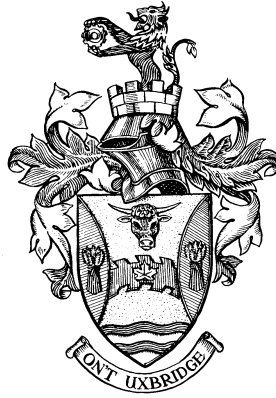


Uxbridge Downtown

Community
IMPROVEMENT
Plan

September 2009



Township of Uxbridge Downtown Community Improvement Plan

2009

September, 2009

COUNCIL
THE TOWNSHIP OF UXBRIDGE

MAYOR

B. SHEPHERD

COUNCILLORS

H. HERREMA
B. NORTHEAST
T. ENG
P. MIKUSE
J. BALLINGER
G. HIGHET

THE CORPORATION of the TOWNSHIP OF UXBRIDGE

BY-LAW NUMBER _____

BEING A BY-LAW TO ESTABLISH A DOWNTOWN UXBRIDGE COMMUNITY IMPROVEMENT PROJECT AREA AND ADOPT A COMMUNITY IMPROVEMENT PLAN FOR THE PROJECT AREA

The Council of the Corporation of the Township of Uxbridge, in accordance with the provisions of Section 28 of the Planning Act, hereby enacts as follows:

1. The area on Map 1 attached to and forming part of this By-law is designated as a Community Improvement Project Area within the meaning of section 28 of the *Planning Act*.
2. The Downtown Uxbridge Community Improvement Plan attached hereto as Schedule "A" is hereby adopted.
3. This By-law shall come into force and take effect on the day after the last day for filing a notice of appeal subject to the applicable provisions of the *Planning Act*, R.S.O. 1990, as amended.

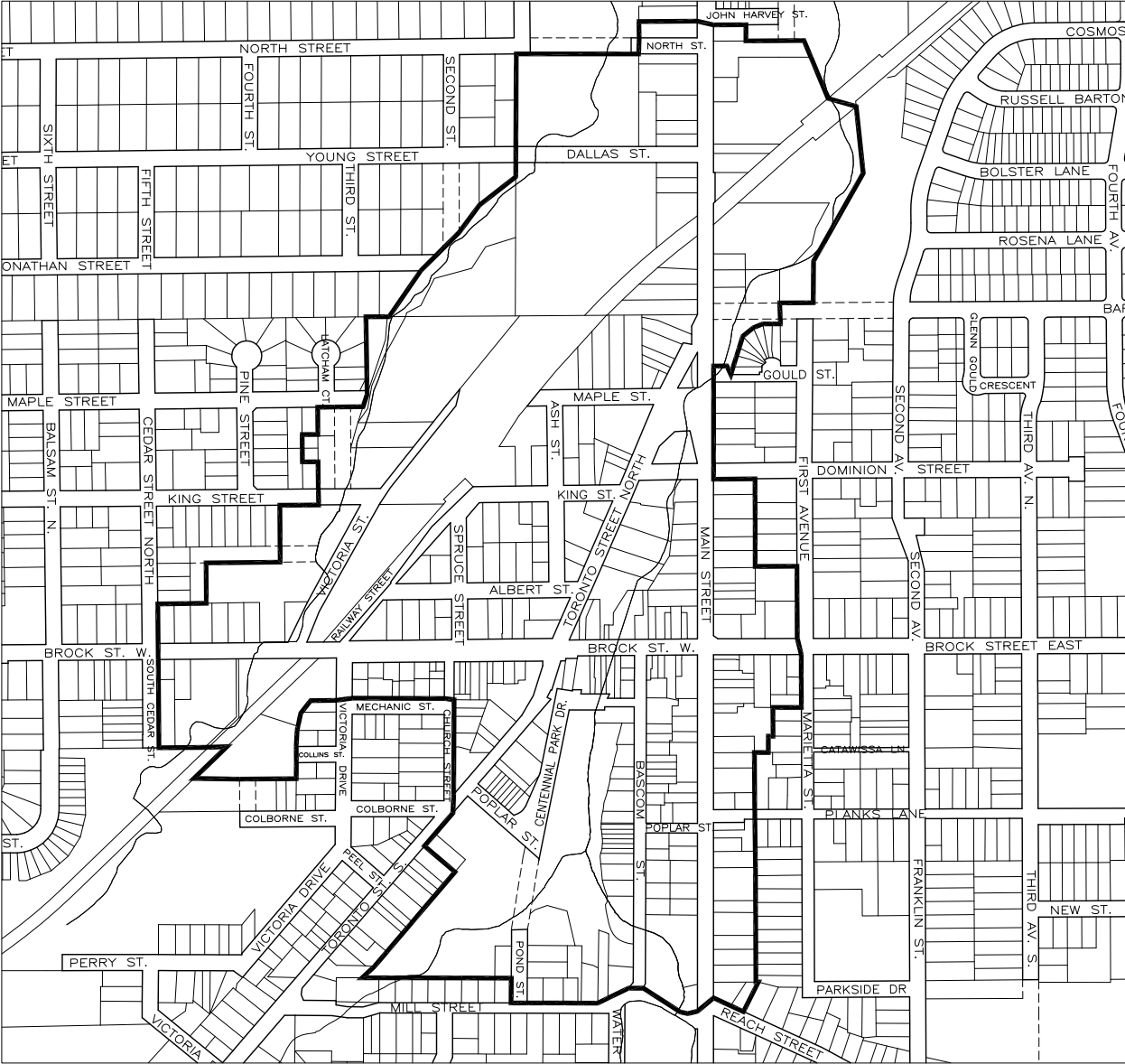
READ a first and second time this ___th day of_____, 2009.

READ a third time and passed this ___th day of_____, 2009.

Mayor

Clerk

Map 1
By-law No. ____
Uxbridge Downtown Community Improvement Plan



AREA AFFECTED BY THIS BY-LAW



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SCHEDULE "A" TO BY-LAW NO.

STATEMENT OF COMPONENTS

SECTIONS 1-4 - THE PREAMBLE provides the basis for the selection of the Downtown Uxbridge Community Improvement Project Area and the development of the Downtown Uxbridge Community Improvement Plan, and does not constitute part of the Community Improvement Plan.

SECTION 5-8 - THE COMMUNITY IMPROVEMENT PLAN constitutes the Downtown Uxbridge Community Improvement Plan.

THE APPENDICES are attached for reference only and are not part of the Downtown Uxbridge Community Improvement Plan.

