



By-law 98-2021 Approved July 13, 2021

UNIVERSITY AVENUE AND WYANDOTTE STREET WEST

COMMUNITY IMPROVEMENT PLAN
JUNE 7 2021

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INTRODUCTION

A Community Improvement Plan is a tool under the *Planning Act* to address communities in transition that are facing fiscal, economic, demographic and environmental pressures. Each neighbourhood within a municipality may be facing a different set of pressures and issues and a Community Improvement Plan allows a municipality to study, identify and propose recommendations specific to the neighbourhood. The Community Improvement Plan tool has been used successfully in the City of Windsor (for example, Sandwich Towne, Ford City, Downtown and along mainstreets) and has offered financial incentive programs aimed at addressing the issues in each neighbourhood.



The University Avenue West corridor and Wyandotte Street West corridor from downtown to Huron Church Road play an important role in connecting neighbourhoods and providing a mix of commercial and residential uses. The Community Improvement Plan reviews both the University Avenue West and Wyandotte Street West corridors from a comprehensive land use perspective to make recommendations for changes to the Official Plan and Zoning By-law and make recommendations for financial incentives aimed at revitalizing the two corridors.

Special attention to these corridors is important to consider the opportunities, the aging infrastructure and buildings, and the important connections between the downtown and the University of Windsor. The corridors have been in decline and transition and will benefit from this targeted review.

PURPOSE & OBJECTIVES

Purpose of the Community Improvement Plan

Build a vision for the corridors connecting the downtown to the University of Windsor that inform a land use concept, transportation concept and enhance the surrounding communities. Additionally, to propose a suite of incentives to encourage private sector investment and the desired redevelopment along the corridors.

Objectives of the Community Improvement Plan

Attracting Investment and Protecting Assets



Appearance

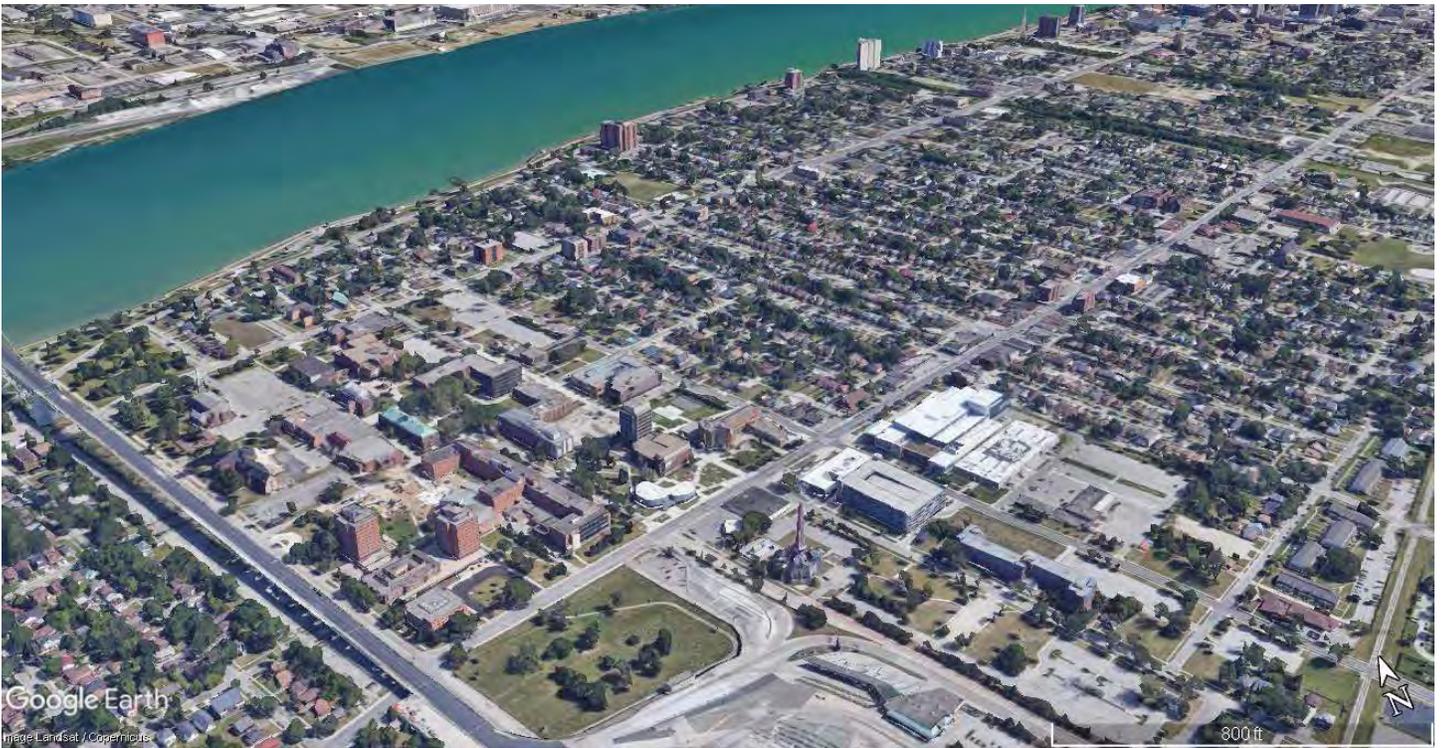


Active Transportation

- Improve active transportation along the corridors connecting the University of Windsor to Downtown Windsor, incorporating the residential neighbourhoods in between.



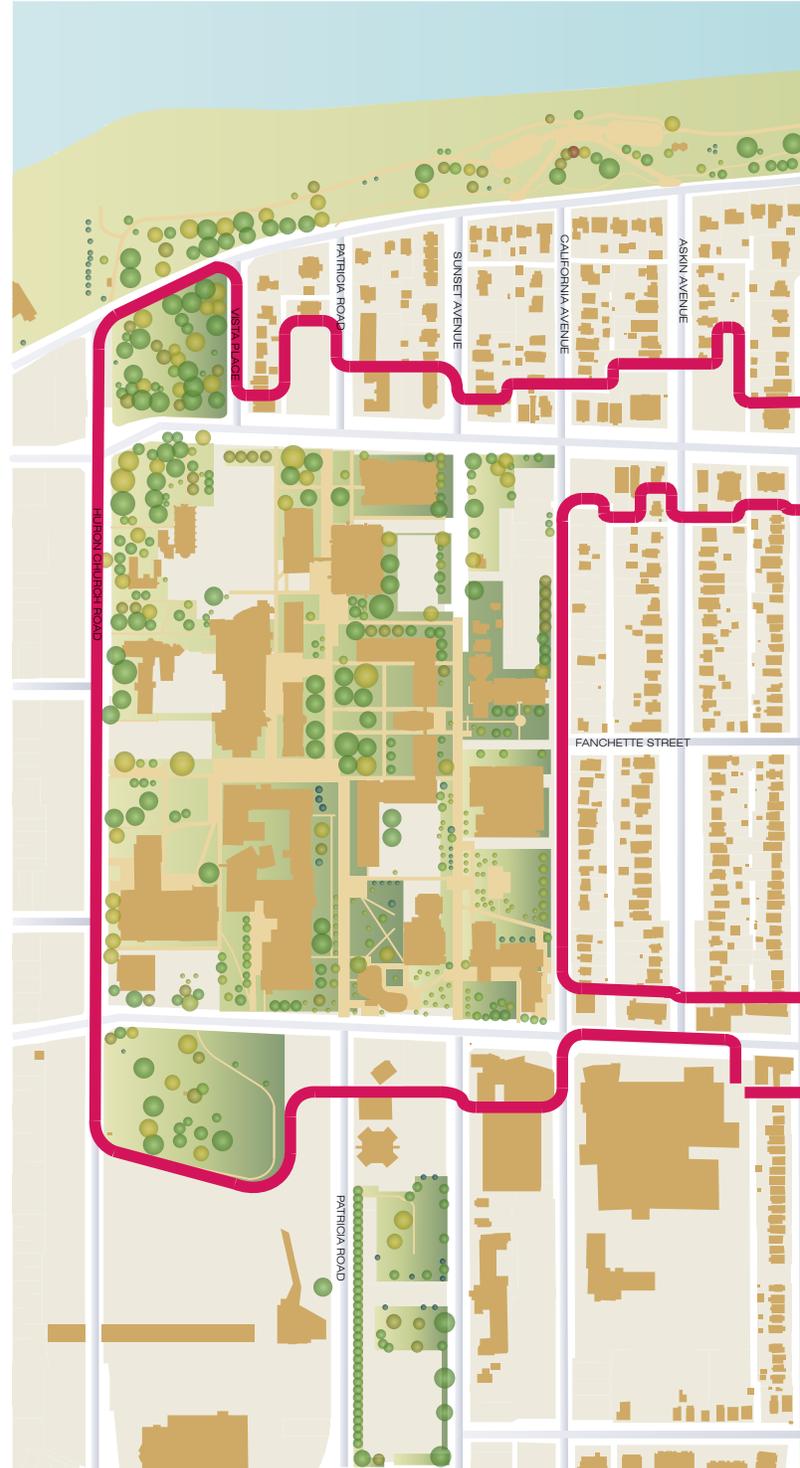
COMMUNITY IMPROVEMNT PROJECT AREA

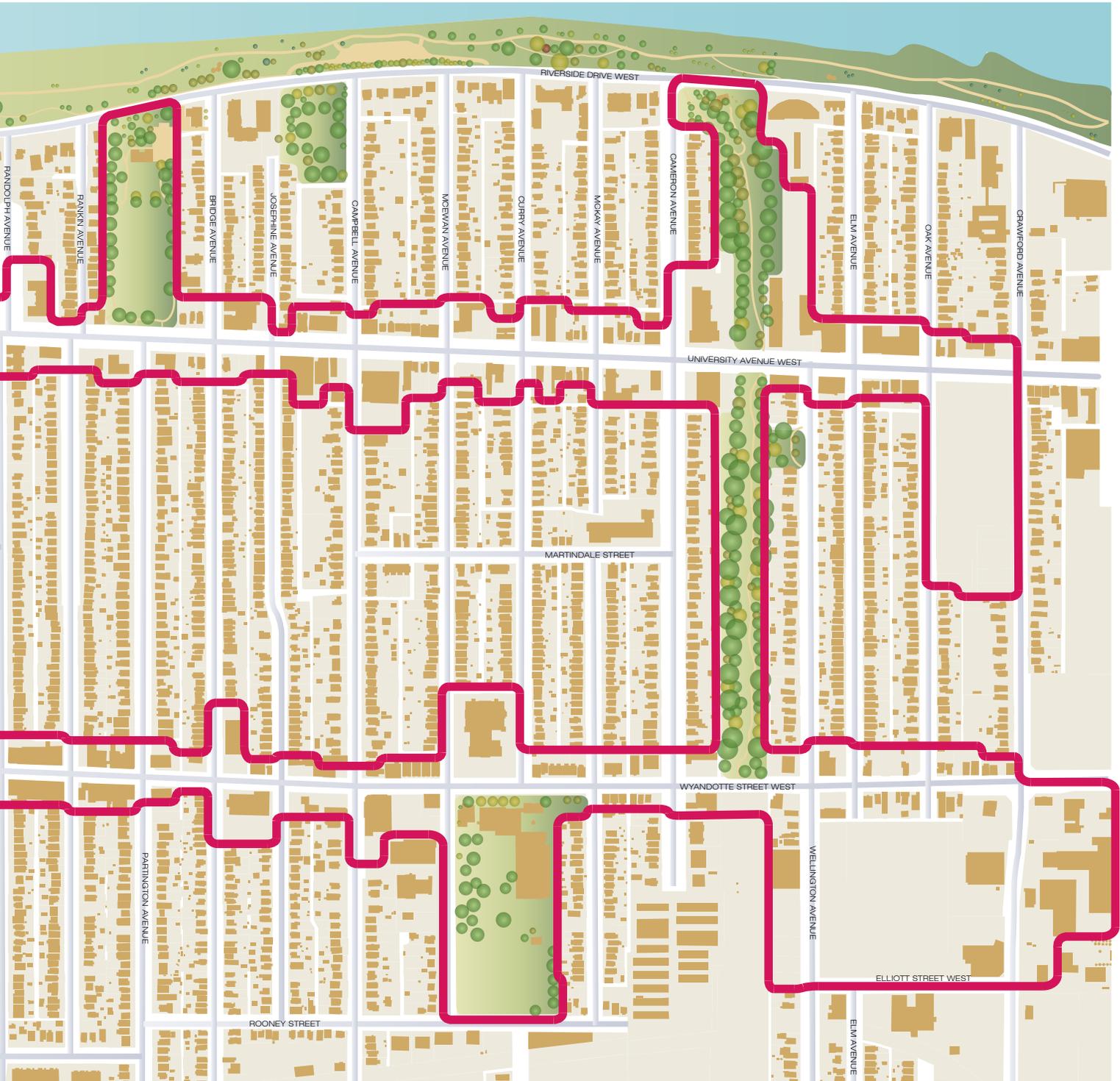


Study Area and Community Improvement Project Area

For the purposes of reviewing the demographics and current conditions along the two corridors, a larger study area was used in the Background Report contained in Appendix A. This allowed a more detailed review of the population living in the surrounding neighbourhoods and of the land uses along the corridors. For the purposes of the CIP, the focus has been honed in on the properties that have frontage along the two corridors as shown to the right. The properties shown within the red line are the properties that are reviewed for consideration as part of the Community Improvement Plan for the purposes of developing financial incentive programs and making land use recommendations.

The *Planning Act* requires that a municipality define a Community Improvement Project Area (Project Area) by By-law to offer financial incentives and other CIP initiatives.





Summary of Issues from the Background Report

The appendix to this report contains a Background Report outlining current conditions and trends along the corridor and a demographic snapshot of the surrounding neighbourhoods. This section of the report summarizes the issues from the background report that are relevant to the CIP. A high level SWOT analysis provides an overview of the strengths, weaknesses, opportunities and threats within four categories for the two corridors (land use, heritage, built form and streetscape) and a summary of the issues follows the SWOT analysis.

