

BY-LAW NUMBER XXX-2025

OF

THE CORPORATION OF THE CITY OF BRANTFORD

*Being a by-law to Adopt Amendment No. 1 to the
City of Brantford Greyfields Community Improvement Plan*

WHEREAS the Council of The Corporation of the City of Brantford has designated the Greyfields Community Improvement Project Area by By-law No. 147-2021, passed pursuant to Section 28 of the *Planning Act, R.S.O. 1990, c. P. 13*, as amended (the *Planning Act*);

AND WHEREAS the Council of The Corporation of the City of Brantford adopted the Greyfields Community Improvement Plan by By-law 148-2021, passed pursuant to Section 28 of the *Planning Act* and now in effect;

AND WHEREAS at its meeting held on March 25, 2025, the Council of The Corporation of the City of Brantford adopted the recommendations set out in item x.x.x of Committee of the Whole – Planning and Administration Report No. 2025-03-18 to amend the Greyfields Community Improvement Plan in accordance with provisions of Sections 17 and 28 of the *Planning Act*, to update references to Provincial and municipal policies and plans and provide an enhanced incentive within the Property Tax Increment-Based Grant Program for projects that involve the adaptive reuse of designated heritage property;

NOW THEREFORE the Council of The Corporation of The City of Brantford hereby enacts as follows:

1. In accordance with Sections 17(22) and 28 of the *Planning Act*, Amendment No. 1 to the City of Brantford Greyfields Community Improvement Plan, as set out in Schedule "A" attached hereto and forming part of this by-law, is hereby adopted.
2. The Clerk is hereby authorized and directed to give notice of adoption of Amendment No. 1 to the City of Brantford Greyfields Community Improvement Plan, pursuant to Section 17(23) of the *Planning Act*.

3. Amendment No. 1 to the City of Brantford Greyfields Community Improvement Plan shall take effect in accordance with Section 17(27) of the *Planning Act*.
4. This By-law shall come into force and take effect upon the passing thereof.

READ A FIRST TIME: MARCH 25, 2025

READ A SECOND TIME: MARCH 25, 2025

PASSED: MARCH 25, 2025

MAYOR

CLERK

Amendment No. 1

To The City Of Brantford

Greyfields Community Improvement Plan

Part 1 – The Preamble To The Amendment

Part 1 constitutes an introduction to the Amendment found in Part 2 of Schedule "A" to By-law xx-2025. It describes in general terms the purpose of the Amendment, the location of the lands affected, and the basis upon which the Amendment is formulated.

Purpose Of The Amendment:

This Amendment updates references to Provincial and municipal policies and plans and adds an additional incentive to the existing Property Tax Increment-Based Grant Program to encourage the adaptive reuse of properties with cultural heritage value. Program amendments address the scope and requirements for such adaptive reuse projects, eligible costs, and grant payment terms.

Location:

This Amendment applies to eligible properties within the Greyfields Community Improvement Project Area (CIPA) established by By-law 147-2021.

Basis Of The Amendment:

In November 2024, Staff presented to Council a proposal to amend the Greyfields Community Improvement Plan to include an additional incentive for the adaptive reuse of designated heritage properties under the existing Property Tax Increment-Based Grant Program. The proposal was also reviewed and supported by the Brantford Heritage Committee at its October 28, 2024 meeting. It is intended that the enhanced incentive can be used to encourage the adaptive reuse and heritage designation of historic properties. Through the approval of Report 2024-444, Council directed Staff to prepare this Amendment to implement the proposal, which was brought forward via Report 2025-44 to a statutory public meeting held on March 18, 2025 and approved by Council on March 25, 2025.

Since the Greyfields Community Improvement Plan came into effect on June 22, 2021, the Provincial Policy Statement (2020) and the Growth Plan (2020) have been repealed and replaced with the Provincial Planning Statement (2024), and a new City of Brantford Official Plan came into effect on August 5, 2021. The updated references to Provincial and municipal policies and plans address those changes.

