

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: John M. Fleming
Managing Director, Planning and City Planner

Subject: EXPANSION OF DOWNTOWN COMMUNITY IMPROVEMENT
PLAN PROJECT AREA
REVISED BY-LAWS
The Corporation of the City of London

Public Participation Meeting on: July 16, 2018

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the expansion of the existing Downtown Community Improvement Plan:

- a) the attached proposed by-law (Appendix "A") **BE INTRODUCED** at the Municipal Council meeting to be held on July 24, 2018 to repeal By-law C.P. – 1356(a)-535 entitled "A by-law to amend By-law No. C.P.-1356-246, being a by-law to designate the Downtown Community Improvement project area" and to amend By-law C.P.-1356-234, being a by-law entitled "A By-law designating the Downtown Community Improvement Area" to identify the additional lands eligible for improvement subject to the policies in the Downtown Community Improvement Plan;
- b) the attached proposed by-law (Appendix "B") **BE INTRODUCED** at the Municipal Council meeting to be held on July 24, 2018 to repeal By-law C.P.- 1357(a)-536 entitled "A by-law to amend By-law C.P.-1357-249, being, A by-law to establish the Downtown Community Improvement Plan project area" and amend By-law C.P.-1357- 249, entitled "A by-law to adopt the Downtown Community Improvement Plan" to include lands on Richmond Street as part of the Downtown Community Improvement Plan pursuant to Section 28 of the *Planning Act* and as provided for under Section 14.2.2 ii) (a) of the Official Plan;
- c) the Downtown Community Improvement Plan amendment noted in b) above **BE SUBMITTED** to the Province for review under Section 28 (5) of the *Planning Act*;

it being noted that the map schedules in the Façade Improvement Loan Program and Upgrade to Building Code Loan Program will be modified consistent with the Downtown Community Improvement Area boundary as amended above.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

- November 6, 2017 PEC – O-8788 – Expansion of Downtown CIP Public Meeting
- August 22, 2016 PEC - Information Report on Public Engagement process for the Evaluation of Community Improvement Plan Incentives
- February 1, 2016 PEC - Evaluation of Community Improvement Plan Incentives
- May 19, 2015 PEC - Development Charges Grant Program for Downtown and Old East Village CIP Areas
- April 7, 2015 PEC - Evaluation of Community Improvement Plan Incentives

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

PURPOSE AND EFFECT OF RECOMMENDED ACTION

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

RATIONALE

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

BACKGROUND

On November 14, 2017 Municipal Council resolved:

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

- a) *the attached, revised, proposed by-law amendment (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on November 14, 2017 to amend By-law C.P.– 1356-246, being a by-law designating the Downtown Community Improvement Plan Area, passed on November 20, 1995, to identify the additional lands eligible for improvement subject to the policies in the Downtown Community Improvement Plan;*
- b) *the attached, revised, proposed by-law amendment (Appendix "B") BE IINTRODUCED at the Municipal Council meeting to be held on November 14, 2017 to amend By-law C.P. 1357-249, being a by-law establishing a Downtown Community Improvement Plan, passed on December 4, 1995,*

to delete a sentence in Section II of the Downtown Community Improvement Plan and replace Figure 1 in the Plan;

- c) *the Downtown Community Improvement Plan amendments appended to the staff report dated November 6, 2017 BE SUBMITTED to the Province for review under Section 28 (5) of the Planning Act;*
- d) *the proposed by-law amendment appended to the staff report dated November 6, 2017 as Appendix "C" BE INTRODUCED at the Municipal Council meeting to be held on November 14, 2017 to amend the Official Plan to delete Section 14.2.2 ii) (a) and replace with a new Section and amend Figure 14-1 that will recognize the expansion of the Downtown Community Improvement Plan project area; and,*
- e) *the proposed by-law amendment appended to the staff report dated November 6, 2017 as Appendix "D" BE INTRODUCED at a future Municipal Council meeting to amend the London Plan Map 8 (Community Improvement Project Areas) in Appendix 1 (Maps) to change the boundary of the Downtown CIP; and that three readings be withheld until such time as The London Plan comes into full force and effect;*

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

Subsequent to the Council resolution it was discovered that there were incorrect references to the *Planning Act* in the by-laws submitted in November 2017. In addition there were incorrect references to previous by-law numbers and titles. The purpose of this report is to bring forward corrected By-laws for Council's consideration.

