTIF) **amended*
- Brownfield Tax Assistance Program (BTA) **amended*

And two simple grant programs:

- Façade Improvement Program (FIP) **amended*
- Accessory Dwelling Unit Program (ADU) **new*

As noted above, four of the 2020CIP programs represent amended versions of what exists in the 2015CIP. The ADU is a new program. One of the existing 2015CIP programs is not carried forward in the proposed 2020CIP as follows:

Residential / Office Conversion Program

The Residential / Office conversion program was included in the 2015CIP but is now being recommended for removal from the proposed 2020CIP. There has been little uptake in this grant program in the past. There is also the concern that the program never quite achieved its intended purpose.

Two other programs were considered but not carried forward in the proposed 2020CIP, as follows:

Municipal Application and Building Permit Fee Refund

The first draft of the 2020CIP included a program that provided a refund of municipal application and building permit fees for affordable housing units within a development. General feedback from stakeholders for the grant program was favourable. However, while working through the logistics of how the grant would function, it was determined that the option would not be a realistic one to administer. For example: if 20 out of 200 units in a building are affordable, staff would be unable to determine which portion of the application fees, building permit fees, plumbing only permit fees, and inspections costs could be realistically attributed to relate only to the affordable units. This program would also be difficult to budget for as permit fees increase each year and there is no guarantee of when the project will be built. Staff therefore made the decision to remove this grant program from the 2020CIP.

Staff do recognize that there is merit in the creation of a policy for the rebate of building permit fees for residential projects that are being developed by not-for-profit

corporations. This type of owner would likely not be eligible for a tax incentive as most non-profits do not pay property tax. Having a policy in place would provide a financial incentive option for non-profits for all, or a portion of, building permit fees for not-for-profit corporations and that a yearly budget be accommodated beginning in 2022 to fund this policy.

Employment Land Incentives

An additional area that was explored through the creation of the 2020CIP is the creation of a financial incentive applicable to new developments that trigger job creation after the development is completed and occupied. Staff are currently conducting a municipal wide Land Needs Assessment (LNA), which among other matters, is evaluating the potential conversion of lands currently designated 'Employment' in the City's Official Plan for alternative uses such as residential, institutional, commercial and / or mixed-use development. The LNA will inform an Official Plan amendment which will address re-alignment and revisions to the land use structure and policy framework currently established in the Official Plan. While there is great value in an employment lands incentive, staff believe that it is premature to pursue a funding program prior to the completion of the LNA.

Staff have also considered the various forms employment can take during the pandemic such as impacts on traditional employment, defined job locations, working from home, and shared office space with multiple employers. The complexities of administering a financial incentive for new developments that trigger job creation post development is considered premature until the full impact of the pandemic is fully understood.

The existing legislation does not allow for financial incentives under the CIP mandate directed at economic recovery of existing businesses impacted by the COVID pandemic. Business incentives under a CIP can take form of a co-investment, with the municipality providing matching funding or tax incentives in return for a redevelopment and / or increase in assessment. Community Improvement Plans cannot provide recovery funding with no private investment or redevelopment occurring.

2015CIP – 2020CIP

There are a number of key changes from the 2015CIP that have been made in an effort to address the priorities of the review to ensure alignment with the future goals of the municipality. The changes made from the 2015CIP to the 2020CIP are shown in detail in Appendix 4.

Each incentive and grant type is outlined in this section of the report, along with the changes made and key concerns addressed. The following icons are shown in each section to indicate which priority area of focus is directly addressed through each incentive/grant type. Additional focus areas may indirectly benefit from an incentive or grant type. For example, the BTA does not have an affordable component to its eligibility criteria but an affordable housing development could apply for and receive incentive funding under the BTA.



Mixed Use

One of the main focus points of the City's Official Plan is the encouragement of mixed-use development. Mixed-use development allows for more compact built form that creates residential units that are accessible to services and amenities and aims to reduce the dependence on the vehicle and create complete communities.



Affordable Housing

Affordable housing continues to be a primary concern for St. Catharines, Niagara and the Province of Ontario. Council and staff felt it was imperative that affordable housing was addressed in the 2020CIP. A CIP can be a useful tool for a municipality to encourage the development of affordable rental housing. Direct funding related to reducing homelessness, emergency shelters and supportive / transitional housing is beyond the scope of the CIP. It should however be noted that the creation of affordable units in one part of the housing continuum does relieve pressure from other sections.



Heritage

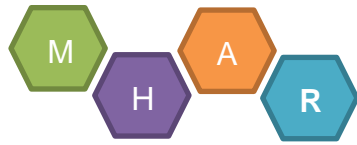
Heritage properties have never been individually considered in a CIP program, although the City has offered grants for heritage restoration through separate programs in the past. The municipality has a rich concentration of properties with significant heritage value particularly in the downtown core.



Remediation

Brownfield remediation remains a key focus for the 2020CIP as it is imperative the City partner with the private sector to remediate and redevelop former industrial and commercial sites.

Tax Increment Finance Program / Brownfield Tax Increment Finance Program



The TIF and BTIF programs represent the most significant incentive that the municipality offers to help offset project costs for the redevelopment, remediation, conversion, and / or intensification of underutilized or previously developed lots.

Scoring Criteria and Rebate Percentage

The core change to the TIF and BTIF incentives is the altering of the scoring criteria. The 2015CIP scoring criteria acted only as a ranking tool. The proposed 2020CIP scoring criteria provides a much more detailed component evaluation of projects and functions as a tool for evaluating the merits of an individual project, as well as providing the ability to rank projects against each other. The scoring criteria as outlined in the 2020CIP (attached as Appendix 1), evaluates applications based on the following components:

- **Location** **amended*
(downtown, priority areas, intensification areas)
- **Density generation** **amended*
(people and jobs)
- **Environmental remediation** **amended*
(cost of clean-up)
- **Core Rental Housing** **new*
(Affordable Housing)
 - *Projects can be awarded up to 20 points for an affordable housing component.*
- **Heritage restoration and conservation** **new*
 - *Projects can be awarded up to six points for reuse or rehabilitation.*
- **Mixed-use development** **new*
 - *Projects can be awarded up to 10 points for a mixed-use component.*
- **Municipal financial benefit** **amended*
(increase in assessment, amount of investment)
- **Value added** **amended*
(public realm features, climate change, sustainability initiatives)

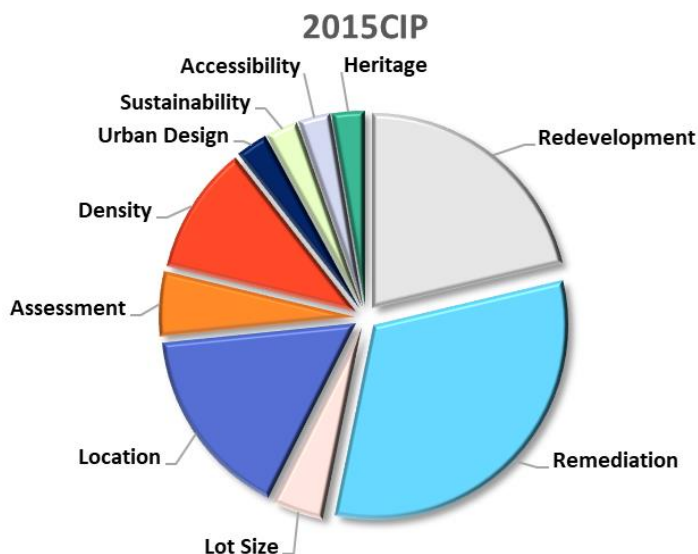
A project must score 50 out of 100 points to be eligible for a TIF / BTIF. Staff created separate scoring criteria for properties located in the downtown core and those located in the rest of the urban area as priorities in those areas differ. The TIF incentive starts at a 45% rebate of the increase in annual property taxes generated by project completion when comparing the pre- and post-development assessments. TIF projects that include

30% or more of a Core (Affordable) Rental Housing Component are eligible for an additional 20% rebate (65% total). The BTIF incentive starts at 80%, providing a higher base incentive because remediation is an aspect of the proposed project. BTIF projects that include 30% or more of a Core (Affordable) Rental Housing Component are eligible for an additional 15% rebate (95% total).

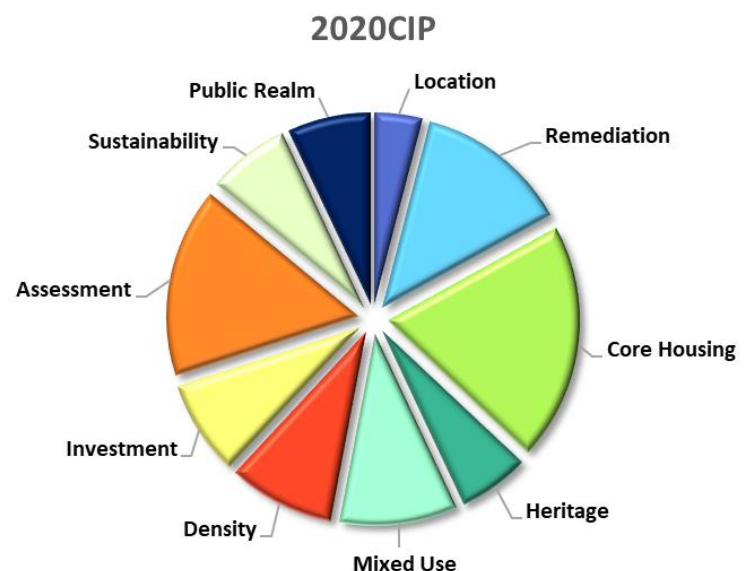
The changes to the scoring criteria have resulted in an eligibility requirement that should disqualify most projects that do not have significant costs related particularly to environmental remediation, heritage restoration and conservation, mixed-use or affordable housing (or a combination of these components). The 2004CIP and 2015CIP's encouraged "development" while the 2020CIP is encouraging specific priority types and scales of development.

The two charts below outline the different weight that various criteria in the scoring scheme have for the 2015CIP and the proposed 2020CIP. The assumption that each criteria has received the maximum amount of points was made for the chart. The purpose is to compare what types of attributes a project would need in order to be eligible.

Comparison of Eligibility Criteria and Points Weighting



The minimum point eligibility in the 2015CIP was 28 points – approximately 30% of the pie chart.



The minimum point eligibility in the 2020CIP is 50 points – 50% of the pie chart.

Assessment Variance

Staff have added a maximum five percent (5%) allowable variance from the estimated post development property assessment (which is required to be submitted with the TIF / BTIF application) to the actual post development property assessment. The purpose of this provision is to ensure that the municipality has sufficient budget to cover the approved incentive, particularly where the *estimated* increase in property assessment

(predevelopment assessment) is a significant departure from the *actual* property assessment (post development assessment).

Phasing and Retroactivity

Many projects proceed in phases and the remediation incentive programs are designed to accommodate the phasing of a project. Most remediation costs are incurred for the entire site at the beginning of a project but development may proceed in phases and be built out over several years. The 2020CIP permits remediation costs to be eligible over each phase, essentially allowing remediation costs to be eligible retroactively for phased projects only.

While retroactivity of eligible costs is typically not a desirable component of an incentive, staff believe there is merit in allowing for remediation costs to be retroactive to allow for the full build out of large phased redevelopment projects that include environmental remediation. Retroactivity of eligible remediation costs for projects prior to approval is not permitted.

Core Housing

Staff created an “affordable” definition and requirement that best fits the needs of the citizens of the municipality. Niagara Region and Niagara Regional Housing provided the following table outlining the households that are in need for Core Housing in four income brackets. Staff believe that the CIP should focus on the fourth (highlighted) income bracket.

Income Level	Monthly Housing Cost	# of households in core need (Niagara Region)	# of households in core need (STC)
\$19,399	\$484	8557	3165
\$19,400 - \$29,499	\$737	7545	2832
\$29,500 - \$39,799	\$995	6295	2345
\$39,800 - \$52,699	\$1317	1429	372

While the majority of households in need fall into the first three income brackets, it is unrealistic for the municipality to provide enough incentive through the CIP for a developer to construct and operate units at those costs. The monthly housing cost outlined in the table above is an average. To ensure that the number is fairly represented by unit type, staff propose to also consider the average rent per unit type as outlined by CMHC in the table below. Staff have added an adjustment of an additional 10% to account for a delay in data gathering and publication.

2019 – Private Row (Townhouse) and Apartment Average Rents (\$)							
Bachelor	+10%	1-Bed	+10%	2-Bed	+10%	3-Bed +	+10%
750	825	961	1057	1176	1294	1296	1426

For a unit to be considered Core (Affordable) Rental Housing in the 2020CIP, the rent threshold per month will have to be the lower of:

- \$1317
- or
- \$825 for a Bachelor
- \$1057 for a 1 bedroom
- \$1294 for a 2 bedroom
- \$1426 for a 3 bedroom

The figures presented in both charts above will be continuously updated, in accordance with Regional and CMHC data publishing to ensure the 2020CIP is consistently addressing affordability with respect to rent thresholds in the municipality.

Staff explored the possibility of having the affordable component of the TIF / BTIF apply to both ownership and rental tenure, but it was determined that an inability to control market price would make the inclusion of ownership tenure units incredibly difficult. It could result in situations where the municipality has committed to (or paid out) a significant financial incentive for a development that is not affordable beyond the first owner.

Heritage

Heritage permit approval will be required for projects with a heritage conservation and / or restoration component, which may be subject to the submission of cultural heritage studies such as a Heritage Impact Assessment prepared by a qualified heritage consultant (e.g., a member of the Canadian Association of Heritage Professionals). In the Downtown Priority Area, the TIF also includes the conservation and / or restoration of buildings / structures of properties that are not designated under the OHA but which are deemed by the municipality to have cultural heritage value or interest. For non-designated properties, a portion of the building or structure may be considered for partial demolition. Heritage permit approval is not required for non-designated properties, however, cultural heritage studies such as a Heritage Impact Assessment prepared by a qualified heritage consultant may be required as part of the submission.

Mixed-use

To ensure that the TIF / BTIF incentivize only proper mixed use developments, staff have included specific minimum ground floor coverage requirements for commercial uses in a mixed-use building. Another intention of incentivising mixed-use development is to help promote the redevelopment or intensification of aging commercial plazas to integrate new housing opportunities. The city has an abundance of underutilized “strip-mall” type commercial properties that have the potential to redevelop.

Delegated Authority Request

Staff are proposing delegation of TIF / BTIF approvals up to an amount that would not significantly impact the budget for CIP, or the reserve for CIP. The delegation request is outlined in detail the Delegated Approval section in this report.

Brownfield Tax Assistance Program (BTA)



The BTA provides a tax incentive to help offset project costs specific only to soil remediation or other qualified remediation management that is necessary to obtain a Record of Site Condition to facilitate future development on a property.

Projects approved for a BTA are eligible to receive a rebate of up to 100% of the municipal property taxes paid on a property, over a maximum period of three years, to help offset project costs incurred during this timeframe specific to soil remediation or other remediation management practices (example: risk assessment). In order to concentrate incentives, the 2020CIP places a focus on larger lots by including a size restriction so only lots that are 0.5 ha in size or greater will be considered for approval. The BTIF and BTA incentives are not eligible to be stacked as they were in the 2015CIP.

Façade Improvement Program (FIP)



The FIP provides a one-time grant to help offset project costs for building façade improvements. The improvements are intended to stimulate neighbourhood renewal, and promote a more connected, interactive, animated, cultural, accessible, and attractive street presence and public realm. In the 2015CIP, the FIP offered a grant of up to \$10,000. In the 2020CIP, the FIP will still offer a base maximum grant of \$10,000, with an additional \$5,000 in funds for projects that include heritage restoration or conservation components. Hard landscaping has also been added as an eligible cost.

The approved FIP area is proposed to be expanded outside of the original downtown area (the 2015CIP) to include eligible properties in other key corridors throughout the city (as outlined in Appendix 1):

- Downtown (and expanded gateway corridors)
- Facer Street
- Port Dalhousie
- Merritton

The purpose of including an opportunity to increase the grant with a heritage component is to encourage property owners to follow the best heritage conservation practices, with the recognition that following best practices may involve an additional cost due to the use of high-quality traditional materials and retaining specialized craftspeople who are experienced with historic building materials.

Property owners are encouraged to follow the [Standards and Guidelines for the Conservation of Historic Places in Canada](#), a Parks Canada document with results-oriented guidance for sound decision-making when planning for, intervening on and using historic places.

Accessory Dwelling Unit Program (ADU)



The ADU is a new program that provides a one-time grant of up to \$20,000 (to a maximum of 70% of eligible costs) per unit to help offset project costs for the retrofit or construction of an interior accessory dwelling unit within an existing primary dwelling unit, or the construction or retrofit of a detached accessory dwelling unit. This grant is intended to support a greater mix of housing types in the city and the increased availability of affordable rental housing accommodation.

The principle dwelling unit must be at least five years old to be eligible for the grant. The ADU provides existing home-owners with an incentive to create affordable density which will help address the limited housing stock issue directly.

Delegated Approval

The main concern expressed through the public consultation process by the development community has been the uncertainty of eligibility and the length of time that elapses between submitting a completed application, and confirmation of approval from Council. Uncertainty of eligibility, inconsistent timing and unexpected delays can place a strain on the proposed project's viability.

The Director of Planning and Building Services currently has delegated authority to approve simple grant programs (FIP) within the CIP. This authority allows staff to review and approve applications that are eligible through program criteria to receive funds in a timely and efficient manner, up to the total annual amount allocated for the program in the budget. Staff recommend that the ADU approval authority similarly be delegated to the Director of Planning and Building Services.

Throughout the comparative municipality review, provision for delegated approval for tax incentive programs were repeatedly identified. A number of municipalities, including single and upper tier municipalities, provide staff authority to approve tax incentive applications within a specific set of parameters

Delegated approval of TIF / BTIF applications would allow for more efficient administration of the 2020CIP by removing the need to collaborate on reports and meetings, and streamlining the contact between staff and development partners to ensure all eligibility requirements (and subsequent application requirements) are met.

Staff are proposing the following parameters for Delegated Approval for the TIF and BTIF programs:

- A per project approval limit of up to \$150,000 in annual incentive (\$1,500,000 total per project incentive over 10 years);
- A total yearly maximum amount that does not compromise the established funding plan for CIP.

All proposed projects receiving delegated approval would need to be presented to and approved by all of the following positions:

- Chief Administrative Officer; and
- Director of Planning and Building Services; and
- Director of Financial Management Services.

The proposed approval limits fall within the approval limits of the CAO as per the City's most recent procurement policy. Any proposed projects that fall outside of the delegated approval parameters (large projects with a total incentive greater than the values outlined above) or an annual funding amount that requires additional budgetary commitment would require Council approval.

Staffing and Administration

The uptake in CIP project applications and approvals has been successful in stimulating community renewal. However, the CIP has proven to be labour intensive in the long-term administration and implementation requirements, since it demands resources from a variety of departments including Planning and Building Services, Financial Management Services, and Legal and Clerks Services.

Staff evaluation of applications to ensure eligibility criteria is met and determination of incentives is significantly time consuming. Evaluation of required final compliance audits after project completion and prior to disbursement of the incentive, and the allocation of the incentive itself, is also labour intensive. This often results in delays in incentive disbursement after project completion. Post-approval, staff are responsible for the administration and payment of grants, which is both time-sensitive and highly dependant on precision and accuracy.

Prior to 2013, PBS had a dedicated staff position to administer the CIP – Community Renewal Coordinator. Funding for this position was eliminated with corporate staff restructuring. Given the amount of processing required, and the accuracy required for the distribution of large incentive amounts, staff are recommending that in order to effectively administer previous approvals granted under the 2004CIP, and 2015CIP and new applications and approvals under the 2020CIP, that the Community Renewal Coordinator position be funded starting in the 2021 Operating Budget as a full-time permanent position. Staff recommend that in order to limit the financial impact, the position be funded from the CIP reserve in 2021. More detailed funding information is outlined in the Financial Implications section of the report.

The staff complement assigned to CIP would oversee the following:

- Act as the primary contact for developers and other partners with respect to CIP.

- Act as the primary contact for the receipt of applications, and questions regarding applications.
- Review and recommend approvals for all programs, including:
 - TIF
 - BTIF
 - BTA
 - FIP
 - ADU
- Complete recommendations in the forms of reports and presentations to staff and Council as required.
- Draft required by-laws and agreements.
- Submit required documentation to the Region of Niagara.
- Administer grant payments for approvals as required.
- Track the progress of approved projects and financial health of the CIP.

Should no additional CIP projects be approved, the municipality is still committed under previous approvals until approximately 2035. This staff complement will help to ensure that as the program grows, it remains financially stable and is properly and responsibly administered.

Financial Sustainability

Tax Incentive Budget

When the 2015CIP was adopted, staff proposed a formula to help ensure the CIP remained financially sustainable given the increase in applications over the previous 10 years. The formula has been used successfully, consistently funding the program and building a program reserve. Staff evaluated the formula for the 2020CIP and, moving forward, are proposing a similar formula with minor revisions to ensure future consistency and sustainability:

$$\text{Base Amount} + \text{Payment Factor} = \text{Total Annual Budget}$$

Base Amount

A principle yearly budget amount of \$1,157,675 (in 2021) that is set to increase gradually by 2.0 - 3.5% annually to adjust for inflation.

+

Payment Factor

A variable amount based on 20% (10% in 2021) of the total tax incentive payments and approvals for each calendar year. The 20% is meant to link the funding allotted to the CIP reserve to the fluctuations of the value of incentive disbursement and approval each year. Brownfield Tax Incentives are rebated at 80%. This payment factor is meant to pull from the remaining 20%.

=

Total Annual Budget

The total funding requirement for the calendar year.

This structure helps to ensure that funding of the program is directly related to the projects being paid out and approved and that the program remains financially sustainable.

As outlined in the Delegated Approval section of this report, staff believe that an annual per project limit of \$150,000 represents an appropriate maximum scale of development and incentive that can be delegated to staff.

Staff have created a detailed reserve schedule for projected new approvals attached as Appendix 5. The schedule shows the estimated budget required to fund the level of commitment, by year, and the estimated reserves remaining after the completion of payouts for all commitments. It outlines a sustainable budget scenario from 2020-2035 as 2035 is the approximate date to which the City is committed with current approvals.

The current base amount of \$1,157,675 is only proposed to increase annually by 2% - 3.5% annually to account for inflation. The schedule estimates \$150,000 of new approvals each year (with each approval being committed to for 10 years). It also includes an assumption of two large scale approvals of \$400,000 each (committed to for 10 years) in 2025 and 2030. This is to ensure that the funding model can accommodate larger scale projects which can represent a significant impact on the CIP budget. The new approvals are shown to begin in 2023 since projects that are approved in 2021 will require time for permitting and construction prior to completion and request of funding. Staff have incorporated budgetary adjustments to previously approved CIP projects that are expected to have a supplementary assessment which is significantly higher than originally budgeted for.

Below are examples of the type and scale of projects that could be annually approved under the proposed funding model:

Example 1:



Example 2:



It is important to note that the funding model shown in Appendix 5 is a guide to keep the program stable. Staff have designed a conservative budget to anticipate the maximum yearly payout, in actuality, the number of applications, scale of projects, and number of approvals do fluctuate year by year. Fewer approvals in one year can offset more approvals in the next. The budget is also impacted by the timing of development completion and funding requests, and possible rescinded approvals.

As shown in Appendix 5, a commitment of \$1,250,000 which represents a base amount of \$1,157,675 and a payment factor of \$92,325 will be required in the 2021 Operating Budget.

Rescinded Approvals

Throughout the history of the CIP, there have been projects that have received approval and have not proceeded with development. Several approvals from the 2004CIP have been rescinded. The 2015CIP established a sunset clause, meaning if project construction was not completed and the financial incentive not triggered prior to a predetermined date, the CIP approval was forfeited. In an effort to further aid in the development of affordable housing in the city, staff are recommending that the funding from future rescinded approvals is allocated to a new affordable housing reserve where over time, funds from rescinded approvals can be used towards affordable housing initiatives funded by the City.

Simple Grant Budget

Since the adoption of the 2015CIP, the City has budgeted \$100,000 per year for the FIP. Originally, staff had intended to request an increase to the annual FIP budget so as not to negatively impact the successful downtown FIP with the expansion of the eligible areas outside of the downtown. Due to the budgetary constraints of the COVID-19 pandemic and the reality that very few businesses will be in a position in the next year to invest in their buildings, staff are recommending that the simple grant budget be phased in. For 2021 staff recommend that the unused \$60,000 from the 2020 FIP budget be carried over to 2021 to fund all simple grants (FIP and ADU).

The simple grant budget is intended to gradually increase as the municipality and business community financially recover from the pandemic. The budget allocation for subsequent years is recommended to increase by \$60,000 per year until 2023, at which point staff will reassess the success of the program and required funding.

Region of Niagara

The Niagara Region is currently undertaking a review of all of their incentives and grants, which could potentially impact matching funding and program alignment for the 2020CIP. In their work to date, the Region has identified the following focus areas for future incentive programs:

- Affordable Housing
- Brownfields
- Employment
- Public Realm

These largely align with the focus areas the City identified in the 2020CIP. The review the Niagara Region is undertaking has been ongoing for over a year, and does not have a targeted end date. The impact of the incentive review for each new / amended incentive and grant is outlined below:

- (B)TIF – applications will continue to be considered under the 2015CIP parameters. There will be no additional rebate percentage increase for affordable housing and heritage restoration.