F.1 Land Use

Strengths

- The study area is a relatively complete area containing retail and service commercial, residential, recreational, open space, and institutional uses
- It contains a range of retail and commercial uses that provide the goods and services needed by residents on a day-to-day basis
- It has anchor destinations that draw residents to the study area, including the University of Windsor, a recreational complex, an out-door swimming pool, and a number of churches

Weaknesses

- The study area is dominated by businesses that provide services; consequently, there is a relatively smaller percentage of shops that sell retail goods

Opportunities

- There is an opportunity for medium and higher density residential infilling which may help to provide a population base for increased commercial diversity

Threats

- N/A

F.2 Heritage

Strengths

- Twelve properties designated under the Ontario Heritage Act
- There are several buildings with heritage features and façades that reflect the historic identity of the area

Weaknesses

- Many properties of historic interest have not been well-maintained, or have been modified with non-historic materials
- Signage for a large majority of buildings is contemporary in style and materials

Opportunities

- There are opportunities to restore some properties of interest, and ensure continued maintenance and adaptive reuse of designated properties

Threats

- Lack of appropriate maintenance and restoration threatens viability of reusing historical properties

Summary of Key Issues

High Commercial Vacancies

Approximately 25% of the commercial units along the two corridors are vacant. The vacancies can be seen in the mixed use sections of the corridors where residential and commercial uses are intermingled with each other. Many vacant commercial units are units that were added onto the front of single detached dwellings at a time when commercial space was more viable along the corridors.



Commercial Mix Mainly Consists of Restaurants and Business Services

The commercial uses along the corridors are mainly restaurant or service oriented. Along University Avenue 21% of the commercial units are business service related (accountants, tax services, financial planning, etc.) and 19% are food services. Along Wyandotte Street 34% are restaurants/fast food/cafes, which are mainly located between California Avenue and Campbell Avenue and cater to the University of Windsor student market. Very little retail is present along the corridors, except speciality/ethnic grocers that cater to specific market.



Two Major Vacant Properties with High Redevelopment Potential

Each corridor contains a large parcel of vacant land that is prime for redevelopment opportunities. On University Avenue the former Grace Hospital Site sits between Crawford and Oak and on Wyandotte Street a former industrial site sits on Wellington, just south of Wyandotte. Along the corridors small parcels of vacant land are present that provide infill opportunities as shown below.





Multi-Residential Properties are Stable and in Good Condition

Along University Avenue from California to Campbell the predominant land use is multi-unit residential buildings ranging from two storeys to five storeys tall. These buildings are well maintained and provide a different housing option from the surrounding single detached dwellings in the surrounding residential neighbourhoods. This land use should be protected to provide a mix of housing types and tenure for the neighbourhood.



Recent Development Applications Request Ground Floor Residential

Two recent development applications have applied for zoning by-law amendments to permit ground floor residential in two storey buildings that were previously ground floor commercial. The commercial zoning applied along both corridors is primarily CD2.2 which permits dwelling units in a combined use building provided that the dwelling units are located above the non-residential uses. This is a good principle for mixed use buildings that fall within an area of stable and continuous commercial uses. However, in many sections of the two corridors, the commercial uses are mixed in with single detached dwellings or multi-unit residential buildings.



Buildings, Properties and Streets Showing Signs of Neglect

Some buildings have been chronically vacant and are showing signs of neglect due to lack of maintenance. Litter and debris collects on properties and the right-of-way giving an unkempt appearance to the community.



Adaptive Reuse Potential for Heritage Resources

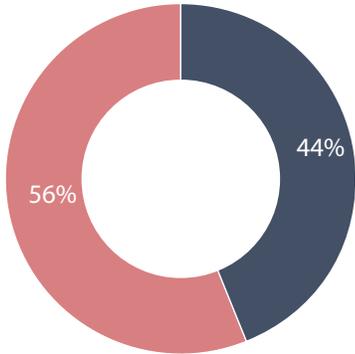
Both corridors contain rich built heritage resources, such as Assumption Church, Adie Knox Community Centre, and places of worship.

Some heritage resources are vacant and are prime for sensitive adaptive reuse. For example, the former streetcar barns, former federal services office building and former Benson School sit vacant along the corridors. All three of these properties have owners who are in various stages of redevelopment plans, and the CIP can greatly assist to achieve desired outcomes of maintaining these heritage resources.



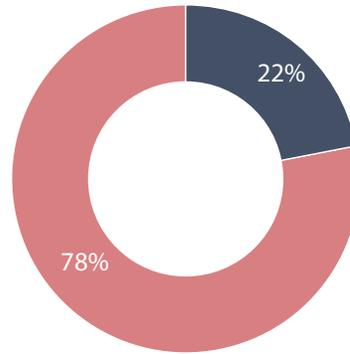
More Households Using More than 30% of their Income on Housing Compared to the City As a Whole

Affordable Housing in the Study Area



- Spending Less than 30% of Income on Shelter Costs
- Spending 30% or More of Income on Shelter Costs

Affordable Housing in Windsor



- Spending Less than 30% of Income on Shelter Costs
- Spending 30% or More of Income on Shelter Costs

Community Improvement Plan Strategy

Taking into account the key issues/themes identified in the background report, the CIP proposes a four component strategy (Place-making and Public Realm, Allowing a Flexible Mix of Uses, Attracting Redevelopment, Protecting Land Uses and Assets) to achieve the objectives of the plan that are set out on pages 3 and 4 of this CIP. This section of the CIP will discuss each component of the strategy and make recommendations for financial incentives programs, proposed zoning by-law reviews and areas for further review.

Promoting Place Making and Public Realm Improvements

The public realm is defined by the Ontario Professional Planners Institute as “the publicly owned places and spaces that belong to and are accessible by everyone”. These places and spaces include the municipal streets, alleys, public squares and plazas, sidewalks, recreation trails, parks and open spaces, waterfronts, and civic buildings and institutions. (Ontario Professional Planners Institute, 2016).

Within the context of University Avenue West and Wyandotte Street West, the two corridors are arterial streets that serve the surrounding residential communities and are identified as “mainstreets” in the Official Plan. They offer a mix of commercial uses that provide business and services for the community and additionally offer higher density housing that provide a mix and range of housing types to the community. The parks and institutional uses provide destinations for recreation at various parks and greenspaces, and education at the University of Windsor or community programming at Adie Knox Community Centre.

The public realm shapes the interaction between the street and the adjacent buildings, as well as defines the relationship that people have with their surroundings. In doing so, the public realm establishes the community identity, local character and sense of place. Public space between buildings influences both the built form and the civic quality of the city. A balance between the public and private domain is paramount to creating the type of environment that people want to be in. As such, buildings and their surrounding spaces should interrelate and define one another to the greatest extent possible.

Another important feature about both corridors is the connecting link between Downtown Windsor and the University of Windsor. Many students live around the University or downtown and travel back and forth between the University of Windsor and Downtown for social reasons and between the two University of Windsor campuses. This important link for students and residents traveling to downtown has opportunity for more active transportation along the corridors and other housing and commercial opportunities.

This plan will provide additional high-level guidance and recommendations about how the public realm can be improved or enhanced. The framework will be based on the foundation of some defining principles that will assist in the implementation of all future public realm improvements. The principles are as follows:

- **A high standard of design:** As mentioned, both streets are designated as mainstreets in the official plan, and although the land uses vary along both streets from residential to commercial/mixed use, a high standard of design is important to maintain the level of importance for the corridors. This includes high quality components, materials, implementation and detailing. Additionally, projects need to be designed with consideration given to ongoing maintenance costs to ensure that materials are long lasting and easily sourced should they require replacement.
- **Recognizes the importance of Wyandotte Street West and University Avenue West to the surrounding residential neighbourhoods:** The public realm must emphasize that the built environment is about people first and foremost. Therefore, it must be built on a human scale, with public spaces offering comfort, access and safety for pedestrians. The streets should be defined, and therefore designed, as much by their social and environmental context, as their transportation function or road classification. The residents of the surrounding residential neighbourhoods, whether it be students, young professionals, families or seniors living in the area use the businesses and services along the two streets. Improving the public realm and increasing the ability and safety of walking and cycling will improve the neighbourhood for the residents.
- **Ensure built form respects the mainstreets character:** Just as future private sector developments need to be compatible with the existing built form of the two corridors that reflects a mainstreet development style, all public realm improvements and new developments must be done with a clear understanding of the context and character of the area where they are going. This includes implementing public realm improvements that protect and enhance the surrounding mainstreet character and heritage resources.

- **Ensure that the public realm is clean, safe, and fully accessible:** The design of the public realm should be clean, safe and fully accessible by demonstrating a clear understanding of the diversity of users, including their safety concerns. It is imperative that this is considered if all users are to be comfortable and feel that a particular space or place is accessible and safe for them.
- **Support alternative transportation options:** It is important to start thinking about the place rather than the car, meaning that streets are designed so that pedestrians and cyclists feel safe, and can conveniently access the stores, services and amenities that they desire. The public realm should include deliberate design elements that create connections between modes of transportation. Well planned facilities and amenities can increase the mobility options available to people.



Streetscaping

Streetscape describes the natural and built form of the street, including the design quality of the street and its character. Streetscaping is the process of engaging in various activities that help to define and contribute to the aesthetic quality, identity, economic activity, health, social cohesion and economic opportunity of the streetscape. Generally, streetscaping can include changes to the road cross section, lighting, traffic and access management, sidewalk treatments, landscaping, street furniture, and other pedestrian improvements. The design of the public realm, the choice and placement of furniture, planting and surface materials has always been done from an assessment of local context and established character, including historic context. Along with improving the aesthetic appeal of an area, getting people to gather, socialize and linger in the pedestrian defined areas of the public right-of-way is one of the primary objectives of implementing streetscaping projects.

The City of Windsor has a long history of making streetscaping improvements in the City, specifically along mainstreets and Business Improvement Areas. Within the Study Area, a section of Wyandotte Street West between Campbell and California received upgraded streetscaping after watermain replacement was undertaken. The streetscaping included unique planter boxes, specialty lighting, street trees, high quality designed features such as benches and garbage cans, upgraded pavers and pavers to identify pedestrian crossings. The streetscaping was highly successful in this area at creating a sense of place and identify for the area and at attracting/retaining small businesses to the area. The streetscaping improvements also connected the area with the University of Windsor. The investment made by the City was well received.



Streetscaping features change to reflect the context in which they are implemented. For example, as the opportunities present itself along the subject streets, the streetscaping features implemented may be different.

Opportunities from University Avenue West and Victoria Avenue Environmental Assessment

University Avenue West offers a wide right-of-way with opportunity for placemaking and streetscaping enhancements. Currently some sections are four lanes of traffic, bike lane and sidewalk. The opportunity along the University Avenue West is important at this time due to the University Avenue West and Victoria Avenue Environmental Assessment (EA) being undertaken at the same time. The EA will provide opportunity for a new cross sections of roadway providing more opportunity for active transportation and more boulevard space to create enhanced streetscaping. The enhanced streetscaping will create a sense of place, especially in the redevelopment areas identified in this CIP.



To take advantage of the increased boulevard space along University, careful selection of streetscaping features should be selected to enhance the public realm in a context appropriate manner. Below, the graphic shows the different predominate land uses that should be reflected in the streetscaping selection.



Commercial Context: The public realm should enhance the adjacent commercial uses. This can be accomplished by ensuring that commercial uses have access to the public realm for sidewalk patios or for advertisement or display of goods and services. The Commercial area should be cohesive and enduring. Branding opportunities for the area should be prominent with banners on light standards and other street furniture. The arrangement and design of the public realm should give priority to storefronts along a commercial mainstreet corridor.



Institutional Context: The institutional public realm should reflect the adjacent post secondary land uses. This means that sidewalks should be wide promenades, transit stops should be beacons for the area with the use of identifiable pavement treatments and markers. The selection of colours, street furniture, light standards, and pavement treatments should reflect a post secondary motif. Priority should be given to pedestrians, so that the University Avenue is easily crossed and major entry points into adjacent institutions is intuitively understood.



Residential Context: The residential context should be signified by the use of grass boulevards and medians as well as creating opportunities for trees to quickly realize full maturity. Pedestrian safety for crossing University Avenue should be reflected with the use of bump outs at intersections as well as at any mid-block crossings. Treatments should be enduring and reflect the slower pace of the residential context relative to the adjacent Institutional and Commercial areas.



Image courtesy of Jason Campigotto



Street Trees/Vegetation: Street trees are important for character, cooling the urban heat island, providing shade for pedestrians and cyclist and the health of the environment. The type of tree and location should take into account the surrounding context, such as adjacent land use and available boulevard space.



(Image Source: https://www.blogto.com/city/2010/08/will_silva_cells_help_improve_torontos_urban_forest/)

Walkway Material)

Sidewalk Materials: The sidewalk pavement may differ along the University Avenue corridor as the context changes. Additionally, colour variation and different materials may be used at intersections to highlight safe crosswalks.



Design Features: Streetscaping features such as decorative lighting, garbage cans and benches may be used in areas where commercial uses are clustered to enhance the character and identity of the area. Higher quality design should be selected for the areas where people will be attracted to congregate like mixed use or commercial areas. In residential areas where residents may be walking or cycling through the area the focus should be on pedestrian or cyclist comfort through shade from street trees and vegetation.

Bike Racks: To support active transportation along the corridors, property bike facilities need to be installed to provide safe and secure locations for cyclists to lock bicycles.

Connection to Land Use: The land use adjacent to the right-of-way has a relationship with the public space on the right-of-way. For example, restaurants and cafes may spill over onto the sidewalk with sidewalk cafes, or retail uses may have wider sidewalks for higher pedestrian traffic walking from store to store.



(Image source: http://www.kelownadailycourier.ca/news/article_777b4574-5f31-11e9-896f-b3ac6a41b425.html)

RECOMMENDATION: Implement enhanced streetscaping along University Avenue to address the unique contexts along the corridor (for example, the commercial context, institutional context, and residential context). Streetscaping should be of high quality and create a unique sense of place to enhance the investment in the area.

Overhead Utilities: Due to Ontario Building Code requirements, overhead utilities along University Avenue present challenges to the location of new buildings along University Avenue. Buildings are required to be set back from the overhead powerlines and thus resulting in a building setback not in keeping with a main-street character. This will need to be explored with ENWIN to determine if relocating these utilities underground is viable or alternative design guidelines to address the required setbacks should be prepared.

RECOMMENDATION: Explore relocating overhead utilities to underground with ENWIN or develop design guidelines to address the required setbacks along University Avenue West.

