



POLICY

Finance

Policy #: 700.41

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INTERIM COMMUNITY IMPROVEMENT PLAN (CIP) GRANT PROGRAM

1. POLICY STATEMENT

The City of Niagara Falls is committed to supporting physical, economic and environmental improvements within specific areas across the City.

2. PURPOSE

The purpose of this policy is to ensure continuity of the City's existing Community Improvement Program Development Charge (DC) exemptions and incentives, as outlined in the City's 2019 DC Background Study and within the City's current Community Improvement programs.

3. SCOPE

This policy applies to development applications within the City's Community Improvement Plan boundaries, as illustrated in the Appendices attached to this policy.

This policy is in force commencing on the date at which the 2019 DC By-Law (By-Law 2019-69) is repealed and will remain in force until such time that the City adopts updated Community Improvement Plans, inclusive of a DC grant program and incentives outlined in this policy.

4. DEFINITIONS

"Downtown Community Improvement Plan" – geographic area as illustrated in Appendix 1.

"Historic Drummondville Community Improvement Plan" – geographic area as illustrated in Appendix 2.

"City Wide Brownfields Community Improvement Plan" – geographic area as illustrated in Appendix 3.

"Niagara Gateway Economic Zone Community Improvement Plan" – geographic area as illustrated in Appendix 4.

"Hotel/motel" means a commercial establishment offering lodging to travelers, and may include other services such as restaurants, meeting rooms and stores that are available to the general public, but does not include a dwelling unit.

“Industrial use” means land, buildings or structures used for or in connection with manufacturing by:

- (a) Manufacturing, producing, processing, storing, or distributing something;
- (b) Research or development in connection with manufacturing, producing or processing something
- (c) Retail sales by a manufacturer, producer or processor of something they manufactured, produced or processed, if the retail sales are at the site where the manufacturing, production or processing takes place
- (d) Office or administrative purposes if they are:
 - (i) Carried out with respect to manufacturing, producing, processing, storage or distributing of something and
 - (ii) In or attached to the building or structure used for that manufacturing, producing, processing, storage or distribution

“Institutional development” means development of a building or structure intended for institutional development use as defined by O. Reg. 82/98.

“Mixed-use building” means a building or structure used for both residential and non- residential use.

“Non-residential use” means use or intended use for any purpose other than human habitation and includes, but is not limited to, an institutional use, an industrial use, a hotel/motel use and a commercial use.

“Residential building” means a building used exclusively for residential use including, but not limited to, a single detached dwelling, a semi-detached dwelling, a row dwelling, stacked townhouse dwelling, back-to-back town house dwelling, a duplex dwelling, a multiplex dwelling, an apartment dwelling, or a dwelling room.

5. OBJECTIVES

The goals and objectives of this policy are to:

- Maintain the Community Improvement Incentives currently provided for in the 2019 Development Charges By-Law, post 2019 by-law repeal as a result of the adoption of the new 2024 DC By-Law.
- Provide clarity on the types of Community Improvement Program incentives offered by the City so that industry stakeholders interested in taking advantage of these incentives can do so efficiently.

6. GUIDING PRINCIPLES

6.1 Downtown Community Improvement Area and Historic Drummondville Community Improvement Project Area

- (a) A 75% development charge exemption for eligible residential, commercial, and mixed use developments as defined in 6.1(c) below, within the geographical boundaries as shown in Appendix 1 or 2 will be provided, subject to the development meeting all of the following conditions:
- Based on the decision of the City's Treasurer, the property taxes for the property on which the development is located are in good standing at the time of application
 - Based on the decision of the City's General Manager of Planning, Building, and Development, the existing and proposed land uses for the development, are in conformity with applicable Official Plans, zoning by-law and other planning requirements at both the local and Regional level
 - Based on the decision of the City's Chief Building Official, all improvements relating to the development are to be made pursuant to a building permit and constructed in accordance with the Ontario Building Code and all applicable zoning requirements and planning approvals
 - Based on the decision of the City's Chief Building Official, outstanding work orders and/or orders or requests to comply with the City have been satisfactorily addressed prior to the City granting the development charge exemption
- (b) Further to the above requirements, the City's General Manager of Planning, Building, and Development may require the applicant to submit for approval, professional design/architectural drawings in conformity with any municipality-issued urban design guidelines, as well as traffic impact studies or studies of microclimatic conditions (e.g. sun, shadow, wind) and such requirements must be met prior to the City granting an exemption under section 6.1
- (c) Eligible developments are defined as: nonresidential or mixed use buildings; and/or residential conversion of existing non-residential and mixed use buildings that creates additional residential units; and/or new residential developments on vacant lot/lots; and/or redevelopment of mixed use buildings that creates additional residential units.