- BTA – applications will continue to be considered under the 2015CIP parameters.
- ADU – matching funding will not be provided for this grant.
- FIP – applications will continue to be considered under the 2015CIP parameters. Additional funding for heritage projects will not be matched. Projects in the expanded façade locations will not be matched.

As part of additional auditing work, the Region commissioned a report from KPMG which examined service sustainability review corporation wide. The report, which was delivered to staff on November 7, 2019, detailed several concerns with project incentives and questioned their ability to truly “increase assessment.” It is important to qualify that this was not an in-depth review of the Region’s incentive programs nor a full analysis of all of the impacts of development incentives. The rewards of stimulating development are not only measured in assessment increase nor in quantitative values exclusively. The qualitative and residual effects are numerous. A \$10,000 façade grant that does not impact the assessment of a property can have a profound effect on the public realm of a downtown corridor; it can influence a business’ choice to locate in the city, and can spur additional improvements on neighbouring properties. Staff have met with Regional staff to discuss the KPMG report and it was noted that the report was not meant to fully assess the viability or impact of their incentive packages.

Financial Implications

There are a number of financial implications to consider given the recommendations of this report.

Tax Incentive Budget

The total requirements for incentives related to CIP is expected to increase in the future. The long-term budget funding plan is outlined in detail in Appendix 5.

\$1,250,000 which represents a base amount of \$1,157,675 and a payment factor of \$92,325 will be required in the 2021 Operating Budget.

Simple Grant Budget

FIP and ADU - \$60,000 is required in the 2021 Operating Budget.

Staff recommend the program be phased in as follows:

\$120,000 – 2022 Operating Budget

\$180,000 – 2023 Operating Budget

Staffing

Staff are recommending that the Community Renewal Coordinator position be funded starting in the 2021 budget as a full-time permanent position. \$91,398.57 (salary + benefits) would have to be added to the 2021 Operating Budget. To limit the financial impact of adding a new position in an already difficult financial year, staff recommend that the position be funded from the CIP reserve in 2021. Staff recommend that the following funding formula be used in future years to fund the position:

- 75% funded from reserve – 2022
- 50% funded from reserve – 2023

- 25% funded from reserve – 2024
- 0% funded from reserve – 2025 onward

Conclusion

The proposed 2020CIP presented in this report fulfills the objectives established for the review of the 2015CIP as instructed by Council on March 18, 2019:

1. The process behind the review and drafting of the new 2020CIP
2. The details of the new 2020 CIP and its associated programs, with the inclusion of:
 - Affordable Housing
 - Brownfield Remediation
 - Heritage conservation and/or restoration
 - Mixed-Use development
3. The administration, implementation and financing of the 2020CIP

As the CIP continues to grow and broaden its scope, the financial requirements will continue to grow as well. Staff have recognized this and, as a result, have presented a plan for long-term financial sustainability in addition to the 2020CIP itself.

Moving forward, it will be important for staff to regularly evaluate the CIP to ensure its effectiveness, and regularly review the program and the scope of the CIP to continue to meet the dynamic needs of the City.

Assuming the proposed 2020CIP and the associated recommendations outlined in this report are approved, the 2020CIP will be subject to a 20-day appeal period.

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Appendices

- Appendix 1: 2020CIP
- Appendix 2: Background Research
- Appendix 3: Comments and Feedback
- Appendix 4: Changes from 2015CIP – 2020CIP
- Appendix 5: Detailed Reserve Schedule



City of St. Catharines

Community Improvement Plan (2020CIP)

DRAFT

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Part A: Introduction

On _____, 2020, the City of St. Catharines passed By-law 2020 - ____ to adopt a new Community Improvement Plan (CIP) for the municipality, herein referred as the 2020 Community Improvement Plan (2020CIP).

The 2020CIP is a set of financial incentive programs offered by the municipality to the private sector, intended to stimulate investment in *redevelopment* projects that support local community improvement and renewal objectives and strategies including those established in the Corporate Strategic Plan and the City's Official Plan.

More specifically, the 2020CIP offers grant and tax incentive programs to the private sector to help offset a portion of project costs related to *redevelopment*, reuse and rehabilitation of the built environment, and brownfield *remediation*.

1. LEGISLATIVE AUTHORITY

The legislative authority and process to adopt a CIP and offer grant and tax incentive programs is established under Section 28 of the Planning Act, 1990 and Section 365.1 of the Municipal Act, 2001, as follows:

- Planning Act, Section 28:
 - where Community Improvement policies are set out in the local Official Plan, the municipality may designate by by-law, a Community Improvement Project Area or Areas (CIPA);
 - once a CIPA has been designated, a CIP may be established for the subject area, setting out financial incentive programs in the form of grants and tax incentives to support *redevelopment* projects.
- Municipal Act, Section 365.1:
 - also provides legislation to allow tax assistance specific for brownfield *remediation* projects in a CIPA.

2. OFFICIAL PLAN (Garden City Plan)

Consistent with Provincial legislation, the City's Official Plan (Garden City Plan) establishes Community Improvement policies enabling the designation of Community Improvement Project Area's (CIPA) and adoption of a CIP, and are attached as Appendix 'A' to this Plan.

3. COMMUNITY IMPROVEMENT PROJECT AREA/ PRIORITY NEIGHBOURHOODS/ INTENSIFICATION AREAS

The City first adopted a CIP in 2004, and in doing so, established 6 Community Improvement Project Areas (CIPA's). In November, 2014 the City adopted a new CIP (the 2015CIP), and at the same time, passed By-law 2014-275 designating the whole of the municipal Urban Area as a CIPA (herein referenced as the Urban Area CIPA). The 6 original CIPA's established in the 2004 CIP were redefined in the 2015 CIP as Priority Neighbourhoods, and given greater emphasis than other locations within the Urban Area CIPA for community renewal initiatives.

The 2020CIP maintains the same approach as the 2015CIP insofar as it also applies to the existing Urban Area CIPA established by By-law 2014-275, and carries forward the Priority Neighbourhoods identified above as areas of emphasis within the Urban Area CIPA for community renewal initiatives.

The boundaries of the Urban Area CIPA and Priority Neighbourhoods are set out on Schedule 1 of this Plan. A full description of Priority Neighbourhoods are set out in Appendix 'B' of this Plan.

Similar to Priority Neighbourhoods, and in a manner to support greater alignment with the City's growth management and land use planning framework established in the Official Plan, the 2020CIP also provides greater emphasis for community renewal within Intensification Areas as defined in the Official Plan, and which are also set out on Schedule 1 of this Plan.

Intensification Areas are intended to support future *redevelopment* opportunities for medium and higher density housing, together with a mix of neighbourhood oriented smaller scale commercial, institutional, recreational and employment uses.

They are primarily located along major street corridors already exhibiting a transition towards a mixed use environment, and where community renewal opportunities exist to support *redevelopment* for medium and higher density housing.

Part B: Programs

The 2020CIP offers three (3) tax incentive programs and two (2) grant programs.

➤ **Tax Incentive Programs**

- Tax Increment Finance Program (TIF)
- Brownfield Tax Increment Finance Program (BTIF)
- Brownfield Tax Assistance Program (BTA)

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➤ **Grant Programs**

- Façade Improvement Program (FIP)
- Accessory Dwelling Unit Program (ADU)

The tax incentive programs typically apply to large, longer term projects, whereby the incentive is provided annually for a period of up to 10 years after project completion (TIF and BTIF projects), or in the case of a BTA project, up to 3 years from project approval. Grant programs typically apply to smaller, shorter term projects whereby the incentive given is a one-time grant payment after project completion.

The Programs are as follows:

1. Tax Increment Finance Program (TIF) and Brownfield Tax Increment Finance Program (BTIF)

1. PURPOSE

- The **Tax Increment Finance Program (TIF)** provides a tax incentive to help offset project costs for *redevelopment*, conversion and /or intensification of underutilized or previously developed lots.
- The **Brownfield Tax Increment Finance Program (BTIF)** provides a tax incentive to help offset project costs for *redevelopment*, conversion and/or intensification of underutilized or previously developed lots which:

also requires environmental *remediation* approved by the Ministry of the Environment, Conservation and Parks (MECP) prior to *redevelopment* of the property.

2. ELIGIBLE PROPERTIES

- The **TIF** program is available to all properties in the Urban Area CIPA subject to qualifying under the Project Evaluation System in Schedule 2 and all other requirements of the 2020CIP.
- The **BTIF** program is available to all properties in the Urban Area CIPA subject to qualifying under the Project Evaluation System in Schedule 2 and all other requirements of the 2020CIP, and where:
 - on properties 0.4 hectares or greater in size, *remediation* costs are a minimum of \$100,000 or 1% of total project costs, whichever is greater;
 - on properties less than 0.4 hectares in size, *remediation* costs are a minimum of \$50,000 or 1% of total project costs, whichever is greater.

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- ii) a Phase I and II Environmental Site Assessment, completed on the property at the cost of the property owner and prepared by a Qualified Person as defined by Ontario Regulation 153/04, as amended, identifies that a Record of Site Condition (RSC), or other remediation approval by the MECP, cannot currently be obtained for the proposed future use of the property because it does not meet certain Environmental Protection Act standards.
- c) Eligibility under other 2020CIP Programs;
 - Lands subject to a TIF or BTIF incentive are not eligible for a Façade Improvement (FIP) or Accessory Dwelling Unit (ADU) grant in Part B, Section 3 and 4;
 - Lands subject to a BTIF incentive are also not eligible for a Brownfield Tax Assistance (BTA) incentive in Part B, Section 2.

3. **INCENTIVE REBATE**

% Rebate of Municipal Property Taxes After Project Completion

The TIF and BTIF incentive is provided annually for a period of up to 10 years after project completion. It is given as a rebate on a percentage (%) of the increase in annual property taxes generated by project completion.

The increase in property taxes is calculated on the difference (increase) between pre- and post-development property tax assessment at time of project completion (the *Tax Increment*). No incentive will be provided if the project does not result in an increase in property tax assessment.

- a) for **TIF** projects, the incentive is an annual rebate of **45%** of the increase in property taxes generated by project completion, for a period of up to 10 years.
- b) for **BTIF** projects, the incentive is an annual rebate of **80%** of the increase in property taxes generated by project completion, for a period of up to 10 years.

c) Affordable Housing Component – additional % rebate

Where a project includes a minimum 30% of Affordable Rental Dwelling Units (ARDU's) as defined in Schedule 4, the % of the annual rebate increases to:

- for TIF projects = **65%**
- for BTIF projects = **95%**

- i) Note: Any phase of a project with a minimum of 5 dwelling units, or 10 % of all dwelling units that are ARDU's, whichever is greater, are required to enter into a Core Rental Housing Agreement with the City, registered on title and setting out the monetary ARDU rental rate threshold to be maintained over the duration of the rebate period (Schedule 4).

4. **CALCULATING THE INCENTIVE VALUE**

a) **Division of Municipal Property Tax Eligible for Incentive Rebate**

Municipal property tax levied on a property is divided and distributed between the City, Region of Niagara, and the Province of Ontario. Based on a 2019 general breakdown, 44% of annual property taxes goes to the City, 44% to the Region of Niagara, and 12% to the Province. Different classes of use may also have different percentages.

The portion of municipal property tax eligible for a TIF or BTIF incentive is based on the City portion of municipal property tax, as follows:

i) City Rebate

The value of the TIF and BTIF incentive given by the 2020CIP is based only on the increase in the City portion of property taxes generated by project completion.

Example: total annual increase in municipal property tax generated by project completion = \$100,000/ City portion of property tax increase (44%) = \$44,000/ x 45% TIF incentive = \$19,800 annual rebate.

ii) Region of Niagara SNIP – Matching Rebate

The Region of Niagara also has incentive programs (Smarter Niagara Incentive Program - SNIP), and has typically provided matching incentives under the SNIP to those provided by the City.

Subject to Region of Niagara approval, the Regional portion of municipal property tax is added to increase the value of the TIF and BTIF incentive given.

Example: total annual increase in municipal property tax generated by project completion = \$100,000/ City and Region portion of property tax increase (44% + 44% = 88%) = \$88,000/ x 45% TIF incentive = \$39,600 annual rebate.

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NOTE: The Region of Niagara SNIP is currently under review, and as of the adoption date of the 2020CIP, there has been no determination as to if, or what, programs under the SNIP may be continued. Applicants for a 2020CIP incentive are advised to contact the Region of Niagara for status and eligibility to receive a Regional incentive.

iii) Province of Ontario

The Provincial (education) portion of municipal property tax (12%) may be eligible for an incentive rebate only insofar as it applies to the site *remediation* component of a BTIF project, as follows:

- The rebate of the Provincial (education) portion of property tax is subject to a separate application to the Minister of Finance for approval under the Provincial Brownfields Financial Tax Incentive Program (BFTIP).

Under the BFTIP, the Province may rebate all, or a portion, of the Provincial (education) portion of municipal property taxes on a property for up to 3 years, and not to exceed eligible remediation project costs incurred.

- Eligibility requirements, eligible project costs, the % of incentive rebate, and timing and conditions of approval and incentive payment under the Provincial BFTIP may vary from the City's BTIF program.
- To access the Provincial BFTIP, property owners must first make a complete application to the City for a BTIF incentive. The City, upon request from and on behalf of the property owner, will then make application to the Province under the BFTIP and forward a draft or executed CIP (BTIF) Agreement to the Province for review and consideration.

The BFTIP rebate is subject to Provincial approval of the draft or executed BTIF agreement, and which may be amended to incorporate Provincial conditions and terms of approval.

- Property *remediation* may commence prior to BFTIP approval, subject to formal execution of the BTIF agreement with the City.

Eligible BFTIP *remediation* costs that are incurred after execution of the BTIF Agreement with the City, but prior to Provincial approval, are still eligible for a BFTIP incentive, and the BFTIP incentive rebate may extend for a period of up to 3 years after project completion and beyond the BTIF timeline requirements in Section 1.7.

b) Estimated versus Actual Property Tax Assessment / Incentive Value**i) Estimated Post Development Assessment/Incentive Value**

Applications for a TIF or BTIF incentive are required to submit a detailed estimate, prepared by the Municipal Property Assessment Corporation (MPAC), identifying the estimated post-development property tax assessment at time of project completion.

The MPAC submission is used to determine the estimated difference between pre-development property tax assessment (*Base Year*) and post-development property tax assessment (*Commencement Year*) generated by project completion, the estimated increase in annual property taxes derived by the difference (the *Tax Increment*), and the estimated dollar value of the % rebate given.

The estimate informs the basis for determining the proposed incentive value request.

ii) Actual Post Development Assessment/Incentive Value

- The property owner has 1.5 years after project completion to satisfy all conditions of CIP approval and trigger payment of the rebate. This includes the submission of an MPAC Supplementary Property Tax Assessment which identifies the actual property tax assessment at time of project completion.

It is the Supplementary Assessment that is used to determine the actual increase between pre- and post- development property tax assessment (*Base Year* vs. *Commencement Year*), the actual increase in annual property tax generated by project completion, and the actual dollar value of the % rebate given.

NOTE: Where the Supplementary Assessment exceeds the original MPAC estimate by 5% or greater, the MPAC estimate is used to determine the actual value of the incentive. Otherwise it is the Supplementary Assessment that is used to determine the incentive value.

- Once calculated, the annual rebate value does not increase throughout the rebate period, regardless of whether there is an increase in property tax assessment or annual property taxes levied during this time period.

However, any decrease in property tax assessment or annual property taxes levied during the rebate period will result in a corresponding % decrease in the annual rebate.

c) Incentive cannot exceed Eligible Project Costs

Eligible Project Costs that may be claimed for a TIF or BTIF incentive are set out on Schedule 3.

- Only project costs incurred directly by the property owner are eligible;
- Eligible project costs incurred prior to execution of a CIP Agreement with the City are not eligible for the incentive, with certain exceptions (Schedule 3, Section 1c));
- The incentive value shall not exceed eligible project costs incurred by the property owner;
- The rebate is equal to eligible project costs incurred or the incentive value calculated in a) and b) above, whichever is less.

d) Incentive cannot exceed Total Project Costs

Additional financial incentives may be secured for the same project from other government agencies, non-profit groups, or other agencies and associations. The amount, duration and provider of the incentives, including conditional approvals, must be declared to the municipality as a condition of rebate payment.

Where the value of all other incentives, combined with the City incentive, is greater than total project costs incurred, the value of the TIF or BTIF incentive will be decreased accordingly to ensure that all incentives provided for the project do not exceed total project costs incurred.

5. PROJECT EVALUATION

TIF and BTIF applications are evaluated on the Project Evaluation System set out in Schedule 2.

The Project Evaluation System establishes project components and criteria, with each component, and thresholds within, assigned a weighted points total. A total of 100 points are available. A TIF or BTIF project must achieve a minimum of 50 points to qualify for consideration of CIP approval.

The 2020CIP establishes intake dates for accepting TIF and BTIF complete applications. The weighted points system allows a detailed evaluation of each project, and also enables a priority ranking of all applications submitted at an intake date for consideration of project approval.

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Evaluation system components reflect and emphasize community renewal objectives and goals aligned with the City's Corporate Strategic Plan, the City's Official Plan and other municipal plans, and are as follows:

- Location: emphasis on Downtown, Priority Neighbourhoods and Official Plan Intensification Areas (Schedule 1)
- Density generation: people and jobs
- Environmental *Remediation*
- Affordable Rental Housing
- Heritage Restoration/Conservation
- Mixed Use development: commercial nodes, centres, corridors
- Municipal Financial Benefit: increased assessment, investment
- Value Added: public realm, climate change, sustainability initiatives

6. **APPLICATION INTAKE/ REQUIREMENTS**

a) Application Intake Date

The municipality will establish defined intake dates for submission of a complete TIF or BTIF application.

b) Minimum Requirements to submit a Complete Application

- i) The property owner shall not be in arrears of any property taxes, local improvement charges or any other arrears or charges by the City, Region or the Province.

- ii) Pre-Consultation

A formal Pre-Consultation meeting with municipal and other agency staff is required prior to submission of a complete application.

The proposed project will be vetted at Pre-Consultation to ensure it is in compliance with the Official Plan, Zoning By-law, other municipal /agency regulations and design standards, and will identify issues, requirements, studies or further analysis that needs to be addressed prior to submission of the complete application.

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iii) Submission Material

The following materials are required to be submitted for a complete application.

i) Detailed Development Proposal/Site Plan

- a) A detailed Brief and Site Plan of the project, including a property survey prepared by a qualified land surveyor (OLS), identifying and addressing all components of the proposed development, including any proposed phasing of development.

- The proposal Brief and Site Plan:
 - must be in, and demonstrate, compliance with Official Plan policy, Zoning By-law regulations, and other municipal and agency regulations and design standards;
 - shall be accompanied by other concept plans (elevation drawings, landscape plan, site servicing, etc.) and supporting studies (housing, heritage, market analysis, etc.) where required by the municipality;
 - must be sufficiently detailed to address and evaluate all of the Project Evaluation System components and criteria established in Schedule 2.

NOTE: Any deviation between the proposed development plan approved and the actual development constructed, other than minor or required revisions made to the satisfaction of the municipality, will render the TIF or BTIF approval void.

- b) Estimated Project Timeline: The proposal Brief shall include a detailed estimated timeline for project completion, and completion of all major development components.

NOTE: Project timeline requirements are set out in Section 1.7 iv) below.

ii) Municipal Property Assessment Corporation (MPAC) Estimate

- A detailed estimate of post-development property tax assessment (Section 1.4 b)) prepared by the Municipal Property Assessment Corporation (MPAC);
- The MPAC estimate is to be accompanied by a copy of the

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the applicant's submission to MPAC requesting the estimate. The applicant's submission to MPAC must identify in detail all components of the proposed development;

- The MPAC estimate must be consistent with and adequately address all components of the proposed development.

iii) Estimated Project Costs

A detailed, itemized estimate of total project costs prepared by qualified professionals, and broken down to address each of the project components set out in Schedule 2 (Evaluation System) and Schedule 3, Section 1 (Eligible Costs).

iv) Environmental Studies (for BTIF Applications only)

A Phase 1 and Phase II Environmental Site Assessment, completed on the property at the cost of the property owner and prepared by a Qualified Person as defined by Ontario Regulation 153/04, as amended, that identifies that a Record of Site Condition (RSC), or other *remediation* approval by the MECP, cannot currently be obtained for the proposed use of the property because it does not meet certain Environmental Protection Act standards;

v) Declaration of Other Incentives

The Declaration shall identify additional grants or financial incentives that have, or are intended to be secured for the same project from other government agencies, non-profit groups, or other agencies and associations. The approved or estimated amount, duration and provider of the grant or incentive must be declared.

7. **PROJECT APPROVAL/TIMELINE**

i) **Approval Authority**

- City Council is the approval authority for TIF or BTIF applications and funding, except where authority is delegated to municipal staff.
- Where delegated, maximum incentive value thresholds for project approval are established.

ii) **Application Process**

All complete applications submitted at the defined intake date will be processed and evaluated concurrently.

iii) CIP Agreement

- After a TIF or BTIF project has been approved by the municipality, and prior to project commencement, the property owner is required to execute a CIP Agreement with the municipality within 90 days of the date of approval;
- With certain exceptions, any eligible project costs incurred prior to execution of the CIP Agreement are not eligible for the incentive (Schedule 3);
- Only the property owner entered into the CIP Agreement will receive the incentive rebate from the municipality. The CIP Agreement may be assigned to others subject to approval of the municipality.

iv) Project Timeline

a) Project Completion

The project must be completed to the satisfaction of the municipality, as follows:

i) TIF Projects

- within 3 years of the date of execution of the CIP Agreement.

ii) BTIF projects:

- within 5 years of the date of execution of the CIP Agreement.
- prior to the *remediation* stage of the project, the property owner shall provide to the satisfaction of the municipality:
 - a remedial work plan, risk management plan or other *remediation* management plan, including detailed estimated project costs, prepared by a Qualified Person as defined by Ontario Regulation 153/04, as amended, that has been approved by the MECP necessary to obtain and file a Record of Site Condition (RSC), or to satisfy other *remediation* approval granted by the MECP, for the proposed use for the property.
- prior to the development stage of the project, the property owner shall provide to the satisfaction of the municipality:

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- confirmation that a RSC approved by the MECP has been filed with the Environmental Site Registry for the proposed use of the property, or that other *remediation* approval has been granted by the MECP in accordance with the Environmental Protection Act.

iii) Phased Development

Projects on large tracts of land may be developed in phases.

- phased projects will only be considered for approval on properties in excess of 0.4 hectares (1 acre) in size, unless otherwise warranted by the municipality;
- each phase is subject to the timelines in iv) a) above and iv) b) below, with the following exception;
 - for BTIF projects, each additional phase after phase 1 must be completed within 3 years from the date of the initial CIP Agreement
- all phases of development must be completed within 10 years of the date of the initial CIP Agreement.

b) Commencement of Annual Incentive Rebate

To trigger payment of the rebate incentive, the property owner must, within 1.5 years of the date of project completion as set out in iv) a) above:

- make written request to the municipality for the incentive payment;
- satisfy all conditions of TIF or BTIF approval as set out in Section 1.8 below.

8. REQUIREMENTS FOR COMMENCEMENT OF INCENTIVE

Prior to disbursement of the incentive rebate, the property owner must satisfy all conditions and requirements of the CIP Agreement, and including the following:

- i) all municipal property taxes levied on the property are paid in full;
- ii) where the project includes a minimum number of ARDU's, the property owner is required to enter into a Core Rental Housing Agreement with the City, registered on title and setting out the monetary ARDU rental rate

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threshold to be maintained over the duration of the rebate period (Schedule 4);

- iii) submission and confirmation by the municipality of a Supplementary Property Tax Assessment prepared by the Municipal Property Assessment Corporation (MPAC) identifying the new property tax assessment at time of project completion;
- iv) For BTIF projects, confirmation that a RSC, prepared by a Qualified Person as defined by Ontario Regulation 153/04, as amended, has been approved by the MECP and filed on the Environmental Site Registry, or other approval granted by the MECP in accordance with the Environmental Protection Act, for the new use of the property;
- v) confirmation that the project has been completed in accordance with development plans submitted for the TIF or BTIF approval and that all municipal and agency approvals are obtained and authorization given for occupancy;
- vi) submission of an Eligible Costs Form setting out in itemized detail all project costs incurred by the property owner, broken down by components identified in Schedule 3, Section 1, and must include but not limited to detailed invoices, contracts, service /material provider, materials supplied, purchase orders and proof of payment;
- vii) declaration of any financial incentives that have been secured, or received conditional approval, for the same project from other government agencies, non-profit groups, or other agencies and associations. The amount, duration and provider of the incentives must be set out in the declaration;
- viii) a Municipal Compliance Audit and confirmation of no tax arrears, outstanding work orders, local improvement charges or any other charges of the City or other agencies, property standards compliance, and may include third party review or audit of eligible project costs at the expense of the property owner.

2. Brownfield Tax Assistance Program (BTA)

1. PURPOSE

The Brownfield Tax Assistance Program (BTA) provides a tax incentive to help offset project costs specific only to environmental *remediation* of previously developed properties that are usually, but not exclusively, former industrial (brownfield) or commercial (greyfield) lots that may be underutilized, derelict or vacant: and, where a Record of Site Condition (RSC), or other *remediation*

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approval by the Ministry of the Environment, Conservation and Parks (MECP) is required to facilitate a future new standard of use on the property.