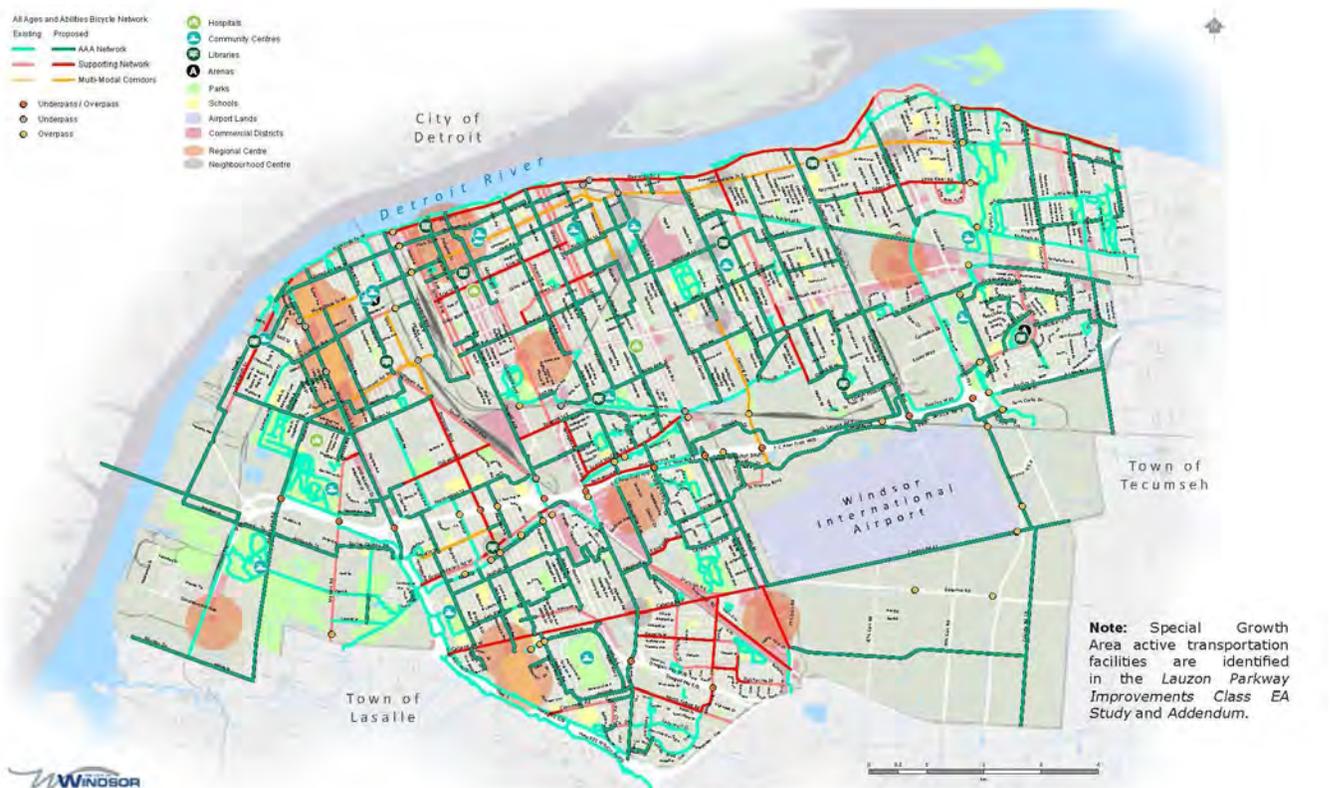
Active Transportation

The Active Transportation Master Plan identifies both streets as part of the All Ages and Abilities (AAA) network. The Active Transportation Master Plan identifies the purpose of an AAA network to “provide an interconnected system of bicycle facilities that are comfortable and attractive for all users. The network should be designed to be suitable for persons aged 8 to 80 years old and be comfortable for most people cycling, regardless of their

cycling ability. Developing an AAA bicycle network was identified by Windsor residents and stakeholders during the Active Transportation Master Plan engagement process as one of the most important ways to encourage more cycling trips. The AAA bicycle network will include three types of bicycle facilities that are most effective at increasing ridership: protected bicycle lanes, multi-use pathways, and local street bikeways.”

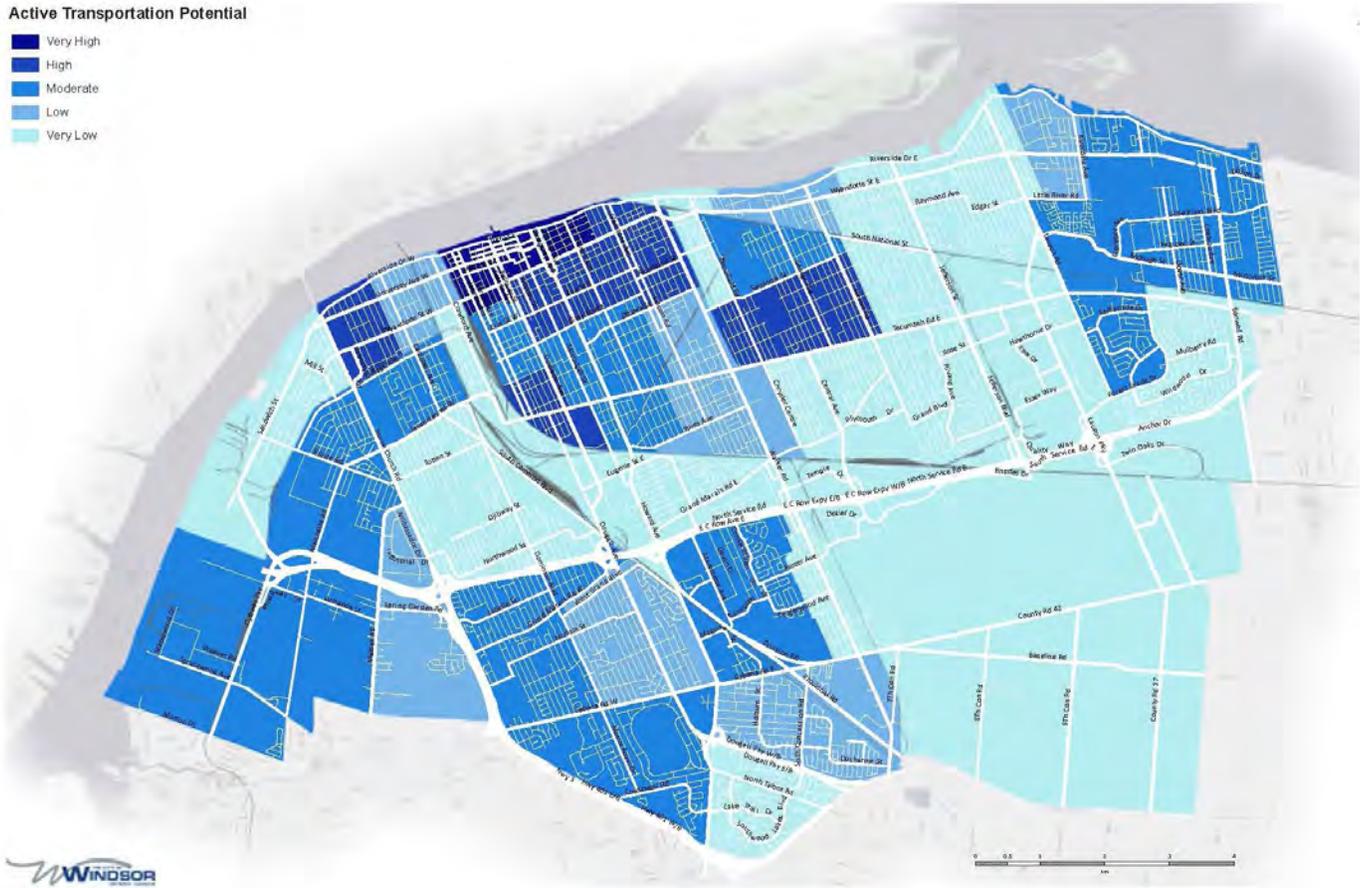
The Active Transportation Plan goes on to describe the University neighbourhood and Downtown as very high potential areas to increase the number of walking and cycling trips.

“An analysis was conducted to identify areas of Windsor where there are the greatest opportunity to increase the number of walking and cycling trips. Identifying the neighbourhoods with the highest potential was based on several factors including road network connectivity, road network density, land use mix, population and employment density, topography, and permeability. The analysis found that the neighbourhoods with the highest potential are Downtown, Walkerville, Ford City, Pillette, South Central and University (Figure 2). It is also important to note that these neighbourhoods have several destinations that were identified by survey respondents.”



Active Transportation Potential

- Very High
- High
- Moderate
- Low
- Very Low



RECOMMENDATION: That the Active Transportation Plan be supported by promoting AAA facilities along the corridors.

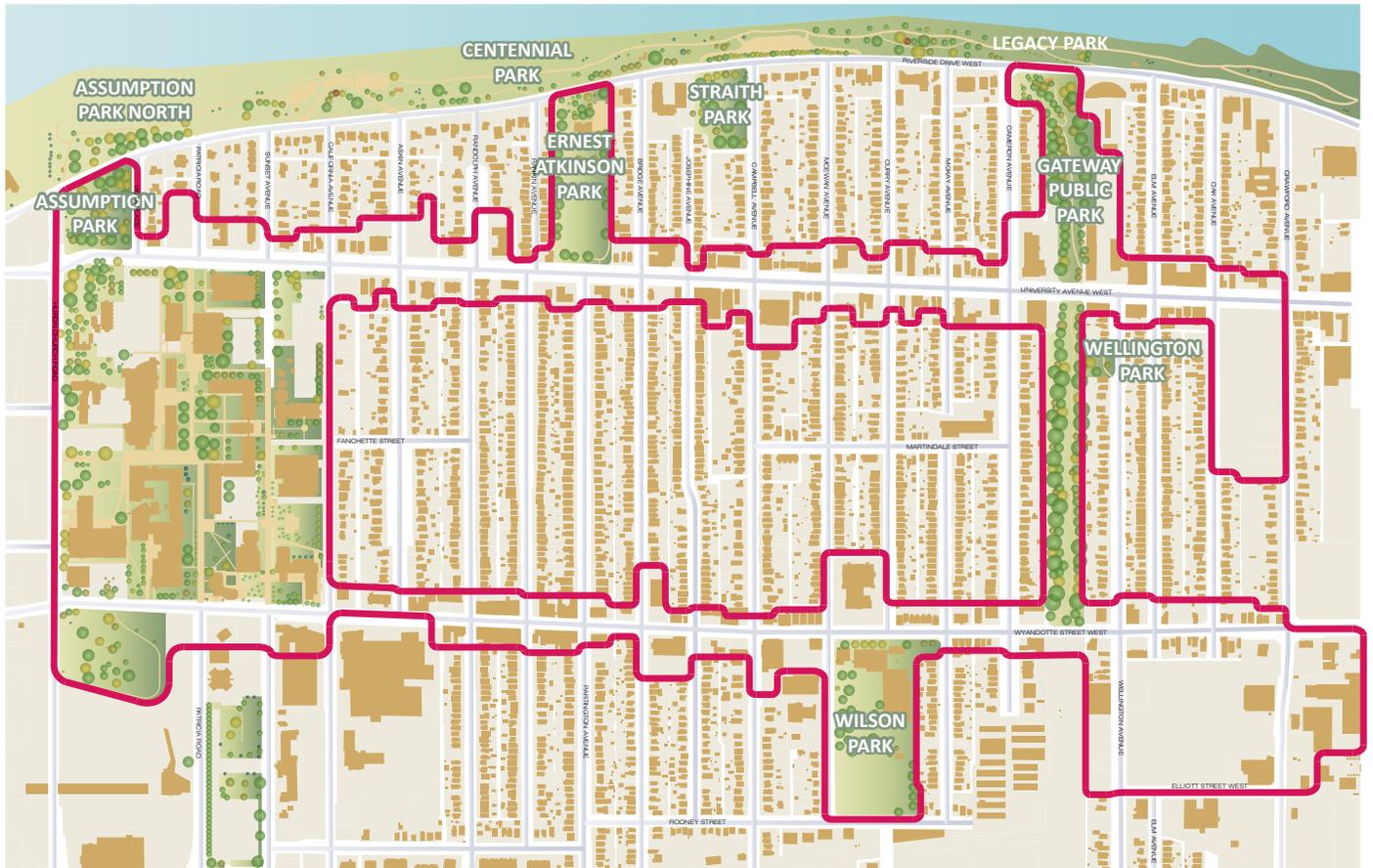
Public Spaces & Parks

Another key element of the public realm framework are the public parks and open spaces. There are numerous benefits of parks in an urban setting, including:

- Function as the centre of activity for a neighbourhood, or place of social interaction; and,
- A place for physical activity, or formal and informal sport and recreation;
- Assisting with storm water management;
- Reducing the urban heat island effect that results from large swathes of surfaces that absorb and release heat;

- Linear parks that function as an alternative transportation route; and,
- Associated with better perceived general health and reduced stress levels.

At its most basic level, urban parks need to meet the user’s basic needs to be successful places. This can include providing seating, shelter or shade, and bathrooms, as well as being perceived as a safe place to be. Ideally, parks serve as a place to relax and seek temporary relief from daily life. They can be a small refuge in what can otherwise be a harsh urban environment.



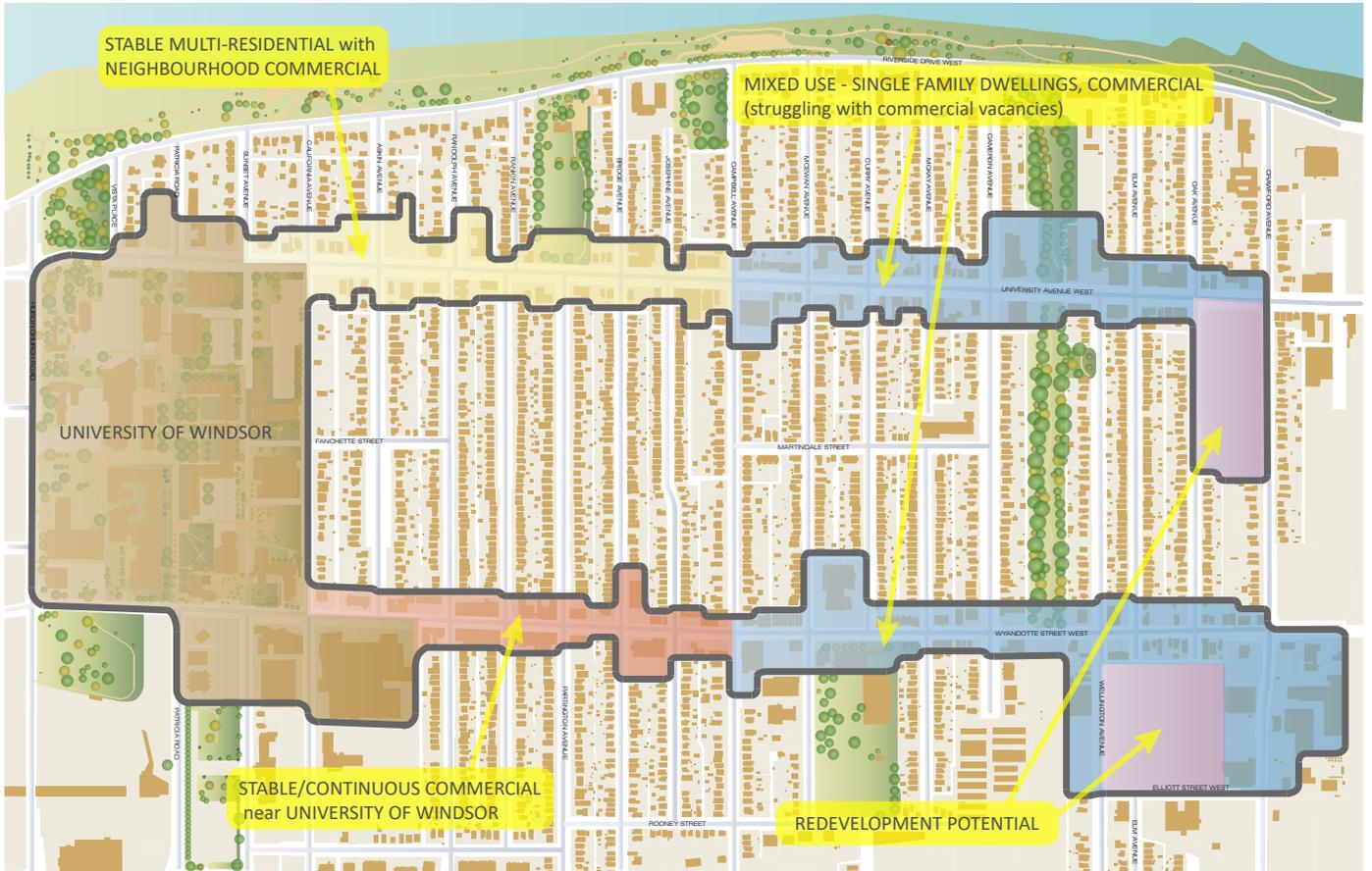
As shown above the study area includes Assumption Park (Regional Park), Earnest Atkinson Park (Neighbourhood Park) which provides a skateboard park and an outdoor swimming pool, Wellington Park (Neighbourhood Park) and Adie Knox Complex / Wilson Park (Community Park) which provides baseball diamonds and a community centre with indoor ice pads. The study area also contains a multi-use trail known as Legacy Park/Gateway Gardens that runs above the international rail tunnel between Canada and the USA. The multi-use trail not owned by the City of Windsor and is showing signs of neglect with garbage and debris building up within the vegetation.

