



**THE CORPORATION OF THE TOWN OF GODERICH
BY-LAW NO. 83 OF 2008**

**BEING A BY-LAW TO APPROVE A COMMUNITY IMPROVEMENT PLAN FOR
THE DOWNTOWN CORE COMMUNITY IMPROVEMENT PROJECT AREA**

WHEREAS Sections 28 and 17 of the Planning Act, RSO 1990, Chapter P.13, as amended, provide for the designation of a Community Improvement Project Area and for the adoption of a Community Improvement Plan;

AND WHEREAS By-law -2008 passed by the Council of the Corporation of the Town of Goderich designated the Downtown Core as a Community Improvement Project Area;

AND WHEREAS a Community Improvement Plan attached hereto as Schedule 'A' has been prepared for the Community Improvement Project Area;

AND WHEREAS the Community Improvement Plan conforms to the Town of Goderich Official Plan;

THEREFORE the Council of the Corporation of the Town of Goderich enacts as follows:

1. That the Downtown Core Community Improvement Plan, attached hereto as Schedule 'A' and forming part of this By-law, is hereby adopted for the Downtown Core Community Improvement Project Area described in By-law 82 of 2008;
2. This By-law shall come into force and take effect on the day of the final passing thereof.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 9th
DAY OF JUNE, 2008.**

MAYOR, Deb Shewfelt

CLERK, Larry J. McCabe

TOWN OF GODERICH

Downtown Core Community Improvement Plan

June 5, 2008

1. INTRODUCTION

1.1 Application and Purpose

The Community Improvement Plan applies to the Community Improvement Project Area corresponding to the downtown area of the Town of Goderich (see Schedule ‘A’ attached).

Goderich’s downtown attracts visitors both locally and regionally with its unique character bringing in international tourists.

The Council and the Business Improvement Association (BIA) have planned and invested in the maintenance and improvement of the downtown, its services, its streetscape, its public space and its facades.

One program devoted to downtown improvement is the “Goderich Heritage Enhancement Fund.” The fund is used for projects which conserve and/or stabilize properties of architectural and/or historical importance.

Downtown improvements and programs continue to be introduced as needs are identified and solutions are found. The general purpose is to maintain and enhance the downtown as a ‘vibrant place’ by realizing the social, cultural, economic, and environmental benefits of the area, and by fulfilling the potential of downtown through the support of sustainable growth practices, including energy efficiency measures, environmental site clean-up, and affordable housing creation.

A Community Improvement Plan, and its associated activities, is intended to improve the existing physical landscape, and to stimulate rehabilitation and revitalization of an area by using, reusing, and restoring lands, building and infrastructure.

The Town’s support will take the form of financial incentives to encourage and support private sector investment.

1.2 Authority

The Town of Goderich has identified a community improvement project area and recently adopted policies relating to community improvement in its Official Plan. Under the *Planning Act* those Official Plan provisions give the Town the authority to:

- Designate by by-law parts of the identified community improvement area as “Community Improvement Project Areas.” (As noted the Council has designated the downtown and certain surrounding areas. See Schedule ‘A’)
- Prepare and adopt a Community Improvement Plan for the project area.

2. PLAN BACKGROUND

The intent of a Community Improvement Plan is to take an area within the Town that has been identified by the community as needing physical improvement, then to determine the specific improvements required to stimulate redevelopment, to establish the community's priorities for that area, and finally, to put policies and programs into place that would make improvements and/or remove any real or perceived barriers to development.

A Community Improvement Plan should align municipal, private, and stakeholder interests by setting priorities for planning for the improvement of an area. Improvements could occur through physical infrastructure such as sidewalks and street furniture, by existing building façade improvement, or, in some instances, through the infusion of new developments on existing, vacant, or underdeveloped properties.

The following section reviews the current issues that could be considered impediments to the revitalization of the Downtown Core, and which offer potential opportunities for improvement.

2.1. Overview of Issues

2.1.1. Physical Conditions of area, its services, streetscape and buildings

Goderich's investments through the years have helped to ensure the downtown is an attractive, functional and active area of retail, business, commercial and cultural activities. The strong effort resulted in a high "score" when the downtown was subjected to a First Impressions Community Exchange, under which overall appearance, streetscape, facades, services, signage, accommodations and food were assessed.

