

5

PROPOSED ROPA 60 - COMMUNITY IMPROVEMENT PLAN POLICIES File D05.102.60

The Planning and Economic Development Committee recommends the adoption of the recommendations contained in the following report dated September 10, 2007, from the Commissioner of Planning and Development Services:

1. RECOMMENDATIONS

It is recommended that:

1. The attached Proposed Regional Official Plan Amendment 60 be circulated for comment in accordance with the *Planning Act, 2006* requirements.
2. Regional staff schedule the Statutory Public meeting for the November 28, 2007 Planning and Economic Development Committee.

2. PURPOSE

This report introduces Proposed Amendment 60 to the Regional Official Plan (ROPA 60), to update the Regional Official Plan to include Community Improvement Plan policies.

3. BACKGROUND

At its meeting of April 19, 2007, Regional Council adopted Clause 12 of Report 4 of the Planning and Economic Development Committee dealing with the “Proclamation of Bill 51, *Planning and Conservation Land Statue Amendment Act, 2006* and Associated Regulations”. There were a number of amendments to the *Planning Act* discussed in the above noted report, including the enhanced provisions relating to Community Improvement Planning.

The amended *Planning Act* now permits “prescribed” upper tier municipalities to use Community Improvements Plans to achieve infrastructure, land and buildings adjacent to transit as well as affordable housing.

Once an upper-tier municipality is “prescribed” by the Minister, the official plan may be amended to contain provisions relating to Community Improvement Plans. Following approval of these policies, the municipality may enact both a Community Improvement Plan and a CIP by-law. Both of these are subject to a public review and approval process, with the potential for appeal to the OMB.

On June 6, 2007, Ontario Regulation 221/07 was passed to “prescribe” York Region for the purposes of Section 28 of the *Planning Act*. Ontario Regulation 221/07 is appended as *Attachment 1* to this report.

This amendment will provide the necessary official plan policies to enable a Community Improvement Plan and by-law to be enacted when required.

4. ANALYSIS AND OPTIONS

4.1 What are Community Improvement Plans?

Community Improvement Plans (CIPs) are municipal strategic plans, which complement Official Plans, by targeting community areas in transition or in need of further strategic planning. The Plans involve partnerships to stimulate community improvement activities.

Through community improvement plans municipalities can:

- Focus public attention on local priorities and municipal initiatives.
- Target areas in transition or in need of repair, rehabilitation and redevelopment.
- Facilitate and encourage community change in a coordinated manner.
- Stimulate private sector investment through municipal incentive-based programs.

At the local level, the *Planning Act* defines the range of activities involved in “Community Improvement” as follows:

“community improvement means the planning or replanning, design or redesign, resubdivision, clearance, development or redevelopment, construction, reconstruction and rehabilitation, improvement of energy efficiency, or any of them, of a community improvement project area, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, buildings, structures, works, improvements or facilities, or spaces therefore, as may be appropriate or necessary.”

Some practical examples of past local Community Improvements plans at work in York include:

- Newmarket’s Historic Downtown Community Improvement Plan Area to support the revitalization of downtown Newmarket.
- Vaughan’s proposed Community Improvement Plan for the Steeles Avenue Corridor to facilitate the redevelopment of the corridor to a high density mixed use pedestrian friendly urban form which supports the Spadina Subway extension.

- Vaughan and Markham have introduced Community Improvement Plan Policies into their respective Official Plans to implement the objectives of the Thornhill Yonge Street Study.
- Markham's Milliken Main Street Plan to facilitate the redevelopment of the area.
- Richmond Hill has used Community Improvement Plans for the revitalization of the downtown area and improvements to the Yonge Street & Observatory Lane area.

4.2 Upper Tier Community Improvement Provisions in *Planning Act*

While local municipal Community Improvement Plans can deal with a broad range of issues, Ontario Regulation 550/06 limits the matters which upper tier municipalities may deal with in a CIP to include:

- “1. Infrastructure that is within the upper-tier municipality's jurisdiction.
2. Land and buildings within and adjacent to existing or planned transit corridors that have the potential to provide a focus for higher density mixed-use development and redevelopment.
3. Affordable housing.”

For the purposes of this Regulation, infrastructure is defined as physical structures and associated facilities that form the foundation of development, including:

- (a) communications systems;
- (b) electric power systems, oil and gas pipelines, alternative energy systems and renewable energy systems;
- (c) transportation corridors and facilities;
- (d) waste management systems; and
- (e) water works, wastewater works, stormwater works and associated facilities.

Adopting Community Improvement Plans would enable York Region to utilize a range of tools provided by the *Planning Act* and the *Municipal Act* to rehabilitate and revitalize targeted areas including acquiring lands and buildings and offering financial incentives including grants and loans.