Part 2 – The Amendment

All of this part of Schedule "A" entitled "Part 2 – The Amendment", consisting of the following text, constitutes Amendment No. 1 to the Greyfields Community Improvement Plan.

Details Of The Amendment

The Greyfields Community Improvement Plan is hereby amended as follows:

1. Delete all of Section A.1.2 Provincial Policies and Plans and replace with the following:

"A.1.2 Provincial Policy: The Provincial Planning Statement, 2024

The Provincial Planning Statement (PPS), 2024 was issued under section 3 of the Planning Act and came into effect on October 20, 2024. It replaces both the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (as amended in 2020). The PPS provides the Province's policy direction on matters of provincial interest related to land use planning and development. Although PPS policy does not explicitly reference community improvement plans (CIPs) and does not make specific mention of greyfields, the PPS generally places a strong emphasis on intensification, describing principles that offer implicit support for greyfield revitalization. The PPS encourages the identification of Strategic Growth Areas for growth and development (Policy 2.4.1.1.), and the PPS definition of Strategic Growth Areas includes reference to greyfields:

"Strategic growth areas: means within settlement areas, nodes, corridors, and other areas that have been identified by municipalities to be the focus for accommodating intensification and higher-density mixed uses in a more compact built form. Strategic growth areas include major transit station areas, existing and emerging downtowns, lands in close proximity to publicly-assisted postsecondary institutions and other areas where growth or development will be focused, that may include infill, redevelopment (e.g., underutilized shopping malls and plazas), brownfield sites, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned frequent transit service or higher order transit corridors may also be identified as strategic growth areas."

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PPS Policy 2.4.1.2, for example, states that Strategic Growth Areas should be planned "to support the achievement of complete communities, a range and mix of housing options, intensification and more mixed-use development," and:

- "a) to accommodate significant population and employment growth;
- b) as focal areas for education, commercial, recreational and cultural uses;
- c) to accommodate and support the transit network and provide connection points for inter- and intra-regional transit; and
- d) to support affordable, accessible, and equitable housing."

Policy 2.4.1.3 e) elaborates that planning authorities should "support redevelopment of commercially-designated retail lands (e.g., underutilized shopping malls and plazas), to support mixed-use residential.

Section 2.3.1 requires planning authorities to identify appropriate locations for intensification and to promote opportunities for intensification and redevelopment, taking into account existing building stock and areas with existing and planned infrastructure that can accommodate projected needs. Policy 2.3.1.4 directs planning authorities to "establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions." Development in designated growth areas is encouraged to achieve a density target of 50 residents and jobs per hectare (Policy 2.3.1.5).

The PPS, 2024 also contains policies related to people, homes and housing in Sections 2.1 and 2.2, including a requirement to "maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are designated and available for residential development," (Policy 2.1.4 a) and "to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area" (Policy 2.1.4). Along with the continued emphasis on market-based needs, the PPS, 2024 maintains the broadened definition of "housing options" which includes a wide range of housing types (e.g., tiny homes, additional residential units, etc.) and arrangements and forms (e.g., co-ownership, land lease, etc.).

The PPS, 2024 also contains policies with respect to cultural heritage in Section 4.6. Policy 4.6.1 states that protected heritage property (which includes amongst other criteria, property designated under Parts IV or V of the *Ontario Heritage Act*) shall be conserved. The PPS, 2024 also encourages municipalities to

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develop and implement proactive strategies for conserving significant built heritage resources and cultural heritage landscapes (Policy 4.6.4.b))."

2. Delete all of Section A.1.3 Municipal Policy: the City of Brantford Official Plan and replace with the following:

"A.1.3 Municipal Policy: the City of Brantford Official Plan

The City of Brantford is explicit in its intent to use greyfields as a resource for community revitalization. The Official Plan also intends to ensure that a wide range of housing types are available across the City, including affordable housing. Applicable policies of the Official Plan include:

"The City shall encourage a mix and range of market-based housing types, styles, tenures and affordability characteristics to meet the needs of a growing and diverse population." (Policy 3.1.b.)