2.1.2. Economic Indicators, Issues

In 2006, the Council and BIA worked with the Ministry of Agriculture, Food and Rural Affairs which department produced a Downtown Trade Area Report. This is a useful report for both municipal planning and private business planning. In addition to containing details on expenditure patterns, the report describes the characteristics of the trade area. A few highlights follow:

- Trade area population 29,555 estimated
- Population growth projected to be static (to 2015)
- Daytime population is 28,515 (slightly lower than above 'night-time population')
- Household size to go from 11,312 to 11,532 in 2015
- Trade area has comparatively fewer people in the 35-44 and 45-54 age cohorts
- Trade area has comparatively more in 55 plus cohorts
- Trade area has comparatively low income levels
- But, comparatively (11% compared to 17% for Ontario) fewer spend 30% plus on housing, (possibly a favourable statistic regarding purchasing power), and
- Comparatively higher home ownership numbers.

On balance, there are concerns for the future outlook. Population growth will be very slow and the population is older than is the Province's. Downtown growth will be difficult to achieve if the Town chooses to focus and rely solely on the present trade area market.

Through the Community Improvement Plan, the Town provides support for new growth opportunities, which widen the present trade area and the Town's market potential.

2.1.3. Social Issues (eg. Housing)

While Goderich is better housed compared with Provincial averages, the situation falls short of ideal and within the County, is the municipality with the greatest affordable housing need. Data from the County of Huron Housing Study show that as of 2001, 23.5% spend in excess of 30% of household income on housing.¹ (30% is considered a threshold above which families and individuals will have to cut back on other essentials to maintain their housing).

Opportunities exist for housing conversion and housing intensification in the downtown. Such development will both address housing needs and revitalize the downtown commercially, socially, and culturally. The draft Town of Goderich Official Plan has supportive policies to develop a mix of housing types and densities within the community, and specifically encourages intensified residential development within or near the Downtown to support a vibrant, active, and healthy Core.

2.1.4. Environmental Conditions

No municipal servicing issues (water, sewers, drainage) are identified for the project area.

However, some properties within the designated CIP area may have environmental contamination. Should such properties be identified, the Town will consider providing assistance in rehabilitation of these lands, subject to details, as described in this document.

For the purposes of this CIP, a **Brownfield** is defined as “property, redevelopment, or reuse which may be contaminated by the presence of a hazardous substance or pollutant, and which requires clean-up or remediation.”

2.2. Town Policies for Community Improvement

2.2.1. Town of Goderich Official Plan

The Official Plan policies are general in nature, but allow for more detailed community improvement to be undertaken by:

- The designation of one or more community improvement project areas, and
- The adoption of a Community Improvement Plan(s) for the project area(s).

Policies within the 2007 draft Official Plan place the Square (i.e. the Downtown Core) as the economic, social, and cultural centre of Goderich. Through the Official Plan process, the Downtown's unique design and street layout, two designated heritage conservation districts, and Courthouse Park were identified as a priority for the community to protect, preserve, restore, and enhance.

¹ Broken down, 46.1% of tenants and 13.7% of homeowners spend in excess of 30% of household income on housing.

2.2.2. Community Improvement Project Area

The above background information on the downtown gives rise to the following issues:

- The imperative of encouraging new commercial, new accommodation and new residential land uses to draw a wider market and to elevate prosperity and vitality in a period of expected slow population growth;
- The need to encourage housing and broaden the mix of housing; and
- The continuation of the effort to encourage the conservation of the Town's heritage.

3. Community Improvement Plan

3.1. Vision, Goals and Objectives

3.1.1. Vision

Our downtown defines our community. The Goderich Downtown is a 'people place' that is increasingly prosperous commercially, and vibrant socially and culturally. It is a downtown that attracts and embraces Town and area citizens, downtown dwellers, and visitors from far afield. Its beauty, services and products, historic significance and activities mark the downtown as special. Goderich Downtown continues to evolve as a destination for business and tourist travellers.

3.1.2. Goals

The goals of the Community Improvement Plan conform to and are a refinement of the Official Plan. They focus on key issues and opportunities that are of immediate and near term priority. The goals are:

1. To facilitate the emergence of a stronger local economy;
2. To encourage new investment in the downtown;
3. To retain and expand upon the trade area and its customer base;
4. To increase tourism and to elevate the Town's status as a destination;
5. To attract and provide for more and longer term visits to Goderich and its downtown by people involved in business, social services, cultural and artistic pursuits;
6. To protect and enhance the heritage character of the downtown;
7. To encourage more diversity in land use and in community activities; and
8. To encourage and support a mix of housing types within the Downtown Core, with a focus on high density, intensified residential development and affordability.