The BTA is for environmental *remediation* only and is not tied to a specific concurrent development proposal such as is required under the BTIF program.

2. **ELIGIBLE PROPERTIES**

The BTA program is available to all properties located within the Urban Area CIPA where:

- the property is generally in excess of 0.5 hectares (1.2 acres) in size;
- a Phase I and II Environmental Site Assessment, completed on the property at the cost of the property owner and prepared by a Qualified Person as defined by Ontario Regulation 153/04, as amended, identifies that a Record of Site Condition (RSC), or other *remediation* approval by the MECP, is required to facilitate a new proposed standard of use on the property.
- lands subject to a Brownfield Tax Increment Finance (BTIF) incentive (Part B, Section 1) are not eligible for a BTA incentive;

3. **INCENTIVE REBATE**

Percentage Rebate of Municipal Property Taxes

The BTA incentive provides a rebate of up to 100% of municipal property tax paid on a property, over a maximum period of 3 years, to help offset project costs incurred on the property specific to soil *remediation* or other *remediation* management.

4. **CALCULATING THE INCENTIVE VALUE**

a) Division of Municipal Property Tax Eligible for Incentive Rebate

Municipal property tax levied on a property is divided and distributed between the City, Region of Niagara, and the Province of Ontario. Based on a 2019 general breakdown, 44% of annual property taxes goes to the City, 44% to the Region of Niagara, and 12% to the Province. Different classes of use may also have different percentages.

The portion of municipal property tax eligible for a BTA incentive is based on the City portion of municipal property tax, as follows:

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i) City Rebate

The value of the BTA incentive given by the 2020CIP is based on the City portion of municipal property taxes.

Example: total annual municipal property tax = \$100,000/ City portion of property (44%) x 100% BTA incentive = \$44,000 rebate x 3 years = \$132,000 total eligible rebate.

ii) Region of Niagara SNIP – Matching Rebate

The Region of Niagara also has incentive programs (Smarter Niagara Incentive Program - SNIP). To date, the Region has typically provided a matching BTA incentive under the SNIP to that provided by the City for approved projects.

Subject to approval by the Region of Niagara, the Regional portion of municipal property tax may be included to determine the total value of the BTA incentive given.

Example: total annual municipal property tax = \$100,000/ City and Region portion of property tax (44% + 44% = 88%) x %100 BTA incentive = \$88,000 rebate x 3 years = \$264,000 total eligible rebate

NOTE: The Region of Niagara SNIP is currently under review, and as of the adoption date of the 2020CIP, there has been no determination as to if, or what, programs under the SNIP may be continued. Applicants for a 2020CIP incentive are advised to contact the Region of Niagara for status of the SNIP and eligibility to receive a Regional incentive.

iii) Province of Ontario

The Provincial (education) portion of municipal property tax (12%) may be eligible for an incentive rebate for site *remediation*, as follows:

- The rebate of the Provincial (education) portion of property tax is subject to a separate application to the Minister of Finance for approval under the Provincial Brownfields Financial Tax Incentive Program (BFTIP).

Under the BFTIP, the Province may rebate all, or a portion, of the Provincial (education) portion of municipal property taxes on a property for up to 3 years, and not to exceed eligible project costs incurred.

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- Eligibility requirements, eligible project costs, the % of incentive rebate, and timing and conditions of approval and incentive payment under the Provincial BFTIP may vary from the City's BTA program.
- To access the Provincial BFTIP, property owners must first make a complete application to the City for a BTA incentive. The City, upon request from and on behalf of the property owner, will then make application to the Province under the BFTIP and forward a draft or executed CIP (BTA) Agreement to the Province for review and consideration.

The BFTIP rebate is subject to Provincial approval of the draft or executed BTA agreement, and which may be amended to incorporate Provincial conditions and terms of approval.

- Property *remediation* may commence prior to BFTIP approval, subject to formal execution of the BTA agreement with the City.

Eligible BFTIP *remediation* costs that are incurred after execution of the BTA Agreement with the City, but prior to Provincial approval, are still eligible for a BFTIP incentive, and the BFTIP incentive rebate may extend for a period of up to 3 years after project completion and beyond the BTA timeline requirements in Section 2.6.

b) Incentive Value Calculated at *Base Year*

The total value of the BTA incentive is calculated based on the property taxes levied for the year in which complete application for the BTA incentive is made. This is defined as the *Base Year*.

Once determined, the *Base Year* value is extended over the 3-year incentive period to determine the total incentive value amount (*Base Year* value x 3 years = total eligible BTA incentive), regardless of whether property tax assessment or annual property taxes levied increases after the *Base Year*.

Any decrease in property tax assessment or annual property taxes levied after the *Base Year* will result in a corresponding % decrease in the total incentive rebate.

c) Incentive cannot exceed Eligible Project Costs

Eligible Project Costs that may be claimed for a BTA incentive are set out in Schedule 3, Section 2.

- Only project costs incurred directly by the property owner are eligible;

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- Eligible project costs incurred prior to formal approval and execution of a CIP (BTA) Agreement with the City are not eligible for the incentive, with certain exceptions (Schedule 3, Section 2 b));
- The BTA incentive shall not exceed eligible project costs incurred by the property owner;

The BTA rebate is equal to eligible project costs incurred or the incentive value calculated in a) and b) above, whichever is less.

d) Incentive cannot exceed Total Project Costs

Additional grants or financial incentives may be secured for the same project from other government agencies, non-profit groups, or other agencies and associations. The amount, duration and provider of the incentives must be declared to the municipality as a condition of rebate payment;

Where other incentives, combined with the City incentive, is greater than total project costs incurred, the value of the BTA incentive will be decreased accordingly to ensure that all incentives provided do not exceed total project costs incurred.

5. APPLICATION INTAKE/REQUIREMENTS

a) Intake Date

There is no defined intake date for submission of a complete BTA application, and are received on a first come basis.

b) Minimum Requirements to submit a Complete Application

- i) The property owner shall not be in arrears of any property taxes, local improvement charges or any other arrears or charges from the City, Region or the Province.

ii) Pre-Consultation

A formal Pre-Consultation meeting with municipal and other agency staff is required prior to submission of a complete application.

The proposed project will be vetted at Pre-Consultation to address consistency with the Official Plan and Zoning By-law and other municipal /agency regulations and design standards.

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The Pre-Consultation will identify issues, requirements, studies or further analysis that needs to be addressed prior to submission of the BTA complete application.

iii) **Submission Material**

The following materials are required to be submitted for a complete application.

a) Detailed Development Proposal

- A detailed proposal Brief of the project, including a property survey prepared by a qualified land surveyor (OLS) and a conceptual plan for future development, that addresses all components of the proposed site *remediation* and demonstrates consistency with Official Plan policy and other municipal and agency standards and requirements.
- Estimated Project Timeline: The proposal Brief shall include an estimated timeline for project completion, including completion of all major project components.

b) Environmental Studies

- A Phase I and Phase II Environmental Site Assessment, completed on the property at the cost of the property owner and prepared by a Qualified Person as defined by Ontario Regulation 153/04, as amended, identifying that a Record of Site Condition (RSC), or other *remediation* approval by the MECP, cannot currently be obtained for the proposed future standard of property use because it does not meet certain Environmental Protection Act standards;

NOTE: After application approval and prior to site *remediation*, the property owner must provide to the satisfaction of the municipality, a remedial work plan, risk management plan or other *remediation* management plan, including detailed estimated costs, that has been prepared by a Qualified Person as defined by Ontario Regulation 153/04, as amended, and approved by the MECP necessary to obtain and file a RSC, or to satisfy other *remediation* approval granted by the MECP in accordance with the Environmental Protection Act, for the proposed future standard of use on the property.

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c) **Estimated Project Costs**

An itemized estimate of total project costs, and major project components, prepared by qualified professionals, necessary to obtain a RSC for the proposed future standard of use of the subject property, and broken down to address each of the project components set out in Schedule 3, Section 2 (Eligible Costs).

d) **Declaration of Other Incentives**

The Declaration shall identify additional grants or financial incentives that have, or are intended to be secured for the same project, from other government agencies, non-profit groups, other agencies and associations. The approved or estimated amount, duration and provider of the grant or incentive must be declared.

6. PROJECT APPROVAL/TIMELINE

i) **Approval Authority**

City Council is the approval authority for BTA applications and funding.

ii) **Approval Process**

Complete applications will be processed on a first come basis, and a Corporate staff report will be brought before Council for consideration of approval.

iii) **CIP Agreement**

- After a BTA project has been approved by Council, and prior to project commencement, the property owner is required to execute a CIP (BTA) Agreement with the municipality within 90 days of the date of Council approval;
- With certain exceptions, any eligible project costs incurred prior to execution of the CIP Agreement are not eligible for the incentive (Schedule 3, Section 2 b));
- Only the property owner who entered into the CIP Agreement will receive the incentive rebate from the municipality. The CIP Agreement may be assigned to others subject to approval of the municipality.

iv) **Project Timeline**

i) **Project Completion**

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Within 3 years of the date of the CIP Agreement, the project must be completed and a RSC approved by the MECP, or other approval granted by the MECP, and filed on the Brownfields Environmental Site Registry for the proposed future standard of use of the property.

- Phased Development
 - A phased BTA project will only be considered where phase 1 of the project is generally a minimum 80% of site area, and any subsequent phase no less than 20% of site area, unless otherwise warranted to the satisfaction of the municipality;
 - The initial (phase 1) of the project must be completed within 3 years, and all phases of the BTA project completed within 5 years, of the date of the initial CIP Agreement.

v) **Commencement of Incentive Rebate**

To trigger payment of the BTA incentive rebate, the property owner must, within 3 years of the date of CIP Agreement,

- make written request to the municipality for the incentive payment;
- satisfy all conditions of the BTA approval as set out in Section 2. 7 below.

NOTE: If the project is completed in advance of the 3-year limit (ex. year 1 or 2), the amount of incentive disbursed by the municipality at any one time shall not exceed the amount of municipality property taxes (City %) paid in full on the property during the BTA program period.

7. REQUIREMENTS FOR COMMENCEMENT OF INCENTIVE

Prior to disbursement of the incentive rebate, the property owner must satisfy all conditions and requirements of the CIP (BTA) Agreement, and including the following:

- i) That all municipal property taxes levied on the property are paid in full;
- ii) confirmation that a RSC, prepared by a Qualified Person as defined by Ontario Regulation 153/04, as amended, has been approved by the MECP and filed on the Environmental Site Registry, or other approval granted by the MECP in accordance with the Environmental Protection Act, for the proposed future standard of use of the property;

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- iii) declaration of any grants or financial incentives that have been secured, or received conditional approval, for the same project from other government agencies, non-profit groups, or other agencies and associations. The amount, duration and provider of the incentives must be set out in the declaration;
- iv) submission of an Eligible Costs Form setting out in itemized detail all project costs incurred by the property owner, broken down by components identified in Schedule 3, Section 2, and must include but not limited to detailed invoices, contracts, service /material provider, materials supplied, purchase orders, proof of payment;
- v) a Municipal Compliance Audit and confirmation of no tax arrears, outstanding work orders, local improvement charges or any other charges of the City or other agencies, property standards compliance, and may include third party review or audit of eligible project costs at the expense of the property owner.

3. Façade Improvement Program (FIP)

1. PURPOSE

The Façade Improvement Program (FIP) provides a one-time grant to help offset project costs for a building façade improvement. Building façade improvements are intended to stimulate neighbourhood renewal, and promote a more connected, interactive, animated, cultural, accessible, and attractive street presence and public realm in keeping with key initiatives of the Official Plan (GCP) supporting community renewal, rejuvenation and revitalization.

2. ELIGIBILITY

a) Eligible Location

- Not all properties within the Urban Area CIPA are eligible for the FIP grant.
- Only properties within certain neighbourhoods, and having lot frontage on specific street segments therein, are eligible for a FIP grant. Schedule 5 sets out specific street segments within neighbourhoods, where properties having lot frontage thereon, are eligible for a FIP grant.

The location of eligible street segments is described as follows:

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- i) Downtown: most streets in the Core area are eligible, as well as a number of 'gateway' street segments extending outside the Downtown, as follows:
 - Ontario Street from Welland Avenue to Pleasant Avenue;
 - Lake Street from Welland Avenue to Carlton Street;
 - Niagara Street from Welland Avenue to Dacotah Street;
 - Queenston Street from Tasker Street to just west of Ravine Road;
 - St. Paul Street West from the Burgoyne Bridge to Strata Boulevard;
 - St. Paul Crescent from Dexter Street to Bellevue Terrace.
- ii) Facer Street: from Niagara Street to Grantham Avenue.
- iii) Merritt Street: from Glendale Avenue north to the CN Railway.
- iv) Port Dalhousie Core: includes parts of Lakeport Road, Lock Street, Main Street, and Hogan's Alley.

b) Eligible Facades

- a) The type and context of building facades eligible for a FIP grant are as follows:
 - i) A street-facing building facade that has ground floor commercial (office, retail, service commercial), indoor recreation or institutional uses excluding a Place of Worship;
 - ii) A rear facade of a building that is located on the southeast side of St. Paul Street between Ontario Street and Carlisle Street;
 - iii) exterior side facade of a building where both the exterior side façade and the front façade have ground floor commercial (office, retail, service commercial), indoor recreation or institutional uses excluding a Place of Worship; and, includes both building facades on a corner lot where one of the facades may not front of face onto a street segment identified in Section 3.2 a) above;
 - iv) side yard building façades that are directly adjacent to and facing a public space, and where the building has a street-facing building facade that has ground floor commercial (office, retail, service commercial), indoor recreation or institutional uses excluding a Place of Worship.

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- b) A building façade improvement receiving a FIP grant from the municipality in the previous 10 years is not eligible for a grant under the 2020CIP FIP program.

c) Eligible Landscaping

Permanent hard landscaping is eligible for part of a FIP grant where: undertaken in conjunction with a building façade improvement located on the same property and contiguous and immediately adjacent to the façade.

- d) The property owner shall not be in arrears of any property taxes, local improvement charges or any other arrears or charges from the City, Region or the Province.

3. GRANT VALUE

- a) After successful completion of the project, the applicant may receive a one-time grant from the City, as follows:

- i) The value of the grant is up to 50 % of eligible project costs (Schedule 7) incurred, to a maximum of \$10,000 per building façade.

- ii) Heritage FIP (HFIP) Grant:

Properties designated under Part IV or V of the Ontario Heritage Act, or listed on the City's Heritage Register, and undertaking heritage restoration works as part of a building façade improvement, are eligible for a Heritage FIP (HFIP) grant value up to 50% of eligible project costs incurred, to a maximum of \$15,000 per building façade.

- b) Region of Niagara – Matching Grant

- Applicants approved for a FIP grant may also be eligible to receive a matching grant through the Niagara Region Smarter Niagara Incentive Program (SNIP).

Not all eligible building façade types set out in Section 3.2 b) may be eligible for the matching grant under the SNIP.

NOTE: The Region of Niagara SNIP is currently under review, and as of the adoption date of the 2020CIP, there has been no determination as to if, or what, programs under the SNIP may be continued. Applicants for a 2020CIP incentive are advised to contact the Region of Niagara for status of the SNIP and eligibility to receive a Regional grant.

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- c) Any combined total grant approved by the City and the Region of Niagara shall not exceed 50 % of eligible project costs incurred.
- d) Additional grants or financial incentives may be secured for the same project from other government agencies, non-profit groups, or other agencies and associations. The amount, duration and provider of the incentives must be declared to the municipality as a condition of rebate payment;

Where other incentives, combined with the City incentive, is greater than total project costs incurred, the value of the FIP incentive will be decreased accordingly to ensure that all incentives provided do not exceed total project costs incurred.

4. **PROJECT EVALUATION**

- a) Projects must be consistent with municipal urban design guidelines and comply with the City's Zoning By-law, Ontario Building Code, Fire Code and any other agency standards or regulations.

- b) Project Evaluation System:

Each proposed building façade improvement shall be evaluated based on the Project Evaluation System set out in Schedule 6.

- i) Schedule 6, Section 1 establishes 10 criteria components to evaluate a building façade improvement. At least 8 criteria components must be satisfied to qualify for approval;
- ii) A building façade improvement under Section 3.2 b) ii) and iv) above needs only to satisfy 5 of the criteria components in Schedule 6, Section 1 to qualify for approval;
- iii) HFIP grant: In addition to satisfying i) or ii) above, projects that include heritage restoration and applying for a HFIP grant must satisfy all of the heritage restoration criteria set out in Schedule 6, Section 2 to qualify for approval.

5. **ELIGIBLE PROJECT COSTS**

Eligible Project Costs that may be claimed for a FIP grant are set out on Schedule 3.

- Only project costs incurred directly by the property owner are eligible.
- Project costs incurred prior to formal approval of a FIP grant by the City are not eligible for the incentive.

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- Permanent hard landscaping costs may be claimed up to 20% of total eligible project costs.

6. **APPLICATION INTAKE/REQUIREMENTS**

a) Application Intake

There is no defined intake date for submission of a complete FIP application, and are received on a first come basis.

b) Minimum Requirements to submit a Complete Application

- i) Applicants are encouraged to have a pre- consultation with municipal staff prior to application submission.

- ii) Submission Material

The following materials are required to be submitted for a complete application:

- A detailed concept plan and elevation plan for the applicable building façade, and where applicable, a landscape plan, identifying all project components;
- Pictures of the applicable façade, and any proposed landscape area, taken at time of application.
- Estimated Project Costs

An itemized estimate of total project costs, and component project costs, including proposed service providers. The estimate must be broken down to address each of the project components set out in Schedule 6 (Evaluation System) and Schedule 7 (Eligible Costs).

7. **PROJECT APPROVAL / TIMELINE**

a) Approval Authority

- City Council is the approval authority for FIP applications, except where authority is delegated to municipal staff.
- Complete applications will be processed on a first come basis.

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- The FIP Program is subject to a Council approved annual budget allocation. Application approval is contingent on the program budget allocation, and the number of approvals that may have already been granted.

b) Project Timeline

An approved project must be completed to the satisfaction of the municipality within 9 months from the date of approval issued by the Director of Planning and Building Services (PBS) or delegate.

c) Commencement of Grant payment

To commence the grant payment, the applicant must:

- provide written notice to the municipality within 30 days after project completion requesting to trigger the grant payment; and
- satisfy all requirements of the FIP program, and those set out in Section 8 below.

8. REQUIREMENTS FOR COMMENCEMENT OF GRANT

Prior to disbursement of the grant payment, the property owner must satisfy all FIP program requirements, and including the following:

- a) That all municipal property taxes levied on the property are paid in full;
- b) confirmation that the project has been completed in accordance with approved concept and elevation plans for the building façade improvement, and other plans where applicable (landscape plan);
- c) Picture documentation, taken at time of project completion, of the building façade and, where applicable, the landscaped area;
- d) submission of an Eligible Costs Form setting out in itemized detail all project costs incurred by the property owner, and broken down by components set out in Schedule 7, including but not limited to detailed invoices, contracts, service /material provider, materials supplied, purchase orders, proof of payment;
- e) declaration of any grants or financial incentives that have been secured, or received conditional approval, for the same project from other government agencies, non-profit groups, or other agencies and associations. The amount, duration and provider of the incentives must be set out in the declaration;

- f) a Municipal Compliance Audit and confirmation of no tax arrears, outstanding work orders, local improvement charges or any other charges of the City or other agencies, property standards compliance, and may include third party review or audit of eligible project costs at the expense of the property owner.

4. Accessory Dwelling Unit Program (ADU)

1. PURPOSE

The Accessory Dwelling Unit (ADU) Program provides a one-time grant to help offset project costs for:

- the construction of an (interior) accessory apartment dwelling unit within an existing principal dwelling unit or as an addition thereto;
- the construction of an (exterior) accessory apartment dwelling unit within an existing or new detached accessory structure.

This grant is intended to support a greater mix and size of housing types in the City, and the increased availability of affordable rental housing accommodation.

2. ELIGIBILITY

- a) Only on properties in compliance with the location and regulatory use permissions established in the Official Plan and Zoning By-law for accessory dwelling units;
- b) For the construction of:
 - an accessory apartment unit within, or as an addition to, an existing principal dwelling unit that is 5 years in age or older at time of complete application;
 - an accessory apartment unit within an existing or new detached accessory structure, or for a pre-fabricated accessory dwelling unit placed on the property.
- c) The property owner shall not be in arrears of any property taxes, local improvement charges or any other arrears or charges from the City, Region or the Province.

3. **GRANT VALUE**

- i) After successful completion of the project, the applicant may receive a one-time grant from the City, as follows:
 - the value of the grant is up to 70 % of eligible project costs incurred, to a maximum of \$20,000, for the construction of an interior or exterior accessory dwelling unit.
- ii) Additional financial incentives may be secured for the same project from other government agencies, non-profit groups, or other agencies and associations. The amount, duration and provider of the incentives, including conditional approvals, must be declared to the municipality as a condition of rebate payment.

Where the value of all other incentives, combined with the City incentive, is greater than total project costs incurred, the value of the ADU incentive will be decreased accordingly to ensure that all incentives provided for the project do not exceed total project costs incurred.

4. **ELIGIBLE PROJECT COSTS**

Eligible Project Costs that may be claimed for an ADU grant are set out below.

- Only eligible project costs that are consistent with, and incurred after the Building Permit for the accessory apartment unit has been issued by the Chief Building Official, may be claimed for the ADU grant;
- Eligible Project Costs include building materials, labour costs, and new or upgraded HVAC systems and plumbing where required under the Building Permit to facilitate construction of the accessory dwelling unit;
- Ineligible costs include, but are not limited to, household appliances, decorative amenities, and financing, consulting fees, and fees to prepare building permit plans.

5. **APPLICATION INTAKE/REQUIREMENTS**

- i) Application Intake

A complete ADU application must be made within 30 days of a Building Permit issued by the Chief Building Official for the accessory apartment unit, and are received on a first come basis.

- ii) Minimum Requirements to submit a Complete Application

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i) Submission Materials

- a copy of the Building Permit plans approved by the Chief Building Official for the construction of the accessory apartment unit.
- Estimated Project Costs: An itemized estimate of total project costs, and component project costs, including proposed service providers.
- Picture documentation of the proposed building area to be retrofitted or constructed for the accessory dwelling unit, taken at time of application.
- Applications for an (exterior) accessory apartment unit must also include a site plan of the property, including all building dimensions and yard setbacks of the applicable detached accessory structure, and other applicable regulations established in the Zoning By-law, and may include the requirement for a grading plan or other plans.

6. PROJECT APPROVAL/ TIMELINE

i) Approval Authority

- City Council is the approval authority for ADU applications, except where authority is delegated to municipal staff.
- Complete applications will be processed on a first come basis;
- The ADU Program is subject to a Council approved annual budget allocation. Application approval is contingent on the program budget allocation, and the number of approvals that may have already been granted.

ii) Project Timeline

An approved project must be completed to the satisfaction of the municipality within 12 months from the date of issuance of the applicable Building Permit.

iii) Commencement of Grant payment

To commence the grant payment, the applicant must:

- provide written notice to the municipality within 30 days after project completion requesting to trigger the grant payment; and

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- satisfy all requirements of the ADU program, and those set out in Section 7 below.

7. REQUIREMENTS FOR COMMENCEMENT OF GRANT

Prior to disbursement of the grant payment, the property owner must satisfy all ADU program requirements, and including the following:

- i) That all municipal property taxes levied on the property are paid in full;
- ii) A final inspection has been made, and an occupancy permit has been issued by the municipality for the accessory dwelling unit;
- iii) Picture documentation of the accessory dwelling unit, taken at time of project completion;
- iv) submission of an Eligible Costs Form setting out in itemized detail all project costs incurred by the property owner, and broken down by project components, including but not limited to detailed invoices, contracts, service /material provider, materials supplied, purchase orders, proof of payment;
- v) declaration of any grants or financial incentives that have been secured, or received conditional approval, for the same project from other government agencies, non-profit groups, or other agencies and associations. The amount, duration and provider of the incentives must be set out in the declaration;
- vi) a Municipal Compliance Audit and confirmation of no tax arrears, outstanding work orders, local improvement charges or any other charges of the City or other agencies, property standards compliance, and may include third party review or audit of eligible project costs at the expense of the property owner.

Part C: Implementation and Interpretation

1. Administration of the Plan

The Plan will be administered by the Planning and Building Services Department (PBS) in conjunction with Financial Management Services (FMS) and Legal and Clerks Services (LCS).

2. Monitoring

- i) Annual monitoring of the 2020CIP will be conducted:

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- of program participation, performance and municipal budget allocation and funding formula to provide the basis for decisions regarding program design and funding;
 - of Canada Mortgage and Housing (CMHC), Region of Niagara, and Niagara Region Housing (NRH) data, and the Affordable Rental Dwelling Unit (ARDU) rental threshold set out in Schedule 4;
- ii) The municipality will undertake a comprehensive review of the 2020CIP every 5 years to determine the overall effectiveness and relevance of Plan programs, policies, procedures, process and funding.