The University Avenue West and Victoria Avenue Environmental Assessment should also place importance on pedestrian crossings at the International Garden location where it crosses University Avenue West, just west of Wellington Avenue.

RECOMMENDATION: Support the University Avenue West and Victoria Avenue Environmental Assessment to include a pedestrian crossing linking the International Gardens multi-use trail across University Avenue West.

Allowing a Flexible Mix of Uses

Stable land uses existing along both corridors from Huron Church to Campbell such as the University of Windsor institutional buildings and stable commercial along Wyandotte Street West and stable multi-unit residential along University Avenue are present. East of Campbell Avenue however, the buildings are in need of investment and reuse.



Commercial Vacancies

As discussed in the Background Report, approximately 25% of the commercial units are vacant along both corridors. Most of the vacancies are along University Avenue West and along Wyandotte Street West (east of Campbell Avenue). As shown in the example below along Wyandotte Street West from Crawford Avenue to Wellington Avenue, the land uses are a mix of small commercial units (some built onto former single detached dwellings as you can see the peaked residential roof in the background of the commercial units) and single detached dwellings mixed in with the commercial units.



Commercial Activity

Based on a commercial survey conducted by the Planning Department in 2018, the following commercial data was collected:

University Avenue West (Huron Church Road to Crawford Avenue)



There are 80 commercial units along University Avenue from Huron Church Road to Crawford Avenue. As shown in the chart above, 24% of those units are vacant. The highest occupied category of commercial activity is the category of business services (accountants, tax services, marketing, engineering, financial planning, etc.) which occupies 21% of the commercial units, followed by restaurants/fast food/cafes at 19%. A unique commercial activity cluster on University Avenue West is under the education – driving category which occupies 5% of the commercial units.

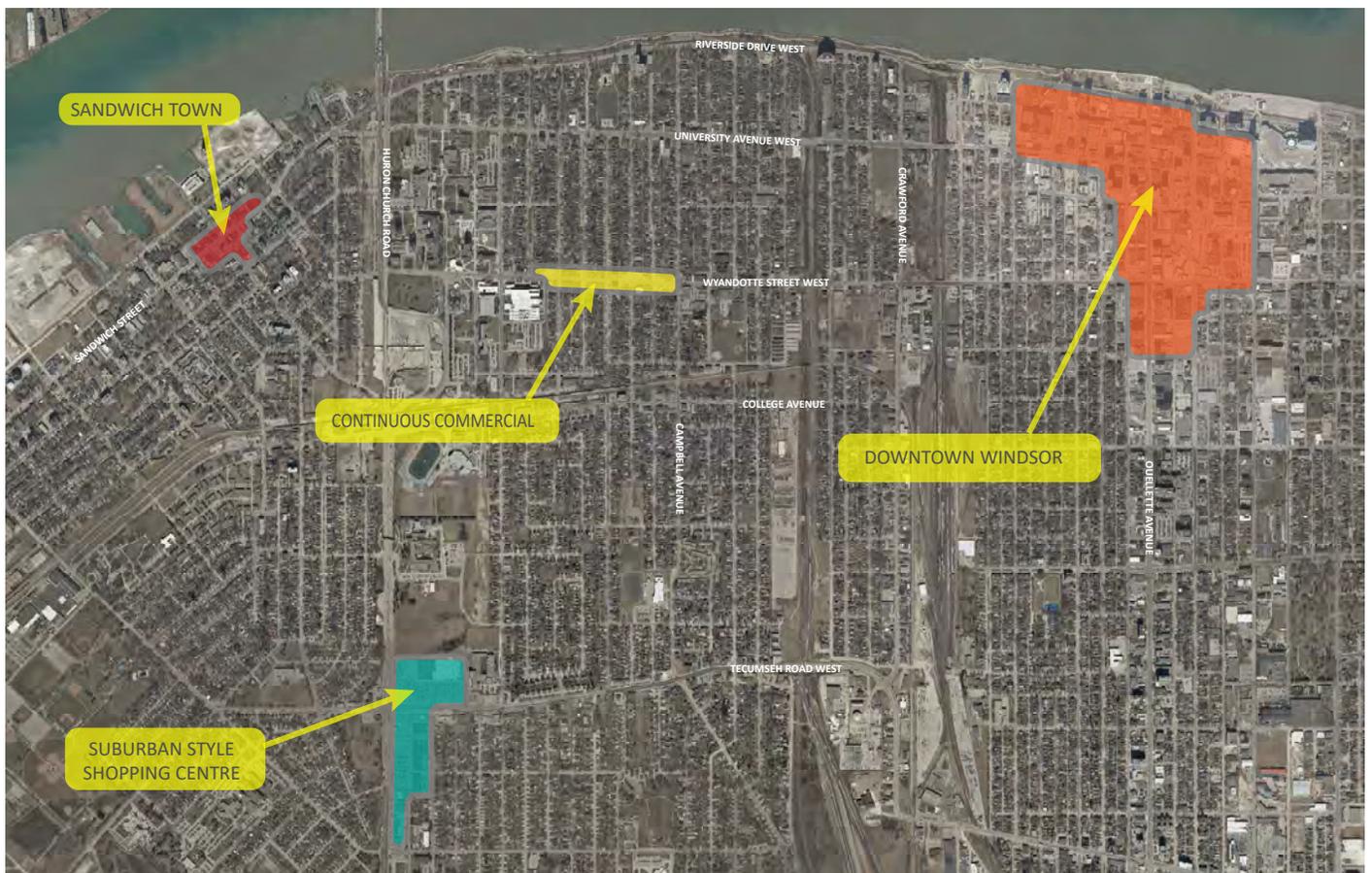
Wyandotte Street West (Huron Church Road to Crawford Avenue)



There are 101 commercial units along Wyandotte Street West from Huron Church Road to Crawford Avenue. 34% of the commercial units are occupied by restaurant/fast food uses. Most of these uses are clustered near the University of Windsor between Sunset Avenue and Bridge Avenue. 23% of the commercial units along Wyandotte Street West are vacant. The other uses are small in percentage and include a bank, photocopy service, child care and a bingo hall.

Retail Viability and Competition

The vacant buildings are primarily commercial units in aging buildings that are a result of changing commercial demands. As the commercial market changes, the demand for commercial space changes and like many downtowns and core area neighbourhoods across North America, commercial vacancies increased as new suburban commercial formats have dominated the market. In addition, a shift of consumer behaviour to online shopping has reduced the demand for commercial space. Recently, the COVID-19 pandemic has changed the demand for commercial space, and the long term impacts are still not determined. Specifically, the retail market has changed and this can be seen in the commercial data as well, as most of the commercial occupants are in the business service industry or restaurant industry. The map below shows commercial competition within a 2km radius of the study area.



Demand for Residential Conversions

Council has recently approved Zoning By-law Amendments to permit ground floor residential units on two buildings along University Avenue West. Owners may want to transition ground floor commercial uses to residential. The overall character of the buildings should be retained. This may require urban design policies to ensure the character of these buildings is retained and that they can remain flexible for future uses and respect the mainstreet character of the streets.



Propose Zoning By-law Amendments

The commercial zoning that is applied along the corridors is mainly CD2.2 which requires all residential units to be located above commercial uses. This provision is in good keeping with an urban context for mixed use buildings, however, as described above, the commercial market has changed in core areas of the City and allowing more flexible mixed-use zoning would help in the reuse of vacant buildings and would follow market trends. The idea is not to transition to a fully residential area, but simply to allow more uses on the ground floor than only commercial to promote the reuse of vacant buildings.

RECOMMENDATION: Review the zoning and official plan policies from Campbell Avenue to Crawford Avenue along Wyandotte Street West and University Avenue West to propose amendments that would permit a mix of uses and not require ground floor commercial uses.”

Incremental Development

Council approved the Incremental Development Alliance to undertake small developer training with Windsor small developers to promote incremental neighbourhood oriented development. One of the themes identified was the survival of small commercial units in older buildings. It is understood that the commercial and

retail markets have changed leaving vacant commercial buildings. Incremental Development Alliance recognizes the importance of the retaining the character of buildings along mainstreets but allow the buildings to transition to other uses will allow the buildings to survive and be profitable and usable. One important aspect is to prevent a ‘dead frontage’ where windows are covered in an unsympathetic material and entrances are located on the side or rear of the building creating a blank wall along the street frontage. Zoning provisions can be implemented to require large glazing and doors located on the front of the building to prevent a ‘dead frontage’, as shown in the photo on the left below.

Another important note to consider is that the idea is not to require the transition to fully residential buildings, rather to allow reuse and adaptation to reflect the current needs in the community. The example on the right in the photo below shows a small storefront window converted to a café window and the rest of the building used for another use.

RECOMMENDATION: Develop Zoning By-law Provisions that prevent a ‘dead frontage’ for buildings that are being converted from ground floor commercial to residential.

RECOMMENDATION: Offer financial incentives for façade improvements that enhance the mainstreet character of buildings, regardless of use.



Source: Incremental Development Alliance

Attracting Development on Vacant Sites and Improvements to Existing Buildings

Attracting new development and investment in existing buildings within the study area has benefits for the surrounding communities and the municipality. The study area is within the existing built up area of the City in a core neighbourhood and making improvements and increasing the usability of existing buildings is a sustainable choice compared to development on the fringe of the City. Additionally, investment in existing neighbourhoods can increase the likelihood of other property owners to make similar decisions about investment in their property, which in turn reverses the cycle of neighbourhoods.

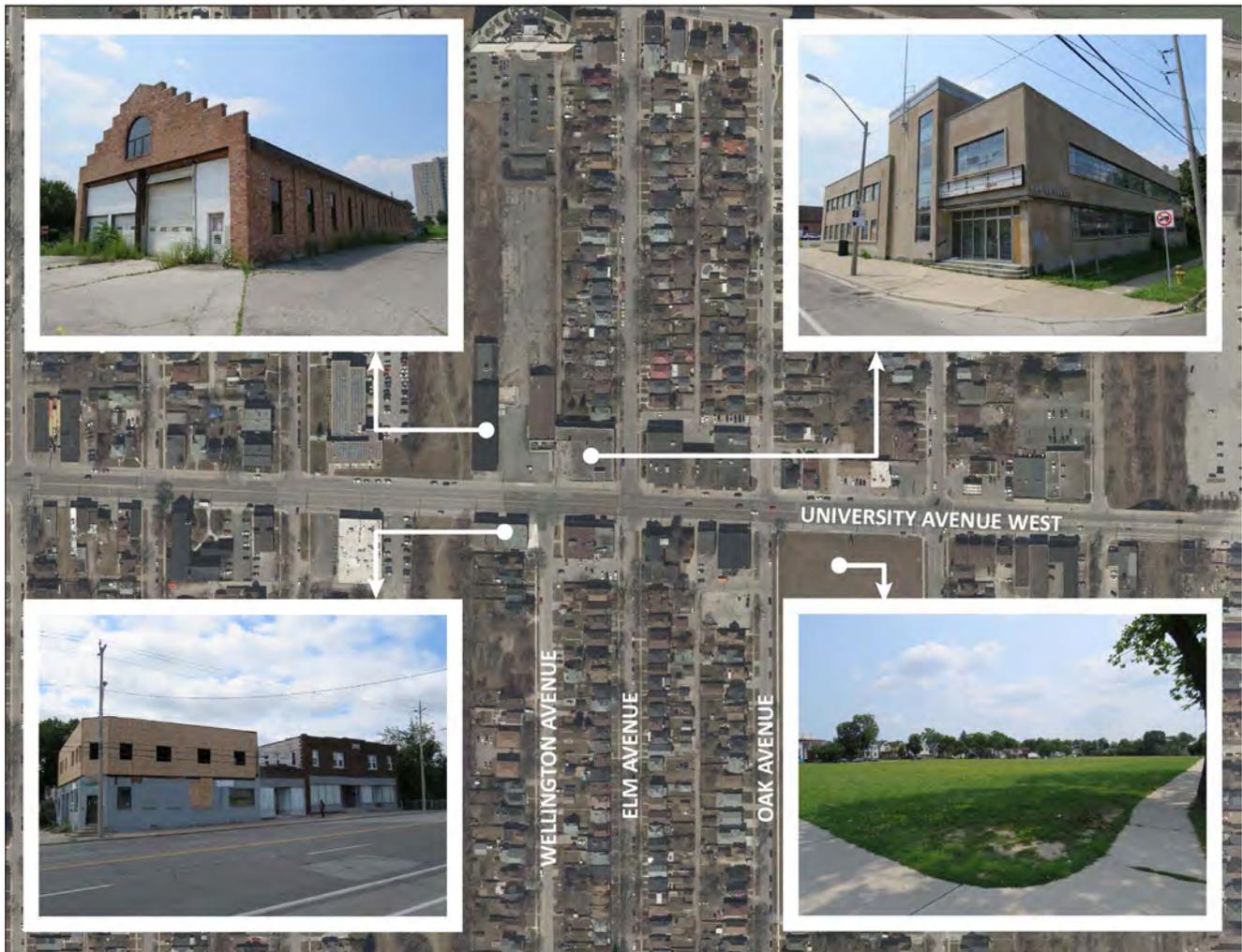
Within the study area there are three large sites that are vacant or provide opportunity for redevelopment. The Attracting development to the area will bring many advantages such as: new investment into core neighbourhoods that will stabilize the neighbourhoods and have spin off effects; increase the municipal assessment and municipal tax base; and providing more housing

will increase the number of people living within the core area of the City. The following three large sites that are prime for redevelopment:

- Former Grace Hospital Site
- Former Streetcar Barns
- Vacant Industrial Site

RECOMMENDATION: Offer financial incentives through a tax increment grant program to attract redevelopment of vacant properties.

