

PORT WHITBY COMMUNITY

SECONDARY PLAN UPDATE
COMMUNITY IMPROVEMENT PLAN
URBAN DESIGN GUIDELINES

September 2015

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1. Introduction

The Town of Whitby Official Plan identifies four Community Improvement Plan (CIP) areas in the Town, in Section 6.3.3.3 and on Schedule E of the Official Plan. One of these four areas is Port Whitby, as illustrated in **Exhibit 1**. In accordance with the Town of Whitby Official Plan and pursuant to Section 28 of the Planning Act this Community Improvement Plan (“CIP”) for Port Whitby has been prepared. Further, the Community Improvement Plan for Port Whitby has been prepared in conjunction with the Port Whitby Community Secondary Plan (“Secondary Plan”) and Port Whitby Urban Design Guidelines (“UDG”), which are documents under separate cover. These two associated documents should be referenced in conjunction with the Community Improvement Plan, particularly with respect to land use permissions and the design approach for the area.

The following sections of this report provide background on the Community Improvement Plan process, as defined under the Planning Act, as well as other relevant background information, including the Region’s Regional Revitalization Program (RRP). In addition, the characteristics of the Port Whitby CIP are described as well as the proposed incentives and municipal initiatives, including implementation and interpretation.

1.1 Community Improvement Plan Project Area

The study area for the full Port Whitby plan area, as part of the Secondary Plan and Urban Design Guidelines, is defined by Highway 401 to the north, Gordon Street in the West, an irregular boundary on the east that roughly follows Pringle Creek and along adjacent industrial lands and follows Water Street and South Blair Street. The southern boundary is Lake Ontario. The gross land area for Port Whitby study area is approximately 183 hectares with an approximate existing population of 2,000 people and 500 jobs.

In Schedule E of the Official Plan (Exhibit 1), the Community Improvement Plan Area Boundary for Port Whitby is shown as circle overlay that does not cover the full secondary plan area boundary nor does it clearly follow parcel or block fabric. As such, through this Community Improvement Plan, we have proposed a defined boundary for the Port Whitby CIP area, which has two separate areas: 1) Victoria St. E. to the north, Watson Street to the west, the waterfront area south of Front St and Pringle Creek to the east defines the larger of the two CIP Areas; 2) the second and smaller CIP area is located south of Water Street along the lakeshore. On **Exhibit 2** these two CIP Areas are also shown and are referred to as Grant Eligibility Areas. Within these two CIP Areas/Grant Eligibility Areas, there are areas of focus that are labeled as Priority Areas. These Priority Areas correspond to the Character Areas that are described in the Secondary Plan and Design Guidelines. The proposed incentives for each of the Priority Areas (or focus areas) are described in more detail in the following sections.

1.2 What is a Community Improvement Plan?

A CIP provides financial incentives to encourage development and improvements to a given area. This can include brownfield remediation, streetscape enhancements, building improvements and a change in development form. The CIP assists with the transformation and revitalization through a range of incentives. The CIP should not be confused with bonus

provisions that authorize increases in height and/or density of development beyond those permitted in the Zoning By-law in return for provisions of community benefits such as facilities and services, in accordance with the Planning Act. Bonus Provisions for the Town of Whitby are outlined in Section 10.1.11 of the Town of Whitby Official Plan.

Community Improvement Plans also provide a means to encourage sustainable development. The Port Whitby area is planned to be a sustainable community based on the Port Whitby Sustainable Community Plan which was prepared in 2011. The Secondary Plan, Urban Design Guidelines and Community Improvement Plan have all been developed to integrate sustainability principles into the plans.

Community Improvement Plans identify the physical area (the Community Improvement Area), describe the eligible incentives, define the process to administer the incentives and provide the design criteria for building improvements.

As noted, urban design guidelines have been prepared for the Port Whitby Community Secondary Plan area as a separate document. The guidelines provide the direction for the public and private realm in the Secondary Plan area as both interim design guidelines and the guidelines for the ultimate build out of the plan. The guidelines provide more detailed direction on the design objectives for the Port Whitby area than the CIP. The implementation of the design guidelines will occur both through the development approvals process for areas of new construction, including the Secondary Plan Official Plan Amendment and the Urban Design Guidelines, but also through the provision of incentives for improvements through this Community Improvement Plan. As such, the three documents should all be read together.

1.3 Authority for Community Improvement Plans

Community Improvement Plans are addressed in Section 28 of the Planning Act. This section of the Planning Act authorizes municipalities to designate, through their Official Plans, where the Official Plan contains provisions relating to community improvement, portions of the municipality as a Community Improvement Project Area (CIPA). Further, the Planning Act authorizes Council to prepare a plan that is suitable for adoption as a Community Improvement Plan (CIP) for the CIPA. In order to provide incentives to a property owner, a municipality must implement a Community Improvement Plan.

The Planning Act outlines what municipalities can do with respect to Community Improvement Plans including authorizing them to use a Community Improvement Plan to:

- Acquire, hold, clear, grade or otherwise prepare land for community improvement (s. 28(3) a, b, c);
- Construct, repair, rehabilitate or improve buildings on land acquired or held by it in conformity with the community improvement plan (S. 28(6)a);
- Sell, lease, or otherwise dispose of any land and buildings acquired or held by it in conformity with the community improvement plan (S.28(6)b);
- Make grants to the registered owners, assessed owners, and tenants to pay for the whole or any part of the cost of rehabilitating such lands and buildings in conformity with the community improvement plan (S.28(7)).

The in-force Official Plan for the Town of Whitby contains provisions related to Community Improvement, as required in Section 28 of the Planning Act, to designate and prepare plans for Community Improvement Project Areas. The relevant Community Improvement policies are in Section 6.3.3 of the Town's Official Plan. The Official Plan identifies the designation of CIPAs and preparation of CIPs as well as the location of CIPAs in the Town. As such, this Community Improvement Plan for Port Whitby has been prepared in accordance with Section 28 of the Planning Act, 1990, R.S.O as well as the Town of Whitby's Official Plan.

In accordance with the requirements of Section 28 of the Planning Act, public meetings have been held for the Port Whitby study to discuss the vision and options for future redevelopment of the area (December 5, 2012 and April 23, 2013). A Statutory Public Meeting [will be held] on [insert date]. A copy of the Notices for the Public Meetings is attached in Appendix 1 and the Meetings were advertised in [insert] and the Notice for the Statutory Meeting is attached in Appendix 2.

2. Background Information

The following provides an overview of the background information for the Community Improvement Plan and Port Whitby area. For a more detailed analysis of the existing conditions, the Port Whitby Secondary Plan and the Urban Design Guidelines should all be consulted, as well as the Official Plan for the Town of Whitby.

2.1 Vision for Port Whitby

The Secondary Plan area contains a diverse mixture of uses that reflect the rich history of Whitby. Much of the area is currently home to single detached dwellings ranging in age from century homes through to post-war homes and infill projects dating back from the 1960's and 1970's and also in later years. There are also several employment and commercial uses functioning in the area, a legacy of its history as an older industrial neighbourhood. The retail uses that exist are scattered throughout the Secondary Plan area with a focus on the provision of neighbourhood-level services. Port Whitby is also the location of a number of existing and planned recreational facilities as well as open space amenities focused on the waterfront.

As the gateway to the Whitby waterfront, the opportunity now exists to provide for the transition of Port Whitby to transform into a vibrant people place where change is encouraged in key areas but balanced with the protection of existing uses and built form.

The Draft Preferred Land Use Plan that provides the basis for the Secondary Plan embraces growth and maximizes the benefits of growth for both future and existing residents and for the Town as a whole. The focus is to integrate new development into the fabric of the existing community, to establish and determine where density and intensification will be located and new development positioned, how existing stable neighbourhoods will be protected while facilitating positive change and growth and to create better connections, vehicular, transit and pedestrian and cycling, to the waterfront, GO Station, surrounding neighbourhoods, the downtown and within Port Whitby. The Plan provides for approximately 10,500 new people and 3,290 new

jobs to achieve a total population of approximately 12,500 people and 3,790 jobs in Port Whitby by 2031. The plan provides a broad range of land use types from low-rise to high-rise residential to mixed-use areas, employment and institutional lands and open space areas. Schedule 'F' of the Port Whitby Secondary Plan is provided in **Exhibit 3**. The vision for the Port Whitby preferred land use plan also integrates and addresses the elements of Whitby's Waterfront Parks and Open Space Master Plan as well as the Port Whitby Sustainable Community Plan.

2.2 Town of Whitby Official Plan

An excerpt of Schedule A from the Official Plan is attached in **Exhibit 4**. In the Official Plan, the designations across the full Port Whitby area include Residential, Institutional, Mixed Use, Major Open Space and Hazard Land. However, within the CIP Priority Area, the designations are Residential, Major Open Space and Hazard Land.

As discussed, the Town of Whitby Official Plan includes policies for Community Improvement in Section 6.3. Section 6.3.3.1 of the Plan states that Community Improvement Areas are designated in compliance with the provisions of the Planning Act and are intended to identify areas in which Community Improvement Plans may be undertaken.

Community Improvement Project Areas have been identified in the Official Plan on the basis of one or more of the following criteria (as stated in Section 6.3.3.2 of the Plan):

- Existence of conflicting land uses;
- Deficiencies in the road system such as physical deficiencies, traffic controls and strategic traffic links;
- Lack of, or inadequate, parks and open space and community facilities;
- Lack of, or deficient, physical infrastructure such as water, sanitary sewer and storm sewer systems;
- Poor housing or building conditions;
- Lack of parking facilities;
- Opportunities for improvements and/or infilling of vacant or under-utilized properties and buildings;
- The existence of, or potential for, the creation of a business improvement area; and
- An identification of the need to make improvements to the streetscape and amenities of an area

This Port Whitby Community Improvement Plan area addresses a number of the criteria from Section 6.3.3.2 including conflicting land uses, opportunities for improvements and infill, streetscape and amenity improvements.

Section 6.3.3.3c of the Official Plan identifies the Port Whitby Community as a Community Improvement Area, as identified on Schedule E of the Official Plan. As noted, this Community Improvement Area is shown as a circle that is generally located from Victoria Street to the lakeshore from Gordon Street to Pringle Creek. Section 6.3.3.4 of the Official Plan states that Community Improvement Areas can be redefined or deleted. For the Port Whitby area, the

boundary has been defined more specifically as part of this CIP and is shown on **Exhibit 2**. This includes the two CIP areas as defined above, generally south of Victoria St.

2.3 Town of Whitby Zoning By-law

The portions of the existing zoning by-law in the Community Improvement Plan area are provided in **Exhibit 5**. These zoning categories reflect the existing land uses and are therefore not consistent with those proposed for the updated preferred land use plan for the Secondary Plan area. In this existing zoning there are a number of different zoning types in the CIP area including residential zones, flood zone, open space, highway commercial, harbour industrial, shopping centre commercial and holding zones. As noted, because the Secondary Plan includes additional land use types, the zoning will need to be updated to reflect the preferred land use plan in the Secondary Plan.