6.2 Brownfield Rehabilitation Grant

- (a) A residential development charge exemption for eligible costs approved under the City's Brownfields Rehabilitation Grant program of up to 75% of the amount otherwise payable, for eligible costs defined in section 6.2(c) related to eligible developments as defined in section 6.2(d) below will be provided. The development must be within the geographical boundaries as shown in Appendix 3, subject to the development meeting all of the following conditions:

- All properties considered eligible for the Brownfields Development Charge Exemption Program must have an approved Rehabilitation Grant Program Application and Agreement in place and must have a Record of Site Condition (RSC) filed in the Environmental Site Registry for the proposed use with said RSC acknowledged by the Ministry of Environment
- Based on the decision of the City's General Manager of Planning, Building, and Development, the existing and proposed land uses for the development, are in conformity with applicable Official Plans, zoning by-law and other planning requirements at both the local and Regional level
- Based on the decision of the City's Chief Building Official, all improvements relating to the development are to be made pursuant to a building permit and constructed in accordance with the Ontario Building Code and all applicable zoning requirements and planning approvals
- Based on the decision of the City's Chief Building Official, outstanding work orders and/or orders or requests to comply from the City have been satisfactorily addressed prior to the City granting the development charge exemption

(b) Further to the above requirements, the City's General Manager of Planning, Building, and Development may require the applicant to submit for approval, professional design/architectural drawings in conformity with any municipality-issued urban design guidelines, as well as traffic impact studies or studies of microclimatic conditions (e.g. sun, shadow, wind) and such requirements must be met prior to the City granting an exemption under section 6.2.

(c) Eligible costs include only the costs of:

- (i) A Phase II ESA, Remedial Work Plan, and Risk Assessment not covered by the Environmental Study Grant Program or the Brownfields Tax Assistance Program; and/or
- (ii) Environmental remediation, including the cost of preparing a Record of Site Condition (RSC), not covered by the Brownfields Tax Assistance Program; and/or
- (iii) Placing clean fill and grading not covered by the Brownfields Tax Assistance Program; and/or
- (iv) Installing environmental and/or engineering, controls/works, as specified in the Remedial Work Plan and/or Risk Assessment, not covered by the Brownfields Tax Assistance Program; and/or
- (v) Monitoring, maintaining and operating environmental and engineering controls/works, as specified in the Remedial Work

- Plan and/or Risk Assessment, not covered by the Brownfields Tax Program; and/or
- (vi) Environmental insurance premiums not covered by the Brownfields Tax Assistance Program.

(d) Eligible developments include:

- Potentially any form of residential development which is subject to a development charge, subject to such development application meeting the requirements of this subsection
- Development is in the area designated as Urban Area in the City of Niagara Falls Official Plan, as amended from time to time.
 - Appendix 3 illustrates the 3 priority areas, Area 1 is highest priority, Area 2 is second priority and Area 3 is the third priority (the rest of the urban area)

(e) A development which is granted a 75% development charge exemption in accordance with this section is permitted for an additional 25% exemption, provided that based on the decision of the City's General Manager of Planning, Building, and Development, the development includes Smart Growth principles utilizing the same eligibility requirements as the Region.

6.3 Niagara Gateway Economic Zone Community Improvement Plan

There is already a separate Development Charges Grant Program administered under the Niagara Gateway Economic Zone Community Improvement Plan. Appendix 4 illustrates the geographical boundaries for this CIP.