3.1.3. General Objectives

The plan's goals will be advanced by way of the following objectives:

1. To encourage building rehabilitation, development, and redevelopment by providing technical support and advice;
2. To encourage building rehabilitation, development, and redevelopment by providing financial incentives as defined herein;

3. To work closely with the BIA and the Heritage Committee to monitor the condition of heritage buildings, their facades and associated signage and to promote their preservation and enhancement;
4. To add new programs for heritage and façade enhancement if monitoring shows that to be necessary;
5. To monitor the condition of streetscape, public buildings and public space and to approve capital projects and to introduce programs that enhance these aspects of the downtown;
6. To encourage the expansion of the downtown as appropriate and in a planned manner; and
7. To develop supportive Zoning and Official Plan policies that encourage and permit residential intensification projects within the downtown.

3.2 The Incentive Programs

Three programs are proposed to encourage private sector investment. The following programs are intended to stimulate redevelopment and revitalization of Goderich's Downtown Core, by offering incentive for reinvestment into the Core Area:

1. **Façade Improvement Grant Program:** Grants will be available for up to 50% of the total cost for exterior design changes to the front of existing buildings in the CIP Project Area with a maximum grant being \$15,000. Heritage buildings in the CIP Area may also be eligible for loans through the Goderich Heritage Enhancement Fund.
2. **Fee Grant Equivalent Program:** 100% of the Town portion of planning application fees, building permit fees and development charges would be refunded upon approval of the application and successful completion of the project. Brownfield properties may be eligible for the Fee Grant Equivalent Program provided that the Brownfield property remediation (Phase III Cleanup) has a total cleanup cost in excess of \$50,000 and the property is redeveloped.
3. **Tax Increment Equivalent Grant Program:** As a result of the rehabilitation, development and/or redevelopment the Town portion of the property taxes (based on the difference between pre-development, post-development assessment as a result of the approved development or redevelopment would be returned to the owner as follows:
 - In the 1st calendar year after the completion of the development = 100% refund.
 - In the 2nd calendar year, after the completion of the development = 75% refund.
 - In the 3rd calendar year, after the completion of the project = 50% refund.
 - In the 4th calendar year, after the completion of the development = 25% refund.

Brownfield properties may be eligible for the Tax Incentive Program provided that the Brownfield property remediation (Phase III Cleanup) has a total cleanup cost in excess of \$50,000 and the property is redeveloped.

4. ADMINISTRATION

4.1 Project Guidelines

1. On an annual basis, the municipal Council will determine the monies to be made available to the financial incentive program(s) outlined in the Community Improvement Plan. Council reserves the right, where project numbers exceed expectations, to offer financial incentives to eligible projects on a “first come first served” basis.
2. The incentive received on any project will be limited to the amount of incentive approved by Council or the total cost of rehabilitating the land and/or buildings, whichever is the lessor.
3. Interested parties (i.e. owners and assessed tenants) may apply using the Town’s application form and providing appropriate supporting information.
4. Town administration staff will prepare a report on each application addressing the merits of the proposal.
5. Based on the application meeting the goals and objectives of the Community Improvement Plan, the staff report and its own assessment, Council will approve, defer or refuse each application. The Town will advise the applicant of the decision and the reasons for the decision.
6. If a property is rehabilitated or redeveloped or otherwise improved with the support of a Town financial incentive and the building is subsequently changed, renovated or demolished contrary to the approved project, any incentive provided may be forfeited or recovered by the municipality.
7. The Town reserves the right to register documents on title, including liens, when determined necessary.
8. A proposed project would require expenditure on construction in excess of \$50,000 for any program other than façade improvement grant program, which would be eligible for projects in excess of \$5,000.

4.2. How to Apply

1. Applications are made to the Treasurer.
2. Applications must be made by the registered owner(s) of the subject property, or the Applicant must provide authorization from the owner.
3. An application for a property will not be considered for which there are taxes owing or any other municipal financial obligation.
4. Outstanding work orders must be resolved prior to approval for assistance.
5. The project must comply with all by-laws, codes and municipal guidelines, except where a minor variance or Zoning By-law amendment are applied for.
6. The applicant will specify the targeted Community Improvement Project type using section 3.2 as a guide. Only one incentive option or target may be selected as a primary target. Secondary targets may also be identified for the same project.