2.4 Region of Durham

The Region of Durham also has an important role in Community Improvement Plans. The Region has a Regional Revitalization Program (RRP) which can provide financial assistance, through the area municipalities, to revitalization projects that are individually approved by Regional Council that integrate the following elements:

- The RRP will target new CIP projects as recommended by area municipalities
- The RPP will focus on initiatives that advance the goals of the Regional Official Plan to achieve positive economic and community objectives
- The RPP encourages both residential and employment growth in the Region's key urban locations and brownfield sites throughout the Region
- The project entails significant and substantial revitalization and/or development and involves new construction, addition to existing, redevelopment and/or brownfield redevelopment

This process is based on program eligibility that will be determined through the submission of an application, including a business case, which is submitted by the area municipality, but prepared by the proponent or landowner. The application must demonstrate the benefits of the project and outline the case for Regional financial assistance. As noted, the onus is on the owner/proponent to complete the analysis and justification as part of the application. The application is forwarded on the proponent/owner's behalf, only at the election of the Council of the area municipality. As such, the process would involve preliminary discussions by the proponent with the area municipality, in this case, the Town of Whitby, to determine if there would be support by the Town to apply with the proponent for the RRP. If Council does elect to submit the application, the onus is on the proponent/owner to complete the materials for the application, with consultation with the Town. The application would then be assessed by the Region.

Funding provided through the RRP will not be greater than the area municipality's financial assistance to the proponent/owner.

If successful, the funds from the Region for approved CIPs will be transferred to the applicable area municipality at the later of the following two options:

1. Timing in accordance with the respective area municipality's flow of funds to the CIP proponent
2. Building permit issued by area municipality 50%
Framing inspection passed by local building inspection authority 25%
Occupancy permit received from local building authority or passed preoccupancy inspection of those municipalities which do not issue an occupancy permit 25%

Projects approved under the RRP process require that the area municipality provide the Region with the relevant information on an annual basis for the five years after substantial occupancy of each project.

2.5 Municipal Act

Section 106 of the Municipal Act (2001) prohibits municipalities from directly or indirectly assisting any manufacturing business or other industrial or commercial enterprise through the granting of bonuses. Prohibited actions include:

- o Giving or lending money or municipal property;
- o Guaranteeing borrowing;
- o Leasing or selling any municipal property at below fair market value; and
- o Giving a total or partial exemption from any levy, charge or fee.

Section 106 (3) provides an exception to this bonusing rule for municipalities exercising powers under the provisions of Section 28(6), (7) or (7.2) of the Planning Act or Section 365.1 of the Municipal Act, 2001

Section 365.1 (2) and (3) of the Municipal Act, 2001 allows municipalities to pass a By-law providing tax assistance to an eligible property in the forms of deferral or cancellation of part or all of the taxes levied on that property for municipal and education purposes during the rehabilitation period and development period of the property, both as defined in Section 365(1) of the Municipal Act, 2001. Section 365.1 operates within the framework of Section 28 of the Planning Act. A municipality with an approved Community Improvement Plan in place, which includes provisions specifying tax assistance, will be permitted to provide tax assistance for municipal purposes. Municipalities may also apply to the Minister of Finance to provide matching education property tax assistance through the Brownfields Financial Tax Incentive Program (BFTIP).

As part of this Port Whitby CIP, the Town of Whitby will be following the policies of the Municipal Act, in that Council will be exercising its authority under subsection 28(7) of the Planning Act.

2.6 Planning Act

As noted, Section 28 of the Planning Act allows municipalities, with provisions in their Official Plans relating to community improvement, to designate by By-law a 'Community Improvement

Project Area' and to prepare and adopt a Community Improvement Plan for the Community Improvement Project Area. Changes to the Planning Act in 2007 expanded the definition of community improvement to include improvements related to energy efficiency and affordable housing.

Once the Community Improvement Plan has been adopted by the municipality and comes into effect, the municipality may exercise authority under Section 28(6), (7) or (7.2) of the Planning Act or Section 365.1 of the Municipal Act, 2001 in order that the exception provided for in Section 106(3) of the Municipal Act 2001 can be applied.

According to Section 28(1) of the Planning Act, a "community improvement project area" is defined as "a municipality or an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of the buildings or for any other environmental, social or community economic development reason."

Section 28(7.1) of the Planning Act specifies that the eligible costs of a Community Improvement Plan for the purposes of Subsection 28(7) 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.

Section 28(7.3) of the Planning Act specifies that the total of all grants made in respect of particular lands and buildings under Section 28(7) and (7.2) of the Planning Act and tax assistance provided under Section 365.1 of the Municipal Act, 2001 in respect of the land and buildings shall not exceed the eligible cost of the Community Improvement Plan with respect to those lands and buildings.

Through the implementation of this CIP, the Town of Whitby will be following the policies of the Planning Act for the Port Whitby Area.

2.7 Development Charge Act

In addition to the Community Improvement tools under the Planning Act, municipalities can also use their development charge by-law as an incentive to encourage specified types of development. Development charges (DCs) are collected by municipalities to finance the construction of new capital infrastructure tied to new growth and development.

Section 5 of the Development Charges Act allows a municipality, through its development charge by-law, to provide full or partial exemptions for certain types of development from a development charge. However, it should be noted that any resulting shortfall in the municipal development charge reserve cannot be made up through higher development charges for other types of development. This incentive would be offered before construction when the building permit is issued. This approach to providing an incentive for development requires that the municipality's development charges by-law provides for it.

An alternative approach would be for a municipality to collect the development charges as normal at the time the building permit is issued and then to provide a grant for all or part of the development charge that has been collected. This grant can be provided either at the time that the building permit is issued or when the project is complete, meaning the grant can be tied to the achieving the anticipated performance of the project. Through this approach, the development charges are paid but the Town can issue the grant. The grant can be structured so that the percentage of development charges that are covered can vary depending on the how criteria are met.

Currently, the Town of Whitby Development Charges By-law 6652-12, enacted in 2012, applies to all lands developed within the Town except for the lands outlined as exempt under the Development Charges Act 1997 and the Town's DC By-law. The Town collects DCs on behalf of the Region of Durham and the two Durham school boards.

Exemptions approved by Town of Whitby Council for specified types of development can be used to encourage certain types of development in specified areas and this can be tied to the Community Improvement Area. With respect to the Port Whitby Community Improvement Plan area and exemptions from development charges, direction on DC exemptions for particular types of development in specified locations within in Port Whitby would need to be addressed in the DC by-law and the Community Improvement Plan would defer to these exemptions specified in the DC By-law.

3. Port Whitby Community Improvement Plan

This section of the document provides the basis for the Community Improvement Plan, including the goals, objectives and design principles and also describes the community improvement plan in two different ways: 1) by Priority Area and; 2) by type of incentive or municipal initiative. The CIP has been described in both of these ways so that the users of the plan can choose to interpret the plan either by the geographic location (known as the Priority Area) or by the type of incentive or initiative. To assist with this interpretation **Table 1** provides the list of incentives by Priority Area with specific direction on the incentives.

3.1 Goals and Objectives of the Community Improvement Plan

The Town recognizes the importance and significance of the Port Whitby area. Building on this, the Town recognizes the need to protect Port Whitby and to realize its value as a unique port area as a mixed-use community. Through the Port Whitby Secondary Plan, Urban Design Guidelines and Community Improvement Plan, the Town intends to encourage the integration of new development into the fabric of the existing Port Whitby community, to establish and determine where density and intensification will be located and new development positioned, and how existing stable neighbourhoods and environmental features will be protected while facilitating positive change and growth to create better connections (vehicular, transit and pedestrian and cycling) to the waterfront, GO Station, surrounding areas, the downtown and within Port Whitby itself.

The Town understands that while some improvements to the community will occur through a market driven process, there will be some areas where development less likely to occur or will take a long time to occur. To address this, the Town can incentivize improvements through the Community Improvement Plan to initiate development through grants and other means to local property owners.

The Port Whitby Community Improvement Plan's purpose in providing these incentives, is:

- To encourage investment in the existing assets of Port Whitby through the provision of grants to be used to maintain and enhance the character of the existing built up areas through improvements to the physical condition of buildings and building facades as well as their accessibility.
- To maintain the quality of the historic character of the area by encouraging restoration of historically and architecturally significant features on the buildings and facades of the heritage properties
- To encourage intensification, development and investment interest that is consistent with the objectives of the Port Whitby Secondary Plan, including the brownfield redevelopment areas, to occur more readily than the market may have initially planned
- To enhance investment in the public realm through capital improvements including parks and open spaces as well as connections through the community for pedestrians and cyclists through an active transportation system

In addition to these broader goals, more detailed descriptions of the specific goals, targets and incentives are provided in the following sections.

3.2 General Design Principles for Port Whitby

Urban Design Guidelines have been prepared for the Port Whitby area as a separate document to this CIP. These guidelines provide a detailed approach to intensification, redevelopment and upgrades in the area. They should be used in conjunction with the Community Improvement Plan. The following provides a brief summary of the design criteria from the Urban Design Guidelines that should be considered as part of future development in the Port Whitby area. They have been provided as part of this Community Improvement Plan document to contribute to the understanding of the vision for the future of Port Whitby as a whole.

General principles that should be followed when preparing plans for the improvement of the public realm include:

- when improvements to infrastructure are planned, to integrate a connected active transportation network into the design
- provide access and views to the waterfront where possible
- increase tree canopy coverage
- maintain existing curb/sidewalk design in the existing community, with no boulevard between the sidewalk and the paved road surface

General principles that should be followed when preparing plans for building improvement include:

- consultancy with the Town's Façade Improvement and Heritage Guidelines
- if applicable, meet LACAC requirements for buildings designated and/or significant heritage structure
- restoration or replacement of windows in original style
- use of original materials and historic colours where feasible
- use of metal cladding, aluminum siding and other similar material is discouraged
- cleaning, repointing, replacement of original brick as required
- preservation, restoration of architectural detail
- well-designed signage in proportion to the building, sensitive to the appearance of the entire streetscape
- improvements to more modern buildings should be sympathetic to the existing streetscape with respect to proportions, materials, colour, signage and architectural detail
- in areas where redevelopment is planned but not anticipated to occur in the short term, improvements to existing buildings are encouraged

3.3 Characteristics of the Port Whitby Community Improvement Plan Areas

As described in Section 2, two CIP Areas have been identified in Port Whitby and within these two CIP areas there are a number of Priority Areas. The following provides a description of the CIP Areas and the Priority Areas. For a more detailed description of land use, density, and urban design elements, this CIP document should be read in conjunction with the Port Whitby Community Secondary Plan as well as the Port Whitby Urban Design Guidelines. In addition, the following section of this CIP provides direction on which CIP tools, incentives and municipal initiatives are proposed for each of the Priority Areas.

3.3.1 Port Whitby Community Improvement Project Areas + Priority Areas

As discussed, the full Port Whitby Secondary Plan area is 183 ha (450 acres) and the existing population in the area is approximately 2,000 people and 500 jobs. The Community Improvement Project Areas (also known as the Grant Eligibility Areas) are focused on the lands generally south of Victoria Street (**Exhibit 2**).