The Preamble

1.0 Purpose

Downtown Uxbridge is the heart and historic centre of the Township of Uxbridge and, in particular, the Uxbridge Urban Area. The Downtown Uxbridge Community Improvement Plan (CIP) provides for a number of financial incentive programs for this Community Improvement Project Area which has been established in accordance with the provisions of section 28 of the *Planning Act*. The CIP, together with a number of other programs being undertaken by the Township of Uxbridge and key stakeholders, including the Downtown Uxbridge Vision & Action Plan, is intended to stimulate development/redevelopment in Downtown Uxbridge to allow the Community's vision for the area, as established in the Township's Official Plan and the "Downtown Uxbridge Vision Statement" which forms part of the Downtown Vision & Action Plan, to be realized.

2.0 Community Improvement Project Area Boundaries

The Downtown Uxbridge Community Improvement Project Area (Project Area) includes a mix of uses including retail and service commercial and office development, as well as major cultural, institutional and heritage facilities (e.g. Uxbridge Music Hall, Uxbridge Public Library, York-Durham Heritage Railway Train Station) and a range of residential uses. The boundaries, established through By-law No. ____, are shown on Map 1 to the By-law and this Plan. The boundaries of the Project Area are generally described as follows:

- i) North North Street and John Harvey Street;
- ii) East Uxbridge Brook valley, Main Street, rear lot line of the lots fronting on Main Street between Dominion Street and Reach Street, Lots fronting on Brock Street East between Main Street and First Street/Marietta Street, one lot fronting on First Street north of Brock Street East and two lots fronting on Marietta Street south of Brock Street East;
- iii) South Reach Street, Mill Street and the rear lot line of the lots fronting on Mill Street; and,
- iv) West Rear lot line of lots fronting on Toronto Street South to 59 Toronto Street, Toronto Street South, Church Street, Mechanic Street, rear of lots fronting on Brock Street West between Victoria Drive and South Cedar Street and and related properties, Cedar Street North, rear lot line of 175, 169, 163 and 141 Brock Street West east of Cedar Street, 126 King Street, 99 and 14 Victoria Street and an unopened road allowance and related properties to the west of those properties, western boundary of floodplain and valley

lands between Maple Street and Dallas Street and 18 Dallas Street.

The Township's Official Plan has designated the "Uxbridge Urban Area", which includes Downtown Uxbridge, as a "Community Improvement Area" for many years, recognizing that it meets many of the criteria set out in the Official Plan Section 1.3.4, Community Improvement Policies & Goals. However, the Downtown has been identified by the Township as a priority for selection as a community improvement project area because of the range of issues it faces compared with other areas of the community including lack of easily accessible off-street parking and loading areas; vacant and under utilized infill lands and buildings; inadequate pedestrian walkways; deficient amenities and deteriorated building facades and signage. A detailed evaluation of the boundaries for the Downtown Community Improvement Project Area, including input from stakeholder focus groups, was carried out through the Downtown Uxbridge Vision & Action Plan.

The areas included in the Community Improvement Project Area that fall outside of the Main Central Area which is clearly identified in the Official Plan as the focus for the Downtown, together with the rationale for their inclusion in the Community Improvement Project Area in addition to the Main Central Area, are as follows:

i) Areas in Transition

To the north and north west of the Main Central Area are a number of areas in transition with respect to use. These include lands which are designated as "Mixed Use Area", "Employment Area", "Institutional Area". The potential redevelopment of these areas will benefit the Main Central Area. In addition, as one of the "gateways" to the Downtown, consideration needs to be given to improvements to the streetscape and deteriorated building facades and signage.

ii) Mixed Use Special Policy Areas and Related Uses

To the south and west of the Main Central Area, a number of areas have been designated "Mixed Use Special Policy Area" (Section 2.5.27). These identify residential areas related to the Main Central Area where existing buildings may be used for small scale commercial, service, office, institutional and non-profit uses. The intent is to recognize these areas as extension of the Main Central Area while preserving their character. As an effective part of the Downtown they should form part of the Project Area. The Town Hall and adjacent place of worship and lands along Mill Street and the railway station are also included given their locations at entrances to the Main Central Area.

iii) Environmental Constraint and Park and Open Space

The Main Central Area is built around the Uxbridge Brook. The Brook and its valleylands provides an opportunity to create a unique feature in the Main Central Area and adjacent to it. At the same time, the potential for flooding is a risk which

must be managed. As such, consideration of the management of these areas, and their enhancement, is critical to the success of the Main Central Area.

3.0 Background/Public Benefit Rationale

The Township of Uxbridge has long been committed to supporting efforts to strengthen Downtown Uxbridge. This is reflected in the Township's Official Plan, and in particular the Uxbridge Urban Area Secondary Plan (Section 2 of the Official Plan) which provides special direction related to the Main Central Area, "the most diverse focus of activity and use within the Urban Area" (Section 2.5.16.2). The Secondary Plan also establishes as part of the Community Design Strategy (Section 2.4.3) that the Main Central Area will be maintained as "the focal point of the community for residents and visitors". In addition, Section 2.4.3.1 establishes the Main Central Area as a "mixed use area with its own unique heritage character" and that "new development should be designed to enhance this role."

The Township's commitment is also reflected in the substantial financial contributions the Township has made towards the Downtown, most recently with the funding put towards the reconstruction of Brock Street West. This project involved the revitalization of this Downtown street including enhanced landscaping, the burying of utilities, the upgrading of storm and sanitary sewers and the creation of a coordinated street furniture plan. Construction on the project was initiated in June 2009 and was proposed to be completed in October 2009.

Further, a portion of the Uxbridge Urban Area includes a designated Business Improvement Area (BIA) which was established pursuant to the Municipal Act in 1988 and expanded in 1996. The BIA is composed of business owners in the designated area and funding is obtained by a special tax levy assessed on all members. The role of the BIA includes promoting Downtown, assisting new and existing businesses, keeping the Downtown attractive, and acting as a liaison with the Township.

Other work undertaken and/or overseen by the Township includes:

- i) The Uxbridge Cause Report (October 1984); and,
- ii) Heritage Design Guidelines (February 2005);
- iii) Downtown Uxbridge Visioning Day (October 2008); and,
- iv) Downtown Uxbridge Vision & Action Plan (April 2009).

As a significant part of the efforts of the Township, the BIA and other stakeholders to enhance the Downtown, in March 2009 and after extensive public input, Township Council adopted the "Downtown Uxbridge Vision Statement" which is meant to "inspire, energize, and stimulate creativity" in the Downtown. Based on significant public input, the Downtown Uxbridge Vision can be summarized as follows:

"Downtown Uxbridge is a place that attracts visitors and tourists, and tempts travelers to stop and explore, with appropriate accommodation for those who wish to stay overnight.

