

Bill No. 112  
2025

By-law No. C.P.-\_\_\_\_-\_\_\_\_

A by-law to adopt the Transit Oriented  
Development Community Improvement Plan

WHEREAS subsection 28(4) of the *Planning Act, R.S.O. 1990, c.P.13*, enables the Council of a municipal corporation to adopt a community improvement plan for a community improvement project area;

AND WHEREAS the Council of The Corporation of the City of London has, by by-law, designated a community improvement project area identified as the Transit Oriented Development Community Improvement Project Area;

AND WHEREAS the Transit Oriented Development Community Improvement Project Area is in conformity with *The London Plan, 2016*, the Official Plan for the City of London;

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

1. The Transit Oriented Development Community Improvement Plan attached hereto as "Schedule 1", is hereby adopted as the Community Improvement Plan for the area defined therein;
2. This by-law shall come into effect in accordance with subsection 17(38) or 17(38.1) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on April 1, 2025, subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

Josh Morgan  
Mayor

Michael Schulthess  
City Clerk

First Reading – April 1, 2025  
Second Reading – April 1, 2025  
Third Reading – April 1, 2025

“Schedule 1” – Transit Oriented Development Community Improvement Plan

April 2025



City of London

London  
CANADA

# Transit Oriented Development Community Improvement Plan



**nblc**  
N. Barry Lyon Consultants Ltd.

Prepared by: N. Barry Lyon Consultants Limited

# ***Transit Oriented Development Community Improvement Plan***

<b>1.0</b>	<b>Introduction</b>	<b>2</b>
1.1	What is a Community Improvement Plan?	4
1.2	Community Improvement Plan Purpose	4
1.3	Community Improvement Project Area	4
<b>2.0</b>	<b>Financial Incentive Programs</b>	<b>7</b>
2.1	Transit Oriented Development Per-Unit Forgivable Loan	8
2.2	Application Process and Timing of Incentives	9
2.3	Stacking of Incentives	10
2.4	Monitoring	10
2.5	Amendments	11
2.6	Approval and Agreements	11
<b>3.0</b>	<b>Appendix: Policy and Legislative Context</b>	<b>12</b>
3.1	Legislative Authority	13
3.2	Municipal Act	13
3.3	Planning Act - Eligible Costs	13
3.4	City of London - <i>The London Plan</i>	13



# 1.0 INTRODUCTION



In September 2023, the City of London (City) was announced as the first successful recipient of funding from the Federal Government’s Housing Accelerator Fund (HAF) program. This program was initiated in April 2023 to increase housing supply, encourage affordable housing, and support local government initiatives to remove barriers and increase certainty in the development process. The \$74 million in funding must be used to support the actions proposed in the City’s HAF application, with all funding spent by September 8, 2027.

Through the City’s HAF application, the following objectives were identified:

- Help the City of London achieve its target of 2,187 additional residential units by 2027.
- Support the City of London Road Map to 3,000 Affordable Units by 2026.
- Help develop affordable housing units for families, students and seniors.
- Support the Climate Emergency Action Plan’s “Transforming Buildings and Development” Area of Focus through the reuse of underused properties.
- Reduce car dependency by creating more housing around rapid transit stations.

To help accomplish the above objectives, the City has identified a number of initiatives and funding proposals. One of these initiatives is the creation of a Community Improvement Plan (CIP) to accelerate residential development within the City’s Protected Major Transit Station Areas (PMTSA) as delineated on **Map 10** of *The London Plan*. As defined in *The London Plan*:

*Protected Major Transit Station Area means the area surrounding and including an existing and planned higher order transit (e.g. rapid transit) station or stop. The Downtown, Transit Village, and Rapid Transit Corridor Place Types are focused around rapid transit routes and are identified as Protected Major Transit Station Areas.*

PMTSAs are further defined by the 2024 Provincial Planning Statement (PPS) as follows, with additional policy direction provided in Section 2.4.2.:

*Major transit station area: means the area including and around any existing or planned higher order transit station or stop within a settlement area; or the area including and around a major bus depot in an urban core. Major transit station areas generally are defined as the area within an approximate 500 to 800-metre radius of a transit station.*

Higher-density development within the City’s PMTSAs has been modest for a variety of factors identified through the CIP background analysis, including:





- Higher development and land costs
- Land holdings and developer interest in other areas of the City of London
- Parking accommodation
- Demand for transit-oriented living.