3. Revisions to the 2020CIP

- i) Minor revisions to the 2020CIP will not require Council approval or amendment to the 2020CIP where:
- made in accordance and to ensure consistency with the Planning Act, Municipal Act, other applicable legislation, and including the Region of Niagara Smarter Niagara Incentive Program (SNIP);
 - made to ensure consistency with terminology, definitions, schedules, policies or regulations established in the City's Official Plan and Zoning By-law;
 - made to clarify or better define 2020 program requirements, including evaluation criteria and eligible project costs;
 - made to update Plan Schedules in accordance with Part C, Section 2.i) above.
- ii) Formal amendments to the 2020CIP will be required where substantive changes are made, including but not limited to:
- changes to Community Improvement Project Areas and Priority Neighbourhoods;
 - addition of new goals, objectives and public/private investment strategies in response to completion of a Secondary Plan;
 - the addition of new 2020CIP program(s);
 - a revision to the defined % incentive rebate, or grant value of programs.
- iii) Council may remove or cancel a Plan program(s) at any time without an amendment to the 2020CIP, subject to adequate public notice given prior to removal or cancellation of the program(s).

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4. **Definitions**

The following definitions are *italicized* where they appear in the body of the Plan.

Base Year: means the municipal property tax assessment of a lot at time of complete application submission.

Commencement Year: means the municipal property tax assessment of a lot after project completion and based on the date of the Municipal Property Assessment Corporation (MPAC) Supplementary Property Tax Assessment.

Redevelopment: means the creation of new units, uses or lots on previously developed land, including conversion and /or intensification of underutilized or previously developed lots.

Remediation: means any action taken to reduce the concentration of contaminants on, in or under a lot, and/or a risk management plan or other management plan necessary to permit a Record of Site Condition to be filed on the Environmental Site Registry, or other approval granted by the Ministry of the Environment, Conservation and Parks (MECP) in accordance with the Environmental Protection Act.

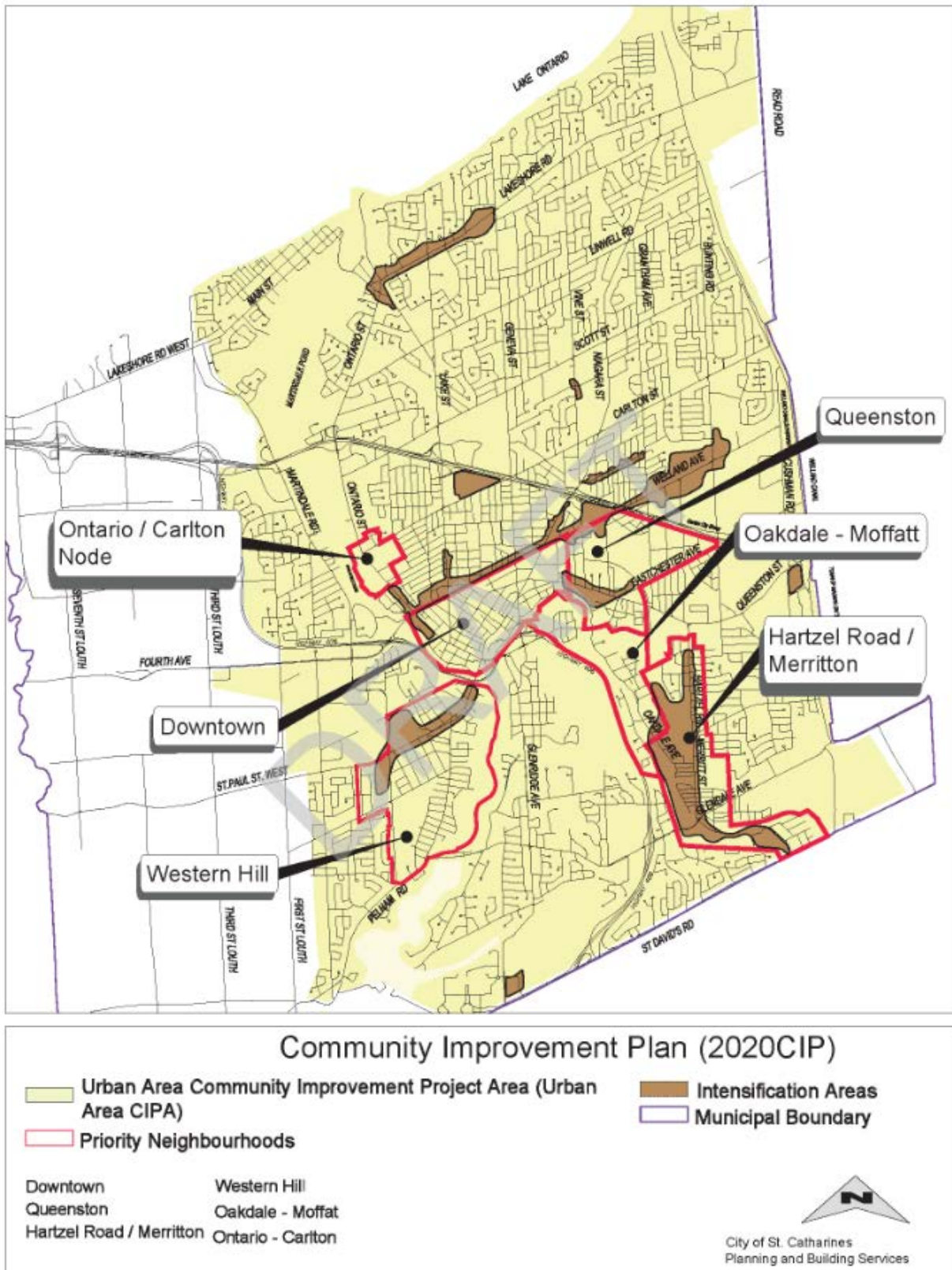
Tax Increment: means the difference between property tax assessment at the *Base Year* and the *Commencement Year*.

Part D: Schedules

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Schedule 1



Schedule 2

2020CIP: PROJECT EVALUATION SYSTEM FOR TIF AND BTIF APPLICATIONS

Section 1

TIF and BTIF applications are evaluated on the Project Evaluation System set out in Section 2 below.

The Project Evaluation System establishes project components and criteria, with each component, and thresholds within, assigned a weighted points total. Projects within and outside the Downtown Priority Neighbourhood (Schedule 1) may be subject to different evaluation components and assigned points. Whether in or out of the Downtown Priority Neighbourhood, a total of 100 points are available. A TIF or BTIF project must achieve a minimum of 50 points to qualify for consideration of CIP approval.

Part B, Section 1.6 of the 2020CIP establishes Intake dates for accepting TIF and BTIF complete applications. The weighted points system allows a detailed evaluation of each project, and also enables a priority ranking of all applications submitted at an Intake date for consideration of project approval.

Evaluation system components reflect and emphasize community renewal objectives and goals aligned with the City's Corporate Strategic Plan, the City's Official Plan and other municipal plans, and are as follows:

- Location: emphasis on Downtown, Priority Neighbourhoods, Official Plan Intensification Areas (Schedule 1)
- Density generation: people and jobs
- Environmental *Remediation*
- Affordable Rental Housing
- Heritage Restoration/Conservation
- Mixed Use development: commercial nodes, centres, corridors
- Municipal Financial Benefit: increased assessment, investment
- Value Added: public realm, climate change, sustainability initiatives

Section 2

The Project Evaluation System is set out below.

PROJECT EVALUATION SYSTEM		
<u>Evaluation Components</u>	<u>Points</u>	<u>Eligibility</u>
1. In Downtown Priority Neighbourhood		
a) <u>Remediation</u> <ul style="list-style-type: none"> i) less than 3% of total project costs devoted to <i>remediation</i> ii) 3% to 5% of total project costs devoted to <i>remediation</i> iii) greater than 5% of total project costs devoted to <i>remediation</i> 	<ul style="list-style-type: none"> 4 7 13 	<ul style="list-style-type: none"> • minimum requirements to qualify for a BTIF incentive include: <ul style="list-style-type: none"> - on properties 0.4 Ha or greater in size, <i>remediation</i> costs must be a minimum of \$100,000 or 1% of total project costs, whichever is greater; - on properties less than 0.4 Ha in size, <i>remediation</i> costs must be a minimum of \$50,000 or 1% of total project costs, whichever is greater.
b) <u>Core Housing</u> <ul style="list-style-type: none"> i) 10% to 20% of total dwelling units are affordable (ARDU)* ii) 21% to 30% of total dwelling units are affordable (ARDU)* iii) greater than 30% of total dwelling units are affordable (ARDU)* 	<ul style="list-style-type: none"> 3 9 11 	<ul style="list-style-type: none"> * (ARDU) means Affordable Rental Dwelling Unit as defined in Schedule 4

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<p>c) <u>Heritage Restoration/Conservation</u></p> <p>i) heritage restoration/conservation and reuse of a historically significant portion of buildings/structures located on non-designated (Ontario Heritage Act) properties</p> <p>ii) heritage restoration/conservation and reuse of entire buildings/structures located on (Ontario Heritage Act) designated Part IV or V properties</p>	<p>3</p> <p>10</p>	<ul style="list-style-type: none"> under i): <ul style="list-style-type: none"> includes any building/structure, or part thereof, deemed to have built or cultural heritage value or interest by the municipality subject to Heritage Impact Assessment and/or Conservation Plan under ii): <ul style="list-style-type: none"> may include component demolition, alterations subject to Heritage Permit Approval
<p>d) <u>Mixed Use Component</u></p>	<p>10</p>	<ul style="list-style-type: none"> to be eligible for points, must not have ground floor dwelling units or non-essential residential functions
<p>e) <u>Density Generation (measured in people and jobs /Ha)</u></p> <p>i) 50 - 100</p> <p>ii) 101 - 150</p> <p>iii) 151 - 200</p> <p>iv) 201 - 300</p> <p>v) 301 - 400</p> <p>vi) 401 - 500</p> <p>vii) > 500</p>	<p>2</p> <p>4</p> <p>8</p> <p>10</p> <p>12</p> <p>14</p> <p>18</p>	

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<p>f) <u>Investment</u></p> <p>1. Project Costs (in \$millions)</p> <p>i) 2 - 5</p> <p>ii) 5 - 10</p> <p>iii) 10 - 20</p> <p>iv) 20 - 30</p> <p>v) > 30</p> <hr/> <p>2. Estimated % Increase in Annual Property Taxes</p> <p>i) 25% - 200%</p> <p>ii) 201% - 300%</p> <p>iii) 301% - 400%</p> <p>iv) 401% - 500%</p> <p>v) 501% - 600%</p> <p>vi) > 600%</p>	<p>1</p> <p>2</p> <p>4</p> <p>6</p> <p>8</p> <hr/> <p>2</p> <p>4</p> <p>7</p> <p>10</p> <p>13</p> <p>16</p>	
<p>g) <u>Value Added</u></p> <p>i) sustainable site design</p> <p>ii) public area / streetscape contribution</p>	<p>7</p> <p>7</p>	<ul style="list-style-type: none"> innovative green technologies /stormwater management, green roofs, solar panels, electric vehicle charging stations, permeable pavement, etc. street furniture/fixtures, public court yard/walkway, enhanced landscaping /greening, transit amenities, connectivity, etc.
<p>❖ MAXIMUM POINTS AVAILABLE = 100</p> <p>❖ MINIMUM POINTS THRESHOLD TO BE ELIGIBLE FOR APPROVAL = 50</p>		

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<p>i) located within an Intensification Area*; OR</p> <p>ii) on or close to an Arterial Road with full transit access and within 800 metres of a defined Commercial Centre*; OR</p> <p>iii) within a defined Commercial Centre*</p> <p>b) within a Priority Neighbourhood*</p> <p>c) within a Priority Neighbourhood* where also located within an Intensification Area*</p>	<p>4</p> <p>6</p>	<p>* Commercial Centre is defined in Part D, Section 9.2.1 and 2 of the Official Plan</p>
<p>d) <u>Heritage Restoration/Conservation</u></p> <p>i) heritage restoration/conservation and reuse of entire buildings/structures located on (Ontario Heritage Act) designated Part IV or V properties</p>	<p>6</p>	<ul style="list-style-type: none"> - may include component demolition, alterations - subject to Heritage Permit Approval
<p>e) <u>Mixed Use Component</u></p> <p>i) within a (ZB)* Mixed Use zone</p> <p>ii) residential intensification within a (ZB)* Commercial zone</p>	<p>10</p> <p>10</p>	<ul style="list-style-type: none"> • within a Mixed Use zone, must have a minimum 50% residential gfa component to be eligible for any points • within a Commercial zone, must establish a minimum residential density of 32 units/Ha to be eligible for any points <p>* (ZB) means the City's Comprehensive Zoning By-law 2013-283</p>

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<p>f) <u>Density Generation (measured in people and jobs /Ha)</u></p> <p>i) 50 - 100</p> <p>ii) 101 - 150</p> <p>iii) 151 - 200</p> <p>iv) 201 - 300</p> <p>v) 301 - 400</p> <p>vi) 401 - 500</p> <p>vii) 501 - 600</p> <p>viii) > 600</p>	<p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p>	
<p>g) <u>Investment</u></p> <p>1. Project Costs (in \$millions)</p> <p>i) 2 - 5</p> <p>ii) 5 - 10</p> <p>iii) 10 - 20</p> <p>iv) 20 - 30</p> <p>v) > 30</p> <p>-----</p> <p>2. Estimated % Increase in Annual Property Taxes</p> <p>i) 25% - 200%</p> <p>ii) 201% - 300%</p> <p>iii) 301% - 400%</p> <p>iv) 401% - 500%</p> <p>v) 501% - 600%</p> <p>vi) > 600%</p>	<p>1</p> <p>2</p> <p>4</p> <p>6</p> <p>8</p> <p>-----</p> <p>2</p> <p>4</p> <p>7</p> <p>10</p> <p>13</p> <p>16</p>	

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<p>h) <u>Value Added</u></p> <p>i) sustainable site design</p> <p>ii) public area / streetscape contribution</p>	<p>7</p> <p>7</p>	<ul style="list-style-type: none"> innovative green technologies /stormwater management, green roofs, solar panels, electric vehicle charging stations, permeable pavement, etc. street furniture/fixtures, public court yard/walkway, enhanced landscaping /greening, transit amenities, connectivity, etc.
<p>❖ MAXIMUM POINTS AVAILABLE = 100</p> <p>❖ MINIMUM POINTS THRESHOLD TO BE ELIGIBLE FOR APPROVAL = 50</p>		

Schedule 3

2020CIP: ELIGIBLE PROJECT COSTS FOR TIF, BTIF and BTA PROJECTS

SECTION 1: Eligible Costs for TIF and BTIF Projects

Only eligible project costs that are paid for by the property owner who enters into the CIP (TIF or BTIF) Agreement with the City are eligible for the incentive.

Eligible project costs that are incurred prior to execution of a formal CIP Agreement with the municipality are not retroactively eligible for the TIF or BTIF incentive, with certain exceptions as set in Section 1 c) below.

a) Eligible costs for TIF Projects are as follows:

- i) demolition of buildings and structures, removal and disposal of materials and debris, abandoned infrastructure; general improvements for structural safety to satisfy property standards and minimum requirements of the Ontario Building Code;
- ii) lot preparation, construction/improvement/relocation of services, including but not limited to water service, sanitary/ storm sewers, roads, curbs, gutters, catchbasins, lighting, hydro, gas and communication services; construction of sound barriers, gas migration trenches;
- iii) capital expenditures for new building construction, and renovation, reuse, rehabilitation, alteration and expansion of existing buildings to be retained on site;
- iv) streetscaping, landscaping improvements, public realm improvements, sustainable development initiatives;
- v) Municipal Property Assessment Corporation (MPAC) Assessment Estimate, and Supplementary Assessment;
- vi) legal fees, consulting fees and financing costs as they relate to the preparation of complete application requirements in Part B, Section 1.6 of the 2020CIP and to eligible costs identified in i) to v) above.

b) Eligible costs for BTIF projects are as follows:

Eligible costs for BTIF projects include all those identified in Section 1 a) above, and the following:

- i) Phase I and II Environmental Site Assessment, Site Specific Risk Assessment (SSRA), remedial work plan or other qualified *remediation*/risk management

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plan completed on the property at the cost of the property owner, and prepared by Qualified Persons as defined by Ontario Regulation 153/04, as amended, necessary to obtain a Record of Site Condition (RSC), or other approval granted by the Ministry of the Environment, Conservation and Parks (MECP) for the proposed use of the property.

- ii) environmental soil *remediation*, or other qualified *remediation* or risk management in accordance with i) above.
- iii) removal of waste materials, placing of clean fill and grading;
- iv) interest charges related to the cost of financing the preparation of *remediation*/risk management studies and undertaking the *remediation*;
- v) insurance premium to guarantee *remediation* completion.

c) Retroactive Eligible Costs

Eligible project costs set out in a) and b) above that are incurred prior to execution of a formal CIP Agreement with the municipality are not retroactive eligible for the TIF or BTIF incentive, with the following exceptions.

- Legal fees, consulting fees and financing costs as they relate to the preparation of complete application requirements (Part B, Section 1.6 of the 2020CIP).
- Phase 1 and II Environmental Site Assessment, Site Specific Risk Assessment (SSRA)
- Phased Development

Projects occurring on significantly large properties may be phased over a long period of time. Environmental *remediation* costs that are incurred during Phase 1 of a project but which may also pertain to other parts of the site, and benefit and facilitate the development of the entire property, may be claimed in their entirety through the Phase 1 development, or may be claimed retroactively as eligible project costs in subsequent development phases.

Section 2: Eligible Costs for BTA Projects

Only eligible project costs that are paid for by the property owner who enters into the CIP (BTA) Agreement with the City are eligible for the incentive.

Eligible project costs that are incurred prior to execution of a formal CIP (BTA) Agreement with the municipality are not retroactively eligible for the BTA incentive, with certain exceptions as set in Section 2 b) below.

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a) Eligible costs for BTA projects are as follows:

- i) Phase I and II Environmental Site Assessment, Site Specific Risk Assessment (SSRA), remedial work plan or other qualified *remediation*/risk management plan prepared by Qualified Persons as defined by Ontario Regulation 153/04, as amended, and approved by the Ministry of the Environment, necessary to obtain a Record of Site Condition (RSC), or other approval granted by the Ministry of the Environment, Conservation and Parks (MECP) for the proposed use of the property.
- ii) environmental soil *remediation*, or other qualified *remediation* or risk management plan in accordance with i) above.
- iii) removal of waste materials, placing of clean fill and grading;
- iv) interest charges related to the cost of financing the preparation of *remediation*/risk management studies and undertaking the *remediation*;
- v) insurance premium to guarantee *remediation* completion.
- vi) legal fees, consulting fees and financing costs as they relate to the preparation of complete application requirements in Part B, Section 2.5 of the 2020CIP and to eligible costs identified in i) to v) above.

b) Retroactive Eligible Costs

- i) Eligible project costs set out in a) above that are incurred prior to execution of a formal CIP (BTA) Agreement with the municipality are not retroactive eligible for the BTA incentive, with the following exceptions.
 - a) Phase II Environmental Site Assessment, Site Specific Risk Assessment (SSRA)
 - b) Legal fees, consulting fees and financing costs as they relate to the preparation of complete application requirements (Part B, Section 2.5 of the 2020CIP).
- ii) Provincial Brownfields Financial Tax Incentive Program (BFTIP)

Eligible project costs under the BTA may vary from eligible costs under the Provincial Brownfields Financial Tax Incentive Program (BFTIP). See Part B, Section 2.4 iii) of the 2020CIP.

Eligible BFTIP project costs incurred after execution of the BTA Agreement with the City, but prior to Provincial approval of the BFTIP incentive, may be retroactive eligible for the BFTIP incentive subject to Provincial approval.

Schedule 4

2020CIP: AFFORDABLE RENTAL DWELLING UNIT (ARDU) THRESHOLD

Section 1

For the purposes of the 2020CIP, an affordable housing rental dwelling unit (ARDU) is calculated and defined as follows:

- i) Chart 1 below identifies core housing need in four (4) income level brackets, and also identifies the minimum rental cost to afford housing and the need (wait list) to acquire housing in each income level bracket.

The 2020CIP targets bracket 4 for core housing need, and the monthly housing cost in bracket 4 is determined as the maximum threshold for an affordable housing rental dwelling unit under Chart 1.

- ii) Chart 2 below identifies average rent charged for a bachelor and a 1, 2 or 3 bedroom unit in a townhouse and apartment building.
- iii) The lower of the monthly dwelling unit rental cost between Chart 1 and Chart 2 is determined to be the maximum affordable rental dwelling rate for the 2020CIP, and is defined as the threshold for an Affordable Rental Dwelling Unit (ARDU) in the 2020CIP.
- iv) The information provided in Chart 1 and 2 is compiled from data provided by the Canada Housing and Mortgage (CMHC) and Niagara Region Housing (NRH) and will be monitored and updated annually to determine the ARDU threshold.

Chart 1

Core Housing Need - Income Level Bracket	Monthly Housing Cost	# of households in core need (Niagara Region) - wait list for housing	# of households in core need (St. Catharines) - wait list for housing
1. \$19,399	\$484	8557	3165
2. \$19,400 - \$29,499	\$737	7545	2832
3. \$29,500 - \$39,799	\$995	6295	2345
4. \$39,800 - \$52,699	\$1317	1429	372

* The information set out in Chart 1 is compiled from Canada Housing and Mortgage Corporation (CMHC) and Niagara Region Housing (NRH).

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Chart 2

2019 – Private Row (Townhouse) and Apartment Average Rents (\$)								
Zone	Bachelor	+10%	1 Bedroom	+10%	2 Bedroom	+10%	3 Bedroom +	+10%
St. Catharines	750	825	961	1057	1176	1294	1296	1426

* The information set out in Chart 2 is compiled from Canada Housing and Mortgage Corporation (CMHC). A 10% increase in rental rates is factored in to account for market variables and lag time for CMHC reporting.

Section 2

- a) The Project Evaluation System in Part B, Section 1.5 and Schedule 2 evaluates TIF and BTIF projects, in part, based on the % of ARDU's to be created in a building.

Where a minimum of 30% of rental dwelling units in a TIF or BTIF project are ARDU's, the eligible % incentive rebate is increased to 65% for TIF projects, and 95% for BTIF projects (Part B, Section 1.3 c)).

- b) Any phase of a project with a minimum of 5 ARDU's, or 10 % of all dwelling units are ARDU's, whichever is greater, is subject to a Core Rental Housing Agreement with the City, to be registered on title, setting out the monetary ARDU rental rate threshold for affordable units to be maintained over the duration of the rebate period.

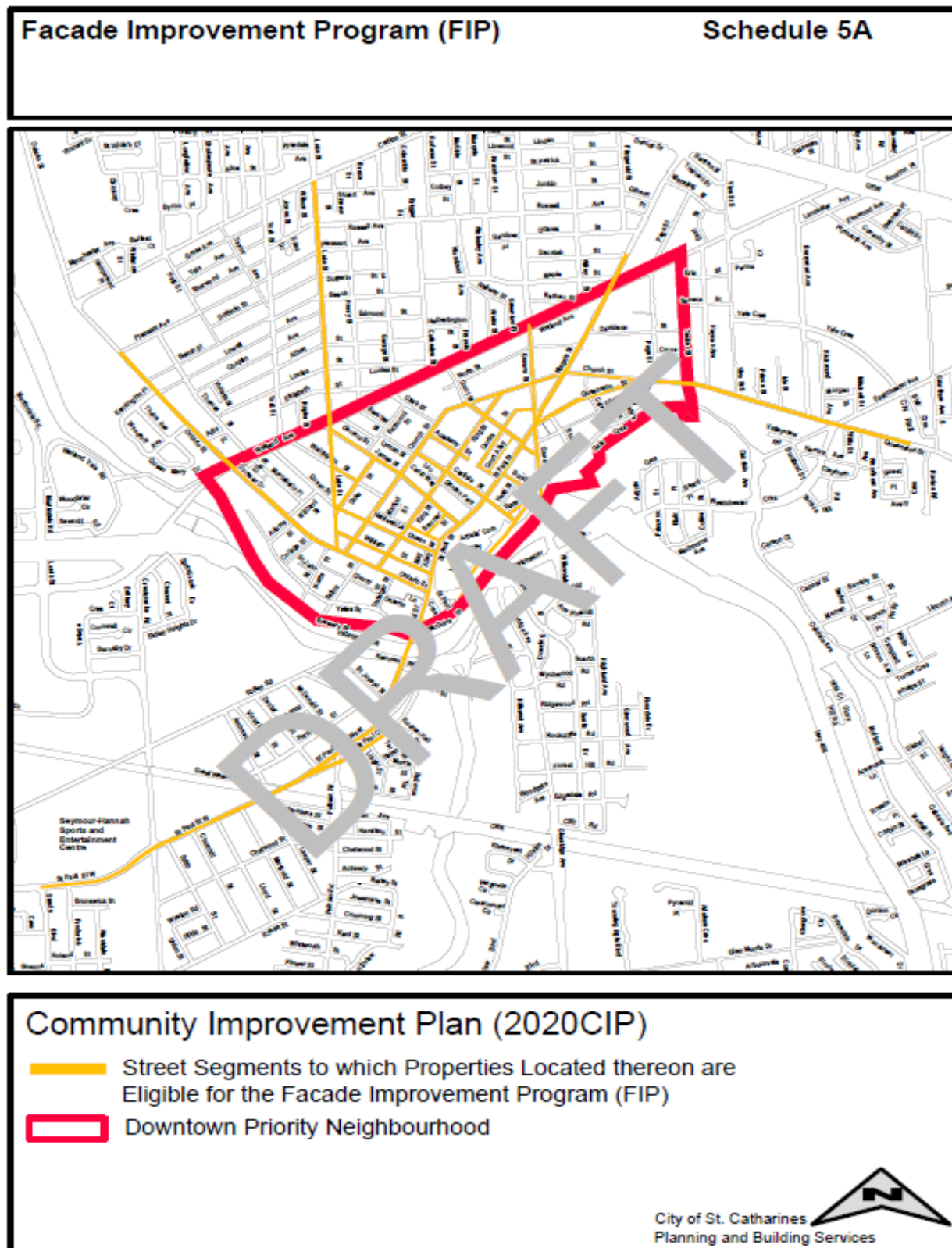
Schedule 5

2020CIP: FACADE IMPROVEMENT PROGRAM (FIP) - Eligible Properties

1. The following Schedules 5A to 5D identify 'street segments' to which properties located thereon are eligible for a FIP grant.