The downtown offers a good livelihood to business enterprises located there, and provides a commercial and recreational focus for residents.” The full version of the Downtown Uxbridge Vision can be found in Section 3 of the Preamble to this document.

Through the implementation component of the Downtown Vision & Action Plan, Township Council have established specific actions which will lead to the realization of the Vision, a number of which have already been undertaken. One of these initiatives is the Downtown Uxbridge Community Improvement Plan.

The following provides a detailed discussion of the issues which could benefit from the establishment of a community improvement plan. For each of the areas of concern in the Downtown, a community improvement plan would have the potential, through the use of financial incentive programs, to:

i) Transportation, Parking and Related Improvements

- provide the Township with tools to expand the parking supply at strategic locations, either by encouraging the provision of parking on private lands, or to actively intervene if necessary;
- be used to encourage the process of improving the layout of existing parking lots on private lands;
- provide the Township with tools for encouraging the development of rear laneways and related parking on private lands, or to actively intervene to create such facilities if necessary; and,
- provide the Township with tools to actively intervene to create trails or other linkages, if necessary.

ii) Enhancements to Downtown

- be used to assist in community based projects;
- be used to encourage redevelopment of municipal buildings or lands by private developers or a private/public partnership;
- be used to increase density through intensification projects;
- be used to support the revitalization of Brownfields through the provision of a Brownfields Financial Tax Incentive Program;
- be used to preserve and restore heritage properties through the provision of a Heritage Property Tax Relief program;
- be used to improve existing buildings, signage and facades in keeping with the theme of downtown; and,
- be used to provide a barrier free and accessible downtown.

iii) Market Assessment

- assist in the realization of redevelopment projects; and,
- assist in a retail recruitment program to allow the targeted uses to locate in the Downtown.

4.0 Community Improvement Plan Preparation

The Downtown Uxbridge Community Improvement Plan as contained in Sections 5-8 of this document has been prepared in accordance with the provisions of the *Planning Act*. It reflects the extensive public involvement which led to the preparation of the Downtown Uxbridge Vision & Action Plan as well as the results of the Downtown Uxbridge Visioning Day (October 2008) which was based on stakeholder focus groups and discussions. In addition, stakeholder input was obtained through meetings at key points with the Downtown Revitalization Committee, which includes representation from interest groups such as the Downtown Business Improvement Area, Chamber of Commerce, downtown property owners, the arts community, culture and heritage, and Township residents. Finally, a statutory public meeting was held on Monday, September 28, 2009 in accordance with the requirements of the *Planning Act*. The results of this meeting, together with written submissions, were considered in finalizing the Community Improvement Plan.

The Community Improvement Plan

5.0 Legislative Authority and Policy Basis

5.1 Municipal Act

Section 106(1) of the *Municipal Act, 2001* prohibits “bonusing”, the provision by a municipality of any assistance directly or indirectly to any manufacturing business or other industrial or commercial enterprise. However, Section 106(3) of the *Municipal Act, 2001* exempts municipalities exercising powers under Section 28 (6) or (7) of the *Planning Act* or Section 365.1 of the *Municipal Act, 2001*. The Township of Uxbridge intends to utilize this exception as the legislative basis for financial assistance programs offered through this Downtown Uxbridge Community Improvement Plan.

Section 365.2 of the *Municipal Act* allows lower, single and upper-tier municipalities to establish a program which provides tax reductions or refunds for eligible heritage properties. Participation of an upper-tier municipality is contingent on that of the lower-tier municipality.

5.2 Planning Act

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

Once a community improvement project area has been designated by by-law, the municipality may then prepare a “community improvement plan” for the community improvement project area. Upon adoption of the plan the municipality may then:

- i) acquire, hold, clear, grade or otherwise prepare land for community improvement;
- ii) construct, repair, rehabilitate or improve buildings on land acquired or held by it in conformity with the community improvement plan;
- iii) sell, lease, or otherwise dispose of any land and buildings acquired or held by it in conformity with the community improvement plan;
- iv) make grants or loans, or provide Development Charge and fee reduction, to the registered owners, assessed owners, tenants, or their assignees, of land and buildings within the community improvement project area for the purpose of carrying out the community improvement plan; and,
- v) provide property tax assistance for environmental remediation purposes

However, Section 28 (7.3) states that the total of the grants and loans under subsections (7) and (7.2) and the tax assistance as defined in section 365.1 of the Municipal Act, 2001, with respect to land and buildings shall not exceed the cost of rehabilitating the land and buildings. This Plan outlines the programs which the Township intends to implement within the Downtown Uxbridge Community Improvement Project Area. These programs include eligibility criteria that ensure conformity with Section 28 (7.3).

5.3 Development Charges Act

The Development Charges Act, 1997 allows a municipal government to impose development charges against land to pay for increased capital costs required because of increased need for services arising from new development. Section 5(1) of the Development Charges Act permits municipalities to give full or partial exemption of those charges.

5.4 Ontario Heritage Act

Section 29 of the Ontario Heritage Act, 1990, allows municipalities to designate a property which is of cultural heritage value or interest. Section 39 of the Act allows lower or single-tier municipalities to issue loans or grants to the owner of a designated property for the purpose of paying for the whole or any part of the cost of alteration of the designated property, subject to the terms and conditions set forth by Council. As was mentioned above in the Municipal Act Section, Section 365.2 of the Municipal Act allows lower, single and upper-tier municipalities to establish a program which provides tax reductions or refunds for eligible heritage properties. Participation of an upper-tier municipality is contingent on that of the lower-tier municipality.

5.5 Brownfield Statute Law Amendment Act

This act provides the legislative framework for the Brownfields Financial Tax Incentive Program (BFTIP). The BFTIP is intended to attract third party funding to encourage the clean-up and revitalization of brownfield sites. The program enables municipalities to provide tax assistance at the beginning of the clean-up process. Subject to the provision of tax assistance by the local municipality, the program allows the Province to match the municipal tax assistance on the education portion of the property tax for a period of up to three years from the starting date of remediation. Conditions of eligibility are listed in Section 7.5 of this CIP.

5.6 Township of Uxbridge Official Plan

The Township of Uxbridge Official Plan incorporates a Secondary Plan for the Uxbridge Urban Area which was adopted by Township Council on July 1999 and

approved by the Ontario Municipal Board on August 22, 2000, with modifications.