The Priority Areas are related to the Character Areas that have been identified in the Secondary Plan and Design Guidelines for Port Whitby. The Priority Areas include: 1) the Brock Street South corridor; 2) the Dufferin Street corridor (north and south); 3) the brownfield redevelopment site on the south waterfront; and 4) the waterfront and active transportation network. An overview of the vision for each of these Priority Areas is provided below and **Table 1** outlines the proposed incentives for each of these Priority Areas.

A more detailed description of the incentives, as well as the list of municipal initiatives, is provided in the following section of this CIP document. It should be noted that for each Priority Area, specific incentive tools have been proposed in order to support the vision for each Priority Area. The full list of incentive tools does not apply to all of the Priority Areas and there are differences in the available amount or value of the incentive depending on the Priority Area.

Further, applications to apply for incentives can occur throughout the year but will be determined on a first come first served basis.

Brock Street South

As the Secondary Plan and the Urban Design Guidelines (**Section 5: Brock Main Street**) outline, the Brock Street South Corridor is an important spine of the community and provides an opportunity to create a “Main Street” within Port Whitby (refer to the **UDG Section 5, Figure 5.20**). There are short and long term objectives for Brock Street South. Ultimately the corridor will be redeveloped as a mixed-use corridor with ground floor animation along from Victoria St. south to Front Street, see **Figure 1**.

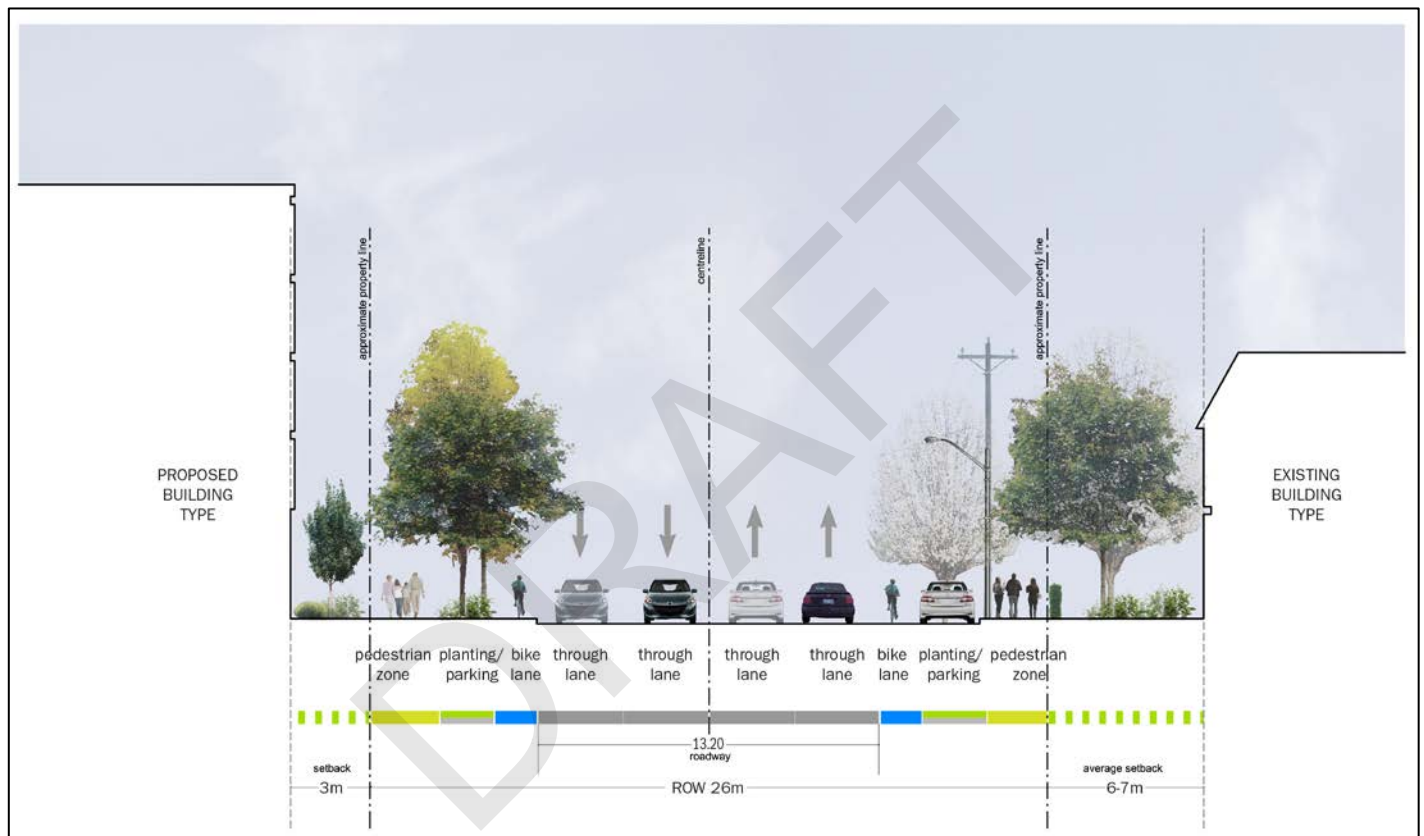


Figure 1: Typical mid-block cross-section at Brock Street South (UDG Section 5, Figure 5.20).

Recognizing that this vision for the corridor will likely be achieved over a longer period of time, the Community Improvement Plan can provide incentives for improvements to the existing development as well as to encourage future appropriate and targeted redevelopment. Over the shorter term, the existing streetscape and buildings could be improved through façade improvements, building revitalization and streetscape improvements, including active transportation elements. Another short-term incentive for the Brock Street South corridor property owners could be Development Charge exemption and tax breaks to increase the density of the low-rise walk up apartment buildings, through the renovation of single or multiple units. Over the longer term, the Community Improvement Plan can provide incentives for the redevelopment of the corridor (refer to the **UDG Section 5, Figure 5.24**), including the Front St

area from Brock Street South to Charles St. These incentives could include grants for the mixed-use development, tax incentives and Development Charge reductions.

Dufferin Street

As the Urban Design Guidelines outline in **Section 7.0, Stable Low-Rise Neighbourhoods – Dufferin Street**, the existing Dufferin Street corridor is characterized by lands with a mix of housing typologies ranging from historic Victorian homes and cottages to mid-century walk-up apartment buildings and contemporary infill townhouse developments. The planned improvements for Dufferin Street differ in character between the sections north and south of Watson Street. The plan for the north section of Dufferin Street is to integrate areas of moderate intensification to achieve Medium Density Residential One for infill opportunities and Medium Density Residential Two for greenfield areas for new development along the corridor near Victoria Street (refer to **Exhibit 2**). The plan for the southern section is focused more on maintaining and enhancing the stable neighbourhood, predominantly as Low Rise Residential with minor infill of Medium Density Residential One proposed (refer to **Exhibit 2**). Intensification on individual properties can be achieved in the southern section of Dufferin St. As described for Brock Street South, an incentive for owners of the low-rise walk up apartment buildings will be DC and tax breaks to increase the density of these apartment buildings, through the renovation of single or multiple units to create additional units within the buildings, see **Figure 2**. The character of the entire Dufferin St. corridor is an important defining feature of Port Whitby and therefore maintaining and enhancing the character of the road through streetscape improvements will be an integral part of the future of Dufferin St. These improvements are described in the Secondary Plan and Urban Design Guidelines Section 7.0.

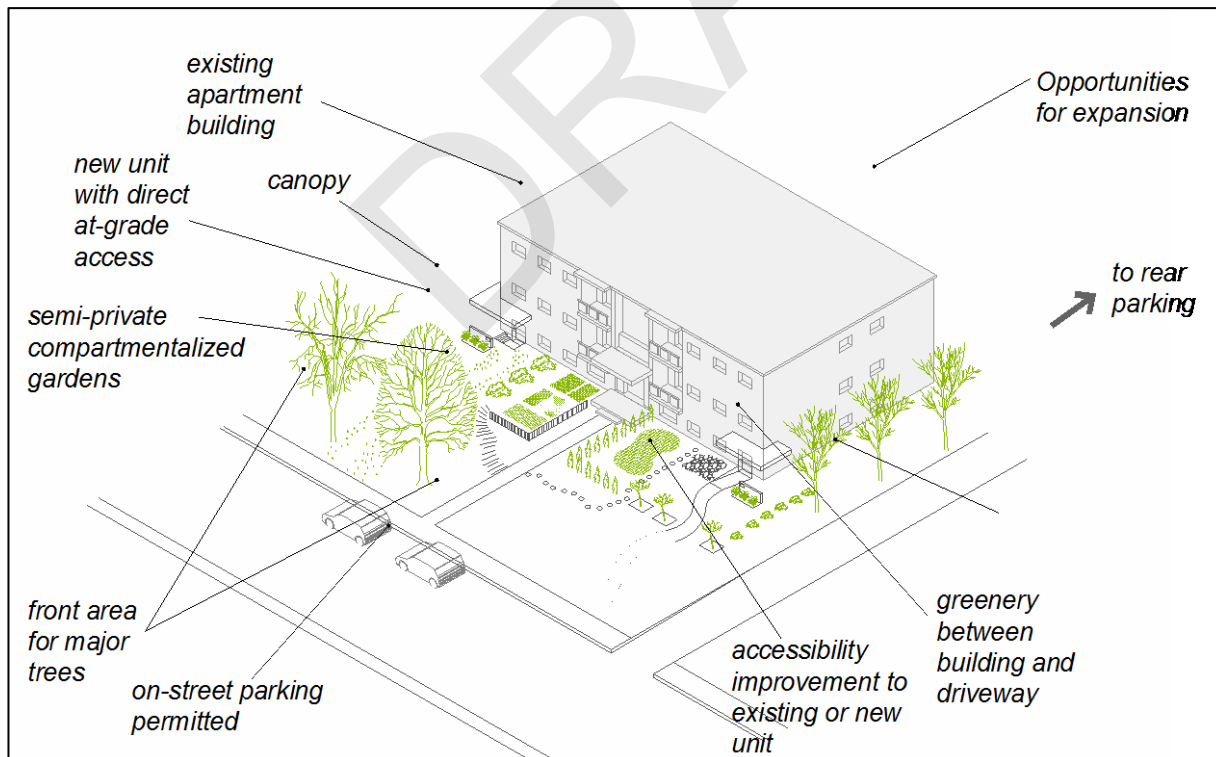


Figure 2: Demonstration Plan for possible renovation of low-rise apartment building (UDG Section 7, Figure 7.11).

Brownfield Redevelopment Site

Community Improvement Plans can be used, sometime in conjunction with other Brownfield incentive programs, to provide assistance where environmental remediation is undertaken on brownfield sites. This is effective for areas that the Town has identified for redevelopment where contamination on a site has resulted in a property that is vacant and/or underutilized. Depending on the Town's objectives for an area, it is possible to provide parameters for which the incentives would be applied, including particular types of redevelopment. In Port Whitby, incentives as part of the CIP can be used to encourage the cleanup and redevelopment of the brownfield sites including the former Imperial Oil Limited site, which is located along Water St. as a commercial development. These incentives could include measures such as Development Charge exemptions and property tax assistance and are discussed in more detail in the following sections of this CIP document.