4.3. Eligibility Criteria

1. Only applications for properties within the designated Community Improvement Project Area will be eligible. Applications must be approved or adopted by the Town.
2. Applications that are approved by other bodies, such as the Ontario Municipal Board (OMB), are not eligible.
3. An application for a Community Improvement Incentive must be consistent with the Official Plan and Community Improvement Plan's goals and general objectives.
4. Expansion or rehabilitation of legal non-conforming uses are not eligible.
5. Official Plan amendments (OPAs), rezonings (ZBLAs), plans of subdivision and condominium are eligible planning applications. Planning applications that are not approved or are denied are not eligible.
6. The provision of incentives is subject to fund availability and yearly budget allocation from Town Council. However, the Town of Goderich is committed to offering financial incentives for this term of Council, and the Municipality's level of commitment will be revisited at the beginning of each new term of Council.
7. In assessing concurrent applications, priority will be given to those, which most closely meet the criteria herein described and the goals and the objectives of the Plan. Alternatively, financial support may be apportioned according to merit.
8. Eligible proposals, which receive public assistance from other sources, may for that reason be ranked lower than other eligible proposals.
9. Financial incentives are not permitted to be retroactive, and only projects commencing following the adoption of the Plan will be considered.

4.4 Administration of Approved Applications

4.4.1 Payment Requirement

Incentives will be provided only where the Town has inspected the property/project and has issued a certificate of compliance and/or other statement of compliance with building permit, zoning, site plan, terms of the incentive agreement, and any relevant laws.

For tax incentive programs, relief will only be provided at the beginning of each full fiscal year (January 1st – December 31st).

4.4.2 Compliance Agreements

The owner/applicant shall enter into an agreement with the Town stipulating:

- Terms of the financial assistance;

- Timetable for provision of assistance and completion of the project;
- An undertaking by the owner to satisfy all municipal and other relevant laws and requirements for the project.
- All taxes and fees owing to the Town will be kept current and up-to-date prior to approval. The agreement and/or payments will be terminated and/or payments may be reclaimed should taxes or fees fall into arrears during the project development.

4.4.3. Changes

The project proponent (the property owner) shall notify the Town of any substantive or proposed change in the project such as a change in design, in density, in ownership or in occupancy. The Town will determine the need to amend agreements or permits.

Failure to provide such notification may result in the withdrawal of the financial incentive.

4.5 Monitoring

Council will monitor the program. The following records will be maintained:

- The Town may conduct an audit of the work done and the use of incentives for any approved project, as it determines necessary.
- Terms and conditions of the incentive program may be amended as a result of the monitoring efforts, or the program may be discontinued.

Appendix 1. Council Approval of Community Improvement Plan

Appendix 2. Designation of Community Improvement Project Area

Appendix 3. Application Form

Appendix 4. Execution Agreement

Appendix 1 – Council Approval of Community Improvement Plan

CORPORATION OF THE TOWN OF GODERICH BY-LAW NUMBER - 2008

A BY-LAW TO APPROVE A COMMUNITY IMPROVEMENT PLAN FOR THE DOWNTOWN CORE COMMUNITY IMPROVEMENT PROJECT AREA

Passed on the day of , 2008

WHEREAS Sections 28 and 17 of the Planning Act, RSO 1990, Chapter P.13, as amended, provide for the designation of a Community Improvement Project Area and for the adoption of a Community Improvement Plan;

AND WHEREAS By-law -2008 passed by the Council of the Corporation of the Town of Goderich designated the Downtown Core as a Community Improvement Project Area;

AND WHEREAS a Community Improvement Plan attached hereto as Schedule ‘A’ has been prepared for the Community Improvement Project Area;

AND WHEREAS the Community Improvement Plan conforms to the Town of Goderich Official Plan;

THEREFORE the Council of the Corporation of the Town of Goderich enacts as follows:

3. That the Downtown Core Community Improvement Plan, attached hereto as Schedule ‘A’ and forming part of this By-law, is hereby adopted for the Downtown Core Community Improvement Project Area described in By-law -2008;
4. This By-law shall come into force and take effect on the day of the final passing thereof.