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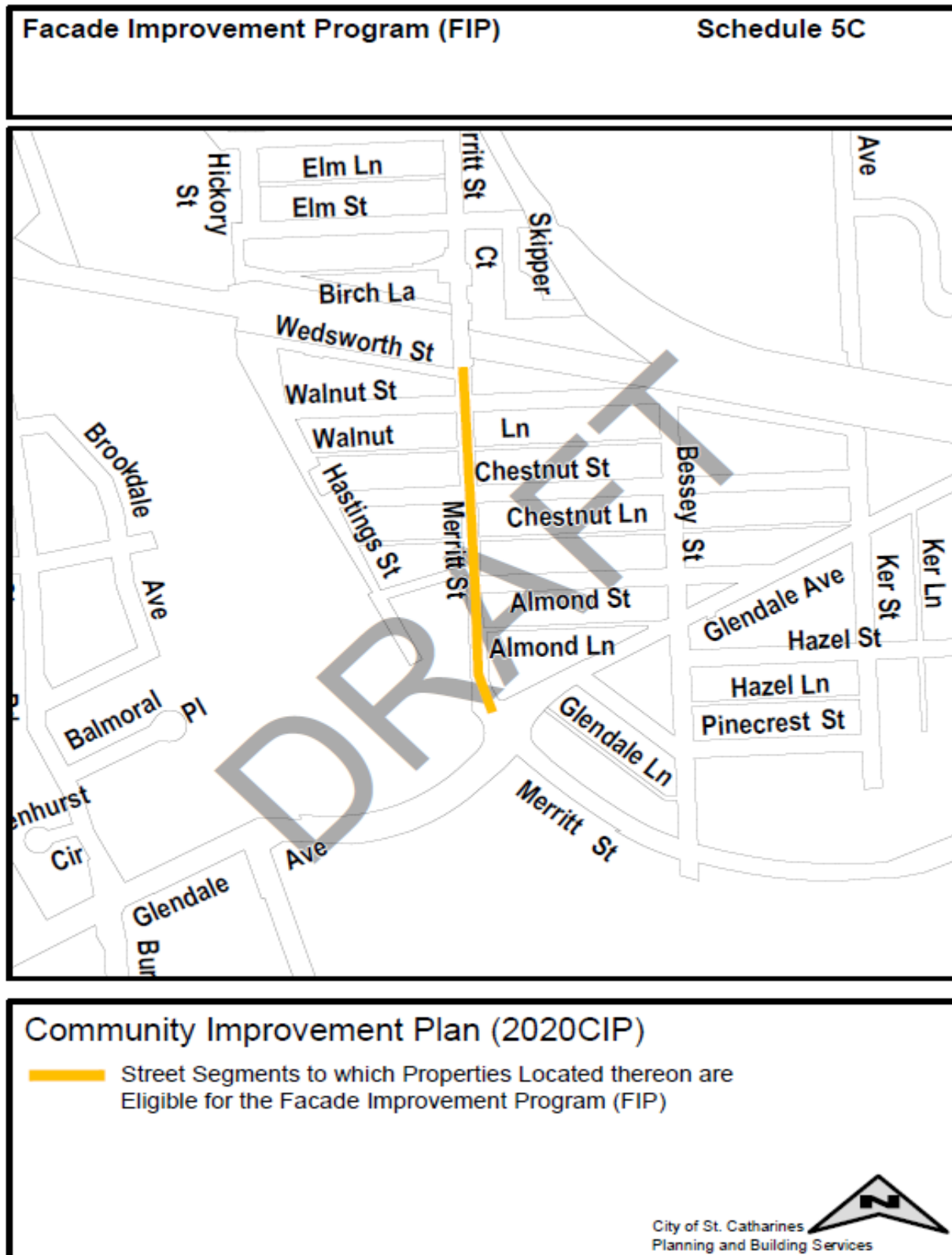
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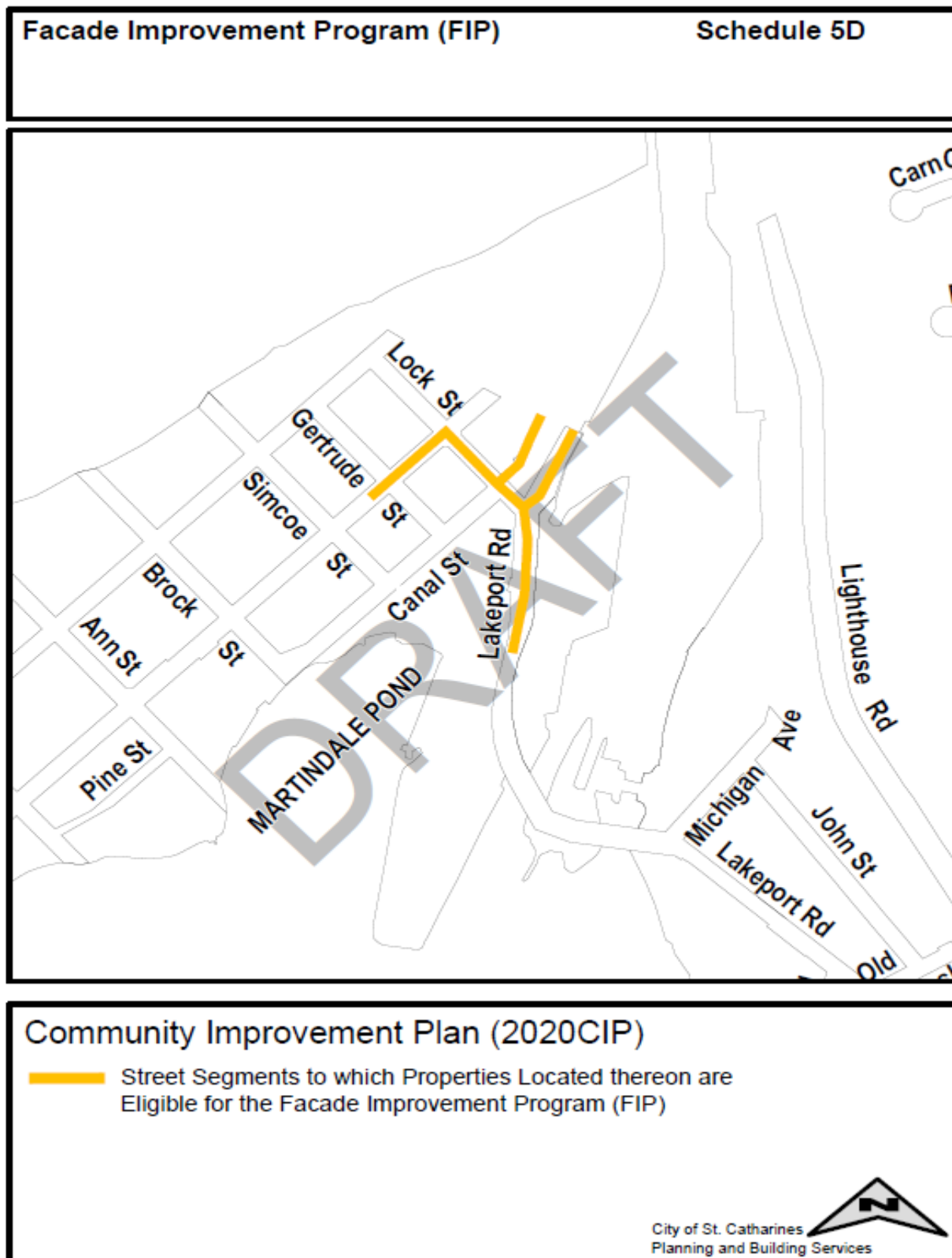
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Schedule 6

2020CIP: FACADE IMPROVEMENT PROGRAM (FIP) - Project Evaluation System

SECTION 1.

Each proposed building façade improvement shall be evaluated based on the 10 Project Criteria Components set out below.

- i) At least 8 project criteria components must be satisfied to qualify for approval of a FIP grant.
- ii) Eligible façades under Section 3.2 b) ii) and iv) of the 2020CIP need only satisfy 5 of the project criteria components to qualify for approval of a FIP
- iii) HFIP grant: In addition to satisfying i) or ii) above, projects that include heritage restoration and applying for a heritage FIP grant (HFIP) must also satisfy all of the heritage restoration criteria set out in Section 2 to qualify for approval of the grant.

PROJECT CRITERIA COMPONENTS
Comprehensiveness - Façade improvements should represent a holistic restoration and improvement strategy for the entire eligible façade, including entrances, ground floor, upper floors and rooflines.
Entrances - Ground floor facades should include a prominent, well-defined pedestrian entrance for each ground floor use or lobby, which is oriented to the sidewalk. Where new entrances are proposed, they shall be recessed from the sidewalk. Each new principle entrance shall be flush with the sidewalk or ramped in order to minimize barriers for people with disabilities or mobility challenges.
Storefront - Ground floor facades shall include a complete traditional storefront, including large clear glass display windows, a clear glazed or decorative door, and an appropriately designed cornice and bulkhead
Cultural Integrity - All distinctive original architectural elements should be retained and restored. This includes but is not limited to cornices, brickwork, window moldings, carvings, pilasters, bulkheads, parapets, transoms and other details. If a specific architectural element cannot be retained due to irreparable deterioration, replacement elements shall be compatible with the original to the greatest extent possible. Original architectural elements, including window openings and entrances shall not be covered, filled or obscured.

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<p>Materials and Cladding - The façade shall primarily be clad in brick or stone which is in a good state or repair or restored. Unpainted brick or stone should not be painted or covered. Previously painted masonry may be repainted. Masonry and mortar that must be repaired or replaced should match the existing material in colour, style and texture as closely as possible. Façade and accent colours shall be selected that reflect and enhance place character.</p>
<p>Ground Floor Windows - The surface area of the ground floor façade should be covered by at least 50% clear glazing that provides views to active interior space or lobbies. To allow people to clearly see in and out, tinted or reflective glazing is not permitted. Use of security grills or bars over windows is also not permitted. With the exception of limited traditional painted or decal window signs, signage and posters over windows shall be avoided.</p>
<p>Upper Windows - Original upper storey window openings should be retained, along with the traditional configuration of window panes and sashes. This includes retention of existing round head windows. Where new windows are proposed, they should reflect the size and spacing of original windows and those of adjacent buildings. Original window sills, surrounds and shutters should be retained and restored where possible, or replaced with a compatible alternative. Any window box air conditioners and wall-mounted satellite dishes shall be removed.</p>
<p>Compatibility and Proportions - The composition of the building should reflect characteristic proportions of surrounding buildings through the use of appropriate horizontal and vertical articulation, including typical facade widths and height, cornice heights, window and door composition and rooflines. The composition of the façade should reflect the established rhythm and spacing of the surrounding facades. Large facades will be visually broken down into smaller components.</p>
<p>Signage - All signage is appropriately sized to compliment the character and proportions of the façade and the established character of the block. Signage is generally limited to a dedicated sign band above the ground floor or storefront and will compliment, not clutter the streetscape. Signage should not occupy more than 15% of the surface area of the ground floor façade nor cover or obscure any architectural elements.</p>
<p>Streetscape Vibrancy - Facade improvements will include design elements that improve the vibrancy and pedestrian experience of the streetscape. These elements include but may not be limited to the provision of awnings, canopies, flower boxes, hard landscaping, decorative lighting, patios or art installations. Note that some of the elements may require additional approvals</p>

SECTION 2

In addition to satisfying project criteria components in Section 1, applicants for a HFIP grant must also satisfy all of the following heritage restoration criteria components to qualify for approval.

Materials

Principle exterior finish of the building shall be masonry. Accent materials may include wood, masonry, metals, glass, plaster and stucco; and

Repair or replacement materials to match the original as closely as possible, both visually and physically.

Windows

Wooden windows to be retained and restored as necessary. Storm windows with a matching or a one-over-one pane configuration may be used to improve energy efficiency;

Window components such as sash, muntins, glazing, pane configuration, sills, mullions, casings, brick molds and shutters are also significant and shall be retained and restored as necessary and

Where windows must be replaced, replacements shall match the old in material, design, and finish.

Storefront

Original or period storefront elements to be retained and restored including, hardware, display cases and windows, sign bands, entrances transoms and awnings; and

Storefronts to be restored using recognized conservation methods, or the limited replacement in kind, or with a compatible substitute material, of those extensively deteriorated or missing components, matching the existing work as closely as possible, both in both material and look.

Character-defining elements

Character-defining architectural elements shall be retained and restored. These elements may include parapets, cornices, brickwork, window moldings, pilasters, bulkheads, etc.;

If restoration is not possible due to irreparable deterioration, replacement elements should be in kind (like-for-like materials, design, scale, colour and finish); and

Character-defining architectural elements, including windows and doors, shall not be covered, filled or obscured.

Schedule 7

2020CIP: FAÇADE IMPROVEMENT PLAN (FIP) – Eligible Project Costs

Eligible Project Costs that may be claimed for a FIP grant are set out Section 1 below.

- Only project costs incurred directly by the property owner are eligible.
- Project costs incurred prior to formal approval of a FIP grant by the City are not eligible for the incentive.

1. Eligible Project Costs

- a) decorative or glazed doors;
- b) windows;
- c) exterior paint;
- d) stonework;
- e) brickwork;
- f) restoration of surfaces and architectural elements;
- g) exterior accessibility improvements;
- h) storefront and accent lighting;
- i) awnings and canopies;
- j) signage frame or backdrop;
- k) qualified contracted labour and design services; and
- l) permanent hard landscaping contiguous and immediately adjacent to the building façade improvement.

Ineligible Project Costs

Ineligible costs include financing, consulting fees, fees to prepare façade improvement/landscape plans, and:

- a) business signs;
- b) spandrel panels;
- c) reflective or darkly tinted glass,
- d) maintenance work;
- e) incidental costs;
- f) exterior cladding, including stucco/EIFS, except where upgrading a portion of the building that has already been clad or where it has been demonstrated that the underlying masonry is irreparably deteriorated
- g) any movable/temporary landscaping elements (e.g. planters, patio furniture, soft landscaping);

Part E: Appendices

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Appendix A

Official Plan (the Garden City Plan) Community Improvement Policies

The following are Community Improvement goals, objectives, and criteria for establishing Community Improvement Project Area (s) and Community Improvement Plans as set out in the City's Official Plan (the Garden City Plan):

Part D, General Policies, Section 7.4 of the Official Plan sets out the following:

Community Improvement - the City may designate by by-law the whole of the Urban Area as set out on Schedule D, or certain areas or properties therein, as Community Improvement Project Areas, and prepare and implement Community Improvement Plans for those areas to undertake specific projects and programs designed to bring about community improvement as set out in Part F, Section 16.14, and in keeping with the policies of this Plan.

Part F, Implementation and Interpretation Policies, Section 16.14 of the Official Plan sets out the following:

Community Improvement

The Planning Act allows municipalities to prepare Community Improvement Plans for designated Community Improvement Project Areas that require Community Improvement as a result of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or other justification.

Community Improvement is defined as the planning or re-planning, design or redesign, re-subdivision, clearance, development or redevelopment, construction, reconstruction and rehabilitation, improvement of energy efficiency or any of them, of a Community Improvement Project Area, and the provision of such residential, commercial, employment, public recreational, institutional, religious, charitable or other uses, buildings, structures, works, improvements or facilities, or space therefor, as may be appropriate or necessary.

Community Improvement shall be carried out through the designation, by by-law, of a Community Improvement Project Area and the preparation and implementation of a Community Improvement Plan to apply therein. The whole of the municipal Urban Area as set out on Schedule D of this Plan, or any parts therein, may be designated as a Community Improvement Project Area.

St. Catharines Community Improvement Plan (2020CIP)

1. Community Improvement Goals

- a) To co-ordinate and guide public and private improvement activities in designated Community Improvement Project Areas for revitalization and re-investment;
- b) To phase the implementation of improvement projects in accordance with local needs, established priorities and financial resources;
- c) To enable the municipality to participate in Federal, Provincial and Regional funding programs;
- d) To actively pursue private/public partnerships for community improvement projects;
- e) To stimulate private sector investment linked to public strategies for community planning.

2. Community Improvement Objectives

The objectives of these policies are:

- a. To upgrade inadequate municipal services and facilities in developed communities to an acceptable standard;
- b. To resolve issues of incompatible land use;
- c. To encourage the renewal, rehabilitation or redevelopment of private properties in order to maintain a safe and pleasant built environment within the community;
- d. To encourage the renewal, rehabilitation or redevelopment of public properties in order to maintain a safe and pleasant built environment within the community;
- e. To aid in fulfilling the potential of residential, mixed use, commercial and employment areas in the City;
- f. To support the achievement of intensification, density targets and the growth strategy as set out in this Plan;
- g. To improve parking, access and traffic circulation;
- h. To ensure that residents of developed communities are served by an adequate supply of open space, recreation and community facilities;
- i. To guide and prioritize the expenditure of public funds on community improvement;

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- j. To encourage environmental *remediation* and sustainability of development, including energy efficiency;
- k. To improve pedestrian and bicycle circulation and accessibility for all persons;
- l. To facilitate the restoration, maintenance, improvement and protection of natural hazard lands and natural heritage;
- m. To facilitate and promote economic and cultural development;
- n. To encourage a range and mix of housing types, including affordable housing;
- o. To facilitate the preservation, restoration, adaptive reuse, and improvements of buildings and landscapes with historical, architectural or other heritage significance.

3. Criteria for Designating Community Improvement Project Areas

Council will consider the following criteria in the designation of Community Improvement Project Areas:

- a) Inadequacy of some or all hard services, including water, sanitary sewers, storm sewers, roads, lighting and sidewalks;
- b) A significant portion of the housing stock and other buildings are in need of maintenance, rehabilitation or redevelopment;
- c) An inadequate mix of housing types; inadequate affordable housing;
- d) The presence of non-compatible land uses;
- e) Inadequacy of social, recreational, open space and cultural facilities and services;
- f) Within commercial areas, there is deterioration in the appearance of building facades, inappropriate signage, inadequate parking facilities or inadequate pedestrian accessibility;
- g) Within employment areas, the inefficiency of employment sites, access to, from and within the employment areas, inadequacies of parking, loading and outside storage areas, conflicts with neighbouring uses or the presence of obsolete buildings;
- h) Areas where there is significant environmental contamination and areas of potential environmental contamination;

St. Catharines Community Improvement Plan (2020CIP)

- i) Areas exhibiting environmental, social or community economic development problems
 - j) Areas exhibiting natural hazard land or natural heritage deterioration or degradation;
 - k) Improvement of housing and/or employment opportunities to support density targets established in this Plan for residential neighbourhoods, mixed use areas, intensification areas and the Urban Growth Centre.
- 4. Upon the designation of a Community Improvement Project Area, the City will prepare and implement a Community Improvement Plan which outlines the specific projects and programs that are designed to bring about community improvement.
- 5. Community Improvement Implementation
 - a) The City will continue to participate in senior government programs that meet the goals and objectives of Community Improvement programs. In addition the City will promote partnerships between private individuals and groups to improve any and all deficiencies that may occur within the community.
 - b) The City's Property Standards By-law and Zoning By-law can be used to minimize any detrimental effect that may occur to surrounding properties within the community.
 - c) The City may develop financial incentive programs, such as tax increment financing, tax assistance, waiving of fees and the creation of loan and grant programs to assist in achieving community improvement goals.
 - d) The City may acquire, lease or dispose of lands, construct or rehabilitate buildings or enter into agreements to complete studies to achieve the goals of a Community Improvement Plan.
 - e) The City will encourage the relocation of incompatible uses to more appropriate locations, through the use of financial incentives, if necessary, to achieve community renewal goals.
 - f) The City will encourage owners to make incompatible uses more compatible by such means as the installation of landscape screening, adhering to provincial requirements for noise and emissions and improved site access.

Appendix B

2020CIP - Priority Neighbourhoods

As set out in Part A, Section 3, six (6) Priority Neighbourhoods are established in the 2020CIP.

- Downtown
- Queensston
- Hartzel Road/Merritton
- Oakdale – Moffatt
- Western Hill
- Ontario / Carlton Node

The six Priority Neighbourhoods are identified as areas of emphasis within the Urban Area Community Improvement Project Area (Urban Area CIPA) for community renewal initiatives, and in keeping with the City's community improvement goals and objectives set out in the Official Plan.

A description of the Priority Neighbourhoods is summarized below, and the location and boundaries of each are identified in the attached Appendices B1 to B6.

1. Downtown

The Downtown, identified on Schedule B1, is the cultural and economic hub of the City. As set out in the Official Plan, it is intended to support the highest concentration and mix of uses in the municipality, and a catalyst area for supportive public and private sector investment in lands, buildings, infrastructure, and public realm initiatives.

The Provincial A Place to Grow Plan, as well as the Official Plan, designates most of the Downtown as an Urban Growth Centre, and sets out minimum residential and employment density targets to be achieved in this area.

The existing built environment has significant potential for small and medium scale *redevelopment* and reuse opportunities, and both interior and exterior building rehabilitation.

There are also a number of large underutilized properties with significant potential for *redevelopment*, including a number of current and former industrial properties now designated for medium and higher density residential use, and mixed use development, in the Official Plan. Most of these are located in the Niagara Street/Church Street area.

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2. Queenston

The Queenston neighbourhood is identified on Schedule B2.

Queenston Street is the major arterial road through this area. It forms part of a major gateway into the municipality with direct connection to the Downtown Core, is a designated Regional bike route and on the Niagara Wine route, and is one of the City's older traditional mixed use corridors.

The segment of Queenston Street within the Priority Neighbourhood is dominated by the former St. Catharines General Hospital property. This 5.5 hectare (14 acres) property is now vacant after hospital services were relocated to the new NHS Hospital on Fourth Avenue. The property represents significant residential and mixed use *redevelopment* and reuse opportunities. With the hospital relocation, other uses have also moved off the street, increasing vacant and underutilized building stock in the area, and opportunities for community renewal.

Queenston Street and surrounding residential neighbourhoods are generally characterized by older, fatigued building stock, with a disjointed and weary street presence, and contains many *redevelopment* and rehabilitation opportunities.

Policies established in the Official Plan support a greater mixed use environment along the Queenston Street corridor for medium density residential uses together with street oriented local neighbourhood commercial uses.

This corridor can also benefit from enhanced building facades to facilitate and strengthen attractive and cohesive gateway amenities and a vibrant street presence.

This neighbourhood also contains one of the older industrial districts in the City, and now characterized by a number of vacant and underutilized lots and abandoned buildings. Existing building stock is generally old and outdated for today's employment needs, standards, and emerging new uses. This area may benefit from investment stimulus for property reuse, rehabilitation and renewal to generate increased economic activities, intensification, diversity of employment and jobs.

3. Hartzel Road / Merrittton

The Hartzel Road / Merrittton area, identified on Schedule B3, is an area in transition. A number of large and small industrial users have left the area, such as the Domtar Steam Plant, Paper Mill, and Hayes-Dana. This provides significant opportunities for *remediation*, *redevelopment* and reuse of now abandoned lands and buildings for residential, commercial and other uses. There have been a number of residential and commercial development projects completed or initiated in this area over the past decade that have benefited from existing CIP programs.

The Hartzel Road - Merritt Street corridor has a number of vacant store fronts, lower order commercial uses, auto related uses, and many car dealerships which are no longer permitted in the City's Zoning By-law. There has been little demand for higher order commercial uses.

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The corridor has a disjointed streetscape, varying building setbacks, and many space expansive parking lots and access points onto the road. Much of the existing building stock is dated and in need of rejuvenation.

Policies established in the Official Plan support a greater mix of uses along the corridor for medium density residential and street oriented local neighbourhood commercial uses.

Together with public investment in the road corridor and other services, there are significant *redevelopment* opportunities along the corridor to be a catalyst for community renewal.

4. Oakdale–Moffatt

The Oakdale-Moffatt neighbourhood is identified on Schedule B4.

Benefiting from existing CIP programs, there have been a number of residential development projects completed or initiated in this area over the past decade.

However, there still remain a number of vacant and underutilized residential lots, and remnant industrial and commercial lots, interspersed within the otherwise stable residential community.

This area can benefit from continued investment stimulus to generate residential development opportunities and replace incompatible land uses.

This neighbourhood is a transition area between the Hartzel Road corridor and the old Welland Canal located adjacent to Oakdale Avenue and Moffatt Street. The Old Canal, and associated valley lands containing the Merritt Trail, is a significant natural and cultural heritage connection and linkage through the City.

Much of the existing building stock in this area, together with the Oakdale Avenue streetscape, is fatigued and in need of rejuvenation. Public/private investment strategies supporting *redevelopment* and rejuvenation will serve to increase the attractiveness, accessibility and interest in this rich cultural amenity.

5. Western Hill

The Western Hill neighbourhood is identified on Schedule B5. It is one of the oldest in the municipality. Two of the primary roads in this area, St. Paul Street West and Pelham Road, are major gateways into the municipality with direct connection to the Downtown Core, via the Burgoyne Bridge.