RECOMMENDATION: Offer financial incentives to cover the cost of municipal development fees for redevelopment of vacant sites or for property/building improvements that will increase the municipal assessment.



Context and Compatibility

Compatibility with the surrounding neighbourhoods is critical for all new development, adaptive reuses, or building retrofits. Some of the biggest considerations for ensuring that any new project constructed in the core of the city are compatible include density, character, height, traffic, and parking, and how these areas are potentially impacted by the project.

As each site has a specific context, it is not appropriate to simply copy a building design used elsewhere, something that has become more common with national chains adopting a corporate architecture approach to development. For this reason the site features and the surrounding context should always be considered when creating a new development. In order for a project to be truly compatible, it must result in a design that is informed by the neighbouring buildings, as well as, the built form and streetscape of the wider neighbourhood or district. The pattern of local streets, building styles and materials, and area-specific attributes and history all help to determine the context to which all developments should strive to fit in with.

The compatibility of projects with the surrounding neighbourhood is of the utmost importance. Compatibility does not necessarily mean having development that is the same as what is surrounding it. Compatibility with the surrounding neighbourhood means that it will fit in with the surrounding neighbourhood and buildings with respect to the prevailing architectural styles and building materials; building height and scale; building setbacks; and, other all of the other ways that the building relates to its surroundings.

Planning Tools to Implement Good Design

The Provincial Policy Statement (PPS) is the statement of the government's policies on land use planning. It applies province-wide and provides clear policy direction on land use planning to promote strong communities, a strong economy, and a clean and healthy environment. One of the most recent additions to PPS relates to the quality of design for the built environment. Specifically, the PPS promotes a built form that "is well-designed; encourages a sense of place; and, provides for public spaces that are of high quality, safe, accessible, attractive and vibrant."

There are a number of the tools provided by the Planning Act and other legislation (e.g. the Municipal Act, Heritage Act, etc) that will prove useful in ensuring that new development meets this Provincial standard and is compatible to downtown Windsor, including:

Site Plan Review – Site Plan Review is the process used by the City of Windsor to implement Section 41- Site Plan Control of the Ontario Planning Act. The Planning Act enables municipalities to exercise their authority to examine the technical and design aspects of a proposed development;

Architectural Design – through the City's Official Plan policies, it is permissible to consider the exterior design of buildings. This would allow for careful consideration of the character, scale and appearance of proposed buildings in relation to the rest of downtown Windsor. These items would be considered as part of the Site Plan Review Process;

Design Guidelines – are a set of discretionary statements that communicate the design expectations for a particular area. They also function to preserve and enhance the desired character of existing neighborhoods and improve the aesthetic and functional quality of new development projects, including implementing some of the important architectural elements and design details that result in a compatible development.

Each of these tools is either currently being used by the City of Windsor, or is being recommended for consideration by this plan to maintain a high level of design that is compatible with the study area.

Improvements to Existing Buildings

The overall appearance of corridors is influenced the appearance of each individual building and property along the corridor. When property owners make decisions to improve the exterior of their properties they are giving a signal of investment in the community and attracting customers to their business. As seen in other CIP areas, high quality materials and design can be achieved through financial incentive programs for facade improvements.

RECOMMENDATION: Offer financial incentives for commercial/mixed use building facade improvements within the vibrant commercial districts and existing commercial buildings with proposals for facade improvements.

RECOMMENDATION: Offer financial incentives for commercial/mixed use building facade improvements for vacant buildings with proposals for adaptive reuse.



Before and After Pictures of 212-248 Erie Street - Downtown CIP Grants Example

Historical Preservation and Adaptive Reuse

The historical preservation of buildings is, in part, the physical manifestation of character and sense of place. Therefore, one of the objectives of this plan is to promote Windsor's heritage buildings by placing an emphasis on the historical preservation.

The conservation of historic buildings and places often makes solid economic sense, but more importantly, historical preservation is the foundation for revitalization. The historic buildings and places are what distinguishes core neighbourhoods from the suburbs and contribute to the all-important "sense of place" and "authenticity".

The Provincial Policy Statement as it relates to Cultural Heritage and Archaeological Resources states that significant built heritage resources and cultural heritage landscapes "shall be" conserved. The City of Windsor's Official Plan defines heritage resources as including "buildings, structures, archaeological and historic sites, landscapes and landmarks, either individually or in groups, which are considered by Council to be of architectural and/or historical significance."

The City of Windsor has committed ensuring that secondary plan studies, community improvement plans and other planning studies identify heritage resources that may exist in the areas under study and propose means to protect and enhance those heritage resources.

The Official Plan also encourages the adaptive re-use of historic buildings. This plan encourages the conversion of obsolete commercial and office buildings in Windsor to other uses. Along with the many benefits of historical preservation, there are risks and associated costs that result from the adaptive re-use of older buildings. There are environmental concerns often associated with older buildings depending on when they were built, including asbestos, lead paint, and underground tanks. All of these problems can be resolved, but addressing them may have significant financial impacts on the feasibility of the development. Also, adaptive re-use projects are often more expensive to construct because there are higher costs associated with working with an existing structural framework and remediating any unanticipated issues that arise during construction. In order for adaptive re-use to become a financially viable, and more importantly, a competitive alternative to building new, these challenges will have to be addressed. To do its part, the City of Windsor can encourage, in the appropriate locations, the adaptive re-use of obsolete commercial and office buildings to new uses.

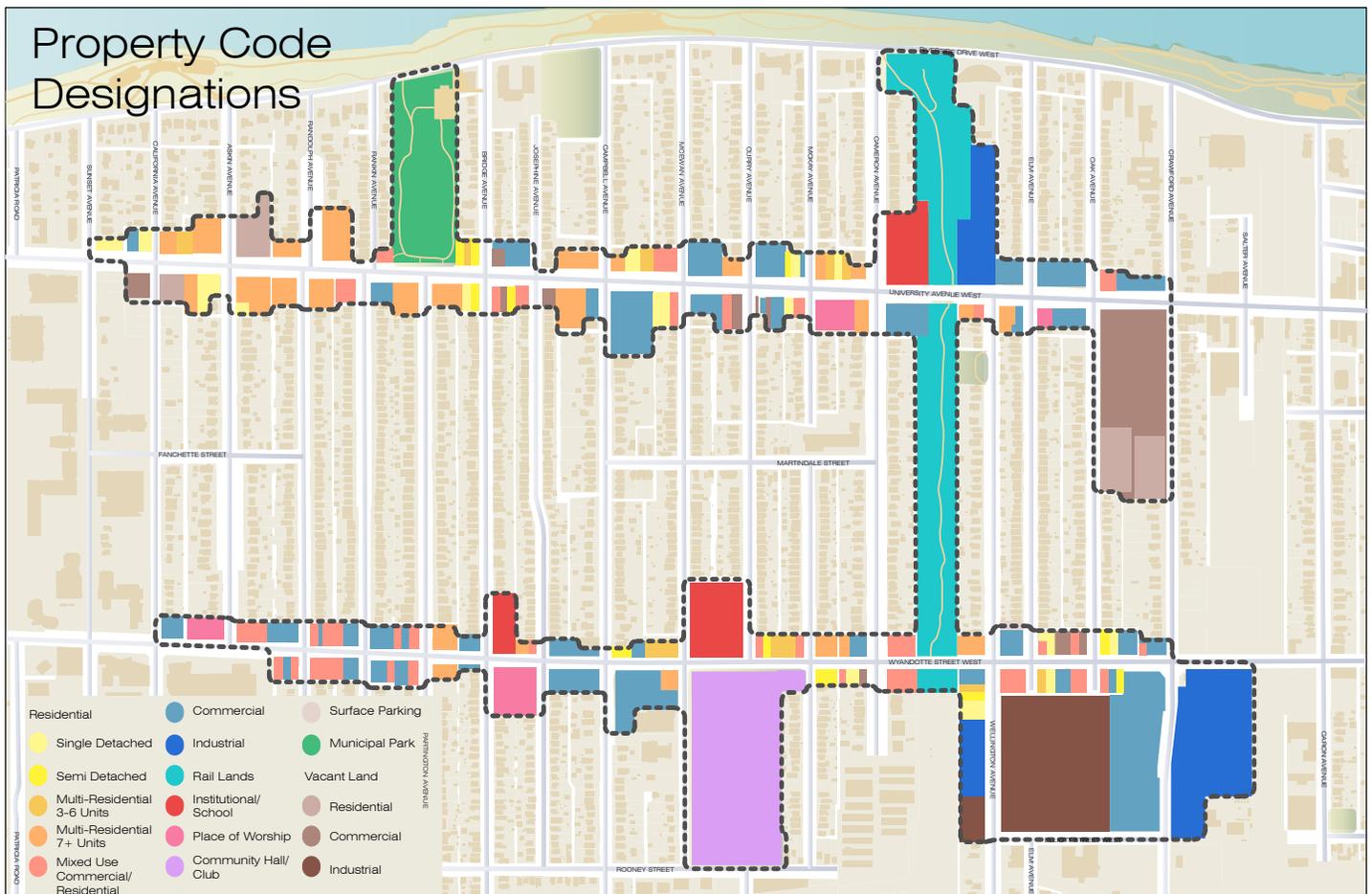
Protecting Land Uses and Assets

As discussed in the section of this CIP regarding Allowing a Flexible Mix of Uses, stable land uses existing along both corridors from Huron Church to Campbell such as the University of Windsor institutional buildings and stable commercial along Wyandotte Street West and stable multi-unit residential along University Avenue are present. There areas should be protected by retaining the existing zoning provisions requiring ground floor commercial. Additionally, the public realm improvements discussed in the Placemaking and Public Realm section of this CIP discuss the streetscaping features that are context specific to enhance the existing context zones we want to preserve. In addition to protecting the commercial along Wyandotte Street West near the University of Windsor and the multi-unit residential along

University Avenue near the University, this CIP also highlights the importance of heritage preservation and adaptive reuse.

RECOMMENDATION: Provide financial incentives for façade improvements to buildings listed on the municipal heritage register for the purposes of heritage preservation of original building materials and heritage features.

RECOMMENDATION: Provide financial incentives through tax increment grants for the purposes of building improvements to buildings on the Municipal Heritage Register to promote heritage preservation and adaptive reuse of heritage buildings.



The current land uses along the University Avenue West and Wyandotte Street West corridors are shown on the map above. The uses vary between commercial, residential (single detached, semi-detached and multi-residential), institutional uses and vacant land. The uses vary along the two corridors vary greatly property by property, however the uses surrounding the corridors on the north/south streets are primarily residential. The uses along University Avenue West and Wyandotte Street West will be discussed in more detail below.

University Avenue West:

Starting at Huron Church Road, the uses are institutional uses to Sunset Avenue. The institutional uses include Our Lady of Assumption Church; the University of Windsor Leddy Library, University of Windsor Faculty of Law Buildings; and, Canterbury College. From Sunset Avenue to Campbell Avenue the uses vary, however they are primarily multi-family residential buildings built in the 1960's and 1970's of varying heights and forms. After Campbell Avenue the uses still vary property by property between commercial, mixed use and various forms of residential, however commercial uses are more common.

In addition to the uses discussed above, University Avenue West also includes greenspace that contributes to the land use. A municipal park (Ernest Atkinson Park) is located between Bridge Avenue and Rankin Avenue, and University Avenue West and Riverside Drive West. A trail runs from the Riverfront to Wyandotte Street between Cameron Avenue and Wellington Avenue on Detroit River Tunnel Company lands.



Wyandotte Street West:

Starting at Huron Church Road, institutional land uses associated with the University of Windsor are present on the north side of Wyandotte Street West until California Avenue, and on the south side of Wyandotte Street West from California Avenue to Randolph Avenue. Assumption Cemetery is located on the south side of Wyandotte Street West between Huron Church Road and Patricia Avenue. Commercial uses are present intermittently until California Avenue where they are continuous until McEwan Avenue.

After McEwan Avenue the uses vary with institutional, commercial and residential.