Waterfront Area + Active Transportation Network

The shoreline of Whitby Harbour is the defining element of Port Whitby and is characterized by a diverse mix of uses, by both public and private, including the Whitby Marina and Whitby Yacht Club, and the Iroquois Park Sports Fields. The Town has prepared a Waterfront Parks and Open Space Master Plan for all of the Whitby waterfront, which addresses the principles and opportunities for the waterfront, including Port Whitby. The approach for Port Whitby in the Master Plan, has been an important element of the development of the Port Whitby Secondary Plan, Urban Design Guidelines and the Community Improvement Plan. As outlined in the **UDG Section 6**, the Port Whitby Waterfront provides an excellent opportunity to connect the residents of the Town of Whitby to the community on the Port.

As a part of the waterfront there is one heritage building of note is the former "Captain James Rowe House Museum" which was relocated from the intersection of Victoria Street East and Charles Street to a site on the south side of Front Street, east of Brock Street South. The house is located on municipally owned land and is significant for both cultural and architectural reasons. As much of the lands on the south side of Front Street are municipally owned, an opportunity exists for adaptive reuse of historic building by relocating a number of the heritage buildings in the area to this location much like the former "Captain James Rowe House Museum" to create a "memory lane" to promote the communities culture and historic prevalence.

The Waterfront Parks and Open Space Master Plan proposes extensive expansion of the existing surrounding trail network, however, as depicted on Schedule 'F' of the Port Whitby Community Secondary Plan, additional connections have been proposed within the community to enhance the trail network connections that would provide direct pedestrian and bicycle access to easily move through the study area with more direct movements.

The integration of these improvements to the Active Transportation Network in the Port Whitby area will improve access through the area and directly to the waterfront by pedestrian and cycling movements. The creation of the active transportation network will be tied to redevelopment in the area as well as municipal improvements and upgrades. The active

transportation network is planned throughout Port Whitby. Because much of the network will evolve as redevelopment and capital investments occur, the timing for completion will be tied to these changes. However, there are a few key elements of the network, along Front Street and in the Marina areas that are to be encouraged for construction/improvement earlier through the approval of the CIP such as the development of a waterfront promenade.

3.4 Community Improvement Programs

The Community Improvement Plan is divided into improvements associated with municipal initiatives as well as incentives for private landowners, including grants, tax rebates/assistance and development charge savings. As described in the section above, the incentives for the private sector varies depending on which Priority Area they are located in (refer to **Table 1**).

The following provides a summary of both the municipal /public sector initiatives as well as the incentives for the private sector.

3.4.1 Municipal Initiatives

3.4.1.1 Land Acquisition and Disposal- the Town may acquire land, develop it, rehabilitate or expand existing buildings on it and sell, lease or otherwise dispose of the land or its buildings at or below market value in order to implement the objectives of the CIP. Any action to implement this policy will require a resolution of the Town Council that is initiated by a staff report.

3.4.1.2 Capital Improvements

Municipalities budget for renewal of infrastructure and services through a capital budget. Through the Community Improvement Plan a municipality can enhance the capital budget to implement measures and issues identified in the Community Improvement Plan. This can be done as part of an existing capital project or for new projects to be added to the queue. These public sector investments can act as a catalyst to leverage private sector investments.

In Port Whitby, the public realm, including streetscapes, the Active Transportation Network and accessibility improvements in the public realm have been identified as important features for enhancement. Where possible improvements should be coordinated and budgeted for as part of other infrastructure improvements.

The following is a list of municipal improvement initiatives that should take to implement the Community Improvement Plan:

- a) Redesign Watson Park. If there is a desire at the Town, including the parks department, portions of Watson Park could be redesigned. For example, the existing playground facilities at Watson Park could be relocated south within the park to accommodate changes to the park that may be required as the Port Whitby area evolves. As depicted on Figure 5.26 in Section 5.4.1 of the UDG, Watson Park is a key site along the Brock Street South corridor and it will act as a town square park and an important civic amenity

with the potential for passive or active recreation spill out and moveable seating tied to ground floor uses in adjacent buildings as well as informal or formal gatherings. The redesign of the park will contribute significantly to placemaking in Port Whitby, particularly because it will act as a hub for public events.

- b) Utilize municipal lands south of fire hall on Brock Street South for surface parking, if required. To incentivize the development of commercial and mixed uses, the Town could provide a municipal parking lot on the Town-owned lands south of the fire hall either as a temporary or long-term measure.
- c) Complete active transportation network improvements. As part of the Secondary Plan and Urban Design Guidelines, improvements to the active transportation network have been identified for the Port Whitby area as shown on Schedule 'F'. The Town should undertake the improvements, in conjunction with the improvements as specified in the Waterfront Parks and Open Space Master Plan, required to complete this network as part of their Healthy Community objectives, including the provision of landscape buffers along the walkway and trails.
- d) Pumphouse as Community Space – an opportunity exists to rehabilitate the former pumphouse building. The federal government has recently provided a grant towards restoration of the building. The Town may consider smaller floorplate retail and personal service uses limited to businesses and amenities servicing local residents and visitors, as adaptive reuse of the former pumphouse.
- e) Public Art – Guidelines for opportunities to implement public art are described in Section 3.8 of the Urban Design Guidelines. The identification of Public Art as part of the CIP is an indication of the Town's commitment to the integration of public art into the community to enhance the culture and history of Port Whitby and the Town as a whole.
- f) Burying of Infrastructure – It is the desire of the Town, where feasible, to prioritize the burying of infrastructure such as wires and cables as depicted in Section 11.1.17.6 & 11.2.17.7 of the Port Whitby Community Secondary Plan policies.
- g) Street Furniture & Improvements. As described in the Urban Design Guidelines (Section 3.7), the Town plans to integrate new as well as improvements to Street Furniture throughout Port Whitby. These improvements and new furniture ensures that there is a coordinated and consistent appearance that is tailored to the Port Whitby area. Street Furniture includes benches, information pillars and flags, garbage and recycling receptacles, bicycle parking, bollards, lampposts, mailboxes and fire hydrants.
- h) Heritage Cluster and Adaptive Reuse on Public Lands – As much of the lands on the south side of Front Street are municipally owned, an opportunity exists for adaptive reuse of historic buildings by relocating a number of the heritage buildings in Port Whitby to this location much like the former "Captain James Rowe House Museum" to create a "memory lane" to promote the communities culture and historic prevalence.

The Town will utilize the same administrative structure established to administer the financial incentive programs to administer the municipal initiatives. The Town will identify a lead department that will be primarily responsible for coordination and administering the implementation of the municipal initiatives associated with and implementing the CIP. The process will be administered through a planned budget process.

3.4.1.3 Public-Private Partnerships

The Town may also participate in public-private partnerships to incentivize changes in the Port Whitby area. This could apply to the redevelopment of properties in Port Whitby and/or could apply to public-private partnerships to construct and/or operate public facilities such as parking. For example, the Town may want to protect parking south of Front Street at Brock St and may also want to enter into a partnership with private landowners redeveloping their sites to provide public parking within the newly developed site.

3.4.2 Incentives

The following programs are directed at the private sector and are designed to encourage private sector investment, redevelopment, and construction activity in Port Whitby. These items are also described in **Table 1**, and vary by Priority Area.

3.4.2.1. Grants

As discussed, there are a number of options for grants for the Port Whitby Community Improvement Plan. It should be noted that only grants will be provided and not loans. The incentive grants include:

A. Façade and Building Revitalization Grant - The purpose of the program is to provide financial incentives to property owners for the purpose of stimulating private sector investment in the revitalization of existing commercial, institutional, mixed use and multi unit residential buildings in Port Whitby. This is particularly important for both short and long terms objectives for the Port Whitby area. The focus of the program is on the improvements to the street appearance of all buildings, the program encourages structural, weather related repairs, including roof/foundation and landscape improvements. Accessibility improvements can also be an integral part of this program. This will also help to serve the aging population. In the Downtown Whitby CIP and the Brooklin CIP, this was also structured as a grant program.. For the Port Whitby Community Improvement Plan, as noted the dollar amount varies by location (refer to **Table 1**) however, in general, the threshold is \$2,500 for grants.

Potential Applicants- This program is available to residential and commercial property owners within the Port Whitby Community Improvement Project Area. Owners may appoint, in writing, an agent or the current tenant to act on their behalf. To be eligible, the tenant would require a minimum 5-year lease with the owner. Property owners with the outstanding taxes will not be eligible.

Priority Areas – As indicated in **Exhibit 2**, a priority area for Port Whitby has been identified, and the value of the incentive varies by Priority Area. However, all property owners within the prescribed area (CIPA), as also indicated on **Exhibit 2**, are eligible. Also, if applicable, any designated heritage properties are considered a priority.

General Terms for Grants : The Town will provide a grant of up to 10% of the estimated fair market value of the building improvements up to a maximum of \$2,500. At the discretion of Council, the grant can be increased by up to \$5,000 per property/project for properties designated under the Ontario Heritage Act.

Eligibility for the grants is limited to one (1) application per year per individual (property). Successful applications for improvements for individual properties will be considered no sooner than once every three (3) years. The three (3) year time frame begins on the date of the final approval of the application for the property. The grant funds will be provided upon completion of the project and the program administrator has inspected the work to ensure conformity in accordance with the approved drawings. Any changes to the approved drawings prior to or during construction are to be approved by the program administrator. Building improvements must be completed within four (4) months of the approval. In order to receive the approved grant funding, a written request for the funds must be submitted to the Town once the improvements are completed. The four (4) months begins on the date of the final approval of the application. A building permit to undertake the building improvements may be required. As part of the building permit, full compliance with the zoning by-law, sign by-law and the Ontario Building Code is required. The Recommended duration of the program is five (5) years subject to availability of funding as approved by Council.

Procedure-

- Consult with Town staff regarding the proposed improvements to ensure eligibility
- Fill out an application form (no fee)
- Attach to the application form drawings of the proposed improvements including one (1) quote from a qualified contractor for the works
- If all requested information is provided, the application review will take up to ten (10) business days
- If approved, the building owner or agent will receive a letter or approval that will spell out the basic terms and conditions.