The Burgoyne Bridge is one of only four road crossings of the 12 Mile Creek in the municipality. It is a significant structural landmark and road connection in the City, and major public investment has recently been made to replace the aging bridge.

The City's only train station (Via/GO Transit) is also located within the Western Hill neighbourhood. The train station is a key physical as well as visual connection to the municipality. The station and immediately surrounding lands are underutilized and in

St. Catharines Community Improvement Plan (2020CIP)

a relative state of disrepair and decline, and have been identified as a priority area for *redevelopment*, rehabilitation and rejuvenation.

The Official Plan designates the train station and immediate vicinity as a Major Transit Station consistent with the Provincial A Place to Grow Plan. This area is the City's primary rail terminus, and is intended to provide facilities for Provincial GO service, other regional, provincial, national and international rail service, and connections to the City's transit system.

The area in and around the train station, for a radius of approximately 800 metres, was recently subject to approval of the GO Transit Station Secondary Plan (GTSSP) by the City. The GTSSP sets out a number of policies and land use designations for *redevelopment* and reuse within the area, primarily for medium and higher density residential transit supportive uses, and mixed use development.

Only a few vacant lots remain within the area, and although there are many stable residential neighbourhoods, a significant component of existing building stock is older and fatigued, and offers a number of *redevelopment*, reuse and rehabilitation opportunities.

The most significant of these opportunities exist along St. Paul Street West, Pelham Road, in the vicinity of the Burgoyne Bridge where the two roads converge, and at the City's existing train station.

St. Paul Street West is characterized by a mix of underutilized and older commercial and industrial lots interspersed with low density residential uses. Official Plan policies support an evolution along this corridor towards a greater mix of medium density residential and street oriented local neighbourhood commercial uses.

The corridor is also characterized by older and fatigued building stock, and can benefit from enhanced building facades to facilitate and strengthen attractive and cohesive gateway amenities.

Pelham Road has been in a state of flux over the years, with ad hoc commercial developments interspersed with residential development. The Official Plan supports a more stable residential environment along this street, and there exists a number of opportunities for residential *redevelopment* and reuse of buildings.

The vicinity of the Burgoyne Bridge is characterized by a mix of lower order commercial uses, auto related uses, and non-descript residential uses along St. Paul Street West and at the intersection of Pelham Road. Official Plan policies support a more cohesive mixed use environment in this area, providing medium and higher density residential opportunities together with local street-oriented neighbourhood commercial uses. This area can also benefit from enhanced streetscape and facade improvements to strengthen the attractiveness and amenity of this area as a direct connection and gateway into the Downtown.

6. Ontario / Carlton Node

The Ontario-Carlton neighbourhood is identified on Schedule B6. It is included as a Priority Neighbourhood in recognition of the potential for community renewal on the former General Motors lands located in the area, and immediately surrounding properties.

The General Motors plant was closed at the end of 2012. Most of the existing industrial buildings located on both the east and west side of Ontario Street have been demolished. At approximately 20 hectares (50 acres), this industrial property provides a significantly large brownfield *remediation* opportunity, and extensive *redevelopment* opportunities to support reuse and community renewal of the built environment.

The lands to the south of the General Motors lands are characterized by a mix of smaller commercial lots, and lower to medium density housing types. Building stock is generally older and fatigued. *Redevelopment* of this area may contribute to enhanced building stock, better cohesion and integration of uses, and reduction of space expansive parking areas and the number of access points onto Ontario Street.

The north side of Carlton Street includes a small isolated residential enclave with a mix of housing types. A number of underutilized commercial *lots*, and an industrial property, are located to the periphery along Ontario Street and Carlton Street. Characterized by older building stock, most properties are generally well kept. However, certain properties may benefit from *redevelopment*, rehabilitation or reuse, and the overall enhancement of the Ontario/Carlton node should not be considered in isolation of the lands north of Carlton Street.

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Downtown Priority Neighbourhood

Appendix B1

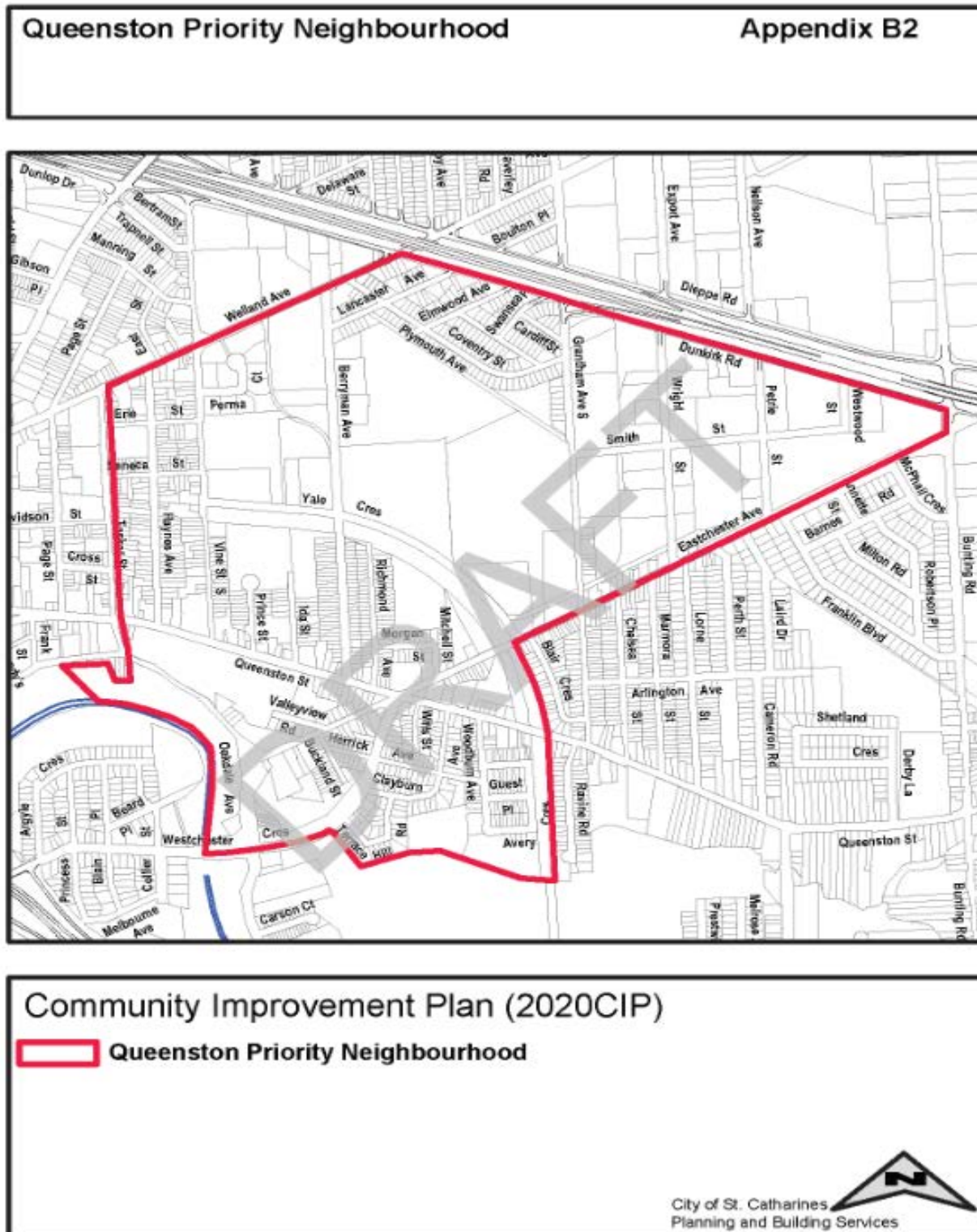


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Downtown Priority Neighbourhood



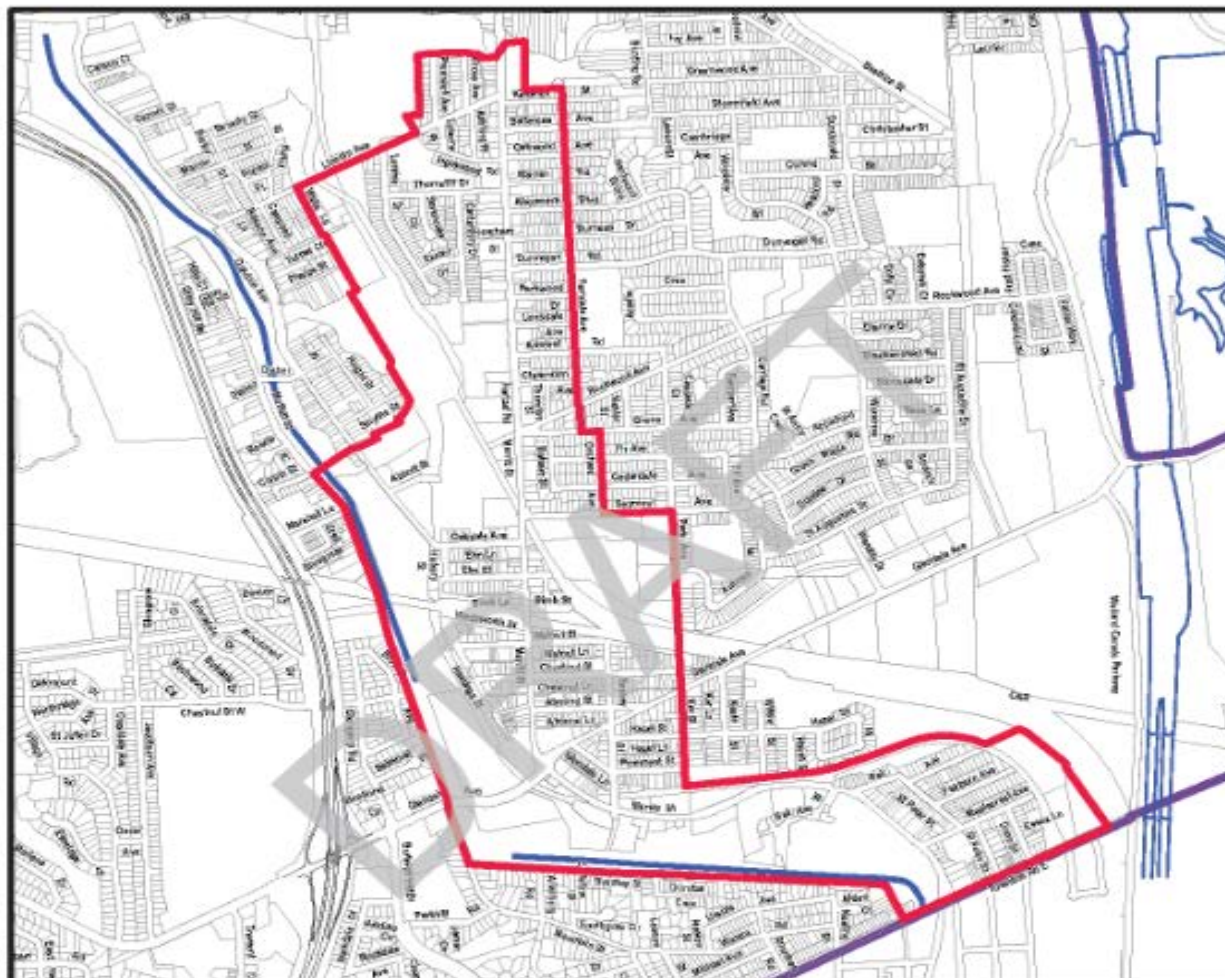
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Hartzel Road/Merritton Priority Neighbourhood

Appendix B3



Community Improvement Plan (2020CIP)

Hartzel Road/Merritton Priority Neighbourhood

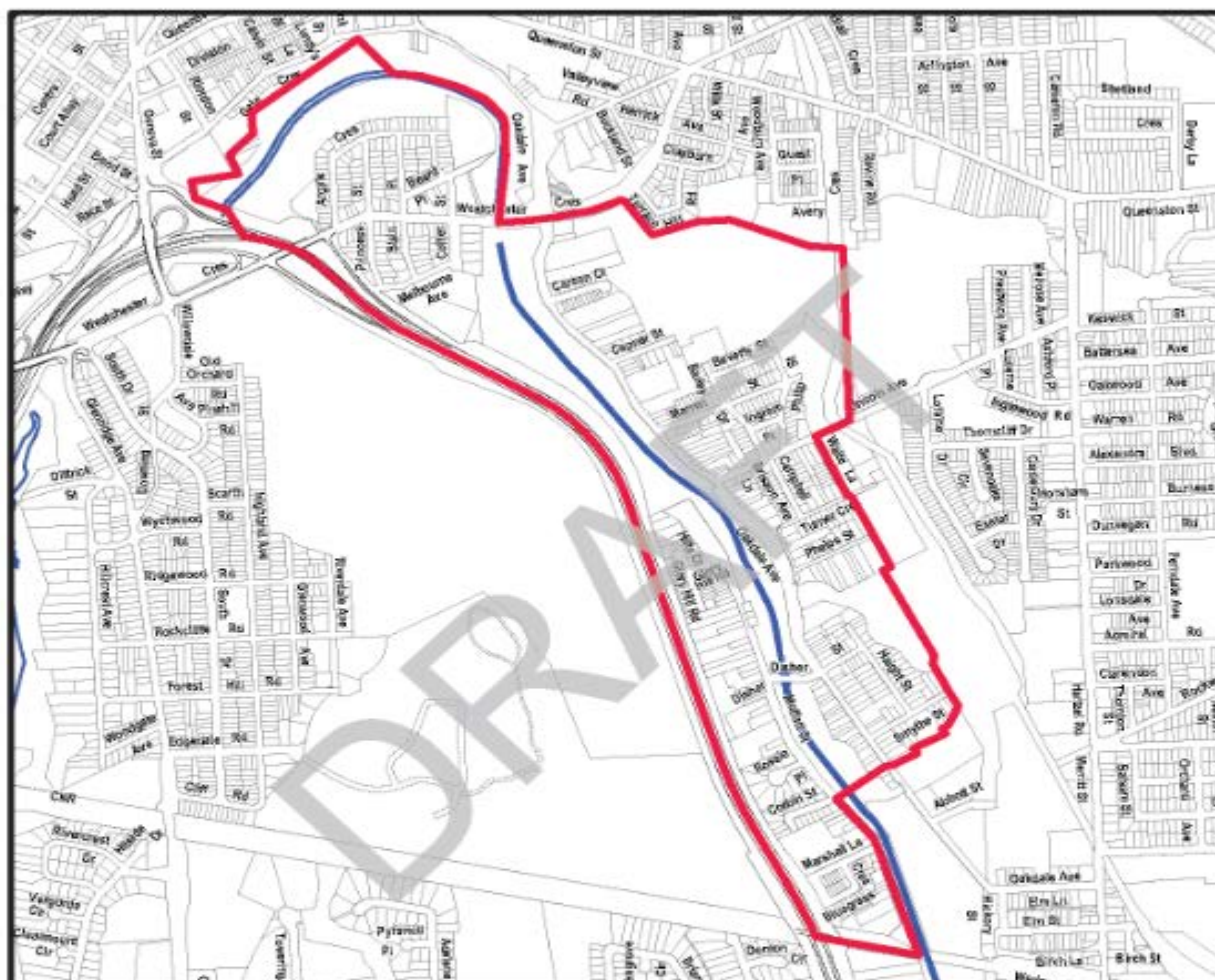
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Planning and Building Services



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Oakdale - Moffatt Priority Neighbourhood

Appendix B4



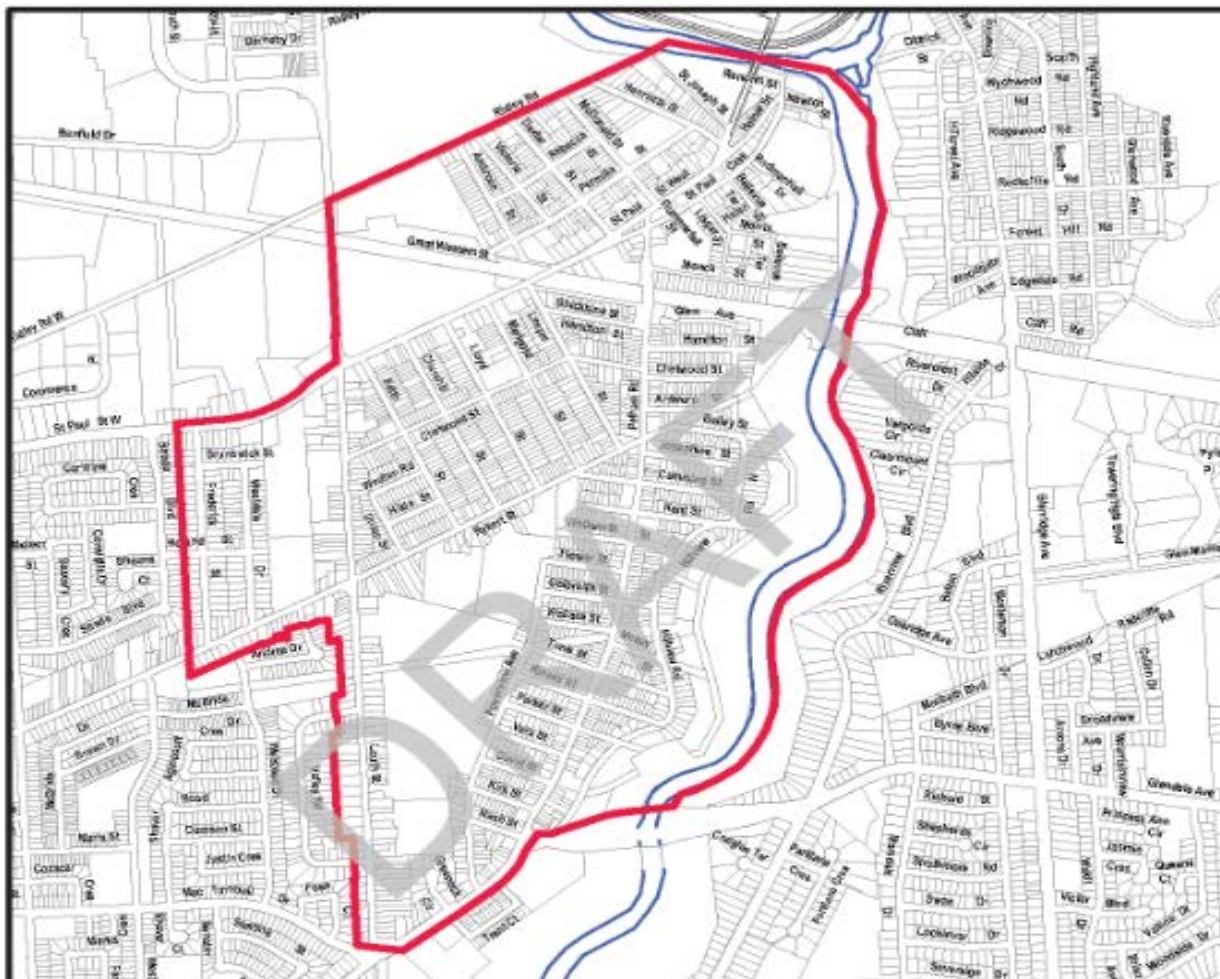
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 **Oakdale - Moffatt Priority Neighbourhood**

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Planning and Building Services



Appendix B5



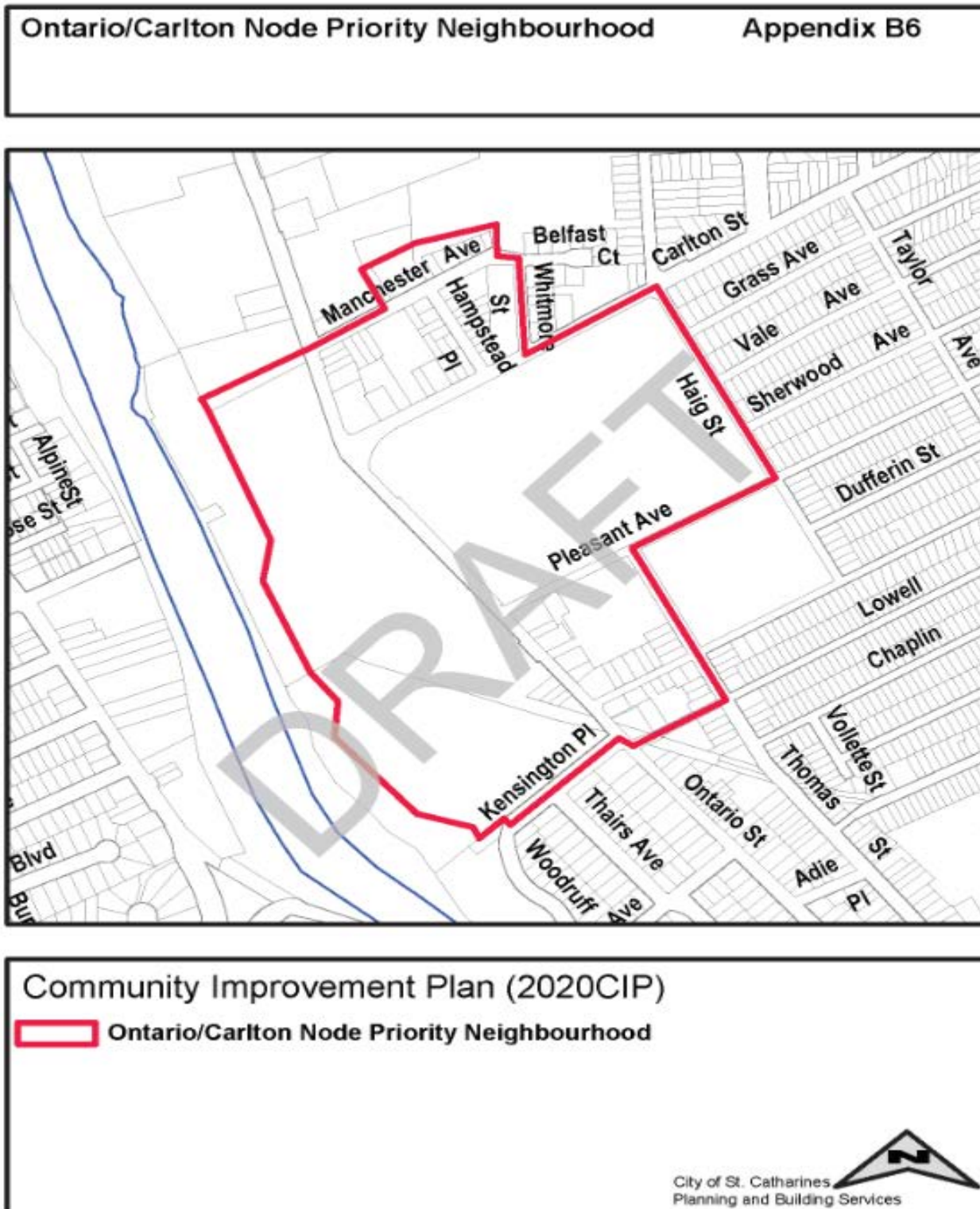
☐ Western Hill Priority Neighbourhood



City of St. Catharines
Planning and Building Services



St. Catharines Community Improvement Plan (2020CIP)



Appendix 2: Background Research

The following chart has summarized feedback from multiple review sources and organized it based on the focus areas identified by Council:

General
<ul style="list-style-type: none"> • The City remains fairly well positioned as a leader in Ontario in the area of Community Improvement Programs with an established program that has been leveraged as a model for other municipalities. • The majority of municipalities reviewed (20 total) offer both tax-assistance programs and simple grants. There are very few municipalities with an established CIP that only offer one or the other. Additionally, four (4) of the twenty municipalities reviewed were regional municipalities or counties.
Affordable Housing
<ul style="list-style-type: none"> • An increasing number of municipalities (6 of 20) are addressing affordable housing through their CIP, but none of the municipalities reviewed are using their CIP to only address affordable housing. Additionally, several municipalities across Ontario are exploring additional tools to address affordable housing outside of CIP. • Of the upper tier municipalities, all four addressed affordable housing in some way through their CIP. • Municipalities tend to use the provincial definition for affordable housing when structuring their programs, as follows: <ul style="list-style-type: none"> <i>The least expensive of:</i> <ol style="list-style-type: none"> 1) a unit for which the rent does not exceed 30 per cent of gross annual household income for low and moderate income households; or 2) a unit for which the rent is at or below the average market rent of a unit in the regional market area. • Municipalities tend to address affordable housing through an established program, such as a TIF, rather than creating a program that only addresses affordable housing.

<ul style="list-style-type: none"> • Municipalities attempt to keep control of affordable units by requiring a specified rent range (for rentals) or including specific requirements on title (for condos) for a set period of time.
Brownfields
<ul style="list-style-type: none"> • Virtually all municipalities compared (18 of 20) offer an incentive in the form of tax-assistance that spans a time period from five (5) – ten (10) years. • A majority of municipalities designate specific areas for tax-assistance programs, including brownfield tax-assistance programs. • A majority of municipalities do not allow retroactivity to be eligible for tax-assistance programs (this would include retroactive remediation activity, as an example). • Municipalities have introduced tiered-incentives, where an incentive may be higher for the first several years of the total incentive period, and slowly declines thereafter.
Facades
<ul style="list-style-type: none"> • The majority of municipalities limit façade improvement to designated areas within the municipality. • A number of municipalities of comparative size and population offer a greater incentive than that of the City (\$10,000). The total incentive amount generally scales with the number of facades, addresses, and other physical characteristics (corner lot, river facing, rear access). For some municipalities, the total incentive amount exceeds \$35,000 per property. • Several municipalities (at least 2 out of 20) have introduced an increased incentive for heritage properties. • Residential properties are eligible in a few municipalities, but are limited to apartment buildings and block housing. • Only half (2 of 4) of the upper tier municipalities reviewed offered some form of incentive for façade improvement.
Heritage
<ul style="list-style-type: none"> • Almost half of the municipalities reviewed (9 of 20) have incorporated heritage into their CIP.