The Secondary Plan establishes in Section 2.5.16 Main Central Area, the importance of the Downtown. This direction is further reinforced in Section 2.4.3.1 which states that the “Main Central Area is, and shall continue to be the focal point of the community for residents and visitors.”

With respect to specific land use designations, the Township of Uxbridge Official Plan identifies the majority of the lands in the Downtown Uxbridge Community Improvement Project Area as part of the “Main Central Area” and designates them on Schedule “A”, Land Use and Transportation Uxbridge Urban Area.

Lands outside the Main Central Area to the south, east and west are designated on Schedule “A” as “Mixed Use Special Policy Area” and “Residential Area”, with the exception of the York Durham Heritage Railway Station and the Township of Uxbridge Municipal Offices which are designated “Institutional”. In addition, lands to the north of the Main Central Area include active industrial sites which are designated as “Employment Area”, while lands along Main Street North are designated “Mixed Use Area”. Finally, lands adjacent to the Uxbridge Brook are designated “Environmental Constraint Area”, “Floodplain” and “Parks and Open Space Area, both in and adjacent to the Main Central Area.

Key policy directions include the following:

- i) Section 2.5.16 Main Central Area – This designation recognizes the existing Main Central Area as the main concentration of urban activities within the Urban Area. It permits an array of community, office, service and shopping, recreational and residential uses. Section 2.5.16.2 states that the Township “shall support improvements and redevelopment in the Main Central Area” and that it will encourage new development that strengthens the role of the area within the community. Section 2.5.16.4.3 directs that the Township will continue to work with the Business Improvement Area (BIA) and other stakeholders to strengthen the Main Central Area. The Township will work to address “a full range of issues including traffic, heritage, retail requirements, promotion and parking.”
- ii) Section 2.5.5 Residential Area – This designation recognizes the existing residential areas and ensures that new uses are generally compatible with the existing character and structure of these areas.
- iii) Section 2.5.8 Institutional Area recognizes institutional uses and related uses, and provides the criteria to evaluate any proposals to redevelop such sites. Section 2.5.8.3.1 states that all new applications shall be evaluated based on their conformity with the policies of Section 2.4, Community

Design Strategy, which includes policies relating to the Urban Area, as well as specific policies related to the Main Central Area.

- iv) Section 2.5.9 Park and Open Space Area recognizes existing public parks and open space areas “which provide a full range of active and passive recreation facilities” to the residents of the Township of Uxbridge. Section 2.5.9.3 identifies that the Township shall continue to maintain and enhance existing facilities and that when new parks are considered, that they shall be considered in the context of the Natural Heritage System as a whole and the related policies of Section 2.3 of the Official Plan.
- v) Section 2.5.10 Environmental Constraint Area identifies that lands within this designated area, including Floodplain lands on Schedule “A” shall be subject to the policies of Section 2.3.2 of the Official Plan.
- vi) Section 2.5.18 Mixed Use encourages which utilizes existing buildings and structures (Section 2.5.18.3.2), but where that is not possible, new development is to be designed to conform to a number of criteria including enhancing the “gateway” function of the area.
- vii) Section 2.5.19 Employment Area recognizes that the Urban Area does not contain any large employment area and that employment uses must be integrated with surrounding land uses. All new applications will be subject to site plan control.
- viii) Section 2.5.27 Mixed Use Special Policy Area applicable to certain lands in the Residential Area designation. It permits a range of additional uses subject to specific criteria including that there is no alternative feasible site in the Main Central Area, and a rezoning.

In addition to the policies of the Secondary Plan, the Community Improvement Policies and Goals of Section 1.3 of the Official Plan are also applicable. This Section includes:

- i) Goals and Objectives;
- ii) Criteria for the Selection of Community Improvement Areas;
- iii) Selected Community Improvement Areas;
- iv) Phasing of Improvements; and,
- v) Implementation.

In particular the Goals (Section 1.3.2) state that the Township shall “broaden the economic base” and “continue to make Uxbridge an attractive, safe and efficient place in which to live, work and visit.” Section 1.3.7 outlines the actions which the Township intends to take to implement the goals and objectives, including designation of community project areas; utilization of public funds through a

variety of Municipal, Regional, Provincial and Federal Programs; acquisition of lands and encourage a Business Improvement Area in the Uxbridge Urban Area.

6.0 Goals and Objectives

The Township's Vision in the Downtown Uxbridge Vision Statement, as well as its Community Improvement Goals and Objectives in Section 1.3 of the Official Plan and the Main Central Area Enhancement policy as set out in Section 2.5.16.4.3 of the Official Plan, are applicable to the Downtown Uxbridge Community Improvement Plan, as are the specific goal and objectives which are based on the work carried out as background for the Downtown Vision & Action Plan as follows:

6.1 Vision

“Downtown Uxbridge is the vibrant focus of a thriving small town set in rolling hills and reflecting its strong agricultural heritage.

There is an active street scene, with people - residents and visitors - shopping, browsing, enjoying the company of friends in restaurants and cafes, and strolling along pleasant and attractive streets. A range of stores, more varied and attractive than in the past, and other commercial enterprises, many run by local entrepreneurs, has made it attractive as a place to shop and conduct business. Vacant stores are a thing of the past. The pedestrian orientation of the downtown streets is evident from the modest flow of traffic, with few trucks. A small park, or “town square” in the centre of town provides a focal point for community activities, or for simply relaxing in a pleasant park setting. The town's farming roots are evident from the colourful farmer's market that attracts both residents and visitors, and provides a valuable means for area farmers to offer their produce. A grocery in the downtown provides essentials without the need for a car.

The Uxbridge Brook, once completely out of sight in the downtown area, is once again visible, providing an attractive natural feature to complement the large shade trees along the main streets. The streets themselves reflect Uxbridge's heritage and history, with buildings that have had their exteriors remodeled or renovated in keeping with established heritage guidelines, and signage and street furnishings in tasteful harmony. The rear aspects of buildings facing public areas are no longer an eyesore. The older heritage buildings are complemented by some newer structures (some replacing eyesores or deteriorating buildings), some of which may be more modern in design, but enhance the character of the town.

Uxbridge's reputation as an intensively artistic community is evident from the many works of public art installed around the town, giving it a unique character. And its designation as “The Trail Capital of Canada” is evident from the

extensions of the extensive trail system that reach into the downtown, enabling people to walk or bicycle from downtown into surrounding natural areas. Ease of access is provided through numerous public parking areas, well-marked and attractive in design and landscaping. Similarly, ease of access for the physically challenged is provided at most stores and all public facilities. The downtown has a diversified population of residents, with accommodation suited to varying economic levels.