Program Requirements for Façade Improvements- Applicants can apply for funding under this program subject to meeting the following program requirements, and subject to availability of funding as approved by Council:

- The following types of building façade restoration and improvement works on multi-unit residential, commercial, institutional and mixed use buildings are considered eligible for a grant under this program:
 - Repair or replacement of front windows and doors, including repair or replacement of storefronts
 - Repair or repointing of façade masonry and brickwork
 - Repair or replacement of cornices, parapets, eaves and other architectural details,
 - Repair or replacement of awnings or canopies
 - Façade painting and cleaning/treatments
 - Addition of new lighting/upgrading of existing fixtures on exterior façade and in entrance and storefront display areas
 - Installation/improvement of signage (as permitted by the sign by-law)

- Landscaping including plant materials (to a maximum of 15% of the approved grant amount)
- Architectural/design fees required for eligible works (to a maximum of 10% of the grant amount)
- Other similar repairs/improvements as may be approved; and
- Items i) to x) above as they apply to side facades and rear facades that are highly visible.
- If applicable, other improvements specific to buildings designated under the Ontario Heritage Act could be included

Program Requirements for Building Improvements- Applicants are can apply for funding under this program subject to meeting the following program requirements, and subject to availability of funding as approved by Council:

- The following types of building maintenance and improvement works on multi-unit residential, commercial, institutional and mixed use buildings are considered eligible for a grant under this program:
 - Entrance modifications to provide barrier-free accessibility
 - Installation/upgrading of fire protection systems
 - Repair/replacement of roof
 - Structural repairs to walls, ceilings, floors and foundations
 - Water/flood/weatherproofing
 - Repair/replacement of windows and doors
 - Extension/upgrading of plumbing and electrical services for the creation of retail, office or residential space
 - Installation/alteration of required window openings to residential spaces
 - Required improvements to heating and ventilation systems
 - Individual servicing upgrades required as the result of major servicing upgrade program, e.g. upgrading of individual electrical service or water service as a result of these services being upgraded along the street;
 - Other similar repairs/improvements related to health and safety issues, as may be approved
 - Other similar repairs/improvements related to sustainable design, tied to the Port Whitby Sustainable Community Plan, as may be approved

B. Residential Intensification Grant –The purpose of the program is to promote the construction of new residential units on an existing property and renovation of existing residential units through the renovation of an existing residential unit in a mixed use or multi-unit residential building, residential intensification and the infilling of vacant lots with new residential units. The program can be applied to existing residential units in a mixed use or multi-unit residential buildings that are required to upgrade to meet accessibility upgrade requirements. For the Port Whitby Community Improvement Plan, this incentive only applies to the Brock St Priority Area (refer to **Table 1**).

Potential Applicants - The Residential Grant Program can be used for rental or ownership units in the Brock St. Priority Area. If used for ownership units, the grant may apply to buildings that fall under the Condominium Act.

General Terms – The Residential Grant Program will provide a grant equal to the costs of rehabilitating existing residential units and/or constructing new residential units on the basis of \$15 per square foot of habitable floor space rehabilitated or constructed to a maximum grant of \$15,000 per unit and a maximum of 4 units per property/project (total maximum grant of \$60,000) per property/project.

Procedure -

- Consult with Town staff regarding the proposed intensification approach to ensure eligibility
- Fill out an application form (no fee)
- Attach to the application form drawings of the proposed improvements including one (1) quote from a qualified designer and contractor for the works
- If all requested information is provided, the application review will take up to ten (10) business days
- If approved, the building owner or agent will receive a letter of approval that will spell out the basic terms and conditions.

The Grant, which will be targeted to meet the objectives described in this plan, will be paid once all construction is complete and the Town has conducted all final inspections.

Program Requirements - Applicants are eligible to apply for funding under this program, subject to meeting the general program requirements, the following program requirements and subject to the availability of funding as approved by Council:

- The following types of projects are considered eligible for a grant under this program:
 - Renovations to existing multi-unit or mixed use residential buildings to bring units into compliance with Building Code
 - Existing multi-unit residential or mixed use buildings where two or more net residential units are created; and
 - Vacant lot (including parking lots) converting to mixed use or residential use where two or more net residential units are created
- The Town may require the applicant to submit for approval impact studies such as traffic studies or microclimate conditions. These studies will be at the cost of the applicant.

C. TAX INCENTIVES - Development Revitalization Tax Increment Grant + Brownfields Property Tax Assistance

The purpose of this program is to provide a financial incentive that reduces the property tax increase associated with improvements to or redevelopment of a property. This incentive can also assist with securing project financing. The program provides a grant for the equivalent tax increment up to 100% of the municipal property tax increment increase for up to 5 years following completion of the eligible project in which the project creates

an increase in taxes. In addition, some or all of school taxes may be cancelled, at the discretion of the Province.

The incentive can be applied to Brownfield Remediation sites to provide tax assistance where environmental remediation is undertaken, and could therefore apply to the former Imperial Oil site and others. For these properties that require environmental remediation and/or risk assessment/management, additional incentives may apply through a Brownfields Property Tax Assistance Program. Under Section 365.1 (2) of the Municipal Act, 2001, municipalities may pass a by-law to provide tax assistance to an eligible property in the form of cancellation of part of the taxes for municipal and education purposes on a brownfield property during the rehabilitation period and the development period. The rehabilitation period is defined as the period of time starting on the date on which the by-law under subsection 365.1(2) providing tax assistance is passed and the earliest of the following: i) 18 months after the date that the tax assistance begins; ii) the date that a record of site condition for the property is filed in the Environmental Site Registry under section 168.4 of the Environmental Protection Act; and iii) the date that the tax assistance provided equals the sum of the cost of any action to be taken to reduce the contamination to permit a record of site condition to be filed and the cost of complying with any certificate of property use issued under section 168.6 of the Environmental Protection Act. The development period means the period of time starting on the date of that the rehabilitation period ends and ending on the earlier of: i) the date specified in the by-law made under subsection 365.1(2) or the date that the tax assistance provided for the property equals the sum of the cost of any action taken to reduce contamination (with the reduction determined through a process with the Town) and the cost of complying with any certificate of property use issued under section 168.6. In no case will the total amount of the tax assistance exceed the total eligible costs, where the eligible costs include: a Phase II ESA, Designated Substances and Hazardous Materials Survey, Remedial Work Plan, and Risk Assessment not disbursed by the ESA Grant Program, environmental remediation, including the cost of preparing a RSC, placing clean fill and grading, installing environmental and/or engineering controls/works as specified in the Remedial Work Plan and/or Risk Assessment, monitoring, maintaining and operating environmental and engineering controls/works, as specified in the Remedial Work Plan and/or Risk Assessment and environmental insurance premiums.

Potential Applicants- Potential applicants include brownfield sites, sites redeveloped to achieve LEED certification or to meet the Port Whitby Sustainable Community Plan requirements and for all other targeted sites in the Priority Area including parking lots, and intensification sites, where the redevelopment or rehabilitation project results in an increase in the assessed value and taxes on the property.

Priority Areas – As indicated in **Exhibit 2**, a priority area for Port Whitby has been identified, however, all property owners within the prescribed area (CIPA), as also indicated on **Exhibit 2**, are eligible, at the discretion of the Town. Brownfield sites are a particular priority.

General Terms - The percentage of the annual Revitalization Tax Increment Grant will be equal to:

- 80% for projects on brownfield sites where a Phase II Environmental Site Assessment (ESA) has been conducted and that as of the date of the Phase II

ESA was completed, met the required standards to permit a Record of Site Condition for the proposed use to be filed in the Environmental Site Registry

- 100% for projects that achieve LEED certification
- 100% for projects that follow the Port Whitby Sustainable Community Plan requirements for green design
- 60% for all other projects

For the Brownfields Property Tax Assistance Program, the tax assistance will end when whichever comes first of the total tax assistance equals the total eligible costs or after 3 years.

Procedure -

- Consult with Town staff to ensure eligibility
- Fill out an application form (no fee)
- If approved, the building owner or agent will receive a letter or approval that will spell out the basic terms and conditions.

The grant will be paid once the eligible project is complete, building inspection has taken place, the property has been reassessed and the new property taxes have been paid in full for the year. Pre-project municipal taxes will be determined before commencement of the project at the time the application is approved. The increase in municipal taxes will be calculated as the difference between pre-project municipal taxes and post-project municipal taxes that are levied as a result of reevaluation of the property by MPAC following project completion. The grant will be recalculated every year based on the post-project municipal taxes in that year. Grant payments will end when the total grant along with all other grants provided equals the cost of rehabilitating the lands and buildings or after 5 years, whichever comes first. The maximum annual program total grant available under this program is \$100,000 for all projects accepted. This amount will be tracked by the Town department which will be administering the grant and annual costs may vary depending on the participating projects.

For the Brownfields Property Tax Assistance Program, any property that is approved for tax assistance will be subject to passing of a by-law by the Town that authorizes the tax assistance. This by-law will include conditions require by the Town as well as any additional conditions required by the Region or the Province.

Program Requirements - Applicants are eligible to apply for funding under this program, subject to meeting the general program requirements, the following program requirements and subject to the availability of funding as approved by Council:

- As a condition of the grant application, the Town may require the applicant to submit a Business Plan, with said plan to the municipality's satisfaction;
- The Town may require the applicant to submit for approval impact studies such as traffic studies and studies of microclimatic conditions (sun, shadow, wind);
- If during the grant period, a building that receives this grant is demolished, all grant payments shall cease and the Town reserves the right to require repayment of the grant payments and if the building is a building designated under the Ontario Heritage Act, the Town will require repayment.

For projects on brownfield sites, the following additional program requirements will apply:

- Prior to the start of any remediation works to which the tax assistance will apply an application must be submitted to the Town
- The application include a Phase II ESA, Remedial Work Plan or Risk Assessment Plan prepared by a qualified person that includes an estimate of the cost of actions that will be required to reduce the concentration of contaminants on, in or under the property to permit a record of site condition to be filed in the Environmental Site Registry under Section 16.8 of the Environmental Protection Act and a working plan and budget for the environmental remediation and/or risk management actions
- The owner shall file in the Environmental Site Registry a Record of Site Condition (RSC) for the property signed by a qualified person and the owner shall submit to the Town proof that the RSC has been acknowledged by the Ministry of Environment

NOTE: Brownfield Remediation Property Tax Assistance and Development Grants may be eligible for a maximum assistance of 12 years combined assistance.

D. Design Guide Grant - For most community improvement projects, professional design advice is recommended. This design guide grant is designed to contribute to the cost of seeking professional advice for the design of improvement projects.

Potential Applicants – The Design Guide Grant is available to commercial and multi-unit residential property owners within the Port Whitby Community Improvement Project Area Priority Area and Grant Eligibility Area as shown on **Exhibit 2**. Owners of commercial properties may appoint, in writing, an agent or the current tenant to act on their behalf. To be eligible, the property owner or appointed tenant would require a minimum of a 5-year lease with the owner. Property owners with outstanding taxes will not be eligible.

General Terms – The Town will provide a grant of up to 50% of the design fee up to a maximum of \$1,000 for the purpose of contributing to the cost of the professional design advice. The Town will provide a list of pre-qualified architects. Eligibility for the grant is limited to one (1) application per year per group (property). Successful applicants will be considered no sooner than once every three (3) years. The grant funds will be provided upon completion of the drawings and the program administrator has inspected them.

Procedure

- Consult with Town staff regarding the proposed improvements to ensure eligibility
- Fill out an application form (no fee)
- Attach to the application form the drawings of the proposed improvements including one (1) quote from a qualified contractor/architect for the works
- If all requested information is provided, the application review will take up to ten (10) business days
- If approved, the building owner or agent will receive a letter of approval that will spell out the basic terms and conditions

3.4.2.2 Development Charges

To incentivize development on contaminated sites and to encourage mixed-use development as well as intensification of a site, development charge exemptions can be used in conjunction with other incentives. The Town's Development Charges Study was completed in 2012.