The corrected by-laws are attached.

5.0 Conclusion

The attached corrected by-laws refer to the proper Sections of the *Planning Act*, the proper by-laws and titles.

| | |
|------------------------|--|
| Prepared by: | W.J. Charles Parker, MA Senior Planner – Urban Regeneration |
| Submitted by: | Gregg Barrett, AICP Manager, Long Range Planning and Research |
| Recommended by: | John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner |

Appendix A

Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2018

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

A by-law to repeal By-law C.P.-1356(a)-535 entitled "A by-law to amend By-law No. C.P.-1356-246, being a by-law to designate the Downtown Improvement Plan project area" and to amend By-law C.P.-1356-234, entitled "A By-law designating the Downtown Community Improvement Area".

WHEREAS subsection 28(2) of the *Planning Act*, enables the Council of a municipal corporation to designate a community improvement project area;

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

AND WHEREAS the proposed Downtown Community Improvement Area as amended in the attached Appendix "A" is in conformity with the Official Plan;

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

1. By-law C.P. – 1356(a)- 535 be repealed.
2. Appendix "A" of By-law C.P.-1356-234 is hereby deleted and replaced with a new Appendix "A" attached as Appendix "A" to this By-law.
3. This by-law shall come into force and effect in accordance with subsection 28(5) of the *Planning Act*, R.S.O. 1990, C.P.13.

PASSED in Open Council on July 24, 2018.

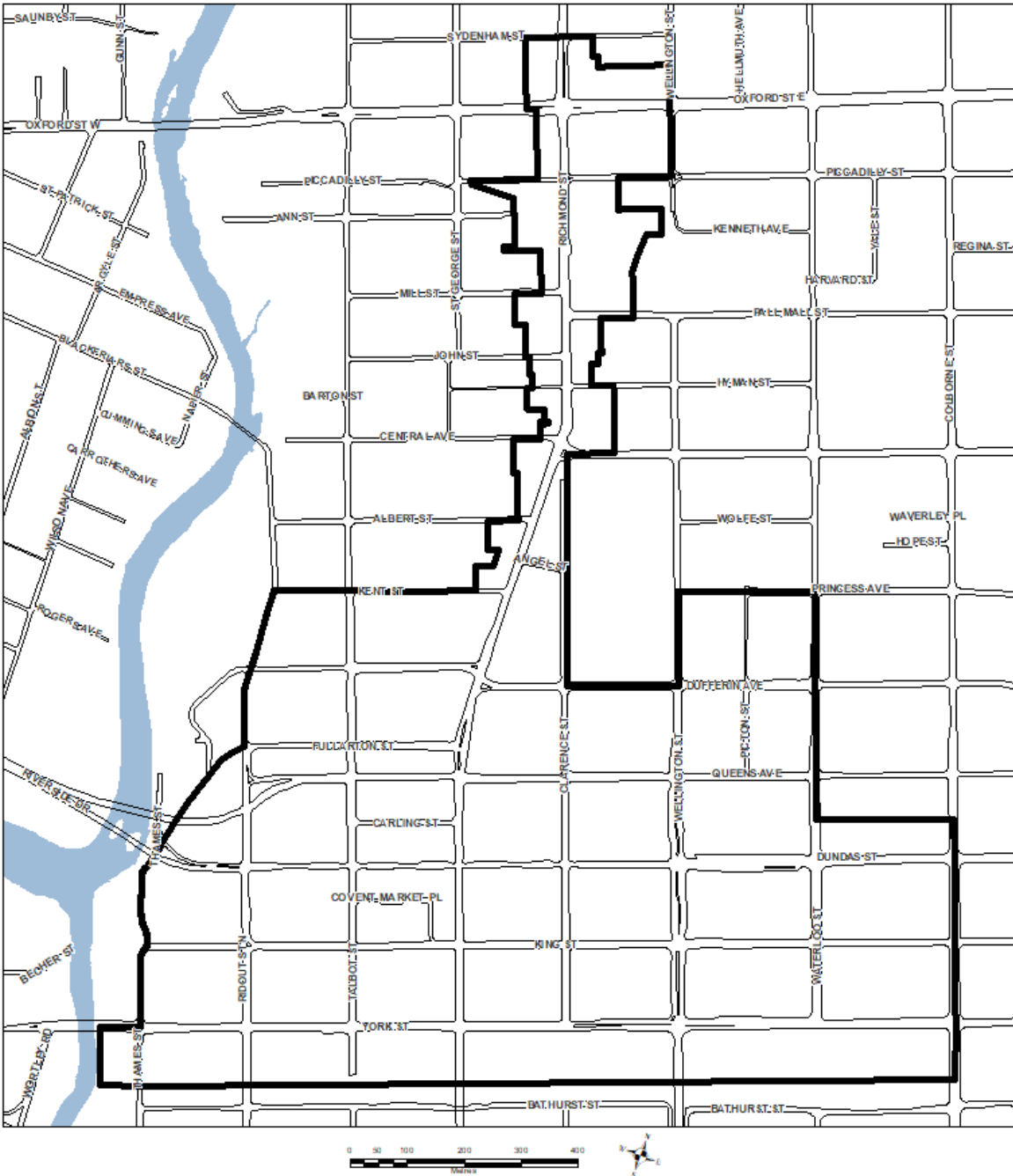
Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Figure 1