- Several municipalities (3 of 20) incorporate heritage as a component to a simple grant program.
- Several municipalities (3 of 20) incorporate heritage as a component to a tax-assistance program.
- Of the municipalities that offer a heritage component to their CIP, the majority require Part IV or Part V designation, or an addition to the Municipal Heritage Register to qualify.
- Three of the four upper tier municipalities reviewed incorporated heritage into their CIP.

Appendix 3: Comments and Feedback

Comment: *Concern was expressed that the municipality should not be providing CIP incentives to “luxury developments” and that CIP funding should only be provided for projects that could not go ahead without it.*

Response: Aside from only providing CIP incentives to fully affordable housing projects (100% of units) there is no other eligibility criteria that effectively eliminates all “luxury” developments. In various drafts of the scoring criteria for the TIF / BTIF staff amended the “investment” category and found that eliminating the points awarded for investment dollars did not achieve proper evaluation of projects. Projects that invest significantly more in the municipality should receive additional eligibility points. Staff have drafted the criteria to ensure that a development hoping to qualify would need to have a combination of components included within the proposed project. If, for instance, a project has no affordable housing component, it would still need at least one of a brownfield component, heritage component, mixed use component or the addition of value added components in order to meet the minimum point threshold for qualification. There is no reliable evaluation tool available to the City to assess whether the project could or would proceed without incentives. It is important to distinguish that the CIP is not an affordable housing strategy, nor is the intention to only approve projects that cannot proceed without additional funding. It is a tool offered by the municipality to the private sector intended to stimulate investment in a variety of redevelopment projects that support local community improvement and renewal objectives and strategies.

Comment: *Lack of certainty in the approval process makes it difficult to plan for projects.*

Response: Staff are recommending that approval of the TIF / BTIF be delegated to the CAO, City Treasurer and the Director of Planning and Building Services. This will result in greater certainty and efficiency of the review and approval process. The change from a scoring criteria that is solely based on rank to one that provides eligibility requirements, evaluates the merits and also ranks the projects will assist in achieving these goals as well.

Comment: *The façade improvement program should be expanded outside of the downtown.*

Response: Staff are recommending expansion to additional areas within the City that are recognized as valuable opportunities for commercial urban renewal. The expanded areas are outlined in the Façade Improvement Program section of the report and shown on a map in Appendix 1.

Comment: *There is limited stock of affordable housing throughout the city. The location of future stock should be evenly distributed throughout the City.*

Response: Staff recognize that the majority of affordable units that are being built and proposed are concentrated in the downtown. Inclusion of an affordable housing component in a development is rewarded in the proposed scoring criteria. To ensure a proper distribution throughout the city more points are awarded outside of the downtown for affordable housing units.

Comment: *Consistency/alignment between the City and the Region.*

Response: Staff have ensured that the Region was involved in the full review and drafting of the 2020CIP. Similarly, the municipality is consulted in the Region's current incentive review to try and ensure alignment of future incentives and goals.

Comment: *Small scale projects may not qualify.*

Response: The proposed scoring criteria may disqualify small scale projects with lower density, lower investment costs, lack of heritage, remediation and affordable housing. While they may still be positive projects for the City, the CIP must prioritize the partnerships that it creates and focus the program to have regard for the return that the municipality and the citizens are receiving from the project. Projects that do have the above listed attributes better align with the strategic initiatives of the program.

Comment: *Specify the types of units to be constructed.*

Response: There is merit in ensuring that the type of units that are currently in need in the municipality are being constructed. However, in staff's opinion this level of detailed control on the development proposal can be limiting and eliminates opportunity for flexibility in projects. The CIP is a long-term policy document, while the specific type of unit that is currently in demand can constantly change.

Comment: *Negotiate the percentage of affordable units required in a project.*

Response: Provincial legislation does not enable a municipality to negotiate scoring eligibility with an applicant.

Comment: *Does the City need a CIP?*

Response: The CIP is an important tool for the municipality to be able to create private/public partnerships, incentivize development and grow the assessment base. In Niagara Region 11/12 municipalities have a CIP. The majority of larger (50,000 people +) municipalities in Ontario have a CIP. Eliminating the program would affect the municipality's ability to competitively attract development.

Comment: *Affordable housing is the Region's mandate.*

Response: It is not the city's role to provide community services, administer shelter services, nor establish a housing provider. It is the City's role and responsibility to ensure that all available planning tools are being implemented for the provision of affordable housing. A CIP is one of those tools. Though the roles are distinctive for upper and lower tier municipalities, the efforts of both should be collaborative to effectively tackle the issue.

In June of 2017, Council approved the staff recommendation to amend the Community Improvement plan to include an affordable housing program.

Comment: *Remediation costs should have a higher minimum value.*

Response: Staff examined the actual remediation costs for several previous approved projects, and came to the conclusion that the minimum thresholds were appropriate. A higher proposal of a minimum of 10% would eliminate most brownfield development proposals.

Ministry of
Municipal Affairs
and Housing

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Ontario

March 19th 2020

Bruce Bellows
Senior Planner
City of St. Catharines
50 Church Street
St. Catharines, ON L2R 7C2

Dear Bruce:

Re: **City of St. Catharines**
Proposed new 2020 Community Improvement Plan
Ministry File No.: 26-CP-208196

Thank you for providing the Ministry of Municipal Affairs and Housing (MMAH) with the opportunity to review and comment on the City of St. Catharines (the City) draft new 2020 Community Improvement Plan (2020CIP).

Ministry staff understand that the purpose of the new 2020CIP is to generally maintain the same approach as the 2015CIP as it applies to the existing Urban Area Community Improvement Project Area (CIPA) and it carries forward the Priority Neighbourhoods as areas of emphasis within the Urban Area CIPA for community renewal initiatives. In addition, the 2020CIP identifies Intensification Areas as defined in the City's Official Plan to support greater alignment with the City's growth management framework established in the Official Plan to provide greater emphasis for community renewal within these areas.

The draft 2020CIP has been assessed by Ministry staff against the *Planning Act*, the *Municipal Act*, A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, and the Provincial Policy Statement, 2014. Please note that the updated Provincial Policy Statement, 2020 will take effect May 1st, 2020. Ministry staff assessed the draft 2020CIP based on the update and have determined that the changes made do not impact the Ministry staff assessment of the draft 2020CIP based on the Provincial Policy Statement, 2014.

The comments below are intended to inform the City's decision on the draft 2020CIP.

Housing Comments

- The proposed affordable housing component of the Tax Increment Finance Program and Brownfield Tax Increment Finance Program and the proposed accessory dwelling unit program supports objectives of the province's Housing Supply Action Plan which include increasing the supply of housing and promoting the development of different types of housing, including secondary units
- The 2020CIP is consistent with the Provincial Policy Statement, 2014 (PPS) by supporting the increase of housing, in particular a range and mix of housing types, including affordable housing and second units (PPS policies 1.1.1 and 1.4.3) through the inclusion of an affordable housing component to the Tax Increment Finance Program and Brownfield Tax Increment Finance Program and accessory dwelling units program noted above.
- The proposed housing initiatives in the 2020CIP also help to address the need for more rental housing in Niagara Region.
- The 2020CIP does not specify whether the affordable housing component can be used in conjunction with affordable housing programs administered by Niagara Regional Housing, such as the Ontario Priorities Housing Initiatives (OPHI). It is recommended that the language in the 2020CIP clarify whether the affordable housing component can be used with other affordable housing programs.
- It is not clear in the 2020CIP document whether there is a minimum unit requirement to qualify under the affordable housing component. If there is no minimum unit requirement, then it is suggested that the 2020CIP include language to reflect this.
- On page 5, it may be helpful to also include an example of the financial incentive value for a project that includes an affordable housing component.
- Schedule 4 of the 2020CIP outlines the income levels and maximum rents eligible for the affordable housing component and the accessory dwelling unit program. It is advised that the City of St. Catharines confirm with Niagara Regional Housing the latest rental housing data based on the most recent CMHC Market Rental survey which was released in January 2020.

Financial Incentive Comments

General Comments

- On page 1, references to the Municipal Act should be changed to *Municipal Act, 2001* and references to the Planning Act should be changed to *Planning Act, 1990* to reflect the proper name of the applicable legislations.

- The definitions section of the 2020CIP (page 32) includes the term "base rate" ; however, the term "base rate" is not included anywhere else in the document. Furthermore, the term "base year" is used in the document but is not included in the definitions section. **It** is recommended that the language used in the CIP and the definitions section be consistent to help clarify the meaning of different terms.

Tax Increment Finance Program and Brownfield Tax Increment Finance Program

- The 2020CIP is consistent with the PPS by promoting intensification and redevelopment, including brownfield sites (policies 1.7.1 & 1.1.3.3) through the offering of grants and tax incentive programs, such as the Tax Increment Finance Program and Brownfield Tax Increment Finance Program, to help offset a portion of project costs related to brownfield remediation.
- The acronym "TIF" is used throughout the document to refer to the Tax Increment Finance Program that is proposed in the 2020CIP. The acronym "TIF" is generally understood in the development community to mean "Tax Increment Financing" which has a different intent and purpose than a tax increment-based incentive. The municipality may wish to reconsider the use of the acronym "TIF" to help avoid potential confusion and manage expectations related to the proposed Tax Increment Finance Program.
- Under the first paragraph on page 5, the City portion of the property tax is identified as 44%. However, in the subsequent examples provided on the page, the City portion of the property tax is identified as 42%. This section needs to be revised to reflect the accurate City portion of the property tax

Brownfield Tax Assistance Program

- On page 14, it states that "the BTA incentive provides a rebate of up to 100% of municipal property tax paid on a property, over a maximum period of 3 years, to help offset project costs incurred on the property specific to soil remediation or other remediation management."
 - However, on page 15, it states that "the value of the BTA incentive given by the 2020CIP is based only on the increase in the City portion of property taxes generated by project completion." This statement is not consistent with the above statement. Additionally, the examples provided on page 15 appear to indicate that the incentive is being provided on the full annual municipal property tax as the example has no reference to the increase in property taxes generated by project completion. It is advised that these sections be revised so it is clear what the BTA incentive is based on.

- Under the first paragraph on page 15, the City portion of the property tax is identified as 44%. However, in the subsequent examples provided on the page, the City portion of the property tax is identified as 42%. This section needs to be revised to reflect the accurate City portion of the property tax.
- On page 16, it states that "the total value of the BTA incentive is calculated based on the property tax assessment and property taxes levied for the year in which complete application for the BTA incentive is made."
 - The phrase "property tax assessment" could be confused with the property assessment upon which taxes are calculated. It is suggested that the sentence be revised so it is clear that the incentive is based on the property taxes levied rather than the value of the property assessment.
- It is recommended that the Provincial Brownfields Financial Tax Incentive section in the 2020CIP be reviewed alongside the province's Brownfields Financial Tax Incentive Program guide to ensure consistency with provincial program requirements. A copy of the most recent program guide and additional resource materials on brownfields development are attached.

Thank you for providing MMAH staff the opportunity to review and comment on the City of St. Catharines draft 2020CIP. If you have any questions regarding the above matter, please do not hesitate to contact Adam Didycz, Planner, by phone at (647) 210-0903 or by email at Adam.Didycz@ontario.ca or Heather Watt, Manager, by phone at (416) 585-6048 or by email at Heather.Watt@Ontario.ca

Yours very truly,

A handwritten signature in dark ink, appearing to read 'A Didycz', followed by a horizontal line.

Adam Didycz
Planner, Community Planning and Development (West)
Municipal Services Office - Central Ontario
Ministry of Municipal Affairs and Housing

October 7, 2020

Bruce Bellows
 Planner II
 City of St. Catharines
 PO Box 3012, 50 Church Street
 St. Catharines, ON L2R 7C2

RE: Proposed New 2020 Community Improvement Plan (2020 CIP)

Dear Bruce,

Thank you for the opportunity to comment on the City's proposed new 2020 CIP.

We would like to preface our comments by noting that the Region is undergoing a review of its incentive programs, including many of those referenced in the City's proposed 2020 CIP. As a result of this review, Regional incentive programs may soon be revised. We provide the comments below with the understanding that they are based on programs currently in place, and that Regional program parameters and requirements may soon change.

We note too that currently the Region does not partner on incentives in any new or amended CIP programs or program areas pending completion of the Regional incentive review. While the City has designated its entire urban area as the 2020 CIP area, and provides for new Intensification Areas, the Region will continue only to match programs within the Priority Neighbourhood areas and under the program parameters outlined in the City's 2015 CIP. Similarly, Regional Development Charge (RDC) grants are only operative within Designated Exemption Areas included or as otherwise as specified in the 2017 Regional Development Charge By-Law (2017-98). We have included questions and comments however on the proposed programs even though the Region may not partner on them at this time, to facilitate better mutual understanding.

General Comments

- The Region will only match eligible approved projects under programs outlined in the City's 2015 CIP and in the specific incentive areas noted above.
- Please remove reference to any Regional "community improvement plans" (e.g., 4[ii]) and reference only incentive programs. Upper-tier municipalities may only hold CIPs in specified areas. The Region does not currently hold any CIPs.
- Similarly it may be advisable to remove references to the Smarter Niagara Incentive Program or the acronym SNIP throughout the draft 2020 CIP document as this program name will likely be retired following the Regional incentive

review. More generic references to matching Regional incentive programs may be more accurate in the longer term.

- We thank City staff for the clarification that for equity, across all incentive programs, where the total value of incentives is greater than total project costs incurred, the same percentage reduction of the incentives will be taken from both the City's and the Region's incentive funding. That noted, the Region will continue to deduct grant and incentive funding from all sources from eligible costs prior to TIG, BTIG and BTAP grant calculation regardless of whether that funding exceeds total project cost or not.
- The 2020 CIP draft notes in the BTIG and BTAP sections that "Applicants for a 2020CIP incentive are advised to contact the Region of Niagara for status and eligibility to receive a SNIP incentive." While they are welcome to do so, it may be helpful also to note in these sections that the Region partners only with the local municipality in these two programs, and with the exception of some Regional Development Charge reduction programs, applicants must apply to and be approved by the local municipality before the Region can be involved. They should not directly to the Region for matching funding.
- Our understand is that the City Legal department is currently reviewing the need for the City to require a title search and corporate profile search for all TIG, BTIG and BTAP applications, pending and new. This is a requirement of the Region for matching funding consideration for such applications. The City may want to consider adding this as an application requirement for submission in sections 6.b.iii of the B/TIG and 5.b.iii of the BTAP programs in the 2020 CIP, and in any program guides associated with these programs.
- There continues to be discrepancy between the use of a City property tax portion of 42% and 44% throughout the draft (e.g., section 4.a.ii), resulting in errors in examples used.
- The City may want to consider adding "as amended" following references to Ontario Regulation 153/04 throughout the 2020 CIP.

Tax Increment Grant Programs

- Please note with regard to earlier exchanges about terminology, and in alignment with Provincial usage, the Region will continue to differentiate between brownfield / tax increment grants (B/TIGs), i.e., those programs outlined in the proposed CIP, and Tax Increment Financing (TIF) programs, which are different incentives at the Region.

- The Region provides matching funding for BTIGs at a maximum fixed rate of 80% even in cases where the City may have made agreements for a higher rate under certain circumstances.
- We appreciate City staff confirming that where phased development occurs, the base year funding for any subsequent phase after Phase 1 will be based on the assessment value for the year that the subsequent phase is initiated.
- In an email of 29 September 2020, City staff indicated it plans to amend its draft BTAP phasing section to “structure both phase approvals under 1 original agreement, but in doing so, each phase would still be subject to the base year municipal taxes in place at the time the phase is initiated.” Is it anticipated that this change will also apply to B/TIGs, i.e., that all phases will be outlined under a single, Phase 1 agreement? If not, and there will be separate B/TIG agreements for each phase, will information (e.g., timelines, estimates, etc.) on all phases be included in the Phase 1 agreement?
- Note that the draft document says “for BTIF projects, each additional phase after Phase 1 must be completed within 3 years from the date of the Phase 1 CIP Agreement,” which is to be signed within 90 days of approval. This seems to suggest that all subsequent phases would have to be completed even earlier than Phase 1 itself, which has five years to complete. Perhaps it is intended that all subsequent phases have to be completed within either three years of signing an agreement for that phase, and/or within three years of completion of Phase 1/the most recent phase. This seems more in alignment with the following bullet, which notes that “all phases of development must be completed within 10 years of the date of the Phase 1 CIP Agreement.”
- With regard to priorities reflected in the scoring of TIG applications, we note that current work on the new Regional Official Plan (ROP) indicates that the Downtown Priority Area/Urban Growth Centre is intended to be the focal point for high-density and mixed-use development, and Built-Up Areas outside of the Downtown are also expected to accommodate higher-density development, albeit at a lower intensity than those permitted in the Urban Growth Centre. Intensification and density targets in the new ROP will be minimum requirements that will be measured over the entirety of a delineated growth area. It is the responsibility of local Official Plans and other land use plans to ensure that development on individual sites works toward achieving the overall density target for the area, while also ensuring that the density level is appropriate within the context of surrounding uses.

Brownfield Tax Assistance Program

- **Regional Development Charges Reduction Program** -- The draft 2020 CIP does not include any Development Charge (DC) Reduction grants, as the City of

St. Catharines does not currently collect municipal DCs. The Region incentivizes development and redevelopment in central urban areas (known as Designated Exemption Areas) and brownfield sites through the Regional Development Charge (RDC) Reduction program. In order to qualify for a Brownfield RDC reduction, the site must meet the definition for “brownfield” per the RDC By-law (2017-98). This definition includes requirements that:

- The land is located within the Urban Area as defined in the Regional Official Plan; and,
- The land was previously used for agricultural, industrial, institutional, or commercial or open lands or other use as prescribed under the Environmental Protection Act, R.S.O. 1990, c.E.19 and Ontario Regulation 153/04 (i.e. “brownfields” regulation) as amended (i.e. Ontario Regulation 407/19); and,
- Site remediation is required in accordance with a Phase 2 Environmental Site Assessment (ESA); and,
- A Record of Site Condition (RSC) is filed on the Province’s Brownfields Environmental Site Registry (BESR).

Given the 2020 CIP includes grant programs to incentivize brownfield redevelopment and outlines eligibility criteria (Phase I and II Environmental Site Assessments and an RSC or other remediation) for the BTIG and BTAP, Regional staff recommend that a “Brownfield” definition be included to eliminate ambiguity in the BTIG and BTAP programs. The City may also wish to review the eligible project costs outlined in Schedule 3 of the 2020 CIP against Schedule D of the RDC By-law, specifically relative to the BTIG and BTAP projects and retroactive incentive exceptions.

Should the City’s review of the need for municipal DCs result in implementation of a local Development Charge By-law, Regional staff would be happy to discuss with City staff the Regional Development Charge incentives to share knowledge gained and lessons learned as part of the last update to the RDC By-law and RDC Reduction program.

- Given some changes in the list of eligible costs from the 2015 CIP, particularly retroactive eligible costs, in the draft document and in Schedule 3 for both B/TIGs and BTAPs, and particularly with regard to “[l]egal fees, consulting fees and financing costs as they relate to the preparation of complete application requirements,” we note again that the Region will continue to work within the parameters of the 2015 CIP including consideration of eligible costs.
- We appreciate the clarification by City staff via email of 29 September 2020 of what is meant by the “BTA period,” and that the draft 2020 CIP will be amended regarding phasing of BTAPs to “structure both phase approvals under 1 original agreement, but in doing so, each phase would still be subject to the base year municipal taxes in place at the time the phase is initiated.”

- Regarding potential phasing of larger BTAP projects, we would appreciate clarification regarding what safeguards would be in place should redevelopment begin on one section of a property when another section is not yet remediated. It would seem challenging to do physically, as a line on a draft plan is just that, and would have to be surveyed/staked on site to be accurate. It would seem difficult for an excavator to remove all contaminated soil to the precise limit of the phasing limits. Would the property have to be severed into remediated/non-remediated sections and an RSC provided for the remediated property?

In addition, to be able to file an RSC, the ESA reports on which the RSC property is based must be within 18 months of the filing date, so would they need to “phase” the ESA if they are not registering the subsequent phases(s) within that time period, i.e., wouldn’t they have to redo/update the ESA work, and would that requirement be built into the agreement(s) or program? What requirements will there be to demonstrate that the unremediated phase will not pose a continued contamination threat, in soil, groundwater, etc., to the remediated phase?

- Please see related comments in the General Comments and Tax Increment Grant sections above.

Façade Grants

- The Region does not provide funding for landscaping or for any element that is not part of the immediate façade.
- The Region currently matches funding on up to two facades – one front, and one side or rear, up to \$10,000 each, for a maximum of up to \$20,000 per property for façade grants.
- Perhaps wording can be included to encourage the applicant to consult with Regional urban design staff as well as City staff for those properties with frontage along a Regional road prior to application submission.

Affordable Rental Dwelling Unit

- SNIP does not have an operative program which would match the proposed Affordable Rental Dwelling Unit incentive proposed in the 2020 CIP. However, there are some programs offered through Niagara Regional Housing which are similar, e.g., the Niagara Renovates Secondary Suites program, and the City may wish to consider these programs’ criteria and how they relate to what is being proposed should there be an opportunity for some applicants to access both, or an opportunity for program consistency/alignment, etc.
- The Region is pleased to note the use of the CANCEA data in this section.

Urban Design

- From an urban design perspective, this CIP can contribute to elevating the role of design when incentivizing development. Developments that benefit from incentives should be held to a higher standard of design excellence than other developments to gain better outcomes with respect to architectural design, urban design and landscape architecture. Developments benefiting from incentives should provide greater and more positive impacts on the public realm.
- The proposed CIP may want to more strongly support sustainability and green building design by expanding the range and weight of criteria when scoring applications. This might include an expanded range of features reflective of best practices in this area. This can also comprise separation of the sustainable category into building elements and site design features and landscaping so as to score these separately. With respect to sustainable building design, this could include recognition of developments where building performance standards exceed the Ontario Building Code into standards such as Passive or Net Zero.

We hope these comments are helpful. Please feel free to contact me if you have questions or we can clarify any comments. We look forward to seeing the next version of this document and being updated on the draft 2020 CIP as it moves forward in November.

Respectfully,



Marian Bannerman
Program Manager, Grants and Incentives

Cc: Margaret Josipovic, BES, MPA, Project Expeditor, City of St. Catharines

Appendix 4: Changes from 2015CIP – 2020CIP

Brownfield Tax Assistance Program

2015CIP	2020CIP
For soil remediation projects only - removal of soil contaminants (dig and dump) to obtain RSC.	Other methods of remediation are eligible (risk assessment)
Property must be located in a Priority Neighbourhood.	No location requirement
No minimum lot area requirement - any size lot eligible.	Minimum lot area requirement (0.5 Ha)
Can also be approved for a TIF or BTIF	No longer eligible for BTIF
Subject to Council approval.	Proposed delegated approval to staff.

(Brownfield) Tax Increment Finance Program

2015CIP	2020CIP
Primary Focus: Redevelopment (TIF): 45% rebate Soil Remediation (BTIF): 80% rebate	New project components added to criteria/ evaluation/ approval: Core Housing (affordable), Mixed Use, Heritage.
	Enhance/strengthen existing components: Remediation, Value Added (Climate Change, Public Realm)
	Add additional rebate tier for Core Housing (add 15%-20%)
Submission of detailed project cost estimates	New/enhanced components added (core housing/mixed use/heritage/value added) = more detailed breakdown of costs required
Costs incurred prior to CIP approval are not retroactive/eligible for incentive Exception: Ph. 1 and 2 Env. Assessment to determine level of contaminants / remedial work plan. Remediation costs/works defined only as removal of contaminants from soil (dig and dump)	Expand to recognize other methods of remediation other than removal of contaminants from soil <ul style="list-style-type: none"> - Risk Management - Allow retroactive costs for Risk Management assessment
No minimum remediation value to qualify for BTIF rebate (80%)	Add minimum remediation value to qualify for a BTIF (\$100,000 or 1% of project costs, whichever is greater) on sites 0.4 Ha or greater.

	Add minimum remediation value to qualify for a BTIF (\$50,000 or 1% of project costs, whichever is greater) on sites less than 0.4 Ha.
No retroactive eligible costs permitted.	Allow retroactive remediation costs incurred for period of 10 years after initial project approval (for phasing of development)
Submission of MPAC letter providing estimate of post-development property tax assessment.	Require copy of applicant's MPAC submission and detailed MPAC evaluation.
MPAC estimate and actual post-development tax assessment may vary significantly (based on length of project timeline, market dynamics, etc.)	Establish maximum 5% variance between actual and estimated post-development assessment.
TIF projects must be completed within 3 years of approval/ BTIF projects within 5 years.	Recognize extended timeline for phased BTIF developments.
Council approval required for all TIF, BTIF applications.	Propose delegated staff approval up to a maximum \$ threshold.