A Development Charges exemption or reduction program is not actually part of the CIP under the Planning Act. The Development Charges exemption and reduction program would require inclusion in the Town's Development Charges By-law and therefore does not fall under Section 28 of the Planning Act. As such, the development charges exemption and reduction program does not formally form part of the CIP but instead would need to be approved by Council as a separate recommendation and implementing by-law.

The existing Development Charges By-law provides incentives for the Downtown Whitby and Brooklin Community Improvement Plans but not for the Port Whitby Community Improvement Plan. Therefore implementation of the recommendations for exemptions and reductions related to community improvement described in this document would need to be addressed in the next update to the Development Charges By-law, which is the implementing legislation for these incentives. Development charges are payable at the time of building permit.

Despite the separate authority for these incentives, the Development Charges Exemption and Reduction By-law have been described in this document.

The Development Charge Exemption program for Port Whitby could be structured to be time limited to encourage development to occur in areas sooner rather than later. For example, the Development Charge Exemption program could be offered for a period of 5 years from the date of introduction, with the program commencing on or after the date of approval of enabling amendments to the Town's Development Charges By-law by Council. An option to extend the Development Charges Exemption program for an additional 5 years could be provided at the time when the DC By-law is updated and/or at the will of Council subject to the availability of funding as approved by Council. The Development Charge Exemption program is not an application based program and therefore an application for a development charge exemption at the time of building permit application will not be required. At the time of the building permit application, Town staff will determine eligibility and will notify the owner if they are eligible for a development charge exemption. A separate report to Council will be developed to provide further details with respect to the implementation and administration of this program, including the recommended implementing by-law.

Eligibility criteria for a Development Charges Exemption include:

- Development of Mixed Use buildings in the Brock Street South corridor
- Development of contaminated sites
- Residential intensification of existing housing

For contaminated sites, where a development charge is payable for a development or re-development of contaminated lands (brownfield sites), an amount equivalent to the amount of

eligible costs of the assessment and cleanup of the property will be determined and applied against the development charge.

With respect to intensification of existing housing, a development charge exemption could be applied for development or portions of developments that result in additional residential units within the existing footprint given that the development complies with the zoning by-law and Development Charges Act.

As a condition of development charge exemption, the Town may require that professional drawings and impact study, including traffic and microclimate conditions.

It should be noted that decisions regarding this incentive should be made within the context of encouraging development that would not otherwise occur.

3.5 Potential Future Incentives

This Community Improvement Plan for Port Whitby includes a number of grants and incentives. There is a possibility that in the future the Town may choose to provide other types of grants in the future. Once the initial programs are launched, the Town will assess the success of these programs and will determine if there is a greater interest and need and if funds are available to expand the options. This will require a request by the Town to the Ministry for approval to offer a wider variety of grants and will require a Ministry approval for an amendment to the plan.

3.6 General Provisions

The provision of any grant as described in this Section shall be administered on a first come first served basis to the limit of the available funding. As described the Priority Area and the Grant Eligibility Areas are shown on **Exhibit 2**. While the Priority Area is the prime area for funding, properties in the Grant Eligibility Area are also encouraged to apply for the incentive programs. Specific details regarding the incentive programs and administrative procedures are found in other subsections of Section 4 of the Community Improvement Plan. The Town may discontinue any program without the need to amend this Plan. Minor revisions to the Terms and Conditions of the grant programs as detailed in Section 4.2 may be made with an amendment to this Plan. Any new grant program being contemplated in the future by the Town will require an approved Amendment to this Community Improvement Plan. None of the financial incentive programs described in this CIP will be offered retroactively, and therefore only those projects that are initiated and applied for after the date of approval of this CIP and before the commencement of any eligible works will be eligible for the incentive programs.

3.7 Administrative Process

In order to facilitate the Incentive Programs for Port Whitby, the following administrative process will be used:

- The Planning Department will be the program administrators, confirming the eligibility, compliance to by-law and guidelines
- Marketing and promotion of the grant program will be provided through the Planning Department and the Building Division
- The Building Division is responsible for structural compliance to the Ontario Building Code

4. Budget

4.1 Funding Sources

All of the grant programs listed in the Community Improvement Plan and detailed in Section 4 are funded solely but the Town of Whitby. As noted, there may be options for additional funding sources from other groups but these are not specifically addressed in this CIP.

5. Implementation and Interpretation

The Community Improvement Plan is implemented through the provisions detailed in Section 6.3 of the Town of Whitby Official Plan and Section 28 of the Planning Act, 1990, R.S.O. As discussed, development charge exemptions that have been proposed are outside of the Planning Act and are therefore not formally a part of a Community Improvement Plan.

The implementation of the grant programs detailed in this Community Improvement Plan shall be the responsibility of the Planning Department. This shall include liaison with the Ministry of Municipal Affairs and Housing.

All of the programs offered through this Community Improvement Plan shall be administered on a first come, first served basis to the limit of available funding in accordance with the administrative rules governing this and other grant programs.

Sections 4 and 6 of this document, including **Exhibit 2** shall form the Community Improvement Plan for the Port Whitby Community Project Area. Sections 1, 2, 3, and 5 and **Exhibits 1, 3 and 4** and Appendices 1 and 2 do not constitute part of the actual Community Improvement Plan.

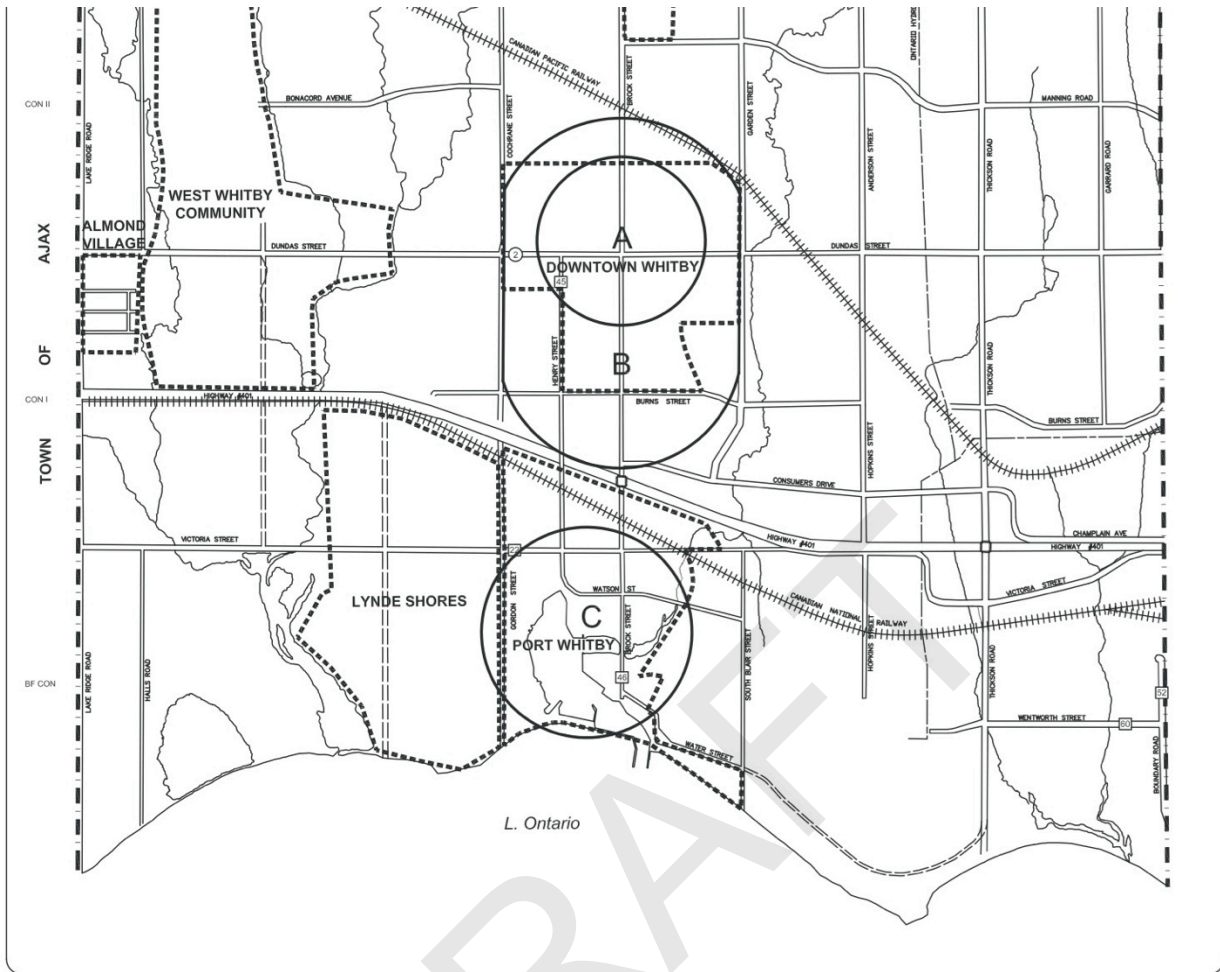
Changes to the Port Whitby Community Improvement Project Area boundaries, or addition of grant programs shall require an amendment to this Plan. The deletion of a grant program shall not require an amendment to this Plan. This Plan has been prepared in accordance with the Town of Whitby Official Plan.

This Plan shall be referred to as the Port Whitby Community Improvement Plan. At such time as other Community Improvement Plans are prepared for this or other areas, this title may be modified for clarification purposes, without requiring an amendment to this Plan.

As a condition of the proposed programs owners shall enter into an agreement with the Town to be registered on title. This Financial Incentives Agreement will set out the terms and conditions

of each incentive and grant program as applicable. Terms and conditions of the Financial Incentives Agreement will compliment and may expand upon, but in no way will detract from the conditions set out herein.