In short, downtown Uxbridge is a place that attracts visitors and tourists, and tempts travelers to stop and explore, with appropriate accommodation for those who wish to stay overnight. The downtown offers a good livelihood to business enterprises located there, and provides a commercial and recreational focus for residents.

Uxbridge is a small town in a rural community, with a downtown that has become an attractive destination for visitors and an effective focus for residents, through a bold approach by the Council and the community, including enlightened planning, good design and wise investment of resources.”

6.2 Goal

The Township of Uxbridge shall maintain, rehabilitate and redevelop the existing physical environment of Downtown Uxbridge by both public and private means to accommodate the social and economic priorities of the community.

6.3 Objectives

The Township of Uxbridge as established in Section 1.3 of the Official Plan and the Downtown Vision & Action Plan shall support projects and programs which will:

- i) result in the creation of an active street scene including a range of commercial enterprises, to attract visitors and tourists, while providing a commercial and recreational focus for residents;
- ii) ensure a strong pedestrian orientation to downtown streets;
- iii) result in the creation of a focal point for activities, a small park or town square;
- iv) result in Uxbridge Brook once again becoming a feature of the Downtown and other sustainable development initiatives being undertaken;
- v) enable people to walk or bicycle from Downtown to the surrounding natural areas using the Township’s extensive trail system;

- vi) ensure that the area and streets reflects Uxbridge's heritage and history as well as its intensively artistic community;
- vii) ensure that the area is easily accessible; and,
- viii) result in a Downtown with a diversified population of residents.

7.0 Community Improvement Programs

Downtown Uxbridge CIP Boundary, Map 1 attached, illustrates the boundaries of the Downtown Uxbridge Community Improvement Plan area. The programs listed in Section 7 can only be advanced on properties or buildings within the Plan area as shown on Map 1. Any revisions to the Plan boundaries will require an Amendment to the Downtown Uxbridge CIP.

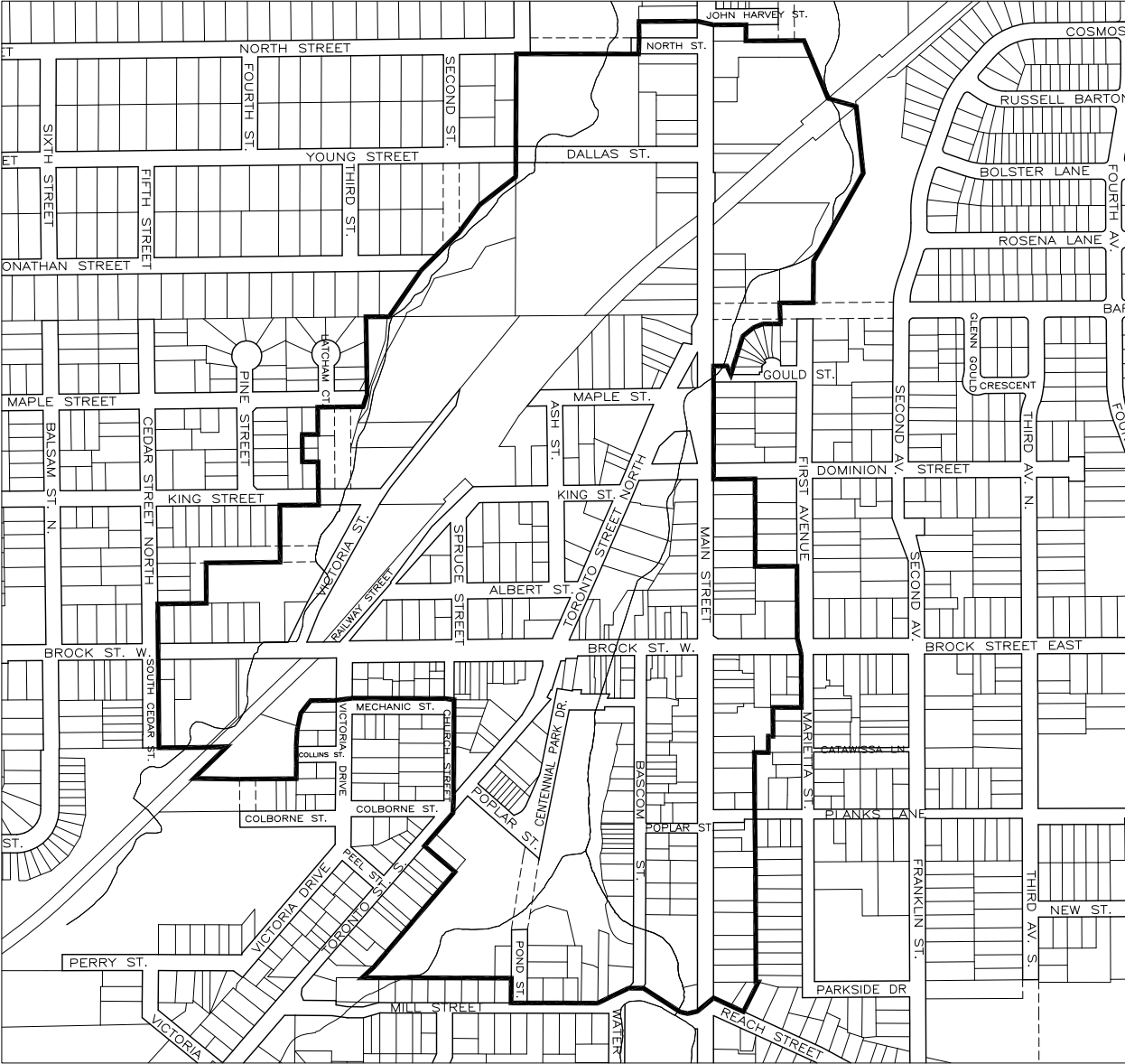
In order to implement the Vision, Goal and Objectives for the Community Improvement Plan, the Township will offer the following financial incentive programs in the Downtown Uxbridge Community Improvement Project Area:

- i) Redevelopment/Rehabilitation Grant Program;
- ii) Building, Façade and Signage Improvement Loan Program;
- iii) Fee Grant Program;
- iv) Sale or Lease of Municipal Buildings or Landholdings;
- v) Brownfields Tax Incentive Program; and,
- vi) Heritage Property Tax Relief.

These incentive programs are directed at the private sector and are designed to encourage private sector investment, redevelopment and construction activity in the Downtown. These programs will be augmented and complemented by a range of municipal activities. In addition, the Township will, through the Alternative Funding Program under this Plan, facilitate access to alternative funding or public/private partnerships for improvements in the Project Area as set out in Section 7.7.