THE DOWNTOWN COMMUNITY IMPROVEMENT AREA



Appendix "B"

Bill No. (number to be inserted by Clerk's Office)
2018

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

A by-law to repeal By-law C.P.- 1357(a)-536 entitled "A by-law to amend By-law No. C.P.-1357-249, being, A by-law to establish the Downtown Community Improvement Plan project area" and amend By-law C.P.-1357-249, entitled a "By-law to adopt the Downtown Community Improvement Plan".

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

AND WHEREAS the Council of The Corporation of the City of London has by By-law No. C.P – 1356-249 adopted the Downtown Community Improvement Plan, passed on December 4, 1995;

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

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

1. By-law C.P. – 1357(a) 536 be repealed.
2. Figure 1, The Downtown Community Improvement Area, to the Downtown Community Improvement Plan for the City of London is deleted and replaced with a new Figure 1 attached as Appendix "A" to this by-law to add lands along Richmond Row north of the existing boundary in the City of London.
3. Section II, Area of Application, of the Downtown Community Improvement Plan for the City of London is amended by deleting the second sentence of the first paragraph which states "*This is the area designated "Downtown Area" on Schedule "A" of the Official Plan for the City of London*".
4. This by-law shall come into force and effect in accordance with subsection 28(5) of the *Planning Act, R.S.O. 1990, C.P.13*.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

AMENDMENT NO.

to the

DOWNTOWN COMMUNITY IMPROVEMENT PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To delete a sentence in Section II of the Downtown Community Improvement Plan for the City of London that will recognize the expansion of the Downtown Community Improvement Plan project area; and,
2. To delete and replace Figure 1 (The Downtown Community Improvement Area) that will recognize the expansion of the Downtown Community Improvement Plan project area;

B. LOCATION OF THIS AMENDMENT

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

C. BASIS OF THE AMENDMENT

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

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

D. THE AMENDMENT

The Downtown London Community Improvement Plan for the City of London is hereby amended as follows:

1. Figure 1, The Downtown Community Improvement Area, to the Downtown Community Improvement Plan for the City of London Planning Area is deleted and replaced by a new Figure 1 amended by adding lands along Richmond Row north of the existing boundary in the City of London, as indicated on "Schedule 1" attached hereto.
2. Section II , Area of Application, of the Downtown Community Improvement Plan for the City of London is amended by deleting the second sentence which states:

1. *"This is the area designated "Downtown Area" on Schedule "A" of the Official Plan for the City of London."*

Figure 1

THE DOWNTOWN COMMUNITY IMPROVEMENT AREA