DRAFT



REGIONAL APPROVAL DATE:
December 6, 1995

LAST REVISION DATE:
November 2005

LEGEND:

- Boundary of Secondary Plan Areas
- - - - - Municipal Boundary
- (A) Community Improvement Area Boundary

SECONDARY PLANS SCHEDULE

Official Plan

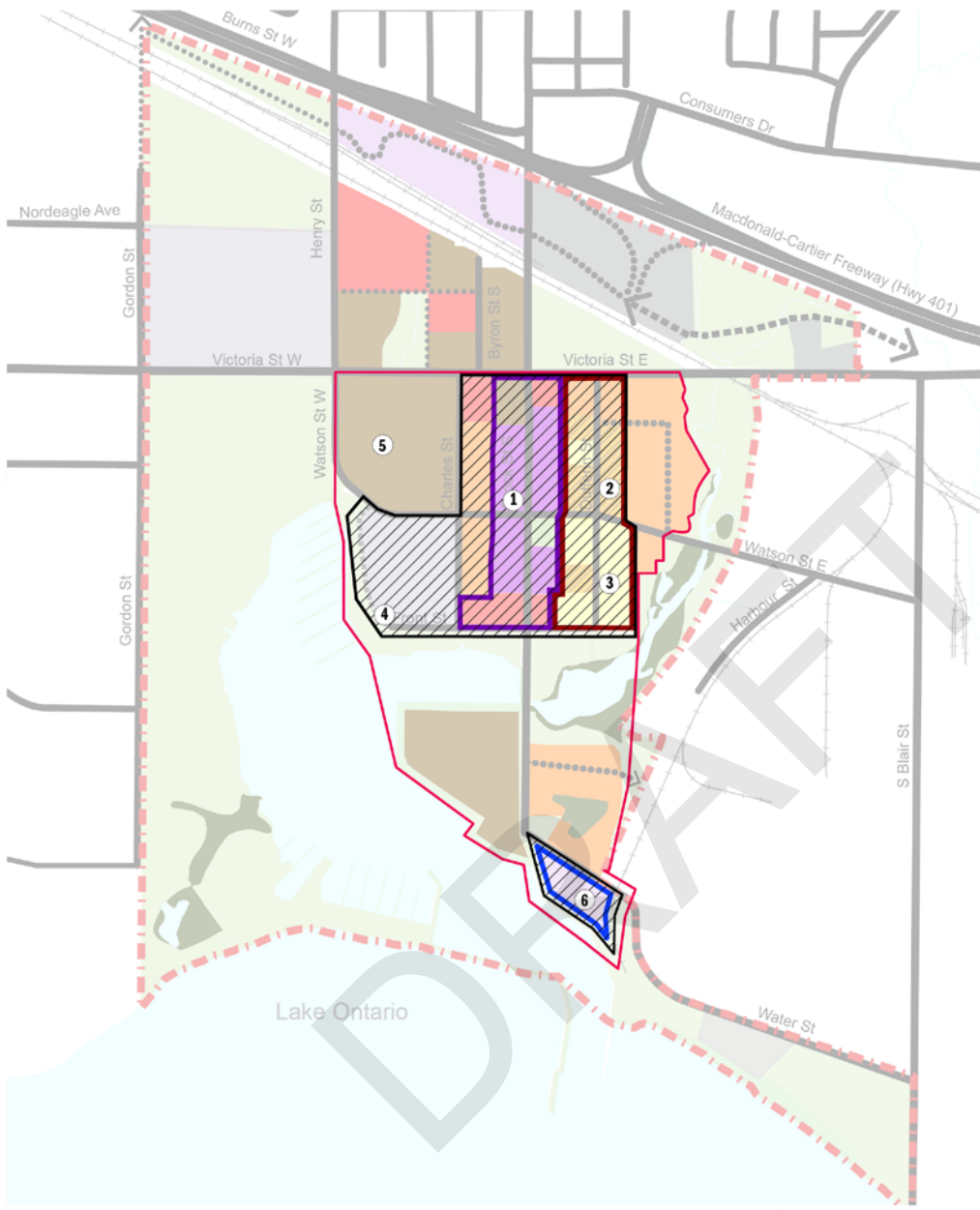
Town of Whitby

E

0 500 1000
Metres

This schedule forms part of the Official Plan of the Town of Whitby and must be read in conjunction with the written text.

Exhibit 1. Excerpt from Official Plan Schedule E



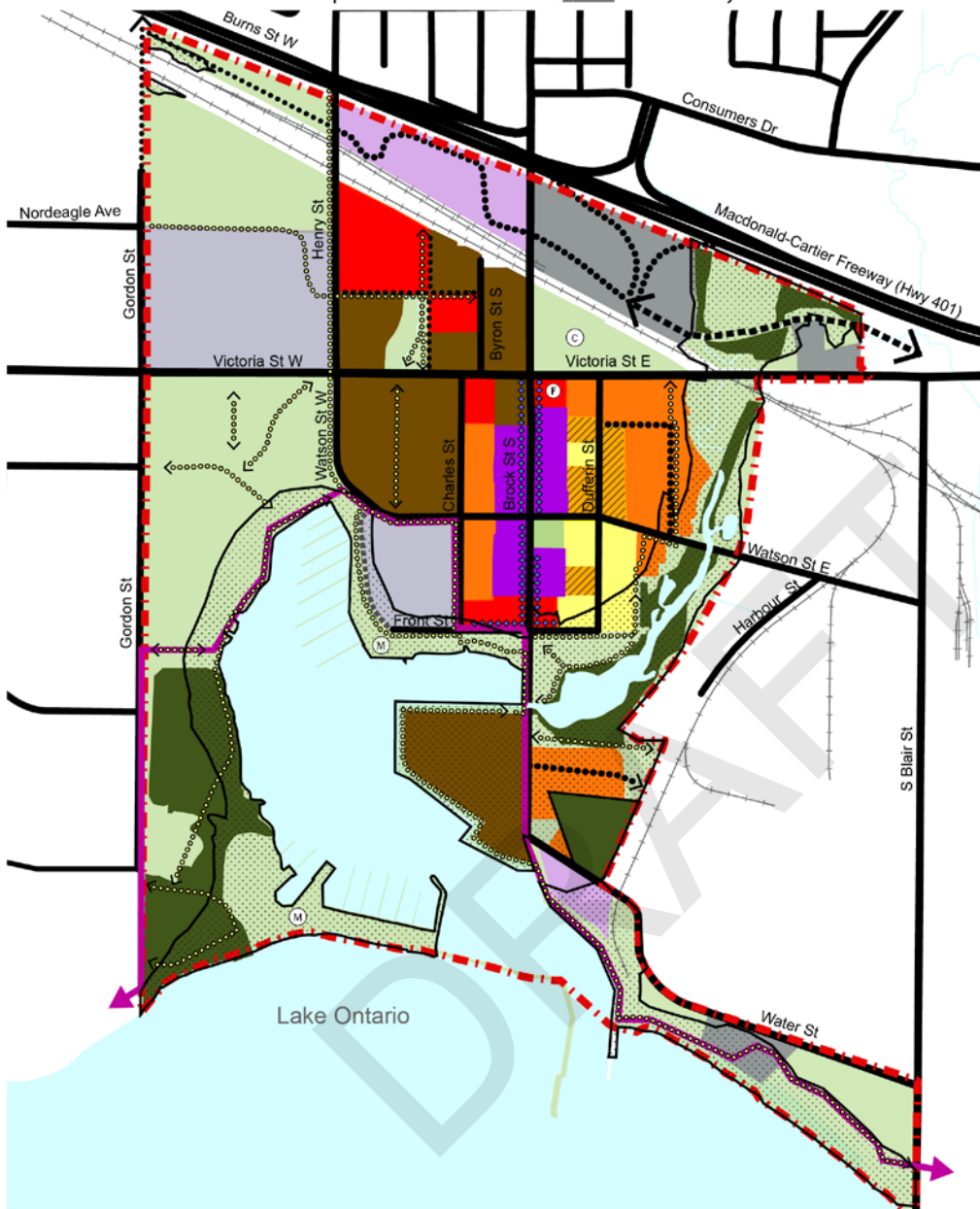
PORT WHITBY COMMUNITY SECONDARY PLAN

- | | |
|---|--|
| <ul style="list-style-type: none"> Grant Eligibility Areas = CIPA Areas Priority Areas Brock Street South Focus Area Dufferin Street Focus Area Brownfield Site Focus Area | <p>Focus Areas</p> <ul style="list-style-type: none"> ① Brock Street South Corridor ② Dufferin Street Corridor - North ③ Dufferin Street Corridor - South ④ Active Transportation Network - Front Street ⑤ Active Transportation Network - Channel ⑥ Brownfield Redevelopment |
|---|--|

**Community
Improvement**
Project Areas
September 2015

Exhibit 2. Port Whitby Community Improvement Plan Area

Exhibit 'B' to Proposed Draft Amendment # _____ to the Whitby Official Plan



Legend:

- Boundary of Port Whitby Community
- Low Density Residential
- Medium Density Residential One
- Medium Density Residential Two
- Mixed Use Residential One
- Mixed Use Residential Two
- High Density Residential Mixed Use
- Community / Institutional
- Commercial
- Utilities
- Major Open Space
- Environmental Protection Area
- Cemetery
- Marina
- Flood Hazard Area
- Fire Station (Existing)
- Potential Corridor for Future Study
- Proposed Roads
- Seasonal Corridor
- Existing Road Network
- Active Transportation Network / Connections
- Waterfront Trail (Improved)
- Ground Floor Animation - Main Street

**PORT WHITBY COMMUNITY
SECONDARY PLAN**



Official Plan
Town of Whitby
September 2015

SCHEDULE

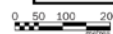
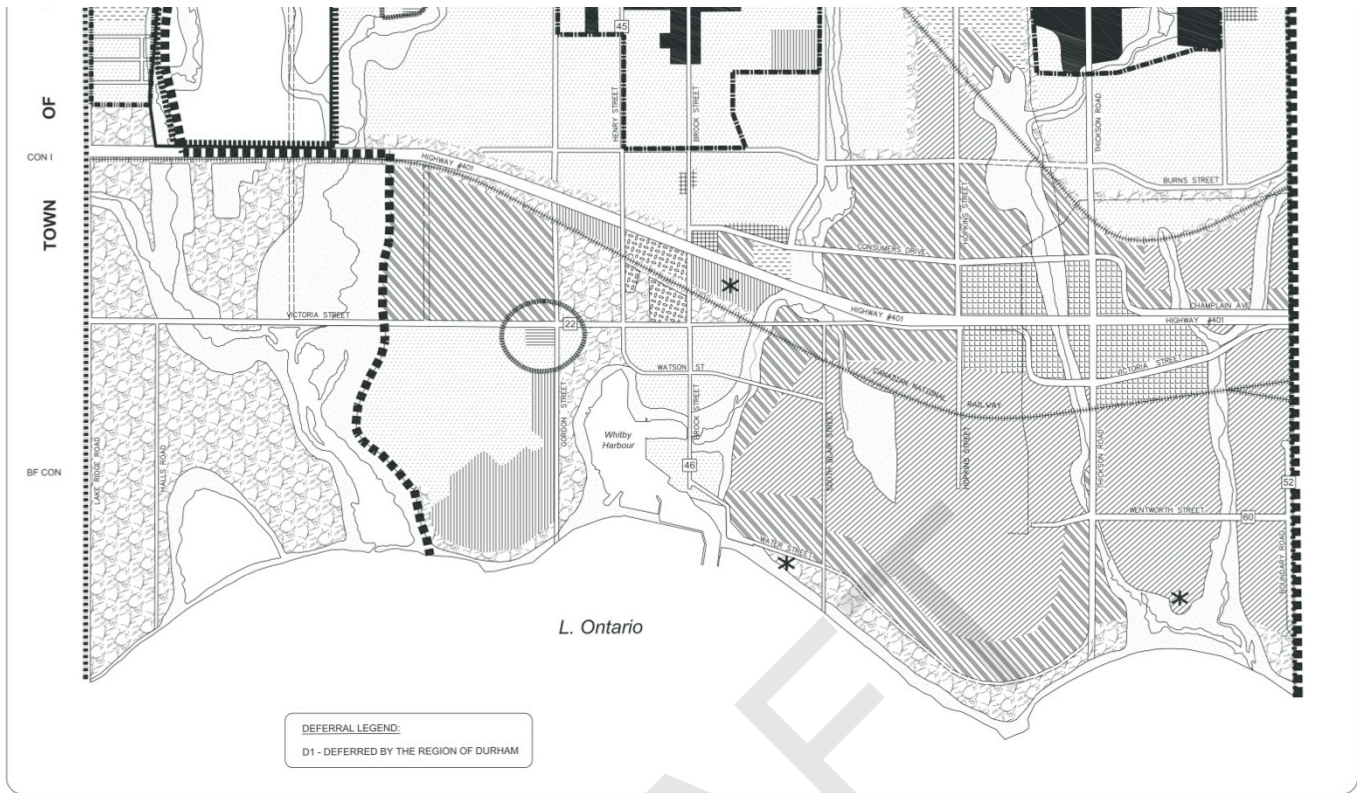


Exhibit 3. Port Whitby Community Secondary Plan – Schedule 'F'



REGIONAL APPROVAL DATE:
December 6, 1995

LAST REVISION DATE:
November 2005

- | | |
|----------------------------|---|
| Residential | Agriculture |
| Major Commercial | Estate Residential |
| Community Commercial | Utility |
| Commercial Node | Resource Extraction Area
<small>(See Section 4.10)</small> |
| Special Purpose Commercial | Hamlet Limits |
| General Industrial | Major Central Area Boundary |
| Prestige Industrial | Community Central Area Bdry. |
| Special Activity Node | Municipal Boundary |
| Institutional | 20 Year Urban Boundary |
| Mixed Use | Future Urban Development Area Boundary |
| Major Open Space | Southern Boundary of Oak Ridges Moraine |
| Hazard Land | |

LAND USE SCHEDULE
Official Plan **A**
Town of Whitby

This schedule forms part of the Official Plan of the Town of Whitby and must be read in conjunction with the written text.