New development shall "have regard for, and conserve cultural heritage resources," and "wherever possible, incorporate cultural heritage resources into any new development plans in a manner that conserves their integrity." (Policy 3.4.g.)

Strategic Growth Areas are intended to "provide an effective framework for the provision of higher density, mixed-use development that will support an efficient and integrated transit system. These Strategic Growth Areas serve and connect areas of the City that provide different community functions, and will therefore be different in terms of character, scale, mix of uses, and potential to accommodate future growth." (Policy 4.3.c.)

Development in Strategic Growth Areas is encouraged to accommodate an array of uses. A mix of uses is encouraged on individual development sites and within individual buildings. (Policy 5.3.d.)

Section 6.3 outlines the Official Plan's intent and development policies for brownfield and greyfield sites. The City encourages and promotes the redevelopment of greyfield sites and supports opportunities for intensification that may also serve as catalysts for neighbourhood revitalization and improvement.

With regards to Community Improvement Plans, Policies 3.4.f.vi., 3.5.b. and 6.3.e. respectively encourage the use of Community Improvement Plans to assist with the conservation, restoration and reuse of heritage resources, to

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assist with the implementation of sustainable development design standards, and to promote the remediation and redevelopment of brownfield/greyfield properties. In addition, Policy 9.7.a.ii. notes that the City may use Community Improvement Plans to implement the vision, principles and policies of the Official Plan."

3. In Section A.3 Greyfields Inventory and Analysis, add the words "previous City of Brantford" to the first sentence, so it reads: "As required by section 16.4.1 of the previous City of Brantford Official Plan, an inventory was prepared ..."
4. In Section A.3 Greyfields Inventory and Analysis, in the first paragraph following the first list of bullet points, delete the words "is proposed" and replace with the words "was proposed and has since been adopted".
5. In Section A.5 Levelling the Playing Field for Greyfields, item 9), first sentence, delete the words "the PPS, the Growth Plan, and the intensification targets in the Official Plan" and replace with the words "the PPS, 2024 and the intensification targets in the Official Plan".
6. In Section A.5 Levelling the Playing Field for Greyfields, item 9), second sentence, delete the words "the updated Growth Plan," and replace with the words "the PPS, 2024,".
7. Add the following new paragraph at the end of Section A.7 Greyfields Revitalization Strategy Public Engagement:

"The Greyfields Community Improvement Plan was amended in March 2025 to provide an enhanced incentive to support the adaptive reuse of historic properties with cultural heritage value under the Property Tax Increment-Based Grant Program. The amendment was the subject of a Statutory Public Meeting on March 18, 2025, prior to approval by City Council."

8. Add the following new paragraph after the second bullet point in Section B.2.1 The Vision for Greyfields Revitalization in Brantford:

"An additional goal of the Greyfields CIP is to facilitate the adaptive reuse of historic properties with cultural heritage value. These properties are also at risk of becoming underutilized, and with that, irreversible loss to community history. The achievement of this goal will be handled predominantly through transformative projects on sites with greater redevelopment potential. Acknowledging that adaptive reuse projects are bespoke and deal with site-specific factors, the City may take a more flexible approach when providing

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assistance and vary program requirements from the "baseline" established for non-historic revitalization projects."