With an approved CIP, York Region would be able to acquire lands and buildings and construct, or repair buildings and sell, lease lands or buildings within a community improvement project area.

Where strategically necessary to stimulate investment the Region could provide financial incentives in the form of grants or loans. These incentives could be provided to pay for the whole or any part of the “eligible costs” of the community improvement plan; and

could be made to land owners within the approved community improvement project area, or to a lower-tier municipality.

“Eligible costs” may include costs related to 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.

4.3 Proposed ROPA 60

Regional Official Plan 60 introduces Community Improvement Plan policies within the Regional Official Plan, and will provide the policy basis to enable both the creation of Regional Community Improvement Plans, and the ability for the Region to participate in lower tier CIPs Region-wide.

The proposed amendment provides over-arching Community Improvement Planning policies within Section 7.2, the Planning Process section of the Implementation chapter of the Plan, and provides for cross-referencing policies throughout the Plan which are reflective of the permissions of the *Planning Act*.

It is proposed that Section 7.2 be expanded to include the following additional policy:

- “11. That York Region utilizes the Community Improvement Provisions of Section 28 of the *Planning Act* to implement the policies of the Regional Official Plan. In doing so, the Region may:
- Designate any part of the Regional Municipality of York as a Community Improvement Project Area.
 - Enact a Regional Community Improvement Plan which utilizes incentive programs.
 - Participate in a Community Improvement Plan of an area municipality.

As prescribed by Regulation, York Region may use Community Improvement Plans for:

- a) Regional Infrastructure as defined by the Planning Act, included but not limited to communications systems, electric power systems, oil and gas pipelines, alternative energy systems and renewable energy systems, transportation corridors and facilities, waste management systems, and water works, wastewater works, stormwater works and associated facilities.
- b) Land and buildings within and adjacent to existing or planned transit corridors that have the potential to provide a focus for higher density mixed-use development and redevelopment.
- c) Affordable housing.”

While the *Planning Act* limits the application to community improvement planning in upper tier municipalities, the permissions for upper tier community improvement are aligned with a number of Regional priorities and existing Regional Official Plan policies including Section 4.3 policies on Affordable Housing; Sections 5.3 to 5.6 on Regional and Local Centres and Corridors, and Section 6.0 on Regional Infrastructure.

It is anticipated that the policies will assist the Region in a number of areas, including:

- Achieving intensification in Regional Centres and along Regional Corridors with the Places to Grow Plan.
- Assist in achieving affordable housing within these areas and along transit corridors and nodal points.
- Assist the local municipalities in building density where these projects are twinned with Regional transit and infrastructure investments.

4.4 Next Steps

It is recommended that Proposed Amendment be circulated in accordance with the requirements of the *Planning Act* and Notice be given to hold a Statutory Public Meeting on the Amendment at the Planning and Economic Development Committee of November 28, 2007.

Following the Statutory Public Meeting, and receipt of comments from agencies and interested parties, a report will be brought back to Committee and Council recommending disposition of the Amendment.

4.5 Relationship to Vision 2026

Regional Official Plan Amendment 60 will assist the Region in providing a strategic implementation tool for Regional policies and priorities. Community Improvement Planning is consistent with and serves to enhance the Vision 2026 particularly “Quality Communities for a Diverse Population”, “Housing Choices for Our Residents”, “Managed and Balanced Growth”, and “Infrastructure for a Growing Region”.

5. FINANCIAL IMPLICATIONS

There are no direct financial implications associated with the introduction of this amendment unless the amendment is ultimately appealed to the Ontario Municipal Board. Should this occur regional staff will report back to Committee and Council. Notice for the Statutory Public meeting, will be accommodated through the approved Planning and Development Department 2007 budget.

6. LOCAL MUNICIPAL IMPACT

Local municipalities are important partners in implementing the policies of the Regional Official Plan, and will benefit from Regional Community Improvement Plans and Regional participation in local municipal Community Improvement Plans. As well, there are a number of key strategic objectives where the Region may wish to enact its own Community Improvement Plans.

Proposed Regional Official Plan Amendment 60 will be circulated to the local municipalities for review and comment prior to disposition by Regional Council.

7. CONCLUSION

Community Improvement Plans are an effective tool for achieving Regional strategic goals. By amending the Regional Official Plan to provide for Community Improvement Planning, the Region will be able to designate, where appropriate, Community Improvement Project Areas, and adopt Community Improvement Plans to achieve Regional objectives, or participate in area municipal Community Improvement Plans.

It is recommended that this report and attachments be circulated in accordance with the *Planning Act* requirements, and that a Statutory Public Meeting be scheduled for November 28, 2007.

For further information about this report, please contact John Waller, Director of Long Range and Strategic Planning at 905-830-4444 ext. 1525 or john.waller@york.ca.

The Senior Management Group has reviewed this report.

(The attachments referred to in this clause are attached to this report.)