Further, projects within the Downtown Uxbridge CIP area could have the potential to receive financial assistance in support of initiatives that advance the goals of the Regional Official Plan through the Region of Durham's Regional Revitalization Program (2008). To be eligible, projects should achieve positive economic and community objectives, including new construction; addition(s) to existing development; redevelopment brownfield redevelopment; and residential and employment growth on brownfield sites.

Map 1
By-law No. ____
Uxbridge Downtown Community Improvement Plan



AREA AFFECTED BY THIS BY-LAW



Sections 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 and 7.7 describe each program and requirements specific to the particular program. Section 7.8 describes general administrative requirements applicable to all the programs. An eligible landowner or tenant may be awarded financial assistance or qualify for incentives in more than one program in support of a development, redevelopment or enhancement project. The total of the grants and loans provided shall not exceed the eligible cost of the community improvement plan with respect to those lands and buildings.

7.1 Redevelopment/Rehabilitation Grant Program

i) Purpose

The Township of Uxbridge may provide, for redevelopment and rehabilitation sites deemed by the Township to increase property assessment and which support the objectives of the Community Improvement Plan, a share of the incremental taxes in the form of a grant.

ii) Terms of Program

- The annual grant will be paid annually once the eligible project is complete with the final building inspection having been carried out by the Township, the property has been reassessed, and when the new property taxes have been paid;
- The grant would be provided on a declining rate basis for a ten year period based on a schedule established by the Township, with a grant generally equal to 80% of the incremental taxes for the redeveloped property in Year 1. Year 1 is defined as the first full calendar year in which taxes are paid after the project has been completed and re-assessed;
- The grant represents a percentage of increased taxes payable to the Township resulting from improvements, as such the total value of the work completed as indicated on the building permit application, and the amount of municipal taxes paid prior to, and after the redevelopment/rehabilitation will have to be calculated by the Township as a basis for determining the amount of the grant, using a methodology established by the Township. The amount of the total grant shall not exceed the value of the work completed;
- The Township will only pay an annual grant based on the Township portion of the property tax collected for the year;
- The annual grant is based upon changes in property taxes as a result of construction and improvement. It is not based upon occupancy or changes in occupancy or general re-assessments, changes in tax legislation, increases in the tax rate or other factors which may affect the tax rate; and,
- If the property is sold, in whole or in part, before the grant period lapses, the subsequent owner is not entitled to future grant payments.

iii) Procedures

- Grant Application

The applicant is required to submit to the Manager of Development Services, the completed Redevelopment/Rehabilitation Grant Application Form prior to, or at the time of, building permit application. The application shall include a copy of the Building Permit application including plans, estimates, contracts and other details required to satisfy the Township with respect to the costs of the project, and the work expected to result in the increased assessment, and its conformity with the Community Improvement Plan.

- Conditions of Grant Approval

As a condition of grant approval, the Township may require submission of a Business Plan and/or professional design/architectural drawings which conform to the Township's Official Plan policies and Heritage Design Guidelines and other relevant policies and guidelines. In addition, the Township may require the applicant to post security and meet specific insurance terms and, all works must comply with the description of the works in the application. Finally, the applicant shall ensure that a post improvement assessment of the property is undertaken and submitted to the Township.

- Payment of Grant

The payment of the grant shall not take place until:

- The agreement with the Township is signed;
- The owner provides proof the development is complete;
- Township staff inspect the project;
- Township staff are satisfied with the documentation submitted;
- The property has been revalued by MPAC and post project Township taxes have been levied based on the new assessment;
- The owner has paid the taxes in full for at least one year the project is complete; and,
- Any assessment appeals are resolved.

The grant payment may then be calculated as the difference between post-Project Township taxes and pre-project Township taxes multiplied by the applicable grant rate that year.

7.2 Building, Façade and Signage Improvement Loan Program

i) Purpose

The Township may provide a building, façade and signage improvement no-interest loan, for maintenance and improvement works for buildings

and structures located in the Downtown Uxbridge Community Improvement Project Area.

ii) Terms of the Program

The loan will match the amount spent by the applicant toward the cost of the works up to a maximum of \$10,000 per property. This program shall apply to a full range of exterior and interior improvements and may include, but is not limited to, loans for the conversion of the upper storey of commercial buildings to residential uses, or office or other employment generating uses, incorporating barrier free entry into the building, and the upgrading of buildings and structures to Building Code. The loan program shall be for a ten year term. The loan may be repaid at any time with a 15% loan forgiveness, if repaid within three years.

iii) Procedures

- Loan Application

The applicant is required to submit to the Manager of Development Services, the completed Building, Façade and Signage Improvement Loan Application Form prior to the commencement of any works and prior to submission of any building permit application. The cost estimate shall be supported by a minimum of two estimates from qualified contractors. The application shall include plans, estimates, contracts and other details required to satisfy the Township with respect to the costs of the project, and its conformity with the Community Improvement Plan.

- Conditions of Loan Approval

As a condition of loan approval, the Township may require submission of professional design/architectural drawings which conform to the Township's Official Plan policies and Heritage Design Guidelines and other relevant policies or guidelines. In addition, the Township may require the applicant to post security and meet specific insurance terms and, all works must comply with the description of the works in the application. If the higher of the two estimates is proposed to be used, then the loan shall be provided based on the average cost of the two estimates. If the lower of the two estimates is the successful bidder, the loan shall be provided on the basis of the lowest estimate.

- Provision of Loan

The loan will be advanced to the applicant upon completion of the works. Following inspection of the work and the receipt of invoices the loan agreement will be executed. Generally payment shall only be made when the project is complete.

7.3 Fee Grant Program

- i) Purpose and Terms of Program
The Township may provide full or partial exemption or a one time grant equivalent to the amount of any or all of the following Township fees to promote development within the Downtown Uxbridge Community Improvement Project Area:
 - Development Charges;
 - Building Permit Fees;
 - Planning Application Fees;
 - Cash-in-lieu of Parkland; and,
 - Cash-in-lieu of Parking.

- ii) Procedures
 - Grant Application
The applicant is required to submit to the Director of Development Services, the completed Fee Grant Loan Application Form prior to the commencement of a planning application and/or any works as applicable.

 - Conditions of Approval
As a condition of grant approval, the Township may require submission of a professional design/architectural drawings which conform to the Township's Official Plan policies and Heritage Design Guidelines and other relevant policies or guidelines, or other information which demonstrates how the project conforms to the Community Improvement Plan.