9. In Section B.2.2 Target Greyfield Revitalization Area Goals, add the words "and historical properties" to the first sentence so it reads: "While there are greyfield sites and historical properties located throughout Brantford, special attention ..."
10. In Section B.3 Financial Incentive Programs, add the words "(and in certain cases, historic properties with cultural heritage value)" to the second sentence so it reads: "These programs, summarized in Table 1, support the redevelopment or rehabilitation of greyfield sites (and in certain cases, historic properties with cultural heritage value) through private sector greyfield revitalization initiatives."
11. In Section B.3 Financial Incentive Programs, delete the fourth and fifth sentences and replace with the following sentences: "Eligibility for some of the programs is tied to the varying needs of the Target Greyfield Revitalization Areas; exact eligibility criteria are outlined in the details of each program. Table 1 summarizes the various programs, the full details of which are provided in Sections B.3.1, B.3.2, B.3.3 and B.3.4."
12. In Section B.3 Financial Incentive Programs, Table 1 – Summary of Greyfields CIP Grant Programs, add the following text to the Purpose column for the Property Tax Increment-Based Grant: "This program may also be used to facilitate the adaptive reuse of historic properties with cultural heritage value into new uses. When used for this purpose, projects may be mixed-use or single-use (e.g. residential-only, or commercial-only) but must still result in an increase in the assessed value of the property."
13. In Section B.3 Financial Incentive Programs, Table 1 – Summary of Greyfields CIP Grant Programs, add the following text to the Maximum Grant column for the Property Tax Increment-Based Grant: "Where the project includes adaptive reuse of a historic property with cultural heritage value, an additional year of funding (to 11 years total) is also possible, as outlined in Section B.3.2."
14. In Section B.3.2.1 Program Purpose and Objective, delete the following sentence at the end of the second paragraph: "Another objective is to encourage the provision of affordable housing units." and replace with "Additional objectives are to encourage the provision of affordable housing units, and to encourage the adaptive reuse of properties with cultural heritage value in redevelopment projects."

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15. In Section B.3.2.2 Eligible Costs, delete the existing sentence and replace with the following text:

“Costs that may be counted towards the calculation of a potential grant value include relevant costs related to the redevelopment of a property for intensified standalone residential uses or mixed uses (as defined in this Plan) including demolition, substantial alteration of an existing building/structure or site, site preparation/planning and construction. This includes costs for:

- materials;
- labour; and
- fees related to the professional services that are necessary for the applicant to prepare and submit a complete grant application (e.g., an architect, engineer or land use planner), up to a maximum of 15% of the total eligible costs. For greater clarity, projects which adaptively reuse a property with cultural heritage value can include fees related to heritage consultants as an eligible cost.”

16. Add the following paragraph after the last paragraph in Section B.3.2.3 Three Streams of Grants: “Those projects which include the adaptive reuse of a property with cultural heritage value will be reviewed through the streams above, with additional incentives as detailed in Section B.3.2.4. The City will consider the preferred adaptive reuse strategies detailed in Appendix D of this CIP when determining if additional incentives for adaptive reuse are warranted.”

17. In Section B.3.2.4 Maximum Grant, delete “Table 2 – Maximum grant value based on project type” and replace with the following table:

Table 2 - Summary of Property Tax Increment-Based Grant Incentive for properties with and without cultural heritage value

	Revitalization Projects	Affordable Housing Revitalization Projects – Tier 1	Affordable Housing Revitalization Projects – Tier 2
Project without adaptive	The grant is equivalent to up to:	The grant is equivalent to up to:	The grant is equivalent to up to 100% of the

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reuse of a property with cultural heritage value	80% of the increase in municipal property taxes in years 1 to 5, 60% in years 6 and 7, 40% in year 8, and 20% in years 9 and 10.	90% of the increase in municipal property taxes in years 1 to 5, 70% in years 6 and 7, 50% in year 8, and 30% in years 9 and 10.	increase in municipal property taxes in years 1 to 10.
Project with the adaptive reuse of a property of cultural heritage value	The grant is equivalent to up to: 80% of the increase in municipal property taxes in years 1 to 6, 60% in years 7 and 8, 40% in year 9, and 20% in years 10 and 11.	The grant is equivalent to up to: 90% of the increase in municipal property taxes in years 1 to 6, 70% in years 7 and 8, 50% in year 9, and 30% in years 10 and 11.	The grant is equivalent to up to 100% of the increase in municipal property taxes in years 1 to 11.