READ A FIRST TIME
READ A SECOND TIME
READ A THIRD TIME AND PASSED

Deb Shewfelt, Mayor

Larry McCabe, Clerk

Appendix 2 – Designation of a Community Improvement Project Area

**CORPORATION OF THE TOWN OF GODERICH
BY-LAW NUMBER -2008**

**A BY-LAW TO DESIGNATE THE DOWNTOWN CORE AS A COMMUNITY
IMPROVEMENT PROJECT AREA**

Passed on this day of , 2008

WHEREAS Sections 28 of the *Planning Act, RSO 1990, Chapter P.13*, as amended, provides that where there is an official plan in effect in a local municipality that contains provisions relating to community improvement in a municipality, the council of the municipality may, by By-law, designate all or any part of an area covered by such an Official Plan as a Community Improvement Project Area;

AND WHEREAS the Corporation of the Town of Goderich has an Official Plan in place which contains policies and provisions relating to community improvement;

AND WHEREAS it is deemed desirable to designate the Downtown Core as a community improvement project area;

THEREFORE the Council of the Corporation of the Town of Goderich enacts as follows:

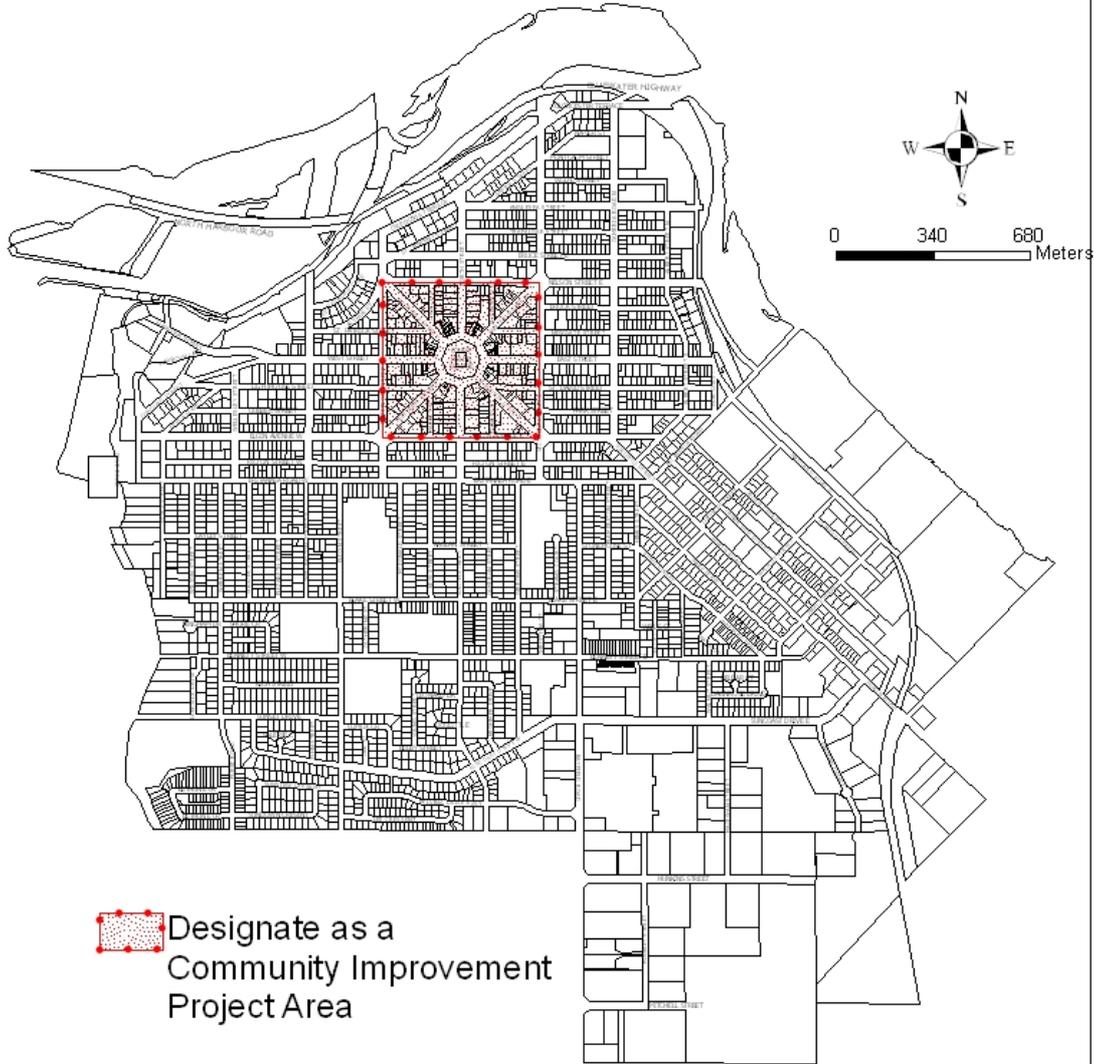
5. That the Downtown Core Community Improvement Plan, attached hereto as Schedule 'A' and forming part of this By-law, is designated as a Downtown Core Community Improvement Project Area;
6. This By-law shall come into force and take effect on the day of the final passing thereof.