In particular, the Township shall consider decreasing the amount of cash-in-lieu of parkland where no land is available to be conveyed on the condition that sustainable design elements be incorporated into a development proposal (e.g. LEED certified building, water conserving landscaping, energy efficient building design and permeable surfaces).

 - Provision of Grant
The grant will be provided for approved projects upon payment of the appropriate fee once all the related approvals have been given for the project.

7.4 Sale or Lease of Municipal Buildings or Landholdings

- i) Purpose and Terms of the Program
The Township of Uxbridge may, sell or lease Municipal buildings and/or landholdings, below market value to promote redevelopment and/or attract

new land use activities by the private sector into the Downtown Uxbridge Community Improvement Project Area. The strategic disposition of lands or buildings by the Township will play a significant role in the phasing and sequencing of development, as well as the final appearance of the development. The Township identifies this program to be an opportunity to increase property assessment and which supports the objectives of the Community Improvement Plan.

ii) Procedures

- Declaration of Building / Land Surplus by Township Council
Only those building and/or lands that have been declared surplus for Municipal purposes by Township Council through a Resolution shall be considered under this Program.

- Expression of Interest
The Township will advertise the surplus building and/or lands. As part of the advertisement campaign the Township will declare the objectives of the Municipality which shall be designed to promote redevelopment or attract a land use activity / tenancy that is consistent with the objectives of the Community Improvement Program.

- Appraisal
The Township will have an appraisal completed by a qualified individual which shall establish the benchmark valuation of the property and/or building. This benchmark valuation shall be deemed to be the “market value” (sale or lease as the case may be) based upon the highest and best use of the property / building consistent with permitted uses as established within the applicable Zone classification assigned to the lands.

- Assessment
The Township will prepare an evaluation system which will be used to score and rate proposals received through the Expression of Interest process. The Township will select a short list of candidates arising from the Expression of Interest process.

- Short List Candidates Assessment – Sale or Lease of Municipal Lands And/or Buildings

Potential purchasers or leasers’ that are on the short list of candidates for Township owned lands and/or buildings will be required to submit detailed architectural concept and site drawings describing the proposal in images and text sufficient to address The Downtown Uxbridge Vision & Action Plan and the Community Design Strategy as outlined in Section 2.4 of the Official Plan, and,

a development pro forma that identifies amongst other matters revenues, short and long term, that will be generated by the Municipality resulting from the development or utilization of the property. The review and assessment of this information will be used to determine the highest and best use of the site.

- **Council Determines Alternate Value of the Land and/or Buildings**
Township Council will determine the percentage below market value, if any, for which the land and/or buildings will be sold or leased. The recommendations arising from the review and assessment of the architectural concept / site drawings and the development pro forma will be used to assist in determining the benefit to the public generated by the project, and therefore, the land/building valuation.

- **Agreement**
The proponent of the preferred proposal will be required to enter into an Agreement with the Township. The Agreement, amongst other matters, shall declare the financial terms of the proposal, and the timeline for work to commence on the site. The Township, as part of the Agreement, may require a sunset provision whereby if work is not commenced on the site within the specified time period, the property and/or lands will be returned to the Township without any penalty. The Agreement will be registered against the Title of the property.

7.5 Brownfields Tax Incentive Program

- i) **Purpose**
The Township of Uxbridge may provide municipal property tax assistance to property owners working to revitalize vacant, contaminated or underutilized lands, commonly referred to as brownfields. This program may stimulate private sector investment and community revitalization. The Township of Uxbridge may also apply for similar assistance from the Region and the Province. Under Section 365.1 of the *Municipal Act*, the Region may provide tax assistance to eligible brownfield redevelopment projects when the municipality is also providing assistance. The Province of Ontario may provide matching education property tax assistance upon a review of applications through the Brownfields Financial Tax Incentive Program (BFTIP). The tax assistance from the Region and the Province may be delivered on a different schedule than the assistance provided by the Township.

- ii) **Terms of Program – Rehabilitation Period**

- All or a portion of the Township's, the Region's and the Educational property taxes may be cancelled during the rehabilitation period which will end with the earliest of any one of the following three scenarios:
 - 18 months after the assistance began;
 - when the Record of Site Condition is filed with the Environmental Site Registry; or,
 - when the tax assistance equals the remediation costs.

- iii) Terms of Program – Development Period
 - All or a portion of the Township's, the Region's and the Educational property taxes may be cancelled during the applicable development period. The development period commences after the rehabilitation period ends. The development period will end with the earliest of any one of the following two scenarios:
 - when the final inspection is carried out by the Town; or,
 - 18 months after the development period began.

- iv) Procedures
 - Application
The applicant is required to submit to the Manager of Development Services, the completed Brownfields Financial Tax Incentive Application Form prior to the commencement of rehabilitation and the submission of an application for a building permit. The application shall include the Phase II Environmental Site Assessment, any related remedial work plans and risk assessments, as well as development plans, estimates, contracts and other details required to satisfy the Township with respect to the nature and costs of the project, and its conformity with the Community Improvement Plan.

 - Conditions of Approval
As a condition of approval, the Township may require submission of a Business Plan and/or professional design/architectural drawings which conform to the Township's Official Plan policies and Heritage Design Guidelines and other relevant policies or guidelines. In addition, the Township may require the applicant to post security and meet specific insurance terms and, all works must comply with the description of the works in the application. The applicant shall also agree to file a Record of Site Condition with the Environmental Site Registry. Finally, approval shall require adoption of a By-law by Township of Uxbridge Council.

 - Provincial and Regional Tax Assistance

The Minister of Finance may approve matching tax assistance on the education portion of the property tax. It is the responsibility of the Township to submit the BFTIP application to the Minister of Finance and all other required parties on behalf of the property owner(s). The Minister of Finance must approve a draft by-law that includes the deferral or cancellation of the education portion of the property taxes before it is adopted by Township Council. The by-law must include the start date, the duration of the tax cancellation period, as well as the amount of Township, Regional and Provincial taxes to be cancelled, inclusive of any adjustments for previously paid tax installments. A resolution of Regional Council is required in order to provide assistance with regard to Regional Taxes. A copy of the resolution is to be attached to the by-law adopted by Township of Uxbridge Council.