18. Add the following paragraph at the end of Section B.3.2.5 Grant Payment:
"Where a project adaptively reuses a property with cultural heritage value, the subject property must be designated under the *Ontario Heritage Act* prior to the issuance of the first payment."

19. In Section B.3.2.6 Property Tax Increment-Based Grant Eligibility Criteria, delete item 1.a) and replace with the following text:
 - "a) Be either:
 - i. A former or existing commercial or mixed use building that is defined as a greyfield in the local context by meeting at least one of the following criteria:
 1. The site and/or building are vacant or there are clear signs that the building is at risk of becoming vacant (e.g. the majority of

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the space appears to be unoccupied or there is a history of vacancy); or

2. The site exhibits some degree of neglect, ranging from derelict/abandoned to a relative lack of regular maintenance and landscaping, or there is a reason to believe the building is in a poor state of repair; or
 3. The site is characterized by a significant amount of vacant space or parking areas that are not well utilized; or
- ii. A property with cultural heritage value that can be, or is already, designated under the *Ontario Heritage Act*."
20. In Section B.3.2.6 Property Tax Increment-Based Grant Eligibility Criteria, add the following sentence to the end of item 1.e.: "Projects involving adaptive reuse of a property with cultural heritage value may be accepted even if the project is for a single use (i.e. all commercial, or all residential)."
21. Add the following paragraph as item 5. at the end of Section B.3.2.6 Property Tax Increment-Based Grant Eligibility Criteria:
- "5. Retention of cultural heritage value and heritage attributes: In addition to other eligibility criteria, and for greater clarity, where a project includes the adaptive reuse of a building with cultural heritage value and the project has been approved for grant funding, the completed works shall not result in a substantial loss of cultural heritage value. It is understood that some alteration and removal of heritage attributes may be necessary to facilitate the project, but on conclusion the project must maintain sufficient cultural heritage value to be designated pursuant to the *Ontario Heritage Act*."
22. Add the following definition to Appendix C – Glossary of Terms, in alphabetical sequence between the definition of Front yard and the definition of Mixed use: "**Heritage Attribute** shall have the same meaning as in the *Ontario Heritage Act, R.S.O. 1990, c. O.18*, as amended from time to time."
23. Add a new Appendix D to the Community Improvement Plan, as follows:
- "Appendix D – Preferred Adaptive Reuse Strategies**
- When considering an application under the Property Tax Increment-Based Grant Program where an enhanced incentive is being sought and the project proposes

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adaptive reuse of a designated heritage property, or a property with cultural heritage value that will be designated following project completion, the City will consider whether the project aligns to one of the preferred adaptive reuse strategies summarized below in addition to other program criteria. The preferred adaptive reuse strategies are:

- Continuation: This approach sees a property with cultural heritage value possibly change ownership, but the use with cultural heritage value persists or a similar use replaces it without, or with only limited, removal of heritage attributes. In this approach, the structure is continually used and maintained or even restored to a prior (historic) state. This approach may appear as part of Retention and Addition.
- Retention and Addition: This approach sees a property with cultural heritage value retained in its historic form and new development or redevelopment occurs through the construction of one or more sympathetic additions. This approach may include a change in use but presumes that the new use or expansion of the existing use will create new, contemporary space, while maintaining historic portions of the building in their original configuration.
- Conversion: This approach results in a property with cultural heritage value being converted from one use to another but, where the other strategies may see the majority of historic spaces maintained, the historic (typically interior) spaces in this approach are renovated – sometimes extensively – to facilitate the new use. Conversion can result in a greater loss of some heritage attributes to implement the conversion as compared to preceding strategies. Often, this is to address regulatory requirements (e.g. building code) related to the new use.

The ultimate decision to provide a Property Tax Increment-Based Grant, with or without the enhanced incentives for adaptive reuse, will be at the sole discretion of Council.”

24. Adjust the Table of Contents as necessary to account for the changes above.