In Addition to these PMTSA specific challenges, broader macroeconomic impacts related to rising construction costs and interest rates, consumer confidence, and other interrelated factors have negatively impacted development feasibility. These impacts have been experienced in London, but also broadly across the Ontario market.

This CIP is intended to encourage greater intensification within and around the City's PMTSAs while also accelerating development that is currently proposed but not advancing due to current market challenges affecting development feasibility.

## 1.1 What is a Community Improvement Plan?

A CIP is a tool that enables municipalities to achieve broad land use planning and economic policy objectives by offering financial incentives to attract private investment. Through Section 28 of the *Planning Act*, municipalities must adopt policies within its Official Plan and approve an implementing by-law to designate a Community Improvement Project Area, which can be restricted to a specific location(s) or be municipality wide.

Common objectives of a CIP can include downtown / neighbourhood renewal and intensification, affordable housing, office development, transit-oriented development, brownfield remediation, building retrofits and improvements, and many others.

The policy and legislative context for a CIP is provided in Section 3.0.

## 1.2 Community Improvement Plan Purpose

The purpose of this CIP is to accelerate high-density development within and around the City's PMTSAs. Considering the current market and economic conditions, as well as the short timeline of the HAF, the financial incentive program is provided as an up-front, per-unit forgivable loan and will be stackable with financial incentives provided by the City's other CIPs.

## 1.3 Community Improvement Project Area

Section 28(2) of the *Planning Act* states:

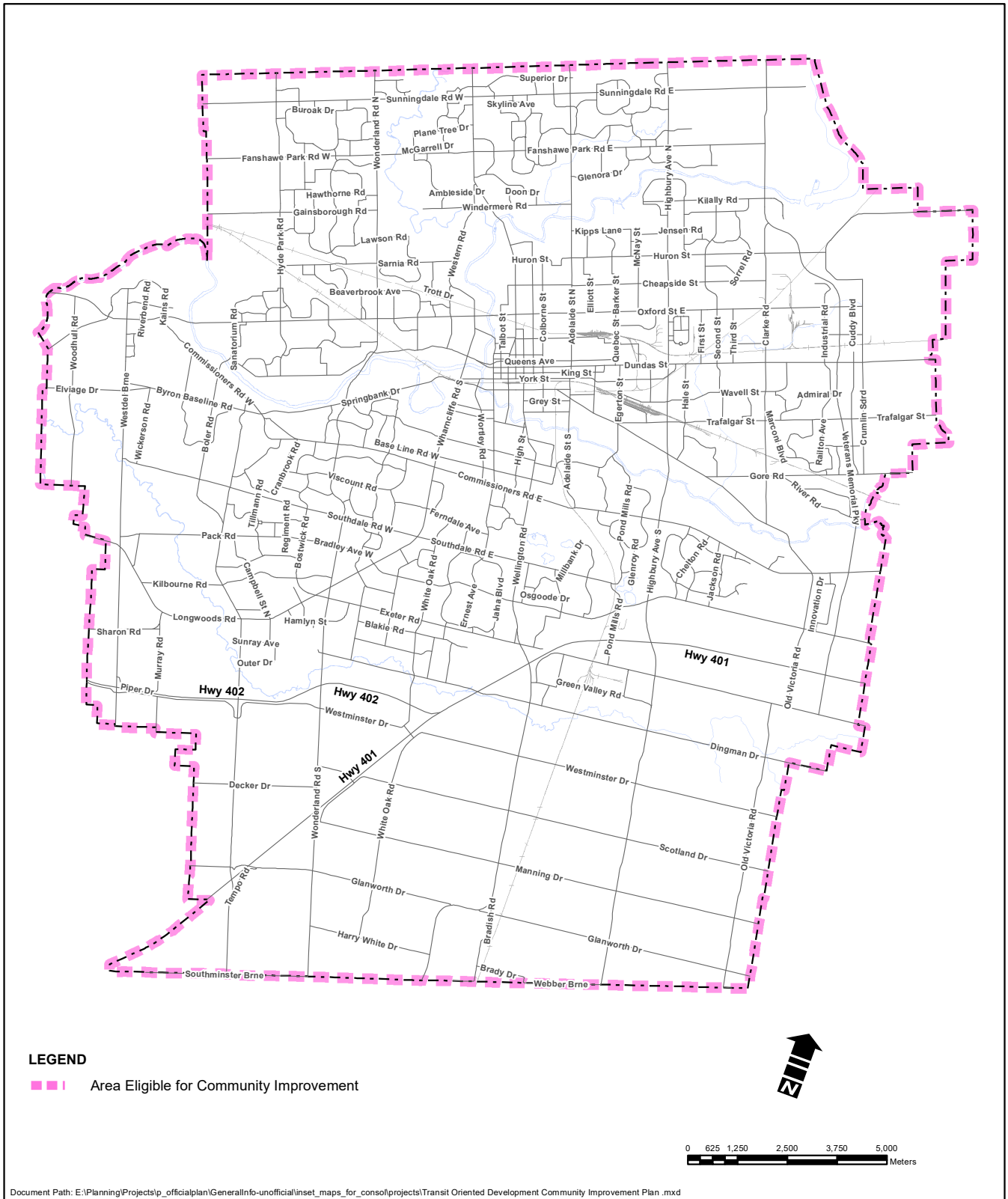
*Where there is an official plan in effect in a local municipality or in a prescribed upper-tier municipality that contains provision relating to community improvement in the municipality, the council may, by by-law, designate the whole or any part of an area covered by such and official plan as a community improvement project area.*