Please refer to section 6.4 of the CIP documentation found at the link below for more details and eligibility: [Niagara Gateway Economic Zone Community Improvement Plan](#)

6.4 Lundy's Lane Community Improvement Plan

Currently there is no DC Exemption or grant for the Lundy's Lane Community Improvement Plan within the outgoing DC By-Law. Given the CIP programs are all being reviewed in 2024 and will eventually house the related grant and incentive programs outside of the DC By-Law, staff will be evaluating this in the upcoming CIP review.

More information on the Lundy's Lane Community Improvement Plan can be found here: [Lundy's Lane Community Improvement Plan](#)

7. RESPONSIBILITIES

7.1 Planning & Building Division

The Planning & Building Division is responsible for:

- Evaluating eligibility of applications under the CIP program and determining if the DC exemption should apply

7.2 Finance Department

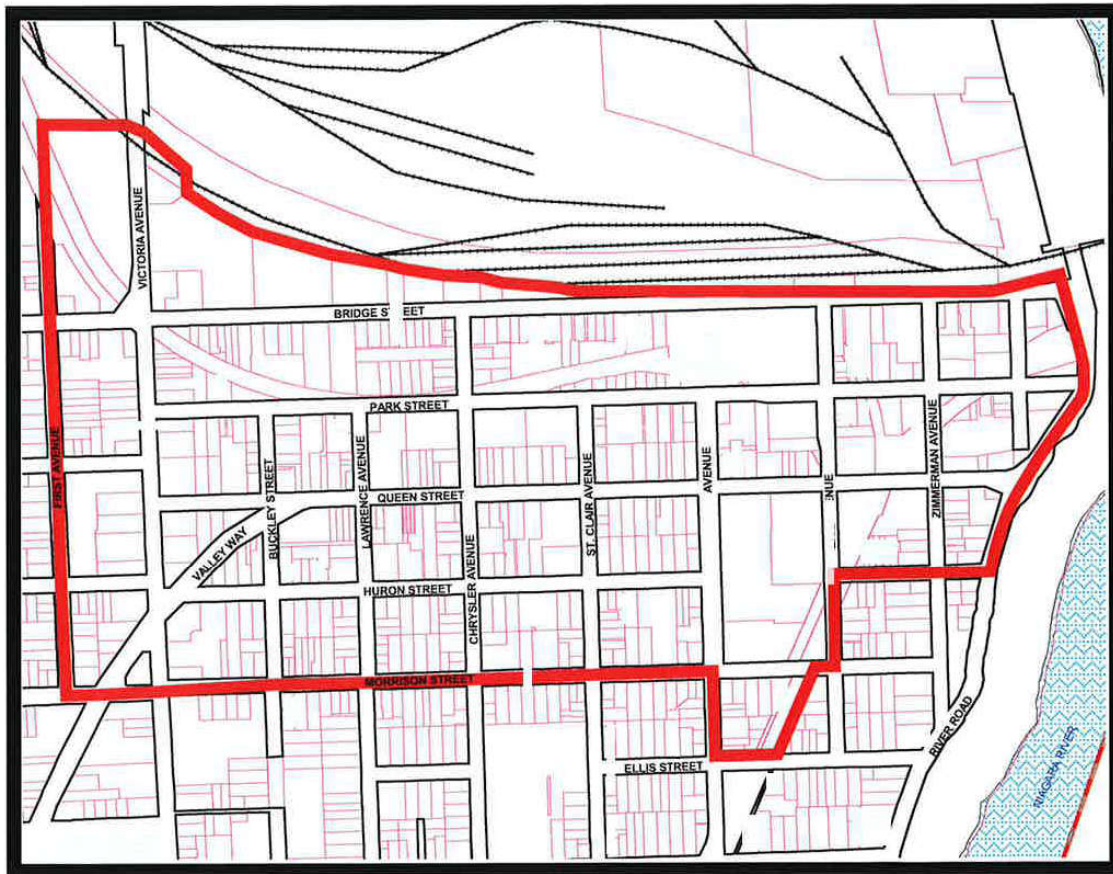
The Finance Department is responsible for:

- Confirming DC exemption calculation
- Verifying DC exemption program cap (if applicable)