Façade Improvement Program

2015CIP	2020CIP
Comprehensiveness: Represent holistic restoration for entire façade. Includes entrances, ground floor, upper floor, rooflines.	Comprehensiveness: Unchanged
Entrances: Ground floor facades include well- defined pedestrian entrance. New entrances to be recessed from sidewalk. Principle entrances to be flush with sidewalk or ramped to align with the Facility Accessibility Design Standards.	Entrances: Unchanged (minor language changes).
Ground Floor: Includes: an appropriately designed bulkhead panel; large clear glass display windows; glazed transoms, clear glazed or decorative door, and a cornice.	Storefront: Includes: a complete traditional storefront, including large clear glass display windows, a clear glazed or decorative door, and an appropriately designed cornice

	and bulkhead.
Cultural Integrity: All original architectural elements should be retained and restored.	Cultural Integrity: All distinctive original architectural elements should be retained and restored. Minor language changes.
Materials & Cladding: Should be clad in brick or stone which is in a good state or restored. Additional guidelines for treatment of unpainted brick or stone. Guidelines on accent colours.	Materials & Cladding: Unchanged
Ground Floor Windows: Should be covered by clear glass window in accordance with Zoning By- law 2013 283. No tinted or reflective glazing. No security grills or bars.	Ground Floor Windows: Unchanged. (Minor language changes to clarify by-law).
Upper Windows: Original window openings should be retained. New windows should reflect size/ spacing of original windows. Original windows should be retained and restored where possible.	Upper Windows: Unchanged
Compatibility & Proportions: Façade composition should be consistent with established rhythm and spacing of surrounding facades. Large walls should be broken down through vertical and horizontal articulation.	Compatibility & Proportions: Language changes to reflect appropriate building composition. Added: Large facades will be visually broken down into smaller components.
Signage: Sized to compliment character and proportions of façade. Limited to sign band. Should not occupy more than 15% of façade.	Signage: Addition: Should not cover or obscure any architectural elements
Streetscape Vibrancy: Include elements that improve the vibrancy and pedestrian experience of the streetscape.	Streetscape Vibrancy: Addition: Hard-landscaping to be included in approved elements.

<p>Eligible Costs Doors Windows Exterior Paint Stone Brick Restoration of Surfaces Accessibility Improvements Light Fixtures Awnings Signage Frame or Backdrop Qualified Contracted Labour</p>	<p>Eligible Costs Decorative or Glazed Doors Windows Exterior Paint Stonework Brickwork Restoration of Surfaces /Architectural Elements Exterior Accessibility Improvements Light Fixtures Awnings Signage Frame or Backdrop Qualified Contracted Labour and Design Service Hard Landscaping</p>
<p>Ineligible Costs Signs Spandrel Panels Reflective/Darkly Tinted Glass Movable Elements Maintenance Work Incidental Costs Exterior Cladding</p>	<p>Ineligible Costs Business Signs Spandrel Panels Reflective/Darkly Tinted Glass Moveable/Temporary Elements Maintenance Work Incidental Costs Exterior Cladding Including Stucco/EIFS</p>
<p>No Heritage Criteria or Grant</p>	<p>An additional \$5,000 of matching grants may be available for façade improvement grant projects that include restoration works on identified heritage buildings, subject to the following:</p> <ol style="list-style-type: none"> 1. The eligible façade is part of a building that is designated under the Ontario Heritage Act or that is listed on the City's heritage register; 2. The façade improvement works meet the eligibility criteria of the Façade Improvement Grant program; and 3. The restoration works meet all of the criteria:
<p>Materials Principle exterior finish of the building shall be masonry. Accent materials may include wood, masonry, metals, glass, plaster and stucco; and Repair or replacement materials to match the original as closely as possible, both visually and physically.</p>	<p>Storefront Original or period storefront elements to be retained and restored including, hardware, display cases and windows, sign bands, entrances transoms and awnings; and Storefronts to be restored using</p>

	recognized conservation methods, or the limited replacement in kind, or with a compatible substitute material, of those extensively deteriorated or missing components, matching the existing work as closely as possible, both in both material and look.
Windows Wooden windows to be retained and restored as necessary. Storm windows with a matching or a one-over-one pane configuration may be used to improve energy efficiency; Window components such as sash, muntins, glazing, pane configuration, sills, mullions, casings, brick molds and shutters are also significant and shall be retained and restored as necessary and Where windows must be replaced, replacements shall match the old in material, design, and finish.	Character-Defining Elements Character-defining architectural elements shall be retained and restored. These elements may include parapets, cornices, brickwork, window moldings, pilasters, bulkheads, etc.; If restoration is not possible due to irreparable deterioration, replacement elements should be in kind (like-for- like materials, design, scale, colour and finish); and Character-defining architectural elements, including windows and doors, shall not be covered, filled or obscured.

Affordable Housing

2015CIP	2020CIP
No criteria in the plan	Construction of affordable rent units was added to eligibility/scoring criteria of TIF and BTIF.
No construction grant.	Residential construction grant proposed for accessory dwelling units (interior and detached). \$20,000 per unit.
No additional % of rebate for inclusion of affordable units.	Developments with 30% + of affordable units can receive 15%-20% additional rebate for tax incentives.

Residential/Officer Conversation Grant Program

2015CIP	2020CIP
ROC grant available.	Grant removed from CIP

Appendix 5: Detailed Reserve Schedule

The information below is shown from 2021 - 2035 as 2035 is the approximate date to which the city is committed with current approvals. The schedule estimates \$150,000 of new approvals each year (with each approval being committed to for 10 years). It also includes two large scale approvals of \$400,000 (committed to for 10 years) in 2025 and 2030. The new approvals are shown to begin in 2023 since projects that are approved in 2021 will require time for permitting and construction prior to completion and request of funding.

YEAR	RESERVE OPEN BALANCE	BASE AMOUNT	PAYMENT FACTOR	TOTAL ANNUAL BUDGET	CURRENT APPROVALS	EST. NEW APPROVALS	TOTAL PAYMENTS	RESERVE ENDING BALANCE
2021	\$ 6,540,808	\$ 1,157,675	\$ 92,325	\$ 1,250,000	\$ 923,253	\$ -	\$ 923,253	\$ 6,867,555
2022	\$ 6,867,555	\$ 1,180,828	\$ 247,615	\$ 1,428,444	\$ 1,238,076	\$ -	\$ 1,238,076	\$ 7,057,923
2023	\$ 7,057,923	\$ 1,204,445	\$ 299,749	\$ 1,504,194	\$ 1,348,747	\$ 150,000	\$ 1,498,747	\$ 7,063,370
2024	\$ 7,063,370	\$ 1,234,556	\$ 347,874	\$ 1,582,430	\$ 1,439,372	\$ 300,000	\$ 1,739,372	\$ 6,906,428
2025	\$ 6,906,428	\$ 1,265,420	\$ 449,945	\$ 1,715,364	\$ 1,399,723	\$ 850,000	\$ 2,249,723	\$ 6,372,070
2026	\$ 6,372,070	\$ 1,303,382	\$ 498,388	\$ 1,801,770	\$ 1,491,938	\$ 1,000,000	\$ 2,491,938	\$ 5,681,902
2027	\$ 5,681,902	\$ 1,342,484	\$ 495,485	\$ 1,837,969	\$ 1,327,425	\$ 1,150,000	\$ 2,477,425	\$ 5,042,446
2028	\$ 5,042,446	\$ 1,382,758	\$ 519,483	\$ 1,902,241	\$ 1,297,414	\$ 1,300,000	\$ 2,597,414	\$ 4,347,273
2029	\$ 4,347,273	\$ 1,431,155	\$ 499,727	\$ 1,930,882	\$ 1,048,635	\$ 1,450,000	\$ 2,498,635	\$ 3,779,520
2030	\$ 3,779,520	\$ 1,481,245	\$ 589,841	\$ 2,071,086	\$ 949,204	\$ 2,000,000	\$ 2,949,204	\$ 2,901,402
2031	\$ 2,901,402	\$ 1,533,089	\$ 616,651	\$ 2,149,740	\$ 933,256	\$ 2,150,000	\$ 3,083,256	\$ 1,967,887
2032	\$ 1,967,887	\$ 1,586,747	\$ 561,482	\$ 2,148,229	\$ 507,409	\$ 2,300,000	\$ 2,807,409	\$ 1,308,707
2033	\$ 1,308,707	\$ 1,642,283	\$ 513,333	\$ 2,155,617	\$ 266,667	\$ 2,300,000	\$ 2,566,667	\$ 897,657
2034	\$ 897,657	\$ 1,699,763	\$ 486,667	\$ 2,186,430	\$ 133,333	\$ 2,300,000	\$ 2,433,333	\$ 650,753
2035	\$ 650,753	\$ 1,759,255	\$ 486,667	\$ 2,245,922	\$ 133,333	\$ 2,300,000	\$ 2,433,333	\$ 463,341

Reserve Open Balance

the amount of money in the CIP reserve at the start of each year.

Base Amount

the principle yearly amount that is allotted in the budget for CIP approvals (old and new). The current \$1,157,675 is shown to increase (2-3.5%) each year to account for inflation.

Payment Factor

variable amount based on 20% (10% in 2021) of the total tax incentive payments and approvals for each calendar year. The 20% is meant to link the funding allotted to the CIP reserve to the fluctuations of the value of incentive disbursement and approval each year. Brownfield Tax incentives are rebated at 80%. This payment factor is meant to pull from the remaining 20%.

Total Annual Budget

Base Amount + Payment Factor = the total amount that will have to be allotted to the CIP reserve for tax incentives for each year.

Current Approvals	total amount that is set to be paid out in each year for previously approved projects (2004-2019).
Estimated New Approvals	Approximate amount of new approvals to be added each year.
Total Payments	Current Approvals + Estimated New Approvals
Reserve Ending Balance	(Reserve Open Balance + Total Annual Budget) – Total Payments




Corporate Report City Council

Report from: Municipal Works, Operations

Report Date: September 21, 2020 **Meeting Date:** October 19, 2020

Report Number: MW-142-2020 **File:** 77.34.1

Subject: Winter Storm Event Temporary On-Street Parking Prohibition

Strategic Pillar: 

Recommendation

That the Staff Recommendation in Report MW-142-2020, regarding Winter Storm Event Temporary On-Street Parking Prohibition, be referred to City Council for consideration after a public meeting to be scheduled as part of the next Regular meeting of City Council for which notice will be duly given. FORTHWITH

Staff Recommendation

That Council proceed with on-street temporary event-based winter parking restrictions (S'no Parking), as outlined in Report MW-142-2020; and

That the on-street temporary event-based winter parking prohibitions be applied across the city, save and except the exemption areas noted in Appendix 1; and

That the City Solicitor be directed to prepare the necessary by-laws. FORTHWITH

Summary

Unrestricted street parking during winter events hampers the ability of the City to deliver effectual ice mitigation and / or snow removal. Furthermore, the impact of climate change on the characteristics and variability of winter storms as described later in this report, make it all the more pressing for the City to the utilize mechanisms it does have to improve its ability to mitigate winter related road hazards.

When vehicles remain parked during flurries, the impact on snow removal operations is particularly acute. First, the time required for initial lane clearing is greatly protracted, as the plow operators must carefully navigate around parked vehicles. Subsequent to the initial clearing, plows must again be dispatched, often numerous times, as parked vehicles gradually leave a street, to remove ridges and piles left remaining on the road.

In addition to the significant costs associated with reattendance efforts, response thresholds for compliance with service level standards are frequently compromised. This represents a heightened risk to the driving public, and in some instances may also impact response of emergency vehicles. The result is increased liability both financially and to the City's credibility.

To mitigate the situation, staff is proposing that Council move forward to adopt a city-wide winter event-based temporary parking prohibition.

Relationship to Strategic Plan

This report aligns with Strategic Goal 2.2 - "Improve transportation and overall connectedness (all modes, including GO Rail, VIA Rail, and inter-municipal transit and active transportation), incorporate urban design guidelines and provide complete streets in City neighborhoods."

Background

The topic of event-based winter parking prohibitions was last brought forward in 2016, as detailed in two companion reports: [TES-262-2015](#) and [TES-297-2016](#). In these reports, staff advised that significant improvement in efficiency of snow removal operations could be realized by implementing city wide temporary on-street parking prohibitions in advance of anticipated flurries. At that time, in lieu of moving to full implementation, Council approved a phased approach, the initial action being a scoped pilot program to gauge the level of voluntary compliance and public support for temporary event-based winter parking restrictions. Briefly put, the results of the pilot were of limited value due to several factors, as detailed in Report TES-297-2016.

Nonetheless, while the pilot could not predict the timeframe for the community to acclimate to the proposed seasonal parking restrictions, the improvements to efficiency of winter operations associated with preventing vehicles from parking on roads during a significant winter weather are evident. Therefore, Report TES-297-2016 recommended moving forward with seasonal event-based parking prohibitions. That recommendation was not endorsed by Council.

Report

In the last decade, significant changes have occurred that hinder the City's ability to deliver effectual winter operations. These include direct factors such as: population growth and related expansion of both the road network and types of users on the roads; budget constraints / reduction in use of supplemental contracted equipment; provisions in collective agreements; and stricter Provincial regulatory limits on staff driving hours with, increased expectations in Provincial Minimum Maintenance Standards.

In addition, climate change has also had a profound impact on the types of winter storms the city experiences and is a recognized challenge across the municipal sector in Canada. In the Niagara Region, mid-winter rapid thaw-freeze cycles followed by snow

flurries were once rare. This however is no longer the case and these types of winter events are particularly resource intensive.

Another effect of climate change is that there is often a significant variability in the ground effects of a winter front, even within a relatively small geographic area. For example, the same storm front may initially produce snowfall at the Lake Street Service Centre and concurrently, produce freezing rain at Burleigh Hill. Only to then (within a short time frame) deposit snow on Burleigh Hill. In an example like this, the City has little control (and in some cases no control) over a factor that hinders delivery of effectual winter ice mitigation and snow removal. Therefore, it is even more important for the City to take advantage of any mechanism it can to better utilize our limited financial, personnel and equipment resources. One of the ways we can improve the efficiency of winter operations is by moving forward with winter event based temporary on-street parking prohibitions.

As detailed in Report TES-262-2015, staff previously undertook a comprehensive review of the various parking restriction programs other municipalities utilize, including the pros and cons of each. During this review staff confirmed that St. Catharines was one of a very few municipalities with no system at all.

In an effort to strike a balance between the desire for residents to utilize on-street parking and the necessity for parking prohibitions during winter events, in 2015 / 2016 staff recommended that Council adopt a bylaw to enact city wide "Winter Storm Event Temporary on-street Parking Prohibition." With this system, residents would be notified at the onset of a significant event that they must remove their parked vehicles from the road until the end of the event is announced.

In 2020, staff is still advising that this is the best option for the city.

Based on a review of historical snow information, it is anticipated that for a large snowfall event, a typical ban would be in effect for 72 hours from the on-set of a snow fall. This timeframe would be considerably shorter for small events.

Finally, as detailed in Report TES-262-2015, staff is aware that there are certain older neighborhoods where parking is already very limited and arguably insufficient. As such, exemption zones are proposed, as shown on the maps found in Appendix 1. The extent and sufficiency of these would be refined after public input is received.

Financial Implications

Staff advise that costs associated with preparing enhance education and notification material, including web-based information for the public, will be offset by savings in winter operating costs and as such, can be accommodated in the existing budget.

Environmental Sustainability Implications

Environmental sustainability implications with winter control were discussed in a previous report to the Budget Standing Committee in Report [MW-B007-2020](#).

Conclusion

There are many factors that affect winter events and associated responses that are beyond the City's control. Therefore, it is crucial for the City to take advantage of any mechanism we can to better utilize our limited financial, personnel and equipment resources. One of the most obvious means to improve the efficiency of winter operations is by implementing winter event based temporary on-street parking prohibitions.

Prepared and Submitted by

John Kukalis, C.E.T.
Manager of Operations

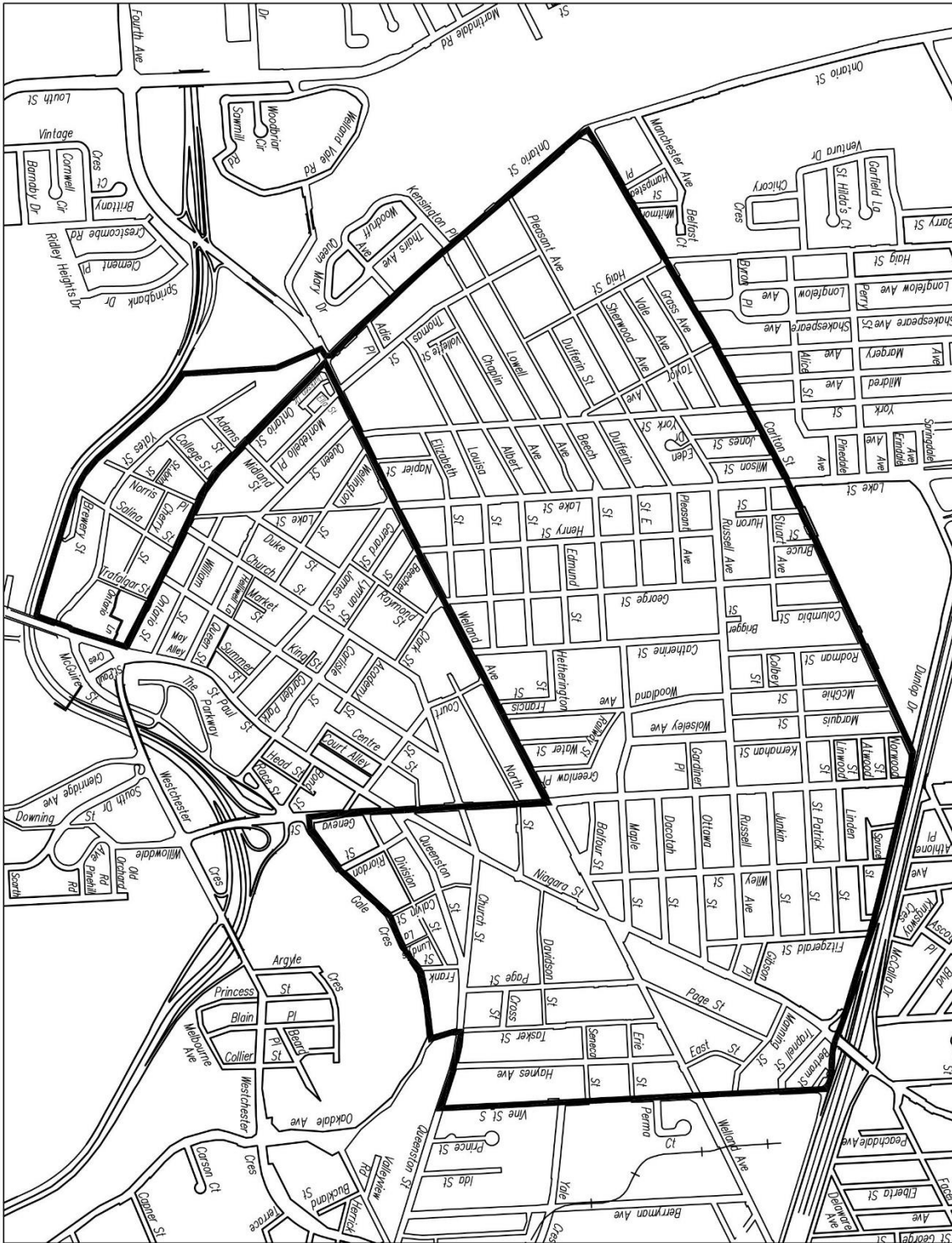
Approved by

Darrell Smith, P.Eng.
Director of Municipal Works

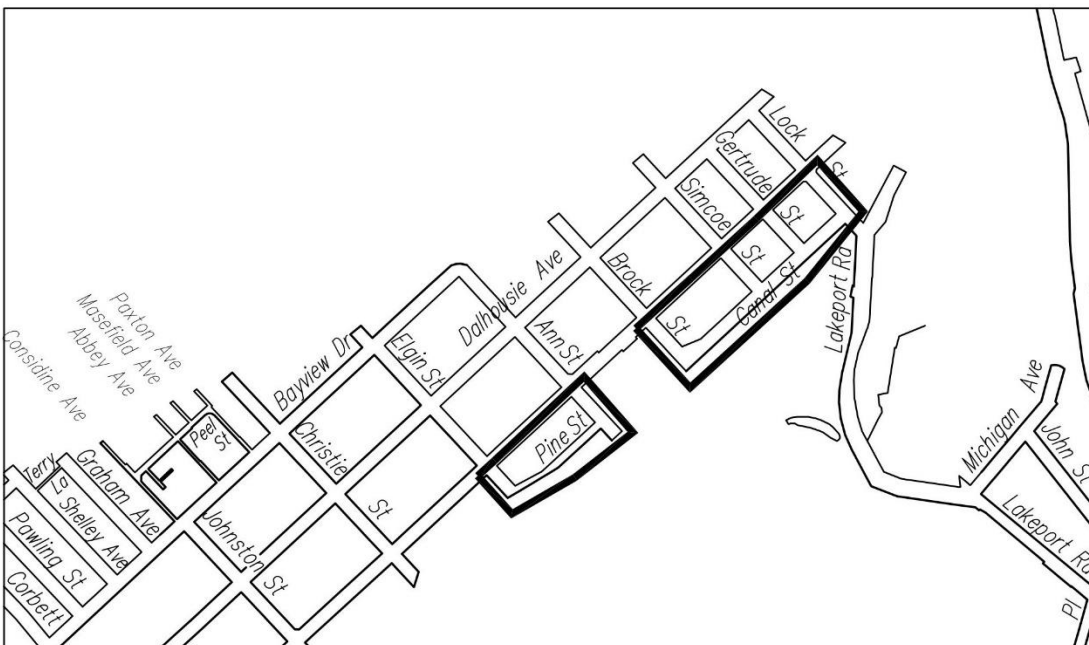
Appendices

- Appendix 1 - Exemption zones from winter event based temporary on-street parking prohibitions

S'No Parking Proposed Exemption Areas



S'No Parking Proposed Exemption Areas





Memorandum

To: Mayor Sendzik and City Council
Cc: Department Heads
From: Bonnie Nistico-Dunk, City Clerk
Date: October 29, 2020
Subject: Amendment to Financial Implications section of Report MW-142-2020, Winter Storm Event Temporary On-Street Parking Prohibition

For the Council Meeting of November 2, 2020, a revision is being made to the Financial Implications section of Council Agenda Item 6.3, Winter Storm Event Temporary On-Street Parking Prohibition, to provide clarity on the financial implications associated with temporary on-street parking prohibitions.

The following information is to be included as part of the Financial Implications section of Report MW-142-2020:

“The winter event parking prohibition will apply to all streets within the city with the exception of the defined exemption areas, outlined in Appendix 1. In terms of penalties, for residents that fail to remove their vehicle from the road when a Winter Storm Parking ban is announced/in effect, they may be issued a ticket for a parking infraction in accordance with the current fee schedule. This penalty is currently \$30.00 per occurrence. Vehicles may also be towed if conditions warrant.”

Regards,

A handwritten signature in blue ink, appearing to read 'Bonnie Nistico-Dunk'.

Bonnie Nistico-Dunk
City Clerk



By-laws to be considered Monday, November 2, 2020

- (a) A By-law to deem part of a certain registered plan of subdivision to not be a registered plan of subdivision pursuant to Section 50, subsection 4 of the Planning Act, R.S.O. 1990, c. P. 13. (One reading - with respect to lands municipally known as 44 Runcorn Street. Delegation By-law No. 2004-277, as amended.)
- (b) A By-law to amend By-law No. 2013-283 entitled "A By-law to regulate the use of land, the bulk, height, location, erection and use of buildings and structures, the provision of parking spaces and other associated matters in the City of St. Catharines." (One reading - with respect to development of lands municipally known as 268 Oakdale Avenue. To be considered by Council, November 2, 2020.)
- (c) A By-law to adopt a Community Improvement Plan for the City of St. Catharines. (One reading - with respect to the new St. Catharines Community Improvement Plan (2020CIP). To be considered by Council, November 2, 2020.)
- (d) A By-law to amend By-law No. 2004-277 entitled "A By-law to authorize delegation of certain matters to staff." (One reading - with respect to approval of applications and execution of agreements under the Tax Increment Finance (TIF) Program and the Brownfield Tax Increment Finance (BTIF) Program. To be considered by Council, November 2, 2020.)
- (e) A By-law to amend By-law No. 2004-277 entitled "A By-law to authorize delegation of certain matters to staff." (One reading - with respect to approval of applications under the Accessory Dwelling Unit (ADU) Program. To be considered by Council, November 2, 2020.)
- (f) A By-law to amend By-law No. 89-2000 entitled "A By-law regulating traffic and parking on City Roads." (One reading - with respect to Winter Storm Event Temporary On-Street Parking Prohibition (S'no Parking). To be considered by Council, November 2, 2020.)
- (g) A By-law to authorize an Encroachment Agreement with Nickel Developments Ltd. (One reading - with respect to lands adjacent 57 Carlisle Street. To be considered by General Committee, November 2, 2020.)
- (h) A By-law to confirm the proceedings of council at its meetings held on the 21st day of October 2020, the 26th day of October 2020 and the 2nd day of November 2020. (One reading - with respect to confirming the proceedings of the meetings held on October 21, 2020, October 26, 2020 and November 2, 2020.)