Water & Sewer Infrastructure

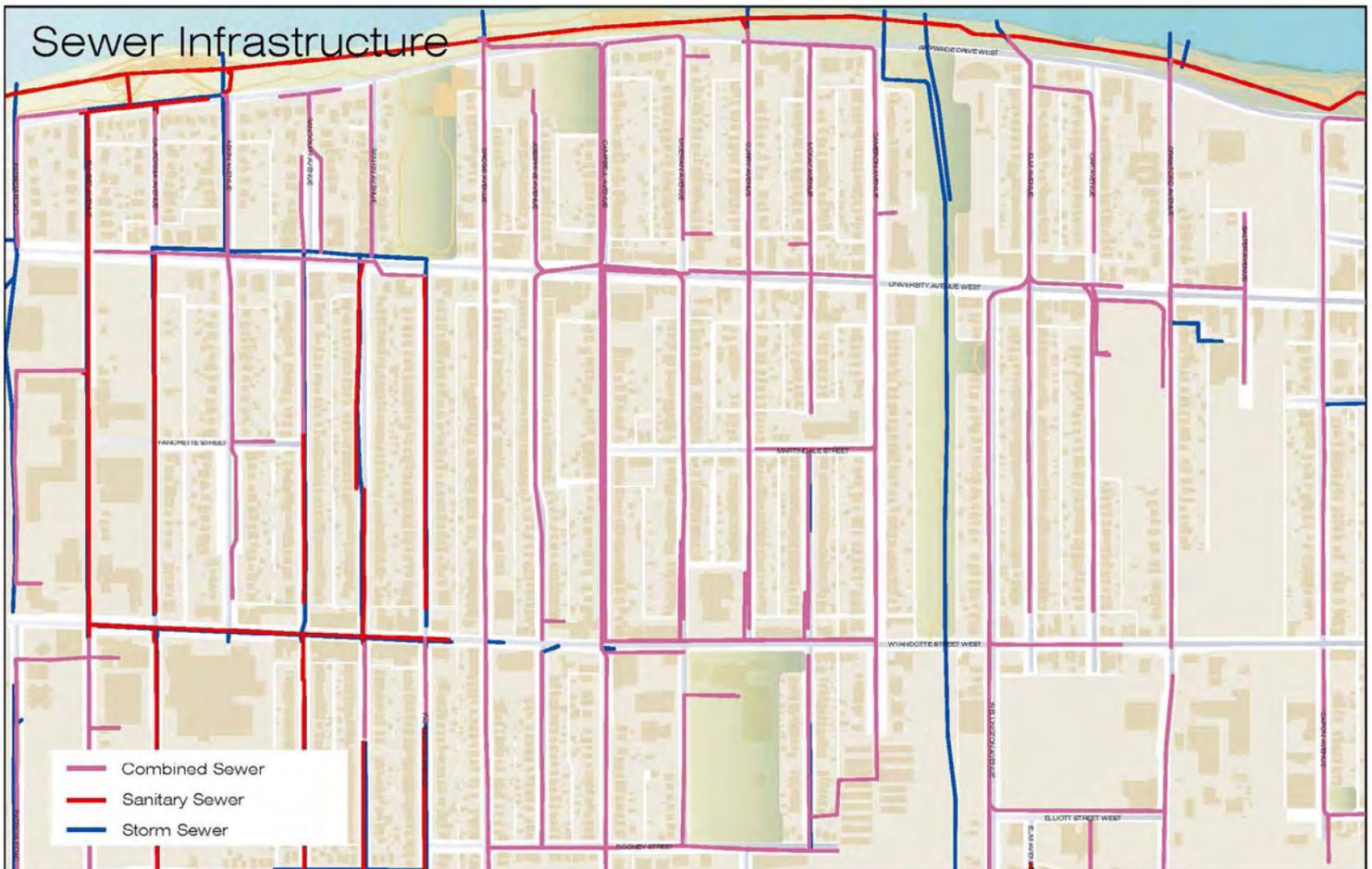
The study area is fully served by water and sewer service.

Combined sewers, that collect surface runoff and sewage together, exist within the study area, however some blocks have been upgraded with separate storm and sanitary lines (as shown on the map below).

The Campbell/University Combined Sewer Separation and Stormwater Management Strategy Report was recently completed. The main objective of the Campbell/University Report was to develop an overall combined sewer separation strategy to achieve a 5 year design level of service. More information is needed to determine the impacts of future development/redevelopment on stormwater and sanitary systems.

Any future redevelopment will require a servicing study, a functional design, and capital improvements to accommodate redevelopment and mitigate any impacts to the existing development. Therefore, in order to consider the infrastructure needs for future development, a servicing study will be required following the Sewer Master Plan.

A functional Servicing study could be initiated spring 2021, if funding is available. Phase II and Phase III will be coordinated with the functional servicing study. The City’s 2020’s 8-year capital budget identifies annual funding. Funding for a servicing study, a functional design, and capital improvements required for future redevelopment is not within the approved 8-year capital budget.



FINANCIAL INCENTIVE PROGRAMS

The following section outlines the financial incentive programs that have been developed to deliver the objectives of the community improvement. Included in this section are definitions for terms that are used in the CIP Financial Incentive Programs section, including the general and program specific requirements.

The clear relationship between the financial incentive programs and the CIP's objectives demonstrates the public benefit that can result from offering publicly funded financial incentives to stimulate private sector investment. The financial incentive programs are targeted at the sectors and type of projects that will contribute to the ongoing vitality and reinvestment in the Wyandotte St West and University Ave West corridors, while providing a financial return on investment in form on going property taxes to the city over the long term.

To this end, applicants must demonstrate to the satisfaction of the City of Windsor that the development clearly serves the public interest and that there is a proven need for financial incentives in order for the project to move forward. Unless otherwise delegated to city staff, City Council will act as the final approval authority for the financial incentive programs and be the ultimate judge of a project's contribution to meeting the objectives CIP and its need for financial incentives.

In addition to outlining the eligibility criteria and requirements for the financial incentive programs, the program descriptions include the necessary safeguards to ensure that the city's interests are protected, including realizing the requisite public benefit derived from the incentives.

General Program Information

Definitions

This section provides the definitions for terms that are used in this CIP and are intended to explain the meaning of a term for the purpose of this CIP:

Adaptive reuse: Is the process of adapting old buildings or infrastructure by development, redevelopment, rehabilitation and/or construction for the purposes of using them for new eligible uses.

Administration (or City Administration): Includes the Chief Administrative Officer and all staff employed by the Corporation of the City of Windsor.

Affordable Housing Unit(s): means a residential unit that meets either the definition for Affordability for Home Ownership or Affordability of Rental Housing.

Affordability for Home Ownership: means the least expensive of : 1) housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent gross annual household income for low and moderate income households; or 2) housing for which the purchase price is at least 10 percent below the average purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area.

Affordability of Rental Housing: means the least expensive of: 1) a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households or 2) a unit for which the rent is at least 20% below the average market rent of a unit in the regional market area.

Applicant (or Applicants): may include registered owners, assessed owners and/or tenants of land and buildings within the community improvement project area, and to any other person to whom such an owner or tenant has assigned the right to receive a grant.

Assignee (or Assignees): is a person to whom an owner or tenant has legally assigned the right to receive a grant and/or loan pursuant to this CIP.

Base Rate: is the total amount of municipal taxes payable in the calendar year that City Council approves the financial incentives for the eligible works. The Base Rate may be reduced to reflect a vacancy tax rebate where such a rebate was issued for the previous tax year and the subject property, or a portion thereof, is vacant at the time of an application.

Catalyst Project: is a development, redevelopment or adaptive reuse of a highly visible building or property that will result in a corresponding and complementary development reaction in the immediate and surrounding properties. A catalyst project must demonstrate to the satisfaction of the City that the project returns a reasonable public benefit by meeting 3 or more of the following criteria:

- Represents visible investment of at least \$5 million or more (use a pro forma to determine the threshold);
- The creation or relocation of 50 or more direct jobs located within the CIP Project Area;
- Will result in a significant increase in land value that results in increased municipal assessment of 20% or more;

- Can reasonably expect to spur additional investment in the surrounding area(s);
- Creates 100 or more new residential units within the CIP Project Area; and/or
- Conveys a message of neighbourhood progress and stability

City (or The City): is The Corporation of The City of Windsor.

City Council (or Council): is the legislative body that governs the business and affairs of the Corporation of the City of Windsor. It includes the Mayor and Ward counselors.

City Planner: is the position of “City Planner” within the Corporation of the City of Windsor’s organizational hierarchy.

Construction: is the erection or physical improvements of the whole or any part of a building or structure for the purpose of development, redevelopment, rehabilitation and or adaptive reuse.

Designated Heritage Building: Is a building that is designated under Part IV of the Ontario Heritage Act.

Development: is improvement that results in the productive use of land and/or buildings within the Community Improvement Project Area, and includes but is not limited to new building construction, rehabilitation and or adaptive reuse, or improvements made for the purposes of establishing new residential, commercial or institutional uses or the expansion of existing buildings to realize more effective use of the land’s potential.

Eligible Cost: are the costs related to development, redevelopment, rehabilitation and/or adaptive reuse of a building or property in conformity with this CIP, and as described by the individual financial incentive programs.

Eligible Use: is a use that means the eligibility criteria of one or more of the financial incentive programs described by this CIP.

Eligible Works: includes all development, redevelopment, rehabilitation and/or adaptive reuse of a use that meets the eligibility criteria of one or more of the financial incentive programs described by this CIP.

Mixed Use Building: is a building that contains any combination of residential, commercial, cultural, and/or institutional uses.

MPAC: is the Municipal Property Assessment Corporation established by the Ontario Property Assessment Corporation Act, 1997.

Municipality: is The Corporation of The City of Windsor, including the Chief Administrative Officer and all staff employed by the Corporation of the City of Windsor.

Municipal Heritage Register: is the publicly accessible register of

properties that are of cultural heritage value or interest situated in Windsor as required by Section 27 of the Ontario Heritage Act.

Municipal Taxes: is the City of Windsor (i.e. the municipal) portion of property taxes payable and does not include Educational portion payable to the Province of Ontario.

Reassessment: is a change in assessed value or a change in the tax class, as determined MPAC, that results in an increase in property taxes.

Redevelopment: is development of a property or properties that have been previously developed, or for the expansion, rehabilitation or adaptive reuse of an existing building. This can include the acquisition and wholesale changeover in the use of a large site or several smaller neighbouring sites, and may involve some land assembly or demolition activity.

Rehabilitation: is the returning of an existing building and/or land to a useful state by adaptive reuse, development, redevelopment and/or construction.

Renovation: Construction that results in changes and repairs that improve the overall condition of the existing building and its functionality for its intended use.

Residential Unit(s): is any living accommodation used or intended for use as residential premises. More specifically it means a room or suite of rooms used by or designed to be used by one (1) or more individuals as an independent and separate housekeeping unit. For a room or apartment to be defined as a residential unit, it must be distinctly separated from other living spaces within the building. It must also be directly accessible from an outer door or through an interior door in a shared building corridor.

Retail Unit(s): is the portion of a building and/or property that is occupied by a retail store. More specifically it means a room or suite of rooms used by or designed to be used by one (1) retail store. For a space to be defined as a retail unit, it must be distinctly separated from other common areas within the building. This does not include restaurants or bars.

Retail Store: is the use of a building, property or part thereof for the retail sale of goods or merchandise, including the lease or rental of goods or merchandise directly to the public, usually in small quantities.

Retrofit Works: are improvements and/or upgrades to a building’s infrastructure to improve energy efficiency and performance (i.e. to reduce utility and/or maintenance costs) and/or work that is done for the sole purpose of complying with the Ontario Building Code.

Tax Increment: is the difference between the base rate at the time of City Council’s approval of financial incentives for the project and

the municipal taxes after the completion of the approved eligible works, occupancy and reassessment by MPAC. The tax increment will be calculated on an annual basis and will include increases and decreases resulting from tax rate changes and reassessments.

Vacancy Tax Rebate: is a tax rebate issued under Section 364 of the Municipal Act.

Vacant: is property or space in a building that is unoccupied, currently receives the Vacancy Tax Rebate, and/or classified as vacant by MPAC. The property or building will have had to been unoccupied for at least 6 months prior to the application date to be considered vacant for the purposes of the financial incentive programs.

Underutilized: is property or space in a building that is currently not being used to its full potential, often it is accessory to but not essential to the operations of the primary use.

General Incentive Program Requirements

The general and program specific requirements are not necessarily exhaustive and the City reserves the right to include other requirements and conditions as deemed necessary on an application specific basis. All of the financial incentive programs contained in this CIP are subject to the following general requirements in addition to the individual requirements specified under each program.

1. Application for any of the incentive programs contained in the CIP can be made only for real property located within the Community Improvement Project Area.
2. If the applicant is not the owner of the property, the applicant must provide written consent from the owner of the property on the application. The property owner may also be required to be a party to any agreements for the financial incentive programs.
3. Applicants approved for the programs contained in the CIP will be required to complete the eligible works and have the property reassessed by MPAC within specified timeframes.
4. The applicant must address all outstanding work orders and/or other fees from the City (including tax arrears) against the subject property to the satisfaction of the municipality prior to the grant being paid, or be addressed as part of the proposed work.
5. Any applicant that is purchasing City owned property as part of the proposal must enter into a written agreement with the City stating that they will keep and maintain the land, building and the use in conformity with the Community Improvement Plan. The agreement will also include the specific details (amount, duration, performance expectations, legal remedies, etc) of the incentive programs that will be made available to development. The agreement entered into will be registered against the land

to which it applies and the City will enforce the provisions of the agreement against any party to the agreement and all subsequent owners or tenants.

General Incentive Program Provisions

All projects that are approved for financial incentives are subject to the following terms and conditions, in addition to the individual provisions specified under each program.

1. Windsor City Council is the sole approval authority for all applications submitted under the financial incentive programs included in this CIP. Council may delegate to either a Committee of the Council or to an appointed officer of the municipality by position occupied the Council's authority to approve financial incentive applications subject to the requirements of the individual financial incentive programs. Approvals may be subject to terms, conditions, and time periods as stated in approvals.
2. As a condition of approval of an application for any of the financial incentive programs contained within this CIP, the applicant may be required enter into an agreement with the City at the discretion of Council. The agreement may be registered against the land to which it applies and will specify the terms, duration and default provisions of the grant.
3. Approved grants being received through one or more of the financial incentive programs contained within this CIP can be transferred to the new owners of the property or other assignee at the sole discretion of the City subject to the new owner entering into an agreement (where applicable) with the City that fulfills the requirements of the original agreement, plus any new requirements.
4. All proposed works approved under the incentive programs and associated improvements to buildings and/or land shall conform to all provincial laws, municipal by-laws, policies, procedures, standards and guidelines, including applicable Official Plan and zoning requirements and approvals.
5. The applicant will be required to submit a complete application to the City describing in detail the work that is planned. This may include reports, floor plans, conceptual site plans, business plans, estimates, contracts and other details as may be required to satisfy the City with respect to conformity of the project with the CIP. The application must be submitted to the City prior to City Council's approval of financial incentives for the project.
6. All studies, drawings, reports and/or materials submitted to and/or requested by the City to support a financial incentive program application shall be prepared by qualified professionals to the satisfaction of the City. The individual financial incentive programs may have specific requirements for information, as well as outline the specific professional qualifications necessary to complete the prescribed work.