Appendix 1

Map designating the Downtown Niagara Falls

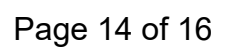
Community Improvement Project Area



Community Improvement Project Area



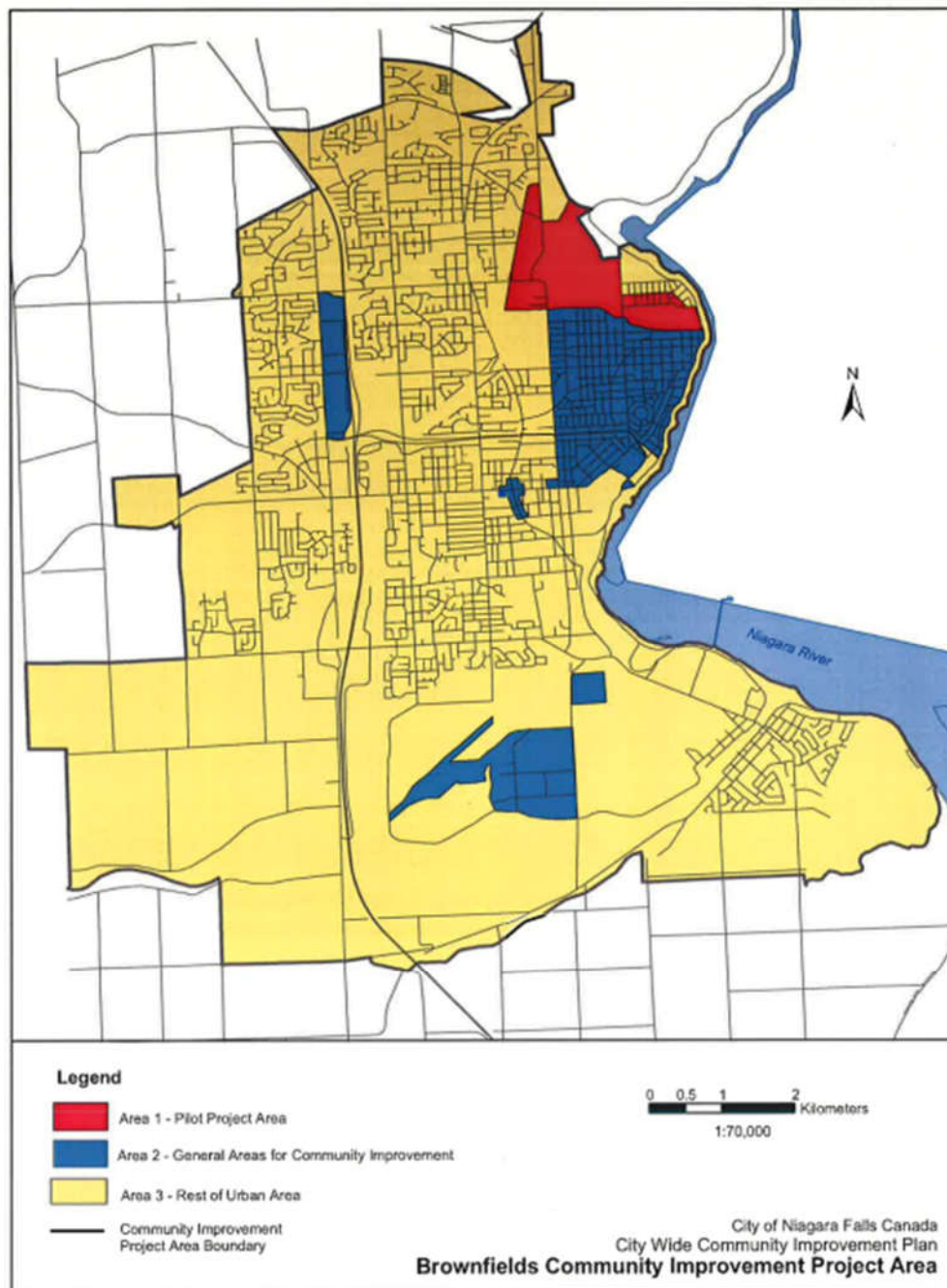
Community Improvement Project Area



Appendix 3

Map designating the Areas 1 to 3 for Brownfield Improvement

Community Improvement Project Area



Community Improvement Project Area