The Community Improvement Project Area (CIPA) is the entire municipality as illustrated by **Figure 1**. The CIP's Financial Incentive Program Guidelines will identify the eligible locations for the proposed financial incentive program, which will be concentrated within and around the City's PMTSAs.



Figure 1

### Transit Oriented Development Community Improvement Project Area



Document Path: E:\Planning\Projects\p\_officialplan\GeneralInfo-unofficial\inset\_maps\_for\_consult\projects\Transit Oriented Development Community Improvement Plan .mxd

# 2.0 FINANCIAL INCENTIVE PROGRAMS





Community Improvement Plans enable municipalities to establish financial incentive programs to target different community needs. In accordance with the *Planning Act* and *The London Plan*, the City may offer grants or loans to property owners and tenants to help cover eligible costs and advance community improvement goals. Once a CIP is adopted and approved, Municipal Council can fund and implement financial incentive programs. It is important to note that programs are subject to funding availability and Municipal Council can choose to implement, suspend, or discontinue an incentive program. The Transit Oriented Development CIP is an enabling document, which means Municipal Council is under no obligation to implement any part of a CIP including the financial incentive programs.





## 2.1 Transit Oriented Development Per-Unit Forgivable Loan

**Description:** Providing financial assistance to help accelerate the development of new residential units with and around the City's Protected Major Transit Station Areas.

**Funding and Eligibility:** The funding will be in the form of a forgivable loan program in accordance with the funding and eligibility requirements of the Municipal Council approved Program Guidelines.

**Duration:** Until December 31, 2026, unless Municipal Council approves additional funding.

This program is subject to funding through the City of London budget and the requirements of the program's guidelines. Municipal Council considers funding incentive programs alongside other priorities through its Strategic Plan and the four-year Multi-Year Budget process. Program Guidelines identify eligibility criteria for the individual incentive programs.



## 2.2 Application Process and Timing of Incentives

Applicants may submit a complete application for the incentive program at any time after the program has been approved and remains in effect. Applications will be processed on a first come, first serve basis. Applications will be reviewed by City staff to confirm all eligibility criteria have been met. Subject to funding availability, applications meeting the eligibility criteria will be approved.

