

# **Amendment No. 2**

## **To The City Of Brantford**

### **Downtown 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 38-2025. 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 Downtown Community Improvement Project Area (CIPA) established by By-law 145-2021. The Downtown CIPA aligns with the Downtown Urban Growth Centre identified in the City of Brantford Official Plan.

#### **Basis Of The Amendment:**

In November 2024, Staff presented to Council a proposal to amend the Downtown 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 Downtown 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Plan came into effect on June 22, 2021, the Provincial Policy Statement (2020) and the Growth Plan (2020) have been repealed and replaced with the Provincial Planning Statement (2024), and a new City of Brantford

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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. 2 to the Downtown Community Improvement Plan.

### **Details Of The Amendment**

The Downtown 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 Provincial Planning Statement 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 and does not make specific mention of downtowns, the PPS generally places a strong emphasis on intensification, describing principles that offer implicit support for downtown 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 downtowns, as well as major transit station areas which are often located in downtown areas:

*"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*

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*existing or planned frequent transit service or higher order transit corridors may also be identified as strategic growth areas."*

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."

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." With respect to major transit station areas, Policy 2.4.2.2 c) requires planning authorities to plan for a minimum density target of 150 residents and jobs combined per hectare for those areas that are served by commuter or regional rail. This target aligns with the minimum density target established in the City of Brantford Official Plan for Downtown Brantford (Urban Growth Centre).

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.).

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

2. In Section A.1.3 Municipal Policy, delete the text below the "City of Brantford Official Plan" subheading (excluding the subheading and text that follows regarding the "Downtown Master Plan") and replace with the following:

"The City of Brantford is explicit in its intent to promote the intensification and revitalization of the Downtown Urban Growth Centre. 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, including the Downtown Urban Growth Centre, 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.)

Policy 5.3.1.a. states that the "Downtown Urban Growth Centre is planned to achieve an overall minimum density of 150 residents and jobs combined per hectare by 2031. It shall be planned:

- "To promote economic revitalization within the context of historic preservation, recognizing the potential for adaptive reuse, redevelopment and intensification;" (Policy 5.3.1.a.ii.)

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- "To attract investment in institutional uses, including post-secondary educational facilities, regionally-focused public services, as well as a full range of commercial, recreational, cultural and entertainment uses;" (Policy 5.3.1.a.iv.)
- "To provide the community services, amenities and infrastructure that will attract population and employment growth." (Policy 5.1.1.a.viii.)

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 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. Add the following sentence at the end of the first paragraph in Section B.2.2 CIP Goals for Downtown Revitalization and Intensification: "An additional goal of the Downtown CIP is to facilitate the adaptive reuse of historic properties, which contribute to the history of the City and the uniqueness of the Downtown."
4. Add the words "or adaptively reuse" and "intensified or" within the first sentence of the second paragraph in Section B.2.2 CIP Goals for Downtown Revitalization and Intensification, so it reads: "These transformative projects will replace or adaptively reuse vacant and underutilized sites and buildings in the Downtown with intensified or large scale residential and mixed use developments that will provide for a variety of types and tenures of residential units, including affordable housing."
5. In Section B.3 Property Tax Increment-Based Grant, add the words "and/or which adaptively reuse properties with cultural heritage value" to the end of the second sentence.
6. In Section B.3 Property Tax Increment-Based Grant, Table 1 – Summary of Property Tax Increment-Based Grant Program, add the following text to the Maximum Grant column: "Depending on the 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.3.7."
7. In Section B.3 Property Tax Increment-Based Grant, delete the last sentence of the second paragraph under the Program Purpose and Objective heading

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("Another objective is to encourage the provision of affordable housing units.") and replace with the following sentence: "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."

8. In Section B.3 Property Tax Increment-Based Grant, add the following paragraph at the end of the text under subheading "3. Grants provided through one of three streams", before subheading "4. Consistency with the Plan's intent":

"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.3.7. The City will consider the preferred adaptive reuse strategies detailed in Appendix C of this CIP when determining if additional incentives for adaptive reuse are warranted."

9. In Section B.3 Property Tax Increment-Based Grant, add the following sentence to the end of the third bullet point under the subheading "5. 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."

10. In Section B.3 Property Tax Increment-Based Grant, under the subheading "7. Maximum grant", delete "Table 2 – Maximum grant value based on project type" and replace with the following table:

**Table 2 - Maximum grant value based on project type**

	<b>Revitalization Projects</b>	<b>Affordable Housing Revitalization Projects – Tier 1</b>	<b>Affordable Housing Revitalization Projects – Tier 2</b>
Project without adaptive reuse of a property with cultural heritage value	The grant is equivalent to up to: 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.	The grant is equivalent to up to: 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.	The grant is equivalent to up to 100% of the increase in municipal property taxes in years 1 to 10.

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Project with the adaptive reuse of a property of cultural heritage value	<p>The grant is equivalent to up to:</p> <p>80% of the increase in municipal property taxes in years 1 to 6,</p> <p>60% in years 7 and 8,</p> <p>40% in year 9, and</p> <p>20% in years 10 and 11.</p>	<p>The grant is equivalent to up to:</p> <p>90% of the increase in municipal property taxes in years 1 to 6,</p> <p>70% in years 7 and 8,</p> <p>50% in year 9, and</p> <p>30% in years 10 and 11.</p>	<p>The grant is equivalent to up to 100% of the increase in municipal property taxes in years 1 to 11.</p>
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11. In Section B.3 Property Tax Increment-Based Grant, under the subheading "8. Grant Payment", add the following text as a second paragraph: "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."
12. In Section B.3 Property Tax Increment-Based Grant, add the following eligibility criteria sequenced at number 15, and renumber the eligibility criteria that follow accordingly as 16, 17, 18 and 19:

**"15. Retention of cultural heritage value and heritage attributes**

Further to the requirements of sections B.3.12, B.3.13, and B.3.14, 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*."

13. Add the following definition to Appendix B – Glossary of Terms, in alphabetical sequence between the definition of Financial Incentive Program Agreement 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."
14. Add a new Appendix C to the Community Improvement Plan, as follows:

**"Appendix C – Preferred Adaptive Reuse Strategies**

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When considering an application under the Property Tax Increment-Based Grant Program where an enhanced incentive is being sought and the project proposes 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.”

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