Exhibit 4. Excerpt from Official Plan Schedule A

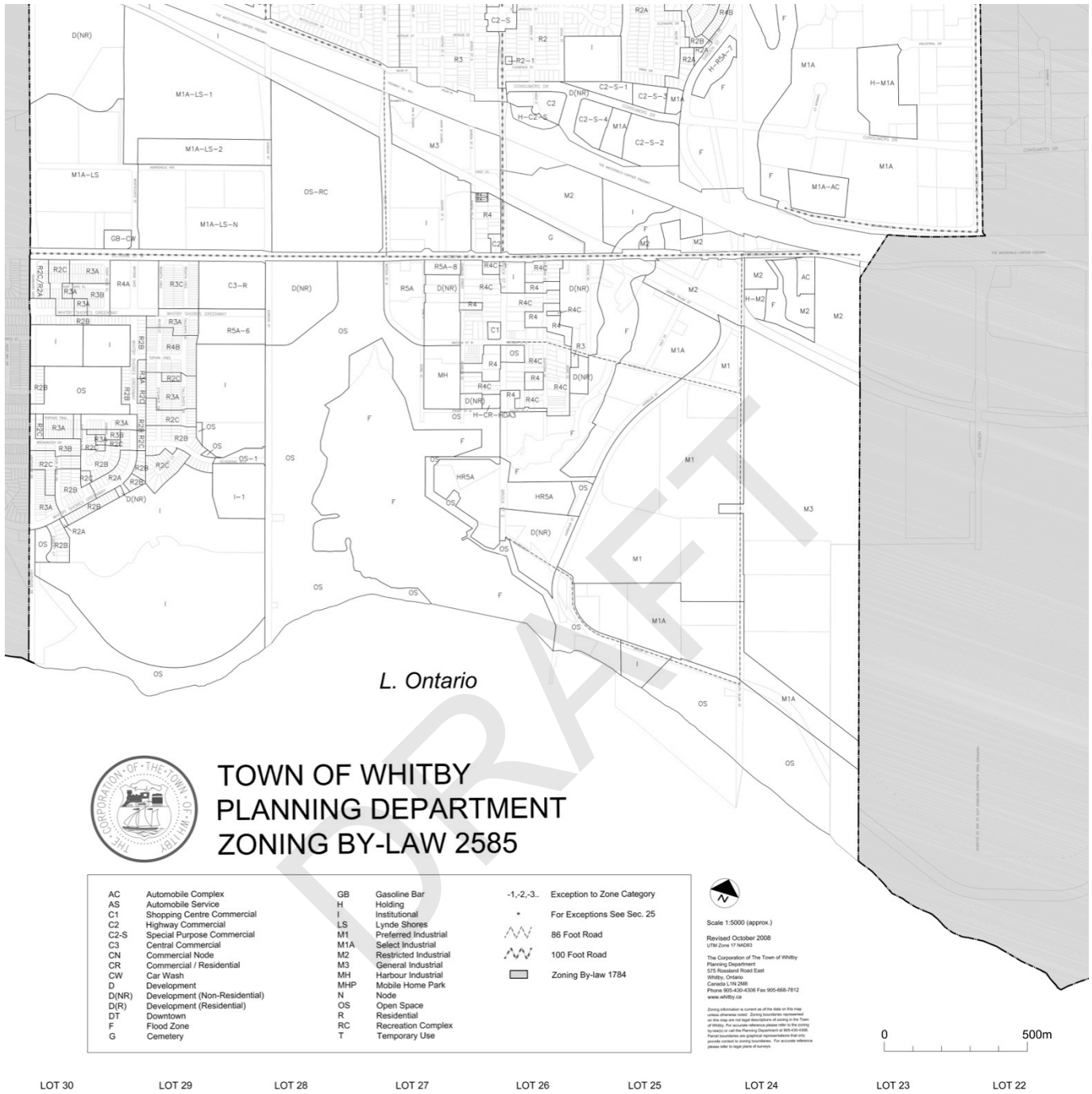


Exhibit 5. Excerpt from Zoning By-law

TABLE 1. COMMUNITY IMPROVEMENT PLAN INCENTIVES

		PRIORITY AREA			REMAINDER OF CIP AREA	
		Brock Street	Brownfield Redevelopment Site	Waterfront + Active Transportation Network		
1	GRANTS					
A. Façade and Building Revitalization Grants						
A.1 Façade and Building Revitalization Grant						
	A.1.a	Façade Improvement Grants - Non Heritage Properties	A grant of up to 10% of the estimated fair market value of the building improvements up to a maximum of \$3000	A grant of up to 10% of the estimated fair market value of the building improvements up to a maximum of \$2000	A grant of up to 10% of the estimated fair market value of the building improvements up to a maximum of \$2,500	A grant of up to 10% of the estimated fair market value of the building improvements up to a maximum of \$2500
	A.1.b	Façade Improvement Grants - Heritage Properties	At the discretion of Council, the grant can be increased by up to \$5000 per property per project for properties designated under the Ontario Heritage Act	At the discretion of Council, the grant can be increased by up to \$5000 per property per project for properties designated under the Ontario Heritage Act	At the discretion of Council, the grant can be increased by up to \$5000 per property per project for properties designated under the Ontario Heritage Act	At the discretion of Council, the grant can be increased by up to \$5000 per property per project for properties designated under the Ontario Heritage Act
B. Residential Intensification Grants						
	B.1	Residential Intensification Grant	The Residential Grant Program will provide a grant equal to the costs of rehabilitating existing residential units and/or constructing new residential units on the basis of \$15 per square foot of habitable floor space rehabilitated or constructed to a maximum grant of \$15,000 per unit and a maximum of 4 units per property/project (total maximum grant of \$60,000) per property/project.	N/A	N/A	N/A
C. Development Revitalization Tax Increment Grant						

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C.1	Residential Revitalization Tax Increment Grant	Provides a financial incentive that reduces the property tax increase associated with the improvements to or the redevelopment of a property. This incentive can also assist in securing project financing. The program provides a grant for the equivalent tax increment up to 100% of the municipal property tax increase for up to 10 years following completion of the eligible project.	See C.2 below	N/A	N/A
C.2	Brownfields Property Tax Assistance (This incentive provides tax assistances where environmental remediation is undertaken. With a municipal by-law to provide tax assistance in the form of cancellation of all or part of the taxes for municipal and education purposes on a brownfield property during the rehabilitation period and/or development period.)	N/A	80% for projects on brownfield sites where a Phase II Environmental Site Assessment (ESA) has been conducted and that as of the date of the Phase II ESA was completed, met the required standards to permit a Record of Site Condition for the proposed use to be filed in the Environmental Site Registry. 100% for projects that achieve LEED certification. 100% for projects that follow the Port Whitby Sustainable Community Plan requirements for green design. The grant will be paid annually once the eligible project is complete, building inspection has taken place, the property has been reassessed and the new property taxes have been paid in full for the year. The grant will be calculated annually based on post project municipal taxes for that year. Grant payments will end when the total grant along with all other grants and loans provided equals the cost of rehabilitating the lands and buildings or after 10 years, whichever ever comes first. The maximum annual program total grant available under this program is \$100,000 for all projects accepted. Tax assistance will end when which ever comes first of the total tax assistance equals the total eligible costs or after 3 years. Any property that is approved for tax assistance will be subject to passing of a by-law by the Town that authorizes the tax assistance.	For Brownfield sites in the Waterfront Priority Area refer to C.2 for the Brownfield Area (in the column to the right).	N/A

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	PRIORITY AREA			REMAINDER OF CIP AREA
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D. Design Guide Grant				
	The design grant would be for up to 50% of the design fee up to a maximum of \$1000 for the purpose of contributing to the cost of the professional design advice. Eligibility is limited to one application per year. Successful applicants will be considered no sooner than once every three years. The grant funds will be provided upon completion of the drawings and following inspection by the program administrator.	The design grant would be for up to 50% of the design fee up to a maximum of \$1000 for the purpose of contributing to the cost of the professional design advice. Eligibility is limited to one application per year. Successful applicants will be considered no sooner than once every three years. The grant funds will be provided upon completion of the drawings and following inspection by the program administrator.	The design grant would be for up to 50% of the design fee up to a maximum of \$1000 for the purpose of contributing to the cost of the professional design advice. Eligibility is limited to one application per year. Successful applicants will be considered no sooner than once every three years. The grant funds will be provided upon completion of the drawings and following inspection by the program administrator.	The design grant would be for up to 50% of the design fee up to a maximum of \$1000 for the purpose of contributing to the cost of the professional design advice. Eligibility is limited to one application per year. Successful applicants will be considered no sooner than once every three years. The grant funds will be provided upon completion of the drawings and following inspection by the program administrator.
2 DEVELOPMENT CHARGES				
	Development Charge Exemption or Reduction DC Exemption could include development of mixed use buildings in the Brock Street corridor. Specifically, this could apply to sites where residential uses are located directly above commercial or retail uses on the ground floor. In addition, DC exemption could be applied for public parking in a parking garage in a mixed use building.	DC Exemption could include development of contaminated sites. For contaminated sites, where a DC is payable for a development or redevelopment of contaminated lands (brownfield sites) and amount equivalent to the amount of the eligible costs of the assessment and cleanup of the property will be determined as applied against the development charge.		DC exemption could be applied to new residential development on vacant lots and/or residential intensification of existing housing. For the intensification of existing housing no development charge will be imposed for development or portions of developments that result in additional residential units within the existing footprint of the building given that the development complies with the zoning by-law and Development Charges Act.