The financial incentive will be approved and committed at time of application approval, where the applicant will enter into a legal agreement with the City. However, the forgivable loan will not be advanced until the issuance of the building permit. The approved funding amount will be rescinded where a building permit has not been issued by December 31, 2026.

Further details on application process, application forms, draft legal agreements, and other relevant information will be provided in the CIP's Financial Incentive Program Guidelines.



## 2.3 Stacking of Incentives

Funding received through this CIP can be stacked with funding received from the City's other Community Improvement Plans as illustrated in Map Eight of *The London Plan*. Interested parties must undergo a separate application and approval process to qualify for and receive funding from other CIP programs.

## 2.4 Monitoring

City of London staff will monitor the following matters to assess the impact of this CIP and its program(s), as follows:

- The total amount of committed funds to the CIP;
- The number of applications submitted;
- The total amount (in dollars) of funds committed and issued;
- The planning approval and construction status of applications;
- The total number of units and unit types funded;
- The total number of affordable housing units funded (if any);
- The location of funded projects; and;
- Other indicators, as appropriate.

City of London staff will review the monitoring data and where the review finds an excess or lack of applications relative to the available funding, adjustments may be made to the CIP, including the incentive amount provided and the application intake and assessment processes. An RFP approach could be considered if incentive program intake is low. Where amendments can be made to improve outcomes, these will be made in accordance with Section 2.5 of this CIP.

## 2.5 Amendments

The individual incentive program(s) in this CIP can be activated, deactivated, reduced, or discontinued without amendment to this CIP. Further, increases in funding provided by the financial incentive program(s) in this CIP, or the addition of any new or amended incentive programs that are consistent with the purpose and intent of the Transit Oriented Development CIP may be added and adopted subject to Municipal Council approval without amendment to this CIP.

Changes to the terms, conditions, and processes described in the financial incentive program(s) may be done without amendment to this CIP but will be subject to Municipal Council approval.

Changes to provisions of this CIP which are considered to represent a material change that necessitates a formal amendment to this CIP in accordance with Section 28 of the *Planning Act* include the following:

- A significant change to the boundary of the Community Improvement Project Area;
- The removal of an existing incentive program, or the addition of a new incentive program that is inconsistent with the purpose and intent of this CIP.

Incentive programs under this CIP will discontinue by December 31, 2026, unless additional funding is approved.

## 2.6 Approval and Agreements

City staff will be the approval authority for qualifying applications. Once approved, an applicant will receive a commitment letter indicating the funding which will be made available upon the applicant's successful receipt of a building permit for their proposed development. The applicant will also enter into a legal agreement with the City. In concurrence with advancing for forgivable loan, the City will place a lien or mortgage on the property title in the amount of the forgivable loan until the project has finished and the building permit has been closed.



# 3.0 APPENDIX: POLICY AND LEGISLATIVE CONTEXT





## 3.1 Legislative Authority

The legislative authority to prepare a CIP and relevant financial incentives are established under Section 106 of the *Municipal Act* and Section 28 of the *Planning Act*.

## 3.2 Municipal Act

Under Section 106 of the *Municipal Act*, municipalities are prohibited from assisting manufacturing business or other industrial or commercial enterprise through the granting of financial incentives, including: giving or lending money or municipal properties; leasing or selling municipal lands at or below fair market value; guaranteeing loans; or providing partial or total exemptions from fees, charges, or taxes. However, Section 106(3) of the *Municipal Act* provides an exception to these prohibitions, and that exception may be exercised through a CIP under Section 28 of the *Planning Act*, as well as through Section 365.1 of the *Municipal Act* regarding property tax cancellations.

## 3.3 Planning Act - Eligible Costs

As required by Section 28(7) of the *Planning Act*, grants and loans provided through the CIP shall not exceed eligible costs. As stated by Section 28(7.1), eligible costs include:

...the eligible costs of a community improvement plan may include costs related to environmental site assessment, environmental remediation, development, redevelopment, construction and reconstruction of lands and buildings for rehabilitation purposes or for the provision of energy efficient uses, buildings, structures, works, improvements or facilities.