READ A FIRST TIME
READ A SECOND TIME
READ A THIRD TIME AND PASSED

Deb Shewfelt, Mayor

Larry McCabe, Clerk

SCHEDULE A





COMMUNITY IMPROVEMENT INCENTIVE APPLICATION FORM

This application should not be completed without first reviewing the *Town of Goderich Community Improvement Plan*. The Plan provides the basis under which applicants may apply for funding, illustrates the areas of applicability of the program, the amount of funding available to applicants and the terms of the grant.

As noted in the Plan, funding is subject to availability. Council is not required to provide funding to any project and may terminate this program at any time and without notice.

All successful applicants will be required to enter into an agreement detailing the responsibilities of each party and the terms under which funding will be provided.

For copies of the *Town's Community Improvement Plan* please visit the Town website at www.goderich.ca, contact the Town at (519) 524-8344, or visit the Municipal Office at 57 West St., Goderich.

SECTION 1: CONTACT INFORMATION

Name of Applicant _____

Address _____

Phone _____ Fax _____

Email _____

Name of Owner (if different) _____

Address _____

Phone _____ Fax _____

Email _____

SECTION 2: PROPERTY INFORMATION

Property Description

Civic Address _____

Legal Description _____

Building Description _____

(Briefly describe the uses, businesses, etc. located in the building) _____

Approximate year of construction (if known) _____

Existing Official Plan designation _____

Existing Zoning: _____

Mortgages, Holders of Charge or Other Encumbrances

Do you currently have a mortgage, lien or other encumbrance against the subject property?

Yes No

If 'yes', who is the mortgage held with?

Yes No

Property Taxes (NOTE: no outstanding property taxes and/or appeals of property taxes must exist at the time this application is submitted).

Have all applicable taxes been paid on the lands that are subject to this grant application?

Yes No

SECTION 3: PROJECT DESCRIPTION

Please indicate with an 'X' which of the following programs you are applying for. You may be eligible for more than one program.

- 1. Façade Improvement Grant
- 2. Fee Refund Grant *
- 3. Tax Incentive Program

Approximate Total Cost of the Renovation: _____

Current Assessed Value of the Property: _____

** If a Fee Refund Grant, which of the following fees are you applying for:*

- Building Permit Fee
- Development Charges
- Planning Application Fee: **

*** If a Planning Application Fee, which applications are you applying for:*

- Official Plan Amendment (OPA)
- Zoning By-law Amendment (ZBLA)
- Plan of Subdivision
- Plan of Condominium

Other Public Funding Sources and Amounts Requested for Your Project

Type	Program / Source	Amount
Federal	_____	_____
Provincial	_____	_____
Municipal	_____	_____

Estimated completion date of the project: _____

For this section please describe your proposed project plans. Eligible costs could include the cost of materials, equipment, contracted labour, engineering, architectural fees. Labour provided by the applicant or tenant of the building do not constitute an eligible cost. *(If approved, original receipts must be provided of actual costs).*

Item	Reason / Need	Estimate Cost
Example <i>Replace second storey windows</i>	<i>Window sills have rotted and are leaking.</i>	<i>\$1,000.00</i>
1.		
2.		
3.		
4.		

SECTION 4: DECLARATIONS

When you have completed Sections 1 through 3 of your application, please bring it to the Town Municipal Office to complete this section. If you are not the owner of the building you are seeking a grant for, you must obtain written consent from the owner in the format below or through a letter of consent addressed to the Town.

I, _____, of the _____ of _____
NAME CITY/TOWN/VILLAGE NAME OF CITY/TOWN/VILLAGE
in the _____ of _____, do solemnly declare that all
COUNTY/REGION/DISTRICT NAME OF COUNTY/REGION/DISTRICT
statements contained in this application are true, and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me at the _____ of _____
_____ in the _____
of _____, this _____ day of _____
_____ 20 _____

Applicant's Signature

A Commissioner, etc.

To be completed if the owner is different from the applicant:

I, _____, being the owner of the property described in Section 2 of this application, hereby acknowledges and gives consent to this application.

Dated at, _____ this _____ day of _____ 20 _____
NAME OF CIT/TOWN/VILLAGE DAY MONTH YEAR

Signature of Owner