7. The City may undertake an audit of work done and eligible costs if it is deemed necessary, at the expense of the applicant.
8. City staff, officials, and/or agents of the City may inspect any property that is the subject of an application for any of the financial incentive programs offered by the City.
9. The City is not responsible for any costs incurred by an applicant in relation to any of the programs, including without limitation, costs incurred in anticipation of a grant.
10. The total of all grants provided in respect of the particular lands and buildings of an applicant under the programs contained in the CIP shall not exceed eligible costs with respect to these lands and buildings.
11. Grants will not apply to any portion of the personal property, inventory or land purchase value of the project.
12. The financial incentive programs approved by City Council will take effect as of the date of City Council adoption and will not be applied retroactively to any work that has taken place prior to the adoption of the CIP.
13. Approval of financial incentive program applications will not be applied retroactively to any work that has taken place prior to the City Council's or delegate's approval to participate in an incentive program. However, Council or its delegate may at its discretion approve including eligible costs incurred between the time that the City receives a complete application for a financial incentive program(s) and the date of the final approval to participate in the program. The applicant assumes all of the risks associated with beginning the eligible works prior to final approval, including the potential for denial of a financial incentive program application.
14. City Council at its discretion may at any time discontinue a program; however, any participants in the program prior to its discontinuance will continue to receive grants as approved for their property in accordance with the approval and/or agreement signed with the City of Windsor.
15. If the applicant is in default of any of the general or program specific requirements, or any other requirements of the City, the City may delay, reduce or cancel the approved grant, and any grant amount paid will be recovered by the City.
16. If a building that was erected or improved with a program grant is demolished prior to the expiry of the grant period, the grant is terminated and will be recovered by the City.
17. The City has the right to perform annual inspections to ensure compliance with the agreement and make adjustments to the incentive levels to reflect the current situation in relation to the agreement signed with the City.
18. Grants will be paid in accordance with the specific requirements and payment terms of each individual financial incentive program offered by this Community Improvement Plan.
19. Unless otherwise stated, the financial incentive programs described in this CIP are designed to be funded by a capital budget established for the purposes of implementing the financial incentive programs according to the payment conditions and schedule outlined for each program, and subject to the availability of funding as approved by Council.
20. The Building/Property Improvement Tax Increment Grant Program described in this CIP is designed to be funded by the tax increment generated by the development, redevelopment, adaptive reuse or rehabilitation according to the payment schedule outlined for the program and/or approved by Council.
21. City Council, at its sole discretion, may evaluate an incentive application and decide on a case-by-case basis to adjust the level of the incentives (not to exceed the eligible costs), provide for an alternative payment schedule, and/or identify and use alternative sources of funding to pay the grants. Council will prepare additional implementation criteria and/or policies to assist with determining when one or more of these options may be necessary and/or desirable. Council modified incentives must comply with the eligibility criteria of the individual incentive program.
22. Financial incentives are available for the eligible costs of the development, redevelopment, adaptive reuse or rehabilitation of a building and/or property, and are not based on occupancy or changes in occupancy.



Municipal Development Fees Grant Program

Purpose

The Municipal Development Fees Grant Program is intended to encourage development along the University Ave West and Wyandotte Street West corridors by providing a financial incentive to offset the costs associated with seeking the appropriate planning approvals and building permits for a project.

Description

The Municipal Development Fees Grant Program will consist of a grant program, whereby property owners will be eligible to receive a grant for 100% of the specified Municipal Development Fees, up to a maximum of \$50,000 per property.

Program Details

Applicants are eligible to apply for funding under this program, subject to meeting the general program requirements, the following program specific requirements, and subject to the availability of funding as approved by Council:

1. The Municipal Development Fees will be refunded at 100% of the fees owing to the City of Windsor, up to a maximum amount of \$50,000 per project.
2. The Municipal Development Fees Grant is only available for the Municipal Development Fees that are directly associated with a project that results in the development, redevelopment, adaptive reuse or rehabilitation of a building or property and qualifies for another program under the CIP.
3. The applicant will be required to submit a complete application to the City describing in detail the development or redevelopment that is planned, including application for building permit(s). This may include floor plans, site plans, reports, business plans, estimates, contracts and other details as may be required to satisfy the Municipality with respect to conformity of the project with the CIP. The application must be submitted to the City prior to the final approval of financial incentives for the project.
4. The Municipal Development Fees Grant is a grant equal to 100% of the fees paid for the following eligible types of planning/development applications and building permits:

- Official Plan amendment;
- Zoning By-law amendment;
- Minor Variance;
- Consent to Sever;
- Site Plan Control;
- Condominium;
- Demolition Permit (except where the demolition permit is for a property listed on the Municipal Heritage Register;
- Building Permit;
- Sign Permit; and,
- Other development related municipal fees that are not listed above, that advance the purpose of this program, may be considered at the discretion of the City Planner.

5. Municipal Development Fees Grants do not include the Parkland Dedication Fees that are associated with the development, redevelopment, adaptive reuse or rehabilitation of a building or property.

6. Building permit fees for newly created single family lots resulting from a Plan of Subdivision approval are not eligible for a Municipal Development Fees Grant.

7. Any remaining Municipal Development Charges that are assessed as a result of the development or redevelopment will also be eligible for the Municipal Development Fees Grant Program for projects that qualify for the Building/Property Improvement Tax Increment Grant Program.

8. Determination of compliance with the requirements of this program and the amount of the grant (within the permitted terms of this program) is at the discretion of and subject to the approval of the City Planner.

9. The Development and Building Fees Grant will be paid after all construction is complete and all final inspections pertinent to all permits eligible for grants have been conducted by the City.

Geographic Eligibility

The Municipal Development Fees Grant Program is applicable to the entire Community Improvement Project Area for projects that meet the program requirements outlined above.

Combining with the Building/Property Improvement Tax Increment Grant Program the University Ave West and Wyandotte Street West corridors are located within the boundaries of Council's existing Development Charges Reduction program for infill projects. Development Charges are significantly reduced in these areas to encourage infill development that contributes to the intensification of existing core areas of the city.

Any remaining Municipal Development Charges that are assessed as a result of the development or redevelopment will also be eligible for the Municipal Development Fees Grant Program for projects that qualify for the Building/Property Improvement Tax Increment Grant Program. The Educational Development Charge will still apply to all developments or redevelopments.

The City Planner will document each approval and submit a description of each approval as a Communication agenda item to City Council for informational purposes.

Grant Calculation

The amount of the grant will be determined based upon the total dollar value of all of the Municipal Development Fees owing to the City. The grant will be for 100% of the eligible Municipal Development Fees, up to a maximum of \$50,000 per property.

Grant Payment

Payment of the grant is made to the applicant upon the Municipality being satisfied that the applicant has complied with all terms and conditions of the application procedure, inspection procedures, development procedures, and completion of work within the required time frame.

In accordance with the Planning Act, the total of the Municipal Development Fees Grant Program will not exceed the approved eligible costs for the Municipal Development Fees Grant Program.

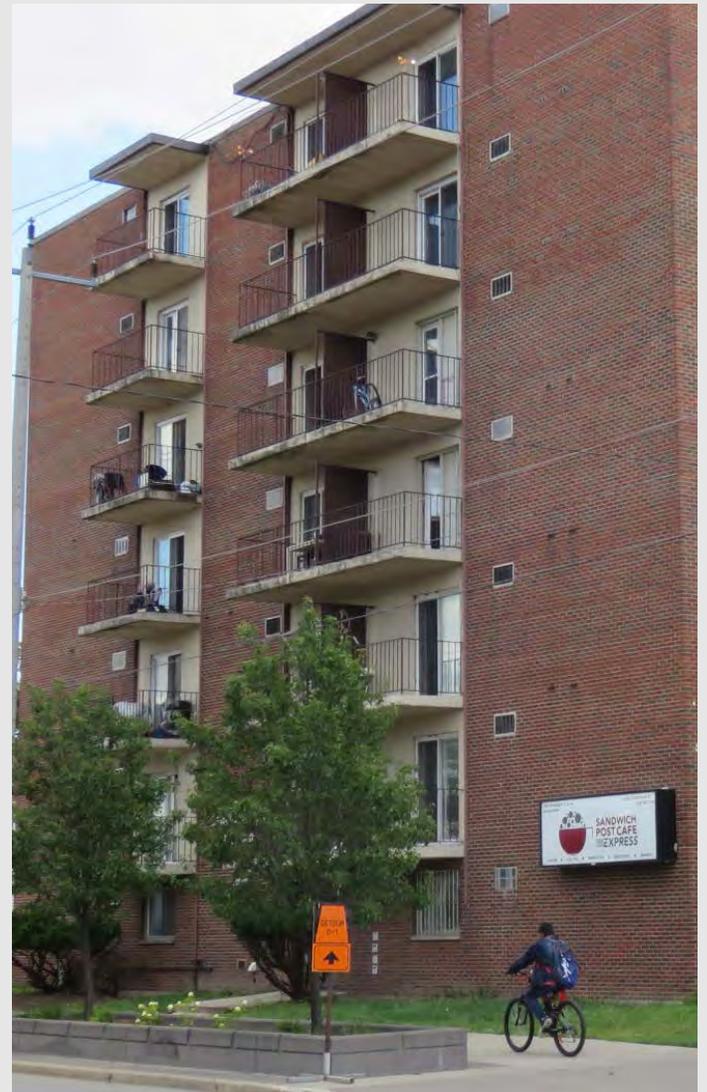
Grant Agreement

As a condition of approval of an application for a Municipal Development Fees Grant, the applicant may be required to enter into an agreement with the City. The Agreement may be registered

against the land to which it applies and will specify the terms, duration and default provisions of the grant.

Other Funding

Projects that are eligible for the Municipal Development Fees Grant Program are permitted to combine the incentives from any other City of Windsor approved Community Improvement Plan, provided that the total of all property tax assistance, grants and loans provided by the City in relation to this, or any other CIP, will not exceed the approved eligible costs for all approved incentive programs.





Commercial/Mixed Use Building Facade Improvement Program

Purpose

The Commercial/ Mixed Use Building Facade Improvement Program is intended to encourage the redesign, renovation or restoration of commercial and mixed-use building facades within the Community Improvement Project Area by providing a financial incentive to offset some of the costs associated with the improvement of building facades.

This program is intended to:

- Make the corridors more attractive, inviting and interesting places to walk and shop;
- Send a strong market signal to other potential investors that the corridor is a viable investment option;
- Help building owners attract and retain tenants;
- Improve the marketability of individual buildings and the local business area as a whole;
- Build civic pride among the local businesses; and,
- Contribute to the quality of life of residents, workers and visitors

Exterior improvements funded by the program help businesses make a better first impression, showcase merchandise and services, and attract new customers.

Description

The Commercial/ Mixed Use Building Facade Improvement Program will consist of a grant program, whereby property owners, tenants and/or assignees will be eligible to receive a grant for 50% of the eligible costs of the facade improvements, up to \$20,000 per property.

At the discretion of Council, the grant can be increased by up to \$10,000 per property/project for properties/projects:

- Buildings located on corner properties that require improvement and restoration works to two facades that are highly visible from an adjacent street or public right-of-way or park;
- Façade improvements that will have a significant impact on improving the appearance of the corridors and will have a significant investment of \$100,000 or more on the facades; or
- Designated under the Ontario Heritage Act, or on the Municipal Heritage Register.

Program Details

Applicants are eligible to apply for funding under this program, subject to meeting the general program requirements, the following program specific requirements, and subject to the availability of funding as approved by Council:

1. Pre-consultation with the applicant and staff from the Planning Department to discuss the proposed improvements is recommended prior to submitting an application to access the Program.

2. The applicant will be required to complete and provide the following application materials to the Planning and Building Services Department:

- An completed application form;
- Detailed plans/drawings of the improvements to be undertaken; and,
- Three estimates of the cost of undertaking the proposed improvements.

3. The evaluation of the applicant's proposal will be based on the extent to which the project enhances building aesthetics and functionality with regard for the interface between building and adjacent street(s) and/or public spaces.

4. Design advice and technical assistance may be offered through the Planning Department to assess the property and suggest facade improvements.

5. All elevation drawings will be reviewed and approved by the City and may be subject to an agreement that stipulates the specifics of the approved facade design and improvements.

6. The following types of building façade restoration and improvement works on commercial and mixed use buildings are considered eligible for a Commercial/ Mixed Use Building Facade Improvement grant:

- Repair or replacement of storefront, including repair or replacement of storefront doors and windows;
- Exterior and entrance modifications to provide barrier free accessibility;
- Repair or repointing of facade masonry and brickwork;
- Repair or replacement of cornices, parapets, eaves, soffits and other architectural details;

- Repair or replacement of awnings or canopies;
- Facade painting and cleaning/treatments;
- Addition of new lighting/upgrading of existing fixtures on exterior facade and in entrance and storefront display areas;
- Installation/improvement of signage (as permitted by the Sign By-law);
- Architectural/design fees required for eligible works (to maximum of 10% of the grant amount); and,
- Other improvements and repairs that may be necessary to implement the approved Community Improvement Plan also may be undertaken subject to the appropriate By-laws of The Corporation of the City of Windsor, as determined by the City Planner.

7. In addition to the eligible costs specified in 6) above, the following types of building façade restoration and improvement works on commercial and mixed use buildings designated under the Ontario Heritage Act are also considered eligible for a grant/loan under this program:

- Works that conserve or enhance elements specified in the Reasons for Designation accompanying the designating by-law under the Ontario Heritage Act;
- Original siding and roofing materials including repair and replacement where necessary of wood clapboard or board-and-batten, repair and repointing of masonry buildings, stucco repair, repair or replacement of original roofing materials (slate, wood shingles, tile, etc.);
- Removal of modern materials and replacement with documented original materials;
- Reconstruction or construction of former and significant architectural features for which
- the appearance can be clearly determined from documentary sources (photographs, drawings, etc.);
- Cleaning of masonry buildings if it is necessary for the building's preservation;
- All final finishes, such as paint and masonry are eligible for funding subject to approval; and,
- Works required to maintain or preserve significant architectural features.

8. The program encourages the restoration of façades to their original state using authentic or original materials. Products used in the restoration of a façade should contain materials that match the texture, colour, size, shape and detail of the original material where possible.

9. This program encourages removal of materials such as vinyl or aluminum siding and the restoration of original brick, block or wood façades. Where it is not possible to restore the original materials of a façade, the use of natural materials is encouraged where the form and scale of the original façade is maintained.

10. Fees (i.e. architects, engineers, permits, etc.) associated with the facade improvements are an eligible expense up to 10% of the total grant amount. Labour contributed by the applicant is not an eligible expense.

11. All improvements must be maintained during the term of the Community Improvement Plan and all improvements must be completed within timeline approved by Council.

12 . Despite CIP applications, designated properties are still subject to Ontario Heritage Act processes.

Grant Payment

Payment of the grant is made to the grant recipient upon the City being satisfied that the grant recipient has complied with all terms and conditions of the application procedure, inspection procedures, development procedures, verification of paid invoices documenting eligible costs, and completion of work within the required time frame.

In accordance with the Planning Act, the total of the Commercial/ Mixed Use Building Facade Improvement Grant will cannot exceed the approved eligible costs for the Commercial/ Mixed Use Building Facade Improvement Grant Program.

Grant Agreement

As a condition of approval of an application for a Commercial/ Mixed Use Building Facade Improvement Grant, the applicant may be required to enter into an agreement with the City. The Agreement may be registered against the land to which it applies and will specify the terms, duration and default provisions of the grant.

Other Funding

Projects that are eligible for the Commercial/ Mixed Use Building Facade Improvement Grant Program are permitted to be combined with the incentives from any other City of Windsor approved Community Improvement Plan provided that the total of all property tax assistance, grants and loans provided by the City in relation to this, or any other CIP, cannot exceed the approved eligible costs for all approved incentive programs.