7.6 Heritage Property Tax Relief

- i) **Purpose and Terms of Program**

The Township of Uxbridge may, through the provisions in Section 365.2 of the *Municipal Act, 2001*, provide tax relief which would generally be between 10 to 40 per cent as determined by the Township to the owner(s) of eligible heritage properties. The Province of Ontario contributes to the program by funding the education portion of the property tax relief.
- ii) **Procedures**
 - **Tax Incentive Application**

The property owner(s) is/are required to submit an application to the Manager of Development Services for the Township of Uxbridge in order to express interest in the Heritage Property Tax Relief program
 - **Conditions of Approval**

In order to receive tax assistance from the Township of Uxbridge and the Province of Ontario, the subject property must contain a building, structure, or a portion of a building or structure, that is:

 - Subject to a heritage conservation agreement for the property; and,
 - designated under Part IV of the *Ontario Heritage Act* or part of a heritage conservation district designated under Part V of the Act.
 - **Provision of Assistance**

The Township of Uxbridge may provide support to the owner(s) of heritage properties upon completion of an application and subject to the conditions of the Township's Heritage Tax Relief By-law.

Under Section 365.2 of the *Municipal Act*, the Township may establish additional eligibility criteria and impose different criteria for properties in different classes.

7.7 Alternative Funding Program

- i) Purpose and Terms of Program
- The Township shall explore opportunities for funding from the Federal, Provincial and Regional governments, other agencies or the private sector, including public/private partnerships, which will assist in implementing the Goal and Objectives of the Community Improvement Plan. The focus will be on the use of funding for:
- Improvements to infrastructure;
 - Provision of directional and information signage;
 - Streetscape improvements;
 - Building improvements; and,
 - Relocating, upgrading and/or enhancement of utilities and services such as hydro-electricity generation/distribution, burying or relocation of over head wires/services, telecommunications system, heating/cooling systems and similar initiatives.

Council will assess and consider financial participation in the Program if it is a requirement for eligibility.

- ii) Procedures
- Township Initiated Projects
The Township will, a minimum of once a year, review available information concerning grants, loans and other funding opportunities for projects which will assist in the achievement of the Goals and Objectives of the Community Improvement Plan. Where such funding is identified, the matter will be presented to Council for consideration and direction. If the initiative is supported by Council, the necessary application will be submitted as required.
 - Private Projects
As part of the review process, the Township will also identify funding that may be available to the private sector for specific projects or as part of a general program. The Township will establish procedures for advising potential eligible parties in the Project Area of the funding, and will assist in the completion of applications, or other related administrative assistance.

7.8 General Administration Provisions applicable to Incentive Programs

The provision of any grant or loan as described in Sections 7.1, 7.2, 7.3, 7.4, 7.5, and 7.6 is subject to the following general administration provisions:

- i) Owners, tenants and assignees of properties within the Downtown Uxbridge Community Improvement Project Area are eligible to apply for funding under the loan and fee grant programs, and owners and assignees of properties are eligible to apply for funding under the Redevelopment/Rehabilitation Grant Program. Applications may be made on a “first come first served basis” to the limit of the available funding, provided all eligibility criteria and conditions are met for each program. Where applicable, tenants of properties may apply for funding with the written consent of the property owner.
- ii) The programs will not be retroactively applied to developments where building permits were issued prior to the commencement of the program, with the exception that the Township will consider an application(s) with respect to the lands at 144 and 168 Brock Street West and 4 Victoria Drive.
- iii) All applicants shall be required to have a pre-consultation meeting with Township staff prior to filing their applications, to determine factors such as program eligibility, scope of work and project timing.
- iv) Where other sources of government funding and/or non-profit organizations funding to be applied against the eligible costs are anticipated or have been secured, these must be declared as part of the application and the loan/grant may be reduced on a pro-rated basis.
- v) All arrangements for financial incentives under the program shall be to the satisfaction of the Treasurer for the Township. All applicants who are approved will be required to enter into an agreement with the Township approved by Council or it’s designate.
- vi) Property taxes shall be in good standing at the time of application and throughout the length of any loan or grant commitment.
- vii) All proposed development shall conform to the Official Plan and Zoning By-law and other planning requirements. In addition, all improvements shall be made pursuant to a building permit, and constructed in accordance with the Ontario Building Code where required.
- viii) The Township of Uxbridge may, at its discretion, and without further amendment to the Community Improvement Plan, extend or discontinue any program when and as it deems appropriate. Notwithstanding this, participants in various programs prior to their closing may continue to receive approved grants after the closing of the program as determined

through individual agreements with the Township and subject to available funding approved by the Township.

- ix) Final decisions with respect to applications and the allocation of funds shall be made by Township Council, unless Council delegates its authority to Township staff. If Council delegates its authority, then an applicant shall be afforded the opportunity to appeal a staff decision to Council. The general administration of the programs shall be the responsibility of the Development Services Department.
- x) The Township will develop a handbook and/or set of guidelines for each incentive program that are intended to assist with interpretation and administration of the Plan by applicants and Township Staff.

8.0 Regional Involvement in the Community Improvement Plan

- i) Purpose and Terms of the Program
The Regional Revitalization Program (RRP) aims to invest in CIP projects which advance ROP policies and goals and local development and achieve positive economic and community objectives. The RRP is based on the premise that providing financial support for redevelopment and intensification projects that would not otherwise be initiated without financial assistance will result in general public benefit.
- ii) Eligibility
 - In order to receive financial assistance, the area municipality must provide significant financial assistance to the project.
 - Eligibility will be determined based on the evaluation of a business case which provides details on the proposed project.
 - Applicants must meet all of the eligibility criteria and business case requirements in order to be considered for Regional Funding.
 - Area municipalities must submit an application, including a business case, to the Regional Commissioner of Finance by September 1st of any given year in order to be considered for funding in the subsequent year.
 - For the most up to date information on the RRP and the requirements of the application process, contact the Township of Uxbridge Development Services Department.

9.0. Implementation and Interpretation

9.1 Funding

This Community Improvement Plan will be administered by the Township of Uxbridge. All programs will be funded by the Township based on a budget

established by Council, and by alternative sources of funding including the Regional Revitalization Program for projects that have been deemed appropriate and eligible by the Region of Durham. Each year the funding allocation for the Downtown Uxbridge CIP will be evaluated and assessed by Council through the deliberations of the Township's Operating and Capital Budget program.

9.2 Monitoring

The Township shall conduct a review of the Community Improvement Plan programs a minimum of every three years with respect to their effectiveness.

9.3 Amendments

Amendments to the Community Improvement Plan shall be required for:

- i) boundary adjustments; and,
- ii) the addition of new programs.

9.4 Interpretation

This Plan has been prepared in conformity with the Township of Uxbridge Official Plan. It shall be referred to as the "Downtown Uxbridge Community Improvement Plan". The Downtown Uxbridge Community Improvement Plan consists of Sections 5-8 of this document.