## 3.4 City of London - The London Plan

A municipality must have provisions in their official plan that enable it to establish a CIP. The “Our Tools” section of *The London Plan* has such enabling policy:

### *COMMUNITY IMPROVEMENT PLANS*

*1724\_In accordance with the provisions of the Planning Act, a by-law may be passed to identify areas designated for Community Improvement (a Community Improvement Project Area). These are shown on Map 8 - Community Improvement Project Areas. City Council may also adopt a community improvement plan for the area(s) designated for community improvement.*

*1726\_ Community improvement plans are intended to provide City Council with the necessary tools to stimulate reinvestment and redevelopment, inspire appropriate infill and intensification, coordinate planning efforts, improve the physical infrastructure, support community economic development, preserve neighbourhood and cultural heritage value, and lead to the establishment of an improved neighbourhood. The tools to implement community improvement plans may include incentives and targeted private and/or public investment to achieve the vision, key directions and policies in The London Plan. Council may also acquire, clear and dispose of land to support community improvement and economic development, or use any other methods to support community improvement or environmental, social or community economic development that is permitted by the legislation.*

*1727\_ Community improvement is intended to meet the following objectives:*

- 1. Maintain and improve the public realm, including such things as streets, sidewalks, streetlights, street trees, pathways, parks, open spaces, and public buildings.*
- 4. Stimulate private sector property maintenance, repair, rehabilitation, redevelopment and other forms of private sector investment and reinvestment activity.*
- 5. Maintain and improve the physical and aesthetic amenities of streetscapes in both the public and private realms.*
- 6. Encourage the conservation, restoration, adaptive re-use and improvement of cultural heritage resources.*
- 9. Foster the revitalization and continued improvement of the Downtown and other existing commercial districts including but not limited to the Old East Village, the SoHo Area, and other established business districts.*
- 10. Upgrade social and recreational facilities and support the creation of affordable housing.*
- 11. Support the implementation of measures that will assist in achieving sustainable development and sustainable living.*
- 12. Improve environmental and social conditions.*
- 14. Facilitate and promote community economic development.*
- 15. Promote and improve long-term community stability, safety and quality.*

*1728\_ To identify an area for community improvement, City Council shall consider the following criteria:*

- 1. Deficiencies in physical infrastructure including but not limited to the sanitary sewer system, storm sewer system, and/or watermain system, streets, sidewalks, curbs, streetscapes and/or street lighting, and municipal parking facilities.*

2. *Deficiencies in recreational, social or community facilities including public open space, municipal parks, neighbourhood parks, indoor/outdoor recreational facilities, and public social facilities.*
3. *Commercial, residential, industrial and mixed-use areas with poor physical condition and/or poor visual quality of the built environment, including but not limited to building facades, building condition, streetscapes, public amenity areas and urban design.*
4. *Vacant lots and/or underutilized properties and buildings which have potential for infill, redevelopment, expansion or development to better utilize the land base.*
5. *Non-conforming, conflicting or incompatible land uses or activities that disrupt or threaten to disrupt the predominant land use, function and/or viability of an area.*
6. *A demonstrated interest in community improvement by the private firms within an area.*
7. *Presence of potential or recognized cultural heritage resources.*
8. *Known or suspected area of environmental contamination.*
9. *Lack of or deficient affordable housing or mix of housing opportunities.*
10. *Improvement to energy efficiency and/or renewable energy efficiency.*
11. *Traffic and/or parking problems or deficiencies.*
12. *Other significant barriers to the repair, rehabilitation, redevelopment or development of underutilized land and/or buildings.*
13. *Other significant environmental, social or community economic development reasons for community improvement.*

This CIP adheres to the policies within *The London Plan*, which allows for a CIP to be created to promote infill and intensification and to coordinate planning efforts (in this case, on housing and transit-oriented development). This CIP would, among other things, stimulate private sector investment activity, revitalize key areas in the city, and facilitate and promote community improvement through supporting the development of new residential and mixed-use housing projects within and around the City's PMTSAs.

The City also considered the criteria identified in Section 1728 of *The London Plan* through the HAF application and the background analysis supporting this CIP undertaken by N. Barry Lyon Consultants Limited.