Geographic Eligibility

The Commercial/ Mixed Use Building Facade Improvement Program is applicable to the entire Community Improvement Project Area, for projects that meet the program requirements outlined above.

Grant Calculation

The amount of the grant will be determined based upon the total eligible costs for the facade improvements divided by two, with the amount of the grant capped at \$20,000 per property.

At the discretion of Council, the grant can be increased by up to \$10,000 per property/project for properties/projects:

- Buildings located on corner properties that require improvement and restoration works to two facades that are highly visible from an adjacent street or public right-of-way or park;
- Façade improvements that will have a significant impact on improving the appearance of the corridors and will have a significant investment of \$100,000 or more on the facades; or
- Designated under the Ontario Heritage Act or are on the Municipal Heritage Register.

Grant Payment

Payment of the grant is made to the grant recipient upon the City being satisfied that the grant recipient has complied with all terms and conditions of the application procedure, inspection procedures, development procedures, and completion of work

within the required time frame.

In accordance with the Planning Act, the total of the Commercial/ Mixed Use Building Facade Improvement Grant will cannot exceed the approved eligible costs for the Commercial/ Mixed Use Building Facade Improvement Grant Program.

Grant Agreement

As a condition of approval of an application for a Commercial/ Mixed Use Building Facade Improvement Grant, the applicant may be required to enter into an agreement with the City. The Agreement may be registered against the land to which it applies and will specify the terms, duration and default provisions of the grant.

Other Funding

Projects that are eligible for the Commercial/ Mixed Use Building Facade Improvement Grant Program are permitted to be combined with the incentives from any other City of Windsor approved Community Improvement Plan provided that the total of all property tax assistance, grants and loans provided by the City in relation to this, or any other CIP, cannot exceed the approved eligible costs for all approved incentive programs.





Building/Property Improvement Tax Increment Grant Program

Purpose

The Building/Property Improvement Tax Increment Grant Program is intended to provide economic incentive for the development, rehabilitation and redevelopment of properties within the catalyst project areas of the CIP.

To provide an economic catalyst for rehabilitating, redeveloping or developing buildings and properties by providing a financial incentive that reduces any tax increase that can result when a property is rehabilitated, redeveloped or developed and may provide assistance in securing project financing. To help offset the costs of rehabilitating and redeveloping properties, as long as such development results in an increase in assessment and therefore an increase in property taxes.

Description

This program will provide an annual grant based on the increase in municipal property taxes for five years, after the project is completed and reassessed to help offset the costs of rehabilitating and redeveloping properties, as long as such development results in an increase in assessment and therefore an increase in property taxes.

Program Details

Applicants are eligible to apply for funding under this program, subject to meeting the general program requirements, the following program specific requirements, and subject to the availability of funding as approved by Council:

1. The following types of projects are considered eligible for the Building/Property Improvement Tax Increment Grant Program:

- Existing commercial, residential and mixed use buildings, and vacant properties where the development, redevelopment or rehabilitation project results in an increase in the assessed value and taxes on the property.

2. The Building/Property Improvement Grant Program will consist of a grant program, whereby registered property owners and/or assignees will be eligible to receive a grant for 100% of the municipal portion of the tax increment generated from the improvements made to the building or property for a defined period of time.

3. The amount of the grant will be determined based upon the incremental increase in the municipal taxes that results from the work being completed and the project being reassessed by MPAC.

4. The applicant will be required to submit a complete application to the City describing in detail the development or redevelopment that is planned. This may include reports, conceptual site plans, business plans, estimates, contracts and other details as may be required to satisfy the City with respect to and conformity of the project with the CIP. The application must be submitted to the City prior to City Council's approval of financial incentives for the project.

5. The development, redevelopment, adaptive reuse or rehabilitation of the building and/or property must result in an annual grant (or tax increment) of at least \$500 for properties that are taxed at the "residential" tax rate, or \$1,000 for all other tax categories.

6. Building/Property Improvement Grants are only available for the "eligible costs" specified below:

- Any portion of the eligible costs that were not reimbursed as part of another CIP program (except the Alley Enhancement Grant Program);
- Demolishing buildings for the purpose of preparing the site for development or redevelopment that is approved by the City (only an eligible cost as part of a redevelopment of the property);
- Development or redevelopment of a building or property, including improvements and expansion to an existing building;
- Adaptive reuse, building rehabilitation and retrofit works;
- Development Feasibility and Support Studies;
- Municipal Development Fees that exceed the \$50,000 cap under the Municipal Development Fees Grant Program.
- Upgrading on-site infrastructure including water services, sanitary sewers and stormwater management facilities;
- Constructing/upgrading of any off-site improvement that is required to fulfill any condition of a development/planning approval (including Site Plan
- Control) for the development, redevelopment, adaptive reuse or rehabilitation of the building and/or property.

7. Determination of compliance with the requirements of this program and the amount of the property’s grant (within the permitted terms of this program) is at the discretion of and subject to City Council approval.

8. City Council, at its sole discretion, may evaluate an incentive application and decide on a case-by-case basis to adjust the level of the incentives or provide for an alternative payment schedule to pay the Building/Property Improvement Grant Program. Projects must still meet the eligibility requirements of the Building/Property Improvement Grant Program and Council modified grants will not exceed the eligible costs of the development, redevelopment, adaptive reuse or rehabilitation.

9. Grants will be made upon successful completion of the approved work and documentation of the eligible costs associated with the work. The City may undertake an audit of work done and eligible costs if it is deemed necessary, at the expense of the applicant.

10. The Building/Property Improvement Grant Program may be passed on to subsequent owners, including individual residential unit owners, for the amount and time left in the original grant payback period with City Council’s approval. Subsequent owners will be required to enter into an agreement with the City that outlines the details of the remaining grant amount, eligibility and financial obligations.

11. The grant will be forfeited and repaid to the City if the property is demolished or altered in a manner that does not comply with the CIP before the grant period elapses.

Geographic Eligibility

The Building/Property Improvement Tax Increment Grant Program is applicable to the entire Community Improvement Project Area for projects that meet the program requirements outlined above.

Grant Calculation

The amount of the grant will be determined based upon the incremental increase in the municipal taxes that result from the eligible work being completed. The tax increment will be established after the final inspection of the improvements in accordance with the Ontario Building Code and when MPAC has established a new assessment value. The total amount of the grant provided cannot exceed the value of the eligible work that resulted in the reassessment.

Year of Grant	Increment Percentage Rebated	Amount of Taxes Payable
1	100%	Base Rate
2	100%	Base Rate
3	100%	Base Rate
4	100%	Base Rate
5	100%	Base Rate

The payment schedule for the Building/Property Improvement Grant Program will be as follows, or until the total of all grants that are provided in respect of the lands and buildings are equal to the approved eligible costs.

City Council, at its sole discretion, may approve an additional five year extension for a catalyst project, a designated heritage building, projects where at least 20% of the units are affordable housing units and/or projects that achieve a LEED Bronze or higher certification.

For development or redevelopment occurring in a mixed use building, the Building/Property Improvement Grant will be calculated using MPAC’s method of apportioning the assessed value of mixed-use properties into different classes.

Year of Grant	Increment Percentage Rebated	Amount of Taxes Payable
6	100%	Base Rate
7	100%	Base Rate
8	100%	Base Rate
9	100%	Base Rate
10	100%	Base Rate

Grant Payment

The applicant will be required to pay the full amount of property taxes owing for each year of the program’s applicability and will receive a Building/Property Improvement Grant for the amount of the municipal tax increment after the final tax bills for each year have been collected, provided all other eligibility criteria and conditions continue to be met. Grants will not be applied as tax credits against property tax accounts. If the tax bill is not paid in full, the City may cancel all future grants and collect past grants made as part of this program.

In case of an assessment appeal, the City reserves the right to withhold any forthcoming Building/Property Improvement Grant

payments pending final disposition of the appeal. If necessary, the grant will be adjusted and paid once a decision regarding the appeal is rendered.

This program does not exempt property owners from an increase in municipal taxes due to a general tax rate increase or a change in assessment for any other reason after the eligible work has been completed.

Grant Adjustments

- The City of Windsor reserves the right to adjust the amount of the Building/Property Improvement Grant to:
- If it ceases to meet the objectives outlined in this CIP;
- Recover grant payments that were made under one or more of the other programs contained within this CIP where the development or redevelopment no longer complies with the Purpose or Program Details of the program for which the grant was made;
- Reflect the amount of all reductions to municipal taxes paid to the applicant following the commencement of the grant program, including property tax rebates to reflect vacancy, charitable status, heritage status, etc; and,
- Account for a reduction of municipal taxes payable resulting from a successful assessment appeal.

Grant Agreement

As a condition of approval of an application for a Building/Property Improvement Tax Increment Grant, the applicant must enter into an agreement with the City. The Agreement will be registered against the land to which it applies and will specify the terms, duration and default provisions of the grant.

Other Funding

Projects that are eligible for the Building/Property Improvement Grant Program are permitted to combine the incentives from any other City of Windsor approved Community Improvement Plan provided that the total of all property tax assistance, grants and loans provided by the City in relation to this, or any other CIP, cannot exceed the approved eligible costs for all approved incentive programs.

In no instances can the application of this, or any other CIP program, exceed 100% of the Municipal tax increment generated by the approved development or redevelopment.

Other Community Improvement Activities and Actions

In addition to the financial incentive programs outlined in this CIP, the Planning Act also permits the municipality to undertake the following community improvement activities:

1. Acquire, hold, clear, grade or otherwise prepare land for community improvement;
2. Construct, repair, rehabilitate or improve buildings on land acquired or held by it in conformity with the community improvement plan; and,
3. Sell, lease, or otherwise dispose of any land and buildings acquired or held by it in conformity with the community improvement plan.

Property Acquisition

The City of Windsor may facilitate the assembly of land within the Community Improvement Project Area in conformity with the Community Improvement Plan. Additionally, the City of Windsor may acquire, hold, clear, grade or otherwise prepare the land for community improvement as defined by this CIP. The principal reason for acquisition is to improve and secure the economic well-being of the study area by asserting an elevated level of control over the acquisition and consolidation of sites suitable for facilitating new development or redevelopment, providing much needed amenities and services, or that further the objectives of this CIP. The City of Windsor may also choose to construct, repair, rehabilitate or improve buildings on land acquired or held by it to further the objectives of this CIP.

Property Disposition

The City of Windsor may dispose of municipally owned land or buildings within the Community Improvement Project Area in conformity with the Community Improvement Plan. Additionally, the City of Windsor may sell, lease, or otherwise dispose of any land and buildings acquired or held by it provided the end use of the property and/or buildings remains in conformity with this CIP. The City of Windsor may choose to dispose of municipally owned property or buildings at less than market value in order to facilitate the development, redevelopment or adaptive reuse of the property and/or buildings. Municipally owned property that is disposed of for the purpose of meeting one or more of the objectives of this CIP, whether at market value or less, is subject to the following requirements:

1. Unless the property is deemed to be a Special Project as defined by the City of Windsor's "Disposal of Land" policy, all disposition of municipal land must be done in compliance with the "Disposal of Land" policy;
2. City Council may deem any property located within the Community Improvement Project Area to be a "Special Project" as defined by the City of Windsor's "Disposal of Land" policy for the purposes of Community Improvement provided that the proposed development, redevelopment or rehabilitation meets the definition of a catalyst project, as defined by this CIP;
3. Properties that are deemed to be a "Special Project" can be disposed of using one or more of the following methods:
 - Direct offer of purchase and sale;
 - Request for Proposals;
 - Expression of Interests;
 - Land exchange(s); or
 - Any other method deemed to be appropriate by City Council.
4. City Council will determine the percentage below market value, if any, that the City will sell the property for based on the benefit to the public generated by the project, as determined by City Council.
5. The actual percentage below market value will be determined by City Council. The amount below market value plus all other incentives under this, or any other approved, CIP cannot exceed the total eligible costs.
6. As required by the Planning Act the purchaser of City owned property will be required to enter into a written agreement with the City stating that they will keep and maintain the land, building and the use in conformity with the Community Improvement Plan. The agreement entered into above will be registered against the land to which it applies and the City will enforce the provisions of the agreement against any party to the agreement and, subject to the provisions of the Registry Act and the Land Titles Act, against any and all subsequent owners or tenants of the land.
7. Projects are also required to be in compliance with the City's other by-laws and policies, including zoning and building regulations.

Monitoring Program

The performance and impact of the incentive programs will be monitored to ensure that the purpose and objectives of this CIP are successfully being met.

Purpose of the Monitoring Program

The collection and analysis of information is intended to monitor:

- Funds dispersed through the CIP incentive programs by program type so as to determine which programs are being most utilized;
- The revitalization and economic impact associated with projects taking advantage of the CIP incentive programs in order to determine the ratio of private sector investment being leveraged by public sector investment;
- The amount of private sector investment made in downtown Windsor by sector (e.g. residential, retail, office, etc) ; and,
- Feedback from users of the incentive programs so that adjustments can be made to the incentive programs over time as it is deemed necessary.

Data Collection

The following program-specific information should be collected on an ongoing basis:

Municipal Development Fees Grant Program

- Number of program applications;
- Estimated and actual amount of grants provided.

Commercial/Mixed Use Building Facade Improvement Program

Number of applications

- Number of building facades improved;
- Value of building facade improvements;
- Changes in assessment value of the building; and,
- Estimated and actual amount of grants provided. Building/Property Improvement Tax Increment Grant Program

- Number of applications
- Number of buildings or properties improved;
- Value of building/property improvements;
- Changes in assessment value of the building; and,
- Estimated and actual amount of grants provided.

CIP Review and Program Adjustments

Progress on implementation and the monitoring results of the incentive programs described above will be reported to City Council on an annual basis.

A comprehensive analysis of information collected will be presented to City Council at the five year anniversary of the CIP coming into effect. This analysis will be accompanied by recommendations relating to the following matters (at a minimum):

- Continuation or repeal of the entire CIP;
- Discontinuation or addition of programs contained within the CIP; and,
- Minor adjustments to the program details, terms or requirements of programs contained within the CIP.

Requirement for CIP Amendment

Minor revisions to the CIP, including the adjustment of terms and requirements of any of the programs, changing the boundaries of any of the targeted program boundaries (within the existing boundary of the CIP Project Area) , or discontinuation of any of the programs contained in the CIP, may be undertaken without amendment to the CIP. Such minor changes or discontinuation of programs will be provided to the Minister of Municipal Affairs and Housing for information purposes only.

The addition of any new programs, significant changes to eligibility criteria, changes to the CIP Project Area boundaries, or changes to the CIP that would substantially increase funding provided by existing financial incentives will require a formal amendment to the CIP in accordance with Section 28 of the Planning Act.